

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@cpca.com

[Click Here for Tips from Previous Months](#)

Tips for Initial Attorney Meeting with Client

Tip #1

Let the client tell you what is going on for him/her. Listen fully. Ask questions to clarify. Let the client know you hear both the content and the feelings by reflecting back to him/her what you hear and then checking to be sure if your understanding is correct. If not, ask him/her to let you know what you missed or stated inaccurately.

Tip #2

Review all the process options -- do it yourself, mediation, collaborative and litigation. How do they work? What are the pros and cons? Ask the client about the dynamics and communication patterns in the relationship with his/her spouse. Help the client assess his/her ability to advocate for him/her self in the presence of the spouse. Help the client assess how much support he/she needs in the process. Give the client written material about mediation and Collaborative process to read, think about and to discuss with his/her spouse as appropriate. Encourage him/her to attend a Divorce Options workshop.

Tip #3

Validate the client's feelings but not the content/desires for outcome. Don't create unreasonable expectations by letting the client think, for example, that he/she will for sure be able to keep the house or won't have to work. Address expectations from the beginning. Let the client know that information

will be gathered, options discussed and decisions made by evaluating the options. Don't make actual or implied promises about outcome. Help your client understand that you will help him/her reach as many of his/her goals as possible and that he/she won't get everything he/she wants.

Tip #4

Explain your role as a Collaborative attorney. Explain that your primary job is to be the attorney for your client; that the kind of advocate you will be is different from that in the traditional attorney-client role; that you care that the result will work for your client, his/her spouse and the children; that you are an ally who will make sure that your client has all the information he/she needs to make good decisions; and that you will help your client identify and articulate his/her needs and goals. Your role will depend on the needs of your client. Talk to the other attorney on your team to determine if you both see your role as Collaborative attorney in the same way.

Tip #5

Provide answers to questions about process and some basic information about substantive concerns to relieve anxiety. While the first meeting may be primarily about hearing the client's concern and talking about process, don't be afraid to address his/her substantive questions on at least a basic level. While this is not the time to talk about the law in depth, if the client has questions then give the basic information so that he/she is not left wondering.



Stay Connected



CP Cal c/o 145 Wild Horse Valley Drive, Novato, CA 94947 415-897-2398 info@cpca.com