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# DIVORCE

M A G A Z I N E

## Should You Get a Divorce?

**Avoid Common Divorce Regrets**

**Who Are You After Divorce?**

**Questions to Ask a Divorce Lawyer**

**Do-It-Yourself Divorce?**

**10 Financial Questions to Ask Yourself**

**Financial Disclosure in Divorce**

**15 Behaviors to Watch for in Your Children**

**The Health Consequences of Divorce**



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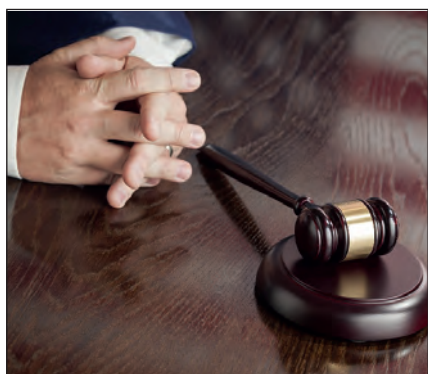
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**Joy Feinberg** is a partner at Boyle Feinberg, a Chicago family law firm. She has contributed chapters to Illinois Family Law and Illinois Child Custody Litigation; she has also authored a tax chapter on divorce. She is a past-president of the Illinois chapter of the American Academy of Matrimonial Lawyers. Joy works extensively with business owners and high-paid executives going through divorces.  
(312) 376-8860  
[joy@boylefeinbergfamilylaw.com](mailto:joy@boylefeinbergfamilylaw.com)  
[www.boylefeinbergfamilylaw.com](http://www.boylefeinbergfamilylaw.com)



**Hon. Michele F. Lowrance (Ret.)** was a domestic relations lawyer for 20 years prior to becoming a domestic relations judge in the circuit court of Cook County, Illinois for 19 years. She is currently a mediator for Domestic Relations cases at JAMS. Michele is the author of *The Good Karma Divorce* and co-author of *The New Love Deal*.  
(312) 655-0555  
[michele@michelelowrance.com](mailto:michele@michelelowrance.com)  
[www.michelelowrance.com](http://www.michelelowrance.com)



**J. Lindsey Short Jr.** has been Board Certified in family law since 1980, served as president of the American Academy of Matrimonial Lawyers in 2002, and is a past President of the Texas Chapter of the AAML and a founding member of the International Academy of Matrimonial Lawyers, U.S.A. chapter.  
(713) 626-3345  
[lshort@shortcartermorris.com](mailto:lshort@shortcartermorris.com)  
[www.shortcartermorris.com](http://www.shortcartermorris.com)



**Marjorie A. Slabach** presided over a Family Court in San Francisco Superior Court from 1997 to 2011. Prior to serving on the bench, she was a founding partner in a family law firm in Santa Rosa, CA. Specializing in Judicial Settlement Conferences or Mediation, Commissioner Slabach travels to clients for meetings, conferences, hearings, and trials.  
(888) 501-3062  
[mslabach@mslabach.com](mailto:mslabach@mslabach.com)  
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### CEO/Publisher

Dan Couvrette, Ext. 124  
[danc@divorcemarketinggroup.com](mailto:danc@divorcemarketinggroup.com)

### Editorial

Diana Shepherd, Ext. 131  
[diana@divorcemarketinggroup.com](mailto:diana@divorcemarketinggroup.com)  
John Matias, Ext. 129  
[john@divorcemarketinggroup.com](mailto:john@divorcemarketinggroup.com)  
Michael Burton, Ext. 135  
[michael@divorcemarketinggroup.com](mailto:michael@divorcemarketinggroup.com)

### Advertising Sales

Dan Couvrette, Ext. 124  
[danc@divorcemarketinggroup.com](mailto:danc@divorcemarketinggroup.com)  
Aleks Krawczyk, Ext. 126  
[aleks@divorcemarketinggroup.com](mailto:aleks@divorcemarketinggroup.com)

### Marketing/Client Services

Martha Chan, Ext. 136  
[marthac@divorcemarketinggroup.com](mailto:marthac@divorcemarketinggroup.com)  
Sarah Dann, Ext. 128  
[sarah@divorcemarketinggroup.com](mailto:sarah@divorcemarketinggroup.com)  
Rachel Cass, Ext. 127  
[rachel@divorcemarketinggroup.com](mailto:rachel@divorcemarketinggroup.com)  
Navarre Bailey, Ext. 125  
[navarre@divorcemarketinggroup.com](mailto:navarre@divorcemarketinggroup.com)

### Digital Marketing

Atif Nadeem  
[atif@divorcemarketinggroup.com](mailto:atif@divorcemarketinggroup.com)

### Webmaster/Web Design

Gina Tan, Ext. 130  
[gina@divorcemarketinggroup.com](mailto:gina@divorcemarketinggroup.com)  
Param Gill  
[param@divorcemarketinggroup.com](mailto:param@divorcemarketinggroup.com)

### Accounting/Office Administration

Catherine Kuay, Ext. 121  
[catherine@divorcemarketinggroup.com](mailto:catherine@divorcemarketinggroup.com)

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2255B Queen St. E., #1179  
Toronto, ON M4E 1G3 Canada

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# Should You Get a Divorce?

Should you call it quits or stay together and work on your marriage? Ask yourself these three questions before making the decision to divorce.

By Dalila Jusic-LaBerge, Marriage and Family Therapist

## Q1. How Will My Decision Impact the Children?

Divorce will definitely be hard on the children. They've gotten used to having both parents and the lifestyle that goes with that. Being together definitely makes it easier to manage parental duties if the two of you are working well together. But, the chances are that you are not – otherwise you wouldn't be considering a divorce.

In some instances, staying together for the sake of the children may be beneficial for the children, but not always. Living in a toxic environment where parents argue, are unhappy, or there is an underlying passive aggression, or they just despise each other is harmful for children. They may learn that marriages and relationships are not worthwhile

and become hardened due to prolonged exposure to negative relational patterns between their parents.

If, on the other hand, you and your spouse are managing difficulties in a friendly manner, and you are waiting for your children to complete an important milestone, such as going to college, it may be beneficial for you two to stay together to help your children complete their education, or adjust to some other new situation.

In either case, whether you stay together or divorce, what matters is that you are able to work it out with your spouse in a collaborative manner. Don't deny your children a chance to continue their relationship with their other parent. If you have issues with your spouse, handle them behind closed

doors, and avoid putting your children in the middle. Don't use the children as your emotional support and play the victim in front of them. Collaborate with their other parent to the best of your ability in order to help your children adjust to the new situation.

