



# COLLABORATIVE CHRONICLES

June 2011

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## Tell Your Stories

By Maura Brennan

I ran into a friend at a recent networking event. We immediately began dishing and catching up on each other's lives. I hadn't seen her in years, long before I began practicing Collaborative divorce. Because she is more than a colleague, I skipped my rehearsed five-minute speech when it came my time to share. But without it, I began tripping over my words and struggling to define what Collaborative divorce is. I think I repeated something like, "It's just so much better," and "You wouldn't believe it," several times.

My friend, being a marketing genius, interrupted my blathering and said, "Tell me a story."

"What?" I asked.

She said, "Tell me a story from one of your cases that will show me why it is so much better." Immediately, a light bulb went off in my head.

"Great idea!" I said. I went on to share with her that recently, one of my clients was becoming increasingly defensive and angry because she felt her husband was punishing her for her indiscretions by demanding she remove her things from the house before she was relocated. I told her how, after they both counseled with a divorce coach, the husband was able to put aside his pride and admit that he needed her things out of the house, not because he wanted to punish her, but because it was too painful to walk by them everyday. I told her that the anger that was present in the room just a few minutes before dissolved, and, although it was painful and tearful, it felt as though a shift toward healing occurred with that brave moment of honesty.

I told her about my client who was afraid of losing the jewelry collection that had been left

to the couple by her family because she could not afford to buy out his share. I related how she wept when he declared, at the beginning of their negotiation, "That is yours. It belonged to your parents, and you should have it. It's off the table." I told my friend about how this changed her fear into generosity, causing her to return the gesture by giving him a valuable watch she suddenly wanted him to have. This moment changed the tone of the case and likely affected the amount of spousal support that they later agreed upon.

I told her about a bitter client that was so angry about her husband's affair that she could not even look at him at the first 4-way meeting. I told her how, after divorce coaching, the husband was able to deliver a tearful heartfelt apology during an intense 4-way meeting, and how my client hugged her soon-to-be ex husband at the end of the meeting and forgave him.

I couldn't help getting emotional when relaying these powerful moments to my friend. She understood immediately what Collaborative divorce was and what it meant to me.

These stories said so much more than my five-minute rehearsed speech ever could have ("Collaborative divorce is a process in which people agree not to go to court and resolve the issues of their divorce in respectful four-way meetings, focusing on their individual goals and the best interests of their children. Blah, blah, blah.") I'm sometimes afraid I am going to nod off myself when delivering this. While the "elevator" speech is still necessary for those 30-second explanations, I have realized that taking the time to tell a story, whenever possible, is so much more effective. I now always include a story when answering

*Continued on next page*

the question “What is Collaborative divorce?” In fact, I often include a real-life story\* in my potential client meetings, when counseling a client, or when trying to make a point in a practice group discussion. I have realized that “my stories” are the best way to explain how Collaborative divorce is different. They allow my passion for my work to come through, and there is no better marketing tool. Most importantly, when I recount them, I am reminded of why I do this work. I remember why I spend countless hours on trainings and invest the time and money in building a strong local practice group, and I feel glad that I am part of this movement. Stories are good marketing tools... and good soul food.

Do you have a story that reinforced your belief in the Collaborative process? If so, please share it! Sharing this movement means that my stories are your stories, and your stories are mine...and they should all be told often.

\* Of course, we must be careful to respect the privacy of our clients by getting their permission to share or ensuring their anonymity by changing the facts slightly so the case is not recognizable.



**Maura Brennan** is a Collaborative attorney and mediator in Traverse City, Michigan. She is a member of the Up North Collaborative Divorce Professionals, and can be reached at 231-421-5580 or [maura@maurabrennanlaw.com](mailto:maura@maurabrennanlaw.com)

*Do you have a story that moved you? Send to the editor at [dlb@FamilyResolutions.us](mailto:dlb@FamilyResolutions.us), and it may be published in a future issue. Please be sure to change names or take other steps as recommended above to ensure confidentiality.*

## Message from the President

### MEET ME IN SAN FRANCISCO FOR THE FORUM

Be sure to leave some room in your travel calendar to attend the IACP Forum in San Francisco on October 27 – 30, 2011. The schedule is now available at [www.CollaborativePractice.com](http://www.CollaborativePractice.com), the IACP website. You will see nine familiar names from Michigan who will be presenting. Congratulations to those who had their programs accepted. There are also many familiar national presenters like Pauline Tesler, David Hoffman and Woody Mosten who have given great presentations at our past advanced training sessions.

