

Eighth Judicial Circuit Family Law Advisory Group (FLAG) Minutes of November 24, 2008

The FLAG met at the Alachua County Family and Civil Justice Center. Present were: Tracy Carlisle, Jennifer Curcio, Leslie Haswell, Mark Juzwiak, Kit McDonald, Myrna Neims, Pam Schneider, and Jean Westin.

Old Business

Myrna Neims asked if the parenting plan developed by the FLAG was on the website yet. Mark Juzwiak responded that it was not. He added that the mediators are developing a separate one that looks as though it will be approved by the judges. FLAG members were dismayed that they had put so many hours of effort into creating a plan that was not being considered.

Myrna stated that she cannot continue to chair the FLAG due to other responsibilities and she has served two full years as our Chair. She asked if anyone would be interested. There were no volunteers.

Program

Jennifer Curcio gave a presentation about Collaborative Divorce which is an attempt to remove divorce proceedings from the court as much as possible and to put it in the hands of the parties with substantial help from various professionals, including attorneys, financial neutrals, mental health professionals, and divorce coaches. It is a form of alternative dispute resolution.

The process starts with an agreement that the parties will not file litigation during the collaborative process. If they do file, they will need to retain new attorneys because of confidentiality issues. Part of the process can be to come up with a parenting plan. There will generally be some animosity between divorcing parties but Pam Schneider stated her goal is that, when the children of the parties marry, the parties should be able to dance at the wedding. She recounted a case she had recently resolved successfully.

Myrna has served as a divorce coach and she described her experiences. She and Pam both stressed how essential it is that both parties be committed to the collaborative process or it won't work.

Jennifer distributed several articles about collaborative divorce.

Pam discussed how beneficial this process is because people have time to process their emotions. It is different from mediation because, in mediation, there are usually only a couple of hours in which to resolve all the issues. There is no time to deal with emotions. Also, in collaborative, there are coaches to help the parties figure out how to deal with the situation. Another difference is that there is only one expert who deals with the finances. Instead of two competing opinions, one neutral person reviews the finances of both parties.

All of the professionals have to be trained in the collaborative process.