## Q2. Are Your Issues “Hard” or “Soft?”

The other important thing to consider is what it is that you tolerate from your partner. There is a difference between so-called hard and soft problems. “Hard” problems are those that most people usually don't want to tolerate – the ones we find unacceptable – although many of us wind up tolerating some or even all of these behaviors. You might have tolerated them because you hoped that



your spouse might change, or because you still loved that person, or because you were afraid of being alone. These issues usually include addictions, cheating, emotional or physical abuse.

You go through a roller coaster with your spouse. They hurt you, you are upset and want to leave, and then they try to make amends. They buy you a gift, take you out, and give you extra attention. They promise they will never do it again. But things usually don't stay good for long. If they are a chronic cheater, alcoholic, or abuser, they return to their old patterns after some time. There are many examples of this, but the most recent that comes to mind is Huma Abedin and her husband, Anthony Weiner. After the first scandal of her husband's sexting, Huma tried to work on her marriage, but the scandal reemerged when he was caught sexting again. After that, she made the decision to leave.

Whether you decide to give your spouse another chance or bail out now, you need to know that you are not responsible for their behavior. Their habits may be hard or impossible to change – no matter how nice, smart, or successful you may be, it will not change your spouse's behavior.

The question is, how would you like your life to be? Can you have the life you want with the way they are? Are you willing to be there for them and dedicate your life to them, keeping your life and desires on hold? A five-year question is good to ask yourself when you are stuck, "How will I feel if my life with them is the same in five years as it is now?" This question can help you get mobilized to create the life you want.

On the other hand, their offences may be "soft" ones. They may be less affectionate than you wish, they may be boring, or they may snore too loudly. The point is that there are so many reasons why we might "fall out of love" with our spouse. These are common patterns in many marriages, and couples can work through them if both parties are willing. It's important to know whether you really want to save your marriage, or whether what you actually want is a different life. You two may

want completely different things in life at this point. You also may be feeling torn and not know in which direction you want to go.

### Q3. How Have I Contributed to Our Relationship Problems?

This is one of the most important questions to answer. It helps you see what went wrong, and how you can either improve your current marriage or avoid the same mistakes in future relationships. Even if your spouse was cheating on you, there may be some ways in which you contributed to the dysfunction in the relationship. Maybe you were too busy with work or you diverted all the attention to the children while neglecting your spouse. Their cheating or any other dysfunctional behaviors are not your responsibility, and they are still unacceptable. If your spouse is not abusive, or a chronic cheater, alcoholic, or gambler, there may be hope for you if you are willing to look into your contribution to the relationship issues.

Some men and women may just be cheaters, addicts, or abusers, regardless of how fun, successful, or attractive they are. They will engage in the dysfunctional behavior regardless of how much attention you give them. The question for you to answer is, "What keeps me with my partner?" This is for you to sort out. Your answers may be completely pragmatic and related to the lifestyle you are used to with them. Or, you may be insecure and worried that you can't make it on your own. You may think, "It's too late for me to find new love and start over." In this case, I like to go back to the "five-year question," how will you feel if everything is still the same in five years? Staying in a toxic situation can be a bigger risk than trying to make it work on your own. For some people, staying in the same relationship is equal to dying. It can feel like existential death to stay in the same situation and go through the motions in life.

### What's Next?

These three questions can help you get in touch with your feelings and make a decision about whether to stay or go

– or they can lead to more questions and exploration. Being stuck and living your life on autopilot is not an option if you want to be happy. Life's too short to not try and live the best life you can.

Individual therapy can also help you sort things out. If you are working together with your spouse, and one or both of you are uncertain about what you want to do, discernment counseling is a good option to consider. A good discernment counselor will help you both see what went wrong in the relationship, examine the current state of the relationship, and help you decide if you want to work on it or part in the least painful way. ■



*Dalila Jusic-LaBerge is a licensed marriage and family therapist. She works with divorce women helping them grow to become their true self from where they can enjoy loving and respectful relationships.*  
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# *Common Divorce Regrets –* **and How to Avoid Them**

During divorce, you'll have to make financial decisions that will affect your future – for better or for worse. These steps should help you avoid the most costly divorce mistakes.

By Catherine Shanahan, Divorce Financial Analyst and Mediator

**W**hile a divorce can greatly affect you emotionally, it can also impact you financially. As you go through the divorce process, remember that the decisions you make now will have long-term effects on your future. As a divorce financial expert, I've seen people make numerous mistakes as they went through the process – especially when they didn't

have the necessary information or tools beforehand.

For the most part, the common divorce regrets are avoidable when given the right information on how to navigate this life-changing process.

## **The 4 Most Common Divorce Regrets**

### **1. Lawyer Hopping**

Not hiring the right lawyer at the outset is one of the most costly mistakes you can make during this process. Many people who make this mistake have unreasonable expectations regarding their divorce settlement – and they found a lawyer who encouraged them to believe they'd get everything they wanted. When they found this was not going to be the case, they changed lawyers – sometimes more than twice!

Not only was this extremely costly in terms of time and money, it also

delayed and prolonged their emotional recovery and left them with less-than-desirable financial results. Learn what questions to ask to make sure you choose the right lawyer the first time. Once you've found him or her, remember your lawyer is not your therapist; save your emotional questions for a qualified counselor and rely on your lawyer to protect your legal rights.

### **2. Keeping the Family Residence**

How do you lose \$150,000 at one time? Unfortunately, it is more common than you think during divorce. Choosing to keep the marital home and using your share of the marital assets – such as cash or rights to a pension – to buy out your spouse can prove detrimental to your financial future.

You might be emotionally attached to your home, but you have to set your emotions aside and consider the taxes,

utilities, maintenance, and repair costs before deciding to keep the home. Be sure to weigh all the pros and cons of keeping the family residence and create a realistic budget before deciding to keep your home.

### 3. Forfeiting Your Right to Your Spouse's Pension

Who would give up \$850,000 in retirement security? People who don't know the difference between marital and non-marital assets. A woman I worked with was told by her husband that he would never give her any portion of his pension. He said his pension was for his 25 years of work and, therefore, was his money. But the portion he earned while they were married was not his: it was a marital asset subject to division on divorce. Understanding the difference between marital and non-marital assets is key to arriving at an equitable divorce settlement – and can affect how you live during retirement.

### 4. Making Emotional Decisions Without the Right Information

This is the most costly mistake you can make. Not having the right information or clarity when making very important financial decisions turns into making emotional choices that negatively impact you financially, emotionally, and mentally. It's normal and even necessary to process emotions during a divorce. However, it's detrimental to use your emotions to make important financial decisions. Your divorce will be unique, so relying on other people's experience of divorce is also unwise in making decisions during this very important time.

