

UNIFORM COLLABORATIVE LAW ACT (EXCERPT)
Act 159 of 2014

691.1350 Authority of tribunal in case of noncompliance.

Sec. 20. (1) If an agreement fails to meet the requirements of section 4, or a lawyer fails to comply with section 14 or 15, a tribunal may nonetheless find that the parties intended to enter into a collaborative law participation agreement if both of the following apply:

(a) The parties signed a record indicating an intention to enter into a collaborative law participation agreement.

(b) The parties reasonably believed they were participating in a collaborative law process.

(2) If a tribunal makes the findings specified in subsection (1), and the interests of justice require, the tribunal may do all of the following:

(a) Enforce an agreement evidenced by a record resulting from the process in which the parties participated.

(b) Apply the disqualification provisions of sections 5, 6, 9, 10, and 11.

(c) Apply a privilege under section 17.

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