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## Urging sense of cooperation in divorce cases best for all involved

**W**e all know the age old saying “there is no ‘I’ in team.” Such a saying is relevant to many aspects of everyday life, including divorce proceedings.

Divorce is a difficult process for families to endure. However, uncooperative, combative behavior makes an already trying time even more difficult. Encouraging a sense of teamwork between the parties can make for a more amicable process and help a child's adjustment during their parents' divorce.

However, as domestic relations attorneys well know, encouraging teamwork between divorcing parties is easier said than done. There are television shows today depicting such a lifestyle, but these are not the realities of most American families.

For example, “Splitting Up Together” on ABC, depicts a divorcing couple who remain friends and enter into a nesting schedule. One parent lives in the house for a week with the kids, while the other stays in the garage. While this looks ideal in a sitcom, family lawyers know this is far from reality in most instances.

The reality is that most parents will have to learn how to co-parent with someone they used to love, and now barely like. Encourage your client from the beginning to create a parenting team with the other party by setting aside their former spousal relationship. All of this, of course, only applies where there is no domestic violence.

Educate your client on the two realms of interaction with their ex-spouse.

The marital realm, where difficult emotional aspects of your client's relationship with their ex-spouse are concentrated, and the

parenting realm, where goals for the family can be achieved as a team. These two realms can and should be kept separate to foster a healthy co-parenting relationship. While they may not like each other anymore, they will always have to parent together.

Compartmentalizing the broken and intense emotional parts of the ended marriage while engaging together as co-parents proves helpful to nonconfrontational co-parenting.

Sasha Von Varga, a collaborative law expert, explains, “When working with divorcing parents, I challenge parents to think of their investment in their children as co-owners of their new family corporation.

“They are mutual shareholders and will forge a common approach to the future values and traditions of their children. Their ability to communicate with the children, to share mutual expectations and problem-solve effectively will promote the strength and resilience of the entire family.

“Parents know (or can learn) how they would communicate in a business memo versus a personal message that exploits the

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undertones and emotional pitfalls of the previous relationship.”

By parents operating as a team, the children will feel they are more valued and important than the conflicts that ultimately dissolved the marriage. Many contentious behaviors stem from wanting the best for the children. However, becoming disagreeable

### COLLABORATIVE CONCEPTS



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makes the proceedings worse for the children. It causes them to feel as though their parents' value arguing with each other over fostering their children's needs.

Remind clients their child has only one family and that as a parent, they are still part of the child's family. The child's family consists of each of their parents, their extended families and any significant others their parents may have in the future.

Their child's prior definition of family has been broken, and it now holds two parents that do

how to operate within the new family system, which is much easier on a child than having to re-invent their own sense of family within two “fractured” homes with no cooperation.

When children feel the disruption of the divorce and cannot figure out how to achieve some return to normalcy with their parents, the separation by way of distance, household expectations, rules and limits creates the potential for greater anxiety, stress, confusion and health concerns.

When parents work together and co-create an amicable, consistent and responsive family unit after divorce, the child will benefit invaluablely.

“Whatever routines, expectations and tasks which were in place for the family that worked prior to the divorce should be supported and maintained,” Von Varga recommends.

“Because things are changing, it's also natural that some will change and that mom and dad will do things somewhat differently. Encourage parents to tell their kids what they can about what the kids can expect from them as a single parent.

“If parenting was one of the areas that brought conflict to the marriage, then parents can work out what they will and what they will not expect from each other; parents can agree how to handle that when they are in proximity of each other.”

Teamwork between parents not only helps the child adjust to the major life changes divorce brings, but teaches them how to interact socially, how to manage conflict and handle issues in relationships. By collaborating as divorced parents, it teaches children how to foster healthy interactions amidst conflict. It makes them feel more secure in their personal and future professional relationships.

Von Varga explains, “When children can see their parents being able to tolerate having different points of view and ways of handling the world, they continue to see the positive influences that their family has on them.

“Collaboration means that while we don’t agree on everything, when we disagree, we know how we will address things. Collaboration means being able to hear the needs and concerns of the other and finding a sincere response that allows for disagreement to exist. Solutions are the process of negotiation and compromise.”

Some ways to foster teamwork between your client and the other party include:

No blindsides. Communication is key. Hearing important information from the child, instead of the other party, does not make for constructive teamwork. Encourage your client to directly communicate with their ex as

things happen. Creating an element of surprise is not only frustrating but diminishes any sense of teamwork between parents. Texting takes away all excuses to not be ahead of the children.

Drop-offs instead of pickups. Hypersensitivity surrounding divorce proceedings can cause a parent to feel as though their child is being taken away when the other party picks them up before parenting time. By incorporating drop-offs into the parenting plan, parents feel as though the other is voluntarily giving the child to them for parenting time. It creates a better foundation for working together, so long as there is a good-faith effort by both parties to be prepared, on-time, etc.

Outlets. Encourage your client to find, and have an outlet for, their feelings separate from their children. Whether that is a pet, a workout class, therapy and so forth. Using other outlets to air

frustrations helps ensure they do not penetrate the repertoire you hopefully have going between the parties and parents.

Sleep on it. Before using the child as a messenger, or communicating criticisms or concerns to the other party, encourage your client to “sleep on it.” Waiting a few hours after receiving the information, less an emergent situation, to make contact will allow for better communication between the parents.

Teamwork is a business. Tell your client to approach their coparent relationship as a professional one. In professional relationships you don’t create drama and turmoil when conflict arises. By acting professional in communicating with one another, it will be easier for your client to compartmentalize their spousal relationship from their parenting relationship.

Know and respect the ultimate goal. Creating a team gives no

one but the child the advantage. With the child’s best interests in mind and at heart, teamwork allows for both parties’ No. 1 goal to be met — happiness and health for their child.

A family unit does not have to dissolve upon divorce. It can adapt to the changes and continue to function in a different capacity. Teamwork between the parents can make this happen. By separating interactions into personal versus parental and using teamwork in the latter they can create an amicable family unit for the child.

Family is not a single-dimension word. It operates and functions multidimensionally. By keeping this in mind, and encouraging clients to create a team and work together for the true benefit of their child, it can alleviate one of the biggest stressors for clients — their sense of “losing” their child for much of their life.