

Parents Can Help Children Survive Divorce

by John Gartland

Of the approximately 2.5 million couples who will be married this year, statistics suggest that half will divorce, many with children. Some of them will survive this painful transition and others will not.

What is clear from all of the studies is that a child's ability to survive the dissolution of his or her parents' marriage is largely dependent on the parents' ability to get through the divorcing process without warfare and for the children to have a predictable and ongoing relationship with each parent.

Good parents will strive mightily to protect their children during a divorce. This is not always easy, but the following guidelines should be helpful to parents as they establish separate households:

A united approach. Children need to know that although their parents are choosing to no longer live together, the children are not being divorced from their parents. Many mental health professionals believe it is best to inform the children together as non-judgmentally as possible. The children should be reassured that they are not the cause for the divorce and that both parents will continue to be involved in their lives. Every effort should be made to keep the children out of the middle or having to "pick sides." Too often children become victims of their parents' tug of war and are emotionally ripped in the process.

Let them be children. The divorce process can force children to grow up too fast. Children will often come to the emotional rescue of the aggrieved parent, which can result in a significant burden on them. The prospect of Mom and Dad separating is painful for children and many will go to great lengths to keep them together. Parents need to reassure their children that although things will be different, they will be OK because their parents will make sure that this happens.

Protect them from parental conflict. Divorce is the death of a relationship; with it comes a wide range of emotions including disbelief, depression, ambivalence and rage. These reactions are all normal, within limits, but parents should do their best to avoid conflict in front of their children. When mothers and fathers fight, children who love both parents find themselves in a helpless situation with all the anxiety and discomfort that this produces.

Merits of counseling. Divorce is difficult and can bring out the worst in parents. To successfully cross the minefield and make informed and prudent decisions, reliance on an objective counselor or psychologist is recommended. Such professionals serve as a good sounding board, and they can provide objective advice on how to make this transition in a way that provides insight and protects the family.

Non-adversarial dispute resolution. Our world has become more complex, and "simple divorces" are becoming less common. To protect rights and assure fairness, most parties who are divorcing should get competent legal advice along the way. Many cases are resolved in the adversarial process, but many do not settle until the last minute, and often at great expense. The

adversarial process also tends to result in misunderstandings and hard feelings. As anger and frustration mount, parents stop talking about what is best for their children and tend to blame each other. When this happens, it becomes difficult, and sometimes virtually impossible, to find creative solutions that will work for everyone.

In response, more and more divorcing couples are opting for mediation to resolve their concerns. Independent counsel is still important, but rather than the lawyers serving as the direct negotiators, the parties negotiate directly, facilitated by the mediator. During mediation, parties should still look to their respective lawyers for advice about the important decisions to be made and to review any legal documents before they are signed.

Although mediation may not be appropriate in all cases, such as those involving physical abuse, it works for many couples. It is a respectful and confidential “out of court” settlement process that allows the parties to retain more control. Not surprisingly, studies show that mediated agreements tend to have a higher compliance rate than decisions dictated by the adversarial process.

In Lane County, a “mandatory” mediation program has been established to assist divorcing couples with custody and parenting-time schedule disputes. Once a petition is filed for divorce or separation, the parties are eligible to participate in this program at no extra cost. Parties may also opt to engage a private mediator for this purpose, and to assist them with other issues such as property division and support. The Lane County mediators cannot, by law, assist parties with these latter matters.

The Lane County Mediation Program can be reached by calling (541) 682-3962. Referral recommendations to private mediators can be obtained by calling The Oregon Mediation Association at (503) 872-9775 or www.omediate.org and the Association for Conflict Resolution at (202) 667-9700 or www.acresolution.org.

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