Contemplating Divorce? Consider Mediation by David D. Stein

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Divorce is a difficult experience, and for some, one of the worst of their lives. You need information about how to proceed before making any hasty moves. Depending on your circumstances, you may be able to take advantage of a cheaper, less agonizing, more reasonable solution to divorce â€“ divorce mediation.

If you have children, and if you are not experiencing the need for a restraining order due to domestic violence, child abuse or other violent or dangerous behaviors, you will undoubtedly find that divorce mediation will give you a better result for ongoing family, post-divorce.

â€œPost divorce familyâ€•? What does that mean?

It is true that for many people who are contemplating divorce, their emotional lives are undergoing cataclysmic upheavals. They feel hurt, mistrustful, afraid, fearful of the future, and all the array of emotions incident to divorce. These strong emotions can shut down your rational self. I recall one San Francisco divorce attorney telling me that â€œmy clients are mentally incompetent or â€œcrazyâ€• for about six months while going through a typical divorce court scenario.â€•

Of course, in time, you will heal, but at the outset, undergoing divorce can be a very confusing and emotionally devastating time. What is the best way to begin to work with those emotions?

Certainly you can and should seek therapy for yourself and your children. Once you have calmed down a bit, and your rational mind can kick back in to being operational again, you will realize that there are actually two types of divorce that you are experiencing â€“ the emotional divorce and the legal divorce.

For most people, the emotional divorce is the difficult part, and the legal divorce can become a â€œspilloverâ€• for all the emotional turmoil. But it doesnâ€™t necessarily have to be that way. You can minimize the emotional impact on your legal divorce by sitting down with a neutral third party, called a mediator, who will assist you in having a conversation about the legal issues involved in your â€œlegal divorceâ€•. These are primarily division of property, spousal support, child support and parenting schedules. This can also have a positive effect on your â€œemotional divorceâ€• because it allows you to begin a new dialogue with your partner, and especially if you have children, to organize your â€œpost divorce familyâ€•.

When you are finally able to look at divorce rationally, you begin to understand that even though your spouse has become â€œpersona non grataâ€• in your own life, he or she is still the father or mother of your children, and will always be so. You will both want to attend graduations, marriages, and other significant family events, even though you and your partner are no longer a couple. Thinking ahead into the future, your rational self may see that there is a better way than to attack the partner through your mutual divorce attorneys and through litigation in the court system. If you would prefer to find a way to begin a new dialogue with your partner, try consulting a divorce mediator first, before hiring a divorce attorney.

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