

TIPS FOR PARENTS ENGAGED IN THE COLLABORATIVE FAMILY LAW PROCESS

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You are to be commended for choosing Collaborative Practice as the means to solve any problems that you and your children's other parent might have because you decided to separate. It is evident that you want the best possible outcome for your children and see this as a means of achieving it. Based on experience with families who select this method of problem-solving, it is apparent that they tend to have some very important common values. They are parents who desire to:

1. Help their children adjust to the inevitable changes that occur when parents have differences that result in their living apart, and at the same time recognize that their children's needs will vary depending on their developmental levels and differences. **(Making Healthy Transitions)**
2. Reduce parental conflict and provide the children a conflict-free safe environment, thereby minimizing the emotionally destructive effects high conflict is known to have on children. **(Minimizing Conflict)**
3. Ensure that the children feel loved by the significant adults in their lives, most importantly, by their parents. **(Showing Love)**
4. Assure the children that it is never a child's fault that the parents are having difficulties, struggling to resolve issues, separating or divorcing. **(Avoiding Blame)**
5. Encourage a positive and healthy parent-child relationship between the children and their other parent, thereby protecting the children from experiencing torn loyalties. **(Fostering Good Relationships)**
6. Continue to help the children "feel they are heard," by actively listening to their opinions and preferences, while at the same time not burdening the children with parental decision-making. **(Hearing the Voice of the Child)**
7. Allow the children to have as normal a life as possible while the matter is being resolved, as well as in the future. **(Providing a Stable Environment)**
8. Spare the children from being burdened with parental responsibilities and roles during a time when the parents realize they are not functioning at their best, and shield them from being put in the middle and serving the role of messenger. **(Letting the Children Be Children)**
9. Recognize if a child is overly stressed by the changes in his or her life and utilize appropriate resources to help the child cope. **(Seeking Professional Help)**
10. Preserve financial resources that need to be dedicated to the children's needs, including the future education of the children. **(Saving Money)**
11. Model healthy communication and problem-solving skills. **(Being Positive Role Models)**
12. Recognize the need for compromise in their decision making so that meeting their children's needs remains their top priority. **(Maintaining Flexibility)**
13. Choose from all the options for parenting time and allocation of parental responsibilities those that have the greatest likelihood of the best possible result for the sake of the children, taking into consideration the unique needs of their family. **(Achieving the Best Possible Outcome)**

14. Understand that development is not a static process and that children's needs change over time, so that decisions and plans must be adjusted accordingly if their children are going to thrive and succeed. **(Re-evaluating and Adapting to Change)**

It may be helpful to you to learn what parents who have been successful in accomplishing these goals have used as their strategies. For each of the goals above, you will find there are a number of "tried and true" approaches.

1. Making Healthy Transitions: Help the children adjust to the inevitable changes that occur when parents have differences that result in their living apart, and at the same time recognize that their children's needs will vary depending on their developmental levels and differences. There are many books written on the subject of helping children cope with the issues they face when their parents' relationship changes from one of supportive partnership to one that is emotionally distant and/or conflicted and is now based solely on the co-parenting relationship. Included at the end of this paper is a suggested reading list for you to use in broadening your understanding of the effects of permanent parental separation on children. Many parents who demonstrate the best skills in going through these changes take the time to read what the experts say.

Your first dilemma may be how to tell the children. The timing and location of such a discussion are among the first considerations. If at all possible, talking to your children about impending separation and/or divorce should be at a time when there are no other significant life events occurring (e.g., birthdays, holidays, family celebrations, final exams, major competitions, etc.) and should be done at a time when the children will have sufficient opportunity to process the information and emotional reactions (e.g., Saturday morning as opposed to Sunday night before school resumes the next day). It is useful to have such discussions in a familiar, safe and comfortable environment, where the children have the freedom to share their emotions while also having the opportunity to walk away and process their reactions in the privacy of their rooms or on their back porch. Since this typically will be the first of many discussions, do not anticipate a long, drawn out and detailed conversation. Rather, it should be relatively brief so that the children can be given the foundation upon which subsequent discussions can take place.

A commonly recommended approach is for both parents to tell the children together that they have decided that certain changes (such as separation) are going to occur. It is typically best if all the children are told at the same time, but the language used and information shared must be adjusted to the children's developmental levels and needs. If there is disparity in the children's ages, then more in-depth discussions can subsequently be held with older children at another time. It is extremely important that both parents actively participate in the discussion and that the burden for the "telling" not unduly fall on either parent. Neither parent is held solely responsible for this decision, and to the degree that the decision can be presented as a joint one, creating a unified front, your children will benefit. The children understand that the parents have discussed beforehand all the options and have made the adult decision that the change is one which hopefully will reduce certain unpleasantness (such as, the arguments they have witnessed) or the

parents' unhappiness. This is typically sufficient explanation for children. For the most part they neither want nor need detailed reasons or explanations.

