

Collaboration Works Better than Confrontation

When a relationship breaks down there is huge emotional and financial pressure on each of the partners. What's often forgotten is the negative impact the breakdown has on the children. They still see a mum or dad rather than a 'bad' partner.

Rosemary Isbell, Family Solicitor at Herrington & Carmichael LLP in Wokingham, is helping many families resolve the issues around their separation in a constructive, amicable way without having to resort to the cost and hostility of going to court.

Rosemary is a fully trained collaborative lawyer and believes that a collaborative approach is the modern and best way to reaching a lasting settlement for the separating couple.

"We are encouraging dialogue between couples and getting them to reach a settlement that suits their requirements and that has not been imposed by a court or has had to comply with the court's strict timetable. Consequently, there is less opportunity for further upset or animosity between couples and therefore less negative impact for the children as well; that's got to be healthier for everyone," said Rosemary.

The collaborative family law process is relatively new and applies to both married and unmarried couples. Family lawyers practising collaborative law are specialist trained and are members of the lawyers' organisation Resolution, which believes in a constructive, non-confrontational approach to family law matters.

The way that collaborative law works is that each person meets with their lawyer to discuss the process, their personal objectives in working collaboratively and the information that needs to be exchanged. This might relate to the family finances and/or arrangements that need to be made for the children. There are then a series of 'four-way meetings' at which the couple and their lawyers will

sit down together and discuss and negotiate towards an agreement that is sensible, fair and ultimately legally binding for them both.

Collaborative law is just one of the alternatives to going to court offered by Herrington & Carmichael. Another is the use of an

independent mediator who will meet couples together and will identify those issues they can't agree on, thereby helping them to try and reach their own agreement. Mediators are neutral and are not advisors. They will not give advice on individual positions and will usually recommend that each person obtains legal advice alongside the mediation process.

If you think the collaborative law process can be of help to you or would like to find out more about mediation then Rosemary can be contacted on 0118 977 4045 or by email to rosemary.isbell@herrington-carmichael.com



**HERRINGTON
&
CARMICHAEL**
SOLICITORS