If you have never attended a Forum, you will be delighted with the quality and diversity of the programs, the caliber of your fellow Collaborative professionals who attend from all over the world, and the many opportunities to network with them. Many of the presentations are specifically targeted to financial professionals and mental health professionals, in addition to attorneys. You will be challenged to limit your selections since there is such a wealth of choices. Take advantage of the social opportunities such as the Saturday night dinner, dancing, and entertainment where you will meet and get to know more of your fellow CP's.

All CPIM members are members of the IACP. A portion of your dues is applied to IACP. As a result, you should be receiving the IACP newsletter, announcements, opportunities to participate in free webinars, or purchase reasonably priced training programs. You are also eligible to register for The Forum at member rates. As you register, please be sure to notify Melissa, our administrative assistant at [admin@CollaborativePracticeMI.org](mailto:admin@CollaborativePracticeMI.org). She can help attendees coordinate hotel room sharing and, if there is sufficient interest, arrange a Michigan Chapter dinner in San Francisco.

*Article continued on page 7*



## Ask the Collaborative Professional

### Why Use a Financial Neutral in Collaborative Divorce, Instead of the Regular Tax Preparer?

#### ***First, what does “neutral” mean in the context of Collaborative Divorce?***

Neutral in the context of Collaborative divorce means: not aligned with or supporting any side or position in a potential controversy.

#### ***Why not use the accountant or tax preparer that has always done the couple’s tax returns?***

The answer to this is the potential for lack of “independence” or lack of “neutrality.” A common practice is that the tax preparer has reported and communicated with only one spouse in the marriage, as that is how most couples handle their financial and tax matters; by delegating the contact with the financial or tax professional to only one spouse. The risk is that while the financial/tax professional may think they are neutral, or independent, the reality may be that the professional is used to reporting to only one of the spouses and may not realize that some positions or recommendations from the financial/tax professional may benefit one spouse more than the other. The threat is that one spouse may be “out-of-sight” and therefore “out-of-mind” for the historical tax preparer. Remember that the regular tax preparer has always played the role of an advocate, who has reported to, and shown allegiance to, the spouse who was the primary contact (the payer of the professional’s fees), in situations regarding taxing authorities and lending institutions. A couple in a Collaborative divorce should have an entirely different relationship with their financial neutral than the couple has had with the regular tax preparer.

#### ***What pressures might be on the couple’s regular financial/tax professional to slant the results to the betterment of one spouse over the other?***

Assuming that the financial/tax professional has historically reported to only one spouse, the professional will feel the threat of losing that client which has historically been a source of fees for the financial/tax professional; and the professional may not feel the same connection with the other spouse.

#### ***What if one of the spouses owns a business that has been handled by their regular financial/tax professional?***

In the case where there is a business owned by one of the spouses, the threat of lost fees will be more profound as the dollar amount of fees will be larger for the historical financial/tax professional when one of the spouses owns a business. And, typically, it is the business owner spouse that has had almost exclusive contact with the financial/tax professional.

#### ***What makes the couple’s relationship with a “financial neutral” different?***

With a Collaborative financial neutral, the first meeting is with both spouses in attendance and includes a commitment from the Collaborative financial professional that both spouses will be copied on all communications and reports from the financial professional. Because the financial neutral has no history of collecting fees from only one spouse, there is no threat of a loss of a historical source of fees for the financial neutral. The financial neutral’s agreement with the Collaborative couple is for a one-time consulting engagement that is independent and neutral, and it would be inappropriate for the financial neutral to begin negotiating future fees with the business owner spouse while working on the Collaborative divorce. A big part of the financial neutral’s job is to educate both spouses as to financial and tax impacts of their potential choices, from a neutral or independent perspective, showing the effects of various scenarios for both spouses.

#### ***What calculations might a Collaborative financial professional perform that might be outside the experience of the couple’s regular tax preparer?***

The Collaborative financial neutral that has been trained in Collaborative divorce, with corresponding real life experience of working through such negotiations, may provide calculation of potential spousal support (alimony) and child support under various assumptions. Many tax preparers that do not have such training and experience may very well not know how to do support calculations.

