

“IT TAKES TWO TO UNTANGLE” - Collaborative Law Unravelling -

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Is it true what they say – that it is not divorce itself, but the way you divorce, that takes the heaviest toll? St Ives lawyer Simon Thomas certainly believes so. Simon is one of a pioneering group of solicitors across the country who now offer a whole new way of making the break, and surviving the aftermath. Leeds Day is also the only firm who can boast two lawyers offering this unique service to clients in Huntingdon, St Ives and St Neots.

Collaborative law is an exciting innovation which has swept the US and is gaining hold in England. Cambridge has been one of the leading cities in England with most firms offering Family advice also offering the opportunity to collaborate. It was only a matter of time before the good news spread. Tamara was one of the first in Huntingdon to train as a collaborative lawyer and Simon is now one of only two lawyers in St Ives now able to offer this alternative to the more traditional approach when dealing with separation.

It is a sad fact of life that, but divorce is here to stay. The most recent statistics suggest that almost half of marriages in the UK will end in failure. The real cost of a marriage breakdown (or, for that matter, any relationship breakdown) is not just financial but the personal and emotional turmoil that so often accompanies the end of relationships. A bad divorce can leave lasting scars, not just on the main protagonists, but on their children and extended family and support network too.

Collaborative practice provides the possibility for separating couples to work together as a team with trained professionals to resolve disputes respectfully and without going to Court. It is an approach to problem solving which maximises the options and minimises the friction of the people concerned.

Each client has the support, protection and guidance of his or her own lawyer. Together, the lawyers and clients form the collaborative component of collaborative practice. The crucial difference between collaborative law and the more traditional way of lawyers dealing with a divorce is that the lawyers agree they are there to help the clients through the collaborative process; they are not there to take the case to Court and are prevented from doing so. If an agreed outcome cannot be reached then the two lawyers involved must bow out. Neither of them can be involved in subsequent litigation for the couple. With your former partner, you set the agenda. You work at the pace at which you feel comfortable.

You commit to full disclosure and all talk openly about the issues that matter to you. You don't feel as if you are being dragged helplessly along a legal conveyor belt.

One of the other key features of the process is the possibility of joint reference to financial and other experts who may need to be involved; especially in complex cases. The parties can meet individually or together with an accountant who understands the basis of the process, and the accountant could provide the summary of the necessary financial information.

Collaborative law is not an easy option; it requires the right mindset from everyone involved but for couples for whom it is right, it provides a genuine resolution to marital breakdown or the breakdown of a civil partnership or relationship and those who come out the other end report a genuine sense of well being. Many successfully remain friends with their former partners, in an atmosphere of respect and understanding which, they say, at the beginning of the process they could never have contemplated.

To find out more about collaborative family law contact the family team at www.family@leedsday.co.uk or either Simon Thomas or Tamara Glanvill at Leeds Day on 01480 454301, or visit the Resolution website at www.resolution.org.uk



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