

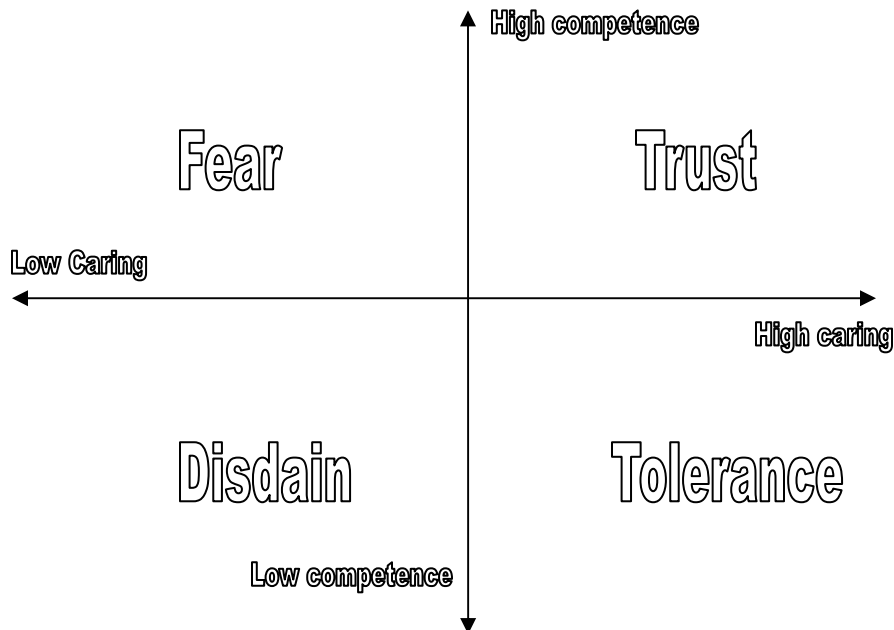
The Right Financial Person for the Collaborative Team  
(Scott Clarke, CFP, CDFA  
www.clarkedivorcefinancial.com)

There are many lessons being learned as collaborative law in Texas continues to shift toward the inter-disciplinary team model. Many of these learnings and the frustrations associated with them are related to how to assemble a team consisting of attorneys, mental health professionals and financial professionals that best serves the client. This paper is meant to serve as a general thought process on team building and how this specifically applies to the financial professional (FP).

For the context of this paper, the role of the financial professional includes:  
Inventory of property and preparation of post-divorce cash flow projections  
Education of clients to ensure equal understanding of financial issues  
Preparation and projections of settlement options  
Helping and/or leading the process of finalizing the financial settlement.

This role requires the FP to have interpersonal relationships with the clients, attorneys, mental health professionals, and any other professionals needed to serve the clients. The financial professional will be leading individual and joint meetings with the client; participating in joint meetings with clients, attorneys, and mental health professionals; and communicating consistently throughout the process. In the inter-disciplinary approach, I believe we are beginning to see that each team member is a “leader” of the process and his/her leadership skills will be critical in the functionality of the team.

Below is a model I learned in a leadership training many years ago and believe is applicable in the context of this discussion. Please refer to the figure below:



To ensure clarity the horizontal/x-axis is caring; the vertical/y-axis is competence. As we apply this to leadership, a leader with:

High Competence/High Caring: Trusted  
High Competence/Low Caring: Feared  
Low Competence/High Caring: Tolerated  
Low Competence/Low Caring: Despised

Think back to several leaders you have worked with in the past. I believe you will see how effectively the model reflects your feelings toward those individuals.

The financial professional needs to be trusted by not only the team but just as importantly, the clients. If not, I believe the financial professional's ability to be neutral for the benefit of the process and client would be compromised. Let's take each of these separately as they apply to the financial professional.

## **High Competence**

### **Intellectual Competence.**

It is imperative the financial professional has the financial knowledge to benefit the client. There are two ways to assess this: ask the financial professional or refer to his/her credentials.

