

COP Membership Structure as incorporated in COP Bylaws

I. PROFESSIONAL MEMBERSHIP

COP Professional Membership shall be open to persons who meet the following qualifications and requirements:

- A. Attorneys: Five years of practice, with 50% of their cases related to Family Law or to Probate, Trusts & Estates law; Current member in good standing with the California State Bar; and, Carry and maintain malpractice insurance in all relevant areas of practice.
- B. Financial Specialists: (e.g. CPA, CFP, CDFIA) Five years of practice, with 50% related to family finances and/or (CPA's) business valuations/taxes; Current license/certification in good standing with the Department of Consumer Affairs in California; and, Carry and maintain malpractice insurance in all relevant areas of practice (e.g. mediation).
- C. Coaches: Five years of practice, and no less than one year of private practice, with a minimum of 25% of their work related to custody/divorce family issues; Current license in good standing with the State of California in the mental health field; and, Carry and maintain malpractice insurance in all relevant areas of practice. Note: Separate, additional liability insurance is often required for clinicians functioning also as mediators and/or coaches.
- D. In addition, **Professional Members**:
 1. Belong to one of the three traditional collaborative professional categories required by collaborative protocols.
 2. Are fully trained in Collaborative Divorce Protocols, or Collaborative Trusts and Estates Protocols and in Divorce/Custody-related Mediation (2-3 days of Collaborative Training and 30-40 hours of Mediation Training).
 3. Are set up and able to function as independent practitioners: Such practitioners must be able to function independently within the collaborative process, according to protocols and procedures associated with their profession, free of any potential conflicts of interests.
 4. Professional Members may vote regarding *bylaws, budget/dues and the election of officers*. A quorum of Professional Members is needed to vote on said matters, and any other matters as determined in these bylaws.
 5. Volunteer to Chair and/or serve actively on no less than one committee.

6. Are listed at no extra charge as “Professional Members” on the website in either or both Collaborative Divorce and Collaborative Trusts & Estates arenas, depending on their specific areas of experience, expertise and Collaborative training.

II. ASSOCIATE MEMBERSHIP

- A. **Associate COP Members** are community professionals (e.g. mortgage brokers, realtors, professional organizers and advisors, property evaluators, financial advisors affiliated with a financial firm, etc.) interested in serving as consultants in Collaborative Practice, who are not of the 3 professions mandated by Collaborative Protocols (Attorneys, MHPs and Financial Specialists).
- B. Associate Members who are licensed/certified to work in California may serve as consultants and participate on collaborative cases, provided they: meet the above requirements, recuse themselves from the case should clients decide to litigate, as well as sign the Principles & Guidelines and Participation Agreements and the Team Confidentiality Release. Clients decide, as with Professional Members, whether to select Associates as part of their Team.

III. PROVISIONAL MEMBERSHIP

- A. **Provisional Members** are those of any of the 3 professional roles prescribed by Collaborative Protocols (Licensed Mental Health Professionals, Financial Specialists & Attorneys) who are newly licensed/certified, or do not yet otherwise qualify to apply for Professional Membership.
- B. We welcome and include newly licensed/certified California professionals (i.e. attorneys, licensed mental health professionals, CPA’s and other financial specialists) who may join as Provisional Members. The 1 year time limit for remaining a Provisional Member may be extended for newly licensed/certified professionals (e.g. MHPs, CPAs, CFPs & JDs) still completing their first 5 years of experience in their respective fields, provided they meet the remaining above requirements within the first year of joining, and that MHP’s demonstrate being prepared to practice and bill independently.
- C. Prior to applying for Professional Membership, Provisional Members must receive pre-approval from Professional Members in their respective professions.

IV. ASSOCIATE AND PROVISIONAL MEMBERSHIP

Associate and Provisional Members:

- A. Must be current members in good standing with their supervising certification and/or licensing California boards.
- B. Carry professional liability insurance, related to their area(s) of expertise and relevant to a mediation/collaborative context in California.

- C. Once fully trained in Mediation and Collaborative, shall be listed on the Website at no extra charge as either “Associate” or “Provisional” Members in either or both Collaborative Divorce and Collaborative Trusts & Estates arenas, depending on their specific areas of experience, expertise and Collaborative training.
- D. Will complete both Collaborative and Mediation Training *within 1 year* of joining. *Upon completing the trainings* (Mediation & Collaborative), Associate & Provisional Members may:
- i. Co-Chair a committee with a Professional Member,
 - ii. Offer COP trainings to educate members about their areas of expertise (pending Program Committee’s approval),
 - iii. Shadow, serve on and/or consult for collaborative teams,
 - iv. Appear on COP website under “Associate Members” or “Provisional Members,”
 - v. Take additional leadership roles - *except being on the Executive Committee* (the latter is reserved for Professional Members), and
 - vi. Vote on all Board-related decisions, *except*
 - Bylaws (e.g. amendments),
 - Budgets/Dues, and
 - Election of Executive Officers.A quorum of Professional Members is needed for a vote on the latter three matters.

V. **MEMBERSHIP APPLICATION**

All interested in joining may attend 3 meetings before deciding to apply as Professional, Associate or Provisional Members.

Applications are submitted to the Membership Committee’s Screening Subcommittee for each area of practice (law, mental health and financial) for application assessment, interviews and recommendations to the membership. New Members are admitted to COP as Professional, Associate or Provisional Members after an affirmative vote of at least eighty percent (80%) of the Professional Members in good standing, as determined by secret ballot. Ballots will be tallied by the Executive Committee.

VI. **CONTINUING EDUCATION**

- A. Each member must complete no less than 12 hours every two years: 6 hours of mediation and/or 6 hours of collaborative training provided by a recognized professional organization and/or COP.
- B. All Team Members are asked to seriously consider ongoing team-member requests and/or feedback indicating they may need to pursue additional collaborative team training: 1) to help drop positional advocacy and/or 2) to better understand the distinct bailiwicks of other professionals in a collaborative process. Team and Practice Group members are always strongly encouraged to directly ask supportive colleagues, especially coaches, for guidance, help and clarification in these arenas.

- C. All Members are strongly encouraged to shadow/observe no less than 2 Collaborative Cases from start to finish (Must obtain client permission via Professional Members on the Team, and/or ask to observe/volunteer at Loyola Law School's Center for Conflict Resolution). Shadowing cases also helps COP professionals get to know new members, as they provide constructive feedback, share their observations of couple/team dynamics and offer to help during post-meeting debriefs.

VII. COP's MEMBERSHIP IN OTHER COLLABORATIVE ORGANIZATIONS

COP shall maintain current membership in LACFLA and CPCal. All COP members shall individually pay practice-group rates to sustain their membership in LACFLA. COP will pay for its annual CPCal Membership, and will request contributions from all COP members if or as needed to cover this cost. IACP membership and conference attendance is strongly encouraged for a global connection to the Collaborative Community. An annual vote of the membership is taken to determine whether COP will pursue IACP group membership in that year. Ideally our group supports Collaborative Practice at the local, state and international levels.

VIII. ATTESTATION OF COMPLIANCE

All members will sign an Attestation to their compliance and agreement to each of the above specific COP membership requirements no later than December 1 to ensure all forms are signed by January 1 of each year. Said Attestation forms detailing the requirements per these bylaws will be requested, submitted and filed/stored by the Membership Committee.