## 4 Ways to Avoid Making Big Mistakes During Divorce

### 1. Interview Your Lawyer

Make sure they are the right fit for you. Ask a lawyer about your state or provincial guidelines and any other factors that will be pertinent in your specific situation. Ask what their philosophy is and determine if their way of thinking matches yours. Interview at least two lawyers, and find a third if you are still unsure about the first two.

**Before you finalize your divorce, make sure you have a settlement you can live with.**

### 2. Get a Detailed Lifestyle Analysis Before Keeping the Family Home

Don't agree to stay in the marital home unless you have the cash flow to do it. Have a detailed lifestyle analysis completed before you decide to be clear about the costs of keeping the family residence. Even if the dollar-value of giving up some marital cash in order to keep the marital home seems fair, meet with a divorce financial expert to ensure this is a financially sound decision long term.

Keeping the home so your children can stay in it is an emotional decision; if you can't afford to maintain the home, you or your children will feel that burden. Wherever you chose to live will be your home, and your children will adapt.

### 3. Understand the Difference Between Marital and Non-Marital Assets

Ask your lawyer or divorce financial expert about the difference between marital and non-marital assets. One divorcee gave up her right to a \$850,000 pension because she didn't know that pensions acquired during marriage were marital assets and, as such, are divided during divorce.

### 4. Take the Emotions out of Key Decisions

When working with clients, I take the emotions out of the very important decisions that need to be made in order to move forward with confidence. When I see that my clients are stuck in the emotional moment (which is almost always), I project their financial future for them so they can see the costly mistake of making decisions based on emotions. We look at fair vs. equitable, marital

vs. non-marital, and lifestyle analysis pre- and post-divorce – all to ensure we have a solid plan for their future.

Before you finalize your divorce, make sure you have a settlement you can live with. You can't go back, so it's important that you have all the necessary information at the outset for an amicable and equitable divorce settlement.

Divorce is a difficult and confusing time that leads to uncertainty and high levels of stress in many individuals. A divorce financial expert can help you to make informed decisions that will benefit your future. Whether you're considering a divorce, in the midst of a divorce, or are just starting to recover, know that #UwillbeOK! ■



*After 25 years in the financial industry – having raised five children and experiencing her own divorce – Catherine Shanahan became a Certified Divorce*

*Financial Analyst® (CDFA®) and trained mediator. She partnered with paralegal Karen Chelley to form Divorce U Solutions. [www.divorceusolutions.com](http://www.divorceusolutions.com)*

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### Before You Decide to Divorce, Be Prepared and Have a Plan

There are many important questions you should ask yourself before heading for divorce. Being well-informed, knowing your rights, and being self-sufficient is crucial to your success.

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# 15 Questions

## to Ask Before Hiring a Divorce Lawyer

By Diana Shepherd, Divorce Financial Analyst

**T**he outcome of your divorce proceedings will change the course of your life forever, so invest the time and money to find the lawyer who will do the best job for you. Interview two or three lawyers before deciding who'll represent you. It's your responsibility to retain a lawyer who's not only good at his or her job, but one whose personality and outlook are compatible with yours.

Here are some questions you should ask during your initial meeting:

- 1. Do you practice family law exclusively?** If not, what percentage of your practice is family law?
- 2. How long have you been practicing?**
- 3. What is your retainer?** The initial fee paid – or sometimes, the actual contract you sign to officially hire a lawyer. Is this fee refundable?
- 4. What is your hourly rate and billing terms?** You should know what you're paying for, how often you will be billed, and at what rates.
- 5. Approximately how much will my divorce cost?** The lawyer will only be able to provide an estimate based on the information you provide – and your realistic estimation of how amicable you and your spouse

are. If you think your case is extremely simple, but your spouse's lawyer buries yours in paperwork, you can expect your costs to increase.

- 6. Have you ever handled a case like mine?** This is most important if your situation is unusual or very complex.
- 7. What do you think the outcome will be?** You're looking for truthfulness here – not to be told a pretty story.
- 8. If your spouse has retained a divorce lawyer,** ask whether your prospective lawyer knows them. If so, ask: "Have you worked with this lawyer before? Do you think they will work to settle the case? Is there anything that would prevent you from working against this lawyer?"
- 9. What percentage of your cases go to trial?** You actually want to choose a lawyer with a low percentage here – a good negotiator who can settle your divorce without a long, expensive court battle.
- 10. Are you willing and able to go to court if this case can't be settled any other way?**
- 11. How long will this process take?** Again, the answer will be an approximation.

- 12. What are my rights, and what are my obligations during my divorce?**

- 13. At a full-service law firm, ask who will be handling the case:** the lawyer you're interviewing, an associate, or a combination of senior and junior lawyers and paralegals?

- 14. Does your firm offer any alternatives to litigation?** Some firms offer mediation, arbitration, or collaborative divorce. If your spouse has already retained a lawyer, however, that will limit your options.

- 15. What happens now?** Do I need to do anything? And when will I hear from you?

If there's something you really need to know, or if you don't understand something the lawyer said, don't be afraid to ask for clarification. After the meeting, ask yourself, "Do I feel comfortable with this lawyer? Do I respect their opinion? Do they respect mine?" If you answered "no" three times, interview another lawyer. ■



*Diana Shepherd (CDFA®) is the co-founder and Editorial Director of Divorce Magazine.*

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# 10 Financial Questions to Ask Yourself During Divorce

Having answers to the tough questions before you begin your divorce process can pave a much smoother path through this transition.

By Adrienne Rothstein Grace, Divorce Financial Analyst

**T**he basic information your lawyer will ask you to provide is pretty simple: state/province of residence, length of marriage, gross salary, retirement plans, and the like. But to truly understand your situation and your needs, it is important to dig a little deeper. Here are 10 questions to ask yourself as you begin the divorce process.

## 1. What assets do you own?

This is a basic question that should be top of mind. You can likely come up

with a list of bank accounts and real estate off the top of your head, but what retirement assets do you and your spouse own? Stock options? Art, jewelry, or antique collections? Time shares? Business interests? A thorough inventory of marital assets goes far beyond liquid cash.

## 2. What do you owe?

Along with knowing what you have, it is important to know what you don't have! This includes all credit-card debt

and outstanding loans. Be specific. Do you owe more on your house than it's currently worth? Do you still have student loans outstanding? Are there high balances on multiple credit cards?

## 3. Could your spouse be hiding assets?

It may sound unlikely, but sometimes, assets have a way of disappearing after divorce proceedings begin. For example, a spouse may transfer assets to a third party or create false debt in order



to skew their financial picture and try to avoid paying a large settlement or spousal support. If you suspect that your spouse is hiding something, let your financial professional and lawyer know – and begin to locate all possible financial documents to find traces of elusive assets.

