

# DIVORCE GUIDE



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We are pleased that you are reading this publication and we hope that our firm, Kessler & Solomiany, LLC (KS Family Law), can assist you or your loved one with your or their particular family law matter. In the pages that follow, you will be provided with some basic introductory materials which may help you or them navigate through a domestic relations situation. As you read through these pages, you may find similarities to the particular situation which brought you to our office. However, it is important to remember that no two cases are alike and the facts involved in the case for which you have come to us and the laws which may apply to that situation can vary greatly. Simply put, there is no such thing as a “cookie cutter” family law matter and we strongly advise anyone who is involved in a family law matter to discuss it with an attorney who practices family law. Towards that end, we hope you will take the time to learn more about our firm at our website: [www.ksfamilylaw.com](http://www.ksfamilylaw.com). On our website you can also locate many frequently asked questions (FAQs), as well as overviews of many family law issues such as child support, custody and property division.

Although we are one of the largest firms in the Southeast which focuses solely on Family Law, we pride ourselves on our ability to give you individual assistance so that if the lawyer responsible for your case is unavailable, then a paralegal or another attorney in our office will be familiar with your case and he or she will be able to assist you. In the event that all the professionals who have been working on your case are unavailable during a time of crisis, all of your records and information are immediately accessible to anyone in our office and any attorney in our office will be able to assist you if an emergency arises. In short, we strive to make sure that your concerns are addressed quickly and correctly.

In addition to reading this publication, as mentioned above, we invite you to visit our website and read more about KS Family Law and our individual attorneys and paralegals. On the section that lists our attorneys, you may simply click on the face or name of the attorney and go directly to their biography and related information. And again, we also highly recommend that you look at the “frequently asked questions” or “frequently viewed videos” page to give you an initial understating of some of the procedures you may encounter in your situation.

Above all, we understand that this is your (or your friend or family member’s) life and the choices you (or they) make will affect your (or their) life and in some cases your (or their) family’s life for years to come. As such, we will do our best to ensure that you or they are provided with proper legal guidance during the case and we will give advice based on our experience in this field of law. We consider it the highest compliment that you would consider our firm and we will strive to justify the confidence you or your family member or friend have placed in us.

We hope to be of assistance. And if the issue which brought you to us is divorce, please ask any of our staff about the book “Divorce: Protect Yourself, Your Kids and Your Future” since it provides a good overview of the process. You may also learn more about the book or purchase a copy at [www.divorceprotectyourself.com](http://www.divorceprotectyourself.com).

We truly hope the difficult situation which has brought us together can be resolved efficiently and equitably. We will do our best to meet your goals and we look forward to a future where these difficulties are in the past.

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For most people, divorce is much more than a major legal process. It's also a challenging time of transition that can negatively impact virtually every area of life: emotional, psychological, and physical health; domestic; parental; financial; social; vocational; and more.

This special **Divorce Guide** contains helpful articles, tips, and advice to assist you and your family through this transformational process. It will help empower you to build the satisfying new post-divorce life you desire – and deserve.



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# Should You Get a Divorce?

## 10 Questions to Consider

Deciding whether to divorce is a tough, complex, and controversial subject. Here are ten key questions to think about before pulling the plug.

By Terry Gaspard, Licensed Therapist and Author

Is your marriage just so-so, or is it toxic? Are you unsure about whether you ever really loved your partner, or are you just going through a difficult time? Should you get a divorce?

Maybe you worry about whether you should stay together for the sake of your children even though your marriage has been a disaster for a long time.

Before you make a final decision about something as important as divorce, it is essential that you examine your situation carefully. While there is no foolproof way to know if divorce is the best solution to an unhappy marriage (or even one where infidelity is present), many people consider it to be a viable option to chronic unhappiness, high conflict, or even falling out of love with their partner.

### Should You Get a Divorce? Here Are 10 Key Questions to Ask Yourself

The following list of questions will help you to examine your thoughts, feelings, and options prior to making a decision about whether or not to proceed with a divorce.

**1. Do I feel constantly criticized and put down by my partner, which leaves me feeling not good enough?**

According to relationship expert Dr. John Gottman, author of *Why Marriages Succeed or Fail* (Simon & Schuster), criticism is one of the main reasons why marriages collapse. It can be lethal to a marriage because it can lead to contempt.

**2. Do I feel disrespected by my spouse? Does my partner honor my boundaries?** When you lose respect for your partner, or vice versa, you may feel they are damaged goods. If left unchecked, this dynamic will destroy your marriage.

**3. Does my partner engage in a pattern of chronic, overt, destructive behavior?** This would include activities such as internet gambling, alcoholism, drug abuse, porn, or illegal activities.

4. **Is my marriage characterized by persistent high conflict without many periods of harmony or happiness in the relationship?**
5. **Do I experience emotional, physical, or financial abuse in my marriage that causes me to feel unsafe and/or disrespected?** For the most part, experts agree that any type of abuse erodes feelings of security, trust, or sense of belonging in a relationship. These issues can't be resolved in the context of a marriage.
6. **After an argument, do we work to repair our relationship and get back on track?** Or have we fallen into the trap of blaming each other and failing to compromise or apologize? As a result, do we experience less warmth and closeness? One of the most important solutions to this problem is to improve your repair skills. Couples need to get back on track after a fight if they don't want issues to fester.
7. **Do we rarely have sex or spend time together and have no desire to change this pattern?** Intimate relationships require nurturing, and couples who spend time together and have sex regularly report that they are more emotionally connected than those who don't.
8. **Is one of us involved in an ongoing affair?** The crucial aspect of an affair is betrayal. If a spouse fails to end an affair, take responsibility for their actions, and make a commitment to stop the betrayal, there is little chance that a marriage can be saved.
9. **Does my partner refuse to talk at all when we have a dispute?** If so, she or he may be "stonewalling." Unfortunately, stonewalling or shutting down is one of the predictors of divorce.
10. **Does my partner refuse to work on our relationship?** If your spouse doesn't care enough to work on improving your marriage – or they heap all the blame for your relationship issues on you – that's a big sign that they're done with it. It takes two to tango, and one person can't save a marriage. This includes refusing to spend time together and/or attending couples counseling sessions.

## Should You Stay or Should You Go?

Many people ask me, "Should I get a divorce?" By far, this is one of the most commonly asked questions clients and bloggers ask me. And even though I've lectured on this topic many times, I still find myself pausing and choosing my words carefully. The reason why this question is so difficult for me to answer is because every couple and family is different, and one size doesn't fit all when it comes to divorce.

Other reasons include whether or not you have children: parental conflict plays a large role in children's emotional and psychological adjustment (in both intact and divorced families), and there is quite a lot of controversy about research findings.

Whether parents should stay together for the sake of their children depends to a large degree on the level of stress and disruption in family relationships associated with an unhappy or conflictual marriage. An important question is: would the well-being of the children be enhanced by a move to a divorced, single-parent family? If the answer is yes, then a divorce can be advantageous. However, if a divorce will expose children to drastically diminished resources – causing ongoing conflict and difficulty providing for the children – then the answer may be to stay together.

In her landmark book *For Better or for Worse: Divorce Reconsidered* (W.W. Norton & Company), eminent psychologist E. Mavis Hetherington highlights the results of her study of 1,400 families and the importance of examining the type of conflict children experience. She notes that high conflict that involves the child, is physically violent, threatening or abusive, and in which the child feels caught in the middle, has the most adverse consequences for children.

In another review of this topic, Paul Amato states: "When parents engage in a pattern of chronic, overt, destructive conflict, children may be no worse off (and perhaps better off) if the marriage ends in divorce." The main finding highlighted by Amato and Hetherington is this: While parental divorce may expose children to more risk factors for subsequent social and psychological problems, that association is moderate, and the majority of youth (75%) reach adulthood as well-functioning individuals.

Even the late divorce expert Judith Wallerstein, who tended to emphasize the detrimental impact of parental divorce, wrote: "Children raised in extremely unhappy homes or violent homes face misery in childhood and tragic consequences in adulthood." She went on to say, "I don't know of any research, mine included, that says divorce is universally detrimental to children."

Truth be told, many factors are involved in determining whether or not a couple should divorce. Every relationship and family has unique dynamics and characteristics. Deciding whether to divorce is a tough, complex, and controversial subject. There are no right or wrong answers, nor are there any simplistic solutions. However, if a couple has the maturity and fortitude to re-connect and work on their marriage (and abuse is absent), they may be able to heal and improve their relationship over time. ■



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[www.movingpastdivorce.com](http://www.movingpastdivorce.com)

# How to Ask for a Divorce Without Starting a War

The art and skill of how to ask for a divorce requires you to anticipate the fears, needs, and negative emotions that your spouse will experience when you bring up the subject. Here are seven tips for breaking the news.

By Gray Robinson, Relationship Expert and Author

**T**elling your spouse that not only is the honeymoon over but also the marriage takes planning and tact. How you ask for a divorce depends on the maturity level of the spouses involved and their ability to control their emotions. If you live with a drama king or queen, it will not be easy.

How you approach ending the marriage will likely depend, at least in part, on the reasons for your decision. The most common reasons for divorce include the inability to communicate and understand one another, infidelity, abuse, finances, control issues, and unreasonable expectations. These factors are usually caused by misunderstandings of what marriage and love are all about.

## What's Love (and Self-Love) Got to Do with It?

Most people have no idea what love really is; they get married for reasons that don't include love, which makes divorce difficult. When two people still love and respect each other but their marriage isn't working, divorce is easier than for couples who despise each other. The bottom line is that you can only love someone as much as you love yourself.

You must be very honest with yourself about your motivation for wanting a divorce. If you want the divorce because you don't feel safe, then it is motivated out of self-love. If you want a divorce because you are bored, found someone new, or are tired of the relationship, the motivation is other than self-love.

The short story is: if you don't love yourself and are seeking a divorce for selfish reasons, the divorce will probably be emotionally charged. In order to ask for a divorce peacefully, you have to have compassion and anticipate their feelings.

Although it may seem counterintuitive, the amount your spouse will suffer when you ask is indirectly proportional to how much you care for them.

## How to Ask for a Divorce: 7 Tips

I was a divorce attorney for many years and have been divorced twice myself; I used to joke that I know more ways to end a marriage than to make a good one. I have seen couples divorce amicably and I have seen Armageddons.

Here are seven suggestions on what to consider when breaking the news.



## 1 Go to Marriage Counseling First.

If you have not expressed any dissatisfaction with the relationship before you decide to divorce you need to ask them to go to counseling with you. It is not fair if you have not been honest with them during the marriage about your feelings and problems with the relationship and you suddenly break the news that you want a divorce. The purpose of counseling is not only to save the marriage, but also to ease the couple into the reality that a divorce is a good idea. It is not inconceivable that you may discover the true reason for your desire for a divorce and the marriage can be changed to be more beneficial. If they refuse to go, then you have a way into asking for divorce and they won't be blindsided.

