

Collaborative Practice Agenda

Friday June 12, 2020

8:00 am to 8:30 am	Registration and Coffee
8:30 am to 9:00 am	Getting to know Everyone & Introductions Insert slides – quote from Dickens alongside quote from litigation client
9:00 am to 10:00 am	Overview and Introduction to Interdisciplinary Collaborative Practice Team Model: Team Med/Arb/CP exercise -- Traditional versus CP negotiation meeting Processing the difference and trainers "looping" responses
10:00 am to 10:45 am	Communication and Listening Skills Why is divorce so hard? The Expansiveness of love Our attachment wiring/effect of social isolation styles for attachment protest, esp. in divorce Teach looping (reflective listening skills)
10:45 am to 11:00 am	Break
11:00 am to 11:15 am	Critical Documents: "Statement of Understanding" and Participation Agreement including Disqualification Clause
11:15 am to 12:15 pm	Separate into Professional Groups: The Role of the Collaborative Law Attorney The Role of the Financial Consultant The Role of the Mental Health Professional OR (if there are not enough non-lawyers) Underlying Concepts and Role of each professional on the team all together so all professionals understand the role of the interdisciplinary team. Assign role play groups
12:15 am to 1:00 pm	Lunch and Read Role Play

1:00 pm to 2:30 pm	<p>Structure of the Collaborative Process</p> <ul style="list-style-type: none"> • Roadmap and stages <p>Starting the Process: Focus on Process Choices</p> <ul style="list-style-type: none"> • How to talk about collaborative • The importance of language (litigation v collaboration words) • Commitment to the Process • the importance of process and preparation • Demonstration: First Lawyer-Client Consultation Include the interdisciplinary team
2:30 pm to 2:45 pm	Break
2:45 pm to 3:15 pm	<p>Connecting the Dots:</p> <p>What Financial Consultants Need to know about Mental Health and legal Issues in Collaborative Practice</p> <p>What Mental Health Professionals Need to know about Legal and Financial Issues in Collaborative Practice</p> <p>What Attorneys Need to know about Mental Health and Financial Issues in Collaborative Practice Read Case Study</p>
3:15 to 3:45	<p>Role Play Collaborative consultation and Large Group Discussion to Debrief</p>
3:45 pm to 4:45 pm	<p>First Joint meeting typical agenda</p> <ul style="list-style-type: none"> - process, not substance - how to talk about team model - goal of first meeting <p>--cookies and the meaning of providing nurturance and sharing</p> <p>DEMO: 1st 4-way meeting</p>
4:45 pm to 5:00 pm	Questions and Answers

Saturday June 13, 2020	
8:00 am to 8:30 am	Networking and Coffee
8:30 am to 9:00 am	Questions & Discussions
9:00 am to 9:30 am	How to Conduct Four-Way Meetings, Five-Way Meetings and Bridge Calls
9:30 am to 10:30 am	Collaborative Discovery – transparent exchange of information including role of <ul style="list-style-type: none"> • attorneys • financial neutrals • Mental Health professionals
10:30 am to 10:45 am	Break
10:45 am to 11:00 am	Getting to what is important (to the parties): Understanding Interests <ul style="list-style-type: none"> • Emotional • Substantive • Relational • Children
11:00 am to 12:30 pm	Working with Interests in Joint Meetings: <ul style="list-style-type: none"> • Fishbowl eliciting interests in 2 or 3 way meeting • Preparation for joint meeting to discuss interests • Role Play eliciting interests • Framing Interests • Role Play Framing Interests
12:30 pm to 1:15 pm	Lunch
1:15 pm to 2:00 pm	Working on a Case: – Working as a Team – Think Tank Identifying Issues – (Legal, Emotional and Financial) Split and Polarizing Teams Traditional language/collaborative language

<p>2:00 pm to 2:30 pm</p>	<p>Working with the Law in a Collaborative Case</p> <ul style="list-style-type: none"> • Balancing Law and Interests • Why to Bring in the Law • How to bring in the Law • How Family Specialists and financial professionals can help prepare attorneys to talk about and clients to receive this information
<p>2:30 pm to 3:15 pm</p>	<p>Demo: talking about the law Large Group discussion on balancing law and interests</p>
<p>3:15 pm to 3:30 pm</p>	<p>Break</p>
<p>3:30 pm to 4:25 pm</p>	<p>Role Play working with the Law including debriefing and fishbowl of difficult conversations</p>
<p>4:25 pm to 4:45 pm</p>	<p>Ethics: Professional Considerations and Responsibilities</p>
<p>4:45 pm to 5:00 pm</p>	<p>Questions and Answers and Closing</p>

