

THE Collaborative Review

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IACP INTERNATIONAL ACADEMY OF
COLLABORATIVE PROFESSIONALS

Learning from Experiences: The IACP Divorce Experience Study

I THE IACP 2015 DIVORCE
EXPERIENCE STUDY
By Barbara Kelly, PhD

II MINING THE STUDY: FACTORS THAT
IMPACT PEOPLE'S DIVORCE
EXPERIENCE
By Linda K. Wray, JD

III SATISFACTION WITH POST-DIVORCE
FAMILY RELATIONSHIP OUTCOMES:
IMPLICATIONS FROM THE 2015 STUDY
By Randy Heller, PhD and Nancy Williger, MSW, PhD

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Table of Contents

LETTER FROM THE PRESIDENT 3
By Christopher M. Farish, JD

LETTER FROM THE EDITOR 5
By Nancy J. Cameron, QC, LLB

I THE IACP 2015 DIVORCE EXPERIENCE STUDY 7
By Barbara E. Kelly, PhD

II MINING THE STUDY: 11
FACTORS THAT IMPACT PEOPLE'S DIVORCE EXPERIENCE
By Linda K. Wray, JD

III SATISFACTION WITH POST-DIVORCE FAMILY RELATIONSHIP
OUTCOMES: IMPLICATIONS FROM THE 2014 STUDY 20
By Randy Heller, PhD and Nancy Williger, MSW, PhD



Letter from the President

By Christopher M. Farish, JD

“Research your idea. See if there’s a demand. A lot of people have great ideas, but they don’t know if there’s a need for it. You also have to research your competition.” – Earvin “Magic” Johnson

This might not be the most poignant quotation ever printed in the Collaborative Review, but I think it speaks a great deal to the overarching theme of this issue. Collaborative Practitioners spend a tremendous amount of time making generalized statements to clients about the value of the Collaborative Process. However, we have never really examined how our clients view the value they receive in any empirical way. In order to examine this value we needed to compare actual clients’ perceptions of value received against the perceived value received in other processes, or as Magic Johnson put it, “our competition.”

Our collective experiences of the way family disputes were resolved in the past and the damage that can result from engaging in the conflict have left each and every one of us with no doubt that families need the Collaborative Process. So, we all believe there is a need for our idea. However, the results from the client experience study may not confirm many of our preconceived notions. The articles herein explain many of the lessons learned from our study, but one thing is abundantly clear: if Collaborative Practice is to truly transform how family conflicts are resolved worldwide, we must be willing to adapt the Collaborative Process to reach every family engaged in conflict across the globe. As a community we must ask deep and meaningful questions of ourselves that lead us to seek out ways to bring this process to all families. For as long as any family has to experience damaging conflict when resolving disputes, we have not accomplished our goal and work remains to be done.

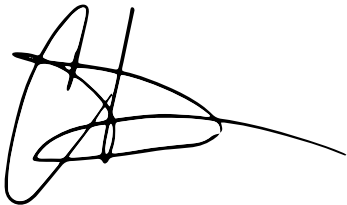
The IACP is committed to helping emerging communities learn and adapt Collaborative Practice tools to meet the needs of the families in their area. We want to provide a conduit through which to facilitate conversations between communities all around the world to share ideas and insights that transform family dispute resolution. In sharing our experiences with others, we foster and expand Collaborative Practice, inevitably increasing the public profile of Collaborative Practice. By listening to communities share their experiences, the Collaborative Process can be transformed and skills can be adapted to reach similarly situated families in other communities. Through this give and take of ideas, our process will grow stronger and more malleable. With increased flexibility, we will serve more families and the public desire for our process will increase.

We are entering into a new era of Collaborative Practice and of the IACP. We are working to increase our public profile throughout each community we touch, and hope to use new tools to reach different audiences more efficiently. We recognize the staggering number representing themselves in resolving their disputes. Our value proposition will continue to evolve and we will transform our message to better speak to these families. In doing so we hope to open doors to new clients for all of our members. We will educate the public about the power of engaging professionals who are dedicated to placing the decision-making where it belongs, in the hands of the family in conflict, and the wisdom of allowing these professionals to guide their family to a resolution that is based on goals and interests rather than positions.

To help us with this transition, I am so very pleased to welcome our new Executive Director, Anne Tamar-Mattis, to the IACP. I truly believe that her vision and perspective will allow us to achieve greater heights. She brings a

fresh outlook and an ability to respect the past without allowing it to hamper our ability to move forward. As John Fitzgerald Kennedy said, “Change is the law of life. And those who look only to the past or present are certain to miss the future.” We have honored the past and lived in the present, but we must now turn our gaze to avoid missing the future. The time for change has come and we will adapt to serve our community, our clients and our movement in a manner that brings greater value to all.

Thank you for your support of the IACP throughout the years, and for your continued commitment to support the IACP in the future. I hope each of you will heed a call to reach out to others in your community and encourage them to join you and support the IACP. We cannot affect a change in the way families resolve conflict without every Collaborative Practitioner embracing this call and supporting this cause. Seize this moment in time to share with your community the value you find in attending a Forum, reading the Collaborative Review or generally through your membership in the IACP. Take advantage of an opportunity to connect with a new community that is on fire with the promise of Collaborative Practice, and share the excitement you receive from that connection with your own community. Accept an active role in growing your personal Collaborative Community and sharing your experiences with others. Share yourself and your work with others to feed the fire we have built on the knowledge that there is a better way for all families to resolve their disputes through Collaborative Practice.



Christopher M. Farish, JD

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Save The Date!



Letter from the Editor

By Nancy J. Cameron, QC, LLB

This issue is dedicated to the IACP 2015 Divorce Experience Study. This project has been over three years from commencement to the publication of the articles in this issue, and there is still much more for us to explore and learn from the information we gathered. I would like to thank Linda Wray for her determination, perseverance and the endless amount of time she has spent shepherding this project from its inception.

We live in an era where "evidence-informed practice" has become a common aspiration. The adoption of Collaborative Practice by practitioners around the world shows how strongly the values underpinning Collaborative Practice speak to professionals working with those going through divorce. These values include: self-determination, respect, confidentiality, and support for all members of the family. As practitioners, many of us are passionate about providing a service that embodies these values to our clients to support them through their divorce.

Many Collaborative professionals have embraced the ethic of "do no harm." We strive to support our clients in building healthy, post-divorce families. The concepts of peace making and peace building resonate with many Collaborative professionals, who look to incorporate their desire for peace into their professional work. Yet other than anecdotal evidence from our clients, we have had no information to see if our values as practitioners resonate with client experiences. There is scant research available about people's experience of Collaborative Practice. The goal of the 2015 IACP Study was to begin to shed some light on this void. The 2015 Study is the first extensive survey (with 1186 responders) to compare the experience of those who used Collaborative Practice with those who used other divorce methods. Thanks to the time and effort put into the 2015 IACP Study, we were able to hear peoples' experiences in different processes, compile the information, and can now begin to derive meaning from it to inform our practice.

We have organized this edition to help you navigate through the information easily. There is a wealth of additional information that will be posted on the IACP website. The short piece on Methodology sets out the descriptors used for each process option people selected to describe their particular process. Understanding Correlation Coefficients is a brief description of correlation coefficients and what this means. This description is helpful to understand the satisfaction data, which is set out in How Process Satisfaction Correlates with Different Factors: Tables I through VII.

