

COLLABORATIVE DIVORCE



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ZEALOUS ADVOCATE

PRESENTATION PREPARED FOR
CONNECTICUT ASSOCIATION
for MARRIAGE & FAMILY THERAPY

2016 ANNUAL CONFERENCE
"THE MODERN DIVORCE"

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CARTOONING by KURT F. SHAFFERT

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EXCEPT FOR BEING
A **COLLABORATIVE**
DIVORCE LAWYER...

THE **BEST JOB**
I EVER HAD
WAS WORKING
AT **FOODWAY.**
WHY??



(2)

1973 @ **FOODWAY MARKET**
- EASTERN LONG ISLAND

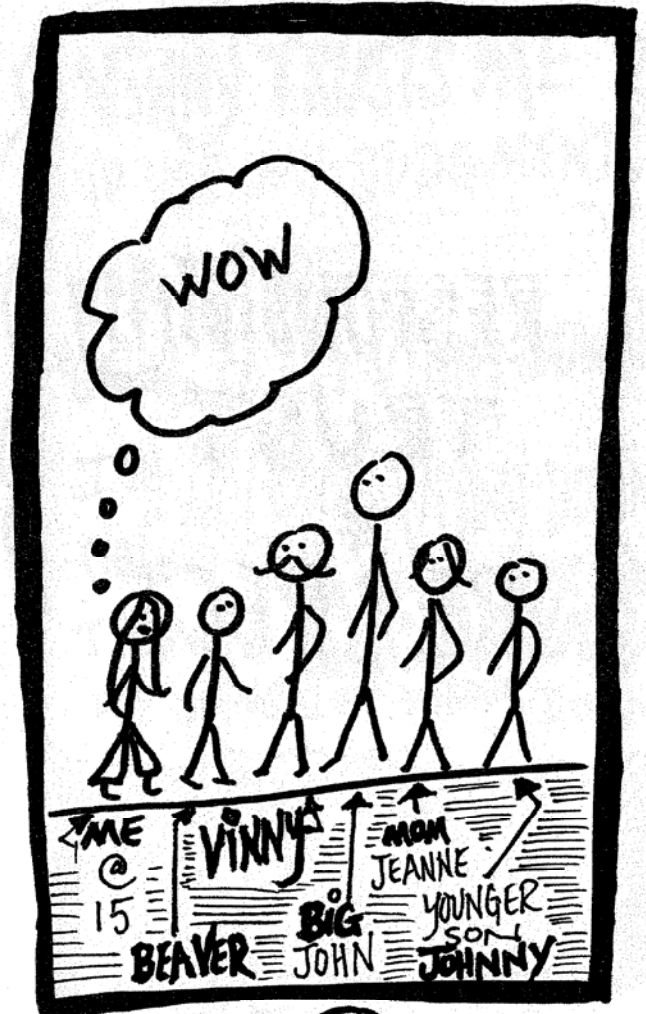


THE **YOUNG ME**
WORE LOW RISE
BELL BOTTOMS
& HAD LONG STRAIGHT HAIR
PARTED DOWN THE MIDDLE

(3)

PEOPLE

④



⑤

RESPONSIBILITY,
TRUST
&
RESPECT

⑥

VINNY TRUSTS ME
TO USE MY JUDGMENT.

I'M NOT
GOING TO LET VINNY DOWN

I'M NOT
GOING TO LET VINNY DOWN

THERE IS **NO WAY**
I'M GOING LET VINNY DOWN

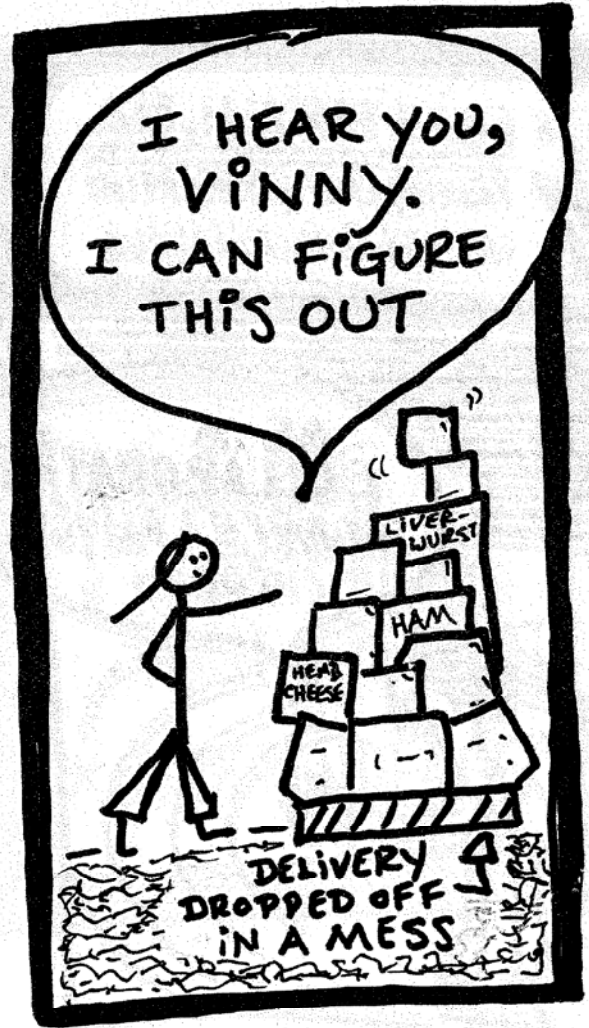


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END
INDEPENDENCE*

* TO PROBLEM SOLVE

8



9

• LISA J. CAPPALLI, ESQ.

FAMILY LAW & MEDIATION

YOUR ALLY, ADVOCATE & ADVISOR

AS A
COLLABORATIVE
DIVORCE LAWYER
TOO...



