



O'Day Resolutions

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I have been contacted by your spouse, to discuss proceeding with your dissolution of marriage as amicably as possible. Your spouse indicated that you both would need assistance in resolving issues of a Parenting Plan as well as financial issues for the dissolution. I would like to outline the Collaborative Family Law Process which your spouse feels would be most appropriate in your case. I am writing to request that you consider this refreshing approach to resolving marital conflict that is straight forward and does not involve the Court in any adversarial way.

In this process we strive to communicate respectfully and constructively with each other to settle legal issues promptly and economically. Both parties are represented by individually selected Collaboratively Trained counsel. Before the process begins, all the participants -- lawyers and clients -- formally contract to work together to resolve all legal issues. Both lawyers pledge not to litigate the case or treat the case in an adversarial manner.

Collaborative Family Law attorneys utilize a multi-disciplinary network of professionals to provide expertise and advice as needed on issues relevant to the ultimate settlement of the case. For example we employ the services of a Facilitator to offer guidance, education, and the facilitation of parenting decisions during your divorce. This expert can also act as a Divorce Coach providing a connection between the legal process and your emotional process and enhance communication so as to reduce misunderstanding between the parties.

In addition, a Neutral Financial Professional can offer you advice on how to ensure that the family derives the maximum benefit from the financial resources available. By having one neutral financial expert the family ensures open discussion of financial issues with everyone utilizing the same information. The Financial Professional works to develop creative options to help the parties reach a fair resolution of all financial issues.

To reach a settlement using collaborative family law, the lawyers and neutral professionals meet with the parties in team meetings. The meetings promote improved communication and cooperation -- and nourish an environment that fosters analysis and reasoning. This helps generate options and creates a positive context for settlement while giving both parties control over the outcome. The commitment to continued cooperation -- even if communication becomes difficult -- also increases the likelihood of a solution where everyone has their needs met.

Family Mediation

Collaborative Law

Parenting Coordination

Board Certified in Marital & Family Law

Attorneys in this process guide their clients to find creative solutions to problems with the help of neutral experts and with full consideration of the legal ramifications of agreements reached. We remain committed to assisting our clients in reaching agreements and overcoming impasses. We do not prepare or file any documents with the Court except by mutual agreement of all concerned.

It is the role of the parties to participate in good faith to reach a negotiated agreement that focuses on the best interest of your children, while respecting your individual interests and concerns. The primary advantages of this process include confidentiality of the process and agreements, lower overall costs, much higher client involvement, reduced stress for the parties, and the opportunity to find creative solutions rather than being confined by the straightjacket of litigation. We require the parties to make a full and fair disclosure of all facts pertinent to your legal matter to your attorney and to each other.

Collaborative Family Lawyers are specially trained in the collaborative law process and committed to uphold Standards of Conduct and follow the Guidelines of Practice established by the International Academy of Collaborative Professionals. In order for the process to proceed, I would ask that you consider retaining a lawyer who is willing to proceed with the collaborative family law process.

I have enclosed a list of Collaborative Family Lawyers, and you can also look on the web site for additional names, www.nextgenerationdivorce.com. I know that your spouse would like to proceed with this process and I would therefore request that you have your attorney contact me as soon as possible to begin your case.

If you choose a traditional attorney, it is unlikely that your case will proceed in a collaborative fashion. I sincerely hope that you will join us in this effort to keep the focus on children's best interest and peaceful resolution of the matter.

Sincerely,

Sharon O'Day, Esq.
Attorney at Law

Enclosures: Information on Collaborative Law
List of Collaborative Attorneys