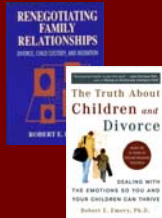


## Emotionally-Informed Mediation: Renegotiating Family Relationships

Robert E. Emery  
University of Virginia




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## The Basics

- Relationships don't end with divorce, so they need to be renegotiated
  - True for parents and children, and also for former partners who remain parents
- How do people ordinarily handle the hurt, shame, guilt, tension, and complications of lost love?
  - Too many divorced parents do what everyone does...

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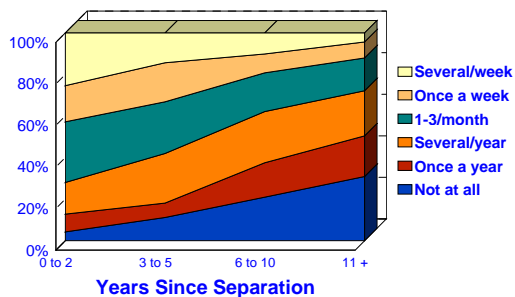
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## Father-Child Contact After Separation: By Length of Time Since Separation



Based on Seltzer, 1991

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## The Emotions

- Real, powerful, and painful feelings
- If you can't be angry in middle of a divorce, when can you be?
- But much conflict and anger is emotional not rational – Example? Stubbing your toe
  - Hurt → anger
  - Love → anger
  - Fear → anger
  - Grief → anger
  - Guilt → anger

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## *Emotions are the hard part*

- *When emotions are resolved, the practicalities (and legal issues) rarely are difficult to negotiate.*

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## Why Bother? Kids Caught in Conflict

- All kinds of research shows conflict harms children in divorced (and married) families
- *Professionals* are afraid to enter the conflict
- But this is where children live
- Nothing subtle about parent conflict in divorce: A war zone

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## Conflict Can Be Constructive

- Contained between parents
- Less intense emotionally/physically
- Resolved
- Not about children or childrearing
- Does not involve the child
  - Not in front of or around child
  - No carrying messages, deriding other parent, asking child to take sides, making child scapegoat or mediator, letting child use conflict to take advantage, asking child to make adult decisions (e.g., where to live)

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## Grief: The Central Emotion

- **Losses in divorce**
  - Your marriage, maybe your children, your home, your savings, your friends, your roles, your hopes and dreams
- **Grief is a normal and healthy reaction to loss**
- **Kubler-Ross, Bowlby: Grieve in *stages***
  - Denial, anger, bargaining, depression, acceptance



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## Problems with Grieving Divorce

- Unrecognized grief
- No one to grieve with
  - Your ex? (Ha, ha.)
  - Your children. (Hopefully not.)
- Lose support of friends and families
  - Gather support following a death
- And the big issue
  - An uncertain loss, a potentially revocable one
  - This makes grief different

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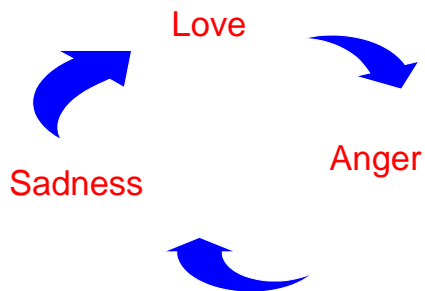
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## A Theory of Grieving in Cycles Not Stages




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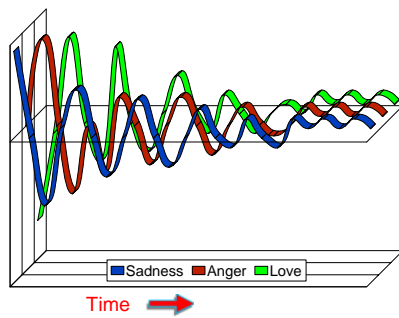
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## Cycles of Love, Anger, and Sadness Become Less Intense and Come Into Phase Over Time




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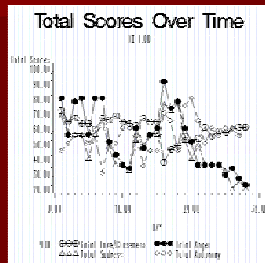
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## College Students' Grief




