



INTERNATIONAL ACADEMY OF
COLLABORATIVE PROFESSIONALS

GROWING YOUR COLLABORATIVE PRACTICE GROUP

International Academy of Collaborative Professionals

4201 N. 24th Street, Suite 240

Phoenix, AZ 85016

phone: 480.696.6075

fax: 480.240.9068

info@collaborativepractice.com

www.collaborativepractice.com

Growing Your Collaborative Practice Group

Provided by the *Practice Group Development Committee* of the IACP with thanks to the Leadership in the Collaborative Practice Community Committee of the Collaborative Council of the Redwood Empire

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Section 1:

An IACP Blueprint



An IACP Blueprint

Considerations for Building a Successful Collaborative Community

Collaborative Practice is adapted to the culture of each community in the same way that a stone house works in one place and a wood house in another. The following basic Blueprint is offered as guidance in the planning and building of a successful Collaborative Practice community that is compatible with the essentials of the collaborative process and practice standards.

This Blueprint is based upon the combined experience of Collaborative Practice groups throughout the world. Growing from our shared experience, this suggested approach is intended to maximize the success and minimize the obstacles in forming and sustaining a vibrant Collaborative Practice community. The IACP's goal is to offer resources and support for groups at all stages of development, from those seeking or anticipating their initial training to those who are well-functioning but looking to improve.

As an international umbrella organization, the IACP is positioned to share a wealth of information, resources, and opportunities, such as:

- Aspirational Standards for practitioners and trainers
- Ethical Standards of Collaborative Practice
- Information about Collaborative Practice training and trainers (Event Calendar, Trainers' Directory)
- Gathering place for trainers about core collaborative skills
- Annual international conference featuring educational and networking opportunities
- Think tank that focuses on evolving and varied multidisciplinary approaches and alternatives within the process
- Shared knowledge base via the website
- Monthly e-newsletter (*Collaborative Connection*), periodic journal (*The Collaborative Review*) and other communications
- Learning opportunities for Collaborative Practice group leaders via phone bridge series
- Research
- Extensive resources for new communities to avoid re-inventing the organizational wheel (Resource Library)
- Marketing materials and guidance for educating the public

The Blueprint

As you plan and build your Collaborative Practice community, consideration of the following elements may enhance your success.

- 1) **Orientation: Brainstorm the Model.** Begin by bringing together interested divorce professionals who share the vision that Collaborative Practice will be a helpful process option for families in transition. Investigate and brainstorm models, focusing on what kind of "collaborative house" the community wants to build. Collaborative Practice models continue to evolve. Some communities adopt a Collaborative Law Model that focuses on lawyers as the primary professionals who refer to other professionals on an as-needed basis. In some communities, the work remains primarily lawyer focused. In others, by stages, the lawyers come to see the power of working with other, allied professionals as part of a team. Some communities adopt an interdisciplinary team model from the outset. Teams may be comprised of two lawyers, two coaches, a child specialist and a financial professional, typically engaged at the inception of a case. Other multi-disciplinary models are comprised of the lawyers, a neutral communication coach, a financial planner and one or more mediators. Professionals coming together to create a Collaborative Practice community should begin the process by learning about various model options and determining the option(s) best suited for the community.

- 2) **Obtain Initial Training.** Training begins the “paradigm shift”; a community becomes inspired by the possibilities of Collaborative Practice.
 - a) Obtain information about an Initial Training by reviewing information on the IACP Event Calendar and the IACP Trainers’ Directory and speaking with other trained collaborative practitioners.
 - b) Contact references for trainers to determine if the trainer(s) can meet the needs of group; use the resources provided by IACP to determine if a particular training will meet the needs of your community.
 - c) Consider having a local “expert” in the field of negotiation/ communication/ mediation at the training who can provide follow-up expertise after the trainer leaves.
 - d) Review the IACP Minimum Standards for a Collaborative Training and Minimum Standards for Collaborative Trainers to ensure that the trainer intends to meet the standards.

- 3) **Recognize the Need for Ongoing Layering of Skill Competence Work.** An initial Collaborative Practice training is a great start, but in and of itself is insufficient to provide practitioner competence and confidence on various skill sets necessary to engage in collaborative representation and assistance at the highest level. Plan continuing education opportunities and skill-building workshops. This can be accomplished with local resources and/or trainers listed in the IACP Trainers’ Directory. Types of training include:
 - a) Self training (with Train-the-Trainers assistance from the IACP)
 - b) Mediation training
 - c) Negotiation training
 - d) Communication Training

- 4) **Create a Structure.** Ensure that you have a Practice Group structure that meets the needs of your new Collaborative Practice community, including the potential of whole group membership in the IACP. Applying information about organizational structure found in IACP’s Resource Library can save your community the significant time and effort required to develop all related documents. You can access standards and protocols, as well as dozens of sample practice documents, articles and research. When creating a structure, think about:
 - a) Beginning to build a supportive practice group
 - b) Developing an organizational structure that best enables you to get the message out
 - c) Maximizing the benefits from existing resources through the IACP
 - d) Offering case facilitation and mentoring
 - e) Ensuring continuing leadership and succession
 - f) Linking with other Collaborative Practice organizations (state, regional)
 - g) Providing ongoing training, networking and skill-building locally and through the IACP

- 5) **Develop a Public Education Plan: PR and Marketing.** How will you plan to increase public awareness of the Collaborative Practice alternative?
 - a) Review the IACP public education information. Consider using IACP’s professionally produced public education brochures, press kits, radio commercials, billboards.
 - b) Develop a community-based public education plan targeting centers of influence, media relations, and development of referral networks.



COLLABORATIVE
PRACTICE

Resolving Disputes Respectfully

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Section 2:

A Tale of Three Cities:

Starting Your Own Collaborative Practice Group

A Tale of Three Cities: Starting Your Own Collaborative Practice Group

By Jennifer Jackson, JD, Timothy Martin, JD and Catherine Conner, JD

So you'd like to start your own Collaborative Practice group? Collaborative professionals in San Mateo, San Francisco and Sonoma who started practice groups in their respective counties offer these tips as you start your practice group.

Getting the Band Back Together: Organize a Core Group

Before you make any public pronouncements or issue invitations to join your group, form a small core group of like-minded individuals to develop the initial principles, framework and documents for your practice group as a whole. Depending upon the size of the group and the initial tasks to accomplish, committees can be created to focus on key areas such as forms/protocols, membership, marketing and governance. The reasons for this are: a) it is easier to make decisions in a smaller group and b) the core group can present the rules and requirements of your practice group to the larger group as a *fait accompli*, rather than getting into a lot of wrangling *en banc* (which lawyers are naturally good at).

Treat the development of your practice group like you would a case that you don't want to end up on the "back burner". Schedule a series of regular meetings, with an agenda for each meeting. It may be helpful to have an event such as a "kick-off dinner" as a deadline to keep the process moving forward at a good pace. Appoint someone to be in charge of reminding everyone else about each meeting with an agreed process (phone calls, group e-mail distribution list, or listserv). Someone should be in charge of recording the decisions you've made and why. Record the institutional memory – latecomers may want to reinvent the wheel and need to know the group thought it through. If you have committees, the core group should meet periodically for reports on progress from the committees.

Adopt a Mission Statement

Developing your mission statement will help your core group to organize the structure of the practice group around shared goals.

Here is the current Mission Statement from the San Mateo Group:

Collaborative Practice of San Mateo County (CPSMC) is a multi-disciplinary association of professionals dedicated to:

- *Assisting individuals, families, businesses and other organizations to resolve disputes without litigation;*
- *Facilitating creative problem solving;*
- *Helping clients to manage the financial and emotional impact;*
- *Providing clients the opportunity to explore options and make choices about the outcome.*

We are committed to:

- *Leading and innovating in Collaborative Practice;*
- *Increasing public and professional awareness of Collaborative Practice.*

Here's the Mission Statement for the San Francisco group, which it borrowed from a previous version from the San Mateo Group:

The essence of "Collaborative Practice" is the shared belief of the participants that it is in the best interests of parties and their families in Family Law matters to commit themselves to a

process whereby they resolve their differences with minimal conflict and no litigation. The Collaborative-process is designed to empower the clients to fashion agreements that address their unique concerns and produce results more creative than, and superior to, those experienced by clients in the adversarial process the Collaborative process relies on an atmosphere of honesty, cooperation, integrity and professionalism geared toward the future well-being of the parties and their children.

This Collaborative Practice Group aims to provide the substantive and procedural training to each of its members so that they may offer the Collaborative Process to their clients as an option for resolving their Family Law matters. In addition this Collaborative Group is committed to fostering and providing a community of professionals that will carry out the goals of Collaborative Practice and provide a network of attorneys, coaches, child specialists and financial professionals who are qualified to assist clients in the Collaborative Process.

Here is the mission statement for the Sonoma group:

To educate practitioners, professionals and consumers regarding collaborative conflict resolution.

Decide Whether Your Group Will be Closed or Open

The first decision your core group should make is: will your group be open to anyone who wants to join? Or will membership be by invitation only to a limited number of local collaborative professionals? There are pros and cons to each approach.

Those who favor the closed group approach feel that they need to be able to vouch for every other member of the group, and that the closed group enables a more unified approach that delivers the Collaborative Practice product as advertised. The trust that is essential to Collaborative Practice can develop quicker in a closed group. The downside to this is that the group usually ends up being quite small, resulting in training that is more expensive and difficult to arrange; further the commitment level sometimes diminishes when a person is invited to join rather than takes the initiative himself or herself to join a group. If there is only one Collaborative Practice group in a community and it is closed, this may heighten the resistance to collaborative practice from those who are not members of the group. Some collaborative professionals argue that the closed group is antithetical to the collaborative spirit.

Those who favor the open group approach believe that the strict requirements for continuing membership in terms of trainings and case conferencing can't help but improve the practice of law in their counties. The membership tends to be larger and made up of people who have come to the group of their own accord, rather than "by invitation only." It is easier and less expensive to arrange training for a larger group. The downside to this approach is that quality control is more difficult, and there is a greater likelihood that the collaborative model might be corrupted.

The San Francisco, San Mateo County and Sonoma County Collaborative Practice groups have chosen to be open groups. The Sonoma County group includes members who participate in smaller "study groups", which can be open or closed, and incorporate some of the benefits of closed groups while enjoying the benefits of the open groups in the larger county organization.

Adopt a Set of Collaborative Documents

Teamwork goes more smoothly with a detailed plan. Well, that seems obvious! However, when many of us started working in the Collaborative Practice model, we only had the barest outline of a plan. Have a four way meeting, debrief, brainstorm options, then negotiate to a resolution. But what do those really mean? What does it mean to "debrief"? When and how does the team of professionals get created? Who meets with whom when? The answers to these questions may not be the same from group to group. However, it is very helpful to have a roadmap that all members of the group have available.

The two key documents your members will need before they start cases are the Collaborative Stipulation/Agreement and the Principles and Guidelines/Statement of Understanding. Don't reinvent the wheel. You can find model documents at the IACP resources webpage. Even so, your core group should review the models and revise them to suit your own styles. The process of reviewing sample forms and revising or developing your own set of documents will help you focus on what Collaborative Practice is all about. Keep in mind, however, that Collaborative Practice is a specific model of practice, and that you cannot change the key components and still call what you are doing Collaborative Practice. The key document is the Collaborative Stipulation or Contract/Agreement, which binds clients and attorneys to staying out of court. Without this provision, you may be practicing cooperatively, which is great, but you are not doing Collaborative Practice.

In addition to these two key documents, there are numerous other possible forms and protocols which will help guide your members as they start Collaborative Practice. The IACP resources webpage has sample forms and protocols. Many groups revise forms and protocols from other groups or create their own. The Sonoma County group created a book of forms and procedural checklists for use in collaborative family law cases. All members receive a copy of the book upon joining, which helps to create consistency when working together. When we meet with collaborative colleagues to plan the first four way meeting, we have a list of possible agenda items to review and edit. When we debrief, we can look at a debriefing checklist to make sure we haven't forgotten something. Check out the various samples and customize them for your group.

Governance and Leadership

A thriving Collaborative Practice group is built upon the foundation of good governance and strong leadership. The core group and eventually the entire membership must decide upon the governance structure and decision-making process. Typically, a transition is made from business conducted by the whole group (sometimes to the point of exhaustion or boredom) to business delegated to committees while the group meetings are more focused on education.

When the first wave of members welcomes the second wave, that is usually a good time for the group to transition to the executive committee style of management. In short, when the group spends less time on the minutiae of meetings and how best to gather, and more time on the skilled practice of Collaborative Practice, the group can and should recognize that it has taken another giant step forward. For the San Mateo group, an all day retreat was such a step. We no longer focused on how to recruit members and the criteria of maintaining active membership, and we focused instead on conduct of four-ways, language and communication skills, and generally the upscale practice of Collaborative Practice.

In San Mateo, after the experiencing the challenges of business by the whole group (creating a zebra - by a committee designing a horse), we switched a couple of things at the same time. First, we transitioned to a co-presidency from a single person acting as president. The terms of the co-presidents overlap. There is always one attorney, and preferably the attorney's co-president is drawn from one of the other professions. Of course, since the attorneys outnumber the other professionals by a substantial margin, we will either have to periodically have two attorneys as co-presidents, or the other professionals will have to take far more turns than will be acceptable.

We also switched to management by the Executive Committee. This Committee is composed of the two co-presidents, the immediate past-president, the Secretary, the Treasurer, and the Chair of the Membership Committee (also known as the "Compliance Czar"). The Executive Committee meets bi-monthly for breakfast, and essentially manages the mundane decisions based on voices heard from within the group. As a result, our group's monthly meetings can then be devoted to training or case conferencing, and are no longer consumed with endless

debates about how best to proceed and grow our group. This step is a positive sign of our (or any) group's evolution. The Executive Committee periodically reports back and obtains the consent of the group as a whole; the decision-making process is now much more streamlined, efficient and productive.