Barbara Kelly's article, The 2015 Divorce Experience Study, offers a background to the study. The last edition of the *Collaborative Review* offered more introductory information about the study in the article by Kelly and Wray, [IACP Client Experience Study](#). Linda Wray's article, Mining the Study: Factors that Impact People's Divorce Experience, outlines many of the significant findings of the 2015 Study. The Heller-Williger article, Satisfaction with Post-Divorce Family Relationship Outcomes: Implications from the 2015 Study is a deeper look at the parenting and relationship results. This article looks to the questions raised by the results, as we strive to improve our practice through an understanding of the 2015 Study.

Since the last issue of the *Collaborative Review* was published, the revised [IACP Ethical Standards](#) have been approved. If you have not yet read them, they can be downloaded from the IACP website. This is a wonderful opportunity for us to think about the intersection of our Ethical Standards and clients' process experience. I invite

all of you to explore the Standards and the 2015 IACP Study in your practice groups, for a rich discussion about how client experiences can inform the further development of our practice under the Ethical Standards.

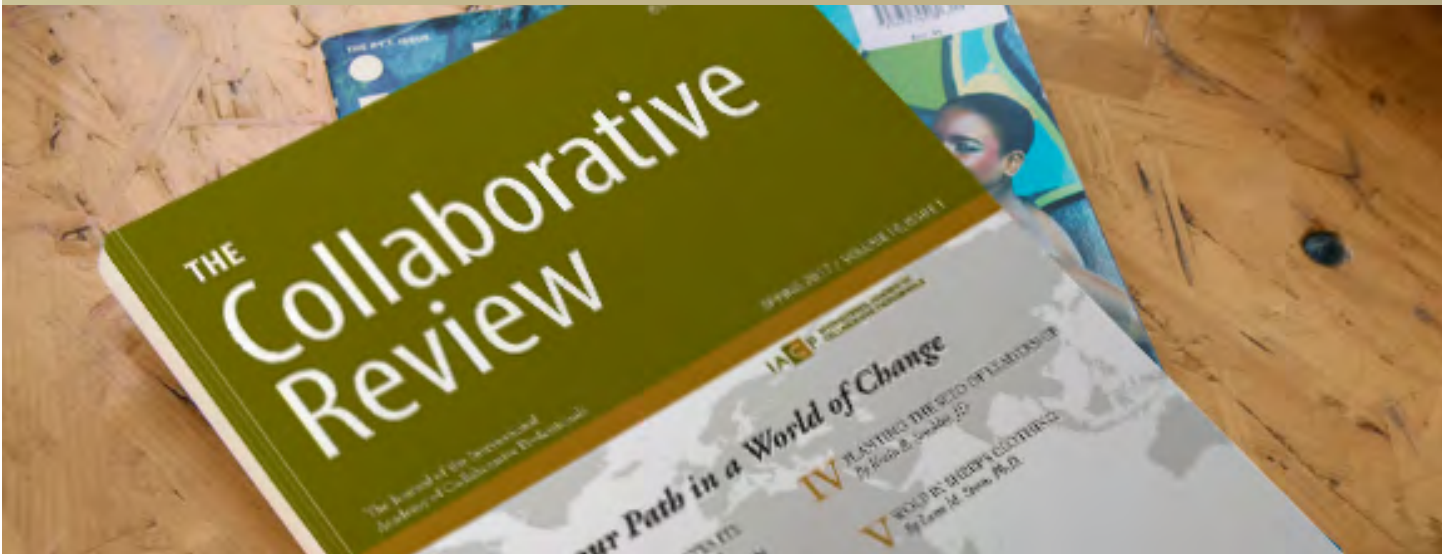
I would like to thank the Research Committee members from 2014 through 2017. The 2017 Research Committee included: Adam Cordover, Brian Galbraith, Randy Heller, Barbara Kelly, Anu Osborne, Kevin Scudder, Ellen Ware, Nancy Williger. A special thank you, with deep gratitude, to Linda Wray.



Nancy J. Cameron, QC, LLB

SUBMITTING AN ARTICLE FOR THE COLLABORATIVE REVIEW

With a circulation of more than 5,000, **The Collaborative Review** reaches practitioners around the world, as well as, law libraries, law schools, trainees, and other professionals with an interest in Collaborative Practice.



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The IACP 2015 Divorce Experience Study

By Barbara Kelly, PhD

One of the most exciting, interesting, and sometimes aggravating aspects of conducting a survey study is knowing that despite hours upon hours of meticulous preparation and planning, there is a very good chance the study will ultimately take on a life of its own. It will convey its own story and may wander from even the most thoughtfully explored and constructed predictions. For emerging areas of research, this dynamic becomes especially intriguing because it has the potential to uncover data perhaps not yet considered, to reveal a different perspective for future study, and to provide a catalyst for innovation. In this regard, the IACP Client Experience Study did not disappoint. The ongoing analyses and interpretation of the study data provides a thought-provoking framework for expanding our understanding about the experiences of divorcing individuals, challenging our assumptions as Collaborative practitioners, and informing our work as dispute resolution professionals.

To provide some history, the IACP Research Committee was first formed in 2005 by the IACP Board of Directors. The Committee was formed in response to a need expressed by the Collaborative community for objective information about Collaborative client satisfaction and to gather information to help answer frequently asked client questions. The Committee collected data to help answer questions such as: How long will my case take? How much will it cost? How many meetings will I need to attend? How likely is it that my case will settle in the Collaborative process? The 2005 IACP Research committee, chaired by Gay G. Cox and Linda K. Wray, developed the IACP Professional Practice Survey. This survey was used to collect data from 933 Collaborative cases within Canada and the United States. The results provided the sought-after information about the Collaborative process including demographics of Collaborative clients, utilization of

non-lawyer Collaborative professionals, settlement rates, length of cases, perceived difficulty of cases, number of face-to-face meetings, and fees paid. The findings from this study are discussed in the Research Edition of the Collaborative Review (Spring 2012).ⁱ Since then a number of Collaborative Practice groups as well as graduate students in law and mental health programs around the world have accessed the data from this study to develop and administer their own research. One limitation of the study noted in the discussion of the data was a lack of similar information regarding other divorce process options, specifically litigation cases, for comparison with Collaborative Practice data and Collaborative client satisfaction.

In 2014, the IACP Board of Directors authorized the Research Committee to begin working on a second study. The 2014 Research Committee sought to build upon the first IACP study by gathering data about client experiences and satisfaction from a diverse sample of divorced individuals using different process options, not just those who chose a Collaborative divorce. The Divorce Experience Survey was developed and in 2015 the second large scale IACP study was launched. In addition to asking for similar information collected by the Professional Practice Survey as described above, the Divorce Experience Survey contained a number of questions related to client satisfaction in four areas: process satisfaction, such as the respectfulness and cooperation shown in the process, outcome satisfaction, such as awards of alimony or parenting time, relationships satisfaction, such as post-divorce relationships with children or an ex-spouse, and well-being satisfaction, such as post-divorce emotional well-being. The survey was administered to 1186 divorced individuals within the United States, self-identified into one of four distinct divorce processes: Traditional Court, Collaborative Practice, Settlement

other than Collaborative Practice, and Do-It-Yourself.
ⁱⁱ This study addressed the lack of information about client experiences in divorce processes other than Collaborative Practice, and provided an opportunity to compare client experiences across process options.