## 2 Reassure Your Ex First, and Don't Rush the Conversation.

Before asking for a divorce, think about what kind of relationship you want going forward; this is crucial if you will be co-parents, and also important if you share a business, friends, or close relationship with your in-laws. Help your ex to feel as safe as possible, and let them know you care about them. Many people react emotionally and negatively because they feel like they are being attacked and rejected. If you show them you care first, they may not get triggered into an emotional fight-or-flight reaction, which will turn off their ability to think rationally. Allow them plenty of time to ask questions and process their feelings. Remember: you've been thinking about divorce for a long time whereas they may be totally blindsided, even if the relationship hadn't been good for a while.

## 3 Step Up Financially.

If you are the breadwinner or supporting spouse, you'll be expected to support your spouse for some amount of time – ranging from a couple of years for them to complete their education so they can become

**For some, the reaction will be volcanic and cataclysmic no matter what you do. Focus on helping them cope with their fear, anger, or rejection and you'll experience a much more peaceful exit.**

gainfully employed to permanently in the case of long-term marriages or if your spouse has a chronic illness that will prevent them from becoming self-supporting. If you let them know you are prepared to do that, this will allay many of their fears for the future. The amount of fear they'll feel is directly proportionate to your stinginess. Be prepared to give them everything they need and most of what they want; the more generous you are, the less triggered they will be. True generosity goes a long way to disarming people.

## 4 Have a Plan.

The more answers you have to their concerns the better. Seek legal advice before you announce a divorce. There are some wise pre-divorce planning steps you may need to know before divorce becomes a topic.

## 5 Look for the Positives.

Remember the reasons you got married in the first place. I always asked my clients why they got married and what happened to their marriage. Even if they blamed their spouse, something almost always shifted in my clients, helping them move from anger to acceptance. All perception is projection. If you can remember the good times – and let

your spouse know you remember and cherish those good times – it will go more smoothly.

## 6 Make the Children Your Primary Focus.

If you have children, then you have to make them your primary focus. If not, you will reap unpleasant rewards. Remember that you are ending your marriage, not your co-parenting relationship. Just because the marriage ends doesn't mean it's the end of the world for your children. Just like in any relationship, the more you can support each other, the better.

## 7 Expect the Best, but Prepare for the Worst

The art and skill of how to ask for a divorce requires you to anticipate the fears, needs, and negative emotions that your spouse will experience when you bring up the subject. If you haven't had a loving relationship for a long time, you can expect feelings of anger, grief, rejection, abandonment, and revenge in response to asking for a divorce. Fear of the future may also figure large in their minds. Your spouse's emotional maturity and resilience will determine how you ask this question.

For some, the reaction will be volcanic and cataclysmic no matter what you do. If you focus on helping your spouse cope with their fear, anger, or rejection, you'll experience a much more peaceful exit. ■



*Gray Robinson (Esq.) is a retired trial attorney, relationship expert, and award-winning author who empowers people to create the lives they want.*

*In 2004, he became a counselor and business consultant, helping individuals and groups break through trauma and unhealthy thinking to realize their greatest potential.*

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# UNDERSTANDING the Divorce Process

An Introduction to how the divorce process typically works.

By Diana Shepherd, Divorce Financial Professional

**L**ike snowflakes, no two divorces are identical. Every marital breakup has its own unique legal, financial, emotional, and/or parenting issues, which may require creative, outside-the-box solutions for the parties to reach agreement. In divorce, one size *definitely* does not fit all.

However, every divorce undergoes the same general journey from initiation to closure. Whether you and your spouse make this journey slowly or quickly, expensively or inexpensively, stressfully or peacefully is up to you, but the destination is always the same: from shared to separate lives.

Here's a basic primer of how the divorce process works in the United States and Canada. Bear in mind that you need to speak to a family lawyer to discover how the options vary in your state or province, as well as how the details and circumstances of your situation may affect your process.

## Temporary Orders and Filing Divorce Papers

Although it may feel like it sometimes, life does not come to a halt while you're negotiating your divorce. Whether your divorce case takes six months or six years to finalize, you have





to keep food on the table and a roof over your heads, among other things. During this temporary period before a divorce is finalized, most people are able to reach an agreement about how to pay for their expenses. If they can't reach an agreement, they might have to go to court to ask a judge to issue temporary orders.

A temporary order/agreement establishes quick decisions about the children, property, bank accounts, support, and other key issues during the separation period. For example, if one spouse moves out of the home and the other has no income, how will the latter feed the kids and pay the bills? One of the most common temporary orders is for spousal support. To obtain this order, you must establish that one spouse needs the support and that the other spouse is able to pay it – which may require a Financial Affidavit or Statement detailing both spouses' living expenses and incomes.

You should hire a divorce lawyer and financial advisor as soon as possible. You'll set your temporary order/agreement in a brief, relatively informal hearing before a judge, so prepare a complete list of what you want to request. The items you can request include: temporary custody and visitation arrangements; a restraining order (if there has been domestic violence); child or spousal support; or who gets the car(s) and house.

from the last five years; a recent pay slip; the major assets and liabilities of both you and your spouse; budget worksheets; insurance policies; credit-card statements; wills; and any credit or mortgage applications.

Unless you create a separation agreement, your divorce lawyer will use this as a starting point for the discovery process. Your lawyer needs as much specific information about the marriage as possible in order to work out the financial and children's issues fairly. Most of discovery involves financial matters, for which your lawyer needs specific, accurate details. From the value of items you bought during the marriage to stocks, pensions, and revenue from a business, you and your divorce professionals (e.g., lawyers, financial advisors, valuers, appraisers, etc.) may have to retrieve documentation of every dollar value – including that of premarital assets.

## Contested vs. Uncontested Divorce

There are two general types of divorce: contested and uncontested. In a contested divorce, a judge will decide the outcome if you can't come to an agreement on your own. In an uncontested divorce, both of you agree on how to divide your assets and debts, who gets custody and pays child support, and whether one spouse needs to pay spousal support to the other. Obviously, an uncontested divorce will be faster and

**If you and your spouse can't reach an agreement, then your case goes to trial. Divorce trials can take many months or even years, and they're never pleasant.**

## Filing the Petition

Next, you or your spouse will file a petition, application, or complaint for divorce with your local family court. The person who files ("the plaintiff") serves a summons upon the other spouse, stating that they want a divorce and what they are seeking in terms of property, child custody, spousal and child support, etc. The other spouse ("the defendant") must answer the summons and, if they wish, can make their own claim.

## Collecting Information and Discovery

You must gather all relevant information for your lawyer and/or financial advisor, including:

- Full names, addresses, phone numbers, and Social Security or Social Insurance numbers for you, your spouse, and your children (if applicable).
- The date of marriage, date of cohabitation, county or region where the wedding occurred, the wife's maiden name, and any information about prior marriages of either spouse (including the names and prior names of ex-spouses).
- A copy of your premarital agreement (or other domestic contract) and information about any prior legal proceedings, separations, or marital counseling during the marriage.
- All available financial data, including: income-tax returns

simpler than a contested one. However, the more issues you're able to resolve on your own means fewer to resolve in court – which will help to reduce your expenditures of both time and money in a contested divorce.

## Motions and Dispute Resolution

If you need to readjust certain arrangements during the divorce process – such as custody, visitation, or support – you can initiate this by filing a motion with the court. A short hearing takes place in which the lawyers representing you and your spouse present their cases before the judge. In most cases, only the lawyers are permitted to speak. However, if you are going the do-it-yourself (a.k.a. *Pro Se*) route, you'll be able to represent yourself in this hearing. Once the judge makes a decision on the matter, the regular process continues as before.

You and your spouse must also decide how to resolve your divorce. Will you fight it out through adversarial litigation in court, or will you ask your lawyers to negotiate on your behalf outside the courtroom? Alternative Dispute Resolution (ADR) methods – such as arbitration, mediation, or Collaborative Divorce – are also available for those seeking to resolve their divorce-related issues in a cooperative environment.

Some states and provinces have made mediation compulsory in the divorce process; check to see if this is the case in your jurisdiction.

## Trial

If you and your spouse can't reach an agreement, then your case goes to trial. Divorce trials can take many months or even years, and they're never pleasant. Generally, you and your spouse each tells your respective side of the story in court. You take the stand, and your divorce lawyer asks you questions that prompt you to explain your side (direct examination), and then your spouse's divorce lawyer has the option of asking questions or challenging the validity of your testimony (cross-examination). This process is repeated for your spouse. Finally, the judge – who only knows you through what they have heard in court – weighs all the evidence and makes all the final decisions about your divorce.

## The Issues

- **Money and property.** Your property will be classified as either “marital” or “separate.” All marital property will go into the marital pot that will be divided between the two spouses, and separate property stays out of the pot. The rules are complicated, but generally speaking, separate property is anything that was brought into the marriage, inherited during the marriage, or gifted during the marriage – and kept in one spouse's separate name. The goal of property division is “equitable distribution” – meaning a fair division of assets and debts. The more financially complicated your divorce, the longer this will take. You'll likely need an accountant, a Certified Divorce Financial Analyst® (CDFA®), and perhaps a business or pension valuator to help you make sense of all the assets.
- **Spousal support/alimony.** In family law, marriage is seen as a financial partnership. When that partnership breaks down, the partner with more income or assets may have to pay support to the other. Sometimes also known as “alimony” or “maintenance,” spousal support is based upon one spouse's need and the other spouse's ability to pay. For instance, you may “need” \$5,000/month to cover your expenses, but if your ex is making minimum wage (and is not independently wealthy), then you're unlikely to get that \$5,000/month. Spousal support is intended to cover living expenses while the financially disadvantaged ex-spouse goes back to work or school to retrain for a higher-paying job. In the case of a long-term marriage in which it would be unrealistic to think the support recipient could ever re-enter the workforce, the court may order permanent or indefinite support. Ask your lawyer whether you're eligible for – or likely to have to pay – spousal support.
- **Child support.** All parents are obligated to support their children. In a divorce, the non-custodial parent is usually ordered to pay child support to the custodial parent; the custodial parent is expected to use these funds to pay for the child's expenses. “Custodial parent” means the one that the children live with most or all of the time; the “non-custodial” parent would have parenting time according to an agreed-upon schedule. The amount of child support is based on a number of different factors, including the

annual income of each parent, the total number of children in the family, and the custody arrangements for the children.

- **Child custody and parenting time.** In most jurisdictions, custody has two components: legal and physical. Generally speaking, sole legal custody means that one parent has the legal authority to make *all* major decisions involving his/her children, while joint or shared legal custody means that *both* parents have an equal say in all major decisions about their children's lives. Physical custody can be sole, split, or joint/shared (the terminology varies by jurisdiction). One of the most important decisions you'll make during your divorce is where and with whom the children will live. Unless your spouse is abusive, both of you should work together to create an agreement in which you each get a fair share in raising your children. Custody battles in court are usually full of character slurs and accusations that are emotionally traumatic for you – and even more so for your children.

## The Waiting Period

There is usually a set minimum waiting period between the divorce petition and the final decree. Even if your process is very quick, the waiting period must elapse before the judge officially grants the divorce. Lengths vary between states and provinces, but the average waiting period is about six to 12 months.

## The Divorce Judgment

After all the issues have been decided (either by you and your spouse or by a judge), a court clerk reviews all the papers and sends them to the judge. When the judge signs a document that officially ends the marriage (a Divorce Judgment Order or a Divorce Decree), you are legally divorced.

