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Counseling for a child often a necessity to aid in healing in a divorce

Counseling can be an overwhelming experience for children no matter the circumstance. Court-ordered counseling in a divorce context takes that overwhelming experience to a whole new level. Whether it is the pressure to take one parent's side, be vulnerable with a third-party, or acknowledge the challenging adjustments and transitions at home, counseling can prove to be tough for everyone involved.

Section 607.6 of the Illinois Marriage and Dissolution of Marriage Act gives the court discretionary power to order individual counseling for the child, individual counseling for a party, or family counseling for one or both of the parties and the child.

A judge may order a child to attend therapy to address the effects of abuse, either direct or indirect, neglect, their parent's substance abuse, or the child's own mental health challenges.

While a child is not a named party to a dissolution of marriage proceeding, the complications of the divorce may substantially affect a child's mental health and development. The child must learn to adjust to new family dynamics, two separate homes, and possibly a new step-family.

Regardless of where a person is in the process, court-ordered counseling can be manageable. It benefits the children in the long-term, as therapists can be an invaluable

resource for the children during this significant life event.

Communicate/ coordinate

The legal and mental health professionals, together with the parents, should collaborate to craft the easiest transition for the child to attend and actively participate in counseling. There are several ways to help get everyone on the same page to maximize the benefits for the child.

During and after the divorce, parents should always communicate about their children. Should a parent notice a change in behaviors such as an unexplained drop in grades at school, behavioral issues, reclusiveness, persistent anxiety, or increased attachment, he or she should take those concerns to the other parent immediately.

Ideally, parents would discuss whether they agree to send their child to therapy before asking a judge to order it. Litigation not only increases attorneys' fees, but it also increases tensions among the parents, which will likely be observed and internalized by the children. This causes more strain on the child's mental health.

If the divorce is a heavy burden on the child, the parents should convey their concerns together to the child. It is also crucial for the parents to listen to the child about his or her own concerns and to address them together. However, if an agreement cannot be reached,



COLLABORATIVE CONCEPTS

**BETH FAWVER
McCORMACK**

BETH FAWVER McCORMACK is a partner at *Beermann*. She practices exclusively in family law matters and is a collaborative law fellow, mediator and child representative.

the attorneys can request the court to order therapy for the child.

Once the child is attending therapy, it is crucial for the parents to coordinate with the therapist to determine their goals for counseling. The child's therapist may recommend individual therapy sessions with the child or family therapy sessions with one or both parents, or both individual and family sessions. The child's progress in therapy and the therapist's recommendations should be carefully considered and communicated to both parents and the court via the child's representative or guardian ad litem.

Another challenging con-

sideration is whether or when to terminate therapy. The parent who opposed therapy may wish to terminate therapy early. Before termination, the parents should communicate with the therapist to determine whether the stated goals have been accomplished and what challenges remain. The parents should also consider whether the child cultivated a strong relationship with the therapist. This relationship can be a firm foundation for the child during such a significant family transition, and an abrupt, unplanned termination can be detrimental to the child's mental health.

Drafting appropriate court orders

A court order often states the child "shall attend counseling." An ambiguous court order will leave many questions unanswered and can cause unnecessary challenges to an already confusing time.

A more comprehensive court order specifically stating what the therapist should address with the child, and who can speak with the therapist will assist all involved. If the court order is illegible or ambiguous, attorneys may have to file subsequent motions to clarify or enforce provisions. This increases litigation costs and misdirects the parent's attention to litigation when the child's mental health should be paramount.