#### **4. What is most important to you?**

A financial advocate, who represents just you, will certainly need to know what you find most important. For example, do you wish to remain in the marital home? Knowing that will help them to structure different settlement proposals and future predictions based on your priorities.

#### **5. What are you willing to give up?**

Divorce settlements rarely work out with everyone completely happy, so you should prepare yourself for a potentially harsh reality. Having a list of must-haves a mile long is a recipe for disappointment; after all, it is often far more expensive to continue fighting your ex over a particular asset than it might be to just let it go.

#### **6. How do you expect your custody arrangement to be structured?**

If you have children, it is important to know who they will be spending the most time with, or whether they will be splitting their time equally between both parents' homes during and after divorce. Factoring in child-support payments can affect the way a financial picture comes together. Be sure to check your state's or province's child-support guidelines so you can take realistic numbers into account.

#### **7. How would you describe your financial situation?**

As important as the specific content of your answer is how it makes you feel. Does this question propel you into insecurity or outright fear? Are you blithely assuming that your lifestyle will continue unchanged after divorce? Are you

**... it is often far more expensive to continue fighting your ex over a particular asset than it may be to just let it go.**

assuming (perhaps incorrectly) that you will receive spousal support? This is a really good time to consider some supportive therapy, as emotional issues triggered by your financial situation surface and may distract you from a logical, reasonable solution.

#### **8. Do you expect to pay or receive spousal support (alimony)?**

Though fewer divorce settlements include long alimony payments these days, many people still assume that lifetime support will be part of their own settlement. Getting accurate information is very useful in helping your team create models for your financial future.

#### **9. Where are you in the divorce process?**

For better or worse, most people will seek out a family lawyer first in their divorce process. You may decide not to bring in a financial professional until further into the process, perhaps thinking you'll save money by delaying. However, having your lawyer and financial professional work together from the beginning can save both time and money in the long run. How far have you gotten in gathering and cataloging information for your financial affidavit? Do you even know what a financial affidavit is? Your financial expert can help to guide you through the financial process just as your lawyer will guide you through the legal one. Taking the time to understand your current situation as well as the road ahead will help your team tailor their communication, advice, and instructions to your specific needs.

#### **10. What questions can a professional answer for you?**

This might be the best place to start.

Divorce is a confusing, emotional, overwhelming experience, and most people simply don't know what to expect. A little Q&A with an expert can go a long way toward making you feel more in control of the process. Have some patience and compassion for yourself – and if you don't understand something, keep asking questions until you do. ■



*Adrienne Rothstein Grace is a Certified Divorce Financial Analyst® (CDFA®) and CFP® who brings 30 years of financial advisory experience to clients in transition.*

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# 6

## *Justice in Family Law:* Things to Expect from a Good Judge

Divorce lawyers and judges see people at one of the worst times in their lives. A calm, guiding hand from a judge can do wonders to help people through the process.

By Henry Gornbein, Family Lawyer

**I**n my many years of practicing family law, I have had many experiences with judges. Early in my career, I clerked for judges in Wayne County, Michigan, which is the county seat where the city of Detroit is located. I learned quickly that there are all kinds

of judges. Some judges really cared and others were just marking time. I would have some judges tell me that they had a certain result that they wanted and that I was to find the law to support it. A good judge will follow the facts and the law, not the other way around.

In one case, I was called into chambers by the judge in a divorce. We were discussing the issues that were in controversy. With both lawyers present, the judge pulled out a coin from his pocket and said, "Call heads or tails." This is not the way a case should be decided.



Family law is one of the most complicated legal areas. It is made much more difficult because of the tremendous emotional overlay that goes hand in hand with the facts in every divorce or custody dispute. Being a family law judge is not easy!

I have written on the topic of what people should expect from a judge, and more and more I feel that judges must be more user-friendly. By this I mean that people need to understand what is going on in their cases and why things happen. Too often, there is a mysterious overlay over everything that can be incomprehensible to lawyers as well as the clients who are in the middle of the trauma of a divorce.

Here are some points that I believe are important:

### 1. Court should start on time.

If court is set for 8:30 a.m., it is wrong for a judge not to take the bench before 9:30 a.m. or 10:00 a.m. In Wayne County, there was a former judge who would frequently take the bench over an hour after the normal start of court time. In this situation, the lawyers and litigants were waiting nervously for court to start. The public often does not understand that a lot of events take place in the judge's chambers, and sometimes, a late start is unavoidable.

### 2. A judge should be in control of the courtroom.

There is a lot of emotion in a family law matter, and a good judge should control his or her courtroom and cool things down. Judges should not let lawyers attack each other or their clients without trying to bring things under control. Some lawyers will spend a half-hour covering matters that should be done in five or 10 minutes. This is where a judge should rein the lawyers and litigants in. A good judge will say, "I have read your pleadings, or motion. Is there anything that you can add?"

### 3. A good judge should be decisive.

In the past, I have seen judges who do not make a decision. There is an

old saying that justice delayed is justice denied. Lawyers and clients want a decision; even if I disagree with the judge's ruling, I would rather have the ruling than no ruling. The ruling should be clearly made with the reasoning for it being spelled out as well. With a ruling, at least the parties can move on to the next part of the case or to the next chapter of their lives.

### 4. A good judge should be accessible.

Good lawyers and good judges should be problem-solvers. A good judge will meet with the lawyers – and sometimes even talk to the litigants about an issue. The judge will often state: "I usually do this in a particular situation, unless the facts in a hearing or trial point me in a different direction." With this information, lawyers can often resolve an issue or a case because they have been given a reading from the judge and can see "the writing on the wall." Lately, I have found judges who refuse to meet with lawyers or to discuss the case other than formally on the record in open court. This is not a good thing. Sometimes, an informal meeting in the judge's chambers can clear the air and work wonders in a case.

### 5. Most divorces and other family-law matters should be settled.

A good judge will tell you that he or she will make decisions that impact heavily on your lives, and once you go into trial or a hearing you lose control of your lives. It is always better to resolve a case through negotiations or mediation. Trial should be a last resort. The judge does not know you or your issues and must rely on testimony and evidence, which is often only the tip of the iceberg.

### 6. When a case must go to trial, the litigants and lawyers should be granted their day in court.

Some judges do not want to try cases and will constantly adjourn the case. Some cases need to at least have a

trial started. Some judges will allow litigants to get what they want off of their chests; in many situations, once the parties know that they have been heard, either the trial will proceed or a settlement can be achieved, even in the middle of trial.

Finally, it is critical to remember that lawyers and judges are helping people going through a divorce or other family-law matter at the worst times in their lives. They are suffering, and often there are no good or easy answers. A calm guiding hand and leadership from a judge can do wonders to help people in these situations.