The divorce process is complicated, and this summary doesn't touch on what an emotional rollercoaster a divorce is. Divorce is never easy – and if your ex is uncooperative or downright adversarial, it can turn into a long, painful, and expensive process. It can also damage your children's psychological growth if you and your spouse don't consider their well-being and act in a way that will lead to a respectful co-parenting relationship post-divorce.

But once it's finalized, you're free to start over – so the sooner you reach the end, the better for all involved. Consult the necessary divorce professionals – from lawyer to financial expert to therapist – to find out how to reduce time, money, and emotional costs during your divorce process. ■



*Diana Shepherd is the co-founder and Editorial Director of Divorce Magazine and a Certified Divorce Financial Analyst®. She has been writing and speaking about divorce-related issues for more than 20 years. [www.DivorceMag.com](http://www.DivorceMag.com)*

# How to Prepare Financially for Divorce

How thoroughly you prepare can substantially impact your divorce process – and your bottom line.

By Charlotte Christian, Family Lawyer



**D**eciding to divorce is one of the biggest hurdles you will ever jump in your life. The next hurdle will be to compile your financial information for analysis during the divorce process itself. And preparing financially for divorce can be a hurdle of its own.

Like many people about to get divorced, just the thought of figuring out what to look for and where to start looking is probably causing you to feel anxious, overwhelmed, and scared. You may have heard horror stories about how difficult some divorces can be, taking far too long to complete and leaving the parties exhausted and financially devastated.

This doesn't have to be your fate – but much depends on the actions you take early on in your divorce.

## Thorough Preparation Is Key

How thoroughly you prepare, before even hiring a lawyer, can substantially impact your divorce process, starting with dramatically minimizing your stress level. Doing your “homework” now means you won't be scrambling to locate missing information – or receiving an unpleasant surprise from your soon-to-be ex.

Think about your divorce as a mystery to solve; the more clues your lawyer has at the outset of your case, particularly about your finances, the better they'll be able to represent you and secure the best results. Some results may not appear to be money-related – child custody, for example – but most issues will affect your financial arrangement in some way.

Organizing your finances at the start will arm your lawyer to protect you. By systematically collecting the required information, you'll give your lawyer added direction about which documents and records the other side must still produce.

The good news is that financial information easily falls into broad categories, potentially making the discovery phase of your divorce much more manageable. Here are three areas to focus on as you begin your search.

### 1. Assets

- The marital home, including the deed.
- Other real estate interests and deeds.
- Ownership interest in vehicles, including cars, boats, planes, and farming equipment.
- Marital property inventory, with receipts, if available.

- Non-marital property, with receipts, if available.
- Household inventory.

### 2. Liabilities

- Debt records, including bankruptcy filings, liens, and foreclosure information.
- Credit cards (joint and separate).
- Mortgage and home equity lines of credit (HELOC).
- Any loans.
- Household bills.
- Lease payments.

### 3. Financial Documents

- Financial statements (joint and separate).
- Bank account statements (joint and separate).
- Stocks.
- At least 3 years of income tax returns with all schedules.
- Other investment details.
- Retirement/pensions/employee benefit plans.
- Most recent pay stubs.
- Life insurance policies, including those from employers.

Include anything else that may impact your financial picture. If you're unsure whether to include an item, offer it to your lawyer anyway. A divorce lawyer's expertise lies in their ability to think about how specific financial considerations apply to your situation, so you don't have to.

## Prepare for Your Financial Divorce

Divorce is as much a process of breaking up a financial union as it is a romantic one. That means you need to protect your finances, similar to how you would protect your heart. Like other formidable challenges you have faced in your lifetime, you – and your bottom line – can recover with time and hard work. Be sure to prepare financially for divorce; you won't regret it. ■



*Charlotte Christian, Esq., the founder of Alabama Family Law Group, knows what it means to have to pick up the pieces after a loss. No stranger to trauma, she is committed to helping clients overcome hardship to create a future filled with security, hope, and opportunity.*

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# *Tips for Handling Depression & Anxiety During Divorce*

Depression and anxiety during divorce are inevitable – but not endless. You can learn to manage these feelings, and they will eventually dissipate. Here's how to start.

By Kat Forsythe, Therapist, Coach, and Author

**W**hen Ron left, Sally spiraled into such sadness that she could hardly bear it. She'd asked for the divorce, so she was surprised at her despair, depression, and anxiety during divorce. To compound her melancholy, she had trouble sleeping and woke up each morning at 3:30 a.m. with her heart beating so hard, she thought she was having a heart attack.

During divorce recovery, you won't leave home without these feelings. Some divorcees escape the torture of these challenges, but most of us dive headlong into them. They can be as mild as feeling down-in-the-dumps or as severe as constant weeping and vomiting.

If you feel as though you're surrounded by a curtain of black gauze and you can see happy people on the other side but you can't get to them, you are no doubt experiencing signs of divorce-related depression and anxiety. Know you're in good company with just about everyone else going through a divorce: Most people with divorce depression experience one or more of these signs during the divorce process.



## Dealing with Divorce-Related Depression & Anxiety

The good news is that your depression and anxiety are usually only temporary until your brain catches up with your new life. The not-so-good news is that, for the most part: “The Only Way Out Is Through.” The only way through these two nasties is to navigate them with all the tools you can find, frequently with outside divorce coaching. Here are a few tips to help you mitigate your pain; you may not be able to erase it, but you can make it more manageable.

### Keep Moving!

Here’s encouragement: In the process of facing and managing your depression and anxiety head-on, you’ll hone an arsenal of treatment regimens that will serve you for the rest of your life. You’ll be able to reach for your quiver of arrows whenever depression and anxiety arise and shoot them down to size.

In all my work with folks journeying through divorce, here’s the #1 tip I’ve discovered to combat depression and anxiety: no matter what, keep moving.

Movement is motivating – even the smallest effort begins to balance your mood. Sitting still is stifling and stagnant (unless meditating or sleeping). When depressed, the tendency is to plant yourself in one place, not move, and obsess over the precipitating event, rehearsing it over and over in your mind. From that seated or prone position, deep despondency ensues, manifesting as weeping, worry, anger, fear, or physical illness (most frequently nausea). These conditions are not good for your mental health!

How can you combat these feelings? First, ask yourself, “If I weren’t feeling this way, what would I be doing?” Then, try that activity on for size.

## Take Baby Steps

If you can’t get up and move, you may have lost the ability to self-motivate. In that case, talk yourself into motion by taking baby steps. For example, if you can’t get up from a prone position, talk yourself off the couch. Say, “Slide your legs off the couch. Put your feet on the floor. Sit up slowly. Lean forward. Stand up. Take three steps.” Three steps get you far enough away from the bed/couch/chaise that you’re less likely to return.

Then, do the simplest things: brush your teeth, change your clothes. While still in motion mode, put on your shoes, pick up your keys, and walk out your front door. Keep yourself in motion. Getting outside the house, even going for a short walk, will be a mood booster. Keep moving at an even pace, not too fast and not too slow.

Anxiety causes erratic motion – too fast or too slow. When you feel your heart pounding, slow down. Watch for signs of agitation: yelling at other drivers on the road or at the person with ten items in the eight item checkout line at the grocery store. You’ll know when your irritation stems from your own sour mood. Use these incidents as a sign to apply the brakes. The old adage of “take a deep breath and count to ten” works because it gives your over-worried brain a tiny but critical break.

## A Word About Drugs for Depression

I believe that some depressions and many anxiety disorders are intense and severe enough to warrant prescribed drugs, usually an SSRI (Selective Serotonin Reuptake Inhibitor) – better known as Prozac or one of its many cousins. These drugs require a four-to-six-week adjustment period, taking the drug religiously every day and continuing daily for months or years until

it’s time to wean off. Prozac and family (Celexa, Zoloft, and others) are mood elevators, and they must be taken as prescribed or they can cause serious side effects.

Self-medicating: using over-the-counter drugs, herbal remedies, alcohol, marijuana, or stimulants (Red Bull, No Doze, as well as recreational drugs or “uppers”) are less helpful in treating long-term depression/anxiety problems because the amount and regularity of taking them isn’t consistent. Don’t try to medicate yourself.

If you’ve tried the behavior modification techniques (“Keep Moving” is the #1 example) and you’re still despondent – and you believe you’re seriously depressed or anxious – see a doctor or medical professional for guidance and the right drug for you, immediately.

Depression and anxiety are common byproducts of divorce, and for good reason! Everything familiar is changing. Your emotions and reasoning are straining to capacity to re-calibrate and get you through the turbulent waters of change. Take time to recognize your moods and address them head-on. Start with “keep moving” to keep the depression demons at bay.

Take one baby step at a time – that’s one less step you’ll have to take later. Keep going, keep moving; your divorce-related depression will eventually dissipate. ■



*Following her own brutal divorce after 33 years of marriage, Kat Forsythe (MSW) directed her energies to helping others navigate the turbulent waters of divorce. She works with clients to rediscover, redesign, and reclaim the life they want – based on their strengths and her practical, no-nonsense plan. [www.katforsythe.com](http://www.katforsythe.com)*

# Tax Consequences During Property Division



In divorces and dissolutions, some assets are worth more than others when it comes time to withdraw or sell them. You must consider how much each asset is worth *after* taxes – otherwise, your “half” could be worth substantially less than your spouse’s “half.”

By William L. Geary, Family Lawyer

**A**s a divorce attorney or family law attorney, it is sometimes interesting to hear what people think you actually do. For instance, someone once said to me, “I don’t see what’s so difficult about what you guys do. All you do is divide everything in half.”

Division of assets and debts may sound easy, but it is not often easy at all. I remember seeing a movie once where something (illegal) was going to be divided in half. One of the two people in the scene said, “I’ll divide it in half.” The other person responded, “That’s fine. You divide it in half and then I’ll pick which half I want.” The concept of “Divide and Choose” (or “You cut, I Choose”) has received a lot of attention historically. Look up “Divide and choose” in Wikipedia ([https://en.wikipedia.org/wiki/Divide\\_and\\_choose](https://en.wikipedia.org/wiki/Divide_and_choose)) for some interesting history on division of things into “halves.” Also look at other articles and commentaries on the Internet on this subject.



## Hopefully, you are only dividing marital property after carefully considering the tax effects and status of each asset and debt.



So, if we are dividing a “thing” such as a piece of paper, division may not be so difficult (so long as each part of the paper is the same as all other parts of the paper.) In divorces and dissolutions, however, some assets and debts may be easily and fairly divisible (with each party receiving the same benefit or taking on the same type of obligation as the other party after division) while other assets and debts may not be the same.

### The Difference Between Dividing Pre-Tax and Post-Tax Assets

In divorces and dissolutions, one must always watch for tax consequences. By way of example, let’s think about a marital bank account. If a marital bank account has \$100 in it from a few years ago and the taxes have been paid on all earnings from the year in which the \$100 was earned, this \$100 is “after-tax” money. It is cash that is available “in hand,” which can be spent. Division of that bank account, with each spouse getting half – or \$50 each – leads to the same result for each of the people in the divorce or dissolution since they are just being given half of what is already their property.

Good enough so far. Receiving your own property in a divorce, or half of the marital property in a divorce, does not create a taxable event. However, spending it may create a taxable event later, and not all taxable events will be equal for both former spouses.

