



Collaborative Divorce? Huh?

I had never heard the term “collaborative divorce” until a few months ago. Granted, I had never looked into divorce options before, but this was still a new term to me. When I started my business valuation and consulting practice, a fellow CPA mentioned “you should meet with my wife; she’s involved in this collaborative thing”. I was intrigued to learn what “collaborative thing” he was talking about.

What I have learned about this “collaborative thing” gives me hope that divorce doesn’t need to be an ugly, nasty fight about who keeps the frequent flier miles. The whole premise of a collaborative divorce is that the two parties honestly and truly work together to end their marriage in a positive and respectful manner. They do this by each using a collaboratively trained attorney along with two “neutral” team members: a mental health professional and a financial advisor. During every step of the process the four professionals, plus the spouses, work together **AS A TEAM** to resolve the issues involved in the divorce. I know this sounds crazy, but stick with me.

Goals are established by each spouse at the beginning and all four team members strive to ensure each spouse achieves those goals. This is done through a series of full team meetings (usually 4-6) where each issue is discussed and decided by the spouses – not a judge. The fact that a judge is not making decisions that will affect your family makes a collaborative divorce even more attractive.

The mental health professional is involved in each meeting and also meets with each spouse separately. By being a neutral participant, this expert can effectively help each spouse through the process without the risk of bias. The financial advisor provides a similar benefit. They are completely neutral because they have never worked with either spouse and are prohibited to work with either of them after the divorce is final. This ensures they are providing each spouse with facts and information that don’t “benefit” one spouse over the other. Taxes, budgeting, asset allocation and general “family finance 101” are areas where the financial advisor assists during the process.

It may sound expensive having all these professionals involved. Yes, you are paying four professionals for each and every meeting. However, because the process generally takes less time, the cost is less than a traditional divorce that would otherwise go to trial. In addition, because the process involves a series of scheduled meetings, the timeframe is generally more predictable and orderly.

My question after learning this process and obtaining my collaborative training: Why isn't every divorce handled collaboratively? This seems like the most logical and sane way to go. Working with a collaborative team of experts certainly provides a results-focused solution.

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