Not knowing what the data would ultimately tell us, the 2014 Research Committee engaged in extensive discussion regarding the potential ramifications and outcomes of collecting and publishing this type of survey information. The committee felt this was an important next step in our research but that it was essential to be clear about the study's purpose. The intent was to highlight the many benefits of the Collaborative process by gathering comparative information from divorced individuals who chose a process other than the Collaborative process. The goal was not to conclude one process option was better than another, but rather to gather information illustrating the benefits of a Collaborative divorce and showcasing the many positive aspects and outcomes we all know the Collaborative process has to offer.

The committee embraced the concept of a quantitative methodology. Our study design involved surveying a large number of divorced individuals to quantify satisfaction across diverse areas, thereby uncovering facts and patterns regarding divorcing individuals' experiences. We expressed the appropriate curiosity to discover what the data would ultimately tell us. Perhaps what we were truly feeling was more along the lines of anticipation than true curiosity. If we were 100% honest with ourselves, as passionate Collaborative practitioners many of us were confident we already knew the study outcome and we were anxiously waiting for it to arrive. We were certain the data would overwhelmingly demonstrate that clients who chose a Collaborative process were more satisfied and achieved better outcomes than those who chose a different route, particularly traditional litigation. Along with this expectation was the misguided belief that once the survey responses were received and analyzed, the interpretation would be clear and straightforward. Boy, were we wrong! Our first glance at the data resulted in surprise (possibly shock) and then fortunately, a good working curiosity.

To our astonishment we discovered that the respondents in our study who participated in a Collaborative divorce were demographically significantly different from those who chose one of the other three divorce process options. Furthermore, those who chose a process other than Collaborative Practice appeared to be demographically more similar than different regardless of whether they divorced using a Traditional Court, Other Settlement or Do-It-Yourself process. How could we move forward with a comparison study of the Collaborative process when we didn't have any demographically comparable groups? Our committee had spent 18 months of dedicated energy and thousands of dollars on a comparison study to illuminate the benefits of the Collaborative process and the only groups we could realistically compare were the groups that did not involve a Collaborative divorce. To say that the committee was temporarily stunned and perhaps grief-stricken might be an understatement. This was one of those moments when we had to step back, reflect, and reevaluate. Unhappily, we were compelled to acknowledge our assumptions about how this study would conclude and set those assumptions aside. Once we did so, we were able to look at the data with genuine curiosity rather than through a preconceived lens. We shifted our focus from thinking about what the data could tell us about divorced individuals in comparison to each other but rather began exploring what the data could tell us about respondents in each of the groups. And with that shift, we soon discovered a wealth of unanticipated, exciting, thought-provoking, perplexing, and even intuitively logical information germane to our interest in better understanding client experiences and client satisfaction.

Driven by curiosity and the intrigue of the data, the committee began mining the study wanting to better understand the findings and what they might signify. In her article, "Mining the Study: Factors that Impact People's Divorce Experience", Linda Wray provides a comprehensive discussion highlighting the most remarkable study findings and exploring their implications and meaning. Nancy Williger and Randy Heller focus on their interest in post-divorce co-parenting and post-divorce relationships between parents and children. In their article they examine the data related to satisfaction

The IACP 2015 Divorce Experience Study (continued)

with post-divorce family relationship outcomes in each of the four processes, and offer their thoughts for understanding these findings. A summary description of the findings for each of the process options can be found in four data summary articles, [Collaborative Process Data Summary](#), [Traditional Court Data Summary](#), [Other Settlement Process Data Summary](#) and [Do-It-Yourself Data Summary](#) located in the member section of the IACP website. For those of you who would like to peruse the data in detail, this information can be found in the comprehensive [2015 Divorce Experience Study Report](#) also found in the member section of the IACP website.

As a member of the 2014 Research Committee who obsessed along with my fellow committee members about our method, design, survey questions, and anticipated results, this has been a three-year journey culminating in new insights and understandings. These have informed, shifted, and expanded my views about Collaborative practice, the needs of divorcing individuals, my role as a Collaborative coach, and my perspective as a trainer. You will have the opportunity to read about the findings from this study in this edition of the Collaborative Review written by members of the IACP Research Committee. However, these articles by no means exhaust the options for mining the data collected during the study or exploring how the findings might inform our work. For those of you who have an interest, I encourage you to access and review the raw data, and share your thoughts and insights.

Barbara E. Kelly, Ph.D.

Babara is a Collaborative practitioner, licensed psychologist and Florida Supreme Court Certified Family mediator. She is a founding board member of the Collaborative Family Law Group of Central Florida and continues to serve her practice group in this capacity. She currently serves on the International Academy of Collaborative Professionals (IACP) Board of Directors and as co-chair for the IACP Research Committee. She is a Collaborative trainer and has presented at the local, state and national levels regarding Collaborative practice.

Notes

ⁱThe Research Edition of the Collaborative Review, spring 2012, volume 12 (1) can be accessed in the member section of the IACP website. www.CollaborativePractice.com

ⁱⁱThe Client Experience Study is described in more detail in the Collaborative Review, spring 2017, volume 16 (1).

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MINING THE STUDY: Factors That Impact People's Divorce Experience

By Linda K. Wray, JD

The idea of comparing the experiences of people who used different process options to divorce is intriguing. It is particularly tantalizing if one expects uncontroverted evidence that the peaceful, dignified approach to family restructuring offered through Collaborative Practice leads to a healthier and more favorable experience than the experience of those using other processes. As a Collaborative lawyer very interested in research, I certainly succumbed to the lure of such a study. So I was surprised when the IACP's second large scale study delving into such a comparative analysis found that understanding the experience of people going through divorce is anything but straightforward. In this article I will highlight some comparative data that is informative, in some instances intriguing, and in many cases suggestive of a need for more research. I will also discuss factors that affect clients' experiences in divorce and those that appear to have little or no impact on their experience.

BACKGROUND OF THE 2015 STUDY

Demographic Differences between the Participants in Each Process

Research participants who used the Collaborative process were demographically quite different from those participants who used the Traditional Court process, those who used Other Settlement processes, and those handling their divorce on their own (DIY or Do-It-Yourself). Consistent with our findings in the 2010 IACP study, a comparatively large percentage of those using the Collaborative process were older, had been in longer marriages, had more children subject to their divorce (yes, even though they were older), earned more and had estates worth over half a million dollars.

The demographics of those who participated in the Traditional Court process and Other Settlement processes

were somewhat similar to each other. They were younger than those using the Collaborative process, had shorter marriages, had fewer children subject to the divorce, earned considerably less, and had much smaller estates. Those using a DIY process were the youngest participants in the study, had the shortest marriages, were the least likely to have children subject to the divorce, earned less and had smaller size estates than all other participants.¹

Participants Had Disparate Reasons for Choosing their Divorce Process

Survey respondents were given a list of fourteen possible reasons for choosing a process and asked to identify those that accurately reflected their reasons. Respondents were asked to check all of the following that applied:

It was the only process about which I was informed.

I believed I would receive a fair financial settlement.

I believed I would receive a fair sharing of parenting responsibilities.

I believed the needs of the children would be better met.

I believed I would have more control over the outcome.

I believed the process would be more respectful and less confrontational and adversarial.

I believed the process would offer more privacy.

I believed the process would lay a foundation for us to communicate effectively and respectfully into the future.

I thought this process offered the legal representation that I needed.

I did not believe my spouse and I could reach agreement without a third party decision maker.

