

# It is not the divorce itself that scars it is the way you divorce. Here's the new friendlier way.

An undefended divorce can be relatively straightforward but, when it comes to unravelling the finances and deciding who gets what, things can get a little difficult.

by Karen Lloyd, Solicitor and Collaborative Family Lawyer, **FitzPatricks solicitors**

## You have decided to divorce, so what are your options?

**1.** The 'kitchen table' option. You both may be perfectly amicable and able to reach an agreement. Provided the agreement is fair, you will each only need a lawyer (the same lawyer cannot advise you both) to have the agreement approved by the court.

**2.** The 'mediation' option. You both attend mediation sessions with an impartial mediator and try to reach an agreement. Again, you will need a lawyer to put the agreement into effect.

**3.** The 'traditional' option. You each instruct a lawyer and try to negotiate a settlement. If this cannot be achieved, then court proceedings follow. While most family lawyers adopt a conciliatory approach when dealing with family matters, this option is, to a degree, adversarial. Generally, people find this hard and emotional and they wish there had been another way.

**4.** The fourth option is new and combines only the best features of the others. This is 'Collaborative Law' and it is fast gaining momentum as solicitors train in the procedures. It is proving for many couples the

best way forward. You each have your own independent, collaboratively trained lawyer who is there to facilitate the process. You and your lawyers are all on first name terms, which is certainly new. You mostly set your own agenda; you have more control over the process. You have to talk openly in meetings, listen carefully and both commit to 100% transparency in money matters and be prepared to reach agreement. You each have your collaborative lawyer by your side to guide you and provide the necessary legal advice. With goodwill, hurdles are overcome and

the process is quicker and friendlier. Once an agreement has been reached, the lawyers can put it into effect.

Divorce is never easy. You have to remain calm and be committed to making the collaborative process work. It will not suit everyone but it does offer, for some, a better way of handling family disputes.

To find out more about collaborative law, visit [www.resolution.org.uk](http://www.resolution.org.uk) or talk to your family lawyer. For more information and advice, contact FitzPatricks solicitors. Tel: 01444 870123. [www.fitzpatrickslaw.co.uk](http://www.fitzpatrickslaw.co.uk)

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[www.fitzpatrickslaw.co.uk](http://www.fitzpatrickslaw.co.uk)  
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