

## STANDARDS FOR OCLF ADVANCED COLLABORATIVE PROFESSIONAL ("ACP") DESIGNATION FOR FINAL APPROVAL

APPROVED AT THE OCLF PLENARY APRIL 16, 2018

### 1. GENERAL REQUIREMENTS:

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- 1.1. The Collaborative Practitioner is a member in good standing of and a collaborative practice group which is a member of the OCLF, and which group meets in person, via telephone or web-based face-to-face meetings on a regular basis.
- 1.2. The Collaborative Practitioner has liability insurance of a minimum amount of \$1,000,000 either through their professional organization or third-party coverage.
- 1.3. The Collaborative Practitioner is subject to disciplinary measures by the practitioner's governing professional body.

### 2. REQUIREMENTS FOR LAWYERS:

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- 2.1. Membership in good standing with the Law Society of Upper Canada (or if the motion to change its name is passed, the Ontario Law Society), with no practice restrictions related to the practice of law.
- 2.2. A minimum of 5 full days of collaborative training which could include Level 1, Level 2 and Protocols training, of which there must be a minimum of 2 full days of interdisciplinary training.
- 2.3. A minimum of 40 hours of training or education in addition to the 35 hours of basic collaborative training required in paragraph 2.2 above. The 40 hours must include:

- 6 hours advocacy in collaborative practice
  - 21 hours of Domestic Violence (DV) 14 hours of which must be taken within 1 week, and 7 hours of the training must pertain to collaborative process design and protocols to take into account Intimate Partner Violence and Power Imbalances. This training must be done within 2 years preceding the application for the ACP designation. If done more than two years preceding, one day of DV training as a refresher course and a 7 hour day of CP DV protocols course. The CP component of the DV training must be done by a training team consisting of a Family Professional and CP Lawyer, both who are actively practicing in CP or as otherwise approved by the OCLF Board.
  - The remaining 13 hours may comprise any of the following:
    - Additional Collaborative Training
    - Mediation Training
    - Advanced Interest Based Negotiations Training
    - Advanced Communication Skills
    - Family Dynamics or Relations Training
    - Impact of Separation on Children and Families
- 2.4. Must have completed eight (8) collaborative files with signed participation agreements. These collaborative files must have been completed within five (5) years preceding the application for accreditation. Completed means a final signed Agreement which fully or partially resolves the issues.

### **3. REQUIREMENTS FOR FAMILY PROFESSIONALS:**

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3.1 Must hold a license or professional accreditation and be a member in good standing of one of the following:

- College of Psychologists of Ontario (CPO) - Registered Psychologist
- Ontario College of Social Workers (OCSWSSW)

- Canadian Association of Marriage and Family Therapy (CAMFT)
- The College of Registered Psychotherapists of Ontario
- Ontario Association of Consultants, Counsellors, Psychometrics and Psychotherapists (OACCPP)
- College of Physicians and Surgeons (CPSO)- Psychiatrist

3.2 Must have:

(a) Masters or MD level degree in a related field and background, education and minimum **three** years clinical experience in:

- Family systems theory, which includes assessment and challenges of family dynamics in separation and divorce and challenges of restructuring families after separation
- Individual and family life cycle and development
- Assessment of individual and family strengths
- expertise in child development, clinical experience with a specialty focus on children and an in-depth understanding of children's unique issues in divorce
- Understanding and awareness of race, culture, class, age, LGTBQ and gender
- Understanding and awareness of mental health and addictions

**OR**

(b) BSW and experience, background, education and minimum **ten** years clinical experience in:

- Family systems theory, which includes assessment and challenges of family dynamics in separation and divorce and challenges of restructuring families after separation
- Individual and family life cycle and development
- Assessment of individual and family strengths

- expertise in child development, clinical experience with a specialty focus on children and an in-depth understanding of children's unique issues in divorce
- Understanding and awareness of race, culture, class, age, LGBTQ and gender
- Understanding and awareness of mental health and addictions

3.3 A minimum of five full days of collaborative training which could include Level 1, level 2 and Protocols training, of which there must be a minimum of 2 full days of interdisciplinary training.

