

CR

THE COLLABORATIVE REVIEW

AN INTERNATIONAL ACADEMY OF COLLABORATIVE
PROFESSIONALS JOURNAL

THE IMPORTANT WORK IS IN THE RELATIONSHIPS

- I. Collaborative Law and Avalanches:
Navigating Backcountry Terrain
By Deborah Gilman, PhD
- II. Climate Action: Is Collaborative Law
the Key?
By Maria Jose Anitua, ABC
- III. Integrating Law and Climate
Action for a Sustainable Future- An
Interview with Glenn Meier, JD
By Maria Jose Anitua, ABC
- IV. Review of Adam Kahane's: Everyday
Habits for Transforming Systems:
the Catalytic Power of Radical
Engagement
By Nancy J. Cameron, KC, LLB
- V. Large and Small Collaborative
Practice Groups: The Joys and Pains
By Rebecca Stanley, JD

THE COLLABORATIVE REVIEW IS A PUBLICATION OF THE INTERNATIONAL ACADEMY OF COLLABORATIVE PROFESSIONALS (IACP).

THE VIEWS EXPRESSED IN THE COLLABORATIVE REVIEW ARE THOSE OF THE AUTHORS AND MAY NOT REFLECT THE OFFICIAL POLICY OF THE IACP. NO ENDORSEMENT OF THOSE VIEWS SHOULD BE INFERRED UNLESS SPECIFICALLY IDENTIFIED AS THE OFFICIAL POLICY OF THE IACP. THE IACP IS NOT ENGAGED IN RENDERING LEGAL, ACCOUNTING, PSYCHOLOGICAL OR OTHER PROFESSIONAL ADVICE.

IF LEGAL ADVICE OR OTHER EXPERT ASSISTANCE IS REQUIRED, THE SERVICES OF A COMPETENT PROFESSIONAL PERSON SHOULD BE SOUGHT.

PUBLICATION STATEMENT

Table of Contents

LETTER FROM THE PRESIDENT	3
By Robert Arthur, JD	
LETTER FROM THE EDITOR	5
By Nancy J. Cameron, KC, LLB	
I Collaborative Law and Avalanches: Navigating Backcountry Terrain	7
By Deborah Gilman, PhD	
II Climate Action: Is Collaborative Law the Key?	16
By Maria Jose Anitua, ABC	
Spanish Translation	19
By Maria Jose Anitua, ABC	
III Integrating Law and Climate Action for a Sustainable Future - An Interview with Glenn Meier, JD	22
By Maria Jose Anitua, ABC	
Spanish Translation	25
By Maria Jose Anitua, ABC	
IV Review of Adam Kahane's: Everyday Habits for Transforming Systems: the Catalytic Power of Radical Engagement	27
By Nancy J. Cameron, KC, LLB	
V Large and Small Collaborative Practice Groups: The Joys and Pains	30
By Rebecca Stanley, JD	

IACP Board of Directors

PRESIDENT

Robert Arthur, JD, Wisconsin, US

PAST PRESIDENT

Selina Trigg, Christchurch, New Zealand

PRESIDENT-ELECT

Rajashree Suppiah, LLB

Kuala Lumpur, Malaysia

TREASURER

Tricia Peters, MA, MPAcc, CFP, Victoria, Australia

SECRETARY

Leslie Garrison, JD, Washington, US

DIRECTORS

Lisa Alexander, JD, BC, Canada

Christopher Arnold, JD, Ontario, Canada

Anthony Diaz, JD, Florida, US

Stephanie Dobson, JD, Alberta, Canada

Deborah Gilman, PhD, Pennsylvania, US

Natalie Goldberg, LCSW, Maryland, US

Randy Heller, PhD, New York, US

Jonetta Kapusta-Dorogi, JD, Ohio, US

Cheryl Panther, CPA/PFS, ADFA/CDFA,

Tennessee, US

Elaine Silvers, JD, Florida, US

AJ Skogerson, JD, Iowa, US

Collaborative Review Editor

Nancy J. Cameron, KC, LLB

IACP Staff

EXECUTIVE DIRECTOR

K. Malaika Walton, CAE

SENIOR MANAGER OF MEMBERSHIP OPERATIONS

Dolores Puppione

OPERATIONS MANAGER

Shannon Grossi

ADMINISTRATIVE ASSISTANT

Jasmine Polk

Correspondence should be addressed to:
International Academy of Collaborative Professionals

2665 Santa Rosa Ave #130, Santa Rosa, CA 95407

[P] +1.844.463.4500

[E] info@collaborativepractice.com



LETTER FROM THE PRESIDENT

By Robert Arthur, JD

The Important Work is in the Relationships

As Collaborative professionals, we understand that the most enduring change doesn't happen through paperwork or protocol alone. It happens in the space between people; in the relationships we form, protect, and transform.

This truth sits at the heart of our work. Whether we are supporting clients through divorce, separation, business transitions, probate disputes, family decisions, or other conflicts, the real power of Collaborative Practice lies in how we show up: with clarity, respect, and the intention to connect. The tools we use matter. But the how behind them—our mindset, our values, our relationships—is what changes lives.

In that spirit, I want to reflect on a conversation that is growing within the IACP community: What does it mean to “do Collaborative Practice” today?

For some, it means the full, formal Collaborative Process, what we might call “Big C” Collaborative Practice. That is the model defined by our Ethics & Standards and protocols. It includes a signed participation agreement, disqualification clause, and an interdisciplinary team of trained professionals. It can take many forms (two coach, neutral coach, facilitator, collaborative mediation, among others), but it remains the cornerstone of our work and the gold standard for Collaborative dispute resolution.

At the same time, our field is evolving. Many of us use Collaborative skills to other contexts: co-mediation, unbundled services, settlement-minded representation, hybrid models, and in other ways that I would love to hear about. We carry the same commitments to empowerment, dignity, respect, and problem-solving, just in different frameworks. This is sometimes called “little c” collaborative practice. While it does not replace Big C, it reflects a broader truth. Our Collaborative values are not confined to a process. They are lived through our professional skills and choices, every day.

That is why I believe the Ten Pillars of Collaborative Practice are such an important step forward for our community. Developed by the IACP Board to reflect our shared values, the Ten Pillars articulate the deeper commitments that unite Collaborative professionals around the world:

- Helping people in conflict make informed decisions that meet their needs and goals
- Customizing resolution methods to meet the specific situation and needs of everyone involved
- Providing holistic support across legal, financial, and emotional dimensions
- Keeping communication open throughout the process to build trust and understanding

- Creating an inclusive community that values diverse perspectives and lived experiences
- Upholding high standards of competence and ethics in every professional interaction
- Using interdisciplinary teamwork to support long- and short-term well-being
- Showing persistence and commitment in the face of challenge and complexity
- Protecting the privacy and confidentiality of all involved
- Promoting respectful and constructive communication

These statements are not tied to one specific model. They are bigger than that. The Ten Pillars describe a professional orientation, a shared platform of values and skills that can support any process, Collaborative or otherwise, when done with integrity.

Some have asked whether embracing the Ten Pillars dilutes the meaning of Collaborative Practice. I believe it does not. In fact, the opposite is true.

The Ten Pillars do not replace the formal Collaborative Process. They reinforce its foundations and offer guidance for professionals working in adjacent or evolving spaces. They help us explain our values to parties in conflict. They help us bring Collaborative principles into everything we do. Because the truth is, our commitment to collaboration should not begin and end with a signature on a participation agreement. It should be the throughline of our careers.

Of course, definitions still matter. A process without a participation agreement is not a Collaborative Process. That distinction is clear and worth maintaining. But just as important is this: not every dispute calls for the same structure. Not every client can access or benefit from the Big C model. And if we are truly a global community committed to transforming conflict, then we must offer a spectrum of approaches, all grounded in shared values. IACP needs to be prepared to be a home for that global community.

Perhaps we need better terminology. I don't like the "Big C" and "little c" names because they are awkward and difficult to explain. They also reinforce the idea that "little c" is diminished and inferior. I would love to see a conversation within IACP on how we can start with the Ten Pillars as a base, establishing new, more intuitive names for these concepts.

The Ten Pillars are not about lowering standards. They are about raising our collective awareness of what makes Collaborative work transformative, regardless of the label. They give us a common language for training, mentoring, and growing the next generation of practitioners. And they invite us to reflect on the relationships we build through our professional choices.

As we move forward, I encourage each of us to consider this: How are you embodying the Ten Pillars in your work, regardless of the process you are in? How are you building relationships—with your clients, your colleagues, your community—that reflect the future of this field?

The important work is in the relationships. And IACP is here to help you do that work with integrity, creativity, and heart.

Respectfully,

Robert Arthur
President, IACP



LETTER FROM THE EDITOR

By Nancy J Cameron, KC, LLB

I was at my granddaughter's university convocation ceremony recently. She is an artist, and the university she graduated from is named after a Canadian female artist, Emily Carr. Carr's painting and writing resonates with a deep connection to nature and to the Indigenous communities in British Columbia.

As I listened to those who spoke at the convocation, the recurring theme of protecting space for our creative souls resonated deeply with me. Two university alumni, a young man and young woman, were given an award honouring their contribution to the artistic community. The two had launched a non-profit, creating affordable studio space for artists in Vancouver, a city notorious for the extraordinary cost of housing.

When she received her award, the young woman said, "The important work is in the relationships." The words rang so true to me, I could hear them resonating in my heart. I knew that would be the title for this issue of the Collaborative Review.

I rolled the words around, like a marble on a slick floor, testing the words against each article in this issue of the Review. Deborah Gilman's article examines relationships from a number of different angles. Relationships within the families we work with, between the professionals, between each of us and our clients, between all the people gathered around the table, and our relationship with our own inner being. Her article is so full of wisdom, that I urge you to bring the article to your practice group and use it as a basis for deeper discussion and learning.

Which segues to practice groups, and the relationships within practice groups. Rebecca Stanley examines these, both the delights and challenges in large and small practice groups.

I am delighted that this issue contains Maria Jose Anitua Trevijano's article, *Climate Action: Is Collaborative Law the Key?*, as well as her interview on this subject with Glenn Meier. Through her work with the Empty Homes Collaborative, she has been able to launch a project that integrates and addresses challenges in three important areas: climate change, housing shortages, and environmental impact. Using the specific principles of Collaborative Law, the relationships between these three areas, as well as the relationships between the people involved, are deepened and strengthened. Let her work inspire you, and help us honor the potential born from the creative as we work to expand Collaborative Process.