Sunday June 14, 2020	
8:00 am to 8:30 am	Networking and Coffee
8:30 am to 9:00 am	Questions & Discussions
9:00 am to 9:30 am	Ethics in Collaborative Practice: Team
9:30 – 10:30	Working with Options <ul style="list-style-type: none"> • Prep for joint meeting on options: lawyer-client-Family Specialist-child specialist-financial: discuss different configurations • "Magic Theater" • Brainstorming including private time for thinking
10:30 am to 10:45 am	Break
10:45 am to 11:45	Collaborative End Game <ul style="list-style-type: none"> • Prioritizing Options • Evaluating Options • Predictable Pitfalls and What to Do Negotiating to Conclusion
11:45 am to 12:00 pm	Helping Clients and the Public Make Sense of Collaborative Practice
12:pm to 12:15 pm	Closing

Robert Bordett is the founder of Collaborative Practice and Mediation Services, Inc. He is also one of the founders of Divorce Innovations. In addition, he is the Sr. Vice President of Consolidated Planning Corporation in Atlanta, Ga. He is a financial neutral working with couples, families and business. He also serves as a mediator and arbitrator.

Robert is registered with the Georgia Commission on Dispute Resolution as a mediator and arbitrator. He is a Certified Financial Planner (CFP®) and a Certified Divorce Financial Analyst (CDFA®). He is the past president of the Collaborative Law Institute of Georgia, Inc., past board member of the International Academy of Collaborative Professionals, founding member of the Atlanta Collaborative Divorce Alliance, founding member of Academy of Professional Family Mediators, a board member of the Association of Divorce Financial Planners, and a board member of Professional Mediator Board of Standards.

Robert has written many articles on financial issues in divorce and has appeared on CNN Sunday Morning News. He has taught classes on financial issues in Collaborative Divorce and mediation throughout the U.S.

Robert is a member of the International Academy of Collaborative Professionals, Association of Divorce Financial Planners, National Association of Tax Professionals, the Financial Planning Association and Academy of Professional Family Mediators.

Elana Katz, LCSW, LMFT

Elana Katz, LCSW, LMFT, a Manhattan based family specialist, is a senior faculty member at the Ackerman Institute for the Family where she teaches advanced family therapy and directs the family mediation program. She has presented nationally and internationally on family therapy, mediation, and collaborative divorce, including annual meetings of the American Family Therapy Academy, the American Association of Marriage and Family Therapists, and the International Academy of Collaborative Professionals, in addition to offering specialized trainings in Israel, Spain, South America, and Australia.

She has a particular interest in understanding and addressing the impact of marginalization on family relationships

Ms. Katz was one of the first therapists in New York to become certified in Emotionally Focused Therapy, an approach that helps clients understand and change their patterns in key relationships. Now a certified EFT Trainer, she uses this knowledge to help collaborative clients intercept the recurring patterns that shape high conflict divorce as well as implement more successful strategies in their collaborative process.

Ms. Katz has published a number of articles and a book chapter on topics such as mediation and a family systems approach to health care, and she's been quoted by the New York Times, the Associated Press, and other media outlets, including National Public Radio.

Ms. Katz is active in professional organizations, and she serves on the Executive Board of the New York Center for Emotionally Focused Therapy and was a prior director at the New York Association for Collaborative Professionals (2010-2016). Her private practice in psychotherapy, mediation, and collaborative divorce is in Manhattan.



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Katherine Eisold Miller is a mediator and Collaborative Lawyer with more than 30 years' experience. Katherine's career has been primarily focused on helping people find appropriate out of court resolutions and she has helped countless parties reach this goal. Katherine is well-known for her expertise in mediation and Collaborative Law and is often sought after for high conflict and complex financial matters in the family as well as other spheres.

She is the founder of The Miller Law Group, with offices in New York City and Westchester County. Katherine is also a director and trainer at the Center for Understanding in Conflict (understandinginconflict.org) where she has been teaching mediation and other conflict resolution skills for 15 years and she also teaches mediation at the Ackerman Institute. Katherine was a founding board member and a past president of the New York Association of Collaborative Professionals.