In addition, everyone in the group at large is obligated to join at least one of the standing committees: Membership, Mentoring, Public Education, Training, Protocols, etc. In this way, everyone participates actively, gets to know others in the group, and the workload is shared.

The San Francisco Collaborative Practice group has three officers: a chair, a treasurer and a secretary. Most of the work is done through our committee structure. We have an executive committee, or steering committee, which makes the critical day to day decisions to be presented to the group for consensus, such as membership, dues, retreats and such. We have a meeting committee that plans and runs all of the monthly meetings so that the chair need only preside over the business aspects of each meeting. Other committees are retreat, training, public education, website, protocols and judicial liaison. Although we don't have a formal structure in place for election of officers, the committees are repopulated during our annual retreat and as new members join.

Sonoma County has a board of ten directors and four officers (President, Vice President, Treasurer and Secretary) that are elected annually by the participating members. Each of the directors is a member, and often the chair, of one of the committees. At each board meeting, committees report about their activities and seek guidance or authority as needed. Policy decisions are made by the board, after recommendations from the committees. The board has an annual retreat to set the direction for the group for the coming year. Participating members are required to contribute to the group's activities, with the most common method being committee membership.

A plan for development of new leaders is an important component of a thriving Collaborative Practice group. A group that is governed by the same core group for many years will not flourish in the same way that a group that combines experienced leadership with developing leaders. Groups who have leaders who are willing to become wise sages as new leaders develop create the opportunity for a stronger center.

Will Your Group Align With the Bar Association?

Will you be an adjunct of your local bar association or will you be independent? The advantages to being a part of your local bar association are that they will collect your dues, send out your notices, arrange for places for you to meet, arrange for MCLE credit, and so forth. There also may be added credibility by the connection to the bar association.

The disadvantage is that many bar associations collect fees for the bar association generally, will apply your fees to the "pot", and will not allow you to disburse your own fees as you see fit. Some counties will impose their own standards on the group, and every training, meeting, and notice will have to be submitted and approved in advance. Some bar associations have limitations on non-lawyer members.

Neither the San Francisco nor the San Mateo groups is associated with local bar associations, preferring to have more administrative and internal control. The Sonoma County group started as a section of their local bar association, but later became an independent organization when an interdisciplinary group was started.

How Will Your Group Coordinate With the Court?

Why get the Court involved? The idea is to keep people/cases out of court. Nonetheless, all of us believe that it is important to let our judges know that we were working on a model that

keeps people out of court. *But be sure that the Court's role does not include third party decision-making.* Find out what else you can do for the Court, and what the Court can do for you (which, in the case of many groups, is nothing!)

The San Francisco core group met with the presiding family law judge before their first organizational meeting, with encouraging results. She was and remains wildly supportive about the concept; she immediately designated her own department as the Collaborative Law Department such that all collaborative stipulations and judgments will come directly to her. For several years, we were given the use of her courtroom for our regular monthly meetings. She wrote an endorsement of the concept for use in the groups' materials and on its webpage. She and one of the other family law commissioners attended the first organizational meeting of the group, giving Collaborative Practice the enthusiastic imprimatur of the court. She participated in and endorsed the adoption of a local rule. In return, the group is sponsoring a low-fee collaborative panel, which will be one way its members who are new to Collaborative Practice can get experience, help folks who would otherwise be pro-pers, and thereby assist the Court with its pro-per litigant load. Be sure, however, not to take this support for granted. You need to keep encouraging and watching out for the support of your local judiciary – it can slip away, as San Francisco found out to its surprise and dismay when the local rule and Collaborative Law Department suddenly disappeared from the books. The rule is back, but it has been a slow and painful process to restore the many arrangements we'd made with the court.

Early on, the San Mateo group decided we would not involve judges in the operation of our group. After all, CP is offering an alternative to judicial resolution. On the other hand, we take pains to be sure that we inform the family law bench as well as the PJ and Asst. PJ regarding our group's existence and progress. In July 2006, shortly after the then most recent rotation of new judges onto the family law bench, our group hosted a luncheon for a limited number of judges. Our group as a whole did not attend: we had the co-presidents, and two professionals from each stripe: legal, mental health, and financial. Each of the professionals had one person who informed the judges about the evolving role of his or her profession, and the co-presidents informed the bench about the group's evolution, stressing our continuing commitment to continuing education and the value of CP to a divorcing couple.

For a few select judges who could not attend the luncheon, generally those who had at one time served on the family law bench or were in the chain of chairs, we sent delegations to their chambers. The delegations were comprised of an attorney (who knew the judge) and a member of one of the other professions in our group.

The goals were to impress the judges with our group's commitment to appropriate resolution techniques, and the notion that we were not soliciting referrals. We simply were reflecting and fulfilling our bench's commitment to the public policy of settlement in lieu of litigation.

The Sonoma County bench has been very supportive of Collaborative Practice. A local rule was adopted for expedited processing of papers in collaborative cases and excusing the first appearance fee for the Respondent when the collaborative stipulation is signed. The court periodically provides information about ADR, including Collaborative Practice, to litigants. The court invited our group to make a presentation about Collaborative Practice at the annual bench-bar retreat. We have also invited the judges to attend trainings as guests and the family law commissioner attended ten classes of our year long training series. She will be serving as the case management bench officer, so it is likely she will encourage the use of Collaborative Practice. As a result of her encouragement, two other bench officers are now attending trainings.

What are Your Requirements for Membership?

Distinguish between requirements for *membership* and requirements for *continuing membership*. Will you have requirements that your members must meet *before* they are included in the group roster? Or will you give new members a grace period in which to fulfill their requirements? Does your group believe philosophically that mediation training is a prerequisite or will strictly Collaborative Practice training suffice? Will you limit your group to members of your own county? Are you limiting your membership to attorneys? Bear in mind, a lot of MFCC's/LCSW's do mediation. Many Collaborative Practice groups are interdisciplinary with members from legal, mental health and financial backgrounds. Some groups limit members to professions that meet the IACP standards, while others allow a broad range of professionals to join.

San Francisco has two levels of membership: "web" membership, which is renewable each year predicated on whether or not the member has met the requirements for the year. The core requirements are one intensive mediation course taken within a reasonable time preceding of the member's joining the group and 12 hours of the basic, IACP approved training. The annual requirements for continuing membership are: membership in IACP, attendance at 4 of the group's monthly meetings and the annual retreat, completion of at least one collaborative training per year and active participation in the group, such as a low fee collaborative case, working on a committee, giving trainings, and mentoring. Associate members must join IACP, have a recognized IACP professional designation and attend at least three meeting per year. Associate members are welcome to come to our meetings, trainings and activities. We are contemplating a third level for active members who make significant contributions but who cannot become web members because of their degrees, specialties, etc.

In San Mateo, anybody in the bar association can join, as can licensed professionals in allied or interested professions, so long as (1) they have completed not less than 20 hours of mediation training, (2) have obtained (or commit to obtaining within the year) not less than 20 hours of basic collaboration training, (3) they agree to comply with the Principles and Guidelines of Collaborative Practice, (4) a substantial portion of their professional practice relates to family law, (5) their license is active and in good standing, (6) they attend not less than six of our monthly meetings, (7) attend not less than six hours of CP or mediation training each year, and (8) they pay annual dues and a "Buy In" that matches the amount spent by the earliest members to create brochures, obtain a website, and generally get the group off the ground.

A member can only be listed on the website, and can only hold himself/herself out to the public as member of our group so long as they comply with all of the above. The Membership Committee is charged with overseeing compliance, and drops from the website anybody who falls behind in one of the categories required for continuing membership.

The Sonoma County group has two membership levels. Anyone interested in Collaborative Practice can join as a general member. Members who meet specified training and participation requirements similar to the other groups are "participating members" with greater responsibilities (service to the group) and benefits (listing on the website, voting.) Participating members who fail to fulfill the requirements lose their participating membership status and benefits.

Most groups fund a significant part of their activities (notices, website, mailings, etc.) through membership dues. The group will need to set a dues structure and determine any other sources of income. Some groups plan to charge enough for trainings to create a surplus for other group activities. The Sonoma County group has generated income from the sales of the forms and procedures book. Some groups have occasional assessments for special activities such as a marketing campaign.

Purging Your Membership

This is the most difficult of all decisions, one that gets postponed and ignored even when the standards are in place. The easiest method is to enforce the criteria for continuing membership. Then the group's risk is limited to one year of an offensive member if the membership generally is limited to one year. There will be members of your group who don't fulfill the requirements each year, and if they don't, you must be firm or the group will suffer. So be sure the membership agreement specifies that this is the case. Each of these groups monitors members' compliance with the membership requirements on an annual basis and membership is renewed each year.

The more difficult situation will be when members are hard to collaborate with, don't want to practice the model, or just don't know how. This will wreak havoc in your group, and will damage the public perception of Collaborative Practice, not to mention making your own lives miserable.

So what do you do? The San Francisco group originally set up a panel of mentors who had done at least five collaborative cases and who have had formal collaborative training. Although these panelists were available at any member's request to sit in on a collaborative meeting and to debrief with the collaborative team afterward, no requests were ever made. The mission of such a panel is to provide guidance, not to sit in judgment. The group is rethinking its member review policies, but is finding generally that the requirements for continuing membership and the steady progress toward expertise and quality practice by our core members is resulting in self-selection and obviating the need for a formal purging process.

The Sonoma County group has a "Case Facilitation Committee" whose assistance can be sought in a particular case or in the event of ongoing conflicts between members. Members volunteer to meet for two hours with the affected members and facilitate a conversation. A common use of the committee is to debrief a case at the end and help explore the "lessons learned."

The procedures for a closed group should be very well-defined, as it is probably more difficult to "purge" a member who has been specifically invited to join.

Most groups' experience with this issue has been that members who are unwilling to devote the necessary time for the training or to follow the model get bored with it and drop out of sight. Or they lose interest as they cannot build a practice since the more committed members are less likely to refer cases to them.

Training Your Members: How Do You Implement Your Mission Statement?

Monthly meetings:

Periodic meetings are the backbone of the group. Meetings are a place for members to get to know each other, to educate themselves and to plan group activities. You will need to decide how often you will meet, what will be the agenda of your meetings, and how will they be run.

The San Francisco group has eleven meetings and a party each year in the conference room of a large San Francisco firm. The first hour of the meeting is devoted to a presentation or case-conferencing, leaving thirty minutes for business at the end of the meeting. We have an annual retreat which revitalizes the group, and occasional social events, which the authors of this article agree are critical to building trust through friendship.

The San Mateo group as a whole meets monthly, and the various committees meet when and as needed. We agree that at least one wholly social meeting a year is in order. After all, we all need to have positive working relationships with everyone else in the group. The social meeting is a good place to engage in some sort of icebreaker that allows us all to learn more

about each other, build personal relationships, and thereby build professional relationships that will serve our clients.

The Sonoma County group meets twice a month as a whole group, once for breakfast, which includes a presentation by a member on an educational topic, case study, public education, protocols, etc., and once for lunch or dinner, typically with a longer presentation by an outside speaker on a topic related to collaborative practice. The dinner meetings are preceded by a social time in which members can get to know each other. All business of the group is conducted in committee meetings, either by the Board of Directors or one of the ten committees.

Trainings:

Have a plan in place before your first organizational meeting for mandatory initial training for the group as a whole, perhaps a facilitator for the first organizational meeting. There are many collaborative trainers listed on the IACP website, with information about their trainings and qualifications.

Some questions to consider: What role will your group play in training your members? How often will you sponsor trainings? Will you sponsor your own ongoing trainings after the initial series or will you refer members to trainings sponsored by other groups?

Many groups have found that initial trainings limited to the group members are an excellent way to build group cohesiveness and trust. After the initial trainings, it can be invigorating to open the trainings to members from other groups and "cross-pollinate" ideas and resources. Sponsoring trainings from different trainers is an excellent way to create a firm foundation for your members. While the trainings can sometimes overlap in content, each trainer brings his or her special focus and emphasis. There are an abundance of useful concepts that will improve the Collaborative Practice skills of your members, including different communication systems, team dynamics, and different practice models.

In an interdisciplinary group, professionals can sometimes assume a greater knowledge of their profession than the other professionals actually have. Or there may be inaccurate assumptions about what someone else does. And even worse, different professionals may attach different meanings or procedures to the same concepts. Members can help to educate each other about what they do. Lawyers can describe the legal dissolution process from beginning to end and their role in it. The coaches can describe and demonstrate their work with the client. The financial specialists can describe their process, show sample reports and explain them in detail. By learning about the work of the other professionals in depth, we are better able to describe the potential benefits of other professionals to our clients, we are better able to integrate and coordinate our work, and we are less likely to make mistakes based upon a misunderstanding of what we think someone else will or won't do.

It's unlikely that all practice group members will be able to attend all of the available trainings. However, the highlights can be shared. Members who attend trainings or conferences can present the best ideas and concepts at a group meeting. While it isn't as comprehensive as the actual training or conference, it exposes the other members to the ideas and techniques presented at the training and motivates them to seek additional training.

Small study groups are another opportunity for member education. We sometimes get so caught up in practice group business that we miss the opportunity for in-depth discussions. Also, in larger groups, a meeting of 20 to 40 people makes it difficult for everyone to participate. Study group discussions of 6 to 8 people for 1 ½ to 2 hours can create an opportunity for exploration of questions arising out of Collaborative Practice. One format a Sonoma study group has successfully used is rotating facilitation with the facilitator responsible for preparation of the topic, making a brief presentation and leading the discussion.

Getting Started: The First Organizational Meeting

When your core group has made all of the above decisions about the group, it is time to throw it open to the public or to invite the rest of your members to join.

If you are starting a closed group, this decision has some interesting aspects. How big will your group be? Will you have an absolute cap? An absolute minimum? Will you be inviting members because of their reputations in the community, their ability to attract cases and their ability to add stature and respect to the group? Or will they be chosen simply because they have a proven record of a work style consistent with Collaborative Practice?

