

Heads Up

admin · Friday, January 5th, 2018



By Noel N. da Silva

Heads up! Did you see the article in the July 2017 edition of Canadian Lawyer? In case you did not, here is my brief takeaway. No, not the article on marijuana in the workplace, but the one titled “Collaborative Practice Comes Into Its Own.” It chronicles how Collaborative Practice has started to permeate the family law landscape across Canada. I attended an ad hoc meeting at the International Academy of Collaborative Professionals (IACP), annual forum in Chicago a few short years ago. The genesis of a national Canadian group was given expression then. It was followed up at the IACP forum in Washington D.C.. Now Canada’s interdisciplinary group Collaborative Practice Canada is being launched.

If you are a lawyer, accountant, financial professional, psychologist, social worker, family professional or mediator you need to know about this development. It is directly relevant to many other professions such as medicine and people in government and the courts concerned about the crisis in resolving family law disputes.

There has been lots of interest provincially in Collaborative Practice and Collaborative Law since 2001. It is the acceptance from the public and like

mindful professionals that has proliferated across Canada. Clients are coming to my office and asking about the Collaborative process of solving divorce, custody, access, support and property division disputes. This experience is shared all across Canada.

There are statutes in British Columbia, Saskatchewan and several U.S. states dealing with Collaborative Law. I recall one of our best litigators now Justice Marvin Kurz, of the Ontario Court of Justice who when requested to attend one of our Peel Halton Collaborative Practice meetings asked in jest if we were all going to sit around, hold hands and sing “Kumbaya”. Well, with great strides all across North America and around the world and now a national Canadian organization, Collaborative Professionals have gone well past the holding hands stage.

What’s the message? Collaborative Practice arrived long ago. Its foundations are stronger than ever and clients are asking for representation from a Collaborative Practice team or the individual parts of the team. There are a few thousand families who embraced this dispute resolution process with excellent results. They are quietly telling family and friends. Why? There are many reasons. Find out for yourself. Mainly, it works.

Noel is a family lawyer and mediator from Brampton, a trained Collaborative Professional, a member of Collaborative Practice Toronto, Peel Halton Collaborative Practice and the International Academy of Collaborative Professionals.

This entry was posted on Friday, January 5th, 2018 at 5:42 am and is filed under [Family Law](#)

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