

# *Collaborative Law*

Contact our Collaborative Lawyers

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## **What is Collaborative Law?**

With collaborative law, the parties have four-way meetings with their respective legal advisers. The advisers and the parties themselves sign an agreement that they will not take the matter to Court with regard to any contested issues and further, that if either party chooses to back out of the collaborative law process, neither lawyer can be instructed by the parties to represent them in the Court process.

As part of its continuing improvement of private client services, we realise the importance of the collaborative law approach to family breakdown problems recognising that it is the way in which couples divorce or separate that often takes the heaviest toll on clients and their children, rather than the divorce and separation itself

## **Who deals with Collaborative Law at Myer Wolff**

Fiona Draper and Nicholas Walton-Jones, solicitors in the Ancillary Relief Family Law Team at Myer Wolff (the team that deals with property, finance and pension issues on divorce or separation) have trained as collaborative lawyers and the firm now offers collaborative law as an alternative to the traditional approaches of Mediation and the Court process to resolve family disputes.

## **How does this work?**

As this is an approach which encourages the parties to settle their differences based upon their needs and requirements rather than their positions, when you first see a collaborative lawyer, you are not given legal advice as to your position in law with regard to your situation as you would be if you were instructing a lawyer to deal with the matter in the usual Court based approach. Legal advice is given at the appropriate stage in the collaborative process on agreement between the legal advisers.

## **Is it for you?**

Collaborative law is not for everyone. It requires an approach by both parties to be able to talk through their concerns and requirements in a way which can result in a settlement which does not embitter the parties towards one another and cause difficulties with regard to children issues. The parties reach an agreement which

suits them and their children and enables the separating couple to move on in their lives without the bitterness which so often follows the conventional divorce/separation process.

### **Is it for married couples only?**

It is for couples who are ending their relationship whether they are married or not. It also applies to same sex couples. It is also for couples who are already separated or divorced but who, in the light of changing circumstances, wish to work out new arrangements for themselves or their children.

### **Is it binding?**

If an agreement is reached then the solicitors will draft paperwork to lodge in Court to make the agreement binding.

### **What are the benefits?**

One of the most important benefits is removal of the stress that can occur in a traditional and confrontational separation.

The Collaborative process with its potential speedier access to solutions allows parties to embark on more productive and co-operative relationships sooner. In family matters it often enables couples to resolve disputes with fairness and a degree of dignity.

We are committed to providing an efficient and effective service to you and this leaflet is part of that service. If you would like a consultation with Nicholas Walton-Jones or Fiona Draper on the collaborative law process then please telephone to make an appointment...

...talk to us