Or will you allow collaborative professionals to self-select? Sometimes, the formation of the group can be the opportunity a litigator is looking for to change the style of his/her practice from litigation and competitive negotiation to collaboration with its core of cooperative negotiation. Moreover, bear in mind it takes two to collaborate. You need a good-sized group from which the public can select.

Ideally it would be some combination, but there will be some folks who would add immeasurably to the group but might be relatively unknown, and some prominent folks who won't have the energy to keep up with the training or won't have the commitment to the model that you will need to succeed as a practice group. Be sure you know what your criteria is, so that you don't wind up trying to herd goats uphill to get anything done in your group.

For the open group, it is a matter of getting the word out, both to professionals you have identified as promising prospective members and to others in the community that might be interested.

The San Francisco group arranged the meeting time and place with the judges, and then put a paragraph in the section newsletter announcing the meeting. Since several members of the core group are in the same office, their staff faxed an announcement to every member of the Family Law section the week before the meeting. Approximately 25 people attended the first meeting.

The Sonoma County group planned a "kick off dinner" and invited any local legal, mental health or financial professional that the core group believed might be interested. Over 100 interested persons attended the meeting. The membership since the first year has ranged from 70 to 80 members.

Getting the Word Out to the Public

The question we hear the most from wannabe collaborative professionals is: "where do the cases come from?" This of course is a topic for another discussion, but is relevant to the commitment of your practice group to public education - both financially and in terms of personal time and effort. How do you get the word out to the public? Generally, public awareness of Collaborative Practice is growing through mailings to targeted potential referral sources, networking by collaborative professionals with referral sources, open houses or seminars for allied professionals, websites, published books, newspaper and magazine articles, the distribution of the IACP brochures and materials, the dissemination of the Collaborative Review, the inclusion of Collaborative Practice in general ADR and family law seminars, radio shows, and law review articles.

One strategy used by many groups to inform the public is to send speaking teams to fraternal organizations, professional groups, and service clubs. We always send at least two members, if not three, and try to avoid having two members from the same profession. We want to make it clear to the audience that we are there to promote the availability of our process, and

not to promote an individual. We initially had brochures for our groups, but now we use the IACP brochure. The speakers use the IACP backboard as their backdrop, trying to emphasize the universal scope of Collaborative Practice and the momentum of the “movement.” Another method is to focus the presentation on conflict resolution skills and then provide information on conflict resolution processes. This provides immediate value to the audience as well as providing them with conflict resolution resources for the future.

Practice group members can work together on many of these activities, from creating an attractive, well-registered and well-published website to creating events for local referral sources to purchasing IACP materials in bulk. The website should include the collaborative documents for downloading, articles for people to read, a list of your members with whatever blurbs they would like to include, and other resources for the visitor to your site. Many professionals are not very knowledgeable about how to build a practice and help spread the idea of Collaborative Practice. A Public Education/Marketing Committee can first educate themselves about the most effective ways to develop a Collaborative Practice and then educate other members. The Sonoma County group conducted a three part breakfast series on developing a Collaborative Practice as well as including a significant component on practice building in our training series. A Public Education/Marketing Committee can also develop a public education campaign for their group, with activities such as speaking engagements, mailings and open houses.

One “tipping point” that everyone in the group needs to be aware of and to practice is this: at some point, all of the Public Education will pay off and clients will call one of the professionals. We all need to recognize that we must switch from marketing to sales. Get those clients and their spouses enrolled in the Collaborative Process, and do a good job for them and their family. Providing the highest quality service is one of the best types of public education.

As the Collaborative Practice movement is reaching a “tipping point”, public education is an ongoing effort that requires a long term commitment by all practice group members.

Get to Know Each Other

Last, but certainly not least, get to know each other. Trust is a fundamental component of an effective collaborative team. Trust builds in many different ways and one way is just simply getting acquainted. At one group retreat, we spent an hour just getting acquainted by finding out about everyone's favorite books, hobbies, and odd unique eccentricities. The Sonoma group's monthly dinner meetings include a half hour social time before dinner. We had a group trip to hear one of our members sing at a local bookstore. Having these various opportunities to interact has strengthened our bonds with each other and within the group. We know that if a problem develops between colleagues, we will be able to work it out because we know and trust each other. And that, ultimately, is the best guarantee that we will be able to maintain an effective team for our clients.

In Closing

Frankly, getting a group started and then maintaining it takes a lot of leadership and effort, but is incredibly rewarding. You will be the cutting edge; you will be the leadership who is evolving the practice in your area. But you can't do it alone. You will need a small, dedicated core of people to keep the ball rolling, so choose wisely!

Section 3:

Initial Formation Tasks

Suggested Initial Formation Tasks

I. Incorporation and qualify as non-profit

- a. Who will review initial by-laws - group or committee?
- b. Corporate name
- c. Draft corporation formation documents
- d. Draft IRS and state non-profit documents
- e. Obtain federal id #
- f. Pro forma profit and loss statement
- g. Open bank account

II. Decide upon initial governance structure

- a. As proposed or other?
- b. Officers and board?
- c. Staggered terms?

III. Elect temporary officers

- a. President
- b. Vice President
- c. Treasurer
- d. Secretary

IV. Draft initial committee co-chairs (from different professions) and members

- a. Monthly Education
- b. Training
- c. Logistics/Facilities
- d. Mentoring
- e. Public Relations
- f. Membership and Protocol
- g. Other

V. Delegate following pre-kickoff tasks to officers or committees

- a. Mission Statement
 - i. Committee to prepare and propose at next meeting
- b. Kick-off meeting committee
 - i. Agenda
 - ii. Speakers
 - iii. Creating mailing lists for invites (individuals, groups)
 - iv. Other ways to get word out (i.e. Women in Law, civil, ADR)
 - v. Create flyer/invitation
 - vi. Location - reserve facility
 - vii. Registration process
 - viii. Press coverage?
- c. Logistics/Facilities Committee
 - i. Find facility for monthly meetings, negotiate price and handle logistics
- d. Monthly Education Committee
 - i. Planning for initial monthly meetings
 1. Dates and times
 2. Location
 3. Flyer
 4. Format/topic/speakers

- e. Training Committee
 - i. Create training plan
- f. Mentoring Committee
 - i. Create framework for mentoring program
- g. Treasurer
 - i. Create budget including
 - 1. Start-up costs
 - a. Incorporation fee
 - b. Non-profit qualification fee
 - c. Officers and directors insurance
 - d. Initial mailing for kick-off dinner (flyers/postage)
 - 2. Initial year costs
 - a. Website development
 - b. Brochure development
 - c. Other PR costs
 - d. Seed \$ for trainings
 - 3. Ongoing
 - a. Copying and flyers re: meetings and trainings
 - b. Tax return prep
 - c. Officers and directors insurance
 - d. Bank charges
- h. Membership and Protocol
 - i. Proposal re:
 - 1. Initial and continuing membership requirements (review IACP standards)
 - 2. Will there be different levels of membership
 - 3. Benefits for different levels of membership
 - 4. Will mediation skills training be required
 - 5. Collaborative pledge requirement
 - ii. Determine dues in consultation with treasurer
 - 1. Initial? Ongoing?
 - iii. Create membership application form
- i. Public Relations Committee
 - i. Develop draft public relations campaign for 1st year, including
 - 1. Website development
 - 2. Press contacts
 - 3. Public speaking
 - 4. Proposed costs
- j. Miscellaneous
 - i. Appoint someone to be liaison to other groups – regional, statewide collaborative, local professional groups
 - ii. Co-chairs to report back re: date and agenda of first committee meeting (after kick-off dinner) and work to be accomplished prior to kick-off meeting
 - iii. Raise seed \$ for initial tasks

Section 4:

Group Process Standards

Group Process Standards

1. View your colleagues as team members and companions on the exciting journey to build collaborative practice.
2. Be optimistic that with diligence and effort a successful outcome is possible, and indeed likely.
3. Be effective. Being effective means advancing toward goals which are consistent with our mission, vision and values.
4. Say it once concisely and leave time for others to do the same. Consider differing points of view and differing disciplines as an opportunity to be creative.
5. Listen carefully to your colleagues' expressed concerns and interests. True collaboration implies that everyone will be attempting to find strategies that encompass as much as possible of what is important to all of us. Mutual understanding is a prerequisite for optimizing results.
6. Be creative. Attempt to think "outside of the box". Be willing to look at as many options as possible for achieving the goals of our mission statements. "Brainstorm" potential options and develop as many choices as possible before shifting into an evaluative mode.
7. Respect the fact that the transitions in our practices, in our groups, and in our understanding of collaborative practice, may present different challenges for each of us. We also process information and make decisions differently, and need to respect that.
8. We are all responsible for the application of these suggestions, to enable us to work most efficiently toward reaching the goals. Hopefully each of us will give permission to the others to gently comment when one of these suggestions is not being applied.

By: Catherine Conner and Margaret Anderson

Section 5:

Articles of Incorporation and By-Laws

SAMPLE 501(c)(6)

Articles of Incorporation

COLLABORATIVE COUNCIL OF THE REDWOOD EMPIRE

A Non-Profit Mutual Benefit Corporation

I

The name of this corporation is "Collaborative Council of the Redwood Empire."

II

This corporation is a nonprofit mutual benefit corporation organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of this corporation is to engage in any lawful act or activity, other than credit union business, for which a corporation may be organized under such law.

III

The specific purpose of this corporation is to promote the non-adversarial resolution of conflicts. To promote collaborative law, a process which resolves conflicts with cooperative, rather than confrontational techniques, in which lawyers do not litigate, and in which a multi-disciplinary professional approach to problem solving is employed, thereby encouraging parties to reach agreements in a creative and respectful manner. To educate the public and the professional community about the process and value of collaborative law.

IV

The name and address in the State of California of this corporation's initial agent for service of process is: Catherine Conner, 829 Sonoma Avenue, Suite 1, Santa Rosa, California, 95404.

V

Notwithstanding any of the above statements of purposes and powers, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific purpose of this corporation.

Incorporator

SAMPLE

BYLAWS

of the

**COLLABORATIVE COUNCIL OF THE REDWOOD EMPIRE A
Non-profit Mutual Benefit Corporation**

1. THE CORPORATION

1.1 Name: The name of the organization is "Collaborative Council of the Redwood Empire" and shall be referred to herein as "CCRE". The Board of Directors may change the name of the organization by a majority vote of a quorum.

1.2 Purposes: The Council is organized under Section 501 (c)6 of the Internal Revenue Code and Revenue and Tax Code of the State of California Section 23701e for the general purpose enumerated in its Articles of Incorporation. The Council is formed to promote the non-adversarial resolution of conflicts; to promote collaborative law, a process which resolves conflicts with cooperative, rather than confrontational techniques, in which lawyers do not litigate, and in which a multi-disciplinary professional approach to problem solving is employed, thereby encouraging parties to reach agreements in a creative and respectful manner; and to educate the public and the professional community about the process and value of collaborative law. The general purposes and powers are to have and exercise all rights and powers conferred on nonprofit corporations under the laws of California.

1.3 Upon Dissolution and Windup of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of the corporation, shall be distributed to one or more organizations, corporations or foundations that serve or promote the purposes of the Council, as voted upon by a majority of the quorum of the Board of Directors.

1.4 Location: The initial principal office of the Council is located at P.O. Box 1626, Santa Rosa, California 95402, or 829 Sonoma Avenue, Suite 1, Santa Rosa, California 95404. The Board of Directors may change the location of the Council by a majority vote of a quorum.

1.5 The fiscal year shall be January 1 through December 31.

II. MEMBERS

2.1 The Council shall have four classes of membership:

2.1.1 General Members: Any person in good standing within a profession or career which advances the purposes of this association shall be eligible, pursuant to policies, procedures and criteria as adopted by the Board of Directors, to be a General Member, subject to the provisions herein. General members shall not have the right to vote. No membership rights shall be transferable.

2.1.2 Participating Members: Any general member who has received training in the collaborative process, and completed participatory requirements pursuant to standards set by the Board of Directors, shall be eligible, pursuant to policies, procedures and criteria as adopted by the Board of Directors, to be a Participating Member, subject to the provisions herein. Each Participating Member shall have the right to a single vote. No voting or membership rights shall be transferable. Each Participating Member shall meet the Minimum Standards for Collaborative Practitioners as adopted by the IACP on July 13, 2004, including all training components of those Minimum Standards. The requirement to meet these Minimum Standards shall be phased in between the date of adoption of these Bylaws, and the date of the Annual Meeting of Collaborative Practice California in 2009.

2.1.3 Special Members: This is a class of general member composed of law students, first year lawyers, paralegals and law office staff. Special members shall not have the right to vote. No membership rights shall be transferable.

2.1.4 Emeritus Members: Any participating member who has substantially retired from his/her professional practice, and whose continued involvement with the Council would be a benefit to the Council and its members, may be nominated by any member of the Board of Directors to be granted a waiver of dues otherwise levied against. The election of a member to emeritus membership shall be accomplished by the majority vote of a quorum of the Board.

2.2 Duties of Members: It shall be the duty of all members, General, Participating, and Special, to pay all dues and assessments as may be levied from time to time and to adhere to the Principles and Guidelines of Collaborative Law and the Statement of Understanding, the laws of the United States and the State of California.

2.3 Dues, Fees and Assessments: Each member must pay, within the time and conditions set by the Board, the dues, fees and assessments in amounts to be fixed from time to time by the Board. These shall include fees for memberships, services provided to members, and other related fees. The Board may adopt a varying dues, fees and assessments schedule for members based on pertinent factors. Dues, fees and assessments shall be set by a majority of a quorum of the Board of Directors.

2.4 Termination of Membership: A membership shall terminate on occurrence of any of the following events:

2.4.1 Resignation of the member.

2.4.2 Expiration of membership, unless renewed on terms fixed by the Board.

2.4.3 Member's failure to pay dues, fees or assessments set by the board within the due date set by the Board.

2.4.4 Any event that renders the member ineligible for membership, or failure to satisfy membership qualifications; or

2.4.5 Termination of membership as provided in these Bylaws based on the good faith determination by the board, or a committee or person authorized by the board to make such a determination, that the member has failed in a material and serious degree to observe the duties or rules of conduct of the corporation, or has engaged in conduct materially and seriously prejudicial to the corporation's purposes and interests.

