



# 10 Most Common Mistakes Made by Divorcing Couples and 10 Steps on How to Avoid Them

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*(NOTE: The information below is based upon over 27 years of working with divorcing couples in over 8,000 cases and should not to be construed as legal advice. Please consult a licensed divorce attorney in your state for legal advice.)*

<b>MOST COMMON MISTAKES</b> 	<b>HOW TO AVOID THEM</b> 
<p><b>1. The Blame Game</b> -- Continually focus on all that went wrong in the marriage and blame the other for everything; refuse to acknowledge the positive contributions the other brought to the marriage/family; fail to give credibility to anything that initially brought the two of you together.</p> <p><b>2. Retribution</b> –Vow that you will make the other pay one way or another – that you will take every last penny the other has and will do everything possible to make the rest of his/her life miserable.</p>	<p><b>1. Own your part in why the marriage is not working.</b> Blaming heightens the anxiety and fear that is present in so many destructive and costly divorces. It indicates lack of self worth, denial, dishonesty, guilt, avoidance, and irresponsibility. Regardless of how a marriage ends, it took the two of you to decide to marry, and it took the combined behavior, habits, and thoughts of the two of you to move apart. Own your role in the reasons for the two of you moving apart. Be honest and forthcoming with yourself and the other. You both deserve it. Fears and defenses will be lessened and the divorce process will be easier. You’ll also be less prone to repeat the same mistakes in future relationships.</p> <p><b>2. Understand that you cannot change another’s will, you can only change yourself.</b> Spending your life in efforts to “get even” with someone who did you wrong is giving over <i>your</i> power, <i>your</i> valuable time on this earth, and the quality of <i>your</i> life. The heartache and feelings of betrayal that often accompany a divorce – especially if it comes as complete surprise – can be devastating, all</p>

**3. I'll See You in Court** – Immediately hire an attorney and serve the other party with a petition for divorce without discussing the situation in advance; believe that by hiring an attorney to fight it out in court, you will be vindicated and the judge will see it your way.

consuming, and debilitating. Don't give away your power. Seek help in divorce recovery groups to help you understand that you cannot change the other's will; regain confidence and move forward to create your own best life.

**3. Respect the other person throughout the divorce process and you will respect yourself.**

Surprising the person to whom you've said "I love you" -- shared intimate moments and dreams with, made promises to build your lives together -- with a summons for divorce served by a sheriff or other independent process server is an act of avoidance and disrespect. Sure, it might be easier: you won't have to do it personally, you won't have to see the tears or hear the anger, and you won't have to be faced with more pleadings of "let's try to work this out." Sure, it's easier, but it's wrong. Most people quit jobs they don't care about with more consideration than that. The non-initiating party to a divorce deserves consideration and respect when such a forced change in life direction is coming their way. (Also see #1 above.) If the initiating party has given enough thought to the situation to know and decide that a divorce is necessary, he/she owes it to the other to present the petition for dissolution personally. (Check your state law on proper service procedures if a divorce is contested. Some states are very receiver-friendly. A surprise petition for divorce served to a spouse by a stranger is best reserved for potentially dangerous situations.) To respect the other is to respect yourself and your decision. While it is important to know what the divorce laws in your state require and allow, an adversarial divorce setting where each party has his/her own legal advocate who will zealously fight for him/her to the end inevitably lends itself to mutual loss of time, marital funds, and emotional stability. It is a rare situation where a judge sees your case as clearly cut-and-dried as you do. The outcome of a case is usually a costly gamble. Enlisting the help of a collaborative lawyer, divorce coach, mediator, and/or divorce financial analyst can help parties to manage the

**4. Ok, But My Lifestyle is not Going to Change** – Expect your lifestyle to remain the same regardless of what might happen to the other’s lifestyle; believe that the other should cover all of the debt, give you most of the property, and pay you spousal maintenance regardless of the length of and/or contributing roles in the marriage.

**5. You’ll Never See the Kids Again** – Threaten and/or attempt to keep the children away from the other parent; continually point out that the other never helped with the kids, wouldn’t know how to take care of them, doesn’t have genuine interest in caring for them; and continue to convince yourself and insist that you are the better parent.

emotional and financial challenges of divorce with dignity and respect.

**4. Acknowledge and understand that marriage is a financial partnership.** Entering into a marriage means different things to different people. If these differences in beliefs aren’t discussed between couples early in their relationships, the repeated actions of each exercised during the course of the marriage will most often define their marital roles. Simple math says that it is more expensive to support two households than one. Even with the current trend toward prenuptial agreements, state law may override the validity of the terms of the agreement. Regardless of who accumulated the debts over the course of the marriage (there is often a saver and a spender), they are most often considered joint debt and are apportioned according to each party’s ability to pay. Likewise, property is often, but not always, distributed as an equalization of joint assets with consideration given to differences of income and ability to earn in the future. Marrying someone and deciding not to work does not automatically guarantee spousal maintenance in most short term marriages. Conversely, if one party did not work outside of the home for most of a long-term marriage, even though that person could have chosen to do so, spousal maintenance and/or a larger property distribution could be awarded to offset the disparity in income and the ability to earn in the future.

