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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*.



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TIPS for Developing Interests in One-on-One Meetings with a Client and a Collaborative Professional

Tip #1

Topics to cover in any one-on-one meeting:

- **Check-in.** Note urgent concerns and how they might be addressed.
- Ask about **experiences from previous team meeting**, reactions, triggers, dynamics, what was working, and what we could do differently. Help the Clients discern between productive and unproductive expression of feelings.
- Review how the support of professional team members and the structure of meetings will help them through the process of divorce.

Tip #2

Topics specific to Developing Interests:

- Explain task of creating interests as an **opportunity to express what is really important to them**. Add that **we keep these interests in mind as acceptable agreements are crafted**.
- Prompt Clients to **consider what they want for themselves, for their children, for their spouse and for their co-parenting relationship moving forward**.
- Clarify that it will be **important to listen to and seek to understand their spouse's interests in order to find areas of agreement**. Developing interests one-on-one helps Clients think more clearly and for themselves without the concerns about their spouse's reactions.
- Guide Clients in identifying what is important to them, **generate a free-flowing list with the Clients without evaluating or modifying their statements**. This helps the flow of ideas come forth.

- **Then, go back over the list** with the Clients and ask for further information about each interest (for example, "**Tell me more about ... and what this means to you**".)
- Clients typically need more than one session to develop interests thoroughly, to jot down more ideas at home, and as they discover new interests during the process.
- After discussing interests in one-on-one meetings, go over them again in a Client, Coach and Lawyer meeting prior to a full team meeting where generating choices for division of assets will occur. Most teams share the interests at a full team meeting before generating settlement options.
- Once developed, **send the list of interests to the Professional Team** via a **Professional's only** email. This allows the team to view both client's interests and find common interests that will help them move towards acceptable agreements.
- **The neutral financial professional can prepare a list of the clients' interests and present them on flip charts grouping topics and highlighting those that create a foundation of common interests.**

Tip #3

Framing the Interests: Assist the Client in crafting sentences that express their interests. Gary Friedman and Jack Himmelstein (in [Challenging Conflict: Mediation through Understanding](#)) suggest four central criteria to keep in mind:

1. THE INTERESTS are significant to the Client (have emotional resonance and address an underlying fear/concern).
 2. THE INTERESTS point toward multiple options (not too specific so it avoids polarized opinions, encourages open thinking and possible collaborative solutions).
 3. THE INTERESTS are tangible/graspable (not too general. Question: what would help the process move forward).
 4. THE INTERESTS describe a present or future benefit (rather than a cost to the other Client)
- Use the format of "How can we ... in a way that ..." (for instance, How can we share income/assets in a way that allows the children to stay in the same school?)

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