I was fortunate to receive a pre-publication copy of Adam Kahane's newest book, *Everyday Habits for Transforming Systems*, which I review in this issue. All of the habits Kahane describes are based in relationships: our relationship with a system, our relationships with different people, including those we

share similar understandings with and those we disagree with or are in conflict with. Kahane also comes back to our relationship with ourselves and all we do in the world, and the importance of both relaxing and persevering.

Some of the Canadians have been putting in a tremendous amount of time to plan and organize the 2025 Canadian Collaborative Rocky Mountain Conference: Cultures of Collaboration. The conference is taking place at the spectacular Fairmont Banff Springs Hotel, from November 7 through November 9, 2025, with pre-forum institutes on November 6. Registration is now open at www.canadiancollaborative.ca/. We have all missed gathering in person, and now have an opportunity to do that in a stunning mountain backdrop. I hope to see you there. Not only is the important work in the relationships, but also the fun and comradery is in the relationships. In these difficult times, it is vital that we take the time for fun and the time to embrace and strengthen our community. Come and see the majesty of this landscape, the present-day territories of Treaty 6, 7, and 8, as well as the Metis Homeland.

A handwritten signature in black ink, appearing to read "N. Cameron". The signature is stylized with a large, looped "N" and a cursive "Cameron".

Nancy Cameron, KC, LLB

By Deborah Gilman, PhD

Skiing the backcountry and engaging in a Collaborative Law Process share a striking similarity in their emphasis on careful navigation, preparation, and risk management. Both involve venturing beyond the conventional to explore uncharted territories where unpredictability reigns. Both require understanding the landscape, detailed planning, making certain you have the proper gear, assessing potential dangers, and continuing to assess and verify conditions.

This article explores the metaphor of avalanche terrain as a framework for understanding and managing conflict in Collaborative Law. By equipping professionals with the tools to recognize danger, mitigate risk, and recover from process breakdowns, I aim to empower practitioners to navigate these challenging landscapes successfully.

I. Understanding the Landscape: The Emotional Terrain in Collaborative Law

Just as backcountry skiers must identify physical signs of avalanche risk, Collaborative professionals must recognize the emotional terrain signaling potential breakdowns. This requires understanding both external dynamics and internal landscapes. Thorough preparation is essential, akin to assessing snow conditions before a backcountry excursion. This involves setting clear goals, understanding client needs, and outlining potential challenges. Both endeavors thrive on communication and teamwork—backcountry skiers rely on each other for safety and support while professionals and clients rely on each other in navigating through complex disputes. Effective communication and teamwork are paramount—much like skiers relying on each

other for safety, Collaborative Law professionals should maintain open, honest communication among team members and clients. Through active listening, respecting differing perspectives, curiosity, and awareness, teams foster an environment conducive to constructive dialogue. Additionally, anticipating potential obstacles is crucial. Just as backcountry skiers scout for dangers like avalanches, Collaborative Law professionals should identify possible stumbling blocks in negotiations and strategize on how to navigate through them effectively. Finally, ongoing education and adaptation are vital. Backcountry skiers continuously refine their skills; similarly, Collaborative Law professionals should stay updated on legal developments, conflict resolution techniques, and communication strategies, adapting their approach to meet the unique needs of each case. The Collaborative Law Process can yield exhilarating outcomes when approached with careful consideration, preparation, and a shared commitment to reaching a successful resolution.

II. Detailed Planning

A. Get the Forecast: Assessing Complexity

Every Collaborative Law case carries its own set of intricacies and challenges. Much like preparing for an avalanche-prone backcountry expedition, professionals must assess the terrain before diving in. In Collaborative Law, that means understanding the emotional, relational, and psychological complexities that can destabilize the process. High-conflict personalities (HCPs), entrenched power dynamics, and unresolved emotional wounds are just a few of the factors that may pose significant risks. These elements, if not identified

COLLABORATIVE LAW AND AVALANCHES... (CONTINUED)

early, can lead to emotional avalanches that derail the entire Collaborative Process.

To effectively manage these risks, professionals must conduct thorough and ongoing assessments of the emotional and relational dynamics at play. This requires more than just assessing the facts of the case—it involves understanding the nuanced human elements that influence decision-making, behavior, and communication. Here's how to approach this critical task:

Conduct Thorough Pre-Meetings to Gauge Emotional and Relational Complexities.

Before embarking on any Collaborative Process, it's essential to gather information from both parties in a comprehensive and intentional way. Pre-meetings or intake sessions allow professionals to understand the emotional and relational layers that could influence the case. These discussions should cover:

- Personal histories: Past relationships, significant emotional events, or trauma that may be resurfacing during the case.
- Behavioral patterns: Observing any signs of high-conflict personalities (HCPs), including tendencies toward emotional volatility, manipulation, or avoidance. Understanding these patterns helps in anticipating potential conflicts.
- Power dynamics: Identifying any power imbalances that may exist, whether financial, emotional, or psychological. Power imbalances can fuel resentment or distrust, which in turn could disrupt the process.

The goal is to get a clear picture of the emotional state of each party and their ability to engage in constructive dialogue. Gathering this information in advance helps to prepare for potential emotional pitfalls before they erupt during meetings.

Develop a Clear Understanding of the Parties' Goals, Fears, and Triggers

In addition to the general emotional landscape, professionals must explore the deeper drivers

behind each party's actions. Understanding the underlying motivations, fears, and triggers is essential for guiding the conversation in a productive direction. Key factors to explore include:

- Goals and desires: What does each party hope to achieve through the Collaborative Process? Whether it's financial security, emotional healing, or a fair custody arrangement, understanding these goals will help steer the discussions toward meaningful solutions.
- Fears and anxieties: Unspoken fears often lie beneath surface-level concerns. One party might fear abandonment, loss of financial stability, or losing access to children. These fears can lead to defensive behaviors or escalation of conflict.
- Triggers: Every individual has emotional triggers—situations or comments that provoke heightened reactions. Identifying these triggers early on allows professionals to de-escalate potential flare-ups before they derail the conversation. For instance, if one party reacts strongly to perceived insults or criticisms, the Collaborative professional can be proactive in framing conversations to minimize those triggers.

By understanding each party's psychological landscape, professionals can tailor their approach to meet each individual's needs and minimize the chances of conflict spiraling out of control.

Regularly Revisit These Assessments as the Case Progresses

Emotional dynamics are not static; they evolve as the case unfolds. As the parties move through the Collaborative Process, new issues may arise, old wounds may resurface, and individuals' emotional states may fluctuate. Thus, the initial assessment should not be seen as a one-time event. Instead, professionals should regularly revisit and update their understanding of the emotional and relational complexities at play.

- Ongoing check-ins: Regularly check in with clients, whether individually or as part of the

COLLABORATIVE LAW AND AVALANCHES... (CONTINUED)

group, to reassess their emotional states, concerns, and goals. These check-ins provide an opportunity to course-correct before issues become too entrenched.

- **Team collaboration:** Professionals should engage in regular team debriefings to share insights about the parties' emotional progress and any emerging risks. This collaborative approach helps to ensure that everyone is aligned and prepared to respond to new challenges as they arise.
- **Adapting the approach:** As emotional dynamics shift, professionals should be flexible in their approach. This may mean adjusting strategies for conflict management, re-engaging with individuals who are struggling emotionally, or addressing newly emerging power struggles.

By staying attuned to the evolving emotional landscape, professionals can keep the Collaborative Process on track, even when faced with unexpected challenges.

B. Plan the Trip: Build the Right Team

Much like embarking on a backcountry skiing adventure, the success of a Collaborative Law case hinges on the strength and cohesion of the team involved. Just as a skier would not tackle a challenging black diamond slope without the right gear, skills, and support, a Collaborative Law professional should be cautious about taking on the most complex cases without ensuring that the team is appropriately equipped—in terms of competence and experience.

Collaboration is inherently dependent on the interplay between professionals with distinct areas of expertise, whether they are lawyers, financial experts, child specialists, or mental health professionals. However, the true power of the Collaborative Process emerges when these professionals work seamlessly together. Therefore, building the right team is not just about gathering individuals with the right qualifications—it's about assessing how their skills, backgrounds, and interpersonal dynamics align to ensure a smooth, effective process.

Evaluate the Group's Collective Strengths and Address Potential Blind Spots or Biases

Much like a ski team assessing the terrain and each other's skills before embarking on a run, a Collaborative professional must evaluate the team's collective strengths and potential weaknesses before diving into a case. In the context of Collaborative Law, the team must be capable of handling the unique dynamics and challenges each case presents, and that requires a deep understanding of the strengths and limitations of each team member.

- **Competence and experience:** Just as a seasoned skier is capable of navigating difficult terrain that a novice would avoid, each professional in the team should bring a specific set of skills to the table. For example, the financial expert should have the depth of experience to handle complex asset divisions, while a mental health professional should have experience dealing with high-conflict personalities or emotionally charged situations. Newer professionals might be less prepared for certain situations, and it's crucial to recognize when to bring in more experienced team members to navigate a complex case.
- **Complementary skills:** Think of this like assembling a ski team in which each person is assigned to the task at which they excel. In Collaborative Law, professionals must be able to identify which team members excel in different aspects of the case—whether it's legal expertise, financial analysis, or emotional intelligence. This complementary skill set is crucial for building a team that can tackle the emotional and logistical complexities of the case.
- **Addressing blind spots and biases:** Every professional brings their own set of biases or blind spots from personal experiences, cultural backgrounds, or professional training. These can affect their ability to fully understand the other party's needs, interpret emotional dynamics, or engage effectively with the clients. A successful team works collaboratively to acknowledge and

address these blind spots. Just like a skier learns to trust the advice of more experienced team members regarding conditions they might not see, professionals must be open to learning from each other's perspectives. Regular debriefings and team discussions can help ensure everyone remains aligned and mindful of any biases that might cloud judgment or interfere with the process.

Foster Open Communication to Ensure Alignment Throughout the Case

Clear and consistent communication is one of the key factors that determine whether a skiing trip is successful or disastrous. In the same way, fostering open communication among the team is essential for ensuring alignment throughout a Collaborative Law case. Without effective communication, team members may begin to work at cross-purposes, and this can lead to confusion, breakdowns, and ultimately, a failed process.

- **Setting clear roles and expectations:** Much like a ski team designates roles (who's leading, who's scouting the terrain, etc.), it's vital to establish clear roles within the Collaborative team. Each member should understand their responsibilities, the scope of their expertise, and how they will collaborate with others. When roles and expectations are clearly defined, team members can focus on their strengths and avoid overstepping into areas where they lack competence.
- **Continuous check-ins and feedback loops:** As a skier assesses the conditions and their performance throughout a trip, a Collaborative team must engage in regular communication to monitor the progress of the case and recalibrate as needed. This includes team meetings to discuss the emotional dynamics, client progress, and any new developments. These regular check-ins ensure that all team members are on the same page and that any emerging risks or concerns are promptly addressed. It's also important to ensure that each member has an opportunity to share their observations and insights, which

can lead to new strategies or adjustments that improve the process.