#### **Ask the Financial Professional.**

Ask the FP about his/her background, experience, and credentials to work with the collaborative client. How long have they been in the profession? What do they believe they are qualified to do in the process? Why do they believe they are qualified? What are they unqualified to do? Do they know the Texas Collaborative Law protocols?

#### **Review their credentials.**

The FP's business card will reflect his/her credentials. The primary ones you will encounter are:

Financial Advisor/Investment Advisor/Financial Planner- These titles mean the person has passed the basic exams required to recommend and sell one or more types of investment products. Additionally, some companies title their advisors as Vice-Presidents of Investments (or something like that). This *generally* means little.

Certified Divorce Financial Analyst (CDFA or CDP) - This designation means an individual has passed 4 separate financial exams pertaining to divorce financial matters. At the 2003, Texas Advance Family Law Conference, Grier Raggio describes this designation as: "... a statement of interest". There is debate regarding the true value of this designation because the exams are not challenging for many financial people.

Certified Financial Planner (CFP)/ Certified Public Accountant (CPA) These two designations are the standards for the financial planning and accounting fields, respectfully. Each designation requires several years of professional practice, passing multiple individual tests and one comprehensive exam.

Collaboratively Trained- This will not be on the financial professional's business card but should be required prior to working on a collaborative team.

The IACP has the following requirements for the FP: 12 hours of Inter-disciplinary Collaborative training, a CFP or CPA designation (they do allow several other equivalents), and 20 hours of divorce specific education (could be achieved through CDFA training).

## **Emotional Competence**

Emotional competence is often overlooked as an assessment of a financial professional but is critical in the context of the inter-personal and team role of a Collaborative FP. I believe this will be the primary competency on how effective the FP is and whether or not he/she will enjoy this type of work long-term. Daniel Goleman wrote two books several years ago addressing this issue: "Emotional Intelligence" and "Working with Emotional Intelligence". The real short premise of these books is that the inter-personal skills and the inner values/beliefs of an individual is a greater indication of future success or failure than the person's intellect.

A few examples in how this competency might show up in the inter-disciplinary approach:

Client Interactions- Does the FP work well with the clients? How does the FP handle conflict? Can the FP remain neutral in all situations? How does FP respond to a challenging client?

Team Interactions- Does the FP show initiative? How well does the FP communicate with the team? Is the FP a team player? How does the person handle feedback?

This is a difficult competency to assess outside of actually working with the individual. However, most people can get a general feeling from observing and interacting with the person in a professional or networking setting.

The IACP recognizes the importance of this skill to the process as they require financial professionals to have: one 30 hour training in client centered, facilitative conflict resolution and 15 hours in advanced collaboration or mediation skills.

## **High Caring**

This is also an objective assessment but a general sense can be obtained through interaction with the FP. There might be several questions you might want to know of the FP to understand why they are part of the Collaborative team.

- Why is the person working in the divorce area?
- Why collaborative divorce?
- What do they want to be doing 3-5 years from now?

In addition, you may be able to assess the FP's caring level by the amount they contribute to the "advance" of Collaborative Law:

- Are they members of organizations promoting Collaborative Law?
- Do they attend the periodic Collaborative Law meetings?
- Do they volunteer to help with organizations meetings associated with Collaborative Law?

## **Putting it all together**

The best way to understand a person's background, experience, values and beliefs is to spend time with them. Invite them to lunch; meet them for coffee- get outside our "normal" circles and get to know someone different. I can think of many times in the past when my initial judgments and/or perceptions about people were wrong—but only after I had spent time getting to know that person!

It is imperative, if the team model is to succeed, that we continue to learn more about each others' professions, as well as each other personally. This knowledge and understanding can help foster a greater respect and trust and can provide a firm foundation for the team model. Teams formed in this manner can then skillfully help the clients reach the out of court settlement that makes sense for them and their family. A goal I know we all share!