

Traditional Divorce VS Collaborative Divorce

What Financial Specialists Need to Know

IDFA 2016 Canadian Series Conference

Calgary, Alberta

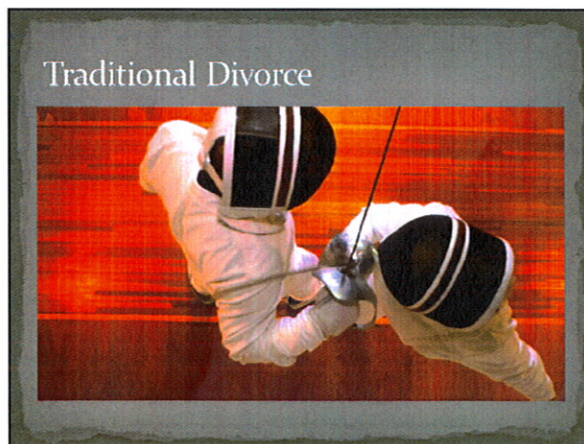
Beryl McNeill

McNeill Family Law

www.mcneillfamilylaw.ca







Henry VIII
The Trial of Catherine of Aragon



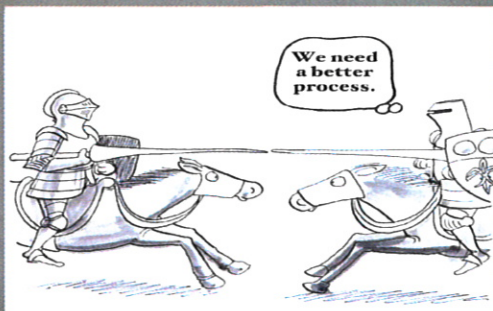
Attack

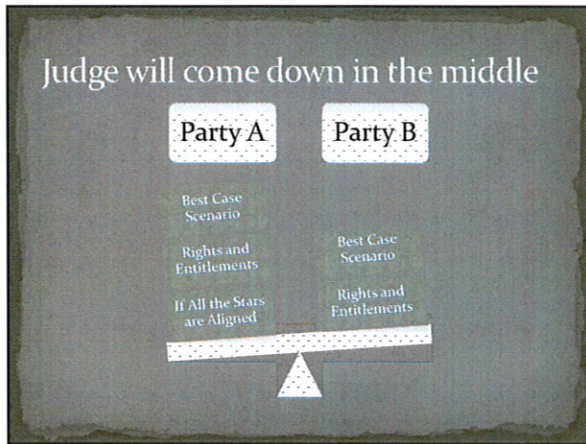
Defend

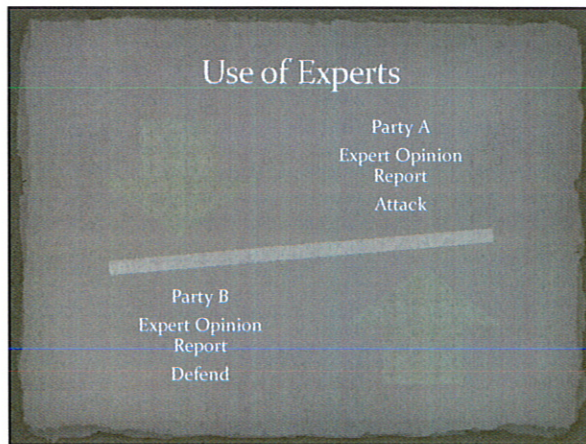
Defend

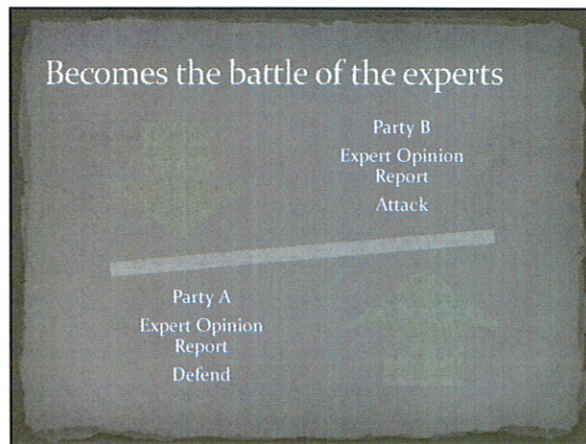
Attack

The Court System









In the battle of the experts ...
Is the financial expert a compellable witness?

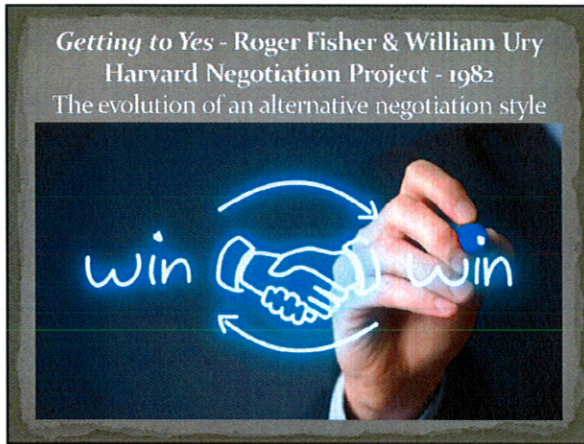


What about negotiation?