I believed the process would cost less.

I don't trust lawyers.

It was the only process my spouse would use.

My lawyer recommended it.

Those who participated in a Collaborative process were clear about their reasons for doing so. An overwhelming

percentage of them (78%) did so because they believed it would be a more respectful process. As well, 57% of those using the Collaborative process indicated that they chose it because they believed it “would lay a foundation to communicate effectively.”

In contrast, those who chose the Traditional Court and those who chose Other Settlement process options indicated no predominant reason for doing so. The most frequently identified reasons for process choice amongst those who used the Traditional Court process were because the process “offered the legal representation needed” (29%) and because “my lawyer recommended it” (27%). Of the study participants who used Other Settlement process options, the most identified reason (35%) for their process choice was because it “would cost less.” A slightly smaller percentage (30%) indicated they chose their settlement process because it was a “more respectful process.”

Those who handled their process on their own were clearer about the reason for their choice: they did so because they thought the “process would cost less” (64%).

Difference in Case Characteristics

Professionals in case

The use of professionals (including lawyers) also varied across the four process options. As expected, all responders using the Collaborative process had legal representation, and each of their spouses was also represented by a lawyer. Only fifty-one percent (51%) of responders using the Traditional Court process indicated that both parties were represented by attorneys.ⁱⁱ Even fewer responders (42%) using the Other Settlement process reported that both parties were represented by any attorney.ⁱⁱⁱ As anticipated, neither responders, nor spouses of responders, using the DIY process were represented by an attorney.

Significantly more Collaborative cases than cases in other processes involved professionals other than lawyers. Almost three-quarters of all Collaborative cases involved at least one other professional, whereas less than half of all non-Collaborative cases involved another professional.^{iv}

Fees Paid

Participants in the Collaborative process, compared to participants in the other three processes, paid

Understanding Correlation Coefficients

A correlation coefficient is a statistical formula that measures the strength of the relationship between two variables. It is the degree to which changes in one variable predict a change in the other. In mathematical terms, it measures the extent of the linearity of the relationship between the variables.

Correlation coefficients are expressed as values between +1 and -1. A coefficient of +1 indicates a perfect [positive correlation](#). Correlations are positive when the values increase together. So a change in one variable will predict a change in the same direction of the second variable. Coefficients between .9 and .5 are considered high positive with less than .5 a low positive

A coefficient of -1 indicates a perfect [negative correlation](#). Correlations are negative when one value decreases when the other increases. So a change in one variable predicts a change in the opposite direction of the second variable. -.5 to -.9 are considered a high negative with below 0 but above -.5 a low negative.

A coefficient of 0 or close to 0 indicates that the variables aren't linked.

significantly more professional fees. This is as expected, given the fact that all of those using the Collaborative process, as well as their ex-spouses, used lawyers, and also used other professionals more readily than those in other options. Just over fifty percent of participants in the Collaborative process paid \$25,000 or more in fees to all professionals; 23% paid \$10,000 or less. In contrast, just 17% of those in the Traditional Court process and 13% of those using Other Settlement processes paid over \$25,000 in fees to all professionals, while 64% of those in the Traditional Court process and 75% of those in Other Settlement processes paid \$10,000 or less. Only four percent of those using the DIY process reported paying \$25,000 or more in professional fees while just over ninety percent reported paying \$10,000 or less.

Length of case

Collaborative cases took longer to resolve than the cases in other processes. Only 23% of Collaborative cases settled in six months or less. This compares to 41% of Traditional Court cases, 45% of Other Settlement process cases and 65% of DIY cases that settled in six months or less.

Difficulty of Case and Reasons for Difficulty

Those using Collaborative process self-assessed their cases as somewhat more difficult, compared to the difficulty ratings self-assessed by those using other processes. Approximately 25% of responders using the Collaborative process indicated that their case was difficult or very difficult,^v compared to 21% of those using the Traditional Court process, 19% of those using Other Settlement processes, and 8% of those in the DIY process.

Notwithstanding significant differences in demographics and case characteristics in each of the four process options, three out of a possible 29 factors were among the top two reasons for a difficulty rating in all four processes: significantly different views about legal issues, lack of trust, and little or no cooperation. Surprisingly, the factor most identified by Collaborative responders for the difficulty of Collaborative cases was “significantly different views about legal issues.” This factor was also identified as the factor most contributing to case difficulty in Other Settlement cases, but not in Traditional Court cases where resort to courts is often thought to be the result of differing views about legal issues.

	Significantly Different Views About Legal Issues	Lack of Trust	Little or No Cooperation
Collaborative	67%	63%	52%
Traditional Court	49%	56%	63%
Other Settlement	69%	59%	66%
DIY	30%	37%	52%

*Top two factors contributing to difficulty are highlighted in red.

CLIENTS’ SATISFACTION WITH THEIR CHOSEN PROCESS

Satisfaction with the process used is fairly high in all four process options: Collaborative Practice – 77%; Traditional Court – 70%; Other Settlement – 73%; and Do-It-Yourself – 83%.^{vi} Consistent with the foregoing, we did not find dramatic disparities in satisfaction with outcomes – financial, parenting, relationships, and well-being – between respondents in the four processes. There are certainly differences, which in many cases were amplified when comparing only cases across process options

that involve two attorneys. Those who handled their divorce on their own tended to be more satisfied across a multitude of factors than those in the other three process options, while those in Other Settlement processes (other than Collaborative) tended to have a modestly lower degree of satisfaction than those in the other processes.

These results are unexpected particularly with respect to responders’ reports in the Traditional Court process. Many Collaborative attorneys who also litigate, including this author, anecdotally report that litigated cases are fundamentally different than Collaborative cases; litigated cases, most especially those that end in a full blown court trial or settle on the eve of trial, are significantly more adversarial, focus much less on important relational outcomes, and cost more than Collaborative cases. Alternative Dispute Resolution has found a firm place in the legal landscape because of the recognition of the often-detrimental impact of litigation on families. An obvious question arising from this data is, “what accounts for the process satisfaction levels in the 2015 IACP Study?” When reviewing the results from the Traditional Court process option, we don’t know from the 2015 IACP Study the actual amount of litigation that occurred in any particular case.^{vii} Perhaps some cases involved a full-blown court trial on all divorce issues. But, given the fees paid in this process, it is more likely that those who self-identified into this process used a judicial officer to decide only one or a few, rather than all issues in their divorce. Or, it may be the case that a Judge decided one or more issues on written submissions, rather than based on evidence admitted in a court trial.

We have learned from the 2015 Study that those choosing different process options form different demographic groups and have different case characteristics. As well, the 2015 Study has identified significant variations between cases within each process option.^{viii} Given these multiple complexities, analyzing satisfaction levels across the many different factors included in the 2015 Study may not be meaningful. Further research and analysis designed to shed light on the experiences of those going through divorce, with more attention to demographics, case particulars and process characteristics, is needed.

MINING THE STUDY (continued)

I. Process Factors Most Highly Correlated with Satisfaction with Process							
	Problem Solving Process Used	Respectful-ness of Process	Control in Process	Attention to Responder's Needs & Interests	Efficiency of Process	Opportunity to Express Self	Degree of Cooperation
Collaborative	.734	.632	.775	.738	.734	.622	.610
Traditional Court	.696	.636	.657	.655	.654	.636	.657
Other Settlement	.704	.615	.606	.602	.572	.606	.567
DIY	.549	.605	.601	.610	.618	.560	.570

*Top two factors most correlated with satisfaction with process are highlighted in red.