The children are assured by both parents that they both will always love them and be there for them. It is helpful to explain that the love between a Husband and a Wife is different than other kinds of love by contrasting it with the love between a Mother and child, Father and child, siblings, friends and even G-d and his children, if appropriate. For very young children, it can be helpful to draw such relationships as a picture so that they have the visual aids available to help them to process the information. The fact that the parents no longer love each other in a way that sustains an adult relationship will never mean that the love either of them have for their children will diminish – parental love is a very different kind of love. It is one of the gifts that a parent receives when they have a child.

During such discussions, it is not uncommon for one or both parents to become emotional, which is acceptable as long as it remains in moderation and not out of control. Children understand and accept genuine emotion, and recognize that such reactions are appropriate to the circumstances. Furthermore, it gives them permission for their own emotional responses. You need to be prepared for a wide range of child reactions to the information that their parents are separating or divorcing. Tears, silence, anger, and denial are all common and can occur to varying degrees. Depending on the circumstances some children are prepared, while others are stunned. Do not be surprised if your children initially accept the information and simply go off and play, or ask “what’s for dinner” as if it’s no “big deal.” All such diverse child responses are well within normal limits. Do your best to accept whatever emotions the child expresses, without judgment. This is not a time to insist on respectful behavior or to tell a child that he or she should not cry.

The parents explain that they both want to continue to spend time with the children, but in most circumstances, the time they each spend with the children will be when the other parent is not present. Any planned move from the residence will be explained. The children will be allowed input into which of their personal belongings will be in each of the two homes that are established for them. They will be told that they have a home with each parent, so essentially they will have two homes. How much time they spend in each one may still need to be worked out, but the parents will be willing to consider their thoughts about that before the parents make the final decision. Many things will stay the same – they will still be able to visit their grandparents, have sleepovers with their friends, play on sports teams, take music or dance lessons, and perhaps remain in the same school. Their questions are answered directly, succinctly and honestly without inappropriate adult themes being shared. It is often helpful for parents to have children’s and teen’s books about divorce available to share with their children, and to create an open environment so their children have permission to ask questions and express concerns. It is anticipated that such discussions about the separation and/or divorce will occur periodically over time, and that the process of acceptance and understanding for a child is an evolutionary one that requires developmentally appropriate information.

Another transition issue that often comes up is how to make residential changes smoothly. Oftentimes, changing residence is far more traumatic for the parent than it is for the child. Children are adaptable and resilient, and as long they are given sufficient and developmentally appropriate information and rationales, they often will adjust far better than expected. The children could be taken as soon as possible to see the new residence and find out for themselves where they will be sleeping and where their belongings will be. Being able to decorate new rooms is oftentimes one of the “up sides” of divorce from a child’s perspective. Both parents could go on this trip to show that both parents approve of the suitability of the new surroundings—whether it’s Mom’s or Dad’s new home. It is critical that to the degree possible, important elements (e.g., computers, video games, favorite toys, etc.) are duplicated in both homes and that dual wardrobes are available so that a child is not transporting items back and forth, nor carrying suitcases to school or between homes. Any new school or child care facility would need to be visited as well since all efforts to reduce uncertainty will further reduce a child’s anxiety about all of the changes.

Another major transition is the introduction of new people with whom the parent is involved. As parents you may want to read more about how best to handle this, or better yet, consult with a child psychologist or other counselor familiar with children’s issues who could advise you. Many suggest that there be a period of time while the children adjust to their parents’ separation before they are introduced to new significant adults (and their families). Such time not only gives the children the opportunity to process the changes occurring in their lives, but also increases the likelihood that a new relationship will be better received than if it is prematurely introduced. Children do not need to be introduced to every new adult in the parent’s life, nor do they need to experience a revolving door of relationships. Parents should feel confident that the new adult they are introducing into their children’s life is indeed significant and the relationship is sufficiently stable that such introduction makes sense. The process should be done slowly and over time, allowing the new relationships to develop at their own pace. Although it often makes sense to introduce this new adult as a friend, children are very perceptive and readily discern if this new relationship is more than simply a “friendship.”

Overnight stays by significant others are typically ill-advised unless the parents have agreed otherwise or unusual circumstances prevail. Children are often quite possessive of each of their parents, and may not share them easily, so any new adult can often be perceived as a potential “threat.” Children do not want to “lose” their parent, nor do they want their other parent “replaced.” It is important that the parent always preserve one-on-one time with their child, even if there are new adults and new families to consider.

Teenagers may challenge parents with what they perceive to be a “double standard” in which the parents profess one set of values for the children and a different set of values for their behavior as parents. This is complicated further if one parent has overnight stays and the other parent disapproves. It becomes important to refrain from having arguments over adult choices in the children’s presence. Planning in advance together how the parents will handle situations in which a parent wants to have a significant other spend

the night can defuse what can be a volatile period. The goal is to help the children move smoothly into the new life they will experience in their reconstituted families.

2. Minimizing Conflict: Reduce parental conflict and provide the children a conflict-free safe environment, thereby minimizing the emotionally destructive effects high conflict is known to have on children. All the books you will read on the subject will make the point that high conflict between parents is what is damaging to children. In fact, this is one area where the clinical observations by mental health professionals and the research wholeheartedly agree: the single most significant predictor of child adjustment post-divorce is the degree of conflict between the parents. In fact, the degree of post-divorce conflict between the parents is more important than all other variables *combined*. Hence the value of keeping children out of the middle and sheltering them from the emotional upheaval you have been experiencing cannot be overstated. They do not need to be witnessing hostile verbal exchanges or even contemptuous attitudes and behaviors. They can read your body language like a book – they have been around you their whole lives and know when you are upset.

