



## Collaborative Law and the Family Law Client



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### 1. What is collaborative law?

The collaborative process typically involves a series of four-part settlement meetings, which are attended by both clients and their respective lawyers. The clients establish the agenda and identify issues that are important to each of them in resolving their case. Collaborative negotiations are based on the needs and interests of the parties and are not positional. Attorneys are present throughout the process to assist their clients in understanding the issues and verbalizing their needs and interests.

### 2. Cooperation - not confrontation:

Problem solving with attorneys where you and your spouse try to understand each other.

You and your spouse are responsible for gathering information and solutions.

Both attorneys help you and your spouse to:

- find and focus on what is important to you and what concerns you;
- understand each other's concerns;
- gather and exchange information;
- explore a wide range of possible choices; and
- reach solutions acceptable to both of you.

You and your spouse and both collaborative attorneys work as a team.

Other professionals may join the team as agreed and may include a divorce coach and financial professionals to facilitate communication.



### 3. What will you and your spouse do?

First, you will each meet alone with your own attorney to identify your concerns and learn about the Collaborative Law Process.

Then you and your Collaborative attorney, your spouse and his/her Collaborative attorney will meet together so all four can discuss what is important to you, what concerns you have and what you need to talk about.

At all meetings where you, your spouse and both attorneys are present, you will follow the Collaborative Law Process.

Meetings vary in length but most are less than 3 hours long. Both clients and both attorneys are expected to treat each other with respect.

Both clients and both attorneys are expected to listen to each other's perspectives, interests and concerns.

Both clients and both attorneys are expected to gather all of the information each client needs. Both clients and both attorneys will explore all possible options.

You and your spouse are expected to both focus on the future to find solutions acceptable to both of you.







#### **4. What will your collaborative attorneys do?**

Your attorney will give you legal advice.

Both attorneys will be honest and respectful.

Both attorneys will guide the Collaborative Law meetings.

Your attorney will represent you, but will also listen to your spouse.

Your spouse's attorney will represent your spouse, but will also listen to you.

Both attorneys are trained in the Collaborative Law Process to manage emotional or difficult situations.

Both attorneys will point out unreasonable expectations.

Both attorneys will use clear language when speaking and writing.

Both attorneys will cooperate in gathering all information required or requested to let the clients reach a solution acceptable to them.

Both attorneys will work hard to help you and your spouse reach an agreement. Neither attorney will go to court before you and your spouse reach an agreement.

Once you and your spouse reach an agreement, both attorneys will help you finalize a formal agreement and obtain any necessary court approval.

#### **5. Benefits of the collaborative family law Process:**

As a result of being involved in all aspects of the process, you are likely to produce an agreement better suited to your own unique needs now and in the future.

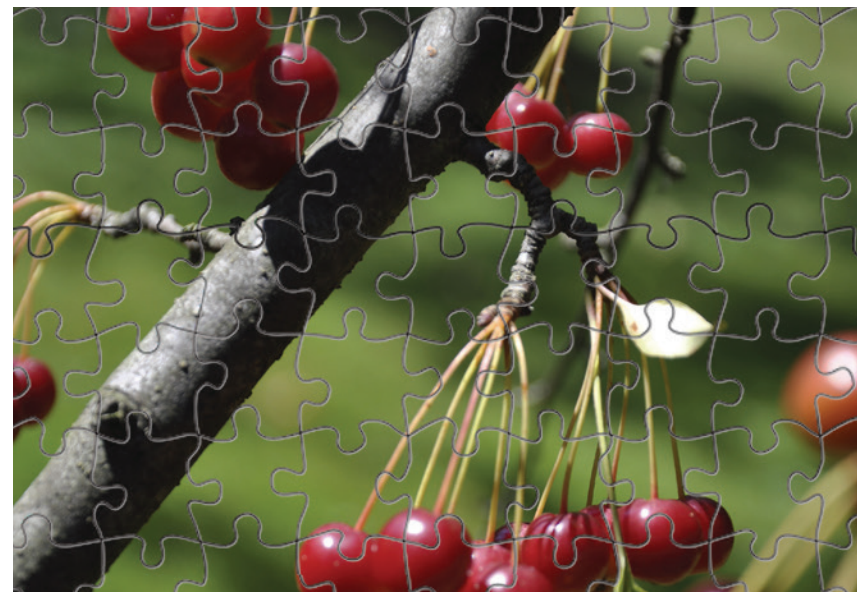
You may find the Collaborative Law Process engaging, informative and a less stressful way of resolving your divorce or separation issues.

You will have control over your own decisions when you participate in the Collaborative Law Process.

You may improve communication between you and your spouse.

You and your spouse will focus on creative problem solving, not finger pointing and revenge.

You will have skilled legal advisors at every stage of the process. Both Collaborative attorneys understand how to reach creative settlements. You are never on your own. Your Collaborative attorney is at your side, explaining issues and helping you to achieve goals by mutual participation and agreement.



# The McNees Collaborative Law Group



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Deb has practiced family law for over 20 years and has been a collaboratively trained attorney for 10 of those years. Deb has been active in the local collaborative group, CPCP and currently serves on its Executive Committee. Deb is a member of the PBA Collaborative Law Committee and has been a frequent lecturer on the topic. Deb was named Best Lawyers in America for Family Law/Collaborative law in 2013 and 2014.

Deb determined a number of years ago that her work in family law litigation did not provide the best results for the families she represented. The confrontational tenure of litigation that works in other cases, did not work best for families that would remain entwined for the rest of their lives. Collaborative law assists families in resolving their domestic disputes in a respectful, timely and sensitive fashion. It assists families in learning to communicate again and to prepare for co-parenting in the future. While not appropriate for every case, it is a viable and worthwhile alternative for most families.



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Paul chairs the family law group and has practiced family law for over 25 years. After litigating family law cases for 15 years Paul began to look for a better way for couples to work through the myriad of issues that confront spouses going through Divorce or attempting to find an appropriate Parenting Plan for their children. Paul met up with, what at the time was a very small group of collaboratively trained lawyers and became collaboratively trained in Washington D.C. . Paul has been handling collaborative cases for the past 10 years and has found that the process indeed does assist the parties to a divorce resolve their issues in a respectful manner that preserves their ability to co-parent and interact with one another in an effective way even after the divorce. Paul has been included in *The Best Lawyers in America* each year since 2007, has been included in the *Pennsylvania Super Lawyers* list each year since 2007 and was named as the Central Pennsylvania Family Lawyer of the Year in 2013 in the *Best Lawyers of America* publication.



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Ms. Levin has been practicing family law in Central Pennsylvania since 1995. Her practice is focused on helping divorce clients who desire to move beyond the divorce and put their children's needs first.

Ann was collaboratively trained in 2004 and completed mediation training in 2005. She is a member of the Collaborative Professionals of Central Pennsylvania and serves on the Executive Committee. She also serves on the Collaborative Law Committee of the Pennsylvania Bar Association and is a member of the International Academy of Collaborative Professionals.

Ms. Levin is a dedicated and compassionate attorney who is committed to developing client awareness of alternative process options and assists them when seeking to terminate their marriage through litigation or a collaborative approach. Her collaborative divorce practice continues to grow as divorcing couples realize that there are alternatives to litigation. The collaborative process allows clients to resolve their divorce related issues with dignity and privacy.

For those with issues involving children, this settlement-focused approach offers the opportunity for successful co-parenting following separation. As a mother of two children, she is sensitive to child related issues at every developmental stage and has an analytical and practical approach to problem solving.