10

* PEOPLE
* RESPONSIBILITY,
TRUST & RESPECT
* INDEPENDENCE

11

THE COLLABORATIVE COMMITMENT (3 CORE PRINCIPLES)

**COMMUNICATE
OPENLY & TRANSPARENTLY**
~ including
voluntarily providing
all important financial information

CREATE SOLUTIONS
TAKING INTO ACCOUNT
THE HIGHEST PRIORITIES
of BOTH SPOUSES
& THEIR CHILDREN

**HONOR
THE NO COURT
PLEDGE**

12

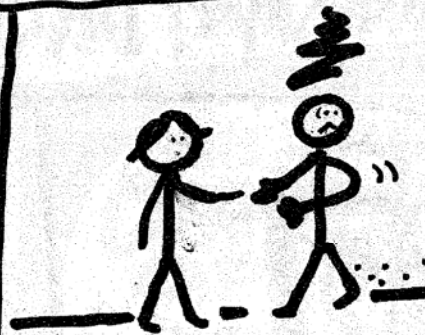
13

I. CREATING & MAINTAINING A SAFE & RELIABLE ENVIRONMENT

THIS INCLUDES PROVIDING & HONORING THE PROCEDURAL STRUCTURE OF THE COLLABORATIVE PROCESS WHILE CREATING FLEXIBILITY WHEN NEEDED



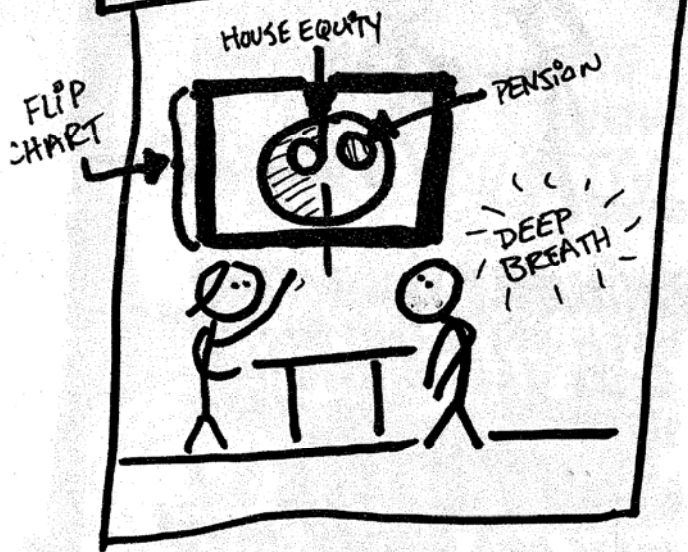
II. ADVANCING MY CLIENT'S MOST IMPORTANT LEGITIMATE INTERESTS



INTIMATELY CONNECTING WITH MY CLIENT SO THAT I SEE HER GENUINE, DEEPEST & LONG TERM INTERESTS EVEN WHEN THESE ARE HIDDEN UNDER ANGER, FEAR OR OTHER DARK EMOTIONS

15

III. EMPOWERING MY CLIENT TO ASSUME RESPONSIBILITY & TO MAKE SMART DECISIONS



16

IV. SKILLFULLY LEADING INTEREST BASED NEGOTIATIONS

THIS INCLUDES
CREATING SMART
OPTIONS
RATHER THAN
COOKIE CUTTER
LEGAL MODEL OPTIONS



17

V. BALANCING
ADVOCACY FOR MY CLIENT
WITH ADVOCACY
FOR THE COLLABORATIVE
PROCESS

IN A HANDFUL OF MY CASES,
THIS MAY REQUIRE
TERMINATING THE PROCESS
IF THAT IS WHAT IS
NECESSARY TO ADVANCE
& TO PROTECT
MY CLIENT'S LEGITIMATE
INTERESTS



(18)

IT ALL
COMES BACK TO:

**“WHAT IS BEST
FOR THE INTERESTS
OF MY CLIENT?”**

I HEAR YOU,
SIMPSON.
WE CAN FIGURE
THIS OUT



(19)

WASTE BASKET
OVERFLOWING
WITH TISSUES

CLOSING ARGUMENT



(20)

15 YEAR OLD ME,
CLEANING OUT THE WALK IN BOX
AT FOODWAY IN 1973...
NEVER IMAGINED
MYSELF AS A **COLLABORATIVE**
DIVORCE LAWYER

COLLABORATIVE DIVORCE
DIDN'T EVEN EXIST BACK THEN
- IT WASN'T INVENTED
UNTIL 1990 WHEN
A **COURAGEOUS & IMAGINATIVE**
DIVORCE LAWYER FROM MINNEAPOLIS
NAMED STU WEBER DECIDED

**THERE HAD TO BE
A BETTER WAY
TO DIVORCE**

(21)

THE PERSONAL QUALITIES
I DEVELOPED (& LOVED)
AT FOODWAY
ARE THE QUALITIES
I CALL ON EVERY DAY
TO SERVE MY
COLLABORATIVE DIVORCE
CLIENTS



(22)

* PEOPLE

* RESPONSIBILITY,
TRUST & RESPECT

* INDEPENDENCE

(23)

NO WONDER
I LOVE BEING
A **COLLABORATIVE**
DIVORCE LAWYER
& ZEALOUS ADVOCATE.

IT'S NOT WHAT I DO.
IT'S **WHO I AM**



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INTERNATIONAL ACADEMY
of COLLABORATIVE PROFESSIONALS
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THE COLLABORATIVE WAY TO DIVORCE
STUART G. WEBB & RONALD D. OUSKY
(HUDSON STREET PRESS, 2006)

I'm here if you
need me.

Jessie

