# Table of Contents

Forward .............................................................................................................................. 1
Acknowledgements ........................................................................................................ 2
Introduction .................................................................................................................... 3

I. Why Collaborative Practice? ...................................................................................... 1
   A. What is Collaborative Practice? ............................................................................. 2
   B. Who Participates in Collaborative Practice? ......................................................... 2
   C. Hallmarks of Collaborative Practice ..................................................................... 3

II. Collaborative Practice: Advantages and Cautions ..................................................... 3

III. Preparing to Practice Collaboratively ........................................................................ 5
   A. The Paradigm Shift .................................................................................................. 5
   B. Skills Development .................................................................................................. 6

IV. An Interdisciplinary Approach to Collaborative Practice ....................................... 7
   A. Variations of Practice ............................................................................................... 7
   B. Role of the Collaborative Lawyer .......................................................................... 7
   C. Role of a Facilitator ................................................................................................... 8
   D. Role of Neutral Third Party Experts and Consultants ...................................... 9

V. An Overview of the Collaborative Practice Process .............................................. 10
   A. Case Screening ........................................................................................................ 10
   B. Forming the Collaborative Relationship ............................................................. 11
   C. Collaborative Meetings ........................................................................................ 12
   D. Conclusion of the Collaborative Process ............................................................ 18

VI. Ethical Considerations in Collaborative Practice ................................................ 18
   A. IACP Model Collaborative Practice Ethical Standards ........................................ 18
   B. North Carolina State Bar Ethical Rules and Opinions ...................................... 19
   C. Addressing Ethical Concerns ............................................................................... 20

VII. Building a Collaborative Practice ........................................................................... 21

Bibliography/List of Resources ................................................................................... 27

Appendix A: How It All Began – Stu Webb’s February 14, 1990 Letter
Appendix B: Dispute Resolution Options
Appendix C: N.C.G.S. § 50-70, et seq.
Appendix D: North Carolina Rules of Professional Responsibility (pertinent sections)
Appendix E: North Carolina State Bar Ethics Opinions relating to Collaborative Practice
Appendix F: The Dispute Spectrum
Appendix G: Junctions Along the ADR Spectrum
Appendix H: Using Collaborative Law in Employment Disputes
Appendix I: Prescription for Sanity in Resolving Business Disputes
Appendix J: Forms:
  Tiered Dispute Resolution Clause
  Sample Collaborative Law Contract Clauses
  Collaborative Law Process Agreement for Business and Employment cases.
  Participation Agreement
  Contract for Legal Services
  Sample Collaborative Meeting Agenda

Appendix K: PowerPoints
  Brief Introduction to Civil Collaborative Law
  The Collaborative Process
  Interest-Based Negotiation
  The Paradigm Shift
  Communication Techniques
  Ethics
  Advanced Civil Collaborative Training
  Impasse and Emotions