



FRIENDLY VS. FIERCE

HOW YOU DIVORCE WILL IMPACT
THE REST OF YOUR LIFE.

BY GEMMA ALLEN

America has reluctantly come to accept that not every marriage is made in heaven. Divorce has moved in our societal lexicon from once being ‘unthinkable’ to now being mainstream. There are actually e-cards celebrating a ‘Happy Divorce.’

In almost half of marriages, at some point, divorce will be the best solution to an unfixable relationship. No one at the altar ever plans to be facing their spouse in the courtroom, but it happens. As one popular T-shirt proclaims, “100% of Divorces Begin with Marriage.”

Because divorce is a legal process dealing with property and money, we’ve long confused the winner/loser courtroom model with the psychological process of ‘letting go’ of a dream. What makes it even more complex is that the legal process and psychological pain play out simultaneously. Hearts are breaking, while children and investments hang in the balance.

PSYCHOLOGICAL AND PRACTICAL REALITIES

The formula for an amicable divorce is both psychological and practical.

ON THE PSYCHOLOGICAL SIDE:

1. Begin the divorce with a vision of its ending and try to tailor your

behavior to the idealized goal. When you look back at this life-altering event, you want to feel that you handled it as well as possible. Forgive yourself for the bad days. Keep your eye on the positive after-effects of a positive divorce. Believe it or not, old spouses can later become old friends.

2. Know that people do have bad days – from women raiding their husbands’ offices and wrecking furniture to an equal number of men trying to transfer assets offshore or to a new ‘friend.’ What you also have to know is that these tactics almost always backfire legally and leave you feeling less good about yourself in the long run.

3. Acknowledge what the legal system can and cannot accomplish, so that you don’t spend time, money and angst on unreachable goals. Divorce can set you free, but it cannot change the other spouse. Attorneys aren’t allowed to perform lobotomies on your soon-to-be-ex, although there will be days you wish they could. Divorce can divide the assets and income, but it can never resolve the historic financial fights in your relationship. Divorce can start a new chapter in each of your lives, but it cannot resolve who was more right or wrong, except on issues related to parenting and addictions.

4. Lean on friends and consider emotional health support, even for the short-term. Study the words of wisdom in some invaluable how-to books such as *The Good Divorce* by Dr. Constance Ahrons and *The Good Karma Divorce* by Judge Michele Lowrance. Even the best divorce is stressful, rating second only to death as anxiety producing, so nurture your body and soul.

ON THE PRACTICAL SIDE:

1. Choose a like-minded lawyer and, yes, you need one because legal and financial rights, and perhaps your children’s futures, are at stake. Try to ‘hear’ your attorney even when he or she is not telling you what you want to hear. Good lawyers will tell you the truth about options and likely outcomes. Questionable lawyers will keep your anger fueled, but they get richer in the fallout – not you.

2. Do your financial homework. Assemble the financial facts and figures related to the market values of your assets, the liens and loans outstanding, account balances and the upcoming obligations and needs of the children, along with all sources of income. The more financial information that is openly shared, the less time (and therefore money) will need to be spent ‘discovering’ it.

3. For valuing more complex assets like businesses, trust interests and the like, consider using experienced consultants. They can mediate the differences between two expert opinions, thereby avoiding the ‘battle of the experts’ in a courtroom.

4. If you and your spouse are at an impasse, initiate a sit-down meeting with your respective lawyers or embark on lawyer-assisted mediation. Aim for a solution before the case goes to trial. Trials are arduous, and it’s hard to measure who has won when the legal and emotional costs are factored in.

5. Mediation is the preferred route to resolution of all child-related disputes. While it doesn’t always work, it should be tried. Once a child-related dialogue starts, settling the case can develop a momentum of its own – a momentum can help fuel a happier next chapter for the parents and their children alike.

RELATIVELY HAPPY ENDINGS

Make having an amicable divorce a priority, because how you divorce will impact the rest of your life, especially if children are involved. But make no mistake: When you commit to this type of behavior in a divorce, you’re signing on for a difficult journey. As one client so accurately observed, “Making a good divorce can take more maturity than making a good marriage.” It’s worth the effort. ■