- **Transparency and trust:** In the same way that a skier trusts their team to provide honest feedback about the terrain, each Collaborative professional must foster an environment of transparency and trust. When professionals feel empowered to speak openly about challenges or concerns, the team can collectively problem-solve and adjust as needed. If a team member is struggling with a particular aspect of the case, it's better to address it early rather than allow misunderstandings or frustrations to fester and undermine the process.
- **Collective problem-solving:** Similar to how a ski team will collectively assess an unexpected obstacle or change in conditions (such as a storm or a dangerous snowpack), a Collaborative team must be able to work together to solve problems as they arise. Flexibility and adaptability are essential when things do not go as planned. Whether the problem is a miscommunication with the client, a shift in the case dynamics, or the emergence of new emotional tensions, the team should be prepared to pivot and find a solution that is in the best interest of the clients and the process.

Know When to Seek Additional Support or Expertise

Sometimes, even the best-prepared ski team encounters a slope that is beyond their combined skill level, or they may face an unexpected shift in conditions that requires additional expertise. Similarly, in Collaborative Law, there may come a point where the team needs to recognize that the case is beyond their current collective capacity and seek additional support.

- **Specialized expertise:** Much like a ski team may call in a guide with more experience for particularly challenging terrain, the Collaborative team may need to bring in a specialist, such as a mediator, therapist, or financial expert, to manage particularly

complex aspects of the case. Recognizing when additional expertise is required helps prevent the case from unraveling and ensures that clients receive the support they need.

- Team capacity: Just as a ski team will assess their collective physical and emotional capacity to complete a challenging run, the Collaborative team must constantly assess their ability to manage the emotional and logistical demands of the case. If the team is feeling stretched thin or overwhelmed, it may be time to bring in additional professionals or consult with experienced colleagues for advice.

Experience Matters: Avoiding Overstretching the Team

Just as a novice skier would not want to take on a black diamond run before mastering the basics, a new Collaborative professional should carefully consider the complexity of the cases they are willing to take on. It's essential to recognize when a case might be too challenging, even for an experienced team, and to avoid overextending oneself or the team. Ensuring that each member has the appropriate background and experience for the case—whether it's handling high-conflict personalities, navigating complex financial issues, or managing sensitive emotional dynamics—prevents the case from becoming overwhelming and ensures a higher likelihood of success.

III. Making Sure You Have the Proper Gear: Self-Awareness and Preparation

Each professional brings personal strengths and vulnerabilities to the table. Reflecting on one's own triggers, biases, and capacity for resilience is critical.

Perform a Personal Inventory of Emotional Triggers and Areas of Discomfort

Just as a skier assesses potential hazards in the terrain, professionals in Collaborative Law must engage in self-reflection to identify emotional triggers and areas of discomfort that could compromise their effectiveness. Emotional triggers are situations, behaviors, or dynamics that

evoke strong, often involuntary, reactions. These triggers can range from client behaviors, such as defensiveness or aggression, to internal dynamics between team members or the emotional history embedded within the case.

Research on emotional intelligence (EI) suggests that a high level of self-awareness is key to emotional regulation and effective conflict resolution. According to Daniel Goleman, one of the leading researchers on emotional intelligence, self-awareness helps individuals recognize their emotional states and the impact of those emotions on their decision-making processes (Goleman, 1995). For Collaborative professionals, this means understanding personal biases, sensitivities, or past experiences that might affect their interactions with clients or colleagues.

Practitioners can begin by conducting a personal inventory of their emotional triggers. What types of behaviors, words, or dynamics tend to escalate emotional responses? For example, some professionals might feel frustrated when clients are unwilling to compromise, while others might be triggered by accusations or overtly hostile behavior. The key is recognizing these triggers in advance, so they do not sabotage the Collaborative Process. Reflection practices such as journaling or using tools like the Emotional Intelligence Appraisal can be invaluable in identifying and quantifying these emotional responses (Bradberry & Greaves, 2009).

In addition to identifying emotional triggers, professionals should examine areas where they feel less competent or more uncomfortable. These could include certain types of conflicts, particularly challenging clients, or aspects of the case such as financial matters or child custody. Knowing where one's comfort zone ends allows for greater focus on areas of development and may also signal the need for support from more experienced team members or specialists.

Professionals who engage in regular self-reflection, manage their emotional responses effectively, and commit to ongoing development are better equipped to handle the challenges of high-

stakes, emotionally complex cases. By performing a personal inventory of emotional triggers, developing strategies to maintain composure, and investing in continuous professional growth, Collaborative professionals can ensure that their “gear” is in top condition, allowing them to navigate the emotional and relational complexities of the Collaborative Process with confidence and clarity.

IV. Assessing Potential Dangers: Managing Resistance and Debris

In avalanche terrain, even the smallest misstep can lead to catastrophic consequences. A skier's weight at the wrong spot or, an unnoticed change in snow conditions can trigger an avalanche that spirals out of control. In the Collaborative Law process, resistance—whether from clients or team members—can act as a destabilizing force. If not managed effectively, this resistance can escalate and derail the entire process, causing harm to both the parties involved and the professionals attempting to facilitate resolution.

Resistance—if harnessed properly—can offer critical insights into the emotional, psychological, or relational barriers that clients or team members are facing. It serves as a signal, much like a crevasse in the snow, that there is an underlying issue that requires attention before the process can move forward.

Understanding Resistance: Its Roots and Implications

Resistance can manifest in many forms: from clients who are unwilling to participate fully, to team members who may have competing interests or unresolved biases. Just like a skier must understand the terrain before venturing forward, professionals in Collaborative Law must first understand the roots of resistance before attempting to address it.

Resistance can stem from various sources:

- **Emotional Overload:** The emotional stakes in divorce or family law cases are high, and clients often come into the process feeling overwhelmed. Resistance may arise when individuals feel unable to cope with the

emotional weight of their situation. This is particularly true when sensitive topics, such as child custody or financial division, are on the table.

- **Fear of Vulnerability:** Clients often resist sharing personal or painful details, fearing judgment or loss of control. Similarly, team members may hold back, reluctant to openly discuss their concerns about the case or the process.
- **Lack of Trust:** In the absence of trust between clients or within the professional team, resistance can manifest as guardedness, defensiveness, or passive-aggressive behavior. A lack of trust is one of the most common culprits in Collaborative Law cases, where the absence of a formal courtroom setting requires a deeper level of interpersonal trust.
- **Control and Power Struggles:** Resistance can also arise when clients or team members feel their sense of control or power is threatened. This is often evident when clients become entrenched in adversarial positions, or when a team member's professional authority is challenged.
- **Cognitive Dissonance:** Clients may experience cognitive dissonance when their expectations for the process don't align with reality. When the Collaborative Process challenges their previously held beliefs or comfort zones, they may resist engaging in open dialogue or compromise.

Turning Resistance Into a Catalyst for Progress

Once resistance is identified, the next step is to manage it effectively. The key to doing so is to view resistance not as a barrier but as an opportunity for growth and understanding. This mindset shift allows professionals to address the underlying issues driving the resistance, turning it into a force for positive change.

Acknowledge Resistance as Valid

Just as a skier takes note of dangerous conditions in the terrain, acknowledging resistance in Collaborative Law is the first step in effectively managing it. Professionals should never dismiss

COLLABORATIVE LAW AND AVALANCHES... (CONTINUED)

resistance as mere obstruction; instead, they should validate the feelings and concerns behind it.

- **Active Listening:** Use active listening techniques to show clients that their concerns are heard and respected. This helps to lower defenses and can build a sense of safety and trust. When clients or team members feel understood, they are more likely to open up and engage in a more collaborative manner.
- **Empathy:** Demonstrating empathy allows professionals to create emotional safety for clients, which reduces the tendency to react defensively. In practice, empathy might look like acknowledging how stressful or overwhelming the process is for the client, which can diffuse hostility and make the conversation more constructive.
- **Reframing:** Professionals can use reframing to help clients or team members see their resistance from a new perspective. For example, what might initially appear as a rigid stance on an issue could be reframed as a valid expression of fear, uncertainty, or lack of control. Reframing empowers individuals to see the Collaborative Process as an opportunity for joint problem-solving rather than a personal threat.

Use Resistance as a Tool for Reflection and Realignment

Resistance can serve as a signal that something in the process needs to be adjusted. It often highlights misalignments or unspoken concerns that need to be addressed before moving forward. Like assessing avalanche terrain to identify potential risks, professionals should treat resistance as a cue to reassess and realign the approach.

- **Team Reflection:** Resistance from a client may point to underlying team dynamics that need attention. Are there unresolved conflicts among team members? Are personal biases or assumptions clouding judgment? Engaging in regular team debriefs can help identify and address issues before they escalate, ensuring that all professionals involved are aligned in their approach.
- **Revisiting Objectives:** If resistance is widespread, it may be a sign that the parties' goals or expectations for the process have not been adequately discussed or agreed upon. Professionals should revisit the objectives of the Collaborative Process to ensure everyone is on the same page, and use the resistance to



Congratulations to 2025 Heart of Service Award Recipients

Dian Diel & Mark Soboslai

Honored for their extraordinary and unselfish Service to IACP



Diane Diel



Mark Soboslai

COLLABORATIVE LAW AND AVALANCHES... (CONTINUED)

prompt discussions about the values that are important to all parties involved.

Resistance is often a sign of unmet needs or concerns, and by acknowledging and addressing these, professionals can guide the parties toward a resolution that works for everyone. Just as navigating avalanche terrain involves strategic decision-making to avoid danger, navigating resistance involves using it as a stepping stone to uncover deeper issues that might lead to better solutions. Encourage clients to view resistance as an opportunity to explore new solutions. When a client resists a particular settlement proposal, ask questions like, “What part of this proposal feels uncomfortable for you?” or “What would a resolution that feels fair and achievable look like?” This encourages the parties to think creatively and work toward a solution that addresses their underlying concerns, rather than simply resisting change.

Dr. Deborah Gilman is a renowned clinical psychologist with two decades of experience fostering deep, meaningful connections between children and parents. Dr. Gilman holds a B.S. with honors in developmental psychology and a Ph.D. in clinical psychology from Tulane University. Following her residency at Johns Hopkins Medical School and a 3-year fellowship at Nationwide Children's Hospital/The Ohio State University, Dr. Gilman gained practical experience in applying her knowledge to clinical settings. She serves on the boards of the Greater Pittsburgh Psychological Association (GPPA) and the International Academy of Collaborative Professionals (IACP). Her ability to bridge the gap between theory and practice makes her a valuable resource for professionals seeking to enhance their skills and knowledge.



