



COLLABORATIVE DIVORCE --

Linda Schaefer, LPC
 Associated Counseling Professionals
 12818 Augusta Ave.
 Omaha, Nebraska 68144-3733
 voice 402-334-1122
 fax 402-334-8171

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When Divorce is Inevitable, Do it With Respect and Dignity...

Divorce will always be a stressful life event. Ending a marriage is painful, especially when there are children involved. To make matters worse, the conventional divorce process often leaves families financially and emotionally devastated.

Collaborative Practice Divorce is a new approach which offers an interdisciplinary, no-court team approach for resolving divorce disputes. It is practiced in 35 states and is now available in Omaha. .

Couples now have an alternative to the oftentimes painful and lengthy court proceedings that occur with the typical adversarial litigation. With Collaborative Divorce, spouses can choose to settle their differences in a respectful and dignified manner, while protecting their legal and financial interests, and still maintaining the well-being of their children and themselves, all without court intervention. There are no court filings other than the original Petition and Final Decree. This keeps your family out of court and your personal life private.

In most collaborative cases, three independent disciplines work together as a team, the spouses being the most important members of the team. THERE IS A PRIMARY FOCUS ON THE NEEDS OF THE CHILDREN AND THE WELFARE OF THE FAMILY OVERALL.

Certain principles are basic to the collaborative process. These principles are as follows:

1. A promise by the parties and the professionals to negotiate in good faith and to provide full and complete disclosure of all relevant information.
- 2 A promise to work toward resolution of all issues without so much as a threat of court intervention; and if either party seeks court intervention, all the professionals must withdraw from further representing these spouses and the spouses must retain new litigation counsel; and
- 3 A promise that all communications which occur and all documents that are generated in connection with the collaborative process will be inadmissible in any future court proceeding, without the express written consent of the parties.
- 4 A promise to cooperatively participate in joint sessions with the necessary professionals in order to achieve the best possible settlement for the family.

The collaborative divorce process is controlled by the parties. It keeps the decision-making power where it belongs, with the people who will be affected by the outcome. This is very different from the court process where ultimately court imposed and state statute formulas will determine what the financial and co-parenting arrangements will be. In the collaborative divorce process, the parties retain full decision making authority and control.

There are rules for what will constitute a collaborative divorce. Both spouses must dedicate themselves to honesty, openness and willingness to place the welfare of the entire family in the very first place.

The Role of the Collaborative Divorce Attorney -

Each spouse has a collaborative divorce attorney to assist and guide them through the divorce process.

The Role of the Collaborative Divorce Coach—

Both parties will usually have a collaborative divorce coach. Divorce coaches are licensed mental health professionals in the state of Nebraska.

Coaches work with the parties to make the most of their individual strengths and assist them to be their best during the divorce process and on into the future. The collaborative divorce process has demonstrated that the family can get through divorce in a more emotionally healthy way when the couple is able to interact and communicate with each other in a respectful, honest and open manner. Communication and self-management skills are taught to parents by their coaches. The spouses use these new skills in their settlement discussions and in their post divorce co-parenting.

The Role of the Collaborative Financial Expert—

The final divorce settlement will in part determine your financial well-being for many years to come. The collaborative team financial expert works with the couple to provide the couple with on-going, practical financial guidance, planning, support, and

budgeting guidance throughout the divorce process.

The Role of the Collaborative Child Specialist—

Children may suffer most from divorce and be least able to understand or explain their feelings. The collaborative team child specialist will work with the children and their parents to:

- 1 Provide the children with the opportunity to voice their concerns regarding divorce.
- 2 Provide the parents with information and guidance to help their children through the process.
- 3 Give information to the spouses and the collaborative team that will help them in developing an effective co-parenting plan for their children.

If you are interested in learning more about Collaborative Practice, contact Linda at 334-1122

Linda is a Licensed Professional Counselor with sixteen years of experience in private practice. She is a member of the Nebraska Academy of Collaborative Professionals and practices as both a divorce coach and a child specialist. Linda is also a family mediator with the District Court of Nebraska. Her counseling specialties, include marriage and family, mood disorders, divorce adjustment and trauma resolution.

Linda sees clients by appointment by calling 334-1122.