The Board of Directors, by an affirmative vote of a majority of a quorum, may suspend or expel a member for cause after an appropriate hearing.

2.5 Record of Membership. A record of membership and fulfillment for qualifications for General Membership and Participating Membership shall be maintained.

2.6 Annual Meeting: An annual meeting of the Members shall be held at the regularly scheduled lunch or dinner meeting in May of each year unless the Board fixes another date or time and so notifies members as provided in these Bylaws. At the meeting, directors and officers shall be elected and other proper business may be transacted subject to these Bylaws. Meetings of the members shall be held any place within or without California designated by the Board or by the written consent of all members entitled to vote at the meeting, given before or after the meeting.

2.7 Regular Meetings: Regular meetings of the members may be held at such times as the members may determine.

2.8 Special Meetings: Special meetings of the members, for any purpose other than the election of directors as herein provided, may be held at the call of the President of the Council or the Board of Directors, and shall be called by the President at the request of one-tenth of the members entitled to vote at the meeting. Notice of the time and place of Special Meetings shall be given to each member but need not specify the purpose of a meeting, unless otherwise required by law, the Articles of Incorporation, or these Bylaws or unless there is to be considered at the meeting (1) contracts or transactions of the Council with interested persons (2) amendments to the Articles of Incorporation or to these Bylaws; (3) an increase or decrease in the number of members or directors, (4) removal or suspension of a member, officer or director; or (5) the merger, dissolution or sale of all or substantially all the assets of the Council.

2.9 Quorum: At any meeting of the members, no fewer than fifteen (15) of the participating members in good standing shall constitute a quorum, except when a larger quorum is required by law, by the Articles of Incorporation or by these Bylaws. Any meeting may be adjourned to a date not more than ninety days after the first session of the meeting by a majority of the votes cast upon the question, whether or not a quorum is present, and the meeting may be held as adjourned without further notice.

2.10 Notice of Annual or Regular Meetings: Notice shall not be required except that notice shall be given to the members of (1) the first regular meeting following the determination by the members of a schedule of the times and places for regular meetings; (2) each regular meeting if no such schedule is in effect; (3) an annual meeting not held at the principal office of the Council; (4) each annual or regular meeting if amendments to these Bylaws are to be considered at the meeting; and (5) as otherwise required by law, the Articles of Incorporation or these Bylaws.

2.11 Manner of Notice of Annual or Regular Meetings: Notice to a member shall be given in accordance with applicable law. If applicable law does not prescribe a manner or time for giving notice, notice shall be given by (1) at least ten days by mail, postage prepaid; (2) at least seven days by facsimile, email or other electronic means, or by deposit to an overnight delivery service, or in person, by hand or by telephone. Notices shall be addressed or directed to the member's usual or last known business or residence address, voice, fax or email location as appears on the records of the Council. In the case of an emergency requiring

action by the members, directors may give notice of an emergency meeting in any manner which the directors determine to be reasonable under the circumstances.

2.12 Waiver of Notice: Whenever notice of a meeting is required, such notice need not be given (1) to any member if a written waiver of notice, executed by the member before or after the meeting is filed with the records of the meeting; or (2) to any member who attends the meeting without protesting prior to the commencement of the meeting the lack of notice to that member. A waiver of notice need not specify the purposes of the meeting.

2.13 Meeting Places: Member meetings shall be held at such places as the members shall determine, from time to time, with notice to the members, or in the absence of such determination or notice, at the principal office of the Council in the State of California unless a different place within California, or if permitted by the Articles of Incorporation, elsewhere within the United States as designated by the President or by a majority of the members acting by vote or by written instruments or instruments signed by them.

2.14 Action by Vote: Participating members shall have the power to vote upon any and all issues properly before any meeting of the members of the Council, and each Participating member shall have one vote. General, Special, and Emeritus members shall not have the power to vote. When a quorum is present at any meeting, a plurality of the votes properly cast by members present for election to any office shall elect to such office, and a majority of the vote properly cast by members present upon any question other than an election to an office shall decide the question, except when a larger vote is required by law, by the Articles of Incorporation, or by these Bylaws. No ballot shall be required for any election unless requested by a member present at the meeting and entitled to vote in the election. Any reference in these Bylaws to a vote of the members or membership shall be construed to mean a vote of the members entitled to vote.

2.15 Compensation: Members shall not be paid compensation for their services as members, officers or directors.

III. DIRECTORS

3.1 Number, Qualifications and Election of Directors: Directors of the Council shall be those Participating Members holding the offices of President, Vice President, Treasurer, Secretary, and immediate past President, plus no fewer than two additional Participating Members, and not more than 10 additional Participating Members. The term of office of directors shall be two years, commencing on June 1 of the calendar year of the election at the Annual Meeting to be held in May under these Bylaws or as of the date of placement on the Board by any other means such as appointment or vacancy, until June 1 two years hence. Elections and appointments shall be held so as to stagger the terms of office of the directors to the greatest extent reasonably practicable. The directors shall be elected at the annual meeting of members, each to serve their term until the annual meeting two years hence and thereafter until his or her successor is chosen and qualified. Any vacancies in the offices of directors may be filled by the Participating Members at any meeting. Additional directors may be added from time to time by majority vote of the Participating Members.

3.2 Powers and Rights of Directors: Subject to the provisions and limitations of the California Nonprofit Mutual Benefit Corporation Law and any other applicable laws, and subject to any limitations of the Articles of Incorporation or Bylaws regarding actions that require approval of the voting members, the

Council's activities and affairs shall be managed and all corporate powers shall be exercised by or under the direction of the Board, and the Board shall have the right to prescribe the duties and powers of all officers.

3.3 Resignation and Removal of Directors: Any director may resign upon written notice to the Directors or to the President or Secretary of the Council. Such resignation shall be effective upon its receipt, unless it specifies an effective date at some other time or upon the happening of some other event. A director may be removed from office at any time with or without cause and for any reason by a majority vote of the members present and voting at any meeting at which a quorum is present.

3.4 Annual and Other Meetings: General meetings of the Board may be held without notice at such time and place as the board may fix from time to time.

3.5 Meetings: Special meetings of the Board for any purpose may be called at any time by the President or Vice President, the Secretary, the Treasurer, or any two directors.

3.6 Notice of Special Meetings: Notice of any Special Meetings of directors shall be given in the same manner as notice to members of meetings or other events, and terms of these Bylaws relating to the waiver of notice by members shall apply to directors.

3.7 Place of Meetings: The directors shall meet at the place described in the notice applicable to the particular meeting.

3.8 Quorum of Directors: At any meeting of the directors for the transaction of business, not fewer than eight (8) directors shall constitute a quorum. When a quorum is present any matter to be acted upon by the directors shall be decided by an affirmative vote of the majority of the directors present unless otherwise provided by law, these Bylaws or the Council's Articles of Incorporation.

3.9 Adjournment: Any meeting of the directors may be adjourned to any other time and to any other place permitted by these Bylaws by the directors present or represented at the meeting, although less than a quorum, or by any officer entitled to preside or to act as Secretary of such meeting, if no director is present or represented. It shall not be necessary to notify any director of any adjournment. Any business which could have been transacted at any meeting of the directors as originally called may be transacted at the reconvened meeting thereof.

3.10 Action of Directors Without a Meeting: Any action required or permitted to be taken at any meeting of the directors may be taken without a meeting if all directors consent to the action in writing and such written consents are filed with the records of the meetings of directors. Such consent shall be treated for all purposes as a vote at a meeting. Unless otherwise provided by law or the Articles of Incorporation, the directors may participate in a meeting of the directors by means of a conference telephone or similar communications equipment, by means of which all persons participating in the meeting can communicate simultaneously and participation by such means shall constitute presence in person at a meeting.

IV. EXECUTIVE COMMITTEE

4.1 Executive Committee: The Board of Directors, by resolution of the majority of the full board, may designate two or more of its members to constitute an Executive Committee. The designation of such committee and the obligation thereto of authority shall not operate to relieve the Board of Directors, or any members thereof, of any responsibility imposed by law.

4.2 Authority: The Executive Committee, when the Board of Directors is not in session, shall have and may exercise all the authority of the Board of Directors except to the extent, if any, that such authority shall be limited by the resolution appointing the Executive Committee and except also that the Executive Committee shall not have the authority of the Board of Directors in reference to amending the Articles of Incorporation, adopting a plan of merger or consolidation, recommending to the members the sale, lease or other disposition of all or substantially all the property and assets of the corporation otherwise than in the usual and regular course of its business, recommending to the members a voluntary dissolution of the corporation or a revocation thereof, or amending the Bylaws of the corporation.

4.3 Tenure and Qualifications: Each member of the Executive Committee shall hold office until the next regular annual meeting of the Board of Directors following his designation and until his successor is designated as a member of the Executive Committee and is elected and qualified.

4.4 Meetings: Regular meetings of the Executive Committee may be held without notice at such times and places as the Executive Committee may fix from time to time by resolution. Special meetings of the Executive Committee may be called by any member thereof upon not less than one day's notice stating the place, date and hour of the meeting, which notice may be written or oral, and if mailed shall be deemed to be delivered when deposited in the United States mail addressed to the member of the Executive Committee as his business address. Any member of the Executive Committee may waive notice of any meeting and no notice of any meeting need be given to any member thereof who attends in person. The notice of a meeting of the Executive Committee need not state the business proposed to be transacted at the meeting.

4.5 Quorum: A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business at any meeting thereof and action of the Executive Committee must be authorized by the affirmative vote of a majority of the members present at a meeting at which a quorum is present.

4.6 Action Without a Meeting: Any action that may be taken by the Executive Committee at a meeting may be taken without a meeting if a consent in writing, setting forth the action so to be taken, shall be signed before such action by all the members of the Executive Committee.

4.7 Vacancies: Any vacancy in the Executive Committee may be filled by a resolution adopted by a majority of the full Board of Directors.

4.8 Resignations and Removal: Any member of the Executive Committee may be removed at any time with or without cause by resolution adopted by a majority of the full Board of Directors. Any member of the Executive Committee may resign from the Executive committee at any time by giving written notice to the President or Secretary of the Council, and unless otherwise specified thereof, the acceptance of such resignation shall not be necessary to make it effective.

4.9 Procedure: The Executive Committee shall elect a presiding officer from its members and may fix its own rules of procedure which shall not be inconsistent with these Bylaws. It shall keep regular minutes of its proceedings and report the same to the Board of Directors for its information at the meeting thereof held next after the proceedings shall have been taken.

V. STANDING AND OTHER COMMITTEES

5.1 Committees: The president, with the approval of the Board of Directors, shall appoint Chairpersons of Standing Committees (efforts shall be made to appoint current directors as committee chairpersons), who, in turn, may make their own committee member appointments with recommendations and suggestions from the Board of Directors. The President, with the approval of the Board of Directors, shall appoint Special or Task Force Committees whose terms of office will be determined by the length of the assignment to be done. Standing Committees of the Council may be as follows, and such other Committees as become necessary to carry out the functions of the Council.

5.1.1 Membership: The Membership Committee shall make recommendations regarding qualification standards, and maintain records relating to membership qualifications, and such other related activities.

5.1.2 Protocol: The Protocol Committee shall make recommendations regarding protocols, and such other related activities.

5.1.3 Training and Education Committee: The Training and Education Committee shall work towards providing or ascertaining availability of training opportunities for the membership, including continuing education credits for any activities, and shall be allowed to develop programs for presentation and conduct any other activities related to the promotion of the Council, its members and their interests. This Committee shall also develop a schedule of programs for education of the members, including speaking or other presentations, work or study groups, topic discussions, or any other programs, monthly or otherwise.

5.1.4 Public Relations : The Public Relations Committee shall develop a public education campaign designed to educate the public and professionals about the Council and Collaborative Practice, including newspaper, radio, web site, speaking opportunities, and to conduct other activities related to the promotion of the Council, its members and their interests.

5.1.5 Case Facilitation Committee: The Case Facilitation Committee shall develop protocols and procedures for a case facilitation program to provide a safe and confidential place for collaborative professionals to address (1) process issues or problems that develop in a specific collaborative case, or (2) an issue or problem that develops in the relations between or among collaborative professionals, to the end that the public can be assured that all Council members will model and practice collaboratively, at the highest level of their competence and integrity.

5.1.6 Logistics: The Logistics Committee shall arrange for the venues and services needed for regular and specially set meetings, trainings, and other Council events.

VI. OFFICERS

6.1 Establishment of Offices: The Council shall have the offices of President, Vice President, Treasurer and Secretary, as the members may determine. The Council may have other officers and assistant officers as the members may determine from time to time.

6.2 Election: The President, Vice President, Treasurer and Secretary shall be elected by the affirmative vote of a majority of the participating members eligible to vote who are present and voting at the annual meeting of the members (or voting by prior written ballot), or a plurality if more than two persons run for office.

6.3 Tenure: Except as otherwise provided by law, the Articles of Incorporation or these By laws, the President, Vice President, Treasurer and Secretary and all other officers shall hold office until the annual meeting two years hence and thereafter until his or her successor is chosen and qualified. The tenure for the immediate past President shall extend to the first year (or two years, as chosen by the immediate past President) following the election of the new President, for the purpose of attending the Board of Directors meetings and assisting with its functions.

6.4 Resignation: Any officer may resign by delivering his or her written resignation to the Council at its principal office or to the President or Secretary and such resignation shall be effective upon receipt unless it is specified to be effective at some other time or upon the happening of some other event.

6.5 Removal: The members may remove any officer with or without cause by a vote of a majority of the members, at a meeting called for that purpose and for which notice of the purpose thereof has been given.

6.6 Vacancy: A vacancy in any office may be filled for the balance of the term by vote of a majority of the members present at any meeting at which a quorum is present.