**5. Remind yourself that each of you is your child’s parent. Children need both of their parents.** Regardless of how you feel about the other, that person is your child’s parent. Your children are part mom and part dad. Unless the other parent is clearly a threat to the children, has been diagnosed as mentally unstable, or has been deemed unfit by the court, social services or other child advocate-related entity, children need both of their parents in their lives. Parents are their young child’s entire world. They are the source of safety, stability, power, basic needs,

predictability, love, frustration, and home. In marriages, one spouse very often takes on more responsibility for the children's food, school, sports, and health care while the other person gives primary attention to bringing in the income. The pattern of behavior becomes the couples' unspoken understanding of the division of labor within the family home. It doesn't necessarily mean that the parent with little direct involvement with the children's caretaking does not care about the children or is not capable of the responsibility. When divorce happens, the roles and schedules of the parents' involvement usually change. Each parent may undergo a period of transition and a new learning curve. One may need to learn and adjust his/her work schedule to the children's school and activity schedules as well as to their food and health care needs. The other parent may need to give attention to building his/her own career track and/or letting go and trusting that the other parent also loves the children, wants the best for them, and will do the best that he/she can to make sure they succeed as individuals – even though the parenting styles may be significantly different. (Think about it, your parents were probably very different from one another in personality, discipline, behavior, and life priorities. While the differences probably had an effect on your decisions and behaviors as an adult, for the most part, you turned out okay, right?)

**6. Your Dad/Mom is a Jerk/B\*\*\*\* —**

Talk negatively about the other parent to the children; call the other derogatory names to the children; complain to the children how the other doesn't love or value them or this divorce wouldn't be happening; make sure the children know the other parent is the sole reason for the divorce.

**6. Embrace the concept and diligently practice supporting the other in his/her role as the child's parent.** When a parent cuts down the other parent to, in front of, or within hearing distance of the child, the parent is also cutting down that child. Remember, children are part mom and part dad. They need both parents in their lives. They need to be able to openly express love for both parents and to feel love from both parents. Experts report that when a child hears hateful and derogatory comments from one parent about the other parent, it inhibits that child's ability to freely feel love and to express love for each parent. Often the child blames him/herself for the

<p><b>7. There's No Way You're Going to Get My Retirement, I Earned that Money –</b> Think that the other is not entitled to any of your retirement/pension funds or growth in premarital investments or equity in the marital home that was purchased in your name only.</p>	<p>divorce. When a child hears something derogatory about the other parent, the child may identify more with that parent and thus interpret that the deriding parent feels the same way about the child, i.e. "You're just like your dad!" Or, because children want to make both mom and dad happy, they find themselves telling each parent what they want to hear, which unwittingly broadens the gap and increases distrust between the parents. In a setting where parents are openly deriding the other parent, rarely will the children feel safe and valued enough to share the good feelings they have and happy events they've experienced with the other parent. They are, often subconsciously, too concerned about making that parent mad and/or hurting his/her feelings. Studies of children of divorce show that if one parent consistently cuts down the other parent and/or calls that parent derogatory names, the child inevitably resents the disparaging parent. Divorcing or divorced parents can best serve their children by presenting an open and unified front on major decisions and on discipline philosophies for the children. That way, the ability for the children to, consciously or unconsciously, pit the parents against each other is reduced and the children feel safe, loved, and secure (even though they may not show it).</p> <p><b>7. "What's mine is yours." Research your state's marital property laws before filing for divorce.</b> Once a legal marriage takes place, most state laws recognize that income, assets, investments, growth on pre-marital investments, and pensions – or pension growth since the date of the marriage – constitute marital property, regardless of who earned the income, purchased the asset, or created the growth. Most young newlyweds see marriage as a partnership, a building of a family, their dreams, and their joined future. Only when the tide begins to turn does it occur to them that "what's mine is yours" does not seem fair. If a contentious divorce is anticipated, gaining a rational and straight-forward understanding of your state's marital property laws early in the process will help</p>
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**8. You Spent Everything I Ever Earned, I Deserve to be Compensated for My Losses**

– Believe that the years of unbalanced spending habits between the two of you during the course of the marriage will be considered and equalized by the court during the divorce proceedings.

the two of you more realistically adjust your expectations. That way you can move through the dissolution process more collaboratively and cost effectively.

**8. Recognize that knowing and repeated actions and behaviors by marital partners over the course of a marriage become unspoken agreements defining marital roles and the division of labor within the marriage.** Regardless of who was the spender and who was the saver, who wanted to take that trip to Hawaii and who didn't, or who handled the bills and who didn't, the behaviors defined the partnership roles and are often regarded by courts as "decisions of the marriage." (Check your state laws and/or a divorce attorney in your state on this issue.)