What if a marital bank account has \$100 in it and half of that would be owed to the other spouse, but the other spouse has a marital Traditional IRA which also contains \$100. Couldn’t we just let the one spouse keep the \$100 IRA and the other keep the \$100 bank account to make them equal on property distribution? The answer is, “No.” This is because when the spouse who keeps the Traditional IRA finally starts taking out money, that money will be taxed. At a 30% tax rate, that \$100 Traditional IRA will only be worth \$70 after taxes. The \$100 in the bank account will still be worth \$100 even after the \$100 is taken out. It is “post-tax” money. You don’t get charged anything, tax-wise, to remove your own money from your own bank account. In the example above, in the end one former spouse has \$100 and the other only has \$70.

### What Happens to Investments and Debts?

The same principle (involving the possible effect of taxation on different types of assets) will also apply to stocks and other investments. Tax on proceeds from the sale of investments may be calculated upon how long the investment has been held and also upon the actual gain on sale (gain over the original cost of the investment). So, the “market value” of 3,000 shares of one stock which has a value of \$1.00 per share (\$3,000) may be the same “market value” as 3,000 shares of another stock which has a value of \$1.00 per share (\$3,000), but the after-tax effects of selling those shares and collecting their value may be greatly affected by taxes on the gains (depending on the original costs of the shares and how long they have been held, etc.).

The same type of principles can be applied to debts of differing kinds, which might be assigned to the parties to a divorce or dissolution. A debt given to one spouse may be of “more value” to him or her than if it were given to the other spouse.

### The Importance of Working with a Financial Expert

The “moral” or “warning” here is this: Hopefully, you aren’t just dividing things in half. Hopefully, you are only dividing marital property after considering the tax effects and status of each asset and debt with which you are dealing.

At our firm, we bring in CPAs, business valuers, and other financial experts as needed to help advise our clients regarding the financial aspects of the proposed divorce settlement – including what effect taxes could have on the assets they wish to retain. ■



*William Geary is a family lawyer who has been practicing since 1979. He is admitted to practice before the Supreme Court of the United States and also is a practicing member of the Ohio bar. [www.columbusfamilylawyer.com](http://www.columbusfamilylawyer.com)*



# Social Media and Divorce: What You Need to Know

While most contemporary social media news stories appear to center around politics, the impact social media has had on divorce litigation cannot be denied.

By John G. DiPiano, Family Lawyer

**I**t seems that not a day goes by without social media applications such as Facebook or Twitter being in the news. Technology has had an enormous evidentiary impact in the field of divorce litigation. In Massachusetts, for example, private conversations between husband and wife are generally disqualified as evidence in litigation.

However, because this section of the Massachusetts statute refers to conversations, written email communications, text messages, and other written messages between spouses are routinely admitted into evidence in divorce cases. Social media posts, which are neither verbal conversations nor private, are a fair and often fertile evidentiary game in divorce litigation.

In this day and age, people often move away from their hometown – for a job, for love, or even for better weather. For our mobile society, using social media as a method of keeping in touch and seeing what distant friends and family are up to on a daily basis is commonplace.

The allure of airing grievances or snooping on a future former spouse within the social media sphere is as strong as the desire to post selfies, pictures that show how #blessed you are, and funny cat videos.

Unfortunately, it only takes a moment and the touch of a screen to create an exhibit for the court to consider in your divorce case.

## 6 Tips on Avoiding a Social Media Evidentiary Minefield

### 1 Never Write Anything to Anyone That You Would Not Want Read Aloud in a Court of Law.

You can bet that the other side has been combing through your social media and emails to find ammunition to use against you. It may feel satisfying in the moment to rant about your ex or boast about how great your life is, but either post could end up costing you a great deal in the long run (think property division, support, and custody for starters).

### 2 Follow the “24 Hour Rule” of Communication.

If your spouse, or anyone for that matter, sends you something via email, text message, or Facebook Messenger, or posts something on Facebook, Twitter, LinkedIn, Reddit, Pinterest, Tumblr, etc. that baits or warrants a response from you, wait 24 hours before you reply when it is possible. Further, if a communication is a general complaint or gossip, you would be well-advised to avoid it altogether. But, if it is something that you do need to address, like a text arranging a child custodial transfer, be polite and as concise as possible. Ignore content that looks to engage you in a negative exchange and focus on the essential subject matter of the communication, like the time and place for a custodial transfer, and do not take the bait on non-essential content.

### 3 Do Not Post Information About Your Divorce on Social Media. Just Don't.

This includes posts like “had a great day in court today, my lawyer really mopped the floor with the other lawyer”. That example may sound silly, but it actually happens that people post such messages now and then. It can backfire in terms of trying to negotiate a settlement

**Text messages, emails, and social media posts are a lot like tattoos: you can delete them, but the images often continue to exist and circulate in the internet ether.**

later on down the litigation path. Such posts can also be used against a person who may later be cast in the light of someone who enjoys beating up on the other spouse - by proxy. Such posts can be quite useful when the side getting beaten up uses the image at trial that the other side is a bully, and there is a question as to whether a shared co-parenting arrangement is warranted between the aggressor spouse and the victim spouse.

### 4 Do Not Boast About New Acquisitions.

Bought a new luxury item? Great! Do not put a bow on it, take a picture, then post that picture on social media for your new BFF to see. It may seem cute at the time and might be completely innocent but it is bound to come up at the next court hearing, and the next, and the next. Before long, you may have paid more in legal fees explaining the social media faux pax than the item cost.

### 5 Disengage from Extended Family Members (in-Laws) on Social Media.

They may be the nicest people in the world as far as you know, but

the old adage that “blood is thicker than water” is more applicable in the realm of divorce litigation than perhaps any other context. Before you know it, a conversation you had with an in-law via email or text, etc., has been twisted into an unrecognizable story where you have transmogrified into a Bond villain bent on world domination.

### 6 Remember That the Other Side Can Subpoena Your Social Media Records.

It can be cumbersome, but emails, text messages, social media posts, etc., are a lot like tattoos. You may delete them but they often continue to exist in the ether of the internet and may be able to be retrieved.

### 7 Don't Coach the Other Side to Stop Posting Something They Shouldn't Be Posting.

Napoleon reportedly once said, “Never interrupt your enemy when he is making a mistake.” Social and electronic media formats, for some reason, often reflect the real personality of a person who may be adept at concealing certain personality traits when it best serves them to do so. If you see something that concerns you in your ex-spouse's social media, bring it to the attention of your lawyer – not your ex-spouse. ■



*John G. DiPiano (JD) spent many years practicing family law in downtown Boston before moving to Salem, MA. He offers the quality service you'd*

*expect from a pricey Boston firm – without the frustrating commute and higher fees. He is past co-editor of Massachusetts Domestic Relations (5th Edition), a practice guide for attorneys and courts.*

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# 5 Steps to Creating a Post-Divorce Budget

There is an old adage that if you fail to plan, you plan to fail. Creating a budget helps you take control of your financial wellness, get a better grasp of your income and expenses, and learn how to manage your money better.

By Hirsch Serman, Financial Expert

I have always been a huge proponent of having a budget. Over the years, as I helped my clients, I have realized that while it is important to create a budget after divorce, the way most people do it is flawed – or at least extremely limited in its educational value.

Don't get me wrong. A budget can help you understand how much you spend and how much money is coming in, but it does not help you understand your spending habits – nor does it improve behaviors around expenditures (which are essential to financial wellness).

There is an old adage that if you fail to plan, you plan to fail. Creating a budget helps you take control of your financial wellness, get a better grasp of your money, and learn how to manage your money better. No matter how you track your budget (apps, websites, spreadsheets, etc.), it is important to understand your cash flow. You have money coming in (this is usually the easy part to identify) and money going out.

However, the traditional budget does not highlight the fact that it is crucial to understand your expenses – the essential expenses, the enjoying life expenses, the unnecessary discretionary spending, and more.



## Tips on How to Budget After Divorce

The old way of creating a budget is to look at your income, taxes, and expenses – and hope something is left over.

While it is great to do this, it leaves “money on the table” that could be in your pocket. Having a realistic budget helps you plan for financial goals (vacations, college, retirement, and more) and have more control over your finances. Working towards these goals through a budget increases your likelihood of meeting your future needs. The key is understanding your spending habits and learning to monitor your finances in a realistic manner that works for you. No matter the reason (I’m sure they are all good reasons), if you want to create a realistic budget after divorce, you can follow these steps to get started:

### Step 1: Record Your Essential Expenses, Nothing Else!

It is critical to look at your expenses in categories. The first is those that are essential to survive. This includes rent/mortgage payments, groceries, electric, basic transportation, and more. This does not include cable, Netflix, etc. – you can survive without them! Getting a handle on these indispensable expenses is a pivotal step in understanding your spending habits and sets the course to financial wellness.

### Step 2: Know How Much Money Is Coming in – Not Your Gross Income.

In many people’s minds, their income is what they can use to live off of (and hopefully to save). Unfortunately, this common thinking is not correct. For most people, taxes, social security, and other payroll deductions are first taken out of one’s paycheck prior to receiving money. This means if you have a salary of \$100,000, you do not have \$100,000 to use. Knowing your net income (your remaining income or final take home

pay after these types of deductions) is vitally important. Having an extra source of income like a hobby or side business may be helpful as well.

### Step 3: Speak to a Financial Advisor.

Have a conversation with a financial professional who will help keep you accountable.

This conversation should help you evaluate your expenses for absolute necessities. Any spending beyond this point is discretionary spending, plain and simple. I’m not saying you cannot spend any other money – I’m saying that once you understand this benchmark of essential expenses relative to your income, you can make more informed decisions based on your priorities.

### Step 4: Record Your “Other” Expenses.

This includes “fun money” expenses and discretionary spending. Yes, this step is a pain to do. However, it’s amazing how much you can learn about your spending habits by diligently tracking what you spend. More importantly, it empowers you to make choices that positively impact you. For instance, eating out every day is fun, but it comes with a high price-tag. You’ll save a surprising amount of money by making dining out a treat vs. the norm.

A financial advisor can help keep you on-track and accountable until you’re more comfortable and familiar with creating and living within a reasonable budget. They can also offer alternatives to reduce your spending while still enjoying some of your favorite pastimes. For example, I spoke with a client recently and suggested they subscribe to Netflix and Hulu (they already had a Prime account) and then to cut the cable. They still have plenty of viewing options and this comes with about \$210 a month in savings.

## Step 5: Create Healthy Spending Habits

By tracking and understanding where you spend money, it’s easier to identify how to make adjustments and how to be aware of your spending habits. You will have the ability to recognize your spending habits – healthy and not so healthy – and modify them as needed. Often slight adjustments can result in thousands of dollars in annual savings.

At this point, you should be a pro! Knowing what you have coming up financially in the next month can reduce your stress. Standing at the register and having the light bulb go off on impulsive purchases is huge. It also helps you think about ways to get the impulsive purchase at a significantly reduced price. For instance, I have spoken with people who grab a magazine as they are waiting in line to pay (and yes, that’s exactly why they’re there – to entice you to make a purchase you don’t need). You can often get an entire year’s subscription for the cost of two to three store-bought magazines.