6.7 Powers and Duties: Each officer shall have only such powers and duties as may be conferred upon them by the members. If authorized and directed by the members, the officers shall take such official actions, as may be required by law and in the accordance with the applicable votes of the members, as actions to be taken by such officers of the Council.

VII. STANDARD OF CARE

7.1 Each member of the Council shall perform his or her duties in good faith, in a manner he or she reasonably believes to be in the best interests of the Council, and with such care as an ordinarily prudent person in a like position would use under similar circumstances. In performing such duties, a Council member shall be entitled to rely on information, opinions, reports or records, including financial statements, books or account and other financial records, in each case presented or prepared by or under the supervision of (1) one or more officers or employees of the Council whom the Council member reasonably believes to be reliable and competent in the matters presented (2) counsel, public accountants or other persons, as to matter which the Council member reasonably believes to be within such person's professional or expert competence, or (3) a duly constituted committee of the Council upon which the Council member does not serve, as to matters within its delegated authority, which committee the Council member reasonably believes to merit confidence, but he

or she shall not be considered to be acting in good faith if he or she has knowledge concerning the matter in question that would cause such reliance to be unwarranted.

VIII. INDEMNIFICATION, INSURANCE, PERSONAL LIABILITY

8.1 Indemnification: To the fullest extent permitted by law the Council shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 7237(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including any action by or in the right of the Council, by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this Bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the board by any person seeking indemnification under Corporations Code Section 7237(b) or Section 7237(c), the board shall promptly decide under Corporations Code Section 7237(e) whether the applicable standard of conduct set forth in Corporations Code Section 7237(b) or Section 7237(c) has been met and, if so, the board shall authorize indemnification. If the board cannot authorize indemnification, because the number of directors who are parties to the proceeding with respect to which indemnification is sought prevents the formation of a quorum of directors who are not parties to that proceeding, the board shall promptly call a meeting of members. At that meeting, the members shall determine under Corporations Code Section 7237(e) whether the applicable standard of conduct has been met and, if so, the members present at the meeting in person or by proxy shall authorize indemnification.

To the fullest extent permitted by law and except as otherwise determined by the board in a specific instance, expenses incurred by a person seeking indemnification under these Bylaws in defending any proceeding covered by these Bylaws shall be advanced by the Council before final disposition of the proceeding, on receipt by the Council of an undertaking or on behalf of that person that the advance will be repaid unless it is ultimately found that the person is entitled to be indemnified by the Council for those expenses.

8.2 Insurance: The Council shall have the right to purchase and maintain insurance to the fullest extent permitted by law on behalf of its officers, directors, employees, and other agents, to cover any liability asserted against or incurred by any officer, director, employee, or agent in such capacity or arising from the officer's director's, employee's, or agent's status as such.

8.3 Personal Liability: The members, directors and officers of the Council shall not be personally liable for any debt liability or obligation of the Council. All persons, corporations or other entities extending credit to, contract with, or having any claim against the Council may look only to the funds and property of the council for payment of any such contract or claim or for payment of any debt, damages, judgment or decree, or any money that may otherwise become due or payable to them from the Council.

IX. CONFLICTS OF INTEREST

9.1 The Council may enter into contracts or transact business with one or more of its directors, officers or council members or with any corporation, partnership or other concern in which any one of more of such persons is a stockholder partner, director, officer or employee or is otherwise interested, any may enter

into other contracts or transaction in which any one or more of its members, directors, or officers are in any way interested; and, in the absence of fraud or bad faith, no such contract or transaction shall be invalidated or in any way affected by the fact that such persons have or may have interests which are or might be adverse in to the interests of the Council, even though the vote or action of such persons having such adverse interests may have been necessary to obligate the Council upon such contract or transaction. At any meeting of the Council (or of any duly authorized committee thereof) at which any such contract or transaction shall be authorized or ratified, any such interested person may vote or act thereon with like force and effect as if he or she has no such interest, provided in such case the nature of such interest shall be disclosed or shall have been known to the members of the Council acting on the matter. A general notice that a person is interested in any corporation or other concern of any kind referred to above shall be a sufficient disclosure as to the nature of such interest with respect to all contracts and transactions with such corporation or other concern. If the Council shall determine that the adverse interest of a member, director or officer of the Council is detrimental to the interests of the Council, such person shall be given the opportunity to terminate the adverse interest or to resign from all positions and memberships in the Council and the Council.

X. MISCELLANEOUS PROVISIONS

10.1 Execution of Instruments. All checks, deeds, leases, transfers, contracts, bonds, notes and other obligations authorized to be executed by an officer of the Council on its behalf shall be signed by the President or the Treasurer except as the members may generally or in particular cases otherwise determine. A certificate by the Secretary or Assistant Secretary, or temporary Secretary, as to any action taken by the members or any members or any officer or representative of the Council shall, as to all persons who rely thereon in good faith, be conclusive evidence of such action.

10.2 Corporate Records. The original, or attested copies, of the Articles of Incorporation, the Bylaws, and the records of all meetings of the Directors shall be kept in California at the principal office of the Council, or at an office of the Secretary or resident agent.

10.3 Articles of Incorporation. All references in these Bylaws to the Articles of Incorporation shall be deemed to refer to the Articles of Incorporation of the Council, as amended and in effect from time to time.

10.4 Amendment of Bylaws: Except as otherwise provided by law, the Articles of Incorporation or these Bylaws, these Bylaws may be altered, amended or repealed and new Bylaws may be adopted by an affirmative vote of a majority of the members of the Council at any meeting at which a quorum is present, or at a special meeting called for the purpose (and at which a quorum is present), the notice of which meeting shall specify such intention to amend and the subject matter of the proposed alternation, amendment or repeal of the Bylaws to be affected thereby.

10.5 Settlement of Disputes: In the event of any dispute arising out of or in connection with these Bylaws, including disputes between or among the corporation, the incorporators, the members and/or the directors, the parties to said dispute shall first attempt to resolve it through negotiation and mediation.

10.6 Authority to Sell Assets of the Council: With the consent or ratification in writing or pursuant to the vote of a majority' of members entitled to vote thereon, the board of directors will have the powers and

authority' to lease, sell, assign, transfer, convey or otherwise dispose of the entire property of the Council, irrespective of the effects thereof upon the continuance of the purposes of the Council and the exercise of its franchise; but the Council may not be dissolved except as provided by the laws of the State of California.

XI. CERTIFICATION

11.1 We, the undersigned, the duly elected and acting Directors of the Collaborative Council of the Redwood Empire, a nonprofit California Corporation, do hereby certify that the within and foregoing Bylaws were adopted as the Bylaws of that corporation on _____ and that the same do now constitute the Bylaws of that corporation.

In witness whereof, we have hereunto subscribed our names and affixed the seal of the corporation this date: _____

President

Vice President

Secretary

Treasurer

Section 6:

Organizational Leadership

**COLLABORATIVE COUNCIL OF THE REDWOOD EMPIRE
ROLES AND RESPONSIBILITIES**

BOARD OF DIRECTORS

Requirements

1. Be a participating member of CCRE.
2. Elected to a staggered two-year term.

General Responsibilities with other Board Members:

1. Overall governance of CCRE by establishing and monitoring policies and programs and supporting the development and effectiveness of Board of Directors.
2. Create the CCRE mission statement and review it periodically for accuracy and validity. Each individual board member should fully understand and support it.
3. Establish strategic purpose and direction for CCRE by participating in regular strategic planning and monitoring performance toward plan's results.
4. Represent Collaborative Practice and the CCRE and its programs and services to the professional community and to the public so as to enhance the CCRE's public image.
5. Ensure financial health of CCRE through conformance to up-to-date fiscal policies and procedures and through ongoing analysis of financial reports.
6. Ensure effective performance of CCRE's programs through ongoing program planning and evaluation.
7. Ensure conformance to federal, state, local and CCRE policies and procedures.
8. Establish procedures to recruit new board members.
9. Review monthly bank statements
10. Be familiar with major documents and records, e.g. Articles of Incorporation, By-Laws, Board Policies, Board Resolutions, etc.

Specific Duties:

1. Regularly attend Board meetings and important related meetings.
2. Volunteers for & willingly accepts assignments & completes thoroughly and on time.
3. Stays informed about Board policies and committee matters, prepares well for meetings, and reviews and comments on minutes and reports.

ROLES AND RESPONSIBILITIES

PRESIDENT

Requirements

1. Be a participating member of CCRE.
2. Elected to a two year term.

Specific Duties (In addition to Responsibilities and Duties of Board Member)

1. Provide leadership to the Board of Directors.
2. Ensure that reports and information necessary to make needed decisions go to the Board with the agenda in sufficient time for them to be read and reviewed prior to Board Meetings.
3. Create agendas for and facilitate board meetings.
4. Act as a spokesperson for the organization.
5. Facilitate annual Board Retreat
6. May call or request Special Meetings of the Board of Directors and fix the place for holding such meetings.
7. Ensure that all notices required by law or by CCRE By-Laws go to the appropriate recipients.
8. Discharge all other duties incident to the office.

VICE-PRESIDENT

Requirements:

1. Be a participating member of CCRE.
2. Elected to a two year term.

Specific Duties: (in addition to Responsibilities and Duties of Board Member)

1. During absence of the President shall exercise all functions of the President.
2. Assist President with the duties of the office of President.
3. Discharge all other duties incident to the office.

TREASURER

Requirements:

1. Be a participating member of CCRE.
2. Elected to a two year term.

Specific Duties: (in addition to Responsibilities and Duties of Board Member)

1. Oversee the management of the finances of CCRE as approved and reviewed by the Board.
2. Administer CCRE fiscal matters, including coordination and liaison with person preparing annual tax return of the Corporation.
3. Serve as Chair of the Finance Committee should one be established.
4. Provide annual budget to the Board for members' approval.
5. Ensure Board review of financial policies and procedures.
6. Ensure adherence to all financial policies and procedures by the Board.

7. Keep regular books of account and make them available for inspection at all times by the Board of Directors.
8. Render account to the Board of CCRE's financial condition.
9. Provide copy of current bank statements to President.
10. Discharge all other duties incident to the office.

SECRETARY

Requirements:

1. Be a participating member of CCRE.
2. Elected to a two year term.

Specific Duties: (in addition to Responsibilities and Duties of Board Member)

1. Maintain all major documents and records of the Board and ensure their effective management, retention and protection.
2. Be sufficiently familiar with major documents and records, e.g. Articles of Incorporation, By-Laws, Board Policies, Boards Resolutions, etc.
3. Develop, manage and distribute written minutes of Board meetings.
4. Maintain any meeting minutes that have been prepared by committees.
5. Discharge all other duties incident to the office.

COMMITTEE CHAIR

Requirements:

1. Be Participating Member of CCRE.
2. Member of the CCRE Board; additional co-chair need not be a Board Member.
3. Serve for a minimum of one year.

Specific Duties: (in addition to Responsibilities and Duties of Board Member)

1. Ensure their committee has clear charge that is consistent with goals and preferences of Board and that this is fully understood by each committee member.
2. Recruit committee members, drawing from as much of the general membership as possible.
3. Oversee the logistics of the committee's operations.
4. Assign work to committee members, set the committee agenda, facilitate the meetings, and ensure distribution of meeting minutes to full Board.
5. Ensure committee members have the resources and information needed to do their jobs as committee members.
6. Report to the full Board on committee's decisions and recommendations.
7. Initiate and lead committee's annual evaluation for standing committees or final evaluation for ad hoc committees.

SAMPLE COMMITTEE STRUCTURE

1. Membership: Responsible for recruiting and maintaining membership, including:
 - a. greeting and checking in members and guests at meetings
 - b. maintaining and distributing guest and new member packets
 - c. creating and managing a new member buddy system
 - d. maintaining records relating to membership qualification
 - e. maintaining and distributing current membership list
 - f. making recommendations to the board regarding membership policies

2. Education and Training: Responsible for programs to support the professional development of members, including:
 - a. arranging for speakers for monthly breakfast and lunch/dinner meetings
 - b. arranging for CCRE-sponsored trainings
 - c. distributing flyers regarding meetings and trainings
 - d. administering continuing education credit for activities

3. Public Relations: Responsible for assisting members to educate the public and referral sources regarding collaborative practice and CCRE, including:
 - a. Distributing collaborative practice materials to members and educating members regarding the use of the materials
 - b. Distributing collaborative practice materials to potential referral sources
 - c. Arranging educational events for the public or referral sources
 - d. Maintaining the CCRE website
 - e. Maintaining a Speaker's Bureau to arrange for and appear at speaking events
 - f. Writing and distributing articles regarding collaborative practice
 - g. Educating members regarding marketing collaborative practice
 - h. Other activities to promote collaborative practice and CCRE

4. Case Facilitation: Responsible for supporting members in collaborative cases, including:
 - a. Providing support in difficult cases
 - b. Facilitating final debriefing of collaborative cases
 - c. Facilitating difficult conversations between CCRE members

5. Protocol: Responsible for creating a set of protocols for conducting a collaborative case, including:
 - a. Drafting various protocols for collaborative cases
 - b. Distributing and educating members regarding the use of the protocols

6. ADR and court liaison: Responsible for communication with the court, including any court personnel involved in ADR.

7. Leadership in the Collaborative Community: Responsible for using the experience and wisdom developed in CCRE to expand the breadth and quality of collaborative practice in the world.

8. Logistics: Responsible for facility arrangements for CCRE events, including:
 - a. Researching various options for CCRE events
 - b. Negotiating contracts with facilities
 - c. Liaison with facility management

9. Data Collection: Responsible for collecting data from CCRE members regarding collaborative practice, including:
 - a. Creating a CCRE form for data collection
 - b. Distributing the data collection form and encouraging members to complete the form
 - c. Collating and reporting the data results

Section 7:

Membership Application and Buddy System

SAMPLE MEMBERSHIP APPLICATION

COLLABORATIVE COUNCIL OF THE REDWOOD EMPIRE: 2008 MEMBERSHIP AND DUES

Name: _____

Firm: _____

Address: _____

E-Mail: _____ Phone: _____ Fax: _____

Profession: _____ License/Certificate #: _____

Specialty _____

Membership Dues

(Please mark the boxes that apply and enter appropriate amounts in spaces at the right. Please see example on page 4.)