Conflict is more than just overt hostility. Conflict can be passive as well as active, and icy silence or complete disregard or ignoring of each other can be as damaging as arguing and yelling or slamming down a phone. Find a way to calm down and be peaceful in your interactions with each other, especially those that the children witness and especially at times of transition. Your reaction to the other person's intentional or unintentional "button-pushing" is your choice – you control whether to pull the trigger of an emotional outburst or not. Establish and follow basic rules of conduct for your behavior, similar to those used during the collaborative process, and decide how you are going to communicate with each other. Respect each other's boundaries and learn how not to engage in escalating discussions – even hanging up with the words "I hear you; we can discuss this at another time. Goodbye." Then contact the other parent in 24 to 48 hours when the children are not around and resume the conversation on a more harmonious note. Just as in the collaborative process where we stick to an agenda and we avoid surprises by deferring new matters to future meetings, you can do the same in your personal communication.

Do not make agreements that you do not intend to comply with "just to end the discussion," or, after making an agreement, not follow it as a way to get even. In fact, establish a time period before providing agreement to a request, and respond by the deadline with an answer to which you will stay committed. On the other hand, try to avoid making requests that require an "immediate" response. Then you will always be afforded the time to think about something before you make a hasty or rash decision. You can always try calmly stating, "if you cannot give me the time to think about your request, and must have an answer right now, then the answer will have to be no."

Avoid having potentially difficult conversations in front of your children, especially at their public events, like ball games, recitals, schools, etc. Children report that they can tell the level of conflict from one end of a phone conversation they overhear, even when you think they are occupied with something else or asleep, so you can imagine the

damage caused by public scenes. Emotionally charged memories are the ones that stick with us all our lives. You want to reinforce the positive memories and avoid the emotional scenes that will produce lasting scars on the childhood your children will recall.

Exchanges of the children between you should be made as pleasant and non-threatening as possible. This is definitely NOT the time to have potentially difficult conversations or to make last minute requests. It is best if the children are rested, well fed, clean and have their homework done and their necessary belongings with them when the exchanges are made. It is stressful enough going between two households without the additional stress of a parent's frustration over being burdened with what is perceived to be the other parent's responsibility.

Some wise parents share the transportation with each parent delivering the children to the other so that the children see that the parent is supportive of the child going to the other parent. The children are not being removed from a place or activity they are enjoying by the parent who has come to pick them up. They will not associate leaving as a time of tension between the parents. The parent who has plans will not be inconvenienced by a parent who is late and the children will not be disappointed and anxious waiting for the parent to come. Being on time saves children from a lot of anxiety. Although the risk remains that the "delivering" parent may be late and that would be an inconvenience for the parent waiting for the children to be dropped off, such a scenario is less common than the other way around. It is always common courtesy to let each other know if you are going to be late and why. You can tolerate occasional tardiness, but if there is a pattern it is worth addressing during collaborative joint meetings, therapy sessions or periodic co-parenting meetings.

Something else that helps make the transitions between households easier for children is for them to be given space to settle in and re-engage with you when they are ready. It is a good idea to build such adjustment time into your scheduling so that your children can relax and not have to immediately jump into a planned outing or activity. Just because your children may arrive at your home cranky or upset does not mean that something bad happened during their time with the other parent. It is often a normal adaptation to change. The amount of down time needed for each child to settle back into your environment and routine varies depending on the child and the amount of time spent with the other parent.

Allow them to share in their own time what they want to tell about their time with their other parent. What you really need to know you can learn by simply asking the other parent and, in the collaborative spirit, if you ask, it will be answered. Pumping the children for information will ultimately mean that you get the least amount of information they feel they can get by with telling you or else they learn that exaggerating what they think you want to hear brings its own perverse reward. Either way this does not foster the kind of relationship you want with your children. The goal is for the children to see their parents cooperating, communicating and not in conflict. It really is as simple as treating the other parent and the children like you would want to be treated.

3. Showing Love: Ensure that the children feel loved by the significant adults in their lives, most importantly, by their parents. You will want to reassure your children continually that you both still love them. At no time will you ever want to imply that their other parent no longer cares for them or would prefer not to have them around, even in periods when it seems his/her priorities are focused on something else—the parent’s education, work or new relationships. It is important for the children’s self-esteem that neither of their parents is demeaned in their presence. It becomes important to discourage the children’s extended family—grandparents, stepparents, aunts and uncles—from speaking negatively about either parent around the children. One of the worst things a parent or other family member can do is alienate the children from the other parent because of the damage such emotionally abusive behavior causes. Disparaging comments about one’s parents are naturally taken personally since one’s identity comes half from each parent. Children’s reactions to such criticisms and judgments vary depending on the child, but none of the outcomes are good. Children (even if only in their own minds) may naturally take up for the parent who is being “put down” and they commonly turn against the parent that they perceive is bitter and judgmental. They believe that if a parent can be this contemptuous of their other parent, the day may come when the parent feels the same way about them. The love they feel from their parent begins to seem conditional and they become emotionally insecure. A young child especially can, at the least, be negatively influenced by such comments, and at the worst, significantly alienated from the other parent creating mayhem in family relationships. In any of these situations, such disparagement results in significant confusion for the children. If their own experiences are at variance with what they are hearing or the parents continue to present conflicting information, it seems someone must be lying, which can be overwhelming for them. Consequently, children end up in the middle, having to side with one or the other parent to preserve a relationship with one of them. It is important to understand that children can never have too many people love them and the goal is for the child feel lovable and loved by all and secure in that love.