II. Correlation Between Satisfaction with One's Own Attorney and Satisfaction with Process	
Collaborative Process	.666
Traditional Court Process	.628
Other Settlement Process	.695
Do it Yourself Process	N/A
Correlation Between Satisfaction with other Professionals and Satisfaction with Process	
Collaborative Process Financial Specialist	.425
Collaborative Process Coaches	.383
Collaborative Process Child Specialist	.399
Mediator used in Traditional Court Process	.539
Mediator used in Other Settlement Process	.499

The 2015 Study has illuminated, quite compellingly, information about factors that impact the experience of those going through divorce, regardless of the process used. The study reveals the extent to which *process* factors such as the respectfulness and cooperation shown in the process, *outcome* factors such as awards of alimony or parenting time, *relational* factors such as post-divorce relationships with children or an ex-spouse, and *well-being* factors such as post-divorce emotional well-being, influence how satisfied people are with the process they chose.

FACTORS THAT IMPACT CLIENTS' DIVORCE EXPERIENCE

Process Factors

Responders were asked to rate their satisfaction on 11 process factors, 5 financial factors, 5 parenting factors, 3 relationship factors and 4 well-being factors. All factors were then correlated with responders' satisfaction with the divorce process used. In the Collaborative, Traditional

Court and Other Settlement processes, process-related factors (not outcome related factors) have the highest correlation with process satisfaction. These factors include: the problem solving process used, respectfulness of the process, client control in the process, attention to clients' needs and interests, efficiency of the process, opportunity to express oneself and the degree of cooperation. These results are set out in Correlation Chart I. Stated another way, how the process was conducted was generally more important to parties than financial,^{ix} parenting, relational and well-being outcomes.

This result was strongest for those responders who chose the Collaborative process. Of particular importance to Collaborative responders is their sense of control over process, attention to their needs and interests, the problem solving process used and the efficiency of the process. The respectfulness of the process, opportunity to express one's self and degree of cooperation in the process, were all also strongly correlated with satisfaction with the Collaborative process.

MINING THE STUDY (continued)

III. Correlation Between <i>Amount</i> of Professional Fees Paid and Satisfaction with Process	
Collaborative Process	.170
Traditional Court Process	.203
Other Settlement Process	.302
Do it Yourself Process	.153
Correlation Between <i>Satisfaction</i> with Professional Fees Paid and Satisfaction with Process	
Collaborative Process	.554
Traditional Court Process	.562
Other Settlement Process	.530

IV. Correlation Between Satisfaction with Financial Outcomes and Satisfaction with Process						
	Financial Outcomes Generally	Division of Retirement, investment and bank accounts	Division of Debt	Housing Decisions	Alimony / Spousal Support	Child Support
Collaborative	.638	.370	.453	.398	.439	.318
Traditional Court	.602	.561	.488	.471	.588	.451
Other Settlement	.564	.419	.449	.409	.450	.373
DIY	.617	.566	.516	.522	.514	.434

V. Correlation Between Satisfaction with Parenting Outcomes and Satisfaction with Process							
	Parenting Outcomes Generally	Parenting Time Arrange-ment	Allocation of Decision Making	Emotional Well-Being of Children Post-Divorce	Ability of Respondent to Parent	Ability of Spouses to Co-Parent	Satisfaction w/ Co-Parenting
Collaborative	.354	.235	.333	.312	.200	.303	.256
Traditional Court	.527	.450	.585	.537	.454	.544	.324
Other Settlement	.503	.556	.406	.453	.459	.432	.406
DIY	.562	.470	.488	.498	.335	.482	.383

VI. Correlation Between Satisfaction with Post-Divorce Relationships and Satisfaction with Process				
	Post-Divorce Relationships Generally	Responder's Relationship w/Children	Former's Spouse's Relationship w/Children	Relationship w/ Former Spouse
Collaborative	.468	.008	.233	.356
Traditional Court	.445	.200	.348	.336
Other Settlement	.489	.323	.181	.394
DIY	.472	.337	.331	.391

VII. Correlation Between Satisfaction with Well-Being and Satisfaction with Process					
	Well-Being Generally	Emotional Well-Being	Ability to Co-Parent	Ability to Make Financial Decisions	Ability to Work and Earn an Income if Applicable
Collaborative	.500	.381	.256	.296	.276
Traditional Court	.477	.380	.324	.357	.428
Other Settlement	.510	.370	.406	.346	.276
DIY	.636	.526	.383	.489	.479

For those who used the Traditional Court process, the 2015 Study reveals that the factor most correlated with their process satisfaction was the problem solving process used.^x Almost as highly correlated with satisfaction with the Traditional Court process, were responders' experience of control over the process and the degree of cooperation experienced in the process. Other process factors, including respectfulness of the process, attention to responders' needs and interests, efficiency of the process, and opportunity to express one's self, are also more strongly correlated with satisfaction with the Traditional Court process than any outcome factors.

In Other Settlement processes, the problem solving process used was also the factor most highly correlated with satisfaction with the process, followed by the respectfulness of the process. As with the Traditional Court process, other process factors, including attention to responders' needs and interests, degree of cooperation, control over the process, efficiency of the process, and opportunity to express one's self, are more strongly correlated with satisfaction with the process than any outcome factors.

Process factors, while important to Do-It-Yourself respondents in terms of satisfaction, were less correlated with satisfaction with the process than in the other three options. The problem-solving process used, in particular, was not as important to DIY responders as it was to responders in the other processes. Those process factors most important to DIY responders were the efficiency of the process, followed by attention to their needs and interests and their control within the process.

For the DIY group, the most important factor was their post-divorce general sense of well-being.^{xi} Their satisfaction with financial outcomes generally speaking,^{xii} was as important as the two process factors most correlated with satisfaction with process: attention to the responders' needs and interests and efficiency of the process. Perhaps these results suggest that those who handled their divorce on their own were a bit more focused on their post-divorce lives, compared to those using the other three processes, who perhaps were more impacted by the divorce process itself. Also, when looking at this particular data, it is important to bear in mind the demographic differences of the DIY group.

Professionals

There is an intuitive sense that satisfaction with outcome would be the highest indicator of satisfaction with the process used. However, this is not what the 2015 Study tells us. Rather, the survey shows that in addition to satisfaction with several process factors, satisfaction with one's own attorney has a greater influence on one's satisfaction with the process used than outcome satisfaction: .666 - Collaborative Practice; .628 - Traditional Court; and .695 - Other Settlement (see Correlation Chart II).