New Members:

- New member one-time fee (\$ 25) \$ _____
(Membership includes a copy of the book "Collaborative Practice Materials" by Catherine Ann Conner and Margaret L. Anderson. See the Information Sheet, below.)

Annual Dues: Please select one type of membership below:

- Special Membership (\$ 50) \$ _____
(Law Students, 1st Year Lawyers, Paralegals, Law Office Staff, 1st Year Financial Professionals, 1st Year Mental Health Professionals)
- General Membership* (\$150) \$ _____
(General/Participating non-charter members pay for each meeting attended)
- Charter General Membership** (\$500) \$ _____
(Includes prepayment of all Breakfast, Lunch, and Dinner Meetings)
- Participating Membership* (\$150) \$ _____
(Participating non-charter members pay for each meeting attended)
- Charter Participating Membership** (\$500) \$ _____
(Includes prepayment of all Breakfast, Lunch, and Dinner Meetings)

Required IACP Membership:

- IACP Membership (\$100 with group discount) \$ _____
(Required of Participating, Charter Participating, and Charter General Members)

TOTAL MEMBERSHIP DUES \$ _____

*** See the description of Membership Categories on the Information Sheet, page 3 below.**

**** "Charter Membership" relates only to a payment option. See the description of "Charter Membership" on the Information Sheet, page 3 below.**

COMMITTEES YOU WOULD LIKE TO JOIN

- Membership Public Relations Protocol Speakers Bureau
- Training/Education/Programs Logistics Case Facilitation

Member Pledge

As a member of the Collaborative Council of the Redwood Empire, I pledge that I will participate fully and in good faith in any case facilitation to which I am invited by another CCRE member, to resolve any disputes or address any issues, including, but not limited to, matters regarding adherence to the Principles and Guidelines/Statement of Understanding, challenges encountered in the case, or any relationships between or among the professionals on the collaborative team.

I also pledge that I will join the Council's Yahoo list serve.

DATE: _____ **SIGNATURE:** _____

NAME (PRINT): _____

(SEE INFORMATION SHEET, BELOW)

INFORMATION SHEET

Cost of Meetings: Breakfast Meetings - \$15, Lunch Meetings - \$30, Dinner Meetings - \$50 (Breakfast Meetings are held monthly, Lunch and Dinners meetings alternate every other month.)

New Members: New members pay a one-time fee which includes a copy of the book "Collaborative Practice Materials" by Catherine Ann Conner and Margaret L. Anderson. Note that for new members wishing to become Participating Members or Charter Participating Members, eligibility to be listed as a participating member in promotional materials and to be listed in the Council's Web Site requires completion of a one-day training and attendance of at least four meetings. Note that effective for 2009 memberships, the one-day training requirement will be increased to two days of training.

Special Membership for Law Students, 1st Year Lawyers, Paralegals, Law Office Staff, 1st year Financial Professionals and 1st year Mental Health Professionals includes all the benefits of General Membership at a special rate for annual dues.

General Membership is for those members who wish to attend dinner/lunch/breakfast meetings, pay separately for each meeting attended, receive discounts on training, and have their name listed as General Members in the Council roster. General Members are not eligible to vote and are not listed on the CCRE website or other promotional materials.

Participating Membership is for those members who have engaged in at least a one-day training per year in the Collaborative Process, participated actively in the functions and activities of the Council, and adhered to the principles of Collaborative Practice. Active participation is defined as annually attending at least four meetings per year, and either serving on the Board or actively serving on a committee, or facilitating two meetings. Additional benefits for Participating Membership include eligibility to vote, discounts on training, and listing in the Council's Participating Members roster, website or other promotional materials. Note that effective for 2009 memberships, the one-day training requirement will be increased to a requirement of having completed two days of training during the twelve months before becoming, or renewing as, a Participating Member.

Membership in the International Academy of Collaborative Professionals (IACP) is required for Participating, Charter Participating, and Charter General Membership. IACP grants a \$25 discount.

Charter Membership: Options for Payment for Meal Meetings - "Pay As You Go" or "Charter Membership." General Members and Participating Members have the option of "pay as you go" for meals or "Charter Membership" status. The cost of breakfast/lunch/dinner meetings is included in the dues paid by Charter Members. Non-Charter Members pay separately for each meeting attended.)

Please send your completed and signed form, with check payable to C.C.R.E., to:

EXAMPLE OF MEMBERSHIP DUES FOR A NEW CHARTER PARTICIPATING MEMBER

Membership Dues

(Please mark the boxes that apply and enter appropriate amounts in spaces at the right.)

New Members:

- New member one-time fee (\$ 25) \$ 25
(Membership includes a copy of the book "Collaborative Practice Materials" by Catherine Ann Conner and Margaret L. Anderson. See the Information Sheet, below.)

Annual Dues:

Please select one type of membership below:

- Special Membership (\$ 50) \$ _____
(Law Students, 1st Year Lawyers, Paralegals, Law Office Staff, 1st Year Financial Professionals, 1st Year Mental Health Professionals)
- General Membership* (\$150) \$ _____
(General/Participating non-charter members pay for each meeting attended)
- Charter General Membership** (\$500) \$ _____
(Includes prepayment of all Breakfast, Lunch, and Dinner Meetings)
- Participating Membership* (\$150) \$ _____
(Participating non-charter members pay for each meeting attended)
- Charter Participating Membership** (\$500) \$ 500
(Includes prepayment of all Breakfast, Lunch, and Dinner Meetings)

Required IACP Membership:

- IACP Membership (\$100 with group discount) \$ 100
(Required of Participating, Charter Participating, and Charter General Members)

TOTAL MEMBERSHIP DUES \$ 625

Buddy System for New Members to CCRE

1. **Purpose:** The CCRE Buddy System is being created to ensure that new members to CCRE are personally welcomed to the group. Through this warm welcome, the Buddy System seeks to maintain a dynamic connection to the new member and to retain his or her membership beyond the first year period. The intent is that the new member experiences CCRE as professionally supportive and rewarding.
2. **Definition of a "Buddy":** A buddy is a current CCRE member who volunteers to be a Buddy to a new CCRE member. The Buddy is selected from the Buddy Volunteer List. The Buddy will initially be selected from the same profession as the new member and will serve for one year.
3. **Selection of a Buddy:** The CCRE membership committee will send an email (and have as standing invitation) to all CCRE members seeking volunteers who wish to serve as a Buddy and thus to be listed on the Buddy List.

NOTE: To be eligible to be a buddy, a member must be a participating member and must attend the Buddy Orientation.

4. **Process**
 - a. **New CCRE Member:** When a new member joins CCRE, the individual responsible for the new member applications will notify the Buddy Coordinator (a member of the CCRE membership committee). The Buddy Coordinator will then select a buddy from the Buddy List to call to determine if he or she is available to serve as a buddy to the new member.
 - b. **Initial Buddy:** The initial buddy will be from the same profession as the new member. However, after the initial period, the new member may request a subsequent buddy to be from a different profession.
 - c. **Change of Buddy:** If it so happens that the Buddy/new member match does not meet the needs of either person, the match can be dissolved and the new member can request the assignment of another Buddy from the same or different profession.
 - d. **Length of Time:** The new member will have their buddy for one year.
 - e. **Backup System:** If the buddy knows that he or she will be unable to attend an event when he or she is first serving as a buddy, the buddy will contact the buddy coordinator so that the membership committee members can step in and interact with the new member at the event.

Buddy Checklist:

1. Initial Contact: After agreeing to serve as a buddy, contact the new member to inform him or her of the buddy process, welcome him or her to CCRE, and find out if he or she has any questions or needs that the buddy can assist with. Have a conversation, then or soon thereafter, about the expectations you each may have about the relationship. Set up a convenient method of communication, e.g. phone, email, face-to-face meetings.
2. Communications: Help the new member plug into the CCRE communication system: the CCRE list serve, the CCRE roster, and CCRE email lists. Also, inform the new member of IACP and other professional information resources.
3. Events and Meetings: Discuss the various CCRE events and meetings (breakfast meetings, lunch/dinner meetings, study groups, trainings) he or she might want to attend. Make sure that either the buddy or membership committee members sit with and introduce the new member to other members at the first several events that the new member attends. Be sure to introduce the new member to the whole group and individually to CCRE officers.
4. Organizational Structure: Help the new member to understand the CCRE organizational structure, including committees. Assist the new member in finding a committee to serve on.
5. Organizational Requirements: Discuss with the new member how he or she can meet the different requirements for CCRE and IACP.
6. Training: Discuss how to find out about trainings, trainers, costs and dates, especially those needed to meet CCRE and IACP requirements.
7. Ongoing Relationship: Be available to the new member for questions and concerns throughout the new member's first year of membership.

Section 8:

Meeting and Training Topics

SAMPLE

Meeting and Training Topics

One of the most important aspects of developing a group and attracting clients is the quality of the services provided. In order to have professional excellence, every member of a group needs to be initially trained and to have ongoing education as well. Each of us doing collaborative practice continues to learn from our own mistakes, from each other, and from practice group trainings, as well as statewide and international forums.

In our practice group, we use our meeting time for the purpose of education. Our breakfast meetings are predominately presentations by our own group members in which we focus on a subject, have professional group meetings, work on role plays or real cases, etc. Our lunches and dinners are predominately speakers from outside our group, although sometimes a member or group of members will provide a lunch or dinner presentation as well. In addition, we have one or more trainings each year that are geared to our entire interdisciplinary and cross-practice group, and are open on a space-available basis to collaborative colleagues from other practice groups.

TRAINING AND EDUCATION IDEAS FOR GROUPS

TRAININGS (1/2 day to 3 days):

Initial collaborative trainings can vary from ½ to 3 days, depending upon the purpose, ranging from a desire for a brief introduction prior to additional training (½ day) to a more comprehensive initial basic training (3 days). Most introductory basic trainings are 2 days. In addition, many collaborative practice groups require mediation training, which can be general mediation training or specifically tailored to the use of mediation skills in collaborative cases.

The following are additional possible training topics:

- Communication skills
- Role of the Law
- Developing Interests
- Negotiation in a Collaborative Case
- Collaborative Practice in Estate Planning and Probate
- The End Game
- Building the Collaborative Team
- Difficult Conversations
- Subject specific, i.e. spousal support, business interests, real estate interests

In addition to training collaborative professionals, practice groups can offer training for professionals' staff members, to enable them to more effectively support and work with collaborative clients

EDUCATIONAL MEETING TOPICS: (1 to 1 ½ hours)

Collaborative Process (what is it, how to do it, teams, roles of team etc)

- Roles of the Various Professionals in a Collaborative Case (CCRE professionals - attorneys [family and estate], mental health, financials)
- The Contracting Session – Understanding the Relationship and Interactions between the professionals
- Using Financial Professionals – Who are They and What Do They Do?
- What Do Coaches Do?
- Case Study – a series of breakfast meetings taking “Harvey and Wilma” from beginning of the case to the end over a year.
- Different Models for Collaborative Teams
- Ethical Considerations in Collaborative Practice
- Lessons We Have Learned in Collaborative Practice
- Collaborative Practice in Business and Civil Disputes
- Collaborative Teams – How they work – from beginning to middle to end over three meetings

Communications/Skills Development:

- Narrative Negotiation and Mediation
- Coming to Consensus
- Forgiveness and Collaborative Conflict Resolution
- Taking the War Out of Words – Powerful Non-Defensive Communication
- Reaching the Heart of the Matter with Non-violent Communication
- Grief in Collaborative Practice cases
- ABEAR Communication Method
- Appreciative Inquiry
- Benefits of Mindfulness in Conflict Resolution
- Restorative Justice

Practice Development (building and maintaining a practice):

- Growing Your Collaborative Practice; Individual, Group and International Marketing
- Charisma for public speaking about the Collaborative Process
- Refreshers on Growing Your Collaborative Practice

Financial Subjects

- Tax Traps and Opportunities in Divorces
- Long Term Financial Projections in Divorce
- Current Financial Trends – Impact on Collaboration
- Financial Mindfulness
- Case studies focusing on Finances

Psychological Subjects

- Know Your Players – Personality Styles
- 8 Healer Archetypes to Match Your Style to Clients
- Impact of Divorce on Children and Adults
- High Conflict Personalities
- Loss and Grief

Other subjects

- Transparency v. Privilege: Duties of Collaborative Counsel and Litigation When a Case “Falls Out.”
- Reports from each IACP conference and each CP Cal conference – Individuals reporting on plenary and workshops attended
- Collaborative Practice in Domestic Partnerships and Dissolutions
- Domestic Violence – Presentation by representatives of the local women’s shelter and batterers counseling program
- Protocol reviews – group discussion of 1 to 3 protocols at a meeting
- Professional break out groups (attorney, mental health and financial groups meet at the same time and with a selected facilitator all discuss the same issue or question or a separate one and then report to the entire group)
- Role Plays – Based on real cases or hypos – small group role play a piece of a case
- Team debriefing demonstrations
- Case presentations – presentation by the team about the issues and learning

Section 9:

Public Education and Marketing



INTERNATIONAL ACADEMY OF
COLLABORATIVE PROFESSIONALS

Supporting Public Education

Making it Easier to Grow and Strengthen Collaborative Practice

IACP is proud to offer professional tools and materials to enhance your Collaborative Practice and to assist in growing your Collaborative Practice group.

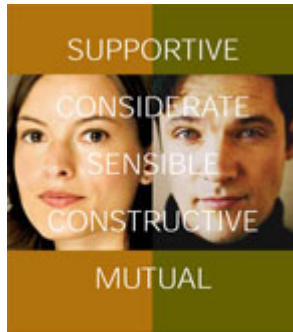
All IACP members may use the 'C' Mark and purchase the public education materials. As of October 1, 2006, a licensing fee is no longer required, but members are bound by the license agreement.



