

HOW DO YOU PRIORITIZE YOUR DIVORCE CHOICES WHEN YOU DON'T KNOW WHAT YOU DON'T KNOW?

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Did you know that children in father absent homes are 5 times more likely to be poor?

Did you realize that compared to children living with both parents, living with a single parent almost doubles the risk that a child will suffer physical, emotional or educational neglect?

Have you heard that teenage girls without fathers were twice as likely to be involved in early sexual activity and are seven times more likely to get pregnant as other adolescents?

These statistics which are quoted from the Family Court Review* are both shocking and revealing. When we are faced with divorce, we literally don't know what we don't know. Most families start with seeking the advice of a divorce attorney. In California divorce attorneys and judges use a computer calculation to calculate child support. Paying spouses are told that the more time they spend with their children the less child support they will have to pay, and receiving spouses are told that the less time the other parent spends with the children the more child support they are entitled to. So the tug of war begins, and it is about money instead of being about the healthy growth and development of our children. Fear of loss and fear of uncertainty fuel the tug of war as to how much or how little child support is paid or received. The above statistics bear out that parents all too frequently win the battle and lose the war! The emotional and financial damage resulting from loosing the war when it comes to your children's success or failure as adults can be devastating!

What litigators won't tell you is that the computer calculation of child support in California is based upon data gathered in the 1950's in Midwest America, and has nothing to do with your children today. Children, like parents who are restructuring their families, have emotional, legal and financial hopes and concerns. Children have an inherent right to look to their parents to meet their legal, emotional and financial hopes and concerns. Parents who are restructuring their families can easily lose sight of their children's right to look to them to meet these needs and interests because of the battle they are engaging in with regard to their co-parenting plan, decision making authority over their children and child support. When children are placed in the middle of a divorce conflict, it is at that moment when divorce becomes a battle to be won instead of

a problem to be solved. In contrast, when children are placed at the center of a divorce by their parents, then the divorce becomes a problem to be solved instead of a battle to be won. The above statistics establish just how much is at stake, both now and in the future, and perhaps for generations to come.

Litigators in California will tell you that in planning your divorce you only need to be concerned with your children's needs until they are 18 years old, at which time they are adults. Research proves that your children are watching you, and not just until they are eighteen years old. I have learned that if you have adult children they are still watching you and they will learn from seeing how you model adult problem solving. It has been my experience that there is a lot at stake in how you divorce and restructure your family, no matter what the ages of your children.

Couples spend lots of time and effort planning their wedding. When it goes bad, they spend little time planning how to restructure their family while at the same time minimizing the consequential damage that occurs when divorce becomes a battle to be won instead of a problem to be solved. More planning should be put into how a family restructures during the divorce process rather than planning how to prove that we are right and the other person is wrong or should be punished in the divorce. More process options should be considered such as mediation, co-mediation and collaborative divorce. More importantly, the consequences of our process choices on our children, our extended family and the legacy that we leave must be part of the equation. An investment into a divorce process that will position your children to avoid being another statistic is an investment worth making.

When you don't know what you don't know, and you don't take the time to gain a complete understanding, often times there are unintended consequences.

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*Family Court Review, dated January 2012, Volume 50, Number 1, at pages 68-69.