

**Center for Divorce
Mediaton Blog**

Wally Marcus

Center for Divorce Mediaton Blog

Volume Three (September 1, 2008 to August 31, 2009)

Wally Marcus

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The Notebook - Questions Couples Should Ask (Or Wish They Had) Before Marrying

August 26, 2009

(http://1.bp.blogspot.com/_jF4ClpjVnxw/SpMcZG4zQdI/AAAAAAAAAARI/1OPrHA1xDpA/s1600-h/notebook.jpg) For many years, we have had a notebook in our waiting room aptly labeled "Waiting Room Reading." It is a collection of articles about mediation, divorce, and us and other material of interest to our clients. I don't sit in the waiting room too often and had not read it lately. I recently read the notebook and discovered the articles again. It is a source of lots of material for our blog which will be under the heading of "The Notebook." Keep watching for them. The first article that caught my eye was an article from the December 17, 2006, New York Times entitled "Questions Couples Should Ask (Or Wish They Had) Before Marrying." The article can be seen at <http://www.nytimes.com/2006/12/17/fashion/weddings/17FIELDBOX.html> but it is not long so I am reprinting the entire article here.

"Relationship experts report that too many couples fail to ask each other critical questions before marrying. Here are a few key ones that couples should consider asking:

- 1) Have we discussed whether or not to have children, and if the answer is yes, who is going to be the primary care giver?
- 2) Do we have a clear idea of each other's financial obligations and goals, and do our ideas about spending and saving mesh?

- 3) Have we discussed our expectations for how the household will be maintained, and are we in agreement on who will manage the chores?
- 4) Have we fully disclosed our health histories, both physical and mental?
- 5) Is my partner affectionate to the degree that I expect?
- 6) Can we comfortably and openly discuss our sexual needs, preferences and fears?
- 7) Will there be a television in the bedroom?
- 8) Do we truly listen to each other and fairly consider one another's ideas and complaints?
- 9) Have we reached a clear understanding of each other's spiritual beliefs and needs, and have we discussed when and how our children will be exposed to religious/moral education?
- 10) Do we like and respect each other's friends?
- 11) Do we value and respect each other's parents, and is either of us concerned about whether the parents will interfere with the relationship?
- 12) What does my family do that annoys you?
- 13) Are there some things that you and I are NOT prepared to give up in the marriage?
- 14) If one of us were to be offered a career opportunity in a location far from the other's family, are we prepared to move?
- 15) Does each of us feel fully confident in the other's commitment to the marriage and believe that the bond can survive whatever challenges we may face?"

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about mediation at <http://www.center-divorce-mediation.com/> WM
8/26/09

Netflix and Marriage

August 19, 2009

(http://1.bp.blogspot.com/_jF4ClpjVnxw/Soxgj7T37CI/AAAAAAAAARA/5s_rTu_3ADc/s1600-h/29netflix1a_190.jpg) I previously did a blog in which I suggested two TV remotes. Now with more and more people using Netflix, the two remote solution does not solve the control issues. What to watch was never solved with two remotes. In an article in the March 29, 2009 issue of the New York Times by Michael Wilson and entitled, "Hey, Who Ordered Gigi?" many of the Netflix problems for couples is discussed. See the entire article at <http://www.nytimes.com/2009/03/29/fashion/29netflix.html>

Wilson says, the shared Netflix queue is the new trench on the front lines of American marriage. He goes on to say, "Men and women from perfectly happy partnerships report their own dysfunctional cohabitation within the confines of the queue. Once upon a time, these sorts of disagreements were sorted out in the aisles of a video store, before a movie was selected. Now, when the conversation begins, it's already too late. 'It comes down to who gets the queue,' said Michelle Newton, 37, a homemaker and mother in Leland, N.C. 'Let's say there's a couple things I want to see," she said. In that case, she will sneak into the queue and move her movie to the top, often dashing the hopes of her husband, Grant, a reactor operator at a power plant, at the last moment. 'My husband had looked at the mail and thought a guy flick was coming in, and it's a chick flick,' Ms. Newton said of a recent dust-up. 'He'll go back through and

move stuff back up the queue. It's who keeps up with the queue, as awful as that sounds.' They recently cut back from a two-disc \$13.99 monthly subscription to the austerity plan of one disc at a time, \$8.99, putting all the more pressure on who wins the battle of the queue.