We have many wonderful hard-working judges who do everything that they can to help people. These judges should be applauded. ■



*Henry Gornbein is a partner at the law firm of Lippitt O'Keefe Gornbein, PLLC in Birmingham, Michigan. His practice is exclusively devoted to family law. His book, *Divorce Demystified: Everything You Need to Know Before You File for Divorce* (Momentum Books, 2014), is available on Amazon.com. [www.lippittokeefe.com](http://www.lippittokeefe.com)*

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# Do-It-Yourself Divorce?

Divorcing couples struggling with the cost of dissolving their marriage may be tempted by a DIY process. Answer these questions before embarking on this risky step.

By Mary Krauel,  
Divorce Financial Analyst and Mediator

**M**any people think that they will be able to work out a divorce settlement that includes division of assets, child and spousal support, custody access, and all other parenting decisions. Perhaps they can – but here is the main obstacle: what makes them think that they can now sit down with their spouse and sort through issues that will trigger strong emotions when they were unable to discuss their differences and concerns to work things out and save their relationship?

To prevent you from becoming a casualty of these kinds of unrealistic expectations, here are five key questions to ask yourself before you decide to embark upon a do-it-yourself divorce.

## **1. Can you be civil and respectful with one another when discussing difficult decisions?**

You likely will not be able to have productive discussions if you have been prone to arguing with one another – particularly in the last few months or years of your marriage. The other side of this coin is silence: if one party shuts down and does not



say anything, how will the other be able to understand their wishes?

In my role as mediator, I take the emotion out of the way; needs, wants, and feelings are communicated between the parties so the message can be “heard.”

## 2. Is there a dominant party who may override the wishes of the other party?

There is always a more dominant party in a relationship. It could be part of the reason your marriage failed, as one of you may have felt victimized and unheard by the other. If you are the more vulnerable party, will you be able to stand up to your spouse to ensure your rights are being honored? A mediator creates a balance of power between the parties, giving voice to both and ensuring a more balanced agreement is reached.

## 3. How familiar are you with your marital finances – or finance in general?

Couples almost always divide up responsibilities between themselves, with one partner handling one set of duties and the other a different set. For example, one might be tasked with managing the financial affairs of the household while the other might be in charge of the kids or household responsibilities. That was the case in my marriage: my ex-husband looked after the insurance, mortgages, loans, dealing with our financial advisors, and filed our returns, while I looked after the kids, their activities, and running the home – including paying the bills. We were both accountants, but with each of us having jobs outside the home, we had to divide the tasks to make sure everything got done. Despite being an accountant, I needed to get up to speed fast upon separation to understand our financial assets to be able to make informed financial decisions.

If you know little or nothing about your household and other finances, you will need your former spouse to educate you on this or at least provide the information you need to learn about it. More than 80% of the issues in divorce involve money. Will you be able to understand

## Let's face it: even if you have some familiarity with family law, you don't know what you don't know.

the financial aspects – including any tax implications – on your own? If not, make sure to hire a financial advisor experienced with divorce-related issues to provide the financial understanding you need to make informed decisions. This includes understanding the available options and the tax implications or each option. If you have complex assets – such as family businesses, pensions, real estate, vested and non-vested employment assets – it can be even more challenging to understand all the financial ramifications.

## 4. Do you know family law?

Let's face it: even if you have some familiarity with family law, you don't know what you don't know. Yes, anyone can read up on family law, including the thousands of cases that have been adjudicated available online. But how much time and energy do you have right now? Professionals spend years obtaining accreditation and experience to help their clients understand their rights, responsibilities, and obligations under the law.

You should definitely do some of your own research to know what questions to ask your lawyer, mediator, and financial professional – and to understand their answers. Unless you're already a lawyer, you will never know everything you need to protect your rights. I would never try to fix my own car; I'm not a mechanic, and I don't know how. Outside of simple things like changing a tire, I seek qualified professionals to look after my vehicle. Not having access to relevant legal information and advice poses a huge risk to both parties in a divorce.

## 5. How much do you trust your soon-to-be ex-spouse?

Trust is one of the biggest issues between divorcing couples. I could not trust that my ex-spouse would have my best interests at heart, as part of the reason for our marriage's failure was

that he breached my trust. Each party wants to get the best possible outcome for themselves, and this means each party will have opposite objectives. A mediator can bring a neutral perspective to the options and terms of settlement to both parties. Mediators do not advocate for either party; instead, they help the parties reach a fair settlement that is not biased to any one party.

If any one of these questions give you a reason to pause, then you likely should not try to process your divorce yourself, but instead seek professional help. In the long run, it will be more cost-effective and less stressful. ■



*As the owner of PRM Mediation, Mary Krauel provides a step-by-step strategic mediation model that empowers decision makers and focuses on resolution. She is also a CPA and CDFA who brings smart financial decisions to your divorce while maximizing your net worth.*  
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# Financial Disclosure in Divorce

Divorcing spouses may not be fully aware of each other's financial situation. Financial disclosure is a mandatory step both parties must take during the divorce process.

By Donna M. Cheswick, Divorce Financial Analyst



## Disclosure on everything the couple owns (all assets) and owes (all debts), how they are titled, and the marital value of each must be determined and put on the table.

**A**s is often the case in divorce, one spouse may not have a complete knowledge of the marital financial situation. Before productive settlement discussions can occur, both parties must be on the same page and have full financial disclosure regarding all the property and debt they acquired during the marriage.

Agreeing to a property settlement when one party has no understanding regarding assets and liabilities is extremely difficult, if not virtually impossible. Disclosure on everything the couple owns (all assets) and owes (all debts), how they are titled, and the marital value of each must be determined and put on the table. Only then can productive discussions on how to divide everything occur.

The exchange of information and documentation is called “discovery.” It allows time for one party to ask the other to produce a variety of needed financial documents in their possession. It is always easier, faster, and definitely less expensive when both spouses can cooperate with each other and informally exchange the required information between each other and/or their lawyers.

Some of the information that must be exchanged includes copies of tax returns, statements for all bank accounts, statements for all investment and retirement accounts, information on any property owned, statements for any debts owed (credit card, student loan, mortgages/HELOCs, etc.), life insurance policy information, and paystubs for both parties. If one party owns a business, complete information regarding the business interests must be obtained so that a value can be determined.

If one party hesitates, refuses to turn over documentation, or doesn’t want to answer questions being asked, it can be a red flag indicating that they may have something to hide, or they are trying to manipulate some of the financial details. Whatever their ulterior motives, it can severely hamper settlement discussions. Your lawyer and/or financial professional is not going to accept the value of an asset or debt just because one party claims it is so. Conclusive proof to validate any claims must be supplied.