Changing entrenched habits can be tough. Find a financial professional to work with you for a short time (or a long time if you have settlement money to invest) to objectively review your spending with you as you learn how to budget after divorce. Once you start, it often becomes the motivation to look for more ways to create financial wellness. ■



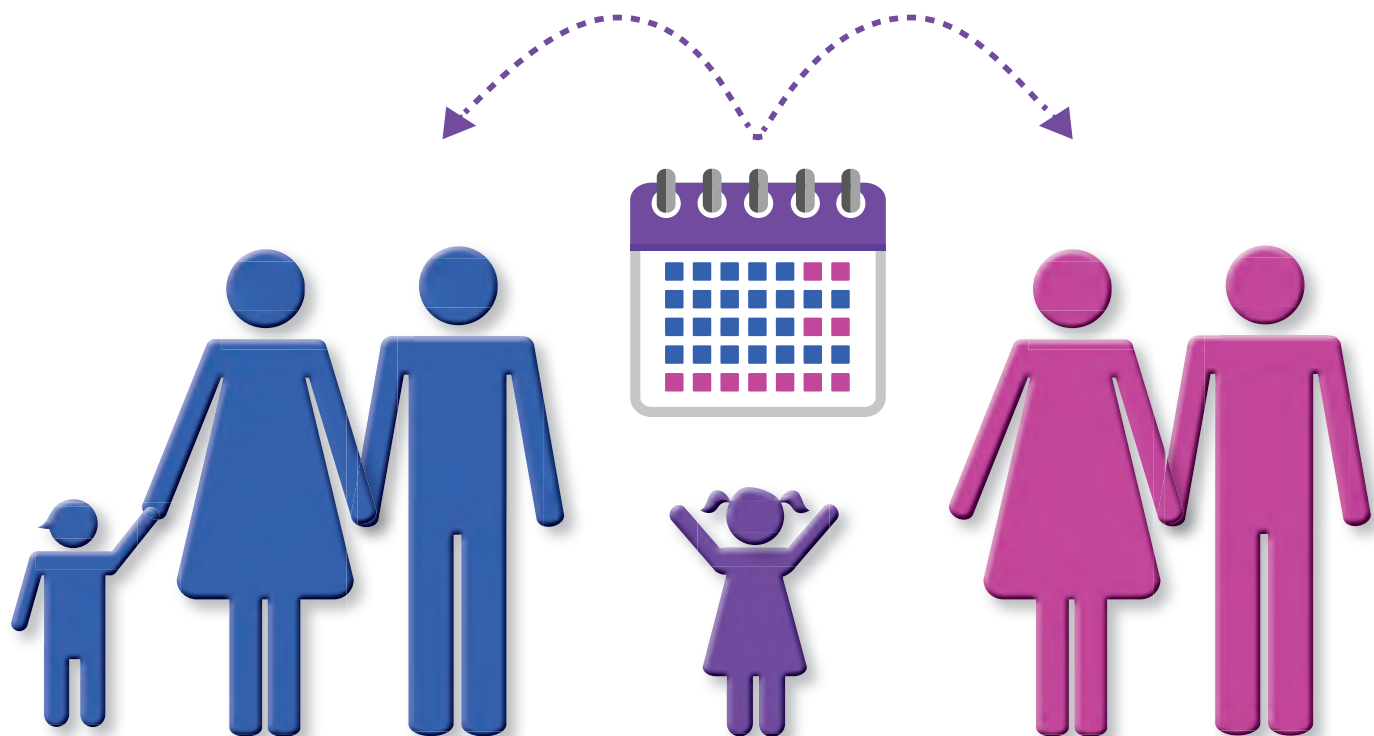
*Hirsch Serman (MBA, CPA) founded Lifecycle Financial after personal experiences related to divorce and an aging parent. He has worked in finance for over 20 years (including financial planning and tax) and has taught on the university level as well as conducted seminars for high school youth on personal finances.*

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# Designing a Parenting Plan

Important issues you should consider as you design your parenting plan.

By Dr. Donald A. Gordon and Dr. Jack Arbuthnot



**V**irginia Satir, a well-known psychologist in the family and divorce field, once said, “Parents are teachers of human beings, not owners of human beings.” This is a wise view to keep in mind when creating your parenting plan. Children need the love and affection of both parents, but they also need both as teachers. These roles should override your desire to “own” your children. Ultimately, you cannot own them: you can only prepare them for their future. How well you prepare them will ultimately reflect your qualities as parents.

Another well-known expert in this field, Joan Kelly, has observed that, “It is not the divorce per se, but the conditions and agreements the parents create during and after the divorce that will determine the child’s adjustment.” The marriage is over, as are your lives as Mom and Dad parenting under the same roof. You will begin new lives as Mom and Dad parenting apart.

There are three basic types of living arrangements for children: sole custody, split custody, and shared custody. The most common is sole custody, in which one parent becomes the resident parent while the other has “reasonable access.” About 70% of all parenting plans result in the mom being the resident parent – although the number of fathers becoming the resident parent increases with income.



## The Language of Parenting Plans

Most parents say they want to “win custody” of the kids. This suggests control – or possession – of the children is the goal. Instead, your goal should be to work out the best parenting plan for your children, so call it a parenting plan rather than a custody battle. The child may be in one parent’s home more than the other; refer to that person as the “primary residential parent,” not as the “custodial parent.” The other parent should be viewed as the “secondary residential parent,” not someone who just has visitation rights. No caring and involved parent wants to just “visit” his or her kids.

In split parenting plans custody of the children is divided: one or more child/ren may go to one parent, and the other child/ren the other; boys often go to fathers and girls to mothers. However, this is rare in initial separation decrees, and it generally only happens when there are unusual circumstances. It may occur when a child is old enough to choose which parent they wish to live with (age 12 in some jurisdictions). Many people believe it is a bad idea to separate siblings, but there isn’t enough good research to corroborate this.

In shared parenting, both parents share legal control of the children. Shared decision-making does not mean shared time, which can vary from equal time (50/50) with each parent to 60/40 or even 65/35. With shared parenting, the children may live primarily with one parent but they may spend more time with the other parent than is normal in a non-shared parenting arrangement. The parent with whom the child lives most is called the primary residential parent, and the other is called the secondary residential parent.

In most areas, shared parenting is presumed to be the best plan for children. Judges must provide a strong reason if they wish to order some other arrangement; in some areas, judges have the authority to order shared parenting if they believe

it would be best for the child, or if one parent requests it.

Many judges require parents to develop a parenting plan before granting a divorce. Conflict between the parents can be minimized by a written plan stating specific dates and times when each is in charge of the child; because everything is in writing, there is less need for parents to negotiate or argue. Adherence to the plan will increase trust between the parents and encourage them to cooperate in the future.

## Guiding Questions for Parenting Plans

There are several important issues you should think about as you design your parenting plan. Ask yourself:

1. What goals for our children do we both share?
2. How will we continue to be effective parents in separate households?
3. Do I only want to resolve our legal matters, or also our family issues?
4. How do we want our children to look back on this time and on our behavior as parents?

You need to spend time talking about what goals you have for your children, what their childhood should be like, what you want them to be like both as children and adults, and what each of you can contribute to these goals. Write it down on paper and share it with your children; they’ll know that you both care about them, and they’ll see that you’re working together for their welfare. Set an example of cooperation – even though it may be a heroic effort.

Parenting is difficult under the most ideal circumstances, and it is more of a challenge when done from two households. Plan how you will coordinate your efforts: plan for the big issues (like school, religion, etc.), and plan for the small, day-to-day stuff (such as transportation, parties, etc.). You should set up regular meetings, emails, or phone calls to catch up on important developments, work out schedules, and discuss concerns.

Your parenting plan will spell out

conditions and terms – some of which can be legally enforced. Take the time to design a good, flexible plan. Someday, as young adults, your children will look back on their childhood and judge how well you both handled this difficult time. They will look at how you cooperated, and they’ll remember if you put their interests ahead of your “marital issues.”

## Frequency of Contact with Each Parent

The amount of time children should spend with each parent is one of the most fought-over issues in a family break-up. It is also the most misunderstood by all involved – including parents, lawyers, and judges. As a result, parenting plans are often flawed, which can cause a great deal of emotional suffering for children.

There has been much psychological research on children’s attachment to their parents, and the most recent findings are clear: children – particularly young children – need frequent and meaningful contact with both parents. A young child becomes deeply attached to both parents at a very early age; to be separated from either parent causes distress and can even cause trauma.

Young children need frequent transitions to ensure continuity and provide comfort. This goes against what many people assume is “common sense”, and many parents, lawyers, and judges misunderstand this fact. Although quality of contact is more important than quantity, there must be enough quantity. Infants and toddlers form bonds with both parents, and extended separations put these bonds at risk over time. Fathers, especially, are likely to drop out of the child’s life. If court orders restrict the father’s access to a young child, it may cause a decline in contact with the father over time. This decline in contact can also happen with the mother.

The ideal situation for young children is to interact with both parents daily. Some interaction is functional,

including meals, bedtime routines, limit-setting, discipline, and play. After age two, most children can tolerate two back-to-back overnights with one parent. Avoid long separations lasting more than five days.

Frequent contact will mean more transitions from one house to the other. Many people – including some judges – automatically assume this is bad. They assume that frequent transitions will upset a child, and should be avoided. But there is evidence to the contrary: even a young child will get used to frequent transitions if they are not too stressful.

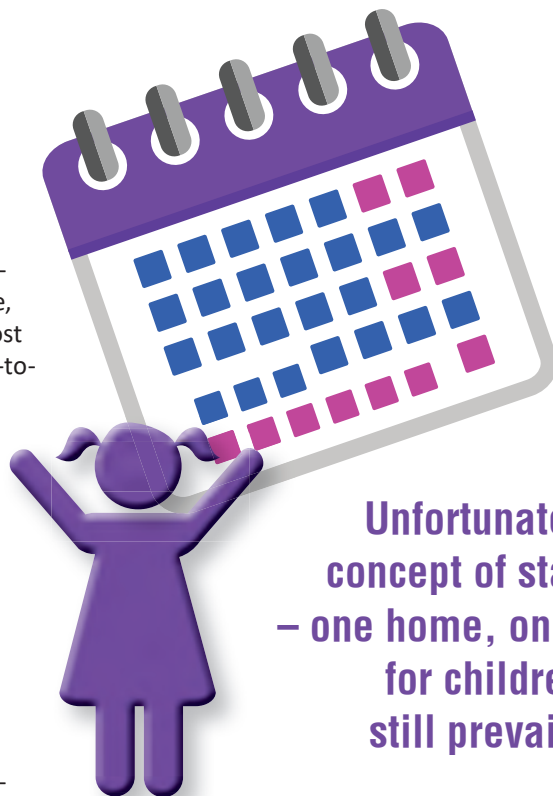
Unfortunately, a concept of stability – one home, one bed – for children still prevails. The concept has been emphasized too much in many courts, and it is to the detriment of the child's other needs. They need strong and meaningful relationships with both parents, and most children adapt quickly to having two homes.

Research points out that less frequent transitions may cause more stress. Children must leave the home they have been in for a week or more, and they must also leave their second parent and go “home” with the prospect of not seeing the second parent for a long time. Frequent transitions between homes eliminate this problem.

