

# THE COLLABORATOR

Newsletter of Collaborative Divorce Professionals, Inc.

September 2009  
Volume 1, Issue 1

## PRESIDENT'S COLUMN

by Susan A. Moussi, CPA, CFP, CDFIA

### GOALS FOR 2009-2010

I would like to thank the nominating committee and the members of CDP, Inc. for the trust and confidence they've shown by electing me President of CDP, Inc. for the 2009-2010 fiscal year. I believe it signifies the Board's and members' openness to the interdisciplinary model and desire to provide clients, in the Collaborative Law process, with as many resources as possible, to educate and to provide information, so that clients can make informed decisions with regards to their family's future. I am truly honored.

As one of my goals, I would like to work on increasing the public's awareness of Collaborative Law as an alternative and its use in matters of divorce. I recently wrote an article for our firm's newsletter about Collaborative Law as an alternative to other avenues of divorce, to inform our clients about one of the choices they have in resolving a domestic matter. I would like to explore the promotion of the process through other media outlets and, perhaps, build alliances and relationships with family-centered practitioners and professional groups to get the word out to their clients about Collaborative Law.

My second goal is to continue to make local training available, as well as workshops and roundtable discussions, to strengthen the collaborative skills of the members who desire to learn more. As I talk to other collaborative professionals outside of our group, I am amazed by the amount of training these individuals attend, and these are not people who are new to Collaborative Law. One individual in Atlanta, who is a trainer and only works with clients in the Collaborative Process, continues to attend many workshops and organizational meetings throughout the year.

Thank you to all current and past Board members for your commitment to the Collaborative process and I look forward to the year ahead.

### SHEPPARD WINS NEWSLETTER NAMING CONTEST

In conjunction with the launching of this first issue of CDP's newsletter **THE COLLABORATOR**, I am pleased to congratulate member LINDA SHEPPARD as the winner of a free lunch for submitting the winning name. Also, I want to thank our newsletter EDITOR BOB WISTNER for volunteering to get this project up and running. All members are invited to contact Bob ([rwistner@att.net](mailto:rwistner@att.net) or 614-734-8354) with any suggestions for future features or articles of general interest.

### COMMITTEE CHAIR APPOINTMENTS AND AUGUST BOARD MEETING REPORT

The newly-elected Board met for the first time August 24, 2009 to discuss goals and plans for 2009/2010. The Board has numerous committees for those looking to being more involved in the organization. Please contact the committee chair to get more information about becoming involved or if you have questions:

Committee	Chair	E-mail
Recruitment/Membership Programs	Ronald Petroff	<a href="mailto:rrp@mcnairpetroff.com">rrp@mcnairpetroff.com</a>
Point System	Bobby O'Keefe	<a href="mailto:bobbie@okeefefamilylaw.com">bobbie@okeefefamilylaw.com</a>
Adjunct Professionals	Nancy Sponseller	<a href="mailto:nsponseller@netwalk.com">nsponseller@netwalk.com</a>
Web Master Liaison	Dr. Ellen Kay Douglas	<a href="mailto:drellen3997@apinc.us">drellen3997@apinc.us</a>
	Jeffrey Fish	<a href="mailto:jfsh@centralohioattorneys.com">jfsh@centralohioattorneys.com</a>

The Board has also put together the first program for the year. The program will be held at Tony's on S. High Street (in the Brewery District) on Thursday, September 24<sup>th</sup>, at noon. Our guest speaker will be Dr. Stephen Douglas, who will provide us with his experience with a collaborative case. We look forward to seeing you then.

The Board is interested in your thoughts. A survey form has been put together in hopes of gathering your ideas and interest in upcoming programs, training, and marketing. It will really help plan out the rest of the year, so

please take a few moments to complete the survey which is on page 4 of this newsletter. Please feel free to add any comments or suggestions to the survey form.

See you at the luncheon.

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## HOW ARE WE DOING? Results, Sort Of, From 2008 CDP Survey

By Tom Nagel, J.D.

The following is an analysis and some conjectures from the spotty responses to the unscientific poll that CDP took last winter when we sent out your dues statement.

We were still trying to collect dues, and a lot of folks who sent a check didn't bother to fill out the questionnaire. If the results seem a little flakey, consider the following:

1. This is the only polling sample we have, and;
2. It's probably better than the stuff Fox News does.

Membership: We had 41 members in CDP, including 30 lawyers, 5 financial professionals, 3 mental health professionals and 3 adjunct members who are real estate appraisers.

IACP Membership: We had 6 members who belong to the International Association of Collaborative Professionals, 5 lawyers and 1 CPA.