DEBORAH GILMAN, PhD

V. Continuing to Assess and Verify Conditions

One of the primary strategies for maintaining a safe and effective Collaborative Process is to conduct regular team check-ins. These check-ins are not just about reviewing the case's progress, but also about assessing the emotional and psychological state of the clients and the professional team members.

Why is this important? Emerging risks in Collaborative Law often stem from emotional or relational dynamics that may not be immediately visible. Like an avalanche risk that builds beneath the surface, subtle emotional shifts—such as hidden resentments, new information, or changes in trust—can destabilize the process without warning. Regular team check-ins provide an opportunity to identify these dynamics early, before they snowball into larger conflicts.

How to Conduct Effective Check-Ins

Team check-ins should be scheduled regularly. These meetings should focus on both the external progress of the case and the internal dynamics. Professionals can discuss what has been achieved, what challenges have arisen, and what emotional

or relational factors need attention. This creates a rhythm of reflection and evaluation that can catch potential issues before they worsen.

- **Open Communication:** Encourage all members of the team to express their concerns or observations. Creating an open and non-judgmental space for feedback allows potential risks to be voiced early. A common challenge in Collaborative Law is that professionals may hesitate to raise issues, fearing conflict within the team. However, research suggests that team success in complex and high-stakes environments is often linked to the ability to engage in open, honest communication (Edmondson, 1999). Fostering an environment where concerns are freely shared can help prevent small issues from becoming significant barriers.
- **Behavioral Cues:** Check-ins also provide an opportunity to observe behavioral cues that may indicate underlying issues. For instance, if a professional notices that a client becomes unusually quiet or defensive during meetings, it may signal unresolved emotional concerns that need to be addressed. By discussing these

cues during team check-ins, the team can devise strategies to mitigate emotional risks and maintain forward momentum.

Encourage Open Dialogue About Challenges and Dynamics That May Impede Progress

Open dialogue about potential obstacles, including any signs of resistance, team conflicts, or shifting power dynamics, helps prevent breakdowns before they escalate. By addressing these challenges head-on, professionals can realign their approach to ensure progress. When professionals shy away from discussing challenges within the team or with clients, they risk allowing small issues to snowball into more significant problems. Emotional or relational tensions often fester in silence and can undermine the Collaborative Process by creating feelings of betrayal, disillusionment, or distrust. Creating a culture of open dialogue—where professionals can express concerns without fear of judgment—can prevent these tensions from derailing the case.

According to research by Edmondson (1999) on psychological safety, teams perform best when members feel safe to take interpersonal risks, such as voicing concerns or admitting mistakes. This means creating an atmosphere where professionals can admit they are struggling, voice concerns about the case, or ask for help without fear of judgment. Encouraging psychological safety within the team ensures that everyone feels heard and that emerging risks are addressed before they become overwhelming.

Reflect on the Day: Team Debrief

In addition to scheduled check-ins, regular case debriefs after client meetings can be a useful tool for addressing challenges and tensions that arise in real time. These debriefs should be structured to reflect on what went well, what challenges emerged, and what could be improved for future meetings. In this space, professionals can ask themselves questions like: Did any emotional issues arise during the session? Were there any signs of resistance from the clients? How did the team respond to these challenges?

Reflective practice, which involves reviewing one's actions, decisions, and behaviors in a structured way, can be a valuable tool for self-awareness and growth. Encouraging team members to engage in reflective practice—both individually and as a team—can help identify areas of concern that might not be immediately visible during client sessions. This practice fosters continuous learning and improvement, allowing the team to adapt to shifting circumstances.

Address any power dynamics. Power dynamics, both between the professionals and the clients and within the professional team, can shift over the course of a case. These dynamics can subtly influence decision-making, communication, and trust-building. Ongoing team check-ins are an opportunity to discuss any emerging imbalances and to ensure that power is being used constructively. When power imbalances are acknowledged and addressed, the team can work to create a more equitable and effective process for all parties involved.

Thriving in the Collaborative Backcountry

Collaborative Law offers unparalleled opportunities to create tailored solutions for families in conflict. However, the freedom and flexibility of this approach come with unique risks. By adopting the backcountry mindset—one of vigilance, preparation, and adaptability—professionals can navigate these challenges with confidence and grace.

Ultimately, the success of the Collaborative Process depends not only on technical expertise but also on the ability to foster trust, manage conflict, and maintain resilience. By equipping themselves with the tools and strategies outlined in this article, professionals can minimize the risk of emotional avalanches and help their clients reach the summit of resolution.

INTRODUCTION

The intersection of climate action and Collaborative Law presents a groundbreaking opportunity to drive systemic change. This article explores how collaborative legal frameworks can accelerate the global transition toward sustainable housing solutions, with a particular focus on the work of the Empty Homes Collaborative (EHC). Through an in-depth discussion with Glenn Meier, a leading Collaborative lawyer and President of the Global Collaborative Law Council (GLCC), we examine the role of Collaborative professionals in addressing climate change, housing shortages, and environmental impact.

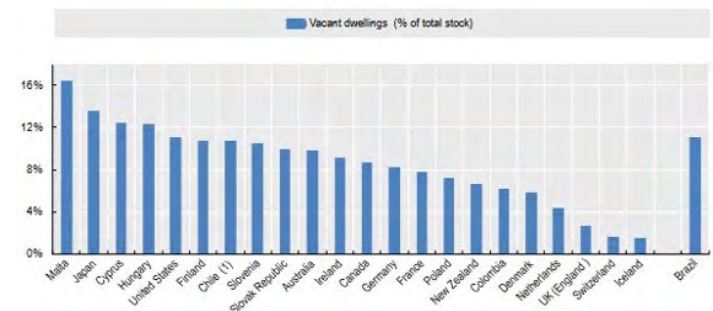
A JOURNEY IN COLLABORATIVE LAW

My engagement with Collaborative Law has been transformative. It all began in 2014 when Spain hosted its first collaborative law training in partnership with the International Academy of Collaborative Professionals (IACP). As a business lawyer specializing in real estate and contracts, I co-founded an association that introduced Collaborative Law principles to the business sector. This endeavor was inspired by pioneering efforts in the United States, such as Paul Faxon's groundbreaking business restructuring case using Collaborative Law.

Having spent more than a decade advocating for this approach, we have trained public servants and initiated over 12 pilot projects across various sectors—including health, labor, and taxation. While many of these projects faced challenges, persistence paid off. Our thirteenth attempt led to a successful initiative connecting empty homes with refugees, proving that collaborative solutions can yield impactful results.

THE GLOBAL EMPTY HOMES CRISIS

Housing availability is a pressing global concern. A research project conducted in May 2024 revealed that there are over 100 million empty homes worldwide. This research, published on EHC's website and LinkedIn, underscores a critical opportunity: the reuse of these homes can contribute to both social equity and climate action.



Empty homes exacerbate the housing crisis by restricting supply, driving up prices, and leaving millions without adequate shelter. The question arises: Why are so many homes vacant? The answer lies in systemic legal and financial barriers, which often prevent homeowners from repurposing these properties efficiently.

A COLLABORATIVE APPROACH TO CLIMATE ACTION

Environmental experts, like Paul Hawken, argue that a combative approach to climate change is insufficient. Instead, a collaborative strategy—rooted in public-private partnerships and civil society initiatives—is necessary to implement lasting change. The IACP's network of professionals is uniquely positioned to leverage Collaborative Law for addressing these systemic issues.

EHC exemplifies this approach. Our dream is to

CLIMATE ACTION... (CONTINUED)



Drawn by a refugee former EHC resident

partner with a strong housing technology firm, to develop a robust platform capable of integrating legal, economic, and ecological considerations. This platform aims to facilitate the reuse of empty homes, housing thousands of people, thereby reducing CO2 emissions and contributing to climate mitigation efforts.

FIELD EXPERIENCE: INSIGHTS FROM THE EHC PILOT PROJECT

Between 2018 and 2024, the Empty Homes Collaborative, led by MJA S.L., the Arteale Foundation, and Artealen Lagunak Association, launched a pilot project in Vitoria-Gasteiz. Using the

principles of Collaborative Law and a specialized Participation Agreement, this initiative repurposed 10 empty homes, housing 40 people, and preventing 396.9 tons of CO2 emissions. This reduction of CO2 emissions is equivalent to the annual absorption capacity of 39,690 trees. The project also prevented the generation of 93 tons of waste.

Despite the growing awareness of climate action, many experts in the field remain unaware of the number of empty homes in their own countries. Our research, based on OECD data, highlights disparities in housing policies across nations. Notably, some countries—such as Canada and South Africa—lack reliable statistics on the

CLIMATE ACTION... (CONTINUED)

number of empty homes, complicating efforts to address the issue.

ACHIEVEMENTS SO FAR:

10

HOMES REUSED

40

PEOPLE HOSTED

8

OWNERS SUPPORTING
PROJECT

98.3

TONS WASTE NOT
GENERATED

396.9

TONS CO2 AVOIDED

housing shortages, and provide refuge for climate migrants. Collaborative Law plays a vital role in this transformation, enabling stakeholders to navigate legal complexities and drive meaningful change.

Through continued research, partnerships, and legal innovation, EHC aims to scale its impact globally. This article marks the beginning of a series of interviews with experts dedicated to collaborative solutions—starting with Glenn Meier's insights on integrating law and climate action for a sustainable future

THE ROLE OF COLLABORATIVE LAWYERS

Collaborative Law offers a crucial framework for tackling housing and climate challenges. Glenn Meier, who joined the EHC team in April 2024, brings extensive experience as a Collaborative lawyer. He brings his experience gained during his tenure at Greenberg Traurig (GTLAW), where he advised on corporate legal matters. His expertise underscores the potential of legal professionals to facilitate dialogue and implement holistic solutions that bridge environmental, economic, and social gaps.

CONCLUSION

Empty homes represent both a crisis and an opportunity. By repurposing vacant properties, we can mitigate climate change, alleviate

Collaborative Lawyer, CEO at MJA SL, social enterprise promoter of Empty Homes Collaborative.

Looking for the human side of law, I started as a lawyer in Fernando Buesa's office, specializing in family law. The practice in the courts led me to look for another way to exercise my vocation as a lawyer. After a master's degree in business law at Instituto de Empresas (Madrid), started to work setting up a law firm, specializing in reale estate (tax and contracts) during more than 40 years.