With the rapid international growth the Collaborative Practice movement has experienced in recent years, awareness of and interest in IACP are at all-time high. The importance of presenting a consistent image to our audience requires IACP to devise guidelines for the Mark's usage and appearance.

The Collaborative Practice "C" is our organization's strongest visual asset. With this visual symbol, we are able to represent our cause on stationery, promotional items, literature, and other communication materials.

Public Education Brochures



A different way to divorce.



This brochure helps the public better understand the important principles of Collaborative Practice.

With this brochure, you can illustrate that during a dissolution of marriage, Collaborative Practice encourages mutual respect, emphasizes the needs of the children, keeps the control of the process with the individuals, utilizes a problem-solving approach, and identifies and addresses the interests and concerns of all.

This brochure is available both with "Collaborative Practice" and "Collaborative Law Practice" terminology.



This insert explains how a team of skilled professionals can help manage the many aspects of divorce -- the legal issues, the emotional turmoil, the concerns for the children, and the financial and property questions. Included are descriptions of the roles for legal counsel, divorce coaches, financial consultants, and child specialists.

This insert is available both with "Collaborative Practice" and "Collaborative Law Practice" terminology.



The Civil brochure addresses how Collaborative Practice can be used to resolve disputes affecting:

- Businesses
- Partnerships
- Employment Issues
- Probate and Estate Matters
- Medical Malpractice
- Non-Profit Organizations



It often takes more than one contact to catch the attention of an individual. The direct mailers include three well-designed, postcard-sized mailers that can be used to send a series of three direct contacts to referral sources. Consider following up the mailer program by calling the referral source to meet with you, or perhaps by offering an education workshop for those interested to attend and learn more.

Alternatively, the mailer can be used as a "pre-mailer" to attendees of a conference, encouraging them to attend your presentation or stop by your display table to learn more about Collaborative Practice.

Table-Top Display



A brand-new table-top display has been created by a professional designer and is available for your purchase and use to raise awareness at local events. The new display can be customized by choosing from four pre-designed images. You can even choose to purchase all four images and "trade them out" at various events. The images include a mom/daughter, father/daughter, child-focused, and civil design. The high quality images are printed on durable material that attach by velcro to the base, and can roll up into a smaller package for easy portability. Your local group or company information can be easily added to the images.



Where can the display be used to raise awareness?

- A local bar event to recruit new professionals to your Collaborative group.
- Your regional group annual meeting to attract your members to stop by the table and check out what is going on locally (upcoming trainings, etc.).
- A training you are giving.
- An event for the public where there is exhibit space.
- At centers-of-influence events (i.e., exhibit table at a local mental health, financial, or human resource conference).



You can also choose to use the images to create poster-boards, which could come in handy to have in your office!

The Display and/or Poster Boards can be purchased in the Online Store.

Media Relation Resources

Press Kit

This kit is to help you use media to magnify public understanding of Collaborative Practice and promote your individual practice, group or council to potential clients, colleagues, allied professionals and the community.

We want the world to learn what you already know: that Collaborative Practice is the practical and respectful way to get a divorce or resolve other disputes and get on with life.



Dealing with the Media: a Guide

This guide includes useful information such as understanding news media, outlines the three types of news stories, prepares you to work with the news media, and helps you to create news releases and advisories. It also provides tips for talking with the media, what to wear on TV, and for public speaking.

NPR Scripts

Consider one of these scripts for use with your local public radio:

Support for this program is provided by the International Academy of Collaborative Professionals, divorce specialists offering couples an alternative to the pain and costs of litigation. Collaborative Practice. The respectful and sensible way to get a divorce and get on with your life. More at www.CollaborativePractice.com.

Support for this program is provided by the law firm of *Your firm's name*, which offers couples an alternative to the pain and costs of traditional divorce litigation. Collaborative Practice. The respectful and sensible way to get a divorce and get on with your life. More at YourWebSite.com.

Collaborative Practice Talking Points

So you have an interview with the media. Prepare yourself by referring to the Talking Points for succinct answers to questions such as:

What is Collaborative Practice? What distinguishes Collaborative Practice from other methods of divorce? What is the biggest difference between Collaborative Practice and litigation? What is the biggest difference between Collaborative Practice and mediation? How does it work? Who is Collaborative Practice for? What are the benefits of Collaborative Practice?

Facts and Figures about Collaborative Practice

The media is looking for statistics. Feel free to use the facts and figures on this piece, so that you are providing accurate information. Remember that your help is needed to continue the gathering and dissemination of statistics. Be sure to participate in the IACP Research Survey yourself, by providing information on your collaborative cases. Please visit the Research page on the IACP website, for additional information.

Generic Press Release

Consider using this generic press release, "*Collaborative Divorce Practice Heading Toward a Tipping point ~ Child friendly approach is changing the face of family law*" to raise awareness in your area.

Traditional versus Collaborative Divorce Chart

Provide this easy-to-read chart to the media, so they can quickly understand the difference in processes.

Case Study Summaries

Real stories raise interest. This piece provides quick summaries on 11 different divorces. Consider using this format and putting together case summaries of your own, or for your region.



Radio Spots

The IACP has paid to professionally produce two Radio Spots - "Two Sides" and "Family Ties" for your use in your regions. Start by putting together a list of radio stations and contact information for your area. Initiate a mailing including the radio spot, the Collaborative Brochure, and pieces from the press kit. Follow up with phone calls to the contacts. This may result in your radio spot being heard, or even better, raise interest of the radio station to invite you on one of their shows to talk more about Collaborative Practice.

Miscellaneous Tools & Resources

PowerPoint Presentation

A template PowerPoint presentation has been developed for use in all your outreach. This eye-catching production can be set to play in your office to educate potential clients or taken on the road when you speak to local groups, referral sources or potential Collaborative professionals. We've tried to address all the likely options and questions in our comprehensive slides. We know, however, you might want to add or subtract slides based on your own practice approach or local Collaborative models and we encourage personalization. We have a few policy requirements for use of the presentation:

- Must be an IACP member
- Presentation must acknowledge IACP (i.e., the presentation must include the introductory page and last few pages which acknowledge preparation of presentation by IACP)
- You can adapt or modify the presentation to your individual group, including modifications to customize for a particular model (e.g., team model or individual lawyer)



Billboard

IACP has produced a billboard, which is available to IACP members and Collaborative Practice Groups. You can customize by adding your own website address and/or other contact information. Members and groups are responsible for the cost of placing the website address.

While the artwork was developed for use on billboards, you can adapt and use this file on websites or in print ads as well.

Ad

The image from the front page of the brochure is available to use in Ads. Consider using this in local newspapers or on flyers for presentations, to promote Collaborative Practice. You can customize it to include your or your group's contact information.



Sharing Resources

The following public education resources have been used successfully by various practice groups. We thank them for generously sharing their creativity with all of us. If you have public education resources that have worked for you and you would like to share them with the Collaborative community, please contact us.

Collaborative Law Institute – Texas:

- PowerPoint Presentation: An Introduction to Collaborative Family Law

Collaborative Law Institute – Minnesota:

- An integrated Education Campaign for a local collaborative group
- Ideas for marketing to religious organizations
- A step-by-step program to reaching out to family law professionals at your local conference
- A one-page diagram to use at your next client meeting or seminar to help attendees understand their process choices



Online Store: Exciting Promotional Items

We offer a variety of Collaborative Practice branded promotional items. Consider using items for your own personal use, to provide as a give-away at a display booth, or to give to your local members at your next annual meeting. Please check the online store for details.



FERRIS
CONSULTING

Top 10 ways to use the Collaborative marketing materials!

1. Give 25 brochures to everyone in your network! This may include:

- Hairdressers
- Work out club(personal trainer)
- Primary care physician,- Physician Specialist- Gynecologist, Cardiologist, etc.
- Attorneys working with families i.e. estate attorneys
- Business Attorneys, Brokers, CPAs

2. Fill brochure racks! Consider placing your brochures (with permission) at local libraries, civic centers and court houses.

3. Display brochures in your entry and conference rooms.

4. Send 3-part direct mailer to all existing referral sources.

Include personalized letter.

5. Mail 3 part direct mail brochures to all *prospective* referral sources.

Include personalized letter. This would include people who have registered on your web site or people you have met at networking meetings.

6. Enhance your client presentations. The brochure can serve as your presentation visual. Highlighted talking points are there for easy descriptions. A useful visual for the first client meeting!

7. Send the brochure to local media with a letter highlighting your involvement in the Collaborative Practice movement.

8. Hand out brochures at civic/professional meetings you are involved in , e.g. Rotary club, Chamber of commerce. local bar, psychological association, financial advisor groups, etc.

9. Use brochures as a leave-behind for every speaking event. Send the 3-part direct mail as a follow up to individuals who said they would like more information.

10. Include brochure in introduction packet you send to all prospective clients.

10.5 Use the brochure to TELL YOUR STORY to everyone! Carry a supply of brochures with you and give them to everyone you meet. Successful Collaborative Practitioners receive referrals because they consistently tell everyone they meet and work with about the value of Collaborative Practice.

Public Education and Marketing Ideas

1. Form a Public Education and Marketing Committee. Meet monthly and recruit members. Set goals and strategies, and prioritize them.
2. Develop a web site and link it to members' individual sites.
3. Have members put their profiles on the IACP web site.
4. Speaker's Bureau - ask all members for contacts and set up speaking engagements regarding collaborative practice and/or conflict resolution skills (the latter was more attractive.) Possible speaking opportunities: local health maintenance organizations, bar association, mental health provider associations, employer assistance provider association, chamber of commerce, service clubs.
5. Speak on talk radio shows.
6. Mailings to mental health, legal, financial professionals and clergy.
7. Open Houses - mental health, legal, financial professionals. Clergy seem like a key group, but hard to reach.
8. Tee shirts, pins, pens, etc. with the IACP logo or with your practice group logo. Create bulk orders by circulating an order form at a group meeting (1 item per order seems less overwhelming to members).
9. "Take a professional to lunch" program – have members sign up to take local professionals to lunch to educate them regarding collaborative practice.
10. Discount for inviting guests to organization's lunch/dinner meetings.
11. Write articles for local papers and magazines, etc. Invite a local paper to do an article, interview, etc.
12. Develop brochures, cards, pamphlets about CP and your group.
13. Contact local judges, educate them, provide brochures/pamphlets to them, see if they'll give them out to the public. Invite them to attend trainings as a guest.
14. Have a successful attorney demonstrate at practice group meetings how they talk with clients about CP, using a team, etc.
15. Ads in selected local publications (can be expensive, didn't yield much.)
16. Elevator speeches – help members develop and practice them.
17. Encourage study groups.
18. Form a regional association of collaborative groups to coordinate regional public education activities and share ideas and information.

Website Template for Collaborative Groups

Our goal in creating, and subsequently revising, the website for the Collaborative Council of the Redwood Empire (CCRE) was to recognize and capitalize on the benefits it would provide to our group. For many prospective clients and referral sources, as well as other members of the public and other collaborative groups, this website would reflect who we are and the strength of our commitments to the collaborative process. We also wanted the site to have a strong regional look, and show a clear and strong connection to IACP.

Our original website had been an effective venture into advertising and educating the public about Collaborative Practice. However, our Board of Directors suggested that our site was in need of a new look.

The template below was developed by the website committee of four members, in semi-monthly meetings over the course of eight months. We researched other collaborative practice sites for ideas, consulted with our web master for strategies that would increase our visibility on search engines, and only then, developed a design for a new website.

We learned that it was important to draft our own language. Simply using cut-and-paste text from other sites would decrease our visibility on search engines.

The homepage should include:

- Banner with group logo
- IACP logo (active link to IACP)
- Regional artwork/photos to develop a visual image for the group

Key words for homepage should emphasize:

- Areas of practice and locale
- Collaborative practice principles– transparency, agreement to work together
- Divorce
- Probate conflicts
- Civil conflicts
- Estate planning coordination
- Medical errors
- Resolution without court
- Disqualification agreement
- Identify your local region
- A brief overview of Collaborative Practice
- Group description/professions

Create easy-to-navigate buttons to internal pages:

- What is Collaborative Practice?
- Group description
- Events calendar
- Resources page (both public and professional)
- FAQs page
- Members page (protocols, membership application, Collaborative Practice materials)

Each page should have a quote or a testimonial. We chose testimonials from clients and a quote from a Sonoma County Court Commissioner.

Internal pages:

What is Collaborative Practice?

- A narrative description of the history of Collaborative Practice
- The IACP – history, committees, code of ethics and standards
- Internal link to IACP, state and regional groups

Group description:

- Collaborative Practice team process as practiced in the group (e.g. San Diego model, lego model)
- Who are the members of the team?
- How does the team work together?
- What are the benefits of having a team?
- Who are the group's members, listed by professions (each profession with a separate page and link to each member's IACP page)
- Areas of practice (family law, civil disputes, estates and trusts disputes...)

Events Calendar:

- List members' events – meetings, trainings sponsored by group, speaking engagements
- Other events - IACP Forum, State and regional events, other groups' trainings
- Having this training /networking material open to the public allows potential clients to see your group's commitment to further education

Resources page:

- List books and articles re: Collaborative Practice, divorce, estates and trusts...(articles in pdf)
- Videos (Today Show)
- MP3 clips of radio shows
- Books for the public and professionals
- Links to other Collaborative Practice organizations
- Links to member's websites
- Links to other related websites

FAQs page:

- Have committee develop new FAQs. Do not copy and paste from other groups. Be creative and develop new content areas based on experience and comments from clients. Have a group competition for the most original FAQs, most unique FAQs, . . .

Members page:

- We have an open-to-the-public area and a members-only area. The section open to the public contains information regarding membership criteria. The members only section should be password protected. Our page contains some internal data collection forms, financial data gathering, Income and Expense forms, Board meeting minutes, protocols for our group and membership application form.

Section 10:

Strategic Planning

Strategic Planning

Aspiring collaborative practitioners often join practice groups with the expectation that becoming a member will result in collaborative cases. If only it were that easy....