## Outlining the Issues

You must discuss the parenting plan for your child, and both parents must be clear about the issues. What assumptions should you start with? Here are the major issues that most parents face:

1. A child needs two loving, caring, competent parents.
2. Both parents have a right to an active role in their child's development.



**Unfortunately, a concept of stability – one home, one bed – for children still prevails.**

3. Both parents must be willing to share in the tasks of parenthood.
4. Conflict and competition over the children will hurt both them and you.

Your parenting plan should be specific; this way, everyone is clear about what will happen and when. Here are some reasons to be as specific as possible:

1. Children need predictability.
2. Parents will experience less conflict if plans are specific.
3. It is easier to recognize when a plan needs to be modified if its terms are clearly spelled out in detail.
4. The time and energy of the courts and lawyers will be better used if a plan is specific. It will result in fewer phone calls in the middle of the night, and fewer court filings.

Finally, recognize that no plan is perfect, and most plans need to change over time as children develop and their lives and needs change.

## Flexibility Is Essential

Although parenting plans need to be specific to minimize conflict and misunderstandings, be aware that situations

– and people – change over time. For most families, anger will diminish over time. Parents usually remarry or re-couple, and stepchildren may enter the picture. And, of course, your own children will age and mature. Their interests will change, and the need for parental input in their lives will also change.

A parenting plan should not be carved in stone. It is not an unchanging document, and you should be prepared to modify it over time. The truly wise mother and father can sometimes anticipate some future changes, which could be built into the original court decree. However, few of us are able to predict the future, so be prepared to work with the other parent. You'll have to make changes when necessary, and the best way to do this is by mutual agreement.

If you cannot create a parenting plan yourselves, work with a mediator, parenting expert, or other third party. Put into your plan that you both agree to mediate before court action. ■



*This article was adapted with permission from What About the Children? A Simple Guide for Divorced/Separated and Divorcing Parents (CDE, eighth edition, 2011) by Donald A. Gordon (Ph.D.) and Jack Arbuthnot (Ph.D.). The Center for Divorce Education (CDE) is dedicated*

*to advocating for children and helping parents to minimize the harmful effects that divorce and separation has on children. [online.divorce-education.com](http://online.divorce-education.com)*

# Identifying Your Divorce Goals

By Dr. Deanna Conklin-Danao, Clinical Psychologist

**W**hen I meet divorcing clients, the first thing we talk about are their goals for their divorce. This is a touchstone that we return to throughout our work. Whether you are using collaboration, mediation, or some other process for your divorce, identifying your objectives and concerns can help you achieve a better divorce agreement.

## What Are Your Goals?

Start the process by considering goals for your divorce. Your goals may be about the process (e.g., “I want to get through this in a respectful way”), your kids (e.g., “I want my kids to be okay”), or other matters (e.g., “I want us both to have enough money after divorce”). Your concerns will often be the flip side of your goals. For example, many people worry about the impact the divorce will have on their kids, about spending too much money on the process, or about hating each other after the divorce is final. Be thoughtful and thorough and revisit your lists throughout the divorce.

## How Can Identifying Goals Help the Process?

Divorces often start with each spouse taking positions, such as “I want the house” or “I want 50% of parenting time.” These positions can become entrenched and create conflict. One way to manage this process is to step back and look closely at what’s driving these positions. For example, wanting to keep a house may really be about your goal of wanting to keep your kids in the same school system. Wanting 50% of the parenting time may be about your worry of losing time with your kids. Once you figure out what really matters, you have more room to be flexible and creative. Identifying objectives allows you to think about what really matters to you, which gives you the opportunity to let go of rigid definitions of how to get there.

## Why Do Goals Matter?

Taking the time to identify your goals can feel indulgent when you’re trying to make decisions about the rest of your life. However, understanding your goals can keep you moving in the right direction. For example, aiming to go through the process with integrity will help you choose your words carefully in a difficult conversation – or to apologize if you’ve said something you regret.


Committing to minimize harm to your kids may mean prioritizing matters to help them through this process (e.g., minimizing conflict, not putting them in the middle, and supporting a meaningful relationship with both parents). A goal to keep costs down will help you step away from lengthy battles about inessentials, ensuring that you don’t spend more on legal bills fighting over stuff than the stuff was ever worth.

Ideally, your lawyer or divorce coach will help you keep this exercise present throughout the process. Share your goals with your lawyer or divorce coach and let him/her know how you want your values to shape the process. Discuss your aims and issues with your support system, asking them to help you work towards key goals and come through divorce in the healthiest way possible. ■



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A man with a full dark beard and mustache is wearing a gold crown with colorful jewels. He is wearing a white button-down shirt over a white t-shirt. He is smiling slightly and has his right hand near his chin. The background is a solid orange color.

# Is it Possible to Co-Parent with a Narcissistic Ex-Spouse?

By Terry Gaspard, Licensed Therapist

Co-parenting with a difficult ex-spouse can be challenging to say the least. Here are eight strategies for dealing with a narcissistic, challenging, or high-conflict co-parent.

If one of the reasons why your marriage ended was due to your spouse being a narcissist, you probably hoped that things would get better for you and your children after your divorce. In many ways they might have since your daily life is no longer filled with turmoil. However, many parents who try co-parenting with a narcissistic ex-spouse soon realize it doesn't work any better than being married to them.

One of the most crucial things to keep in mind post-divorce from when you were married to a narcissist or challenging ex is to set good boundaries. It's also important to abandon any thought of co-parenting successfully because you can't co-parent with someone who is self-absorbed. After all, the premise of a co-parenting plan is cooperation and the commitment to putting your children's needs first, which is impossible for a narcissist.

What is the solution for parents who want to co-parent with an ex who is narcissistic or challenging? According to Dr. Edward Kruk, Ph.D., "Parallel parenting is an arrangement in



which divorced parents are able to co-parent by means of disengaging from each other, and having limited contact in situations where they have demonstrated that they are unable to communicate with each other in a respectful manner.”

Parallel parenting allows parents to remain disengaged from one another (and have a parenting plan) while they remain close to their children. For instance, they remain committed to making responsible decisions (medical, education, etc.) but decide on the logistics of day-to-day parenting separately.

Here are eight strategies for dealing with a narcissistic, challenging, or high-conflict co-parent.

## 1 Set Firm Boundaries for Your Kids

Since their life with their other parent is unpredictable, you will have to provide stability. High-conflict personalities thrive on the possibility of combat. Be prepared and write a script to use when talking to him/her and try to stick to it, using as few words as possible. For instance, if he/she tries to persuade you to change the parenting plan, say something like: “I’m not comfortable with this idea. I’m sure you have good intentions, but this won’t work for me.”

## 2 Limit Your Contact with Your Ex

Don’t take frequent calls from your children when they are with the other parent (unless there is an emergency). If you speak often, your ex might react in an angry way toward your kids or put you down in front of them.

## 3 Be the Parental Role Model Your Kids Need to Thrive

Show compassion toward your children and don’t bad-mouth their other parent in their presence. Children are vulnerable to experiencing loyalty conflicts and shouldn’t be in the middle between their parents. Be aware of your tone and facial expressions during interactions with your ex in front of your kids.

## 4 Keep Your Eye on the Big Picture in Terms of Your Children’s Future

Although it’s stressful trying to deal with a difficult ex, remember that your children will be more resilient if you put your frustration and “emotional baggage” aside for their sake. Adopt realistic expectations and pat yourself on the back for working at this challenging relationship for your kids.

## 5 Focus on the Only Thing You Can Control – Your Own Behavior!

You alone are responsible for your reactions to your ex’s comments and behavior. But don’t be persuaded by your ex

to do something that you’re uncomfortable with just to keep the peace. Adopt a business-like “just the facts, ma’am” style of communicating with him/her.

## 6 Don’t Become Emotional or Apologize to Your Ex

Don’t express genuine emotion to your ex or apologize for wrongdoing in the relationship. If your ex is a perilous or abusive narcissist, they might interpret your apology as proof of your incompetence and use it against you, according to Virginia Gilbert, Marriage and Family Therapist (MFT).

## 7 Make Sure Your Parenting Plan Is Structured and Highly Specific

Spell out schedules, holidays, vacations, etc. to minimize conflict. Using a communication notebook to share important details with your ex can be an essential tool to help you stay detached and business-like. Check out websites and articles on parallel parenting.

## 8 Seek Help from Counselors, Mediators, or Other Supportive Professionals

Make sure you have plenty of support from a lawyer, friends, family, and a therapist. Use a third-party mediator when needed. Educate yourself about strategies to deal with a difficult or high-conflict ex. Therapists who utilize cognitive behavior therapy (CBT) are usually the most successful in dealing with survivors of a relationship with an ex who has a personality disorder.

In many cases, co-parenting is a wonderful opportunity for children of divorce to have close to equal access to both parents – to feel close to both of their parents. However, few experts discuss the drawbacks of co-parenting when one parent is hands-off, has a high-conflict personality, or a personality disorder such as Narcissistic Personality Disorder.

It’s essential that you take an honest look at the effect your ex’s behaviors and the dynamics in your co-parenting relationship are having on you and your children. Once you accept that you can only control your own behavior – not a person with a difficult or high-conflict personality – your life will greatly improve. After all, you and your children deserve to have a life filled with love and happiness! ■



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# 4 Grief Ritual Steps to Honor Your Marriage and Let Go of the Past

The experience of grief is as unpredictable as it is universal. Let yourself explore the many rituals grievers can practice and create a meaningful closure that's just right for you.

By Dr. Andra Brosh, Clinical Psychologist

**G**rief is an integral part of healing from divorce. It's the one inescapable response to divorce that every partner has to confront. Even though feelings of grief are natural after the loss of a marriage and a way of life, the process of grieving can feel unnatural.

Grief cannot be rushed, so letting yourself have space and time so you can mourn your losses is one of the most effective ways to honor your pain and ensure your long-term recovery.

As with many issues for which we seek guidance and advice, there are a number of opinions, strategies, and methods for healing. Grief is no different, and the choices of how to move through this delicate process can be overwhelming.

Grief cannot be simply ignored or conquered; there is no rhyme or reason to the journey. Taking small action steps toward releasing the past and saying goodbye is both doable and wise. In this article, you'll learn the steps of one type of ritual to support you in moving from heartbreak to wholeness.