We have discovered collaborative law thanks to the pilot Hiri Space in 2012 and promoted its development through the ADCE (Collaborative Law Basque Association) that I have chaired from September 2013 to July 2019



MARIA JOSE ANITUA

INTRODUCCIÓN

La intersección de la acción climática y el Derecho Colaborativo presenta una oportunidad innovadora para impulsar el cambio sistémico. Este artículo explora cómo los marcos legales colaborativos pueden acelerar la transición global hacia soluciones de vivienda sostenibles, con un enfoque particular en el trabajo de Empty Homes Collaborative (EHC). A través de un debate en profundidad con Glenn Meier, un destacado abogado colaborativo y presidente de la Global Collaborative Law Association (GCLA), examinamos el papel de los profesionales colaborativos a la hora de abordar el cambio climático, la escasez de vivienda y el impacto medioambiental.

UN VIAJE POR EL DERECHO COLABORATIVO

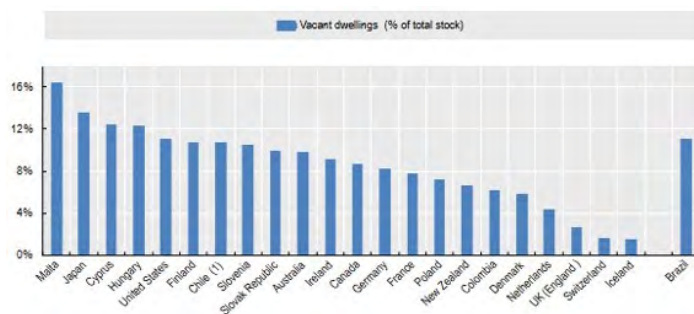
Mi compromiso con el Derecho Colaborativo ha sido transformador. Todo comenzó en 2014, cuando España acogió su primera formación en Derecho Colaborativo en colaboración con la Academia Internacional de Profesionales Colaborativos (AIPC). Como abogada mercantilista especializada en inmobiliario y contratos, cofundé una asociación que introdujo los principios del Derecho Colaborativo en el sector empresarial. Este esfuerzo se inspiró en los esfuerzos pioneros en los EE. UU., como el innovador caso de reestructuración empresarial de Paul Faxon utilizando el Derecho Colaborativo.

Tras más de una década defendiendo este enfoque, hemos formado a funcionarios públicos y puesto en marcha más de 12 proyectos piloto en diversos sectores, como sanidad, trabajo y fiscalidad. Aunque muchos de estos proyectos se enfrentaron a dificultades, la perseverancia dio sus

frutos. Nuestro decimotercer intento desembocó en una exitosa iniciativa que conectaba viviendas vacías con refugiados, demostrando que las soluciones colaborativas pueden dar resultados impactantes.

LA CRISIS GLOBAL DE LAS CASAS VACÍAS

La disponibilidad de viviendas es una preocupación mundial acuciante. Una investigación realizada en mayo de 2024 reveló que hay más de 100 millones de viviendas vacías en todo el mundo. Esta investigación, publicada en el sitio web de EHC y en LinkedIn, subraya una oportunidad crítica: la reutilización de estas viviendas puede contribuir tanto a la equidad social como a la acción por el clima.



Las casas vacías agravan la crisis de la vivienda al restringir la oferta, hacen subir los precios y dejan a millones de personas sin un alojamiento adecuado. Surge la pregunta: ¿Por qué hay tantas viviendas vacías? La respuesta está en las barreras legales y financieras sistémicas, que a menudo impiden a los propietarios reutilizar estas propiedades de manera eficiente.

UN ENFOQUE COLABORATIVO PARA LA ACCIÓN CLIMÁTICA

Los expertos en medio ambiente, como Paul Hawken, sostienen que un enfoque combativo



Dibujado por un refugiado ex residente de EHC

del cambio climático es insuficiente. En su lugar, es necesaria una estrategia de colaboración basada en asociaciones público-privadas e iniciativas de la sociedad civil para implementar un cambio duradero. La red de profesionales de la IACP se encuentra en una posición única para aprovechar el Derecho Colaborativo para abordar estas cuestiones sistémicas.

EHC ejemplifica este enfoque. Nuestro sueño es asociarnos con una sólida empresa de tecnología de la vivienda, para desarrollar una plataforma robusta capaz de integrar consideraciones legales, económicas y ecológicas. Esta plataforma pretende facilitar la reutilización de las viviendas vacías, dando cobijo a miles de personas, reduciendo así las

emisiones de CO₂ y contribuyendo a los esfuerzos de mitigación del cambio climático

EXPERIENCIA DE CAMPO: EXPERIENCIAS DEL PROYECTO PILOTO EHC

Entre 2018 y 2024, la iniciativa Empty Homes Collaborative, liderada por MJA S.L., la Fundación Arteale y la Asociación Artealen Lagunak, puso en marcha un proyecto piloto en Vitoria-Gasteiz. Utilizando los principios del Derecho Colaborativo y un Acuerdo de Participación especializado, esta iniciativa reutilizó 10 viviendas vacías, alojando a 40 personas y evitando la emisión de 396,9 toneladas de CO₂. Esta reducción de emisiones de CO₂ equivale a la capacidad de absorción anual de 39.690 árboles. El proyecto también evitó que se

ACCIÓN CLIMÁTICA... (CONTINUED)

generaran 93 toneladas de residuos.

A pesar de la creciente concienciación sobre la acción por el clima, muchos expertos en la materia siguen sin conocer el número de viviendas vacías



en sus propios países. Nuestra investigación, basada en datos de la OCDE, pone de relieve las disparidades en las políticas de vivienda de los distintos países. En particular, algunos países -como Canadá y Sudáfrica- carecen de estadísticas fiables sobre el número de viviendas vacías, lo que complica los esfuerzos para abordar el problema.

EL PAPEL DE LOS ABOGADOS COLABORATIVOS

El Derecho Colaborativo ofrece un marco crucial para abordar los retos de la vivienda y el clima. Glenn Meier, que se incorporó al equipo de EHC en abril de 2024, aporta una amplia experiencia como abogado colaborativo. Aporta su experiencia adquirida durante su permanencia en Greenberg

Taurig (GTLAW), donde asesoró en asuntos jurídicos corporativos. Su experiencia subraya el potencial de los profesionales del Derecho para facilitar el diálogo y aplicar soluciones holísticas que salven las distancias medioambientales, económicas y sociales.

CONCLUSIÓN

Las viviendas vacías representan tanto una crisis como una oportunidad. Al reutilizar las propiedades vacías, podemos mitigar el cambio climático, aliviar la escasez de vivienda y proporcionar refugio a los migrantes climáticos. El Derecho Colaborativo desempeña un papel vital en esta transformación, permitiendo a las partes interesadas navegar por las complejidades legales e impulsar un cambio significativo.

A través de la investigación continua, las asociaciones y la innovación jurídica, EHC pretende ampliar su impacto a nivel mundial. Este artículo marca el inicio de una serie de entrevistas con expertos dedicados a las soluciones colaborativas, comenzando con las ideas de Glenn Meier sobre la integración del Derecho y la acción climática para futuro sostenible.

III

INTEGRATING LAW AND CLIMATE ACTION FOR A SUSTAINABLE FUTURE - AN INTERVIEW WITH GLENN MEIER, JD

By Maria Jose Anitua, ABC

Maria: What would you highlight as the most important thing about your experience in the EHC project?

Glenn: The most important thing about my experience in the EHC project was the ability to see Collaborative Law in action and how it immediately opens doors for high-impact, positive, change. By applying Collaborative Law principles to meet the housing needs of refugees, the scope of the opportunity expanded to include climate considerations and general consumption/reuse practices. I've always said that to create a "bigger pie" in conflict management, we need to expand Collaborative Practice, and EHC is a living, breathing example of that idea.

Maria: Do you think the legal system in housing leasing needs to change?

"The traditional legal system presumes all relationships are adversarial, so participants must regard each other as adversaries."

Glenn: Well, the legal system needs to change in lots of areas! My focus is on creating spaces in the law for approaches that consider the underlying relationships involved. The traditional legal system presumes all relationships are adversarial, so participants must regard each other as adversaries. That gives them minimal options for creative problem-solving when things go wrong or when people disagree. EHC is a magnificent example of applying the relational approach to housing leasing, where people aren't presumed to be adversaries. It allows parties to a legal agreement to develop a relationship to help them work through any bumps they encounter. EHC shows that concept works!

Maria: Is the topic timely?

Glenn: There couldn't be a more appropriate moment for a robust expansion of Collaborative legal practices. Our societies feel like they're constantly being pulled apart. While there's no single cause for that problem, it doesn't help that our approach to formal dispute resolution is based



ACC | CCA
ACUERDO | AGREEMENT

AN INTERVIEW WITH GLENN MEIER... (CONTINUED)