When a friendly exchange of documents does not occur, there are several more formal ways that can legally compel an uncooperative spouse to produce the needed information.

### Request for Production of Documents

This is a legal document served upon your spouse or their lawyer. It is a written list of the items that are needed, along with a time frame given to provide the documents requested.

### Interrogatories

These are nothing more than a formal list of questions which your lawyer prepares and sends to the opposing side to answer. Typically, the questions should be answered and the completed

information sent back within a 30 to 45-day time frame. Frequently, responses are late or may be ignored altogether, and then you may need to make a request to the court that requires your spouse to comply.

### Depositions

These give your lawyer the chance to ask your spouse a variety of questions and have them answered under oath. Actually, anyone associated with the case who has information critical to the case could be called in for a deposition. Whatever is said will be transcribed by a court reporter, and there will be a written record which can be referred back to.

Don’t start the divorce process assuming the worst. If you are able to communicate and work together, it will make for a more productive settlement. However, you are only in control of your behavior. Unfortunately, you cannot control the behavior of your spouse, so in instances where the other party is not cooperating, knowing that there are measures in place that can help you obtain all the information you need will be reassuring. ■



*Donna M. Cheswick is a Certified Divorce Financial Analyst® (CDFA®) and divorce mediator. She guides decision-making and problem-solving on the critical financial issues related to divorce. [www.cheswickdivorcesolutions.com](http://www.cheswickdivorcesolutions.com)*

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# 15 BEHAVIORS to Watch for in Your Children

Checking in on your children during and after divorce is vital to their ability to heal and feel supported.

By Lisa Schmidt,  
Post-Divorce Coach

**F**or kids, divorce can feel like loss: the loss of a parent, the loss of the life they know, and their family home. You can first help your children adjust to this massive change by supporting their feelings, whatever those may be. It's almost impossible to predict a child's reaction to divorce. Sometimes, as in the case of my own son, it didn't come for months.

Children have a remarkable ability to recover when given the support they need. It is important to note that

lifelong belief systems and feelings of worth are often formed in our pre-adolescent years. What you continue to reinforce or give attention to will foster beliefs and memories, good or bad. Your words, actions, and reassurances to your children of your unwavering love and support are vital.

Create a safe environment for your child to share their feelings, and really listen to them. They may be feeling sadness, loss, frustration, and even anger about things you may not have expected.

Help them find words for their feelings. You can help them by encouraging them to talk openly with you or your spouse. Let them be radically honest.

Acknowledge their feelings without judgment. You may not be able to take away their sadness, but it is important for you to maintain their trust. Children might be hesitant to share their true feelings for fear of hurting you, but let them know that whatever they say or are feeling is okay. If they aren't able to share their honest feelings, they will have a



difficult time working through them. It might take the help of a counselor to get them to open up, so don't discount this as a method to help them heal.

If they blame themselves or their siblings, nip this in the bud as soon as possible. Many children believe that they had something to do with the divorce. Clear up any misunderstandings swiftly to help your kids let go of responsibility. Be patient, because one day they may feel that they understand and be completely confused the next. Reassure them as often as you need to that both parents will continue to love them and that they are in no way responsible for the divorce.

## 15 Worrisome Behaviors

Here is a list of behaviors to look out for in your children during and after divorce:

1. Sudden changes in physical appearance. Weight loss or gain is often a common side effect of stress.
2. Rebelling against normal routines, rules, or chores.
3. Secretive actions: closing the bedroom door when they didn't before.
4. Dramatic mood swings that are out of the norm. This could be extreme happiness or sadness.
5. Reverting to an earlier age or babyish behavior.
6. Acting out against parents and teachers. This is a cry for attention.
7. Spending excessive time around "new friends" that you've probably yet to meet.
8. Refusing to visit with their other parent.

## Create a safe environment for your child to share their feelings, and really listen to them.

9. Behaving one way for you and acting differently for your spouse.
10. Holding out hope that you and your spouse are getting back together.
11. Excessive crying, emotional reactions, or outbursts.
12. Suddenly "sick" frequently with headaches, bellyaches, or just trying to stay home from school.
13. Sleeping problems like insomnia, nightmares, or wanting to sleep with you.
14. Refusal to eat or inconsistent eating habits.
15. The sudden appearance of an imaginary friend.

All too often, divorcing spouses are caught up in their own hurt or feelings and forget that children have a completely different perspective. To them, you are simply Mom and Dad. You are not the unhappy wife or the workaholic husband.

Don't lie to your children or diminish the truth of the situation. Tell them that things won't always be perfect or as they were before, but that they will be okay. Showing a united front as parents can ease the distress and provide a lot of comfort to your children. Above all, reinforce that you are still a family no matter what. ■



*Lisa Schmidt is a post-divorce coach located in Detroit, MI. She helps women locally and nationally to go from surviving to thriving and get excited about their post-divorce world.*

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# How to Introduce a New Partner to Your Child

Although there is no one “perfect” way to introduce your child to your new partner, here are strategies to help your child adjust to your new situation after separation or divorce.

By Barbara Rothberg, Couples  
Therapist and Parent Coordinator



I am frequently asked about the best way to introduce a new partner to your child after divorce. There isn't a single perfect way, but there are guidelines that can make the introduction easier.

Children of divorce have experienced loss. When their parents split up, even if they have joint custody and see both parents on a regular basis, children experience a loss of the intact nuclear family. That does not mean that they can't adjust to living in two households, but it generally takes some time and work on the parents' part to help them feel comfortable. Meeting a new partner can be complicated. A child may feel a loyalty conflict between the new partner and the other parent, so it's important to help the child feel comfortable having positive feelings for both. It is not an either/or situation.

### Don't Introduce Your New Partner Too Soon

The first "rule" about introducing a new partner is that it should not be too soon after the marital separation. The general rule is that a parent should be dating the new person for at least six or eight months after the separation and feel like they are in a new committed relationship (one that will hopefully last) before they even think about introducing their new partner to the child.

The reason for this is quite simple: if a person starts dating someone new and is crazy about that person in the beginning, those intense feelings may wane in a few months. When that happens, they may decide that this person isn't actually "the one" and end the relationship. If the parent has already introduced the child to him or her, and the child has become attached to this new person, when the couple breaks up, the child will again experience a loss. This new loss will be compounded as it will rekindle the feelings of loss from the marital separation.

### Introduce Your New Partner Gradually

Make it a comfortable experience for your children by introducing your partner slowly and gradually. If a new relationship is solid, and has some duration, start incorporating the new person into your lives slowly. Don't go straight from a first meeting to having them sleep over. Ideally, the child meets the person for a casual lunch or dinner, or at the park or zoo, for example. This can happen a few times as they begin to get to know one another. Then the new person can come over to your house and spend part of a day and goes home before bedtime.