*Article continued on next page*

**What is needed if there is a business to be valued, and why use a valuation professional when you may think the tax preparer is most familiar with the business owned by one spouse?**

Business valuation has become a highly specialized area for which many tax preparers do not have any professional certifications or expertise. Be wary of the tax preparer that wants to do a business valuation but has no certifications indicating a specialization in business valuation, other than CPA. Two of the business valuation designations that are available include: CVA – Certified Valuation Analyst, and ABV – Accredited in Business Valuation

Find a Certified Valuation Analyst - CVA  
[www.nacva.com/dir/](http://www.nacva.com/dir/)

Find an individual Accredited in Business Valuation - ABV  
<http://apps.aicpa.org/credentialsrefweb/abvCredentialSearchPage.aspx>

And don't forget to find out if the business valuation professional has taken the Collaborative divorce training, which means the professional has been trained in the concept of neutrality needed when reporting to both spouses in a Collaborative divorce, as opposed to only reporting to the business owner spouse.

**Larry Williams, CPA, CVA.** Larry is the President and owner of L. E. Williams & Company, P.C., located in Traverse City, Michigan. He has been in public accounting since 1985, with experience in all aspects of accounting and taxation. He is a Certified Public Accountant (CPA) and a Certified Valuation Analyst (CVA). Larry is a member of CPIM and the Up North Practice Group. In addition to his CPIM membership, Larry is a member of the American Institute of CPAs and National Association of Certified Valuation Analysts.



**Have a Question for a Collaborative Professional?** Submit your question to [dlb@FamilyResolutions.us](mailto:dlb@FamilyResolutions.us) for consideration and look for an answer from a CPIM member in an upcoming newsletter. Ask the Collaborative Professional is a regular feature of the Collaborative Chronicles Newsletter.

**Hothouse Ideas for Growing Your Collaborative Practice**



Highlighting the best ideas from CPIM Members

**Book Discussion as a Catalyst for Practice Group Cohesiveness**

Our practice group is a fairly new one with members whose experiences in Collaborative divorce and Collaborative divorce training vary greatly. Some of us have been involved in lots of cases, some have been involved in a few, and some of us have had no cases yet. And yet, we had decisions to make as a practice group. There was no universal case we could all discuss—while most of us had been trained by Prism, others were trained out-of-state.

We chose to use a book discussion to give us a common ground—but that one meeting achieved far more than we expected. We used Webb & Ousky's The Collaborative Way to Divorce, partly because most of us own it and recommend it to clients. Our book discussion meeting was one of our most successful meetings, and members still mention that meeting as a positive turning point in our POD's development. We chose a basic book because we are a new group—but your practice group might well achieve similar results with a lengthier or more complex book.

Here's how our group benefitted:

1. The book gave us several cases we could refer to when trying to make a point in meetings, and everyone was familiar with the cases.
2. The book gave us a basic, shared vocabulary.
3. The book gave us a shared foundation, which allowed us to discuss more complex issues (e.g., is spouse abuse an automatic disqualifier for Collaborative divorce?).
4. The appendices in the book gave us examples of paperwork we might want to use, and guidelines we might want to follow. Because these ideas were generated by professionals outside our practice group, we felt free to discuss our reactions to the guidelines and paperwork without fear of offending each other.
5. The book discussion allowed everyone to be included in the discussions, regardless of their experience level in Collaborative divorce.
6. Members expressed concern over how *all* of the professions were represented—which allowed us to realize we were already starting to look out for each other. That was a joyous and affirming realization. I left that meeting feeling very excited about Collaborative divorce but even more excited and proud to be a member of the Up North practice group. At that moment, I would have agreed to wearing matching bowling shirts—and I don't even bowl!

**Ann Marie Love, Ph.D.**  
 Traverse City Collaborative Coach and Child Specialist



## Mark your calendar: 2011 Basic Training

*Our May Basic training has been rescheduled to this Fall!!*

**SAIL INTO THE *NEW PARADIGM* WITH THE**  
**2011 BASIC INTERDISCIPLINARY TRAINING IN**  
**DOMESTIC COLLABORATIVE PRACTICE**  
**TRAVERSE CITY**

**Thursday, September 29th (6:00 p.m. to 9:00 p.m.) &**  
**Friday, September 30<sup>th</sup> & Saturday, October 1<sup>st</sup>**  
**(8:00 a.m. to 5:00pm)**

**for Attorneys, Mental Health Professionals, Mediators, & Financial Professionals**

- **Learn the Collaborative Divorce Process** in which a multi-disciplinary team of professionals fosters cooperative problem-solving to help clients reach a settlement in a non-adversarial way.
- **Learn the Role of Neutrals** – child specialists, financial advisors, and mediators and the role of advocates – divorce coaches and attorneys – and how they work together.
- **Join a Professional Development Group** for coaching and professional development.

