

**OTHER VOICES**

**Family-Centered Divorce**

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Divorce is never easy on a family, but the use of divorce mediation, rather than the adversarial process, can enable divorcing couples to approach the divorce from a family-centered perspective, making constructive plans for parenting after divorce.

Through mediation, couples can learn to separate "spousal" issues from "parenting" issues, and work together as parents even though the marriage is ending. The process of working together helps parents to move beyond the vilification of one another—to become partners, rather than adversaries, in the continued parenting of their children. In divorce or post-divorce mediation, couples work toward a parenting plan that focuses mainly on the best interests of their children, rather than on their own wants and needs. Such a plan takes children's developmental needs into account and contains mechanisms for making adjustments over time.

In my mediation with couples, I often help them build a lot of "conflict prevention" models into their agreements. Since change is a given—kids grow, incomes change, parents move—we try to set up mechanisms for information-sharing and for making changes and adjustments over time. Couples often choose to establish regular times to meet

together as parents for discussion of parenting issues and/or for renegotiating support issues as time, circumstances and the children's needs develop. This enables them to work together in making child-centered decisions that seem called for. It is a constructive alternative to an adversarial return to court each time an adjustment is needed.

Through mediation, couples can approach the divorce process in a way that is family-supportive. The process seeks to help couples to develop a divorce agreement that is fair and acceptable to each and, most importantly, in the best interests of their children. This allows for all family members to move into the next phase of their lives in the best possible shape, beyond anger and hurt, and to leave the marriage "whole" to the greatest extent possible—emotionally and financially. In the process, where children are involved, they lay a strong foundation for working together—post-divorce—as parents (and,

eventually, even grandparents!)

Through mediation, couples can address all issues relevant to the divorce: division of assets and debts, support issues and parenting. In working toward a mutually acceptable resolution of each issue, each person feels their needs and concerns addressed and feels supported by the process. As parents make post-divorce parenting arrangements, they are encouraged to place the child's needs foremost: to ensure that children have permission to love—and be loved—by both parents; to strive never to speak ill of one another in the presence of their children; and to refrain from engaging in conflict in the children's presence or from involving the children in their adult conflicts.

Divorce is never easy on a family, but mediation enables couples to take the high road.

*Pamela Britton White, Esq. is an attorney who specializes in mediation and conflict resolution. ☐*