

## BACKGROUND AND OVERVIEW

*The goal of this course is to encourage each parent to let go of their personal agendas and focus on the welfare of their children. To co-parent their children successfully and respectfully, each parent must recognize the best in their co-parent and move forward with that parent. Parents must understand that the way they conduct their mutual communication after separation will greatly influence the quality of their children's future relationships with their parents and with others.*

Parenting issues do not belong in the court except in the most extreme cases, i.e., where there has been child abuse, long-standing substance abuse problems, extreme mental health issues, or serious issues of domestic violence. It is much more effective and certainly less destructive to work out parenting issues in a cooperative arena. Children's best interests are served when parents learn to communicate in an atmosphere of problem solving rather than faultfinding.

When parents divorce, the family is reorganized but not destroyed. Roles change and living arrangements change but the family is still a family. If you can grasp and explain this to your children, it will make the parents' separation and divorce less frightening.

Parents face major changes in how they parent when they separate. Experience shows that children and adults fare better following disruption of stable living situations when the adults work together for the children, rather than attempting to limit or exclude a parent.

By learning to communicate with your co-parent you can save thousands of dollars in legal fees, reduce your and your children's stress level exponentially, and move on with your life. The earlier you learn to let go of your anger and communicate with the other parent, the better the outcomes will be for your children. Children will internalize that their parents love them enough to cooperate.

In high conflict cases, one or both parents are often angry with the other parent and blame them for problems that surface. Parents need to learn how the changes in their couple dynamic affect their relationship with the children without placing blame on the other parent.

One of the best resources for understanding how to manage high conflict is, "*BIFF: Quick Responses to High Conflict People, Their Personal Attacks, Hostile Email, and Social Media Meltdowns*," Bill Eddy, 2<sup>nd</sup> ed., 2014. As the author states, BIFF responses, which are usually written, are Brief, Informative, Friendly, and Firm. Mastering such responses will greatly enhance the welfare of all involved in parenting disputes. We highly recommend that you read this book.

We have come to understand how people in divorces get stuck in anger and blame. They develop a story that they repeat over and over, describing how victimized they feel. Their story greatly influences their perception of reality. To help parents get past their anger and feelings of victimization, it is helpful to separate their story from the facts.

While working a total of more than sixty years counseling divorcing parents and their children, doing child-custody evaluations, mediating, and adjudicating custody cases, we have seen many second-generation and even third generation custody disputes. A child who has been through a parenting battle learns that going to court is the way to handle disagreements with the other parent. This perpetuates some of the most painful and least helpful litigation in our courts today.

Keeping both parents involved in your children's life will greatly benefit your children. Children with absent or angry parents have more behavioral issues, including delinquency and substance abuse. They often develop issues with abandonment and fear. They feel less secure and often do not have an adequate support system. Parental conflict that is intense, poorly resolved, and lasts for an extended period of time can have a debilitating effect on a child's psychological maturation. Being exposed to conflict affects a child's brain development. Research shows this exposure is very harmful and long lasting. Parental conflict can affect children of all ages. Younger children have trouble with emotional reactions, they act out, frequently withdraw, or sometimes attempt to intervene in the conflict. They become anxious and depressed. Older children show some of the same symptoms plus aggression, anti-social behavior, academic problems, and criminal behavior. Substance abuse symptoms may also become a problem. How parents handle conflict has a direct effect on how children learn to deal with conflict.

Co-parenting will be one of the most challenging things you will do in your life. To effectively co-parent, focus first on what you want to give to your children, not on what you want to get from or do to the other parent. Give serious thought to what you want to teach your children about communication in relationships. Where you put your energy, what you focus on, and how you relate to the other parent will greatly impact your child. When you communicate with your co-parent, prioritize what is in your children's best interest, make a list of options, and with each communication check your priorities. Keep the communication brief, to the point, and civil.

A child has the capacity to love both parents unconditionally, without taking sides. Honor this and you can help your child learn how to build healthy relationships. Doing so will strengthen parent-child bonds and help both parents move on in positive ways.

Here are some hard facts that every person who thinks about using the courts to resolve disagreements over parenting arrangements should know and remember.

If you spend too much money fighting with the other parent, you could risk your family's financial security. Beware that some people, including professionals, may encourage you to engage in avoidable litigation for several reasons:

1. Their own financial gain
2. Naivety regarding the impact of litigation on children
3. Their own biases
4. Belief that they can help the children.
5. An erroneous understanding of the law.

By litigating, parents abdicate their authority to make decisions for their children to judges, lawyers, and child welfare investigators, thus losing the ability to manage their own family.

Relying on the court and its counterparts to make essential parenting decisions almost always results in unhappiness within a family.

Leaving decisions about how parents care for their children to the court system is not in the children's best interests, especially when both parents have no issues that preclude their good parenting. Courts do not know or love your children, and they do not often make a decision in family matters involving children that make one parent the winner and the other a loser.

Courts take months, sometimes years, to resolve issues that need immediate resolution.

When you choose to make good decisions for your children without court intervention, the children are spared the damaging effects of their parents' conflict. Alternative methods of dispute resolution can result in happier and healthier families with less emotional and fiscal cost. High conflict co-parenting counseling can help you and your co-parent avoid litigation and concentrate on effectively co-parenting your children. When parents show a united front, children benefit. Parents who expose their children to high conflict have children who will have poor outcomes. The greater the conflict, the poorer the results. Children caught in the conflict are in no win situations.

If despite your best efforts you find yourself in a custody battle, focus on factual information that can improve your case, instead of focusing on the negative in the other parent. Be the best parent you can be during the process and choose your battles well.

Family court will not be what you see on television. Family courts are often very crowded with a commissioner or judge hearing as many as twenty cases in one day. The hearings are necessarily short. Unless you are in trial, your case will be limited to a few issues. Many times when you are represented by an attorney, you will not have an opportunity to speak. Although it isn't necessary for you to attend, it is wise to be at all hearings. That way you will have a much better understanding of what is going on. Be sure that everything you present to the court is factual. Nothing will hurt your case more than being caught in a lie.

## **A VIEW FROM THE BENCH**

One of the most difficult processes any adult will go through is a dissolution of their marriage to their children's other parent. But children suffer regardless of how much or how little animosity exists between the parents, and in the rare case where it seemingly has been kept under tight control by the parents.

It is difficult to overstate how often a judge, wishing to spare the children the emotional damage caused by parental friction, is confronted with situations where they wish there were legal alternatives to placing children with either of the warring, fractious, unreasonable parents. Family law matters involving the parenting of children are the most heartrending and taxing cases any judicial officer confronts. Some judges will go to almost any lengths to avoid hearing family court matters.

Courts, attorneys, and counselors who have had to deal with these situations have come together to reduce the damage to children's lives and the stress on all participants. This requires educating parents and families about the effect of their actions on all concerned, including the court staff and judges.

Not only does the education enlighten families about the dynamics of marital dissolution and its effects on children, it gives parents guidance and tools to use throughout their parenting years. The salutary benefits of taking the courses seriously and letting go of the combat mode on co-parenting issues will assist the family through the years, as inevitable new conflicts arise.

If you are enrolled in a parenting program because you have children to care for, who are subject to a court order on how their lives are shaped, take it to heart, engage, learn, and become a better parent for yourself, as well as your children.

**After completing the following assignments, you can move on to the Module One Quiz.**

1. Add up all of the money you have spent on litigation.
2. Add up what you think your children's co-parent has spent on litigation.
3. Make a list of the constructive things you could have done for your children with that money.
4. Make a list of all the areas you and your children's co-parent have trouble communicating.