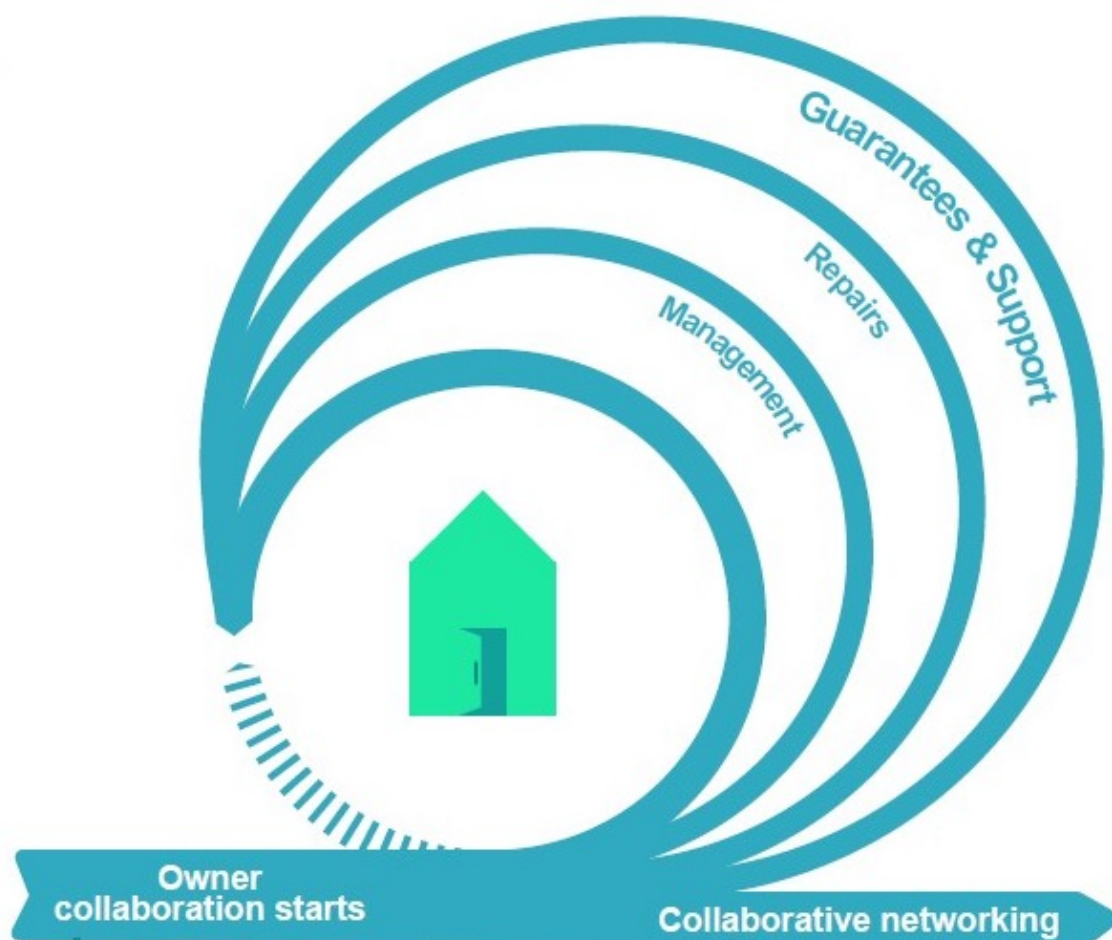
on treating each other like enemies. There is no better time for lawyers to expand their role as creative, collaborative, problem solvers

Maria: Do you sense there may be many ways for Collaborative lawyers and other professionals to contribute to climate action by helping to re-use vacant housing different from EHC, and the digital platform?

Glenn: The original EHC pilot project demonstrated that you don't need a digital platform to apply Collaborative Law to repurpose vacant housing. While a platform to scale the process is beneficial, smaller-scale efforts can generate significant momentum. In our EHC research we found examples of repurposing vacant residential properties for things like community centers. What Collaborative lawyers should keep in mind is that any legal use for a vacant property helps. Filling empty homes helps the climate.

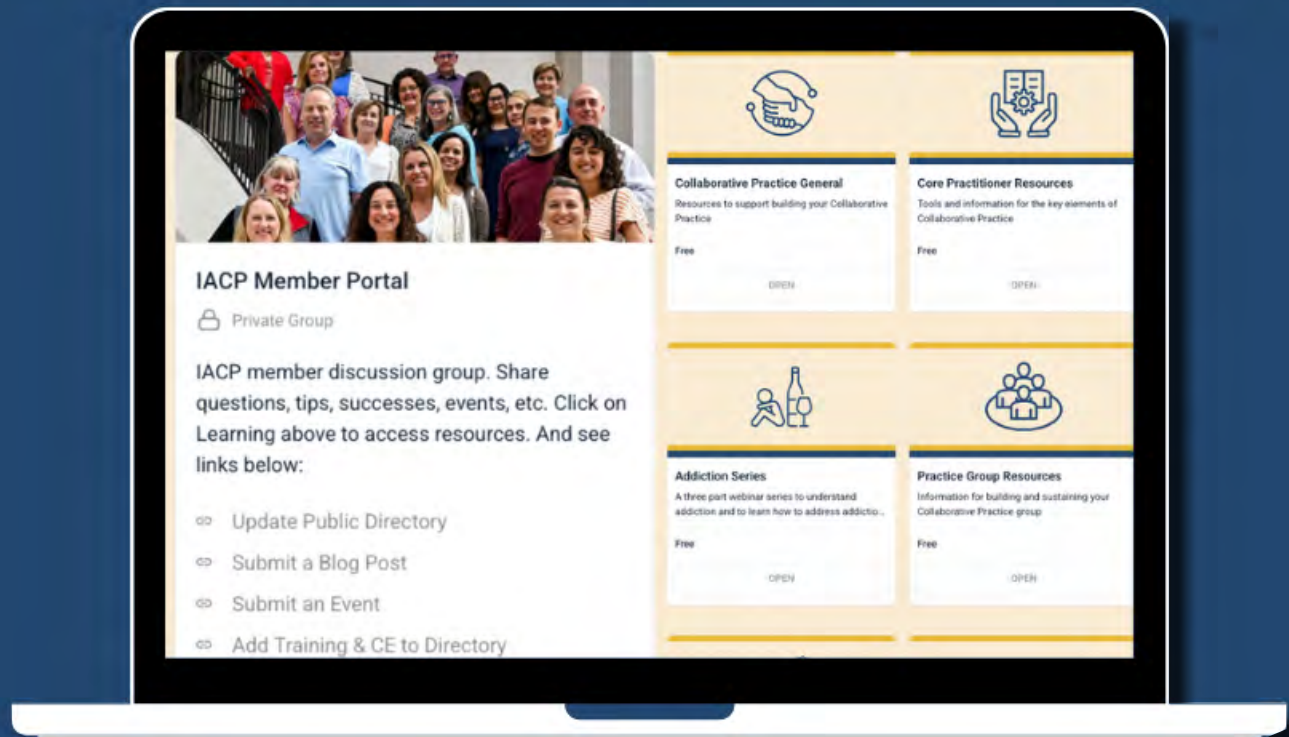
Maria: What do you see as the main barriers, and what are the main opportunities?

Glenn: Collaborative professionals know that the key to successful Collaborative Practice is committing to the mindset shift from adversarial to collaborative thinking. They also know making that shift is hard. EHC shows what happens when you make it; your ability to find creative answers grows. So, the ability of Collaborative professionals, including Collaborative lawyers, to make that shift is both the main barrier and the main opportunity.





The IACP Member Portal



Maximize your membership:

Access the IACP Learning Center



Connect with peers around the globe



Share & discover upcoming events



Por Maria Jose Anitua, ABG

Maria: ¿Qué destacarías como lo más importante de tu experiencia en el proyecto EHC?

Glenn: Lo más importante de mi experiencia en el proyecto EHC fue la posibilidad de ver el derecho colaborativo en acción y cómo abre inmediatamente las puertas a un cambio positivo de gran impacto. Al aplicar los principios del derecho colaborativo para satisfacer las necesidades de vivienda de los refugiados, el alcance de la oportunidad se amplió para incluir consideraciones climáticas y prácticas generales de consumo/reutilización. Siempre he dicho que para crear un «pastel más grande» en la gestión de conflictos, tenemos que ampliar la práctica colaborativa, y EHC es un ejemplo vivo y palpable de esa idea.

Maria Jose: ¿Es oportuno este tema?



ACC | **CCA**
ACUERDO | AGREEMENT

Aunque no hay una única causa para ese problema, no ayuda que nuestro enfoque de la resolución formal de conflictos se base en tratarnos unos a otros como enemigos.

Glenn: No podría haber un momento más apropiado para una fuerte expansión de las prácticas jurídicas colaborativas. Da la sensación de que nuestra sociedad es desgarrada constantemente. Aunque no hay una única causa para ese problema, no ayuda que nuestro enfoque de la resolución formal de conflictos se base en tratarnos unos a otros como enemigos. No hay mejor momento para que los abogados amplíen su papel como solucionadores de problemas creativos y colaborativos.

Maria Jose: ¿Cree que puede haber muchas formas de que los abogados colaborativos y otros profesionales contribuyan a la acción por el clima ayudando a reutilizar las viviendas vacías distintas de la EHC y la plataforma digital?

Glenn: El proyecto piloto original de EHC demostró que no se necesita una plataforma digital para aplicar el derecho colaborativo a la reutilización

AN INTERVIEW WITH GLENN MEIER... (CONTINUED)

de viviendas vacías. Aunque una plataforma para ampliar el proceso es beneficiosa, los esfuerzos a menor escala pueden generar un impulso significativo. En nuestra investigación sobre Casas Vacías encontramos ejemplos de reutilización de propiedades residenciales vacías para cosas como centros comunitarios. Lo que los abogados colaboradores deben tener en cuenta es que cualquier uso legal de una propiedad vacía ayuda. ¡Llenar las viviendas vacías ayuda al clima!

Maria Jose: ¿Cuáles cree que son los principales obstáculos y cuáles las principales oportunidades?

Glenn: Los profesionales colaborativos saben que la clave del éxito de la práctica colaborativa es comprometerse con el cambio de mentalidad para pasar del pensamiento adversario al colaborativo. ¡También saben que ese cambio es difícil! EHC demuestra lo que ocurre cuando lo consigues: ¡crece tu capacidad para encontrar respuestas creativas! Por lo tanto, la capacidad de los profesionales colaborativos, incluidos los abogados colaborativos, para realizar ese cambio ¡es tanto el principal obstáculo como la principal oportunidad!

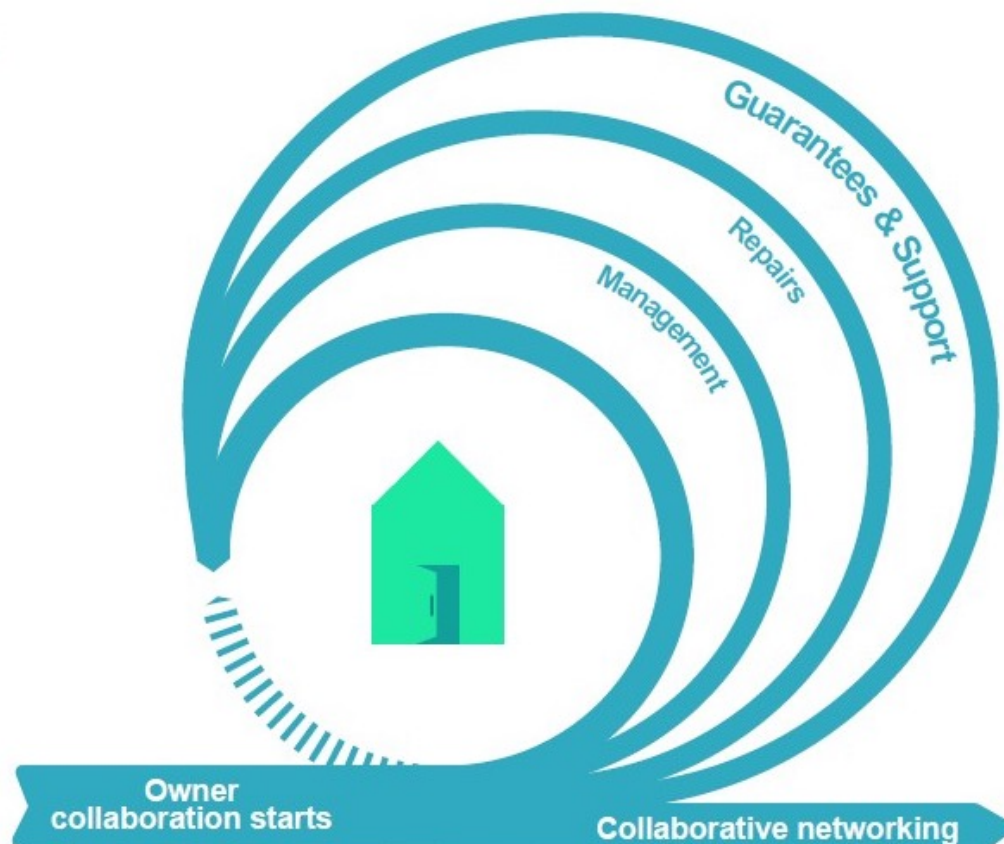
Abogada colaborativa, CEO en MJA SL, empresa social promotora de Casas sin Gente Colaborativas / Empty Homes Collaborative.