Gradually, the person spends more and more time until the child is comfortable and can slowly connect to the new partner. It is important that the parent pay attention to the child when the new partner is around so the child does not feel replaced. After a period of time, based on the child's comfort level, the new partner can spend the night when the child is in residence.

**It is important that the parent pay attention to the child when the new partner is around so the child does not feel replaced.**

Different children adjust differently. Some children are quite resilient and can easily accept someone new, others have a harder time. It can be helpful if both parents are open to each other dating and easy with the child about it. If the other parent expresses jealousy or anxiety, the child will feel it and react. If the other parent is able to say something like, "I know your dad is happy with Mary and I think that's great," the child will be more relaxed and open to Mary. This attitude will ultimately benefit both parents.

If your child is having a hard time with your new partner, don't try to force the relationship; instead, consult a child specialist to strategize the best ways to help your child adjust to your new situation. ■



*Barbara Rothberg has been a couples therapist for more than 35 years, helping couples resolve conflicts. She is also a parent coordinator and has worked as a divorce mediator for the past 10 years. [www.barbararothberg.com](http://www.barbararothberg.com)*

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# DIVORCE STRESS

Divorce stress is not uncommon when faced with the end of a marriage. How you manage and cope with it is the key to being set free from the negative emotions.

By Marina Edelman, Marriage and Family Therapist

**D**uring the Olympics, one of the female gymnasts was asked how she handles pressure and stress. She said that she doesn't view pressure to perform as a negative; instead, she labels the feeling as "excitement" instead of "stress" or "pressure." This is not a big stretch since stress can be good as well as bad. Without some stress, we would not have the adrenaline to win races, solve problems, take exams, and make changes in the world.

Stress can be defined as mental, physical, or emotional disturbance that alters homeostasis of the body and can be experienced both physically and psychologically. It is a form of pressure experienced by a person due to external impact from a job, school, death of a loved one, marriage, and divorce. Change has been identified as the dominant cause of stress in most cases.

Stress is also accompanied by a feeling of threat where the affected person assumes an endangered state of mind. Stress is an undesirable and unpleasant state usually manifested through actions, the way of thinking, and feelings.

Chronic stress cannot be ignored and must be dealt with to avoid decreased immune function, which leads to worsening of ill-health and causes debilitating symptoms.

The easiest way to start dealing with divorce-related stress is through adopting the following actions and practices:

- Avoid rushing.
- Exercise.
- Take deep breaths.

Talk about it: putting an adjective to a feeling releases the negative energy stored in the body.

You can also engage your mind to help manage your stress:

- Use positive mental imagery.
- Focus on the task at hand rather than imagining the outcome.
- Avoid negative thoughts.
- Reflect on thoughts and actions that led a particularly good performance.

## Stress: Signs and Symptoms

Stress is an individual experience and symptoms vary. The signs and symptoms listed below may also be signs of disease, so you shouldn't ignore them just because you believe they are stress-related. You must get more serious symptoms checked out by your doctor.

### Physical signs and symptoms of stress include:

- Chest pain.
- Pounding heart.
- High blood pressure.
- Shortness of breath.



- Fatigue.
- Diminished or increased sex drive.
- Muscle aches, such as back and neck pain.
- Headaches.
- Dizziness.
- Clenched jaws and grinding teeth.
- Tight, dry, or a feeling of a lump in your throat.
- Indigestion.
- Constipation or diarrhea.
- Increased perspiration.
- Stomach cramps.
- Weight gain or loss.
- Skin problems.

#### The psychological signs and symptoms of stress include:

- Sadness.
- Depression.
- Crying.
- Withdrawal or isolation.
- Insomnia.
- Mood swings.
- Worry.
- Restless anxiety.
- Irritability, anger, decreased anger control.
- Overeating or loss of appetite.
- Feelings of insecurity.
- Decreased productivity.
- Job dissatisfaction.
- Changes in close relationships.

- Increased smoking.
- Increased use of alcohol and drugs.

Everyone experiences divorce stress differently – including children and especially teenagers. Teen girls and boys tend to manifest stress differently from each other; signs of stress in teen-aged girls include:

- Procrastination in doing her homework.
- Overreaction to a situation with a friend.
- Frozen while taking a test.
- Loses temper easily and is unusually moody.
- Excessively tired.
- Uses aches or pains as an excuse to stay home from school.
- Takes out aggression on a younger sibling.

In teenaged boy, a certain amount of moodiness is normal. Here are some signs to help you differentiate between normal and stressed-out in teenaged boys:

- Arguing is normal; constant anger is not.
- Withdrawal from parents is normal; pulling away from family and friends is not.
- Anxiety is normal; feeling constantly overwhelmed is not.
- Being upset for days after a bad experience is normal; more than two weeks is not.

### Get Help

Pay attention to your body and it will serve you well. If you aren't able to cope with divorce stress on your own, please consult a mental-health professional who can help you identify triggers and implement new coping strategies to minimize the effect of life's rollercoasters on your health and well-being. ■



*Marina Edelman is a Licensed Marriage and Family Therapist who offers solution-focused and evidence-based psychotherapy and counseling, including assessment and treatment for a range of emotional, behavioral, and psychological difficulties. [www.marinaedelman.com](http://www.marinaedelman.com)*

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# THE HEALTH

## Consequences of Divorce

Divorce has many observable consequences – including legal, financial, and emotional. Divorce can also cause short and long-term health consequences: here are 5 warning signs it's time to seek help.

By Dr. Gitu Bhatia, Psychologist

A significant number of people who have gone through divorce experience all kinds of emotions and stress. Even the person who may have initiated the divorce and is feeling elation or relief will have stress related to the negativity during the process as well as the inevitable changes in their lives both during and after divorce. The stress of breaking up has often been compared to the stress of dealing with the death of a loved one. The losses that come with divorce and separation can range from relatively mild symptoms – such as a depressed mood or some anxiety about the future – to extreme emotional breakdowns.

Children in the family may experience many of the same feelings as the adults, but they will exhibit them differently. As much as parents may feel a loss of control about their future, the children may feel even more uncertain about their lives – leading to internalized stress or externalized behavioral problems.

### Common Symptoms Experienced Following Separation

There are physiological consequences of stress, depression, and anxiety that follow the initial separation. Symptoms such as appetite and sleep changes, difficulty in digesting foods, changes in blood sugar, and racing heart rates are not uncommon. Not surprisingly, studies have shown a higher prevalence of heart disease, diabetes, cancer, and mobility problems in people who have experienced divorce. It appears that some of these consequences remain, for some, even after people get remarried. Each person reacts to difficult situations in unique ways, and there is no clear timetable that fits all individuals.