4. Avoiding Blame: Assure the children that it is never a child’s fault that the parents are having difficulties, struggling to resolve issues, separating or divorcing. This is especially important if there has been a history of arguments regarding the children or the children’s behavior, or current conflict around child-related concerns. You have consciously chosen a process that is not about “blame and shame.” Nowhere is the adage, “Judge not that ye be not judged” more important than when one realizes how devastating it is for a child to internalize responsibility for his or her parent’s decision to divorce, based on something a parent does or says to communicate that impression, even inadvertently.

Try imagining yourself as a child whose parents are divorcing and consider how you would feel. First of all, it is very common for the child to believe that “if only” he or she had done something differently, this problem would never have occurred. If he or she were not in the picture, it seems his or her parents would not have had a reason to argue. They think they must be to blame for the break up of the relationship. Remember, when you first fell in love, you did not have children, so they imagine if you could just go back

to the “happy time” you would be forever in love. Children need to be reassured that the unhappiness between their parents that they may have witnessed is not about them.

Children feel powerless when their parents divorce. One way that they can compensate for such feelings is for them to assume that the divorce is their fault which explains why this is such a common observation. In their young minds, if they caused the divorce, then they have the power to bring their parents back together. Such magical thinking is both normal and common, and gives the children the potential control, albeit destructive, that they sorely lack in this process. It is therefore a parental responsibility to insure that their children understand that it is the parents that have been unsuccessful at meeting each other’s needs, but that this it is not the children’s fault. Children need to further understand that their family is not alone and that many parents have discovered that they were unable to sustain a particular relationship which then results in divorce. It is at such times, that reading books about divorce allows children to see that they are not the only ones who think that way, and such material reinforces the parental, not child, responsibility for the decision to end the marital relationship.

Likewise, children need to be protected from judgmental, accusatory, blaming, and sarcastic comments made by either parent about the other. Both their parents need to take responsibility for the part each plays in the problem that now needs to be solved. You can each acknowledge that, though it saddens you, you are not the type of person the other one feels he or she needs and that you truly hope the other is able to have his or her needs met and to feel loved in their adult relationships in the way that they deserve. You send messages to the children that you want peace and good will between their parents for their sake. The goal is to have the children grow up to be individuals who will take responsibility for their own actions and not waste their lives trying to assess blame on others for all their problems.

5. Fostering Good Relationships: Encourage a positive and healthy parent-child relationship between the children and their other parent, thereby protecting the children from experiencing torn loyalties. Ideally, you want to foster as good a relationship as possible between your children and their other parent. This makes for an emotionally healthy child with positive self-esteem. Of course, this goal translates into making it as easy as possible for the child to spend quality time with the other parent. This includes telephone contact and instant messaging time, as well as time spent together in routine parent-child interactions. It may take a lot of flexibility or you may prefer the structure of a set schedule depending on your and the children’s personalities. Nevertheless, even with structure, flexibility and compromise is crucial to healthy relationships.

Being considerate of each other’s plans when scheduling things will help achieve this. Significant activities (like religious or awards ceremonies, sporting events, recitals, school conferences, hospitalizations or surgeries, graduations, and later, weddings and births of grandchildren) will naturally need to be shared events. Being a parent does not end when your children turn 18 years old, nor does your parenting relationship. You are parents forever, and therefore, in many ways are joined at the hip when it comes to your children. Every child should feel free to celebrate their triumphs with both parents

without having to worry about a scene or confrontation between them. If you are mature and healthy enough to engage in joint meetings in the collaborative process, of course you can handle being together with your children when they both need you there.

Do not be surprised if each of you has an improved relationship with your children when you are free from the tension in your household caused by your problems, the children have your undivided attention, and you periodically have a break from the children to renew yourselves. Having a good relationship with the other parent is not a threat to your relationship with the child. Children need the freedom to have a loving relationship with both of you and such healthy relationships are truly something to celebrate. The goal is for the children to feel the security that both of their parents will always be there for them.