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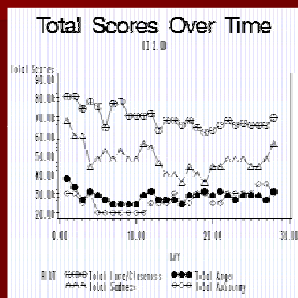
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## Stuck on Love




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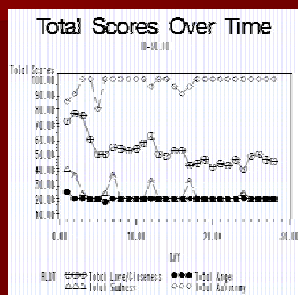
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## Gone




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## Grieving Alone

- Why doesn't he/she understand?
- How can she be so irrational?
- How can he be so cold?
- Different losses.
  - His marriage died after a long, chronic illness.
  - Her marriage was in a train wreck – and is still alive in the ER.

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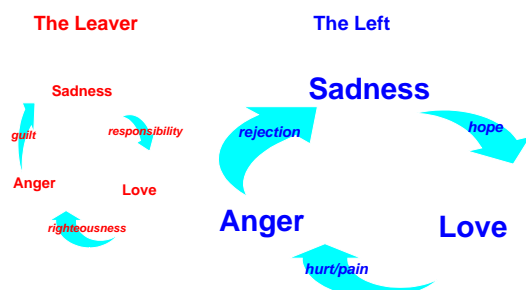
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## Leaver and Left Feel Grief Differently




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## Co-Parenting Relationship

- Ironically, the most important relationship to a successful divorce is the one that just ended
  - But it hasn't ended
- Leaver and left.
  - A mutual divorce is easy to mediate – emotions are cool not hot.
- Different places in grief and want different things.
  - Leaver: Why can't we just be... ?
  - Left: Lovers or enemies.
    - The opposite of love is...?

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## A Continuum of Relationships: Disengaging from Your Ex




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## Partners in Parenting

- Can't be lovers, can't be friends.
  - What kind of relationship can former spouses have?
  - Partners in the business of parenting
- A job to do, not a relationship to resolve.
- Maybe will become friends, maybe not, but will avoid much conflict and pain.
- Space for relationship also gives opportunity to grieve alone

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## New Boundaries for a New Relationship

- Clear parenting plans set clear boundaries
- A regular means of communication
  - Which means no need for "irregular" communication
- BRIEF emails/phone messages for unexpected
- Pleasant (not friendly) exchanges of children
- Do not put kids in middle
  - Or put down other parent
  - Which is criticizing a child's DNA

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## Grief in Mediation and in Therapy

- Resolving grief is not the goal in mediation
  - Take a systems perspective in therapy
- Recognize grief
  - And other emotions underneath anger
- Use education, empathy, emotional alliance, caucus, referral, and interpretation to prevent grief from disrupting mediation
  - Normalize feelings
  - Cut against the grain of emotions
- Process grief in therapy
  - Need to mentally (and perhaps artificially “kill” the marriage)
- When is grief resolved?
  - Time usually heals
  - Love, anger, and sadness (at the same time)
  - Never want to completely “get over it”

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## Other Emotions Under Anger

- Hurt
  - Primitive desire to hurt back
  - Anger is easier, less vulnerable (but less real)
- Guilt
  - Easier to blame someone other than yourself
  - But taking responsibility works far better in long run
- Love
  - Conflict is very engaging; a test
  - *Adults* have many reconciliation fantasies
  - One more time: Hate is not the opposite of love. Indifference is.
- Fear
  - All the change is frightening; anger hides fear
  - Often explains minor, last minute disputes

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## References

- For professionals:
  - Emery, R.E. (1994). *Renegotiating Family relationships: Divorce, child custody, and mediation*. New York: Guilford.
  - New edition coming!
- For parents:
  - Emery, R.E. (2006). *The truth about children and divorce: Dealing with the emotions so you and your children can thrive*. New York: Plume.

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