
Book Review

Collaborative Family Law: Another Way to Resolve Family Disputes by Richard Shield, Judith Ryan and Victoria Smith

*Reviewed by Philip M. Epstein, Q.C. LSM**

Family law lawyers across North America are now receiving calls from potential clients asking whether they practice collaborative law. For those who have not studied the process and kept up-to-date with developments in this area of the law, the response is often “yes, I try not to be adversarial and I try to resolve my files in a collaborative fashion”. No, no, no says the client, who is often better informed than the lawyer on this topic, I need to know whether you are qualified to practice collaborative family law.

Every family lawyer needs to understand what collaborative law is all about. Collaborative law is a viable option for many clients and a good family lawyer will inform his or her client of all of the options available to the client for resolving his or her dispute. Collaborative law is but one of many methods chosen by clients and lawyers as a dispute resolution process. It is, however, the process most being talked about in law conferences all over North America. Undoubtedly, the collaborative law process will be used in other areas of law but family lawyers seem to be the pioneers in this dispute resolution process.

Fortunately, Richard Shields, Judith Ryan and Victoria Smith, all experienced practitioners of collaborative family law have joined together (or may I say collaborated) on a book about Collaborative Family Law. Mr. Shields, Ms. Ryan and Ms. Smith are particularly qualified to write about collaborative law, having worked together to train lawyers throughout Ontario and beyond in the collaborative family law process. Their training workshops teach the skills required to be an effective collaborative practitioner. All of them have been actively involved in the creation and development of collaborative family law associations.

Collaborative family law is described as a revolutionary new way to practice family law that is quickly spreading across North America. It is giving lawyers who prefer a different style of practice a new approach to family law which is transforming their lives. Undoubtedly, it is assisting many families

going through divorce with an alternate and more civil way to resolve their family law disputes.

Collaborative family law is not for everyone but in order to determine whether collaborative family law suits one's own client, it is necessary to understand the process. This book is an excellent beginning for any lawyer who wishes to understand how the process works.

The book describes the collaborative family law process in detail and explains how to help clients understand it and how it differs from traditional family law. It also set out what agreements the parties have to sign to engage in the process, how to talk and meet with the other lawyer and how to prepare for the important collaborative law meetings that are designed to resolve the case.

Practising collaborative law means developing communication, negotiation and intervention skills and these are all discussed in this helpful work.

The book contains helpful references to other source material and a detailed appendix, including a separation agreement. I take some pride in noting that the separation agreement follows a form set out in *Separation Agreement Annotated*, the recent work published by this reviewer and Messrs. Sadvari and Grant.

For those who know something about collaborative family law, the appendices alone are worth the price of the book.

Although there are many books now on the market with respect to collaborative family law, I found this book to be particularly helpful for the Ontario family law lawyers. The authors demonstrate a comprehensive knowledge of the process and how it applies to the property and support framework in Ontario. The book contains a very helpful section about parenting and parenting plans.

Mr. Shields, Ms. Ryan and Ms. Smith are to be congratulated and praised for this very comprehensive work in this new and emerging field. Whether one wishes to practice in this field or simply observe its phenomena, the book is an invaluable aid to understanding the process.

* *Philip M. Epstein, Q.C., LSM, Epstein Cole LLP.*