In the Collaborative process correlations were not as strong between satisfaction with other Collaborative professionals used on a case and satisfaction with the process: Collaborative financial professionals - .425; Collaborative coaches - .383; and Collaborative child specialists - .399 (see Correlation Chart II). However, it may be important to note that the 2010 IACP Study revealed client perceptions about these other professionals that may not have surfaced in the 2015 Study. As part of the 2010 Study, clients were asked to rate their satisfaction/dissatisfaction with their own lawyer across a list of functions. Those results showed that the use of other Collaborative professionals in a case possibly increased clients' satisfaction with their Collaborative lawyer. As reported in the Research edition of the *Collaborative Review*:

"Clients indicated that they were somewhat satisfied to extremely satisfied with the performance of their own lawyer across a list of several functions:

- Maintaining respect for you personally and for your viewpoint
- Explaining matters so that you understood what was happening at each stage of the case
- Listening
- Identifying goals, interests, needs and concerns
- Assessing how the options met goals, interests, needs and concerns
- Communicating effectively with all participants
- Assisting you to determine which options were most acceptable to you both
- Helping develop a parenting plan

- Assisting to develop options for issues
- Assisting with gathering information

Notably, except with respect to the function of ‘helping develop a parenting plan’ clients’ satisfaction with their own lawyer’s performance trended up (although not to a statistically significant level) across all functions if a financial professional or one or more mental health professionals were involved in the case...” [Emphasis added]^{xiii}

In those Traditional Court cases and Other Settlement process cases where a mediator was used, satisfaction with the mediator was somewhat more strongly correlated with satisfaction with the process than was satisfaction with other professionals: Traditional Court - .539 and Other Settlement - .499. It is to be noted that in these cases, similar to the Collaborative cases, satisfaction with the responder’s own attorney was still more important for process satisfaction than satisfaction with the mediator or other professionals used (see Correlation Chart II).

The amount of professional fees paid is not correlated with responders’ satisfaction with the process chosen: Collaborative -.170; Traditional Court -.203; Other Settlement -.302; DIY -.153 (see Correlation Chart III). However, participants’ satisfaction with the fees paid, especially to their own lawyer, is moderately correlated with their satisfaction with the process: Collaborative -.554; Traditional Court -.562; and Other Settlement -.530 (see Correlation Chart III).

Financial Outcomes

The only outcome correlation that was fairly high in each of the four processes was the correlation between satisfaction with financial outcomes generally and the process used: Collaborative -.638; Traditional Court -.602; Other Settlement -.564; and DIY -.617 (see Correlation Chart IV).

Responders were asked one question regarding their satisfaction with the resolution of financial outcomes generally, and then five separate questions about their satisfaction with specific financial resolutions: division of retirement, investment and bank accounts; division of debt; housing decisions; spousal support; and child support. As shown in the correlation chart comparing satisfaction with financial outcomes and satisfaction with process (Correlation Chart IV), although there is a high correlation between satisfaction with financial outcomes generally and process, the correlation between satisfaction with

specific financial outcomes and process was weaker, and in many cases considerably weaker. This was particularly true in Collaborative cases, where each correlation between satisfaction with a specific financial outcome and satisfaction with process was weaker than the analogous correlation in each of the other three processes, except in one instance: the correlation between satisfaction with the division of debt and satisfaction with process.

Parenting Outcomes

Strikingly, as discussed in “Satisfaction with Post-Divorce Family Relationship Outcomes” (Heller and Williger), satisfaction with parenting outcomes is at best only weakly correlated with satisfaction with the Collaborative process. This is true whether responders were addressing their satisfaction with parenting outcomes generally, or whether they were addressing their satisfaction with specific outcomes, such as parenting time arrangements, allocation of decision making rights/responsibilities, and ability to co-parent (see Correlation Chart V).

In contrast, satisfaction with parenting outcomes generally, and with many specific parenting outcomes, is more significantly correlated with satisfaction with process in the Traditional Court, Other Settlement and DIY processes. In the Traditional Court cases, the ability of spouses to co-parent post-divorce, the emotional well-being of children post-divorce, as well as the allocation of decision making rights/responsibilities, are moderately-strongly correlated with satisfaction with the process. In the Other Settlement cases, the outcome regarding parenting time arrangements is moderately-strongly correlated with satisfaction with the process.

These findings raise many questions as suggested by Heller and Williger: Do those who choose the Collaborative process have a different comfort level going into divorce with their ability to parent and make decisions about their children, than those who choose other options? Or, do those using the Collaborative process have a comparatively dignified and respectful experience deciding parenting outcomes, such that the process experience rather than the outcome is more memorable? Is more energy spent on parenting matters in non-Collaborative processes, making parenting outcomes in non-Collaborative processes seemingly more important? Or are there fewer

parenting issues post-divorce in Collaborative as compared to non-Collaborative cases, making parenting outcomes less a consideration in assessing satisfaction with the divorce process? An understanding of this finding may help Collaborative practitioners better focus trainings and service delivery.

Post-Divorce Relationships

Somewhat similar to financial outcomes, responders in all four processes indicated that their satisfaction with general post-divorce relationships was moderately correlated with their satisfaction with the process chosen; in contrast, their satisfaction with specific post-divorce relationships, such as with their children or former spouse, or with their former spouse's relationship with their children, was at best weakly correlated with their satisfaction with the process (see correlation Chart VI).

Interestingly, in Collaborative cases, responders' satisfaction with their post-divorce relationship with their children has no correlation with responders' satisfaction with the Collaborative process. A correlation exists in each of the other processes, but each is weak. This finding may suggest that those going through divorce don't view their relationship with their children as connected with, or perhaps particularly impacted by, the divorce process.

Post-Divorce Sense of Well-Being

The 2015 Study results indicate that one's post-divorce sense of well-being appears to be more connected to the divorce process for responders in the DIY process than for responders in other processes. Those who used the DIY process indicated that their general sense of well-being post-divorce was strongly correlated with their satisfaction with the process; their satisfaction with specific factors, such as their post-divorce emotional well-being, their sense that they could make financial decisions, and their ability to work and earn an income, were all at least moderately correlated with their satisfaction with the process. However, as indicated earlier in this article, because of significant demographic differences with this group, their response in this category may also be at least partly driven by their demographics.

In comparison, those who used the Collaborative process indicated that their general sense of well-being post-divorce was moderately correlated with their satisfaction

with the process. However, their satisfaction with their ability to make financial decisions or work and earn an income, and their satisfaction with their ability to co-parent, were only very weakly correlated with their satisfaction with the process (see Correlation Chart VII).

CONCLUSION

Those going through a divorce care about how the process was conducted – that is, whether a problem solving process is used, whether they had an acceptable level of control, the attention paid to their needs and interests, the respectfulness shown, and the cooperation involved, among other factors.

For those who retain an attorney, the attorney-client relationship is greatly valued, more so than the relationship with any other professional on a case. Presumably the experience of working with a professional looking out for one's interests is powerful, even in cases where a neutral may be doing significant work to help parties find common ground and areas of agreement.

Outcomes generally are less important than process. However, in all processes, those going through divorce equate their general financial well-being following a divorce with the process used.

Parenting outcomes are moderately correlated with satisfaction with the process chosen in all but the Collaborative process, where there seems to be very little correlation between the two. It is important that the Collaborative community do more to understand this phenomenon in Collaborative cases.

Finally, post-divorce satisfaction generally with family relationships and generally with own sense of well-being are moderately or somewhat strongly correlated to satisfaction with the process chosen, particularly in the DIY process. Satisfaction with specific factors within each of these two categories however is weakly correlated with satisfaction with process. More needs to be understood as to how parties assess their satisfaction with a general as compared to a related specific factor.

The 2015 Study has given us a rich quantity of data across different process options to help us better understand what matters for people going through divorce. Since the

demographic profiles of responders and the characteristics of cases differ among the processes, we cannot necessarily conclude a simple cause and effect between process and reported satisfaction across different dimensions. What the data does encourage us to do is deepen our curiosity, question our assumptions, and pay particular attention to help us better understand the differing needs of each individual we serve.