Negotiation Game Theory





What sort of conflict resolution model would be more effective?

Principled Negotiation
Interest Based Negotiation

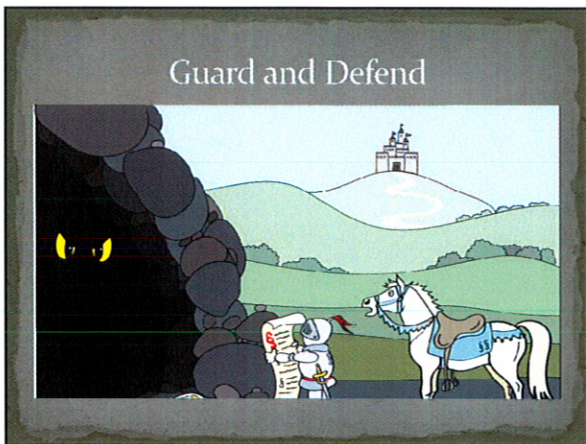
1. Separate the people from the problem
2. Focus on interests not positions
3. Invent options for mutual gain
4. Insist on the use of objective criteria

Primary Style of Negotiation of Lawyers

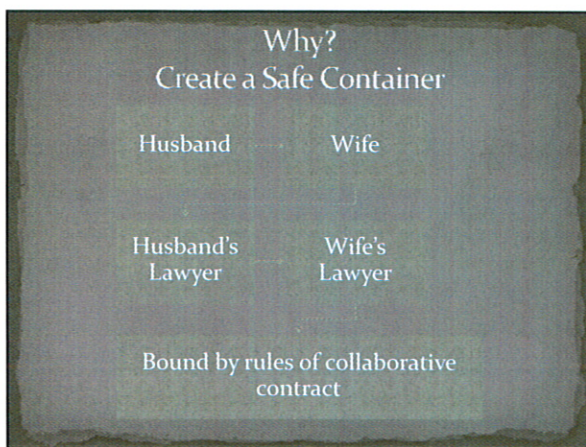
File a statement of claim for divorce and matrimonial property action.

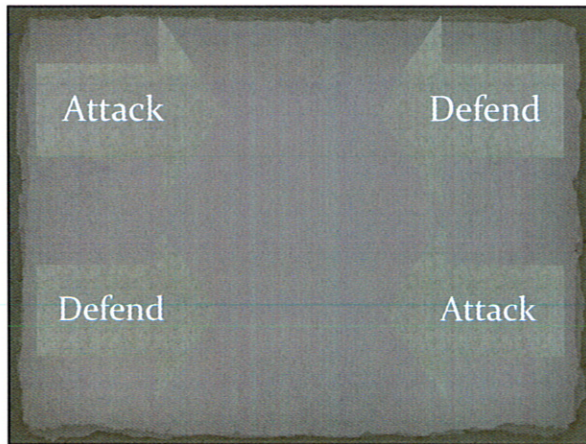
Claim rights and entitlements and notice to disclose.

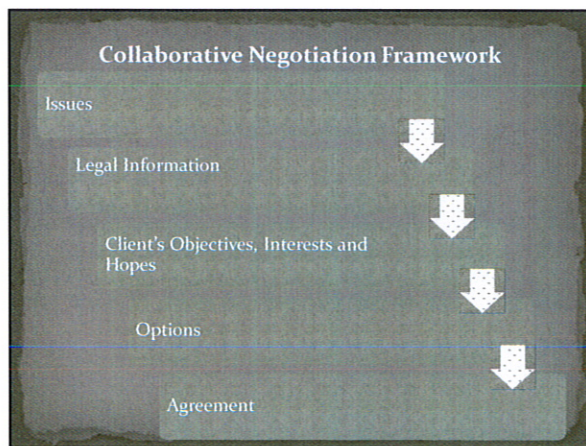
You have been sued. You have a limited time to file a statement of defence and 30 days to appear in court with your disclosure.

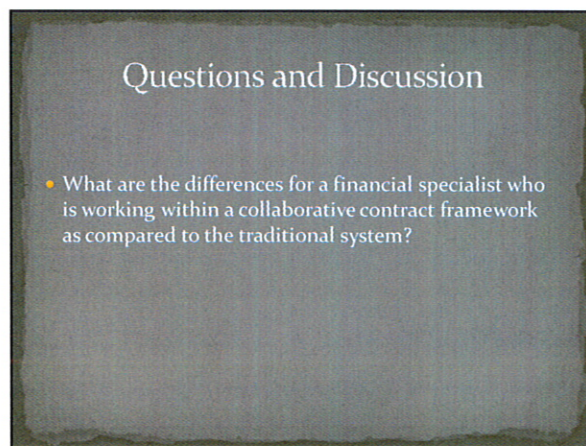












Questions and Discussion

- What protections and benefits can be offered to clients when a financial specialist functions within a collaborative framework with a signed collaborative contract?

Questions and Discussion

- What are the risks to a financial specialist that provides advice to clients who have not signed a collaborative contract?

If you have any other questions ...

Beryl McNeill
McNeill Family Law

Telephone: 1 (403) 410-3844

Website: www.mcneillfamilylaw.ca

Email: info@mcneillfamilylaw.ca