Buscando el lado humano de la abogacía, comencé como abogada en el despacho de Fernando Buesa, especializándome en derecho de familia. La práctica en los juzgados me llevó a buscar otra forma de ejercer mi vocación de abogada. Tras realizar un master en derecho mercantil en el Instituto de Empresas (Madrid), comencé a trabajar montando un despacho de abogados, especializado en inmobiliario (fiscal y contratos) durante más de 40 años.

Hemos descubierto el derecho colaborativo gracias al piloto Espacio Hiri en 2012 e impulsado su desarrollo a través de la ADCE (Asociación de Derecho Colaborativo de Euskadi) que he presidido desde septiembre de 2013 hasta julio de 2019



MARIA JOSE ANITUA



IV

REVIEW OF ADAM KAHANE'S: EVERYDAY HABITS FOR TRANSFORMING SYSTEMS: THE CATALYTIC POWER OF RADICAL ENGAGEMENT

By Nancy J Cameron, KC, LLB

For over a decade, Adam Kahane has been a major influence in how I think about working in the realm of systems change. In 2014, I was a member of a small group in Vancouver, British Columbia, who had come together to struggle with the thorny problem of transforming the family justice system. We had learned a bit about social labs, and managed to get some funding to convene a two-day event where we could explore using a social lab approach to systems change in the family justice system. We were fortunate to have Adam Kahane and his colleague, Monica Pohlmann, agree to facilitate those two days. We convened a group of about twenty people, from diverse backgrounds and from a variety of professions and communities. At the end of the sessions, we had articulated our purpose: to improve the journey of children and families throughout BC experiencing transition, such as separation and divorce, resulting in an increase in resilience and well-being, and we took Adam's advice to "just go ahead and start." Out of that seed, the BC Family Justice Innovation Lab has grown.

I give this background so that you know I have some bias towards Kahane's work. Since those two days in 2014, I have devoured Kahane's books. Some I have in paper, carefully annotated with my pen. Some I have on my e-reader, which makes it easy to carry with me to pull up and study on a plane, or as I wait for an appointment. Kahane has a way of articulating and distilling how we work into ways that seem simple, yet reveal more to us as we bring the ideas into practice. The simplicity helps me hold a concept for weeks, so I can contemplate the meaning of the concept while I also try to implement it.

Kahane's newest book, *Everyday Habits for*

Transforming Systems: the Catalytic Power of Radical Engagement (Berrett-Koehler Publishers, release date April 8, 2025), explores seven habits that we can build into our everyday life to fuel our work transforming systems. It provides guidance to the question, "What can each of us do, each day?" Those of us who have read and tried to incorporate Kahane's work into what we do as Collaborative professionals, will recognize some of the habits he describes in what we have been doing as we deepen our skills. Those who have been working in systems change may say "yes!" as they recognize that a habit they have been building, or struggling with, has been named and described by Kahane.

Kahane describes two ways that systems transform: generatively or de-generatively. Degenerative change to systems happens through war, through force, and can employ lying and cheating. Generative change works in the direction of greater agency and justice and involves collective activity. As we look around, we can see examples of both of these unfolding in the world today.

Kahane points out that habits shape strategy. When we work in a system, and all of us have our own professional systems that we work within, the system itself demands certain strategies of us. The justice system works with a template that is designed to serve the court system, and lawyers are expected, as part of their training and skill development, to create habits that serve the court template. As Collaborative professionals, we have all found that as we develop new skills we create new habits. Kahane's gift to us, in *Everyday Habits to Transform Systems*, is that he names and describes critical new habits for us to build in creating what he calls "radical engagement". This is a particular kind of engagement that involves

REVIEW OF ADAM KAHANE'S... (CONTINUED)

leaning in, uncrossing our arms, being present as we dig in. He names these habits, as follows:

- Acting responsibly, which goes beyond just doing what is expected of us within the system, or what we like doing. It requires us to ponder this question: “What does acting responsibly mean for me, now, within this system and within this group of humanity?”;
- Relating in three dimensions, which includes attending to the system as a whole, while at the same time attending to its parts (and individuals) and to the relationship among the parts (and different people);
- Looking for what’s unseen, which entails not just seeing what we always see from our specific viewpoint, but looking at the system from numerous perspectives, including the three dimensions;
- Working with cracks, as these small, subtle openings in the system show where the system is not working, at least for some, and allows us to engage specifically at that point and apply leverage for change;
- Experimenting a way forward, doing this in small, incremental steps so we can be nimble and pivot as necessary;
- Collaborating with unlike others, which involves acknowledging our differences, not faking harmony, embracing conflict as well as connections, and
- Persevering and relaxing, recognizing the tremendous importance of both of these. We are all use to persevering in this work. It is also incredibly important to be intentional about relaxing, nourishing ourselves, finding joy, so we can continue this work.

In order to illustrate the habits, Kahane highlights interviews with extraordinary individuals working to change systems. The interviews he conducted and approached with curiosity, became the foundation for Kahane’s articulation of the habits. At the end of each chapter, Kahane offers

some simple steps to help us explore and begin to act on, each of these habits. As I write this, the polarizing forces in the world appear to be erupting daily. I say “appear” because of course, like lava beneath the earth’s surface, our attention tends not to focus until the lava bursts forth. Looking for what is unseen helps us take the next necessary step. With systems change, often times we think about where we want to end up. Yet as we do the work, we realize that the work is much more incremental. Sometimes we fail, regroup, and try again. With *Everyday Habits for Transforming Systems*, Kahane provides us with tools we can utilize over and over, so that they become the habits we bring with us to the systems we are called to transform.

Everyday Habits for Transforming Systems can be pre-ordered here: <https://reospartners.com/everyday-habits-for-transforming-systems>

Nancy Cameron is a lawyer, writer, and educator. She was president of the International Academy of Collaborative Practitioners in 2009. She has led and designed training in Collaborative Process and dispute resolution, for groups across Canada and the United States, as well as in Europe, Australia and Asia. She has been an adjunct professor at both the University of British Columbia Law School and a continuing adjunct professor in the LLM for Dispute Resolution program at Hong Kong University. She is the author of the book: *Collaborative Practice: Deepening the Dialogue*. She is the editor of the *IACP Collaborative Review*. In 2019 she received the Law Society of British Columbia’s Excellence in Family Law Award.



NANCY CAMERON, KC, LLB



Canadian Collaborative

Rocky Mountain Conference

Cultures of
Collaboration

November 06-09, 2025

We are excited and proud to welcome the world to Banff, Alberta, Canada for the Canadian Collaborative Rocky Mountain Conference on Thursday, November 6th to Sunday, November 9th, 2025.

The event will be held at the renowned Fairmont Banff Springs Hotel, a prestigious and historical venue in the alluring Canadian Rockies' town of Banff, nestled in extraordinary mountain beauty. The conference will be memorable, beginning with a warm welcome from our indigenous spiritual leaders and elders, and continuing with a refreshing collaboration of master class training, workshops, and interdisciplinary professional networking. There will be five choices on the pre-forum day (one all day training or choose two of four half-day workshops). During the two main conference days, you will have the choice of fourteen separate workshops. Nancy Mannix, chair and patron of the Palix Foundation, which focuses on health and wellness outcomes of children and families, will give the opening keynote. Adam Kahane, will give the closing keynote, and will launch the second edition of his book, *Collaborating with the Enemy*.

And of course, since it is a Collaborative conference, there will be dinner followed by dancing to a country-blues band.

SPONSORSHIP OPPORTUNITIES ARE STILL AVAILABLE for those who are interested in showcasing their firm or business, and for those Collaborative groups looking to support our ability to come together again. Registration and sponsorship details are all on the website: www.canadiancollaborative.ca

LARGE AND SMALL COLLABORATIVE PRACTICE GROUPS: THE JOYS AND PAINS

By Rebecca Stanley

The relationships and support offered by a community provide sustenance and meaning to people in both work and play. This includes the Collaborative Practice community. One of the key elements of Collaborative Practice is that no one can do it alone. One must be a part of a community of like-minded professionals to not only complete a Collaborative file, but also to grow a Collaborative Practice, deepen a collaborative mindset, and stretch one's collaborative skills.

The purpose of a Collaborative practice group is to create a network, or community, of Collaboratively trained professionals who support one another, train together, and develop and market their practices together. Practice groups can enhance creativity, which allows for brainstorming, supporting, and mentoring of the next generation of Collaborative professionals. Collaborative practice groups facilitate change in society by offering opportunities to develop Collaborative Practice as a better form of resolving disputes.

I have had the opportunity to be an active part of the leadership of two very different Collaborative Practice groups, one large group with over 90 members with deeply rooted routines and programs and one small group with less than 15 members that is in the process of rebuilding itself.

