

FAMILY LAW REVIEW

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ARTICLE

Collaborative law in Australia: A case study of family lawyers in the Australian Capital Territory – Anne Ardagh

Collaborative law is a new form of lawyering being used in several jurisdictions overseas as well as in Australia. It was introduced into Australia by American trainers in 2005. No empirical studies have been undertaken in Australia to test how well it is working, although a number of questions have been raised about its suitability, particularly in family law practice in Australia. This article is the result of research, including in-depth interviews with collaborative practitioners, which investigated the use of collaborative law in the Australian Capital Territory. Although collaborative law has waned in the Australian Capital Territory there has been key learning in the legal community and movement towards more consensual practices. Further investigation of collaborative law experiences in other jurisdictions in Australia is needed to guide public policy. 133

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