

# COLLABORATIVE Practice Tips

A monthly bulletin from the CP Cal Practice Excellence Committee

The Practice Excellence Committee is pleased to offer tips to help you increase your Collaborative cases and achieve *practice excellence*.



Please send us your comments and questions! Email us at [info@cpcal.com](mailto:info@cpcal.com)

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## When to Continue a Collaborative Case or Let it Go

Many of us have found this book helpful: *Navigating Emotional Currents in Collaborative Divorce, a Guide to Enlightened Team Practice*, by Kate Scharff, M.S.W. and Lisa Herrick, Ph.D.

### Tip #1

#### Is a client dissatisfied?

- If so, identify, discuss and problem-solve the cause with the team and whether CP is a viable process for this family.
- Common issues are:
  - The pace of the process
  - Not addressing issues most pressing to the client(s)
  - An emotional blockage

### Tip #2

#### Are team dynamics impeding the process?

- Debrief interpersonal differences or tensions in a team meeting.
- Pay deep attention to your colleagues' concerns.
- Focus as a team on the family's interests.
- Consider whether you are projecting your own feelings into a case.

### Tip #3

#### Is a client or professional unprepared for meetings or not doing assigned tasks?

- If a professional is unprepared, discuss as a team whether the professional is willing to recognize and change his/her behavior.
- If a client is unprepared, his/her attorney or coach may speak to him/her privately and explain the detriment caused by his/her behavior.
- If an emotional issue is the cause, for the client or the professional, the coaches can help.
- Consider whether the team can set more realistic timelines.

## Tip #4

### Is your client stuck and unable to make a decision?

- Remind your client that divorce can be difficult to navigate, before, during, and after the actual divorce.
- Decisions regarding parenting time and finances may be overwhelming for an emotionally fragile client.
- If your client is afraid to move forward the coach may help.
- If your client is not able to process proposals in a short amount of time or in front of a group of relative strangers, give him/her time to "sleep on it."
- Consider working with your client's therapist, an independent financial advisor, a trusted friend or colleague to bring a different perspective to the client.
- Consider a neutral support person to give the professionals tools to help guide the party toward resolution.
- Be patient; provide support.

## Tip #5

### Is a client or professional threatening or aggressive?

- Call attention to this behavior and cause it to end immediately. It must be addressed swiftly to ensure the other party feels safe and protected in the Collaborative process.
- Litigation tactics are contrary to the purpose of Collaborative Divorce; call a team meeting, perhaps with a neutral facilitator, to resolve the issue.

## Tip #6

### Do you need to let the case go?

- Perhaps the early assessment of the parties' capacity for the process was inaccurate.
- Perhaps the parties may not have fully understood the process.
- Perhaps the parties may not view compromise as a viable option.
- In a team meeting, discuss with the parties the possibility of ending the process. Share concerns and see if the parties want to recommit to the process or transition to another process.
- If necessary, advise and help the parties to move forward with referrals to an alternative resolution -- mediation, a different facilitator, privately compensated judging, or traditional litigation.