6. Hearing the Voice of the Child: Continue to help the children “feel they are heard,” by actively listening to their opinions and preferences, while at the same time not burdening the children with parental decision-making. Your willingness to engage in a process that involves listening to each other’s interests in order to arrive at the best possible outcome is a strong indication that you will value that same goal with your children. Children who have been through the traditional adversarial process have grown up with regrets that no one ever listened to them. You probably have considerable skills in engaging your children in meaningful discussions about their desires and preferences. Maybe they are very outspoken about what they think they need. This is an important time to use those skills to show them you truly do care to know what they are experiencing and hoping. Ironically, if you had elected to pursue an adversarial process, you may have been enjoined from having any conversations with your children about what is happening in your lives. Then the worst possible scenarios are left to the children’s imagination and the “secret” consumes their mental energy.

They will probably tell you that they want you and their other parent to reconcile—this is the most common fantasy of children who have experienced what your children are going through. If that possibility is being or has been explored, you can tell them what is happening, without giving them false hope. The deeper desire on their part may be for everything to stay the same in their lives. You will need to let them know that there will be changes, but that together you will be able to adjust to them. It is important that they understand that no one is expecting them to take sides or to make ultimate decisions that parents are charged with making. Whether they will live in one or the other home primarily and, if so, with whom, is a parental decision. Assure them that they can have input into those decisions and that their preferences will be considered before final decisions are made. It is very important though, that your children understand that they will never be asked to make a choice between their parents, or to make that decision. That is not their job, it is yours. You will likely need to afford a teenager with a driver’s license a lot of flexibility about where he or she will spend time. On the other hand, a young child’s insistence that he or she wants to stay and play with playmates or toys and not go to the other parent’s home, while understandable under those circumstances at that moment, is something you will not honor, because it is more important that the child have quality time with each parent than the granting of his or her wish not to be interrupted.

While it is important the children feel empowered in a situation that feels out of their control, you do not want them to be “over-powered” which can then be overwhelming because they have been cast in the role of an adult.

Many parents and their lawyers feel hesitant to explore what the children are feeling directly with the children, especially with young children. That is where the team concept of the collaborative process plays such a vital role. The parents can retain a neutral child specialist to help them understand the developmental needs of children generally and to interview their children to learn what they are thinking and feeling about the changes in their lives. Then the child specialist can meet with the parents or in a joint meeting with the entire team and provide the children’s voice in the process. It is still the parents’ decision, but they will have received very valuable input. Such a professional can even help the parents craft an outcome that factors into it the children’s input and desires and maximizes the likelihood that the everyone’s needs in the family are being met. With older children, the parents may want the children to participate in a collaborative meeting at which the options for parenting time and holiday access or school choice are discussed. You have control of the process and you decide what is best for your family. The important goal is for your children to come out of this with the sense that their feelings were considered and you made the effort to hear them.

7. Providing a Stable Environment: Allow the children to have as normal a life as possible while the matter is being resolved. Your goal is to make it as easy on the children as possible. Though there are many inevitable changes in their lives that result from the problems you face, many things can remain the same. Maybe, for the time being at least, one of their homes will not change. Moving is a stressful change for anyone. With small children, you can replicate their environment with the acquisition of similar (if not, identical) bedding, toys, computer games, and menu items. Special possessions, like security blankets and stuffed animals, can go back and forth with the children. They can have play clothes and toiletries at both homes. Then they do not have to remember to bring their toothbrushes and socks, and they do not have to carry suitcases back and forth between the houses. Each of these houses is now their home. You only carry a suitcase when you are “visiting” someone—not when you live there, at least part of the time. Parents can take responsibility to insure that certain items are included in the belongings that accompany the child, such as school books, homework assignments, uniforms and sports equipment. As a child gets older, the child can be taught responsibility by neither parent rescuing the child when the child fails to bring along something that he or she needs.

It is often helpful if parents are able to collaborate on future “house rules and consequences” as it applies to their children. Common ground rules can avoid future disagreements, especially since so many child-related decisions after a divorce, are simply parenting decisions that would have had to have been made regardless of whether the family remained intact, or the parents divorced. Discipline methods can be consistent. For instance, the parents may decide that neither will use physical discipline or both will withhold the same privileges. Parents can communicate about consequences that the children are experiencing because of bad choices. Parents can discuss and decide how

consequences will be handled that might benefit from cross over between homes. Sometimes parents with open lines of communication agree that the rule violation was egregious enough that the consequences (such as no access to car keys) will cross the boundaries from one home to another. If consequences do cross homes, you will have increased consistency from which the children can benefit. Furthermore, you decrease the likelihood of one parent being the “bad guy” and the other parent, the “good guy,” which further reduces the potential for “splitting” between the parents.

On the other hand, parents may also need to let go of their expectations that there will be follow through with discipline in the other home depending on the decisions that they make in this area. For instance, it may be unreasonable to impose “grounding” during the other parent’s parenting time unless both parents agree that such a consequence is appropriate. If the parents do not agree, such a consequence cannot be imposed on a parent, and the child and other parent understand that consequences for a child’s misbehavior will occur when the child returns to the home where the offense occurred. The children feel more secure when they find that the parents remain in charge and that they are not allowed to run wild just because their parents are preoccupied with their own problems. They learn they cannot play one parent against the other and manipulate the situation. They find out that you will always be checking with each other to ascertain if the children are mischaracterizing or exaggerating the facts to tell you what they think you want to hear. If there is limited or no communication between you, then the child is again given the ability to divide and conquer, developmentally giving them more power and control than is appropriate.

