

403.646 Beginning and concluding collaborative law process.

- (1) A collaborative law process begins when the parties sign a collaborative law participation agreement.
- (2) A court may not order a party to participate in a collaborative law process over that party's objection.
- (3) A collaborative law process is concluded by a:
 - (a) Resolution of a collaborative matter as evidenced by a signed record;
 - (b) Resolution of a part of the collaborative matter, evidenced by a signed record, in which the parties agree that the remaining parts of the matter will not be resolved in the process; or
 - (c) Termination of the process.
- (4) A collaborative law process terminates:
 - (a) When a party gives notice to other parties in a record that the process is ended; or
 - (b) When a party:
 1. Begins a proceeding related to a collaborative matter without the agreement of all parties;
 2. In a pending proceeding related to the matter:
 - a. Initiates a pleading, motion, order to show cause, or request for a conference with the court;
 - b. Requests that the proceeding be put on the court's active calendar; or
 - c. Takes similar action requiring notice to be sent to the parties; or
 3. Except as otherwise provided by subsection (7) of this section, discharges a collaborative lawyer or a collaborative lawyer withdraws from further representation of a party.
- (5) A party's collaborative lawyer shall give prompt notice to all other parties in a record of a discharge or withdrawal.
- (6) A party may terminate a collaborative law process with or without cause.
- (7) Notwithstanding the discharge or withdrawal of a collaborative lawyer, a collaborative law process continues if, not later than thirty (30) days after the date that the notice of the discharge or withdrawal of a collaborative lawyer required by subsection (5) of this section is sent to the parties:
 - (a) The unrepresented party engages a successor collaborative lawyer; and
 - (b) In a signed record:
 1. The parties' consent to continue the process by reaffirming the collaborative law participation agreement;
 2. The agreement is amended to identify the successor collaborative lawyer; and
 3. The successor collaborative lawyer confirms the lawyer's representation of a party in the collaborative process.

- (8) A collaborative law process does not conclude if, with the consent of the parties, a party requests a court to approve a resolution of the collaborative matter or any part thereof as evidenced by a signed record.
- (9) A collaborative law participation agreement may provide additional methods of concluding a collaborative law process.

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