

APPENDIX O: MODEL PROVISIONS FOR COLLABORATIVE SETTLEMENT AGREEMENT

TITLE: Collaborative Separation and Property Settlement Agreement or Collaborative Settlement Agreement

PARAGRAPH TO CORRECT MISTAKES:

The parties have arrived at this Agreement through the Collaborative Process and have committed not to take advantage of mistakes anyone makes in the process. If the parties learn of a mistake that is incorporated into this Agreement, they agree to bring it to the attention of the other party and the professional collaborative team and to work together to resolve and correct the mistake.

INTEGRATION PARAGRAPH:

On _____, the parties executed a Collaborative Participation Agreement. [IF THE PARTIES EXECUTED A SEPARATE PARENTING AGREEMENT ADD: On _____, the parties executed a Custody and Parenting Agreement, which shall remain in effect and is incorporated into this Agreement.] They intend that their obligations set forth in the Collaborative Participation Agreement shall survive after their execution of this Agreement. Apart from the provisions of the Collaborative Participation Agreement, which survive, this Agreement contains the entire understanding of the parties, and there are no representations, warranties, covenants or undertakings other than those expressly set forth herein. This Agreement supersedes all other prior or contemporaneous agreements between the parties other than the Collaborative Participation Agreement.

DISPUTES PARAGRAPH:

In the event that the parties are unable to resolve a dispute arising out of this Agreement, or any of the issues addressed in this Agreement, they agree to return to mediation, the Collaborative Process, or another alternative dispute process to try to reach resolution. They agree to pay the expenses of the process in [equal shares/shares in proportion to the income of each.