



Collaborative Practice

A RESPECTFUL OPTION FOR YOUR
FAMILY RELATIONSHIP TRANSITION

HKCPG

HONG KONG
COLLABORATIVE
PRACTICE GROUP

For further information please visit
www.hkcp.com.hk

What is Collaborative Practice?

Collaborative Practice is an option for couples to resolve differences respectfully and to agree and address their concerns, without going to court.

The goal is to help couples focus on their most important areas of concerns, and the process is focused on an approach to conflict resolution that minimise the negative impact of a breakdown of the relationship on children. The process is a more efficient, targeted and productive way to resolve disputes than going to court.

Personalised and confidential handling of Divorce / Separation

Collaborative Practice utilises specialists who leverage their areas of expertise to address a myriad of issues which may arise from the breakdown of a relationship, including children, emotional, financial and legal needs.



A less stressful way to handle Divorce / Separation

Because the Parties agree not to go to court, there is no hidden agenda or litigation tactics at play. This allows for a truly tailored solution, with flexibility and a level of detail which is often not possible in court. This promotes an honest, open and less adversarial forum for dialogue. The goal is to enhance communication and mutual understanding throughout the process and lay the foundation for a healthier future relationship.

Gives control back to you

In the Collaborative Practice process, all the parties and professionals agree not to go to court; you and your former spouse / partner take control of the process and outcome. By not going to court you have the opportunity to create a bespoke solution for the future of your family.



A focused, communicative approach

One barrier in litigation is a lack of effective/direct communication. Collaborative Practice allows both parties to learn a framework for effective communication with the help of trained specialists.



Collaborative Practice or Litigation

Collaborative Practice

Litigation

MUTUAL AGREEMENT

You and your former spouse / partner control the process and make final decisions and with children's interest as a priority.

COURT DECISION



In litigation a judge makes the final decision.

TEAM COLLABORATION

The Collaborative Team ensures that both parties work together towards mutually beneficial solutions.



ADVERSARIAL PROCESS

The court process is based on an adversarial system. Lawyers and parties fight to win, but everyone loses and your relationship and your children are inevitably damaged.



ISSUES -COLLABORATIVE PRACTICE

All issues are addressed openly and in a timely manner. Priorities, agenda, time, pace, and venue are controlled by you and your ex spouse / partner.

ISSUES -COURT

If there are children's issues in dispute, these will usually be dealt with first, sometimes taking years in cases of high-conflict. Only after these are resolved will the parties deal with the financial matters.

COMMUNICATION

The Collaborative Team assist the parties to communicate with each other. Child, family and financial experts are jointly appointed.



LITIGIOUS

The process is negotiated through lawyers. This can escalate conflict. Joint Experts are court appointed.



COST AND TIME EFFECTIVE

Aggression is discouraged. The Collaborative Team model is time and cost efficient and designed to ensure that multi-dimensional issues are managed by Experts.



EXPENSIVE AND LENGTHY

Costs are unpredictable, can easily escalate, and can continue after trial in post-judgment litigation and appeals, which can take years, ultimately draining the family's resources. Parties are subject to the court's diary which results in lengthy delays.



Who is Collaborative Practice for?

Collaborative Practice is ideal for parties who:

- are going through a divorce / separation / family transition and want a civil and respectful resolution of family issues;
- are willing to focus on finding solutions rather than blame or retaliation;
- want to maintain a productive and amicable relationship with their former spouses/partners;
- will be co-parenting and want to keep their child(ren)'s interests as the priority;
- want to control the decision-making process in respect of their child(ren) and/or financial arrangements;
- place value on maintaining a positive and cooperative relationship in the restructured family which is long lasting; and
- value privacy and confidentiality.



How does it work?

- The Collaborative Team leverage their areas of expertise to address children, emotional, financial and legal needs in all aspects of divorce/separation;
- It creates a safe environment for both parties to find solutions without the threat of court;
- It provides a structure for communication that respects each party's concerns, interests and goals;
- It focuses on a creative and respectful approach that helps the parties reach a mutually agreeable bespoke settlement.

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