Large Collaborative Practice Groups

When I lived in the largest city in my area, I enjoyed the benefits of becoming a member of a practice group that has been offering training, mentoring, social events, retreats and outreach for over two decades. As a member of the board for six years, I closely observed both the strengths and challenges of a large practice group. Here are some of my insights:

- Current members benefit greatly from veteran members who laid a strong foundation, both structurally and philosophically. This same groundwork can be difficult to change, particularly when it comes to adapting processes and routines, much like attempting to turn a large ocean liner. While group think may be a strength as we move from adversarial to collaborative dispute resolution, this same group think can also sometimes freeze the rudder of that ocean liner.
- The routines of a large, established practice group provide stability from year to year, even as the leadership of the group changes. The group can set limitations on board leadership, such as two-year terms or a maximum number of terms, to rotate in new leaders and give newer practitioners opportunities to actively participate. Board member turnover does not need to be disruptive, given the structures and routines in place. The tricky part is ensuring there is room to grow and change, to work against stagnation. For example, the rhythm or programming may not change significantly, but each new board may choose a theme for the year or decide on a particular timely focus.
- In large practice groups, members are diverse, increasing the likelihood of positive steps towards greater equity, diversity and inclusion mindsets within the practice group and greater diversity of the client pool introduced to the Collaborative Process. Of course, diversity is not guaranteed simply because of large numbers – it must be intentionally encouraged, developed, and sustained.
- When there is a large number of members in a practice group, there is a depth of knowledge

LARGE AND SMALL COLLABORATIVE GROUPS... (CONTINUED)

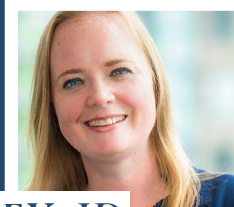
and experience that can support the whole group. There is also the excitement and “out of the box” thinking of newly trained members. At its best, there is a sharing between newly trained practitioners and more experienced Collaborative professionals, a dance of wisdom and passion, of rootedness and flight. However, if mutual respect is not present in these two groups, judgment and misunderstanding can arise, with both “old” and “new” members frustrated with one another. Staying curious and humble will lead to understanding and freedom, at which point there is no end to the transformative work the group can do together, supporting individuals, families, and whole communities, given the abundance of resources in a large practice group.

- While I hope that the larger the group, the more engaged and active the members will be, unfortunately this is not usually the case. In my limited experience, it is often a small number of members who carry the weight of committees, programming, planning, etc. A large practice group must find creative ways to engage those who seem satisfied to have their face on the group website but are not actively engaged in the community.
- Finally, a large practice group can take on a leadership role in the larger Collaborative community, both nationally and internationally. They can work with various levels of government to help broader systems change. These groups can become an example to other groups, as they begin or continue to develop. A large practice group can “pay it forward” to smaller practice groups, particularly through training, mentoring and best practices. What a gift!

Small Collaborative Practice Groups

When I moved about two hours away from the large city three years ago, I sought to connect with Collaborative professionals in my area. However, I found none in my city and very few in the surrounding cities. I engaged with a small practice group that had existed for a few decades but had few members actively doing Collaborative work.

Rebecca lives and works virtually from her home near Cultus Lake, outside of Vancouver, British Columbia. Her focus is on empowering people as they navigate the unique stresses (and opportunities) that accompany the significant life transitions of separation, divorce and new relationships both as a certified family mediator and collaborative lawyer. Rebecca has served as a board member of the Collaborative Divorce Vancouver (CDV) practice group for six years and provides leadership to a small but growing practice group serving communities outside of the Greater Vancouver Area called the Collaborative Association of the Lower Mainland (CALM).



REBECCA STANLEY, JD

After one year of attending, I was asked to take over the leadership of the group when the present leader retired. For the past two years, we have been rebuilding the group, drawing from the strengths of the past and forging new paths. Here is what I have observed about small practice groups:

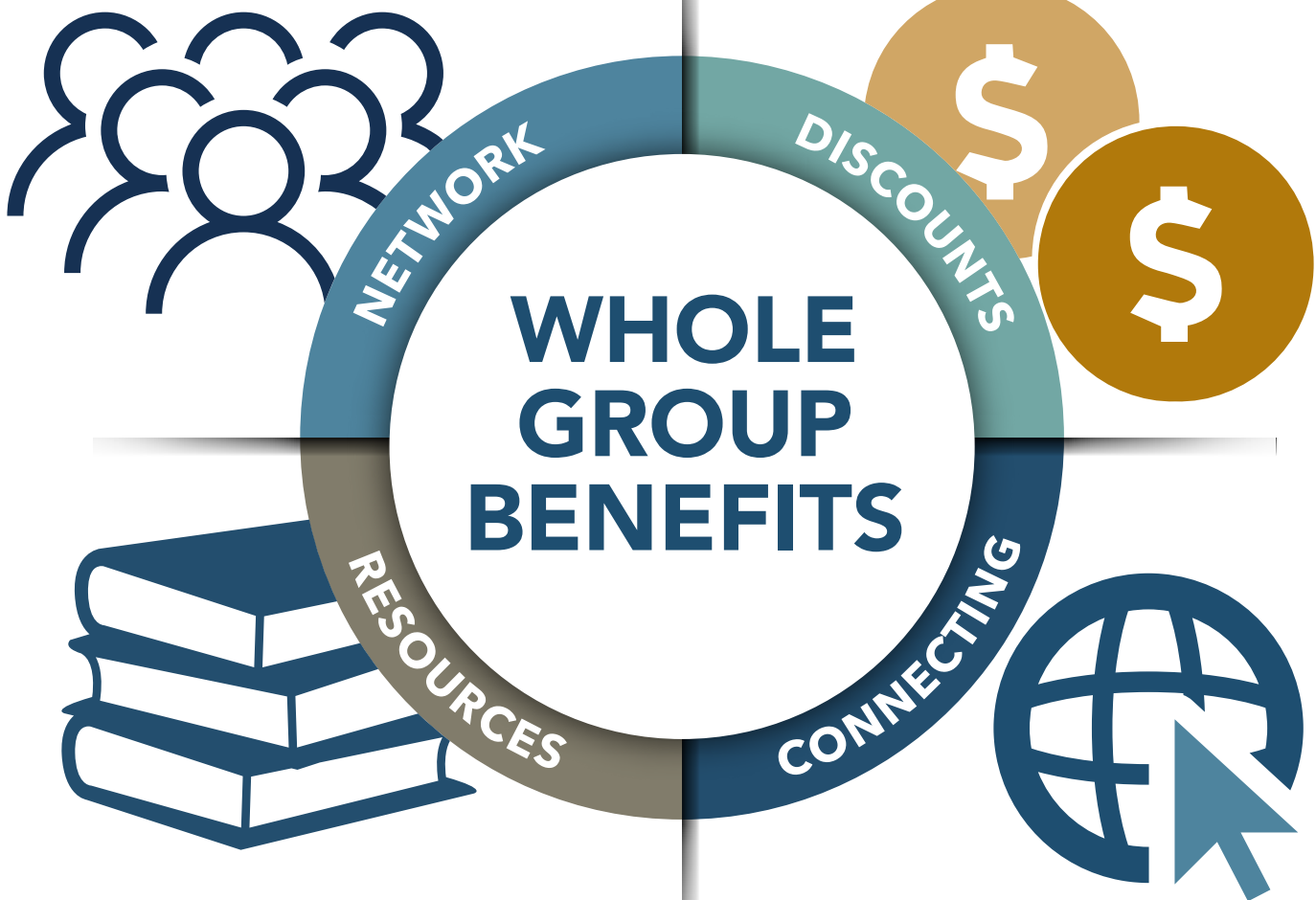
- Some small practice groups service members from various surrounding towns and cities, bringing encouragement and support to individual practitioners who may otherwise feel isolated in their work. This distance brings with it challenges for meeting in person and the varying needs of different client bases. Finding the right balance between virtual and in person meetings can help.
- Some small practice groups intentionally focus on their own town or city, creating a tight-knit group who regularly work together on Collaborative files. Strong friendships and community can be built not only during practice group meetings but also in active work together. However, it is tempting to remain comfortable with “my people” and exclude others or not actively recruit new Collaborative Practitioners.
- New members can have an exponential effect on a small practice group, bringing with them

IS YOUR PRACTICE GROUP INTERESTED IN BECOMING A WHOLE GROUP?

BECOME A WHOLE GROUP AND GAIN ALL THE BENEFITS!

Recognized as part of a global network committed to the highest standards of ethics and education. Members receive full public profile on IACP's website.

Obtain a 30% discount on the IACP membership rate for your Practice Group members! For all the benefits of IACP membership, visit our IACP Membership webpage. www.collaborativepractice.com/join-iacp



Access the Learning Center in the IACP Member Portal, with a rich library of educational materials and marketing tools.

Connect in real time with Collaborative Professionals in the IACP Member Portal. Share your news and events. Receive referrals and information.

Want to learn more about Whole Group benefits? Contact our Membership Coordinator, Dolores Puppione at dolores@collaborativepractice.com.

LARGE AND SMALL COLLABORATIVE GROUPS... (CONTINUED)

excitement, energy, perceptive insights and novel approaches. What a breath of fresh air, so long as the practice group invites such an effect, rather than squelching it. One key to activating this effect is to work hard to bring in new members from the various Collaborative interdisciplinary fields (lawyers, mental health professionals and financial specialists), with a diversity of backgrounds.

- Small practice groups are often enthusiastic about learning from other groups and attending national or international conferences. Having the opportunity to be a part of the larger network of Collaborative professionals is inspiring and provides fresh concepts and innovation. For example, a small practice group may invest in a group membership with a national organization (such as Collaborative Professionals of Canada), avail themselves of the “whole group” membership discount with the International Academy of Collaborative Practitioners (IACP), or become a Global Partner member in IACP.
- Relationships are key to a small practice group. A member cannot hide when attending events. The focus is on conversation and developing trust amongst the members and within the group. Each person’s insights and involvement are important. On the flip side, a disruptive or unengaged member has a much larger negative impact on the group.
- Finally, the members of a small practice group often live and work within a city or region where Collaborative Practice is not well known to the public. These groups have the profound opportunity to introduce the Collaborative Process to other professionals, who often have been looking for such a resource for their clients and did not know it existed. The group has the same opportunity to “spread the word” about Collaborative Practice to individuals and families in their neighborhoods. Such an opportunity is both an honor and an incredible challenge.

Whether you find yourself a member of a large or small Collaborative practice group, I invite you to dive right in! Become a part of the leadership team, join a committee, be a mentor, recruit a new member, but most of all, be present in the community. Be curious, share your experiences, brainstorm together, support one another. Each person is an important part of a Collaborative practice group, not just for what you can learn but for what you bring to the group, large or small.

Vision

IACP envisions a world in which all dispute resolution is collaborative, compassionate, and constructive.

Mission

IACP unites and empowers a global network of professionals who are dedicated to transforming conflict resolution using the principles of Collaborative Practice.

THE COLLABORATIVE REVIEW

The Collaborative Review is the official publication of IACP.

We solicit original manuscripts, which should
be saved in Microsoft Word and sent to: IACP
info@collaborativepractice.com

All published articles become the property of IACP and are
subject to our reprint policies unless reprinted by permission
from other publications.