There may be gender and age differences in the kinds of stress experienced by the family members experiencing the divorce. Statistically, most people experience a drop in financial standard of living as a consequence of divorce. This change is often felt more by women. Just when people are experiencing financial difficulties and feeling the health consequences, they may also find themselves

**Being stressed when your life is being turned upside down is normal; however, remaining at that level of stress for too long will affect your ability to function and make decisions.**

with less-than-adequate health insurance benefits. The time when they may need the support of health and mental-health professionals the most, they may hold back from reaching out for help. The common wisdom is that it takes people a year or two to regain their sense of normality after divorce. However, children may re-experience the consequences of divorce at different developmental stages.

It helps if parents are aware and actively working on self-care and being mindful of the stresses on their children, both in the early stages and even after the worst is over. It is especially important for them to know that staying angry or sad for a long time can cost them their health.

### Warning Signs That Should Prompt You to Seek Help

1. You have experienced drastic changes in your appetite or sleep patterns.
2. You have a sense of panic most of the day.
3. You are unable to function normally at work.
4. You have no time for yourself anymore.
5. You are experiencing a change in the amount of headaches, heart palpitations, and stomach aches.

Being stressed when your life is being turned upside down is normal; however, remaining at that level of stress for too long will affect your ability to function at work, make decisions, parent, and be healthy. Getting regular check-ups with your doctor and seeing a mental-health professional could help you. Also very important is to implement lifestyle changes.

### Lifestyle Changes to Implement

- Regular exercise.
- Healthy eating.
- Meditation.
- Connecting with friends and family.
- Making sure you include some fun and relaxation on a regular basis. ■



*Dr. Gitu Bhatia (Psy.D.), a former family mediator for the Los Angeles Superior Court, is a psychologist in private practice and adjunct faculty at the Graduate School of Education and Psychology at Pepperdine University. [www.divorcemag.com](http://www.divorcemag.com)*

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# Who Are You After Divorce?

Coping with divorce and divorce recovery often causes a full-blown identity crisis – you don't know where you fit anymore. Here's how to begin your new single life with confidence.

By Kat Forsythe, Divorce Recovery Therapist



**"M**y question was, 'Who are you, not what do you do?'" he said.

We leaned on the bar at the symphony fundraiser. He slid me a dirty martini. I liked him and he was genuinely interested. Apparently, however, my answer hadn't satisfied him. "I love what I do. I'm a divorce recovery therapist. You know, coaching people to stay sane and focused through their horrific divorce. I hold a lot of hands."

"Nice elevator speech," he said. "Now, who are you, really?"

A flashback to my own divorce interrupted us. I could see myself standing alone at my first foray back to a social life, a similar fundraiser. Someone asked, "Well, who are you?" I didn't know what to say, especially to a total stranger of the opposite sex. I had lost my identity as a coupled woman, and exposing my newly single, lonely, and scared-to-death self was not going to happen. Instead, I turned to witty repartee about my work.

## Divorce Creates an Identity Crisis

During divorce, our work gives us something to hide behind. We aren't ready to talk about who we are because we don't know where we fit anymore.

It's a full-blown identity crisis – and it's perfectly normal.

Our brains are scrambled. Who am I in this new life, besides alone and single? How do I describe my life when it's always been "we?" How do I talk about my breakup? What do I say about him or her? Am I OK as my new self, alone?

Exhaustion plays a big role, too, and it's no wonder. Our brain functions best on familiarity and routine – those elusive elements so vacant in our lives right now. Without normal habits, brain fatigue sets in.

Starting all over again after divorce strips you of your comfortable patterns. The house is empty. Daily routines fall apart. Friends and alliances split. Lifestyles change. You're uprooted emotionally. You may even wonder if you're manic – high as a kite one day, in the dumps the next.

All of this insecurity is normal for

divorce. That's not much comfort, is it?

Be reassured that it won't last forever. For a while, your brain needs to be scrambled to recalibrate and shape new habits – the new you. Think jigsaw puzzle dumped on the table. Your brain has to put those pieces back together again. It takes time.

There's good news: You've still got the same strengths that you had before the breakup and they're waiting inside to help you. The sooner you set them free, the faster the "who am I, now?" will be clear.

## Six "A"s to Reclaiming Your Identity

Here are six steps to help you unearth those core strengths, rescue your lost self, and answer the question, "Who am I, now?"

### 1. Accept what's happened to you.

Get a journal. Write an honest summary of yourself – yesterday and today. Accept the good with the bad, and tell yourself, "What happened in the past is over. I need to move on." You will need to do this exercise several times. Next, open a communication lifeline with old friends you can trust. Feel alone and scared? Admit it and find help. Get a therapist or coach or join a divorce empowerment group, online or live. You'll be happy to know you're not alone in your fears.

### 2. Adjust your self-talk.

Your brain believes everything you tell it. Listen to your self-messages and change them. Tell the voices of fear to take a hike. Stop the soap opera reruns of your life. Paste this sticky note on your mirror: "I can do this. Yes, I can! I'm not alone!"

### 3. Appreciate.

Good things are happening every day. That strong person inside you needs to hear about them. Start by thanking your body for enduring this stress. Write your friends a handwritten thank you note for their support. Keep your sense of humor. Be thankful for that good cry, releasing those nasty toxins through your tears.

### 4. Adorn.

Step out into the new world in outfits that make you feel confi-

dent and show off the real you – all the time, every day, 24/7 – even PJs.

### 5. Abbreviate.

Simplify and get rid of old stuff. First stop? Your closet. Dive in and heave out anything that makes you sad, regretful, or simply isn't you. A cluttered closet is a cluttered heart. Free up space for new energy.

### 6. Actualize.

"Fake it 'til you make it." Visualize the person you dream of becoming. Find your "courage keys," three adjectives that describe the rediscovered you and carry them with you. I ask my clients to read them out loud whenever they feel down. During my divorce, mine were successful, smart, and inspiring. Some days, I read them every hour to shove down the fear gremlins. Be bold. Say what you think of your very best self.

You're finding a new identity. Be gentle with yourself. Be patient. There's a new you and a new life on the other side. You will get there.

So, when he or she asks, "Who are you?" tell that person to call in a couple of months. By then, you'll have your sea legs and an answer. In the meantime, tell yourself, "Forward. Demons of doubt, take a hike. I can do this. Of course I can."

New adventures, and the new you, are on their way! ■



*Kat Forsythe (MSW) is a therapist, coach, speaker, and seminar leader, and author. For more than 25 years, her passion has been helping people navigate the turbulent waters of life. [www.katforsythe.com](http://www.katforsythe.com)*

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