

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. \_\_\_\_\_

**ORDER AUTHORIZING DIVORCE AND FAMILY LAW  
COLLABORATIVE PROCESS**

WHEREAS, the court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, recognizes that the collaborative process may be a suitable alternative to litigation in the family courts, and,

WHEREAS, the Supreme Court recognized that family cases needed a “system that provided non-adversarial alternatives and flexibility of alternatives; a system that preserved rather than destroyed family relationships; and a system that facilitated the process chosen by the parties.” In re Report of Family Court Steering Committee, 794 So. 2d 518, 523 (Fla. 2001);

NOW THEREFORE, pursuant to the authority vested in the Chief Judge by Rule 2.050 of the Florida Rules of Judicial Administration and Section 43.26 Florida Statutes, IT IS ORDERED AND ADJUDGED as follows:

1. The collaborative process is authorized in the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, to resolve dissolution of marriage and other family matters including all attendant issues therein according to the following specifications herein.

2. The collaborative process is a confidential process in which each party shall have his or her own lawyer, and which utilizes other professionals by agreement of the parties, including but not limited to financial advisors/accountants, mental health professionals and mediators, to assist in the settlement of issues of families in transition. The process is voluntary with the goal of settling all issues without litigation in the courts.

3. Parties to the collaborative process shall enter into a participation agreement, such as the sample agreement attached hereto. A participation agreement must be signed by the parties and counsel.

4. The collaborative process begins upon the execution of a participation agreement by both parties and their lawyers. All other professionals shall execute the agreement as well. If any family division case has been filed or is pending in the court, a copy of the participation agreement shall be filed in that action and shall serve to automatically abate that action for a period of 90 days, commencing on the on the date of filing unless the period is further extended by the court or litigation is activated in accordance with the participation agreement. Upon successful conclusion, and execution of a settlement agreement, the matter shall be brought before the court for conclusion in a timely matter.

5. The parties shall make complete and candid disclosure to allow the proper resolution of the issues at hand. The parties shall comply with Mandatory Disclosure Rule 12.285 and provide updated financial or other material information as the process matures. No formal discovery procedures will be used unless the parties agree.

6. The parties shall maintain the confidentiality of all oral and written communications relating to or arising from the collaborative process, their counsel, or other participants in the collaborative process, unless the parties otherwise mutually agree in writing.

7. During the collaborative process, if any written agreements are reached and the collaborative process breaks down or terminates prior to full resolution, the written agreements shall stay in full force and effect, and shall be ratified by the court and incorporated into an agreed order.

THIS ORDER shall become effective immediately upon execution and shall remain in effect until further order of the court.

DONE AND ORDERED in Palm Beach County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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Kathleen Kroll, Chief Judge  
In and for the 15<sup>th</sup> Judicial Circuit