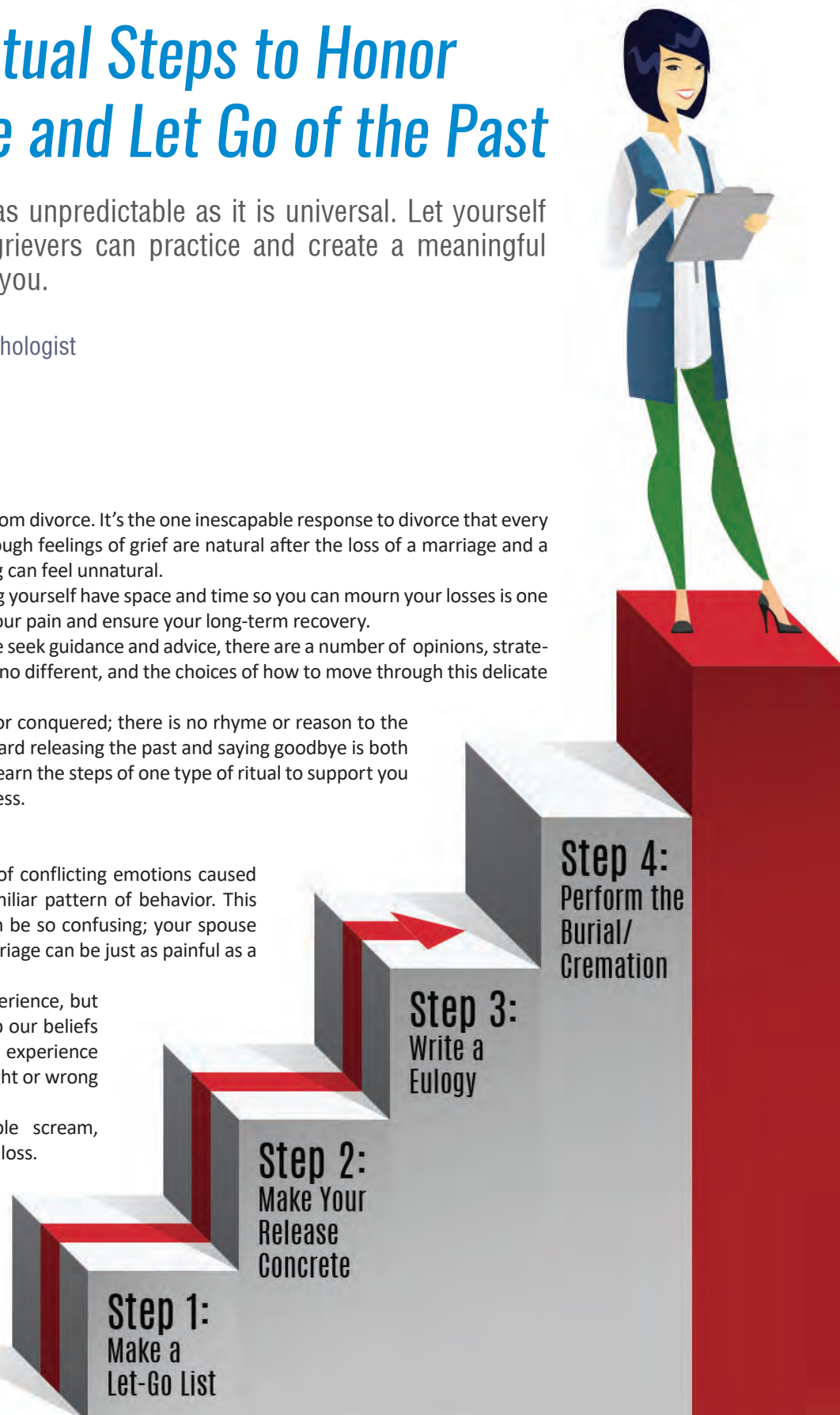
## What Is Grief?

By definition, grief is the experience of conflicting emotions caused by loss, an end, or a change in a familiar pattern of behavior. This explains why divorce-related grief can be so confusing; your spouse hasn't died, but the death of your marriage can be just as painful as a physical loss.

Grieving is a natural human experience, but it's also learned behavior. We develop our beliefs about grief through the modeling we experience growing up. It might seem there's a right or wrong way to grieve, but it's not that simple.

In most other cultures, people scream, dance, cry, ritualize, or even celebrate loss.

In modern-day American culture, however, we tend to either avoid or wallow in our grief. However, trying to "power through" or getting stuck in grief just extends the time of suffering. Many of us were taught to maintain control over our emotions — but with grief, this is impossible.



Here are some common mistaken beliefs about dealing with grief:

- Grieve only in private.
- Keep busy and distracted.
- Hold back tears.
- Don't isolate yourself.
- Ride out the stages.
- Time will heal all.
- Look strong from the outside.

## Theories About Grief

I first started to learn about the developmental process of grief in graduate school, where I was introduced to Elizabeth Kubler Ross's stages of grief. They include denial, anger, bargaining, depression, and acceptance.

This linear model of grief provides structure to an uncontrollable emotional process. As human beings, we like predictability and certainty. Ross's stages offer an understanding and timeframe for something very uncomfortable.

Grief is both universal and unique because each person has his or her own particular story and experience of loss. The stages of grief listed above offer an excellent framework, but they should never be considered more than a theory.

Clinging to Ross's stages as the "right" way to grieve can make things worse by generating shame or worry if your experience diverges from this "norm."

## Why Time Doesn't Heal

In pursuit of a more flexible grief model, I came across the Grief Recovery Institute. There were so many enlightening things to learn from this organization, but for me, the most valuable was that time doesn't heal.

One of the most common comments griever's receive from the outside world is that the pain will pass with time. There is a lessening of hurt that naturally occurs over time, but this has more to do with memory than the heart.

Memory indeed fades with time, but time alone doesn't heal. It's what you do within that time that makes the difference.

Consider the analogy of a flat tire. When you get a flat tire, do you just sit on the side of the road and wait for time

to fix the flat and air to magically refill the tire? Or do you pull the spare from your trunk or call AAA?

## Grief as a Ritual

Properly grieving requires action and effort. It's something you want to recover from; it isn't something you want to linger in forever.

An excellent way to grieve a divorce is through the use of a grief ritual. Rituals are ceremonial acts that bring intention and integrity to grief. When we ritualize something, we are giving it our full attention and effort.

It's time to release the platitudes and begin to take a more proactive stance toward grieving. Here are four steps to completing a grief ritual around releasing the past as a way of moving forward.

### Step One: Make a Let-Go List

Who doesn't love a good list? We make them all of the time for what we need to do on a project or for a grocery run, but lists are also helpful for clarity. Create a quiet space of reflection for yourself. Have a notebook and pen handy, and when you're ready, close your eyes and take a few deep breaths. Open the notebook and make a list of all the thoughts, feelings, memories, and attachments you want to let go of in the service of moving forward. Once you have your list, go back through and pick the top three to five losses you want to create a ritual around releasing.

### Step Two: Make Your Release Concrete

Now that you have your specific losses, it's time to bring them into a more concrete form. Choose something that represents what you're releasing in a material form. Items from nature are lovely for this practice; pick up some rocks, branches, flowers, or pinecones and assign a loss to each one. You can even paint a word representing what you're releasing onto the rocks. The only specific instruction here is that the item is welcomed back into the earth, so it must be biodegradable and earth-friendly.

## Step Three: Write a Eulogy

This sounds morbid, but it's a way of honoring your marriage and releasing what you no longer want to carry with you. This is not a eulogy of your ex, although you can mention them. Think of your eulogy as a tribute to your marriage. What is the legacy? What did you learn? What was valuable? Writing a eulogy can offer insight into the more positive aspects of your relationship.

## Step Four: Perform the Burial/ Cremation

Mother Earth is an excellent container for our pain, and divorce is often called death without a body, so this step can really help with your emotional recovery. Find a nice spot where you can dig a small hole to bury your symbolic items. Before you put them into the earth, say the following words:

*"Thank you, Mother Earth, for holding my pain and helping me release my suffering. I'm ready to let go of what I'm giving you today. I'm forever grateful for your support."*

Cover up your burial site with dirt and read your eulogy out loud.

Some people prefer to release their pain into the sky instead – burning the paper the eulogy is written on to ash (in a fireplace, fire pit, or metal trash can) while naming what they're releasing. For example, "I am releasing the dreams I had for our marriage," or "I am releasing the pain of your infidelity."

The experience of grief is as unpredictable as it is universal. Let yourself explore the many rituals griever's can practice and create a meaningful closure that's just right for you. ■



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# What to Do After Divorce: 10 Important Tasks

Unfortunately, your divorce judgment doesn't describe what to do after divorce to complete your financial and legal separation. Here are the top 10 post-divorce tasks to help you start the next chapter of your life.

By Meg Goldberg, Linda Scher, and Stuart Watson, Family Mediators

**Y**ou have finally accomplished your legal divorce. Now you would like to relax into that sense of completion. Unfortunately, most divorce lawyers and mediators don't inform people what to do after divorce to practically finalize the details. Even the most clearly specified topics in your legal divorce judgment don't automatically happen. You and your ex-spouse must complete many of these practical tasks yourselves.

To help people identify what to do after divorce, we worked together to develop the following list.

## **1 Obtain Certified Copies of Your Divorce Judgment.**

Purchase a couple of extra certified copies of your divorce judgment from the county courthouse where your divorce was filed. Certain organizations may require you to provide a certified copy to authorize them to make changes after divorce. For example, you may need this to make name changes on your passport or social security card.

## **2 Have Your Ex Sign a Satisfaction of Money Judgment.**

Divorce money award judgments can include settlement payments for property, investments, business interests, or debts. You may also have child support or spousal support orders. These money awards exist in the family court similar to a lien attached to your name. Once you have made the final payment, you are entitled to have your former spouse sign a "Satisfaction of Judgment." File this judgment satisfaction form with the court. By doing this, you will inform potential lenders that you have satisfied your responsibility for each of these money judgments.

## **3 Transfer the Real Estate Title.**

If either of you are buying or transferring your real estate interest to the other, you will need to transfer the title. This can be done through that County's Recorder office and requires that the person releasing interest in the property signs a "Bargain and Sale Deed" or "Quit Claim Deed." You can obtain these forms through some paralegals or legal publishing companies. You can avoid these steps if one of you is refinancing the property in your name alone. In this case, the title will be re-assigned through your title company.





## 4 Will You Need a QDRO to Divide the Retirement Accounts?

Most employer-sponsored and some other types of retirement accounts and pensions require a separate court order called a QDRO (Qualified Domestic Relations Order) to divide them. The QDRO is prepared by a specialized attorney – or you can create your QDRO online at websites like QDRODesk.com. The QDRO directs the retirement plan administrator on how to divide the account. You will typically submit your QDRO to the court after filing the Divorce Judgment. However, if you begin working with that attorney before filing your divorce, you can verify the QDRO language in your divorce judgment is properly written.

## 5 Transfer the Vehicle Title and Update Your Insurance Policy.

Did your divorce transfer ownership of a vehicle (car, motorcycle, etc.) from one person to the other or from co-ownership to sole ownership? If so, you will need to contact the Motor Vehicle Department in your State to confirm the proper steps to transfer the title. Next, contact your auto insurance company to update your policy.

## 6 Prevent Your Ex from Changing/Cancelling the Life Insurance Policy.

Contact your insurance company to update your marital status, insurance levels, and beneficiaries, and ask them to inform you if your ex tries to change or cancel the policy. Some of these changes may be specified by your divorce agreement.

In some states, your former spouse's life insurance company can be required to inform you if they change a policy in which you are the beneficiary or trustee. To make this happen, you must send the insurance company a letter requesting this, along with a certified copy of your divorce judgment.

Another option is to become the owner of the policy and pay for it from spousal support or your own funds. That way, you won't lose the insurance if your ex changes the beneficiary, cancels the policy, or simply stops paying for it.

