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## Collaborative approach saves time and stress

01/25/07

*By Marcia Ames*

Though Mike Mastracci's collaborative family law presentation at the Arbutus Library Jan. 18 drew a sparse audience, the Catonsville attorney spared no enthusiasm in explaining his purpose.

The 42-year-old divorced parent has represented hundreds of clients seeking to end their marriages.

Avoiding the worst case method of achieving that goal -- "husband and wife declare war and their attorneys become their warriors" -- was the topic of his talk last week.

"I know a neighbor who went through three years of hell," said a woman from Catonsville who declined to give her name.

The alternative Mastracci recommends is less stressful and less expensive, he said.

"Work it out and move on with your life," Mastracci said, summarizing the method.

Begun in Minnesota about 16 years ago and now practiced in much of the United States and in several other countries, the collaborative method has spouses negotiating directly with each other instead of through their respective attorneys.

Attorneys, social workers, financial advisers and other professional counselors may join the discussion, but only if



Anttorneys James Motsay and Michael Mastracci spoke at the Arbutus Library Jan. 18 about the benefits of that approach to resolve issues such as divorce.



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The emphasis is on staying out of a courtroom, so all parties must agree to that condition at the outset.

If either spouse decides to take the case to court, both attorneys involved agree to withdraw their services.

The advantage to an attorney in collaborating to reach a settlement is time saved as well as the low stress factor, which tends to affect everyone involved in a legal battle, Mastracci said.

Instead of spending about \$40,000 to \$50,000 to have their attorneys go to war for them, a couple willing to collaborate on a divorce can resolve a case for as little as \$3,000 to \$4,000.

"You may make less money," said Jim Motsay, another collaborative family law attorney, in referring to the attorneys involved.

"But you put in less time and you have less aggravation and a happier client," said Motsay, who helped Mastracci field questions following the presentation.

In the final stage of the process, after both parties have agreed to a settlement, the attorneys handle the court papers required to legalize the settlement.

The model doesn't work for everyone, said Motsay, who is divorced himself.

"This is not for cases where you have spousal abuse or addiction problems," he said, noting that the process calls for open and honest discussion.

Last week's presentation was sponsored by the Maryland Collaborative Law Association, a Towson-based nonprofit incorporated three years ago.

Almost 30 attorneys belong to the association, along with a few other professionals who are trained in mediation or social work.

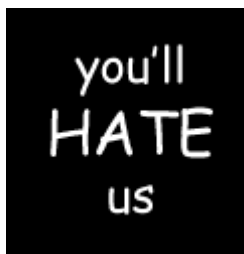
The group accepts members based on an application process, trains them in the collaborative method and provides the contract used.

Mastracci, who has his office on Ingleside Avenue, is the only member with a practice in southwest Baltimore County.

For information, go to [www.marylandcollaborativelawassociation.com](http://www.marylandcollaborativelawassociation.com).

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