### Training by THE PRISM PERSPECTIVE, LLC

DEBORAH BENNETT BERCZ \* PETER EVERTS, PH.D.\* SUSAN WILSON KEENER\* RANDALL L. VELZEN \*  
 GAYLENE STINGL

**COST:** Early Registration (through September 13<sup>th</sup>): \$595  
 Late Registration (through September 14-27): \$645

**LOCATION & ACCOMMODATIONS:** Park Place Hotel, 300 East State Street, Traverse City, MI  
 (231) 946-5000 <http://www.park-place-hotel.com/>

A limited number of partial scholarships may be available – contact CPIM for more information.

**A NETWORKING TABLE IS AVAILABLE FOR PERSONAL BUSINESS CARDS & BROCHURES**



**COLLABORATIVE PRACTICE**  
**INSTITUTE of MICHIGAN**

Resolving Disputes Respectfully.





### Remembering Mary L. Dillon

**Mary L. Dillon,** Ph.D, a member of CPIM and Collaborative Divorce Professionals of Cadillac, died at her

home following a long, hard-fought battle with leukemia on May 23. Mary dedicated her life to the betterment of the family, beginning with children. Early in her career, as a single parent to four young children, she established a preschool in Cadillac. That was followed by her own continuing education and the educating of others in the area of early childhood development. As a professor at Ferris State University, she created an on-site childcare center that doubled as a learning opportunity for childhood development students. Both Mary and her deceased husband, Tom Dillon, were generous benefactors of time, energy and finances to the Dillon YMCA in Cadillac.

Mary was passionate about all of her endeavors but especially liked the Collaborative method of divorce and looked forward to participating in the process.

Mary had a wealth of experience with families, was just getting started in CP and will be truly missed.

Contributed by **Audrey Van Alst**- CPIM  
member in Cadillac.



### Did You Know?

A couple going through a Collaborative divorce actually consented to the videotaping of their sessions! You can view this short video called “*Collaborative Divorce- A Safe Place*”, on the home page of IACP's website at [www.CollaborativePractice.com](http://www.CollaborativePractice.com). It's an incredible tool for use with prospective clients and a great way for a person wanting to use Collaborative Practice to explain the process to his or her spouse. Check it out!



**Have a interesting information to share with other CPIM members?** Submit your factoid to [dlb@FamilyResolutions.us](mailto:dlb@FamilyResolutions.us). Did you Know? is a regular feature of the Collaborative Chronicles Newsletter.

## Message from the President Cont.

The planners of this year's Forum have selected a terrific venue and an excellent program. I doubt better training in dispute resolution exists. Please review the program, mark your calendars and arrange to join us.

I also want to let you know that the Board is continuing to implement the strategic plan. The website is being updated as are our brochures. The public communications team is working to develop a traveling "road show" so our members have materials to present to the public.

**Marian Kromkowski** and fellow Basic Training committee members **Margo Runkle** and **Carol Brietmeyer** are busy planning the Basic Training in Traverse City on September 29 – October 1 at the Park Place Hotel. We hope to attract more people from Northern Michigan and entice those from lower Michigan to enjoy the fall colors while learning about Collaborative Practice. We need your help in encouraging people to attend this important training. Please survey your area. Who are the mental health and financial professionals or lawyers with whom you would like to conduct Collaborative cases? If they have not been trained, encourage them to register.

The Negotiations Skills Training has been moved to January, where it will be held as our Annual Meeting and Advanced Training.

The Collaborative calendar is filling up. Please mark The Forum and the Basic Training on your calendars now and plan to attend.



