

Chicago Daily Law Bulletin.

Serving the city's law profession since 1854

December 11, 2013

Forgiveness is essential in effort to make divorce process smoother

By Beth Fawver McCormack

Beth Fawver McCormack is a partner at Beermann, Pritikin, Mirabelli, Swerdlow LLP. She practices exclusively in family law matters and is a collaborative law fellow, mediator and child representative.

Managing emotional turmoil is a critical aspect of keeping a collaborative divorce on track.

Even the most rational clients become entangled in the anger, pain and disappointment that accompany divorce. The inability to manage these emotions can lead to a contentious process, exacting a huge emotional and financial toll on the entire family.

It is important to understand the concept of forgiveness in order to reduce the negative emotions that inevitably accompany the divorce process.

Forgiveness may seem a foreign term in divorce. It is essential, however, to create the clarity necessary to create the optimal agreement while minimizing the damage to the family and maximizing the viability of important post-divorce relationships such as co-parenting.

In order to understand the role of forgiveness in divorce, it is important to set a meaningful definition for the term.

Deanna Conklin-Danao, a psychologist and collaborative divorce coach, said, "First and foremost, forgiveness is not forgetting. Events that have happened in the past which may have led to the divorce cannot magically disappear. Forgiveness is a conscious choice that empowers the forgiver to accept the pain of the past and to find compassion for the offender.

"To be clear, it is not condoning the actions of the offender, seeking reconciliation or rebuilding trust with the offender, but recognizing that person is a human being and deserves compassion."

Obviously, in an emotionally charged environment such as a divorce, where there may have been multiple negative actions by both parties, forgiveness may be difficult to achieve. However, it is not impossible and the experience of forgiveness across long-standing enemies has led to powerful healing.

Creating a less contentious environment in the divorce process offers clear benefits to the divorcing parties and certainly to any involved children. Research clearly shows that less contentious divorces produce better outcomes for children. While forgiveness cannot solely produce these more favorable outcomes, it can certainly play a role.

Melissa Mondschain, a collaborative divorce coach and clinical counselor, offers a fictional example to highlight the impact that forgiveness can have in improving the outcome of a divorce:

Bob and Jane have been married for 10 years and have two children. Bob had an affair, which led to divorce. Understandably, Jane is hurt and angry. However, making decisions about key aspects of the divorce (such as the parenting plan for their children) while in a state of anger can be disruptive and counterproductive to the divorce process.

Instead of focusing on developing the best path for her and her children, Jane may instead focus on "getting even" by severely limiting Bob's parenting time or seeking a large settlement, while refusing to negotiate or compromise. While no one would deny Jane her anger, the inability to temper that anger could ultimately result in an outcome that hurts her and her children even more than Bob.

Enabling forgiveness could help Jane reduce her own anger and regain focus on pursuing the best divorce settlement process for everyone. Forgiveness is not about forgetting or condoning the acts of the offender — it is about understanding and extending compassion to that offender.

This type of compassion might be achievable with a better understanding of the situation. For example, perhaps Bob was struggling with depression that inhibited his ability to make wise choices. On a more complex level, if she is able to look inward, she may understand how she contributed to the breakdown of the marriage even before the affair took place.

By reaching a broader level of understanding, Jane may be more likely to recognize that even though the affair itself is unforgivable to her, Bob is a good father and the children benefit from that relationship. If Jane interrupts the cycle of revenge, her children will reap enormous benefit. They have a model of repair within a relationship, they have both of their parents present in their lives and their parents will be more emotionally available to them because their energy will not be tied up in a battle.

With this concept in place, Conklin-Danao suggested two tangible things attorneys representing divorcing couples can do to move their clients forward in a more positive, constructive direction.

First, they can work to de-escalate conflict and avoid "revenge-based" language. Second, they can involve mental health professionals as divorce coaches in the process.

De-escalating conflict is a strategy that attempts to move the client past their negative emotions and focus on defining and moving toward a desired end state. In the case above, it would be easy to enflame Jane's emotions by saying, "Jane, he cheated on you and you need to take him for everything he has."

In contrast, the attorney could suggest Jane turn the focus away from the cause of the divorce and toward understanding the outcome she wants to achieve: "What are your goals for this divorce? What are your fears about this divorce?"

In many cases, goals tend to be related to minimizing the emotional impact on oneself and one's kids as well as minimizing the financial toll. You can acknowledge Jane's feelings, "I understand why you are really angry," without taking the next step, "And you should make Bob pay." Instead, ask, "What is it you need right now to move forward and help your kids through this transition?"

Both Mondschain and Conklin-Danao believe that a divorce coach can help divorcing couples identify their goals, put their children's needs first, manage strong emotions and develop communication skills to improve the divorce negotiations and post-divorce communications.

Involving a divorce coach, whether in a collaborative law case or merely as a consultant, allows for expertise to keep the process on track. A helpful metaphor is that you don't want to buy a fire extinguisher once the kitchen is on fire.

It is far better to have one on hand to use before the fire gets out of control. Similarly, a divorce coach can understand and manage complicated dynamics better if they are involved at the beginning, not just once a crisis emerges.

©2013 by Law Bulletin Publishing Company. Content on this site is protected by the copyright laws of the United States. The copyright laws prohibit any copying, redistributing, or retransmitting of any copyright-protected material. The content is NOT WARRANTED as to quality, accuracy or completeness, but is believed to be accurate at the time of compilation. Websites for other organizations are referenced at this site; however, the Law Bulletin does not endorse or imply endorsement as to the content of these websites. By using this site you agree to the [Terms, Conditions and Disclaimer](#). Law Bulletin Publishing Company values its customers and has a [Privacy Policy](#) for users of this website.