Cases Completed in 2008: The membership reported 23 clients represented who had cases completed. This includes one person who can't count or is unclear on the concept, or who had a case with someone who did not turn in their questionnaire. **The 5 IACP attorneys reported a total of 18 clients represented with cases completed in 2008. This is an average of 3 cases per IACP member as opposed to an average of 3/10ths of a case per lawyer for non-IACP lawyers.** (I am going to send my check in to IACP this afternoon).

Cases pending at the end of 2008: The membership reported 32 individual clients represented in pending cases at the end of the year. Of these, the 5 IACP members reported 15, and the rest of us reported 15. This is an average of 3 each for IACP members versus 6/10ths of a case each for the rest of us.

**Other results: About half of the attorneys had not yet completed their two day training (or did not return their questionnaire.) We need to work on both of these things.**

Two or three cases were reported to be "stuck." We need to gather data on these "stuck cases" to see what we can do about them.

Bob Wistner reports having completed 6 "early neutral evaluations." This would make a good subject for the next newsletter.

At least 15 dues paying attorneys reported zero cases completed in 2008 and zero cases pending at the end of the year. This is way too many, even if the number is somewhat inflated on account of un-retuned surveys.

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## MEMBER ANNOUNCEMENTS

Welcome to the newest CDP member, **LINDA LAWRENCE, J.D.**, 496 S. Third Street, Columbus, OH 43215. Phone: 614-228-3664. Fax: 614-228-3798. Email: lawrence@lawrencelawoffice.com.

**FRED MEISTER** has closed his law office, and has accepted a new appointment as a Magistrate in the Franklin County Probate Court.

**BOB WISTNER** will be a presenter on October 22, 2009, at the OSBA seminar in Columbus entitled "Introduction to Domestic Relations Practice" on the topic *Using Mediation and Other ADR Options*, which includes the subjects of Collaborative Family Law, and the professionalism duty of all family lawyers to counsel their clients regarding all ADR options before engaging them in litigation.

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**EDITOR'S OBSERVATIONS: MEDIATION TRAINING PROVIDES VALUABLE SKILLS FOR COLLABORATIVE FAMILY LAWYERS**  
by **Robert N. Wistner, J.D.**

The International Academy of Collaborative Professionals has adopted Minimum Standards for Collaborative, Mental Health and Financial Practitioners, which are available to IACP members on its website, [www.collaborativepractice.com](http://www.collaborativepractice.com). Although these are not mandatory or binding on members, they are offered as aspirational best practices to encourage members to improve their skill levels as much as possible. In addition to the required 12 hours of basic training in collaborative practice skills, these Standards call for, "At least one thirty hour training in client centered, facilitative conflict resolution, of the kind typically taught in mediation training (interest-based, narrative or transformative mediation programs)," plus "... an accumulation or aggregate of fifteen further hours of training in any of the following areas: Interest-based negotiation...; Communication skills...; Advanced collaborative training...; Advanced mediation...; Basic professional coaching..."

These Standards were created by a group of highly experienced collaborative family lawyers who have been leaders in organizing and promoting the growth of Collaborative Family Law during its rapid spread throughout the United States and Canada. The Standards reflect the high value these lawyers have placed upon the development of mediation type skills for collaborative professionals to use in ascertaining and furthering the interests and goals of the clients who rely on them for competent guidance toward that golden ring known as the "win-win agreement" at the end of a collaborative divorce case. Such trainings are offered from time to time in Columbus and other Ohio cities.

During the last 10 years, I have taken over 100 hours of basic and advanced trainings in CFL, mediation, interest-based negotiation and communication skills, and, as a result, I feel very confident that I am a much better listener and observer regarding the very important interests and goals of both parties in a CFL case than I was nearly 10 years ago when I quit litigating divorce cases. These trainings also helped me enormously in the psychological transition to representing collaborative clients as a guide dog, rather than as the former guard dog litigator. Consequently, I can enthusiastically recommend mediation training to all of my Collaborative Divorce Professionals colleagues. It may cost you some time and money; but, I guarantee that you will find the practice of Collaborative Divorce much more interesting and professionally rewarding after implementing the new skills you will acquire. Your clients may even appreciate you more; be very eager to pay your final bill; and, send more clients through your office door!

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## **NEW SPOUSAL SUPPORT BILL AND UNIFORM COLLABORATIVE LAW ACT ON AGENDA AT NEXT OSBA FAMILY LAW COMMITTEE MEETING**

At the next OSBA Family Law Committee meeting at 10:00 AM on Friday, Sept. 18, the new Uniform Collaborative Law Act will be presented for discussion. Also, there is a good chance the new OSBA Spousal Support Bill will be introduced in the Ohio General Assembly by then. Members are encouraged to attend.