3.4 A minimum of 40 hours of training or education in addition to the five full days of collaborative training required in paragraph 3.3 above. The 40 hours must include:

- A minimum of 12 hours of family law training or education for Family Professionals to obtain a basic understanding of the law in Ontario as it pertains to separating families with a focus on parenting issues.
- 21 hours of Domestic Violence (DV) 14 hours of which must be taken within 1 week, and 7 hours of the training pertaining to collaborative process design and protocols to take into account Intimate Partner Violence and Power Imbalances. This training must be done within 2 years preceding the application for the ACP designation. If done more than two years preceding, one day of DV training as a refresher course and a 7 hour day of CP DV protocols course. The CP component of the DV training must be done by a training team consisting of a Family Professional and CP Lawyer, both who are actively practicing in CP or as otherwise approved by the OCLF Board.
- The remaining 7 hours of the 40 hours may comprise of any of the following:
- Additional Collaborative Training

- Mediation Training
  - Advanced Interest Based Negotiations Training
  - Advanced Clinical Training
- 3.5 Must have completed eight (8) collaborative files with signed participation agreements. These collaborative files must have been completed within the five (5) years preceding the application for accreditation. Completed means a final signed Agreement which fully or partially resolves the issues.

#### 4. MEMBERSHIP REQUIREMENTS FOR FINANCIAL PROFESSIONALS:

- 4.1. Professional license or designation in good standing in one of the following:
- CPA - Chartered Professional Accountant
  - CA - Chartered Accountant
  - CGA - Certified General Accountant
  - CMA - Certified Management Accountant
  - CFP - Certified Financial Planner
  - Ch.F.C. - Chartered Financial Consultant
  - CLU - Chartered Life Underwriter
  - PFP - Personal Financial Planner
  - CFDS - Chartered Financial Divorce Specialist
  - CDFA - Certified Divorce Financial Analyst
  - FCIA - Fellow of the Canadian Institute of Actuaries
  - CBV - Chartered Business Valuator
- 4.2. Background, education and experiences: The ACP designation requires each candidate to demonstrate how their background, education and experience exceeds their professional associations designations' minimum requirements and requires in-depth broad-based financial knowledge, in addition to

financial matters as they relate to separation and divorce including:

- Financial aspects of divorce
  - Cash management and spending plans
  - Retirement and pension plans
  - Income tax
  - Risk management
  - Individual and family financial planning concepts
  - The emotional impact of separation and divorce on children and families
- 4.3. A minimum of five full days of collaborative training, which could include Level 1, Level 2 and Protocols training, of which there must be a minimum of 2 full days of interdisciplinary training.
- 4.4. At least five full days of education in the financial aspects of divorce, giving the financial professionals a basic understanding of family law in Ontario. Such education must include the following:
- Family Law legislation in Ontario
  - Divorce procedures and process options
  - Property - valuation and division
  - Pensions and RRSPs - valuation and division
  - Cash flow management, including budgeting
  - Child and spousal support
  - Canadian Financial implications of different scenarios for settlement, including analysis and future projections of net worth and cash flow
  - Canadian income tax implications of various settlement options for property and support claims.
- 4.5. A minimum of 40 hours of training or education in addition to the five full

days of collaborative training required in paragraph 4.3 above and in addition to the five full days set out in 4.4. The 40 hours must include:

- 21 hours of Domestic Violence (DV) 14 hours of which must be taken within 1 week, and 7 hours of the training pertaining to collaborative process design and protocols to take into account Intimate Partner Violence and Power Imbalance. This training must be done within 2 years preceding the application for the ACP designation. If done more than two years preceding, one day of DV training as a refresher course and a 7 hour day of CP DV protocols course. The CP component of the DV training must be done by a training team consisting of a Family Professional CP lawyer, both who are actively practicing in CP or as otherwise approved by the OCLF Board.
  - The balance (19 hours) of the 40 hours may comprise of any of the following:
    - Additional Collaborative Training
    - Mediation Training
    - Advanced Interest Based Negotiations Training
    - Advanced Communication Skills
    - Family Dynamics Training
- 4.6. Must have completed eight (8) collaborative files with participation agreements signed by the parties. These collaborative files must have been completed within five (5) years preceding the application for accreditation. Completed means a final signed Agreement which fully or partially resolves the issues.

## 5. CODE OF CONDUCT

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- 5.1. The Collaborative Practitioner will adhere to and comply with the Code of Conduct of their Professional Governing Body and will adopt and follow the

IACP Professional Standards, as established from time to time.