Notes

- ⁱ Perhaps one explanation for the demographic differences between the Collaborative Practice participants and those in the other three processes is that those who participated in the 2015 research project who had used the Collaborative process were invited to participate in the research by an IACP member. Those who participated in the other three processes were invited to take the IACP Survey through the very large data banks available to market researcher, Donald Winspear; Mr. Winspear informed this author that his data banks are representative of the population at large. In contrast, clients of IACP members are likely not representative of the population at large. See also, the 2010 IACP study discussed in the Spring 2012 edition of the Collaborative Review (Volume 12 Issue 1), and in the member section of the IACP website.
- ⁱⁱ One party was represented in an additional 39% of Traditional Court cases, and neither party was represented in 10% of these cases.
- ⁱⁱⁱ One party was represented in an additional 42% of Other Settlement cases, and neither party was represented in 17% of these cases.
- ^{iv} Notwithstanding the stated survey definition of DIY as involving no professionals, those choosing the DIY process were allowed to answer a survey question asking about professionals used, so as to learn more about participants' self-selection into this process. The data results indicate that of those choosing the DIY process, twenty-two percent (22%) used a mediator; five percent (5%) used a financial professional; five percent (5%) involved a custody evaluator; six percent (6%) involved a parenting coordinator; six percent (6%) involved a Guardian Ad Litem; and six percent (6%) involved an arbitrator. This may imply that those who chose the DIY option perceived DIY to mean without the engagement of attorneys.
- ^v In the 2010 Study, the professionals rated the difficulty level of cases. Forty percent (40%) of cases were rated difficult or very difficult – 25% as difficult and 15% as very difficult.
- ^{vi} It should be noted that in all processes, neither the incomes of participants, nor the size of their marital estate, nor total fees paid in a divorce, are predictive of participants' satisfaction with the process in which they participated.
- ^{vii} Robert F. Cochran, Jr., *Legal Ethics and Collaborative Practice Ethics*, 38 Hofstra L. Rev. 537 (2009), as published in the IACP Collaborative Review, located at: https://www.collaborativepractice.com/media/6586/vol11_WINTER2010_11.pdf
- ^{viii} The survey definition of the Trial Court (in Traditional Court Process) was as follows: "Decisions were made by a 3rd party. A Judge or other third party (arbitrator, special master, magistrate, etc.) made one or more substantive decisions involving parenting, division of property, support and/or domestic violence." ^{viii} For example, formal discovery and neutral professionals were used more in two-attorney cases in the Other Settlement and in the Traditional Court process than in cases with only one attorney or no attorneys. And, as reported above, perhaps as many as 25% of those in the DIY process used at least one professional.
- ^{ix} As indicated in Correlation chart IV, responders' satisfaction with financial outcomes, generally speaking, was important to their overall satisfaction with the process. Their satisfaction with specific financial outcomes was not similarly strongly correlated with their satisfaction with the process chosen.
- ^x Sixty-five percent (65%) of those who used the Traditional Court process were satisfied or very satisfied with the problem-solving process used.
- ^{xi} Specific well-being factors, however, such as emotional well-being, ability to co-parent, ability to make financial decisions and ability to work and earn an income, if applicable, were not as highly correlated with satisfaction with the DIY process, as other process factors.
- ^{xii} Again, specific financial outcome factors, such as child support, spousal support paid/received, and division of debt, were not as highly correlated with satisfaction with the DIY process, as other process factors.
- ^{xiii} Wray, L., What Clients Say About Their Experience in the Collaborative Process, Spring 2012 edition of the Collaborative Review (Volume 12 Issue 1), page 19.

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Satisfaction with Post-Divorce Family Relationship Outcomes: Implications from the 2015 Study

By Randy Heller, PhD and Nancy Williger, MSW, PhD

Divorce marks the end of a marriage, but not the end of the family. If there are children, there will be birthdays, holidays, and other special occasions that will require the family to come together after divorce. If children are going to thrive, many of these occasions will require parents to come together after divorce in a healthy way. Research shows that if parents can minimize conflict as well as develop and maintain their co-parenting relationship, the children can and will do well.¹ We know that the rules, roles, communication, and the structure of the family system prior to divorce will evolve to a new normal after the divorce. It is the intention of Collaborative practitioners to begin a process of restructuring the family system during divorce so that this new normal does not terminate the family relationships, but instead allows for a healthy co-parenting relationship.

Many individuals who enter the divorce process articulate their desire to preserve the integrity of the co-parenting relationship and the children’s best interest in the midst of the fear, anger, and grief of putting their marriage to rest. They also prioritize both their post-divorce relationship with their children and a concern for their own well-being. Do the process options people choose for their divorce affect the outcome of their family relationships post-divorce? Collaborative practitioners make a significant effort to focus on parents’ goals in addition to completing the legal aspects of the divorce. The data gathered from the recent study conducted by the International Academy of Collaborative Professionals (the “2015 Study”) helps us understand more about responders’ experiences of the divorce process they chose and how they view the process’s impact on the outcome of their family relationships.

This study surveyed 1186 individuals across four process options: Traditional Court process, Collaborative process, Other Settlement processes (other than

litigation or Collaborative process, including lawyer to lawyer negotiation), and Do it Yourself process (DIY). Among many other variables, responders were queried regarding their satisfaction with the following post-divorce relational outcomes: resolution of parenting issues, relationships among family members, and their perception of their own wellbeing.

The following depiction of the data shows that in all four options, participants generally felt somewhat satisfied about their own emotional well-being and the well-being of their children.

I. Satisfaction with Your Own Emotional Wellbeing

	Satisfied	Neutral	Dissatisfied
CP	81%	7%	12%
Traditional*	75%	10%	15%
Other Settlement*	63%	8%	29%
DIY	81%	9%	10%

II. Satisfaction with the Wellbeing of Your Children

	Satisfied	Neutral	Dissatisfied
CP	72%	10%	18%
Traditional	65%	14%	21%
Other Settlement	61%	8%	31%
DIY	75%	15%	10%

**All of the Traditional and Other Settlement Cases in each table have two lawyers involved*

Responders also felt reasonably satisfied about their own ability to parent their children effectively across processes. Regardless of how their co-parent perceives them (see Chart VIII), they experience a sense of confidence in their new role as a single parent.

III. Satisfaction with Your Ability to Parent Effectively

	Satisfied	Neutral	Dissatisfied
CP	81%	7%	12%
Traditional	76%	13%	11%
Other Settlement	73%	9%	18%
DIY	78%	13%	13%

The next two tables display that while responders feel fairly satisfied about their own ability to co-parent, they may not be as optimistic about how well they and their spouse will co-parent together. This may imply that they perceive themselves as able to behave appropriately, but they do not feel they can rely on their ex-spouse to do the same.

IV. Satisfaction with Your Ability to Co-Parent

	Satisfied	Neutral	Dissatisfied
CP	76%	8%	16%
Traditional	71%	9%	20%
Other Settlement	64%	14%	22%
DIY	75%	16%	8%

V. Satisfaction with the Ability of You and Your Former Spouse to Co-Parent Your Children Effectively Together

	Satisfied	Neutral	Dissatisfied
CP	64%	9%	27%
Traditional	61%	13%	27%
Other Settlement	49%	12%	39%
DIY	70%	18%	12%

The data in the above chart suggests that the DIY responders, among responders in all process options, saw themselves as most able to co-parent with their ex-spouse. Since these couples chose to complete their divorces with little or no professional help, they may have come into the process with a greater ability to work together. It is unclear from the data why responders who chose Other Settlement processes have such a low degree of satisfaction in their ability to co-parent.

