



Civil Collaborative Law: The Road Less Travelled

Sherrie Abney

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Collaborative Law began with a family lawyer who was disenchanted with the negative effects of litigation on clients and their lawyers. Out of his frustration, a new dispute resolution process was born. Lawyers soon realized that there are many reasons that the benefits of the collaborative process should be extended beyond family cases. Collaborative lawyers discovered that disputes could be settled quickly at a fraction of the cost of ordinary litigation due to a completely different approach to negotiations. In addition, the process offers a confidential forum away from the courthouse, and scheduling is at the discretion of the parties rather than court dockets. Knowing that the majority of classes in law schools emphasize an adversarial approach to dispute resolution, this author set out to compile materials to teach law and business students about this new non-adversarial form of dispute resolution which focuses on the clients and their interests and concerns rather than the lawyers and the legal system. Beginning with a history of the law and continuing through a review of several forms of dispute resolution, the text then addresses the collaborative process and provides questions and exercises for readers to use in developing collaborative skills of their own.

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