The solution may be two televisions with earphones. This is a lot easier than my idea of a split screen in movie theaters.

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Tucson Mediates

August 11, 2009

Many mediators are interested in changing the culture of dispute resolution. Some of us have gotten together to promote mediation. One of the first things we did was to set up a web site. It is called <http://www.tucsonmediates.com/>. The web site discusses mediation and list mediators by specialty. We hope it will make people more aware of their dispute resolution options. Check it out and let me know what you think!

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Divorce and Your Health

August 05, 2009

Tara Parker-Pope, recently wrote an interesting column in the August 4, 2009, New York Times entitled "Divorce, It Seems, Can Make You Ill." You can read the entire article at <http://www.nytimes.com/2009/08/04/health/04well.html>

She quotes a study which says, "When your spouse is getting sick and about to die or your marriage is getting bad and about to die, your stress levels go up," said Linda Waite, a sociology professor at the University of Chicago and an author of the study, which appears in the September issue of The Journal of Health and Social Behavior. "You're not sleeping well, your diet gets worse, you can't exercise, you can't see your friends. It's a whole package of awful events."

I have always felt that stress is related to ones health. Certainly, divorce is on of life's more stressful events. Ms. Parker-Pope discusses whether is it better to be divorced or stay in a bad marriage. I have always felt it is better to have a good divorce rather than a bad marriage and stress is bad for children.

Ms. Parker-Pope sees both sides of the issues. She goes on to say, "None of this suggests that spouses should stay in a bad marriage for the sake of health. Marital troubles can lead to physical ones, too...." "I would argue that if you can't fix a marriage you're better off out of it," said Janice Kiecolt-Glaser, an Ohio State scientist who is an author of much of the research. "With a divorce you're disrupting your life, but a long-term acrimonious marriage also is very bad."

Either way, it is always a good idea to manage your stress. I firmly believe there is less stress in mediation than in litigation.

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8/5/09

Dear Abby - Notice of Divorce

July 29, 2009

(http://3.bp.blogspot.com/_jF4ClpjVnxw/SI4C1O-KWeI/AAAAAAAAAQ4/OK7iVe55o6c/s1600-h/dear+abby.jpg) Believe it not I enjoy reading Dear Abby. I read it each morning after Doonesbury. I like the following exchange about divorce:

"Dear Abby: How does one share the news of an impending divorce with friends and family? Due to our financial circumstances and the particularly amicable nature of our breakup, my husband and I still live together and we will probably continue this arrangement for a while, so there aren't a lot of obvious indicators. I hate the thought of the news being passed through the local grapevine as nasty – and potentially untrue – gossip. How do other folks manage it? – Soon-To-Be Divorcee in Louisiana

Dear Soon-To-Be Divorcee: Here's how: by presenting a united front. The first people to hear the news should be your parents. Then inform other family members and friends. The message you need to convey is: "The two of us have agreed to end our marriage. While this may come as a surprise to all of you, our decision is mutual. While we care for each other and intend to remain friends, we no longer want to be husband and wife. If you love us as we know you do, please do not ask for further details because we both would rather not discuss it at this time." If anyone should be insensitive enough to question you further, your response should be unanimous: "We'd rather not talk about it."

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in the green column or at the bottom of this website. Learn more about mediation at <http://www.center-divorce-mediation.com/> WM 7/29/09

Rereading Getting to Yes

July 22, 2009

(http://4.bp.blogspot.com/_jF4ClpjVnxw/S10K13Np93I/AAAAAAAAAQw/NSJXVJZIn9A/s1600-h/getting+to+yes.jpg) When I get a new computer or computer program, I read the manual but it is not always meaningful. If I try it out and then come back to the manual, the manual is more meaningful. I found the experience also helpful with improving my mediation skills. Many years ago when I started mediating, I read "Getting to Yes" by Roger Fisher and William Ury. I recently reread the book and I found it very helpful. In particular I liked their following four basis points of principled negotiations.