Transitioning to a collaborative practice requires commitment, effort, planning and follow through. The collaborative practitioners with the most active collaborative caseload have dedicated substantial time and resources to building their collaborative practice. The first step is to create a strategic plan. The attached worksheet helps guide the collaborative practitioner to become clear about his or her objectives, their current situation, where they want to be and how to get there.

Collaborative group members can work together to help each other create strategic plans. More experienced practitioners can do presentations about the steps in creating and carrying out a plan, giving examples of what has worked. Individual members can find “buddies” who will help each other to create and carry out the plan. At meetings, there can be 1 or 2 minute reports on what has worked for a member. We encourage ongoing attention to helping members develop their collaborative practice.

Strategic Plan

Date: _____

1. Mission – what do I want to accomplish in my professional work?
2. Values – what values are important to me that are related to my professional work?
3. Vision – brief description of my professional future.
4. Situation Assessment – what is my current situation?
 - A. Clients – who are my clients? What are their characteristics?
 - B. Types of cases – what is the mix of cases in my practice?
 - C. Core message - what is my core message?
 - D. Level of competency – what is my level of competency for the work I wish to do?
 - E. Strengths and weaknesses – what are my strengths and weaknesses?
 - F. Opportunities and threats – what are the opportunities and threats?
 - G. Administration – what are the key components of my practice (i.e. staffing, office space, equipment)?
 - H. Budget – what is my income and expenses?
 - I. Income – what is my net income?
5. Goals – what do I want to be my future situation?
 - A. Clients – who do I want as my clients? What are their characteristics?
 - B. Types of cases – what do I want for the mix of cases in my practice?
 - C. Core message – do I want to change my core message?
 - D. Level of competency – what is my desired level of competency for the work I wish to do?
 - E. Strengths and weaknesses – what strengths do I wish to develop and/or weaknesses to address?
 - F. Opportunities and threats – are there opportunities and threats I can affect?
 - G. Administration – what do I desire as the key components of my practice (i.e. staffing, office space, equipment)?
 - H. Budget – what is my budget for income and expenses for the next year (or different time period)?
 - I. Income – what is my desired net income?
6. What are the key gaps between my current situation and my desired future?

7. What are my strategies to address the key gaps?

- A. Marketing - Clients and mix of cases – what will I do to change my practice to include the types of clients and cases I desire? What is my marketing plan?

Components of a marketing plan:

- Core message – clear concise message that describes the beneficial outcome, the key problem of your clients that you address
- Clarity regarding the value you provide to clients
- Target market – who you want to reach
- Referral base – your current referral base and expansion targets
- Goals – what do you want to accomplish (i.e. # of calls, # of new clients, types of referral sources)
- Strategies – what specific steps will you take?
- Tracking – how will you measure whether you have accomplished your goals?
- Accountability – how will you ensure you carry out your plan?

- B. Education – what education or training will I obtain to achieve the level of competency I desire?

- C. Strengths and weaknesses – what will I do to develop strengths or address weaknesses?

- D. Opportunities and threats – if there are there any opportunities I can create or use, what will I do about them? If there are threats I can address, what will I do?

- E. Administration – what steps will I take to change the administration of my practice to my desired situation?

- F. Budget and income – are there any changes I need to make in my budget to take into account my strategic plan or to create the income I desire?

8. 100 day plan

- A. What are the specific steps I will take in the next 100 days to start to carry out my strategic plan?

Section 11:

Protocols

Protocols

Developing an agreed upon set of protocols for conducting a collaborative case can be useful for collaborative practice group members. The protocols help new collaborative practitioners conduct a collaborative case more effectively and confidently. Protocols can help avoid difficulties which could otherwise arise from unspoken assumptions regarding how a case is handled. Protocols can be a guide in difficult cases. Finally, the process of creating, modifying, reviewing and/or developing protocols can educate members about collaborative practice and create a sense of group unity and identity.

Sample protocols are available from various sources. The IACP website includes a Practice Tools Resource Library with sample protocols and forms from various groups. Some groups have their protocols available for downloading from their websites or will share copies upon request.

The following are some ideas for possible protocol topics:

- Team Communication & Coordination
- First Contact by Phone with Client
- First Collaborative Professional-Client Meeting
- Introducing Financial Aspects of the Collaborative Process
- First Meeting of Attorneys
- Three-way Meeting of Attorney, Coach, and Client
- Initial Professional Team Meeting
- Working with the Child Specialist
- Communication-Case Manager-Team Manager
- Coaching Models
- First Coach-Client Four-Way Meeting
- First Attorney-Client Four-Way Meeting
- First Joint Meeting – Attorneys, Coach(es), Financial, Clients
- Information Gathering
- Evaluating for Choices (law, real world, third parties)
- Brainstorming for Options
- Negotiating to Resolution
- Impasse Strategies
- Completion of the Process (including follow-up meetings)
- Unilateral Termination
- Final Case Debriefing

Section 12:

Case Facilitation

PRACTICE GROUP CASE FACILITATION PROTOCOLS

1. Vision

To provide a safe and confidential place for collaborative professionals to address (1) process issues or problems that develop in a specific collaborative case, or (2) an issue or problem that develops in the relations between or among collaborative professionals, to the end that the public can be assured that all CCRE members will model and practice collaboratively, at the highest level of their competence and integrity.

- 2. Steering committee** – Representatives of the following: family law attorney, mental health, financial specialist, probate attorney, mediator. Two co-chairs, with one designated as the initial contact for facilitation requests. The steering committee will be expanded, and responsibilities rotated, as needed.

3. Facilitators

Facilitators shall be invited by the designated co-chair to assist in a particular matter, in consultation with the initiating CCRE member, from those trained collaborative professionals who have demonstrated their skills in applying collaborative principles and the skills of their own profession in completed collaborative cases. It is anticipated that either a single facilitator, or more than one facilitator, may be appropriate, depending on the circumstances of the particular challenge presented by the matter. The selected facilitator(s) will be asked to contribute two hours of his/her time without charge, and shall be credited with this service in the determination of Participating Member status. Any time contributed beyond the first two hours shall be compensated to the facilitator at his/her customary hourly rate, pursuant to a written memorandum signed by all persons who have agreed to contribute to the payment.

4. Facilitation process

Before initiating case facilitation, the requesting CCRE collaborative professional shall first speak directly with each of the other collaborative professionals involved (including all appropriate team members if the matter involves a specific case) to identify the issue(s) for which the requesting member wishes to involve the case facilitation process. The requesting team member shall then contact the designated co-chair of the case facilitation committee, who will obtain basic information about the matter, including names of the parties as needed for professional conflict checks. The co-chair will then invite one or more experienced CCRE members to serve as facilitators. Upon acceptance, the facilitator(s) shall have wide discretion in conduct of the process, including determining who should participate in the process, and in making recommendations to the participants.

Prior to the start of the facilitation process, all participants in the facilitation shall sign a confidentiality contract in a form approved by the Board of Directors.

5. Requirement to participate in facilitation

The CCRE membership application form, and the CCRE Participating Member Pledge shall each require full and good faith participation in any Case Facilitation to which a member is invited.

Confidentiality Agreement for Case Facilitation Matter

We agree that the Case Facilitation Matter in which we are each participating shall be defined as a mediation process as defined by California law for the purpose of confidentiality of all aspects of the proceeding, and the facilitator(s) shall be deemed to be the mediator(s).

We understand that California law provides that statements, admissions and writings made during mediation are confidential (we have received attached copies of the Evidence Code Sections 1119 and 1125). We further understand that California law provides certain conditions under which a mediation is considered terminated. We agree that the Evidence Code providing that a mediation terminates when there is no communication between the mediator and the participants for ten (10) days will not end our mediation. We are modifying Evidence Code §1125 so that our mediation will end when we have either reached an agreement as defined by the statute or any participant or facilitator sends a letter to all other participants in the case facilitation stating that the mediation is over.

Dated: _____

Dated: _____

Dated: _____

Dated: _____

Dated: _____

Dated: _____

Evidence Code Section 1119 provides:

Except as otherwise provided in this chapter:

- (a) No evidence of anything said or any admission made for the purpose of, in the course of, or pursuant to, a mediation or a mediation consultation is admissible or subject to discovery, and disclosure of the evidence shall not be compelled, in any arbitration, administrative adjudication, civil action, or other noncriminal proceeding in which, pursuant to law, testimony can be compelled to be given.
- (b) No writing, as defined in Section 250, that is prepared for the purpose of, in the course of, or pursuant to, a mediation or a mediation consultation, is admissible or subject to discovery, and disclosure of the writing shall not be compelled, in any arbitration, administrative adjudication, civil action, or other noncriminal proceeding in which, pursuant to law, testimony can be compelled to be given.
- (c) All communications, negotiations, or settlement discussions by and between participants in the course of a mediation or a mediation consultation shall remain confidential.

Evidence Code Section 1125 provides:

- (a) For purposes of confidentiality under this chapter, a mediation ends when any one of the following conditions is satisfied:
 - (1) The parties execute a written settlement agreement that fully resolves the dispute.
 - (2) An oral agreement that fully resolves the dispute is reached in accordance with Section 1118.
 - (3) The mediator provides the mediation participants with a writing signed by the mediator that states that the mediation is terminated, or words to that effect, which shall be consistent with Section 1121.
 - (4) A party provides the mediator and the other mediation participants with a writing stating that the mediation is terminated, or words to that effect, which shall be consistent with Section 1121. In a mediation involving more than two parties, the mediation may continue as to the remaining parties or be terminated in accordance with this section.
 - (5) For 10 calendar days, there is no communication between the mediator and any of the parties to the mediation relating to the dispute. The mediator and the parties may shorten or extend this time by agreement.
- (b) For purposes of confidentiality under this chapter, if a mediation partially resolves a dispute, mediation ends when either of the following conditions is satisfied:
 - (1) The parties execute a written settlement agreement that partially resolves the dispute.
 - (2) An oral agreement that partially resolves the dispute is reached in accordance with Section 1118.
- (c) This section does not preclude a party from ending a mediation without reaching an agreement. This section does not otherwise affect the extent to which a party may terminate a mediation.

Section 13:

Working with Other Groups

Working with Other Groups

The benefits of having broad contacts with a large variety of other groups cannot be overstated. This includes not only local, regional, statewide, and international collaborative practice groups, but also service clubs, chambers of commerce, bar associations, other professional organizations, and schools.

The benefits to be derived from these relationships include public education, marketing and referrals in both directions, contributing to a shift in community perspectives about conflict resolution, learning from the experiences of like-minded organizations, accelerating growth and development of the group and developing professional excellence on an individual and group level.

Breadth of the Collaborative Practice community

Formation and growth of new groups can be jump-started with the assistance of the entire collaborative practice community. This includes a wide array of organizations which are ready to share their experiences and counsel. Reinventing the wheel is not necessary. These are presented on Attachment A, and discussed here from the bottom up.

Individual practitioners are usually willing to share experience and training for a very good reason: it takes more than one person to work collaboratively. The more skilled collaborative professionals there are in a community, the more likely that the community will be educated in, and choose, the collaborative model for resolving their disputes.

Study groups of professionals who have developed a close working relationship with each other are the best initial team-building contacts. This also applies to newly forming civil collaborative groups, which will find that existing family law collaborative groups have a wealth of information to offer.

Collaborative practice groups are invaluable in outreach to other like-minded professionals who want to learn about the process, the education of bench officers, creation of local court rules and shifting of community standards for dispute resolution. Working with other practice groups in geographic proximity also helps with the spread of proficiency among collaborative practitioners through training opportunities.

Regional public education groups similarly benefits the education of the bench and influential community members, as well as providing the opportunity for cost-savings in the more costly forms of public education and marketing. A surprising number of referrals from one county's collaborative professionals to other professionals in the broader region are likely to happen.

Statewide collaborative practice organizations can provide a clearinghouse of training events, the funding for "find a professional" web information for the public, additional "clout" for statewide legislation supporting collaborative practice, and larger format networking, social and training events.

National collaborative practice organizations and committees will help move the collaborative process into larger dispute resolution visibility, such as is now occurring with the Collaborative Law Committee of the American Bar Association's Dispute Resolution Section, and the Collaborative Law Committee of the American Academy of Matrimonial Lawyers. This visibility will normalize collaboration similar to the way in which mediation has become mainstream.

International Academy of Collaborative Professionals is an invaluable resource for education and support of collaborative practice. Many local practice groups require membership in this organization for its own members. The website, e-newsletter, annual Networking Forum and various additional educational opportunities provide for exchange of ideas and development of relationships that support each of the other levels of collaborative practice.

Section 14:

Maintenance of Group Data / Security

Maintenance of Group Data/Security

The formation and functioning of a healthy practice group are best protected by maintenance of important records in a secure manner, and maintenance of the group's history. Just as we find transparency to be a crucial component of the work we do with clients, transparency is also essential for smooth transitions in leadership, whether planned or unanticipated.

With these principles in mind, we suggest adoption of a formalized plan for the storage and protection of essential documentary information:

<u>Essential data</u>	<u>Who to maintain*</u>	<u>Access/duplicates**</u>	<u>Time frame</u>
Monthly bank statements and disbursement registers	Treasurer	Vice President	Eight years
Income tax returns	Treasurer	Vice President	Eight years
Current member roster	Secretary	Membership chair	Three years
Incorporation docs (Articles, bylaws, Board meeting minutes, state corporate filings)	Secretary	Vice President	Indefinitely
Non-profit status docs	Secretary	Vice President	Indefinitely
Group's insurance docs	Treasurer	Vice President	Three years
Meeting minutes	Secretary	Vice President	Three years
CE provider (qualification docs)	Secretary	Training chair	Five years
CE attendance docs	Secretary	Training chair	Five years
Web site data (webmaster contact info; service provider info; all passwords for group access)	Web administrator for group	Vice President	Indefinitely

*to be held in paper form

**to be held on thumb drives from scanned originals; either no password protection, or a single simple password for all thumb drives, with the password provided to all officers on an annual basis

None of these records should reside only on someone's computer.