

Foreword

By David A. Hoffman

Novelist Margaret Atwood described divorce as similar to “an amputation – you survive, but there’s less of you.” Sadly this description fits too many divorces. Our legal system – built on an adversarial model for finding truth and dispensing justice – is poorly suited for most divorces and often leaves the participants feeling diminished financially, emotionally, and spiritually. Children often suffer as well when they are caught in the crossfire. Courtroom battle may be an ideal way to resolve some conflicts, but most divorcing couples need the services of healing professionals, such as mental health coaches, mediators, and collaboratively trained lawyers, as they manage the profound family change that divorce entails.

Nancy Fishman’s excellent guide through what she accurately calls the “divorce fog” deploys the therapeutic perspective of a trained clinician and coach. Her mantra is that divorcing couples should focus, as they make each decision in the divorce process, on the “aftermarriage.” (This is a term coined by divorce lawyer Anita Robboy in her book by that name.) If a couple wants to collaborate successfully in co-parenting during their aftermarriage, they need to collaborate successfully in the divorce process. Choosing non-adversarial methods of handling their divorce – such as the Collaborative Law model, or mediation – is, as Dr. Fishman points out, an important step in that direction. There are many

others as well, such as refraining from “blame stories” in telling the children and others about the divorce and working with a jointly hired financial professional to help with both near-term and long-term financial planning. All of these, and others, are described in her book, *Seven Steps to a Good Divorce: Making Smart Decisions*.

This volume, which is Book 1 in her Divorce Doctor series, provides not only sound, big-picture advice about collaboration and the need for coaching but also detailed checklists regarding finances and parenting plans that are much needed by divorcing couples. (For a compelling account of the value of checklists in virtually every complex endeavor, see Atul Gawande, *The Checklist Manifesto*.) Divorcing couples need to maintain a bifocal perspective – focusing carefully on the details while at the same time keeping the distant future in perspective. One of my divorce mediation colleagues, John Fiske, suggests that a successful divorce is one in which the divorcing spouses are able – despite the turmoil of divorce – to share a dance together at their children’s weddings.

One of the most important lessons taught in Dr. Fishman’s book is the need for coaching by mental health professionals in virtually every divorce. When I began my practice as a very junior lawyer and then mediator, I chose to work at a law firm where the head of the family law department smoked a pipe and exuded wisdom – and I recall that one of the things that most impressed me in my

interview with him was his practice of requiring all divorce clients to see a therapist if they were not already doing so.

Of course, there is no shortage of advice available to divorcing spouses – friends, neighbors, relatives, even casual acquaintances are all too ready to share stories of husbands being “taken to the cleaners” or wives “left high and dry” by the divorce process. The problem with such advice is that it is usually based on highly partisan accounts of what happened in each case. Professional advice and coaching are what divorcing spouses need in order to achieve a balanced, well-informed perspective on the decisions that need to be made. Using real life stories and sample dialogs of difficult conversations, Dr. Fishman has given us a helpful and concise guide to making those decisions wisely, compassionately and – in those divorces where children are involved – in a manner that keeps the kids out of the conflict.

One final thought about this book: it begins with a useful and frank discussion of the ambivalence that most divorcing spouses feel at the outset, as they decide whether divorce is the right choice for them. In my practice, I have found this type of ambivalence to be one of the primary causes of the turbulence that couples encounter as they make their way along the white-water-rafting journey of divorce. Of course, ambivalence is only one of many feelings divorcing spouses experience – some feel enraged, abandoned, despondent, betrayed, or confused. Psychologists tell us that if we can name our feelings, we

have a better chance of taming them. This wonderful book will help divorcing spouses name those feelings and, even more importantly, will help them realize that they need the support of healing professionals – and, in particular, coaches and other mental health professionals – as they manage the complexities of the divorce process.

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