

PRACTICE DIRECTIVE DATED MAY 21, 2025

**RE: B.C. COLLABORATIVE ROSTER SOCIETY PRACTICE DIRECTIVE ON
ATTENDING MEDIATION WITHIN THE COLLABORATIVE PROCESS**

The B.C. Collaborative Roster Society confirms that it is not a breach of the Participation Agreement to attend mediation within the collaborative process if there is an impasse, which would otherwise have the parties withdrawing from the collaborative process.

The attendance at mediation within a collaborative process should not occur until the parties and lawyers have made best efforts to resolve the file through attendance at four way meetings and/or other collaborative negotiations.

The mediation agreement that the parties and the lawyers sign should include wording that sets out that the parties and lawyers remain in the collaborative process while attending the mediation.

Sample wording is set out below:

RECITALS:

1. Client A and Client B are engaged in the collaborative process pursuant to a signed Collaborative Practice Lawyer's Participation Agreement dated ____ (the "Collaborative Participation Agreement").
2. As part of the collaborative process, Client A and Client B and the lawyers have agreed to participate in mediation to resolve their family law issues.
3. The Collaborative Participation Agreement remains in full force and effect, and the parties and counsel remain in the collaborative process during mediation.
4. This Agreement to Mediate is subject to the provisions of the Collaborative Participation Agreement.