## 7 Remove Your or Your Ex's Name from Joint Financial Accounts.

Contact the financial institution directly to ensure that the person to whom each checking, savings, and credit card account is awarded is the only person who is authorized to use that account. To remove your name from a joint account, you may have to sign a form in person at the bank.

## 8 Obtain a Complete Credit Report.

Make sure you don't have any credit accounts tied to your ex. You can obtain a complete credit report from

all three national credit reporting agencies (Equifax, Experian, and TransUnion) at [www.annualcreditreport.com/index.action](http://www.annualcreditreport.com/index.action). Update or close any accounts that you are no longer using or that will no longer be in both of your names. Beware: If you are refinancing or applying for a significant loan in the near future, consult your lender before taking any action relating to your credit as it may be counted against you.

## 9 Create or Update Your Will.

Create or update your "Last Will and Testament" during this ripe transition. What do you want to happen with your possessions, assets, and debts when you are deceased? You can also use your will to specify the assigned legal guardians of your children if you are both deceased. If you have an estate attorney, ask them what to do after divorce to ensure your estate is protected.

## 10 Update Your Health Insurance, Disclosure, and Directives.

Call your healthcare plan provider to update your marital status or identify a new health insurance plan if you are losing coverage. If you have had coverage through the other's plan, you can learn about continuation of coverage through the Consolidated Omnibus Budget Reconciliation Act (COBRA). Call your healthcare provider and practitioners if you need to update who has authority to make decisions and give health care directives on your behalf. You may also want to update the HIPAA forms on file with your health care providers. On the HIPAA forms, you can specify what types and with whom your personal health care information can be disclosed. ■



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*Linda Scher (JD) is past-president of the Oregon Mediation Association and was honored with their Award for Excellence in Mediation. She has volunteered for 30 years at the St. Andrew Legal Clinic, providing sliding scale family law services in Portland. [www.partingwatersmediation.com](http://www.partingwatersmediation.com)*



*Stuart Watson (Certified Advanced Practitioner, Advanced Divorce Mediator Practitioner) has mediated over 670 divorce and custody cases. He has been teaching conflict resolution, mediating conflicts, and supporting families through divorce for over 20 years. [www.divorceinoregon.com](http://www.divorceinoregon.com)*

# 6

## Tips for Bouncing Back After Infidelity

When someone has cheated on you, the anger and resentment you feel towards them is understandable. But these emotions can paralyze you, affecting your ability to move on from infidelity.

By Chris Armstrong, Certified Relationship Coach



**O**ne of my four rules of relationship coaching is that I will not try and salvage a relationship or marriage if there has been infidelity. I will not waiver from this. But dammit if I will not help a client who has been cheated on and has decided to end their marriage. Bouncing back after such deceit is not easy but it is achievable.

Here are six things you can do to move on after your spouse has cheated.

### 1. Let Yourself Grieve

You will cry. You will have anger. You will want to be alone. This is you. This is us. This is human. One of the worst things that one can do is to put on a false sense of bravado or hide their emotions. When we suppress our feelings instead of allowing ourselves to grieve, the internal pain manifests itself in ways and at times that are unhealthy. This can yield long-term, negative consequences.

### 2. Do Not Overthink the “Why”

Your marriage has ended because they cheated on you. To this day, you are still not sure why. So there you sit, thinking about every possible rationale.

- You’ve gained weight and they were no longer attracted to you?
- They went on a lot of trips and grew lonely in the hotels?
- There was so much time with the children and working on the online business that you were always too tired to stay connected in the bedroom?

It could be these reasons and it could be many other reasons. I need to share something with you that you may not want to hear. In the scheme of things, the “why” does not matter. Again, your marriage has already ended and no rationale you can think of will justify the infidelity. And the more you think about the why, the more you are second-guessing yourself and unwittingly sabotaging the life you are trying to rebuild.

### 3. Resist Posting It All Over Social Media

Posting your tale of woe on Facebook may give you an opportunity to release in the moment, but it will also create weeks of constant reminders through the countless “likes,” comments, and emojis. It will also create opportunities for friends and family to weigh in, throwing unintended fuel on the fire. This will not help you bounce back.

### 4. Find Meaningful Outlets

“Meaningful” is a very deliberate word, because we are good at doing things, anything, to occupy our minds, but if those things are not who we really are and do not truly resonate with us, they will prove to be temporary buffers from the negative feelings of the infidelity and divorce. On the other hand, if there are hobbies and activities that have always brought you joy, find a couple of hours a week to get back into them. You will smile, and it will be natural. You will remember the good things in life, and those memories will be pleasant.

This brings me to the most important reasons for finding meaningful outlets. The more you can invest in them, the more they will help.

### 5. Remind You of Who You Were When You Were Happy

Divorce can be an embarrassing experience; being cheated on can be even worse. We feel unattractive and unworthiness of a faithful relationship with someone who supposedly loved us. What’s more, it is almost always the case that some of our friends and family knew about the infidelity. But, your spouse’s cheating is just a moment in a life that was full of moments that made us happy.

- We remember being asked to the prom by three guys we liked.
- We remember having game night and martinis with our friends.
- We remember being flirted with by the bartender at that place on Sycamore.

Keep these memories in your frontal lobe so that the pain of divorce and infidelity can be replaced by the confidence of who you are and the faith that there is a happy life to be had.

### 6. Be the Bigger Person

When someone has cheated on you, the anger and resentment that you are prone to feel towards them is understandable. But when these emotions are turned outwards towards the cheater, they can paralyze you, affecting your ability to move on. You must

**Be the bigger person: it will show your cheating partner that you are not a wounded bird, and in the long term, the effect that they had on you was nil.**

resist this.

- When you see them every other weekend to drop the kids off, converse with them.
- When they come to the soccer game with their new squeeze, introduce yourself – don’t wait for the awkward moment where you bump into each other.

Taking this approach will help you find your pride and self-regard that almost certainly lapsed when you found out about the infidelity. Say to yourself, “I am not hiding because I am bigger and stronger than that.”

It will also put things into perspective for the one who cheated on you. You are not a wounded bird, and in the long term, the effect that they had on you was nil. This puts the rest of your interactions with them on a level playing field.

This is *not* to suggest that you should forgive cheating—I think the complete opposite. *But*, one needs to forgive an offense in order to truly move on. ■



*Chris Armstrong is a Certified Relationship Coach and Emotional Intelligence facilitator who cuts to the chase and speaks from the heart. A*

*regular blogger at DivorcedMoms.com, he is also an experienced advocate for women’s equality and empowerment, having taught more than 350 sessions on these matters.*

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# 9 Tips for Dealing With Tricky Dating Situations Post-Divorce

If you feel ill-equipped to deal with awkward post-divorce dates, these tips should help as you dip your toes back into the dating pool.

By Wendi Schuller, Dating Coach and Author

**D**ating again after divorce can seem like you're back in high school with the drama that can entail. You may have forgotten what it is like to have a crush on someone – and hope that they feel the same way about you, too. Or you feel like running in the opposite direction from someone when you have zero interest in them, but you don't want to be rude or hurt their feelings by being truthful. You can find yourself in many tricky dating situations post-divorce, and you may feel ill-equipped to deal with them. The following tips should help as you start to dip your toes back into the dating pool.

## Don't Feel Coerced into Going on a Date.

1

You do not owe them anything, except perhaps the simple human courtesy of canceling in advance instead of standing them up. The same goes for accepting a date out of pity.

## Don't Underestimate the Importance of Tip 1!

2

If you disregard the first tip, you could find yourself in a much bigger mess when trying to break free down the road.



### Have Some Stock Phrases Ready for Turning Someone Down.

**3** There was a regular customer at my work who I realized was on the verge of asking me out. I bounced a few ideas off my girlfriends about how to say “no” without being unnecessarily hurtful. When he finally asked me out, it didn’t catch me off guard and I was able to turn him down – kindly, but firmly.

### On the Fence About Dating Someone? Meet for Coffee First.

**4** You arrive separately and can talk for two hours if you hit it off, or make a hasty retreat if you do not. There is less pressure in this casual setting and you aren’t locked into an endless dinner. If you pay attention, you can get a good sense of someone’s character over lattes; pay attention to how they treat your server, how much of their focus is on your conversation vs. their phones or checking out attractive people at other tables, etc.

### Beware of Someone Who’s Making Plans for the Two of You Right Out of the Gate.

**5** A well-traveled, intelligent man asked out a friend of mine. They had much in common and he suggested a coffee get-together the following week. So far, so good. But when she explained that she had houseguests to entertain before work, he said since the coffee shop was next door to her workplace, he was sure she could make it so he would be there waiting. He hoped – insisted, actually – that she could make it. She did not like that he clearly thought that she should spend time with him rather than with her guests. She was glad that her first (and last) date with this controlling man was for coffee instead of a long dinner so she could escape as soon as she felt the shift from charming to controlling.

### Prepare for the Pain of Unrequited Love (Yours or Theirs).

**6** It can be painful when only one of you feels a strong attraction to the other. Deciding whether or not to share that you are attracted to them is a delicate dance; the other person may reveal that they also feel a spark, or they may look like a deer caught in the headlights. When someone states that they want a friends-only relationship, accept it. Contrary to many romantic movies out there, you are very unlikely to be able to change how they feel about you. It can be tempting to think, “If I lose/gain weight, whiten my teeth, or take up tennis (or whatever), they will find me irresistible.” In this case, it is clear that dating is not on the horizon. Be honest about whether you can have a platonic relationship with your crush; if not, it is better to cut ties and move on.

### Are You Giving off Mixed Signals?

**7** This can be confusing to your date. Here’s an example: two male friends told me to stop wearing rings on my left ring finger. When I protested that the jewelry was ethnic looking rather than bridal, they said, “Yes, up close – but from across a room, they look like wedding rings on that finger. That keeps a good guy from approaching you. You don’t want to attract the men who are only interested in married women.” This goes for men, too: a woman who sees the flash of silver or gold on a ring finger will assume it’s a wedding band.

### Potential Dates May Compare Notes in Public Venues (e.g., a Nightclub).

**8** My male hairdresser says his female customers routinely complain about going to clubs and not getting asked to dance. These women say the first guy or two who approached them to dance was too fat/skinny/short/tall/bald, etc., so they declined. After that, no one else came near them. Other men notice women who say “no” frequently and leave them alone. Guys tell their buddies that those ladies don’t want to be bothered (less-evolved men might suggest that they “must be lesbians,” or they would have said yes). Get up and dance with those less-than-perfect guys! The same goes for men: if a woman has gotten up the courage to ask you to dance (especially if she had to wade through your buddies to do so), say yes.

### Be Truthful About Your Situation.

**9** Don’t claim to be divorced if you’ve only just separated, and don’t lie about not having children just because they’re with your co-parent this week. I was about to break up with a long-time boyfriend when a doctor I worked with asked me out. I wanted to date him, however, I was not yet available. Instead of being truthful about my situation and letting him know that I was interested in dating a bit later, I said an abrupt “no.” He never asked again. When I was single again, a mutual male friend confided that this doctor had told the rest of them not to ask me out. Again, word gets around.

The bottom line is that you should listen to your intuition when someone seems a bit off or a situation does not seem right. Be truthful, and take your time getting to know a potential romantic partner to avoid finding yourself in tricky dating situations post-divorce. ■



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