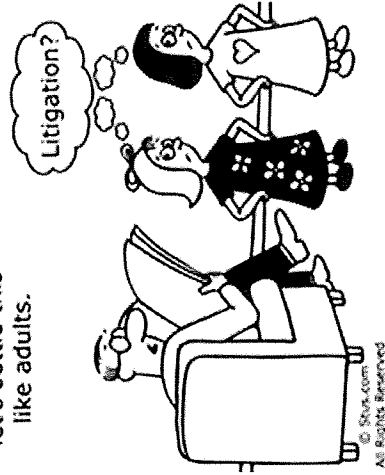




KAMLOOPS
COLLABORATIVE
FAMILY LAW
ASSOCIATION



Children,
let's settle this
like adults.



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I had a dream... that Family Disputes could be resolved without hurting children and parents.

facebook.com/MydTheKids



Who we are




- ▶ We are an association of:
 - ▶ Accountants
 - ▶ Counsellors
 - ▶ Lawyers



GOALS

To promote Collaborative Practice and other methods of dispute resolution in family law matters so that separating parties avoid the stressful, costly and time-consuming court processes.



Why did Collaborative Practice come about?

Professionals working in the area of family law who work with families who are separating, recognized the destruction the adversarial system used by the court, has on families, especially children. Dragging a family law dispute through the court system is costly, time-consuming and promotes entrenching parties in positions that last longer than the litigation. Although a large part of the family's resources can be consumed in litigation, few people are satisfied with the outcomes. A better way had to be found.



Some of the alternatives are:

- Mediation
- Negotiation
- Arbitration
- Collaborative Practice



Board Members

Counsellors are from Synergy:

Viviane Wingerak

Sean Monaghan – Secretary

Celeste Schell

Nadine Matthews



Accountants

Accountants are from KPMG:

Leni Reichor Treasurer

Scott Tupper



Lawyers

The Lawyers are from a number of firms:

Butch Bagabuyo Co-chair

Carolyn Oien Co-chair

Stephen Soil

Simon Walter

Marlene Harrison



Family Law Act

The Family Law Act promotes settlement and recognizes litigation is not the best option:

S. 4, The purposes of this Part are as follows:

(a) To ensure that parties to a family law dispute are informed of the various methods available to resolve the dispute;



FLA S. 4 continue

(b) To encourage parties to a family law dispute to resolve the dispute through agreements and appropriate family dispute resolution before making an application to a court;



FLA S. 4 continue

- (c) To encourage parents and guardians to
 - (i) resolve conflict other than through court intervention, and
 - (ii) create parenting arrangements and arrangements respecting contact with a child that is in the best interests of the child.



Lawyer's Obligations

We are obligated to sign a certificate that we have informed our clients of various ADR options when starting a family law action, in either the Supreme Court or the Provincial Family Court.



Court Processes

Even after commencing a Family Law action, the court has processes built into the Rules of Court, that are used to move parties toward a resolution before trial.



Divorce Act

The Divorce Act only applies to married couples does not specifically address ADR, however, requires that the lawyer enquire if the parties want counselling for the purposes of reconciliation.



What the law covers:

Custody/parenting time for children


Access/contact with children

Child Support

Spousal Support

Division of Assets, which include the family residence, vehicles, investments, bank accounts, pensions including Canada Pension, recreational property, etc.

Debts



What the law does not address:

The law cannot make the hurt go away, or punish the other person for relationship transgressions. It is a clinical determination of how the children will be looked after, what each parties' financial circumstances will be in terms of income and assets.