

UNIFORM COLLABORATIVE LAW ACT (EXCERPT)
Act 159 of 2014

691.1335 Beginning and concluding collaborative law process.

Sec. 5.

- (1) A collaborative law process begins when the parties sign a collaborative law participation agreement.
- (2) A tribunal 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 1 of the following:
 - (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.
 - (c) Termination of the process.
- (4) A collaborative law process terminates when any of the following occur:
 - (a) A party gives notice to other parties in a record that the process is ended.
 - (b) A party does any of the following:
 - (i) Begins a proceeding related to a collaborative matter without the agreement of all parties.
 - (ii) In a pending proceeding related to the matter, does any of the following:
 - (A) Initiates a pleading, motion, order to show cause, or request for a conference with the tribunal.
 - (B) Requests that the proceeding be put on the tribunal's active calendar.
 - (C) Takes similar action requiring notice to be sent to the parties.
 - (c) Except as otherwise provided by subsection (7), a party 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 30 days after the date that the notice of the discharge or withdrawal of a collaborative lawyer required by subsection (5) is sent to the parties, both of the following occur:
 - (a) The unrepresented party engages a successor collaborative lawyer.
 - (b) A record is signed that satisfies all of the following requirements:
 - (i) The parties consent in the record to continue the process by reaffirming the collaborative law participation agreement.
 - (ii) The agreement is amended in the record to identify the successor collaborative lawyer.
 - (iii) The successor collaborative lawyer confirms in the record 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 tribunal to approve a resolution of the collaborative matter or any part of the matter as evidenced by a signed record.
- (9) A collaborative law participation agreement may provide additional methods of concluding a collaborative law process.

History: 2014, Act 159, Eff. Dec. 8, 2014