Katherine has taught numerous mediation programs in New York and around the country and is recognized as a preeminent mediation trainer. Katherine has taught mediation skills to judges, attorneys, court personnel, mental health professionals in a variety of settings and her trainings through the Center for Understanding in Conflict are certified by New York State Courts to certify mediators for court-referred mediation programs.

Katherine hosts the radio show and podcast *Divorce Dialogues* on WVOX radio and iTunes. Katherine is co-Author of the #1 Amazon bestseller *A Cup of Coffee with 10 of the Top Divorce Attorneys in the United States* and author of the *New Yorker's Guide to Collaborative Divorce*. Katherine is also AV rated by Martindale Hubbell and has been named a Super Lawyer since 2013.

NEIL E. KOZEK is a founding member of the firm of Kramer Kozek LLP who practices in both suburban Westchester (White Plains) and New York City. Mr. Kozek is an experienced attorney who has litigated almost exclusively in the field of matrimonial and family law for more than thirty (30) years. He is admitted in New York, Pennsylvania and the State and Federal District Courts of New Jersey and is a member of the Family Law Sections of the New York, New Jersey, Westchester County, and American Bar Associations. In 2014 Mr. Kozek was admitted to practice before the United States Supreme Court. Mr. Kozek is a Fellow of the American Academy of Matrimonial Lawyers ("AAML") and is an active member of the Collaborative Law Committee, as well as the Admissions Standards and Procedures Committee. He is also a Fellow of the International Academy of Family Lawyers ("IAFL"). Mr. Kozek has also been a member of the Executive Committee of the Westchester County Bar Association (Family Law Section) where he served as the Program Co-Chair and coordinator for Continuing Legal Education. He was a representative to the New York Interdisciplinary Forum of Matrimonial Attorneys and Forensic Mental Health Professionals and has also served as a neutral evaluator for the New York County Matrimonial Alternative Dispute Resolution Program. Mr. Kozek is a frequent lecturer for the Westchester County, New York State, and American Bar Associations' Family Law Sections and at CLE programs. He is a founding member of the American Academy of Certified Financial Litigators ("AACFL"). Mr. Kozek is also the Author of the Family Law Services Handbook, "Collaborative Law", Chapter 22, Wiley Publishing (2010) (Co-author Jerome Johnson, CPA).

Mr. Kozek was a recent member of the Board of Directors of the International Academy of Collaborative Professionals ("IACP"). He is also a founding member and Past President of the New York Association of Collaborative Professionals ("NYACP"), where he served on the Executive Committee and Board of Directors for eighteen (18) years. Mr. Kozek is a trained Mediator and a former adjunct group leader for the *Center for Mediation in Law*. He also facilitates advanced Support Groups for Collaborative Practice, and is currently planning the AAML Collaborative Committee's program training on the Basics of Collaborative Practice for Practitioners. Mr. Kozek has been a volunteer for the Pace Women's Justice Center Moderate Means Panel where he also served as a *pro bono* mentor. Mr. Kozek is a founding member of the Association of Collaborative Lawyers of Rockland-Westchester. He has been nominated for inclusion in "*Best Lawyers in America*", is a lifetime charter member of Rue Ratings "*Best Attorneys of America*", and has been included in the New York Metro Region "*Superlawyers*" every year from 2007-2019 in both Matrimonial and Collaborative Law. Mr. Kozek has received the highest distinction from Martindale Hubble as an AV Peer Review Rated attorney for legal ability and ethical standards. "*Leaders in the Field*" has named Mr. Kozek as one of the top 17 Collaborative attorneys in the United States. Mr. Kozek was selected as

a Fellow of The American Bar Association Foundation, an honor awarded to the top .33% of practicing attorneys in the United States in 2011.

Mr. Kozek was formerly a partner at Stern Steiger Croland, P.C., in Paramus, New Jersey and co-chair of the Family Law Department of Hall Dickler, LLP. He was elected to *Phi Beta Kappa* in 1984 and is a 1985 *magna cum laude* graduate of Rutgers University. After graduating from Temple University School of Law in 1988, Mr. Kozek served as Law Secretary to the Honorable Samuel D. Natal, Presiding Judge of the Family Part, Superior Court of New Jersey in Camden County. Mr. Kozek is a charter member of the *New Jersey Family Law Inn of Court* and formerly a member of the Justice Morris Pashman American Inn of Court.