In contentious divorces, this score-card debate regularly takes place. Couples will spend hundreds of dollars in attorney fees arguing that a debt owed on a couch or dishwasher should belong to the other party because he/she is the one who wanted it, or "just came home with it one day without advance discussion." The fact that the appliance stayed in the home and was used by the family for an extended period of time seems to be forgotten. In these types of tit-for-tat arguments, it is more cost-effective (both financially and emotionally) to recognize that you were both in a different phase of the marriage at that time and that the goal now is to reasonably and fairly distribute the marital personal property and its associated debt. Divorcing couples often fail to recognize that the amount of combined attorneys' fees accumulated over this type of argument would probably buy a newer and better appliance than the one they are fighting about. It makes more sense for divorcing couples to choose their battles wisely and to use the money, which would otherwise be spent litigating a minor issue, to reduce marital debt and/or help their former mate to set up a second household. Just as "What's mine is yours" is stated above regarding assets, it is also true of most debt accrued during the course of the marriage. (Also see # 3, 4, and 7 above, and, of course,

<p><b>9. I'll Show You Who Will Move Out First</b> – Contrive a domestic violence allegation and have the other party arrested so that you can change the locks before he/she can return to the home.</p> <p><b>10. Greener Grass</b> – Believe that life will be perfect once you get out of this marriage and hook up with the person that is truly meant for you.</p>	<p>check your state law and/or with a divorce attorney in your state.)</p> <p><b>9. Remind yourself that the actions of a person reflect the quality of that person.</b> (Also see #1 above.) Although many individuals use this strategy to get the other party out of the house, it serves to heighten the dynamics of the situation, create mutual resentment and distrust, may result in unjustified long-term negative career consequences for the accused party, and results in longer, more hostile, and more expensive litigation proceedings. (This approach should never be contrived and should be reserved only for those who truly feel threatened and fear for their safety.)</p> <p><b>10. Give realistic and thoughtful contemplation to this impulse. Mentally project a realistic picture of what your divorced life will look like. Consider the realistic emotional costs and long-term residual effects for all people involved, including the children.</b> Statistics show that divorce rates for subsequent marriages increase from over 50% for first marriages to over 80% for third marriages and up to 92% for fourth marriages. If the grass were truly greener elsewhere, these statistics wouldn't exist. Too often a recently divorced individual seeks an immediate replacement spouse; or he/she originally initiated a divorce under the greener grass theory in an effort to “trade up” on the next spouse (more money, better looking, less stress, more exciting life-style, fun, fun, fun....) Settling in with a new spouse or significant other often results in higher stress for the adults once the routine of reality sets in. Blending families can be a daunting task. Children find it difficult to accept and adjust to new partners in their parents' lives. If step-siblings are a part of the picture, discipline, money issues, and perceived disloyalty or favoritism adds even more to the challenges of daily life. Adults can have difficulty in adapting to the new other's children – their behaviors, personalities, habits, or styles of dress. They often learn that</p>
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the differing discipline philosophies for their individual sets of children in the same household clash. Then there is the struggle of learning how to schedule parenting time between the blended families, to manage the hectic schedules of all people involved, and to work through new financial concerns often created by more costs and the different beliefs, practices and approaches to financial management. At this stage, the grass begins to look a little brown and brittle. And yes, ex-spouses often become jealous of the ex's new spouse and/or begin to fear that the new spouse will take over his/her role as the children's parent. (No wonder the divorce rates for subsequent marriages increases with each marriage.) Before too long, recently divorced and remarried individuals can find themselves in the same exhausting, unfulfilling situations as they felt they were in before. Many newly divorced people scurry to find a replacement spouse out of fear. The thought of living (or dying) alone is unbearable for them. They practice the "someone is better than no one" philosophy. So they repeat the same behaviors that they fell into before, i.e. expecting the other to make their lives happy and fulfilling, saying yes when they would rather say no, spending more money each month than is coming in, attempting to mold the other into their ideal mate, and seeking intimate friends and physical relationships outside of the new marriage due to loneliness and lack of fulfillment. The best thing newly divorced people can do is to take a break from coupling and invest in themselves. Leaders in success, prosperity, and spirituality repeatedly remind us that *we* are the only ones responsible for our own happiness and success. By taking time to get to know yourself, your values, your dreams, your passion, what makes you feel full, loving, and strong, what you need to do to over-come challenges, how/what you want to contribute to life, and what you want to gain from life, you'll be less prone to settle for simply a replacement spouse. You will more clearly know what kind of person you want to spend the rest of your life with and



	<p>what kind of person will add to your life in connected, meaningful and fulfilling ways. (You will also become more informed on how to ensure long-lasting healthy, strong, and luxuriously green grass and will become more committed to following through with the required regular care and proper feeding.)</p>
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