They learn that just as the rules at school, day care and grandparents’ houses differ, so can the “house rules” in both homes. For instance, one parent may tolerate bouncing a ball inside; the other says balls are for outside play. One parent allows food in the den or the child’s room; the other says eating is limited to the kitchen and dining room. What is important is that the parents affirm that each has the right to make house rules and that the parents do not undermine each other’s authority. Sharing information about house rules is empowering, because then a parent can say “I know your other parent allows you to do that, but in our home it is not allowed.” Children are remarkably able to adapt to minor inconsistencies between their parents and their other care-giving environments, even more so if there is consistency regarding major rules and the consequences of violations. Unless a child is being harmed by a parent’s behavior, much latitude is given to these differences.

Remember, one of the consequences of divorce is that you lose control, and a great deal of that control has to do with your children. Trusting that each of you love your children and will do your best to protect them and make good decisions is reassuring, because each of you is only in control when the children are with you. Understanding this dynamic will go a long way to avoiding conflict in the future and maintaining the flexibility necessary for healthy relationships. You are both only human and each of you will make mistakes when it comes to being parents. Clear the air, admit when you were wrong, explain how you intend to handle the matter in the future, and forgive each other.

Hopefully, your children will learn to forgive you by seeing you model forgiveness of each other.

Relationships need to be maintained so that the children have a sense of normalcy and continuity that does not change simply because their parents are getting divorced. Friendships they have always had can be fostered with outings and sleepovers. Relatives can be encouraged to continue to spend time with the children even though the precious resource of time with the children is now shared. The children may be able to continue to attend the same school where they have many important relationships with peers and teachers. They can continue consistent attendance at religious institutions or camps. The same nannies or other child care providers can continue to care for the children during each parent's respective parenting time.

Activities in which the children have historically been involved can continue without interruption. Such continuity facilitates children's adjustment to the changes in their lives. For example, lessons, sports, classes, competitions, tutoring, etc. in which they regularly participate do not need to be unnecessarily affected. Parental involvement and support for the stability of such activities allows children some sense that in important areas, divorce does not mean change, but rather some things really do remain the same. It may mean that a parent who has assumed more responsibility for a particular activity in the past will no longer be the only one responsible for seeing that the child participates.

It will require communication and cooperation between the parents in determining how to maintain that stability for the sake of their children. What is important to the children is that their world is not radically altered by your life decisions. They need more than a semblance of things being ordinary; they need it to be a reality. What they do not need is for everything to become a "fairy tale" world of extraordinary outings and gift-giving. The goal is for the children to feel the security that a degree of normalcy offers.

8. Letting the Children Be Children: Spare the children from being burdened with parental responsibilities and roles during a time when the parents realize they are not functioning at their best, and shield them from being put in the middle and serving the role of messenger. A variation on the theme of providing normalcy is the important task of maintaining appropriate parent and child roles, as well as appropriate boundaries. You do not want to burden your children with your adult problems. They are not appropriate confidantes. You need adults helping you sort through your choices and helping you make wise decisions. This is one of the reasons you selected Collaborative Practice; you wanted competent legal advisors to help each of you understand the legal consequences of your choices. You may want to add to the team mental health professionals to help you communicate better, understand the emotional toll the problems are taking on you and your family, and make decisions that are in your children's best interests, as well as your own.

You want your children to still be relatively carefree and able to play and socialize like any other child. All their time does not need to be occupied with your agendas. Children simply want to be allowed to be children and to not have to worry about their parents'

issues and concerns. They do not want to be responsible for taking care of their parents feelings, and having every comment or decision that they make be analyzed as a reflection on which parent or home that they prefer. They do not want to have their lives dramatically changed simply because their parents could not remain married.

Children who experienced the rigidity in parenting time schedules that their separated parents imposed during their childhoods, as adults often have the attitude that they no longer feel obligated to accommodate their parents. As a consequence, some of these young adults opt out of family gatherings, holiday celebrations and trips home during vacation. Perhaps, they are angry that their peer relationships were disrupted in a way that impacted their developmental needs to begin to separate from parents and develop their own identities. These children are often most upset about being deprived of a “normal” childhood. They have become resentful of their parents because they feel their parents’ divorce caused them to miss out on such much that other children enjoy.

Though the division of labor in your household before the separation may now mean that the children need to assume more chores for everything to be accomplished, keep in mind that you are asking a child to assume these responsibilities. They should not feel that they have suddenly been forced to grow up and to take over the absent parent’s responsibilities in your household. The resentment they likely would feel in such circumstances will be attributed to the divorce and could damage your relationship.

Children do not want to carry messages between their parents. To avoid putting children in such a position, it is important that ground rules for communication between the parents be established in your parenting plan. It is normal for you to touch base with each other about the children’s needs. This type of communication does not need to be foisted on the children. If you need to know something or to convey something about the children’s care, you can always pick up the phone or email each other. You can meet on a regular basis to discuss issues or concerns. You can send a parent notebook in a child’s backpack that details important information like changes in medication, sports schedules, school notices or party invitations. More and more parents are taking advantage of using on-line calendars as a way to maximize effective communication in regard to their children’s lives and needs.