## 6. SUPPORTING REFERENCES

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- 6.1. All applications for accreditation must be accompanied by three (3) reference letters attesting to the applicant's fitness as a collaborative practitioner. The reference letters must be from collaborative colleagues and one (1) out of the three (3) letters must be from within the applicant's profession. Letters must be received directly from the referee or if submitted with the application, must be received in an envelope sealed by the referee.
- 6.2. Where appropriate, specific dispensation may be obtained if the applicant's Practice Group has one (1) or no Financial Professional or Family Professional.

## 7. ADDITIONAL DISCRETIONARY REQUIREMENTS

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- 7.1. The Accreditation Committee may request an interview with the applicant as part of the admission process.
- 7.2. In the course of considering an application, the Accreditation Committee may:
  - Receive or request further information or submissions from an applicant;
  - Decide when extensive experience and established credibility or other such evidence can substitute for some of the training and education requirements listed in this document or prerequisite number of cases;
  - Request additional evidence demonstrating that licensing, educational and training requirements have been met.



- 7.3. The Accreditation Committee reserves the right to refuse accreditation to an applicant despite the fact that the applicant meets the technical requirements for admission. In such situations, the Committee will offer the applicant an interview to discuss the application and the Committee's concerns.
- 7.4. In the event that an applicant has not been involved in the minimum number of cases in the preceding five (5) years, he or she may send a written submission to the Committee explaining the circumstances. The Committee will review the written submission and may vary the minimum number of cases required for accreditation in certain circumstances.

## 8. ON GOING ACCREDITATION REQUIREMENTS - RENEWAL PROCESS EVERY TWO (2) YEARS

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- 8.1. All professionals, after accreditation, must engage in a minimum of twenty-four (24) hours, during the previous two (2) year period, of on-going professional development or continuing education related to the Collaborative Practitioner's collaborative practice. Of the 24 hours, at least seven (7) must be directly related to collaborative skills and at least five (5) to Domestic Violence Training.
- The remaining 12 hours may include:
  - Mediation trainings
  - Communication skills training
  - Family systems or family dynamic training
  - Attendance at the O.C.L.F Conference
  - Attendance at practice group educational activities
  - Any program from the International Academy of Collaborative Professionals, including the attendance at the annual Forum,

Summit or the Collaborative Institute

- Mentor in a recognized collaborative practice mentoring program (limited to eight (8) hours over the two (2) year period).
  - Board member of a Collaborative Practice Group that is a member of the OCLF or OCLF board member, limited to 12 hours over the two (2) year period.
- 8.2. If a professional provides training in his/her area of collaborative practice, the training hours will count as double the hours of continuing professional development for that professional (for example, a four (4) hour training will be equivalent to eight (8) hours of professional development for the trainer) up to a maximum of 12 hours over the two (2) year period.
- 8.3. After Accreditation, the Collaborative Practitioner must maintain an active collaborative practice. Each practitioner must be involved in the following number of collaborative files over the two (2) year period:
- Lawyers: six (6) new collaborative files (participation agreements signed) or at least 30 hours of involvement in an on-going collaborative file(s)
  - Family Professionals: four (4) new collaborative files (participation agreements signed) or at least 20 hours of involvement in an on-going collaborative file(s)
  - Financial Professionals: two (2) new collaborative files (participation agreement signed) or at least 15 hours of involvement in an on-going collaborative file(s)\*
- 8.4. In the event that an accredited professional is not able to comply with the requirements set out in clause 8.1 and 8.3, he or she must send a written submission to the Accreditation Committee explaining the circumstances surrounding non-compliance. The Committee will review the written submission and may recommend to the OCLF Board that the requirements of clauses 8.1 and 8.3 should be waived for that specific individual.

- 8.5. After accreditation, the Collaborative Practitioner must continue to maintain their membership in a practice group which is a member of the OCLF.
- 8.6. After accreditation, the Collaborative Practitioner must maintain liability insurance of at least \$1,000,000 through their professional organization or third-party insurer.

## 9. ADDITIONAL ISSUES

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- 9.1. A complaint made about a Collaborative Practitioner to the Practice and Ethics Committee which results in disciplinary action may result in termination or non-renewal of accreditation.