The data also suggests that, with the exception of the DIY group, a majority of the responders in all other

processes (including Collaborative process) were not satisfied with their relationship with their ex-spouse after the divorce. The chart below shows the lowest satisfaction scores in all the results having to do with post-divorce family relationships.

VI. Satisfaction with Your Relationship with Your Former Spouse

	Satisfied	Neutral	Dissatisfied
CP	45%	20%	35%
Traditional	43%	24%	37%
Other Settlement	40%	20%	40%
DIY	63%	17%	20%

These ratings might indicate that it is most difficult to heal the wounds that developed during and through the end of the marriage, especially when the conflict was high enough to lead people to use outside professionals to facilitate their divorce.

There was also a large difference between how responders expressed satisfaction regarding their own as well as their ex-spouse's on-going relationship with their children post-divorce.

VII. Satisfaction with Your Relationship with Your Children

	Satisfied	Neutral	Dissatisfied
CP	87%	4%	9%
Traditional	91%	4%	5%
Other Settlement	92%	4%	4%
DIY	88%	8%	4%

VIII. Satisfaction with Your Former Spouse's Relationship with Your Children

	Satisfied	Neutral	Dissatisfied
CP	58%	16%	26%
Traditional	61%	12%	27%
Other Settlement	52%	16%	32%
DIY	68%	12%	20%

When analyzing quantitative data, there may be many

variables that influence a person's response to any given question. In an effort to understand more about the connections between specific variables and a responder's satisfaction with their chosen process option, the Research Committee decided to conduct a Correlation Coefficient Analysis to determine if satisfaction with the relationship variables identified above is related positively, negatively, or not at all related to their satisfaction with a particular process. The duration of this article will focus on the results of that analysis. The overall correlation data is reported extensively in the article, *Mining the Study: Factors that Impact People's Divorce Experience*.

For those who chose the Collaborative process, the correlation between satisfaction with the outcome of parenting issues, the ability to co-parent, and even the emotional well-being of the children, was minimally related to their satisfaction with the Collaborative process. Correlations ranged from (.200 - .354: see Correlation Chart V). Other factors, such as the relationship with their attorney and satisfaction with the process, appear to be much more significantly correlated with process satisfaction. The correlation between responders' post-divorce satisfaction with their family relationships and with the Collaborative process is low to moderate. This is striking, given that Collaborative practitioners strive to aid divorcing couples and their children in restructuring and sustaining positive relationships post-divorce. Surprisingly, the data gathered shows that responders' satisfaction specifically with their post-divorce relationship with their children depicts virtually no relationship with their satisfaction with the Collaborative process (.008). Their satisfaction with their former spouse's relationship with their children is very weakly correlated with their satisfaction with the Collaborative process (.233). Responders' post-divorce satisfaction with their relationship with their former spouse is a bit more strongly (but still somewhat weakly) correlated with their satisfaction with the Collaborative process (.356: Correlation Chart VI).

In the DIY and Other Settlement processes, there appeared to be stronger correlations between responders' satisfaction with Parenting/Co-parenting outcomes generally and their satisfaction with the process (.562 –

DIY; .503 – OS). The correlations between satisfaction with several specific parenting outcomes were also significantly stronger in DIY and Other Settlement cases as compared to CP cases: .406-.556 (OS); .383-.498 (DIY); .200 – .333 (CP) (Correlation Chart V).

Responders' satisfaction with their post-divorce family relationships, generally speaking is moderately correlated with their satisfaction with the DIY process (.472) and with Other Settlement processes (.489: Correlation Chart VI). Satisfaction with specific family relationships, however, is only weakly correlated with satisfaction with the process chosen. For example, the correlation between the responders' satisfaction with their relationship with their children and their satisfaction with the process used is .323 (OS) and .337(DIY) (Correlation Chart VI).

Those who used the Traditional Court process showed a stronger connection between process satisfaction and most parenting outcomes than those using other processes (see Correlation Chart V). While the correlation between process satisfaction with the general resolution of parenting issues and those responders' in the Traditional Process was .527 (slightly lower than in the DIY process), the correlation on several specific parenting outcome factors was comparatively high: emotional well-being of their children (.537), ability to co-parent with their former spouse (.544), and allocation of decision making ability regarding their children (.585). There appeared to be a lesser correlation between satisfaction with the Traditional Court process and parents' satisfaction with their ability to co-parent (.324: Correlation Chart V).

In studying the data related to the Traditional Court process, the correlation between responders' satisfaction with their post-divorce relationships and satisfaction with the process is moderate (.445: Correlation Chart VI). However, as with the DIY and OS processes, the correlation between satisfaction with specific family relationships and satisfaction with process is weak. We discovered a weak correlation specifically between satisfaction with process and responders' satisfaction with relationships with their former spouse, their former spouse's relationship with their children, and interestingly, the lowest correlation occurred with regard to satisfaction with the process and responders' satisfaction with their relationship with their children (.200: Correlation Chart VI).

When we reviewed the data, we were surprised with the weak correlation between process satisfaction and post-divorce family relationships. Since most responders had no experience with a process option other than the one they chose, they likely had little information to compare it with in order to answer questions about process satisfaction. Many of us working in Collaborative process have been drawn to this work believing that if we can provide families with a skilled, supportive Collaborative team, clients will have a high level of satisfaction. Many of us share the assumption that this increased satisfaction with process will be reflected not only in improved post-divorce family relationships, but also in improved satisfaction with these relationships. In an effort to utilize the 2015 Study findings to increase our ability to better serve families, we need to increase our curiosity and check our basic assumptions. As professionals, are our aspirational process goals for clients realistic? Are our values about Collaborative process consistent with client values? Divorce can be chaotic and emotionally charged. Being curious about a range of factors and information, listening closely to our clients and acting on what we learn may help us increase client process satisfaction and incrementally increase satisfaction with their relationships post-divorce. Some questions that may help us explore this topic include:

- How does a client's relationship with their partner influence their choice of process option?
- How does a client's pre-divorce relationship influence their post-divorce relationship, and how

does this influence their overall satisfaction with the divorce process?

- When we explore reasons for choosing a process, do those choosing Collaborative process self-select because they believe their children's wellbeing is of highest importance? Do they self-select because their relationship with the other parent is agreeable enough that they choose to work things through, thus don't believe the process significantly impacted their post-divorce relationship?
- Do those who choose the Traditional Court process assume that because of their relationship with their partner they need a third party to resolve their disputes, with clear orders?
- Is it possible that a given process can improve parents' relationship over the course of a divorce?

Overall, the data from the 2015 Study shows that people come out of divorce feeling better about themselves than we might have thought and perhaps worse about each other than we might have wished. Our challenge is to create more opportunity for dialogue about how to improve the latter.

Notes

- ⁱ Ahrons CR. Family ties after divorce: long-term implications for children. *Fam Process*. 2007 Mar;46(1):53-65. Review.

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IACP supports Collaborative Practice as a conflict resolution option worldwide by:

- *establishing and upholding the essential elements, ethical and practice standards of Collaborative Practice;*
- *fostering professional excellence by educating and providing resources to Collaborative practitioners;*
- *leading and integrating the Collaborative community; and*
- *promoting the growth of Collaborative Practice.*

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