What the children desire is to be allowed to be children. The time it takes to divorce seems like a long time to a child (a whole summer or an entire semester). Take care of yourself so that you are not so emotionally drained that you cannot effectively parent. Seek professional help for you and the children if you feel that the children are suffering. The collaborative process allows you to set the pace of your divorce. A divorce that takes many months or years would steal a significant portion of the time your children would have to experience a childhood unburdened by adult problems. You have the opportunity to insure that your divorce proceeds in an expeditious manner so that it will have minimal effect on your children’s right to stay on track developmentally. Your goal is to enhance the chance their social development need not be arrested by this phase in your lives.

9. Seeking Professional Help: Recognize if a child is overly stressed by the changes in his or her life and utilize appropriate resources to help the child cope. While it is true that most children are very resilient and many do not require professional help when their parents decide to separate, others clearly benefit from some therapeutic help. You may have a child who is sensitive and has more difficulty making transitions. What is happening in his or her life may hit him or her harder than it would another child. You may see signs of anxiety or depression. Do not pass them off as merely situational without getting a professional opinion. Or, even if such symptoms are situational, your child may still benefit from professional assistance. You cannot afford to let the distraction of your problems cause you to miss what could be a life-threatening problem for the child. Your child may also need the assurance that he or she is not the only person to have experienced such pain. There are support groups for children that help normalize dealing with their parents' separation-related problems and help them with the grieving process. Such groups go a long way towards helping decrease the sense of isolation some children of divorce experience, especially if they do not have many friends whose parents are divorced.

Your child may “act out” with behavior problems you have never before encountered. Maybe the child is attempting to get your attention and cause you to focus on him or her, so that you will get back together. This would not be unusual and is not a character flaw or evil manipulation. It is a coping mechanism many children try. Professional help could assist the child in understanding that these self-destructive behaviors are ineffective strategies. Your goal is to fulfill your parental duty to care for your children's emotional well-being. You want your children to remain emotionally healthy. This may mean that you discuss with the other parent or in a joint meeting the perception that the children would benefit from the engagement of a mental health professional. Then you will follow through with the agreed upon interventions.

10. Saving Money: Preserve financial resources that need to be dedicated to the children's needs, including the future education of the children. Everyone wants to save money. While it is true that going through a collaborative process may not be cheap depending on the complexity of the issues that must be addressed and the number of meetings that are necessary to resolve all issues, you have chosen this process over the uncontrolled spending that the litigation process imposes on litigants. You are committed to avoiding the excessive costs associated with protracted litigation. All of this means that your priority is spending your resources on your family and on your own needs, not on lawyers. You are cognizant of the high cost of raising children and providing them all that you desire for them. Unnecessarily spending resources that could be better spent on your children's college education seems foolish to you. All that does is penalize your children because their parents could not remain together.

Sadly, children whose parents have lived apart do have less financial security when it comes to having funds available for college and other anticipated opportunities than children of intact families. It makes sense; it does cost more for two households than one. On the other hand, the process you have chosen, like mediation, makes it more likely that both parents will contribute to the child's expenses than when a court has

imposed a child support order. You have the luxury of designing a means of supporting the children that meets your families' needs better than strict adherence to "child support guidelines" ever offers. Rather than fight over money, it makes much more sense to use your resources to maximize the stability in your children's lives. Those children appear to do best who experience the least disruption to the lives that they knew before their parents divorced. Your goal is to be able to provide for your family and, to the degree that it is possible, use your resources to maintain an appropriate lifestyle for your children. Be creative in the options you consider about how best to do this.

11. Being Positive Role Models: Model healthy communication and problem-solving skills. You probably worry, as will your children as they get older, that your difficulties in adult relationships will affect your children's ability to make healthy commitments in their adult relationships. There may be a correlation between hesitancy to commit and having observed failed relationships. However, you can compensate to a degree for what has happened in your life and theirs by becoming a better communicator and problem-solver. You can make a conscious effort to model behaviors where you avoid showing contempt and destructive sarcasm, where you are not overly critical or defensive, and where you do not avoid facing your problems. Rather you can model healthy and effective communication skills and styles, and teach your children by example how to confront problems head on and achieve workable solutions.

This collaborative process itself is a first and significant step toward your demonstrating your capacity and competence at handling your problems in a mature and rational fashion. The anger management and problem-solving skills you will use in the process will give you tools for dealing with issues that arise in your parenting. Contrast the collaborative approach with what your children would have observed if you had engaged in a courtroom battle designed to establish the fault of the other parent and his or her unworthiness to parent the children in the same way that you believe you can. The children would likely have been involved in the litigation through a social study and/or psychological evaluations and maybe even an interview with the judge or actual testimony. Not only would they not have come through your conflict unscathed, the damage would have been massive and pervasive, leaving deep, potentially long-lasting scars.

