



GUIDE TO A COLLABORATIVE DIVORCE

CONTENTS

1. Is Collaborative Divorce right for you?
2. What are the benefits of a Collaborative Divorce service?
3. How does it work?
 - a. Step 1
 - b. Step 2
 - c. Step 3
4. How much does the service cost?
5. What to do next

Divorce is never easy, particularly when children are involved, and we can help you through the whole process. This guide will hopefully answer some of your questions but if you have more, then please get in touch on 0330 113 0005

Divorce can be expensive especially if you are not in full agreement around finances and children. The natural tendency may be to visit a solicitor who will help get the process started. Others opt for the support of a divorce mediator because they understand the divorce process and all the steps you need to take to minimise the cost and stress. In collaboration with a mediator and a solicitor, you can do elements of the process yourself. This could include making the application for divorce online (<https://www.gov.uk/divorce/file-for-divorce>), which is so much easier than before. You can also make a joint application. Unless you are unable to agree about finances and child arrangements, there is no prospect of having to physically go to court as it largely a paperwork exercise.

1. IS COLLABORATIVE DIVORCE RIGHT FOR YOU?

A Collaborative Divorce assumes that you and your ex-partner are close to agreeing how you will divide your marital assets and if you have children, the living and contact arrangements for them. The aim of the service is work directly with both of you at the same time. You may already be separated, and this is fine as we will communicate directly with both of you at the same time and meet with you online together.

3. WHAT ARE THE BENEFITS TO A COLLABORATIVE DIVORCE?

The Collaborative Divorce service aims to guide you through everything you will need to consider and agree prior to finalising your divorce in regard to child arrangements and summarising your financial settlement. Your Collaborative Divorce co-ordinator is a qualified Family Mediator and has lots of experience of working with couples as they plan their divorce.

Whilst we are unable to make the divorce application on your behalf, we can guide you as it is now very straight forward and has already saved couples thousands of pounds, doing it themselves, rather than instructing a solicitor.

As you will have marital assets and liabilities to agree upon, you will require a Financial Consent Order or FCO to submit to the courts. The FCO has to be drafted by a solicitor, so this is an unavoidable legal cost, and many solicitors offer a fixed cost if you already have a Memorandum of Understanding drafted by a family mediator. The Memorandum is a detailed summary of your financial settlement agreement that will be drafted at the conclusion of your Collaborative Divorce process.

The benefit of a Memorandum of Understanding is that you will not need to have a consultation with a solicitor to brief them on the agreement you have reached. Nor will you be paying for the solicitor's time to gather the financial information to draft a Financial Consent Order. In most cases, you will just pay for the drafting as your family mediator has done all the legwork. This we anticipate could save you several hundred pounds.

2. HOW DOES IT WORK?

It is a very simple process. Assuming you have discussed the prospect of a Collaborative Divorce with your ex-partner, then you need to call us and make a booking. We will need your details and those of your ex-partner (preferably an email and postal address along with their telephone number). Payment can be taken over the telephone or by bank transfer. Once you are booked-in, we will do the rest. You will be asked to provide names, addresses, telephone numbers, email, DOB, Occupation etc.

a) Step 1

We will schedule a joint Mediation Information & Assessment Meeting online using Zoom (Don't worry we will guide you through this as it is very easy). On a designated date and time, you will meet your Family Mediator who will talk you through the whole process and answer all of your questions.

At the end of the meeting, you will both be issued with Assets & Liability Forms, these need to be completed and returned to your Family Mediator. You can choose to submit individual forms or a jointly completed form. We will then draft an Open Statement of Financial Information summarising your marital assets.

b) Step 2

Once we have your disclosures will share your statements to each of you and then schedule a joint meeting, again online. During the meeting, your mediator will guide you through process for detailing the arrangements for the children along with any financial support you agree for them. The next step is then to

outline the financial settlement you've both agreed. This will be based on the Open Statement of Financial Information.

c) Step 3

Your Family Mediator will then draft your Memorandum of Understanding, this will summarise in detail all agreements reached along with your financial information. Once checked and agreed by you both, a final version is sent to you, this can then be given directly to a solicitor, and they can begin drafting your Financial Consent Order ready to be signed by each party prior to submitting to the court for final approval.

4. HOW MUCH DOES THE SERVICE COST?

As the process is collaborative, it means there should be less issues to resolve during discussions and we anticipate it taking a very short time to conclude. This is obviously dependent upon you gathering your financial information as public service pensions sometimes take longer for statements to be prepared.

The service includes:

- a) One joint Mediation Information & Assessment Meeting lasting approximately 1 hour
- b) Preparation of an Open Statement of Financial Information report
- c) One joint planning meeting lasting approximately 90 minutes
- d) A Memorandum of Understanding
- e) Guidance and support throughout
- f) A dedicated Family Mediator and a Client Co-ordinator

The cost of the service is fixed at £695 per couple (or £347.50 each). Any additional meetings will be charged separately and will be discussed in advance.

WHAT TO DO NEXT

Here at the Family Mediation & Counselling Services, we have a professional team of advisors and family mediators. We also have a dedicated Financial Remedy Team that specialise in helping you to reach a fair and equitable financial settlement as part of your divorce or separation. They will guide you through the whole process effortlessly and sensitively.

Call us today on 0330 113 0005 for an informal chat with one of our advisors or email us at enquiry@fmacs.org.uk

Please visit our website at www.fmacs.org.uk