Monika Holzer Sacks  
CPIM President  
[monika@nsssb.com](mailto:monika@nsssb.com)

## Members in the News!

Former CPIM President, **Deborah Bennett Berezcz**, was selected by the International Academy of Collaborative Professionals to present the Academy's



online training webcast on the topic of initial client consultations. Titled ***The Passionate Initial Client Consultation: It's Not What You Think***, the 90-minute webcast was professionally videotaped at the 2010 Forum in Washington DC. Deborah was one of seven presenters chosen from around the world on various topics. The webcast is available for purchase on the IACP's website at <http://www.manexa.com/iacp/onlinecle.asp?UGUID=&CategoryID=&ItemID=20100816-023766-165057> in the members only section. Regarding the webcast, Deborah stated, "It was an honor to be chosen. And intimidating! Talking only to a camera for 90 minutes makes for a tough crowd! But this is a topic near and dear to my heart and so important for ensuring hyper-informed consent by clients and for building our Collaborative practices." A certificate of completion is provided for viewing the webcast and Deborah encourages CPIM members to check out all the interesting topics addressed. Congrats Deb!



**COLLABORATIVE  
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## **Board Member Spotlight: Randy Velzen**

Board member, **Randy Velzen**, a Collaborative lawyer, mediator, and attorney practices in Grand Rapids, Michigan. He has been on the CPIM board since 2008. Randy graduated from Calvin College in 1975 and from Notre Dame Law School in 1978. He specializes in family law and formed the firm of Velzen, Johnsen & Wikander, P.C. with two partners in August 2010.

When asked why he practices Collaborative law, Randy stated, "For most of my practice I was troubled by the concept that, while we know over 96% of divorces settle, we pretend that we are preparing for trial. This trial preparation is all part of the adversarial process. Some attorneys obtain a Judgment of Divorce, hand it to their clients, and pat themselves on the back for what a great job they did, leaving the clients to pick up the pieces. This is not my idea of being a counselor. Clients now have a wedge driven between them to such a degree that they can no longer co-parent or, for some, even have a civil conversation."

When Randy took Collaborative training, a light went on and he knew that this was a much better way to proceed in most cases. Randy explains, "I am not so naïve as to think that everyone can do this. By the term "everyone", I mean parties and attorneys. Unfortunately, in my opinion, there are a number of attorneys who are not able to allow their clients to make decisions and who are unable to see the greater good in a deeper resolution of the divorce. Also, I give our clients a great deal of credit since I am not sure that I could sit in a room with a spouse, and all the related emotion, and work through the divorce in a Collaborative process."

Randy is proud and enthusiastic to be part of the movement that promotes respectful divorce. He has won a number of awards in his career, including the Barnes Award (2005) and President's Award (2010) from the Grand Rapids Bar Association and the Volunteer of the Year Award (1986) from Easter Seals Michigan. Randy has served on the Grand Rapids Bar Association Board (1995-2001) and is a member of The PRISM Perspective, LLC, the training team providing basic Collaborative training to lawyers, mental health professionals, and financial specialists in Michigan. He is married to Laurie, a paralegal, and has two sons in college. We are fortunate to have **Randy Velzen** on the CPIM board.



## **WELCOME TO OUR NEWEST MEMBER!**

**Billie Jo Clark  
Attorney, Lake Ann MI**

### **Local Practice Group Listings**

#### **Collaborative Practitioners of Greater Kalamazoo**

**Erika Salerno**  
[Erika.Salerno@kech.com](mailto:Erika.Salerno@kech.com)

#### **The Washtenaw County "Interdisciplinary Group for Collaborative Dispute Solutions"**

**Deborah Krone**  
[DKrone@wgdandco.com](mailto:DKrone@wgdandco.com)

#### **Up North Collaborative Divorce Professionals**

**Marian Kromkowski**  
[mkrom@centurytel.net](mailto:mkrom@centurytel.net)  
[www.upnorthcollaborativedivorce.com](http://www.upnorthcollaborativedivorce.com)

#### **Collaborative Divorce Professionals of SE Michigan**

**Randy Pitler**  
[rpitler@pitlerlaw.com](mailto:rpitler@pitlerlaw.com)

#### **Lansing Area Collaborative Practice Group**

**Leslie Auld**  
[auld.leslie@gmail.com](mailto:auld.leslie@gmail.com)  
**Jill Messer**  
[jillmesser@sbcglobal.net](mailto:jillmesser@sbcglobal.net)

#### **Collaborative Divorce Professionals of West Michigan**

**Tony Gauthier**  
[tonygauthier@lwr.com](mailto:tonygauthier@lwr.com)

#### **Michiana Collaborative Professionals**

**Margo Runkle**  
[runklefamilylaw@aol.com](mailto:runklefamilylaw@aol.com)

#### **The Cadillac Area Collaborative Professionals**

**Audrey Van Alst**  
(231) 775-1162