Instead, your goal is to have them observe you making important decisions about them in an emotionally healthy way. For some, this often means seeking professional help for themselves, individually or even as a divorcing couple. Such assistance provides you with the adult emotional support that can be so necessary for successful resolution, and will also give you a place to learn effective communication and problem-solving skills. Divorce is an emotional roller coaster for parents and seeking therapeutic support at such times not only helps you through a difficult process, but enables you to be a better parent by being able to manage your emotions. You want your children to grow up to be individuals who are courteous and who respect the dignity of their fellow human beings, and who have the communication and problem-solving skills to confront life in an effective manner. Your job is to show them how in this collaborative process.

12. Maintaining Flexibility: Recognize the need for compromise in their decision-making so that meeting their children's needs remains their top priority. You are being asked to make significant life decisions with long-reaching impact at the time in your life when you are least emotionally equipped to do so. It is also a time during which you are on emotional overload and often not functioning at your best as a parent. Oftentimes, it is easier to make such decisions, both large and small, if you simply consider it from your child's perspective. Although it is easier said than done, when you "put your child in a vacuum," and consider the situation without the clouding effects of your emotions and needs, but rather from the view of what would be in his or her best interests, the answer usually becomes clear; even if it is one that you may not like. To the degree that you are able to make compromises and maintain flexibility, yours and your children's lives will be easier. If you adopt a style of parenting proactively, by focusing on what would be best for your children, rather than reactively, it will likely increase the level of cooperation between you. In so doing, you will achieve the goal of meeting your children's needs and minimizing the potential conflict and disruption created by divorce.
13. Achieving the Best Possible Outcome: Choose from all the options for parenting time and allocation of parental responsibilities those that have the greatest likelihood of the best possible result for the sake of the children, taking into consideration the unique needs of the family. Your paramount goal is the best possible outcome for your children, yourself and your reconstituted family. You are focused on the children's needs, as well as your own, and your core values. You know what is most important to you and you have your children's well-being as a top priority. You have chosen a process that allows you to assess all the circumstances that relate to your children, address each other's concerns, explore all the options, develop a clear understanding of the likely consequences of those alternatives, and together arrive at the best possible decision you, as parents, can make for your family. No one else on earth loves your children the way that you do, so no one else is in a better position to make those decisions. Collaborative Practice is your preference because it affords you the opportunity to do just that.
14. Re-evaluating and Adapting to Change: Understand that development is not a static process and that children's needs change over time, so that decisions and plans must be adjusted accordingly if their children are going to thrive and succeed. Depending on the ages of your children when you divorce, you may be facing many years until they are no longer subject to the jurisdiction of the court, or just a few years until they are considered, at least by the legal system, as adults. As you consider the many decisions you have to make during this process, especially with regard to parenting responsibilities and parenting time, it is often common to think about putting plans in place that will be in effect until your children each reach the age of majority. However, such considerations do not factor in the reality that children, regardless of age, are creatures of change and that their developmental needs, and consequently, parental decision-making will have to change accordingly over time. It is impossible to predict what changes will be necessary, but it is certainly feasible to consider the value of periodically re-evaluating where your children are developmentally and what processes would best meet their needs at that point in time.

Children often will want to have more input into the decisions that affect them as they grow older, including living arrangements or time with each parent. Although children should still not be responsible for making adult decisions, the reality is that what made sense when your child was three, may be different when that same child is ten. Typically, by the time your children reach early adolescence (i.e., around age 14), it will be especially important to adjust your plans based on their needs at that time. If you do your job well, by the time your young children become teenagers, their lives are essentially dictating the schedule of parenting time. It is especially at such times that the ability to compromise and be flexible will be paramount; except your negotiations will more likely be with your child than with your former spouse. Although “structure” should not be abandoned in its entirety, and limited contact with parents should not be accepted just because your teen is too busy, the reality is that an adolescent’s schedule of time with both parents will often be dictated by the multiple demands on that youngster’s schedule—as it would have been if there had not been a divorce at all. For example, as your child enters the teen years, the carefully crafted schedule of parenting time created when he or she was five, eight or ten years old, may no longer be appropriate and may go by the wayside when your older child has parties, homecoming, exams, school projects, sports practices, Friday night football games, debate tournaments, etc. At the very least, it should be expected to undergo change. Such normal lifestyle experiences increase in frequency and significance at this stage of life, and your teen should not be penalized because of parental divorce. Such developmental changes are normal and should be expected.

You have the ability to be flexible and work together as a family to respond to these normal life changes over time and still best accommodate everyone’s needs. Ultimately, you want to succeed in what you set out to do when you decided to have children—raise healthy and successful children who love and honor their parents and who bring joy to the lives of their parents. That will never change.

An earlier version of this paper under the same title written by Gay G. Cox has been published with permission on the website of International Academy of Collaborative Professionals’ website (www.collaborativepractice.com), and twelve of the tips were published with permission as a “Memo to Parents in the Collaborative Process,” *The Collaborative Review*, Vol. 5, Issue 3 (Fall 2003). Permission is granted by the authors for inclusion of this version on the following websites: www.collablawtexas.org, www.collaborativelawdallas.com, www.collaborativepractice.com, www.dallascollaborativelaw.com, and www.mediate.com and in Resource Manuals or Notebooks (printed or electronic) for use by clients in the collaborative process.

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