People: Separate the people from the problem.

Interests: Focus on interests, not positions.

Options: Generate a variety of possibilities before deciding what to do.

Criteria: Insist that the result be based on some objective standard.

In particular I find focusing on interests no positions as very important. The book uses a variation on one of my favorite examples.

"Yet all too often negotiators end up like the proverbial children who quarreled over an orange. After they finally agreed to divide the orange in half, the first child took one half, ate the fruit, and threw away the peel, while the other threw away the fruit and used the peel from the second half in baking a cake. All too often negotiators "leave money on the table" - they fail to reach agreement when they might have, or the agreement they do reach could have been better

for each side. Too many negotiations end up with half an orange for each side instead of the whole fruit for one and the whole peel for the other. Why?"

If the children had used interest based problem solving, they would have had twice as much of the part of the orange they wanted.

I am going to use more oranges and interest based problem solving in my mediation!

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Mediation is hot, hot, hot

July 16, 2009

It's summer and hot and mediation has suddenly become hot! Just in the month of July, we've all heard about President Arias of Costa Rica mediating the dispute between the old and new Presidents of Honduras,

(<http://www.nytimes.com/2009/07/08/world/americas/08honduras.html>) we've heard Tom Friedman, the New York Times op-ed columnist call for the various ethnic groups in Iraq meet immediately with a mediator to reach decisions on allocating oil wealth, (<http://www.nytimes.com/2009/07/15/opinion/15friedman.html>) and even the editorial board of the newspaper in our home town, little ole Tucson, AZ, has encouraged the City Council and a developer with whom a downtown development deal had been reached and then not reached, to sit down immediately with a mediator. (See editorial on page 16 of the July 7, 2009, issue of the Arizona Dailey Star.

http://nl.newsbank.com/nl-search/we/Archives?p_action=doc&p_docid=1295D1ACC4C30650&p_docnum=1&p_theme=gannett&s_site=azstarnet&p_product=ADSB)

Wow! Mediation has become the buzz word of this summer. Finally, the media is telling the public what mediators have been saying for years-mediation is quick, confidential, and inexpensive when performed by an experienced mediation professional. Mediators know that parties need to tell their stories, not just state their positions. Experienced mediators know how to move the mediation

forward from telling stories to cooperative problem-solving.

So, Jon and Kate of Jon & Kate Plus 8 fame, be cool this summer and find a mediator who can mediate your divorce. There are lots of great mediators in Pennsylvania where you live, who can get you and your kids through this difficult time with sensitivity, confidentiality, and knowledge of the legal, financial, and psychological issues associated with divorce. That the cost of mediation is so much lower than litigation is added value.

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MGM 7/15/09

Honeydew or Honeydo?

July 02, 2009

(http://3.bp.blogspot.com/_jF4ClpjVnxw/Sja2lXgt2TI/AAAAAAAAAQg/_bg_fQY0n9U/s1600-h/honeydew.jpg) At a recent Red Cross Bloodmobile, I was chatting with another donor. (I finally got my four gallon pin after being differed for visiting Mexico! It was her first time.) We were kidding that I would not be able to do any chores at home the rest of the day. She asked me what chores I had. When I told her, she said they were on my honeydo list. I thought she was talking about honeydew melons but she explained to me what a honeydo list was. As usual, I googled honeydo and found the following at <http://everything2.com/title/honeydo%2520list>:

"Almost any man (and some women) who has been married or involved in some type of long-term cohabitating relationship has had experience with one of these. A honeydo list is that list of things that your significant other (usually wife/girlfriend) has put together for you to do. The name obviously comes from "honey, do this...honey, do that..." etc. Oftentimes the author of the list will make one of these when said author is going to be out and about and leaving the significant other at home. "Do this while I'm gone, please."

Things that might potentially appear on a honeydo list:

Take out the garbage

Fix that loose doorknob (could potentially be any doorknob in and around the house)

Do some laundry

Fix that broken drawer
Rake the leaves
Shovel the snow off the driveway
Feed the pet dog/cat/fish/bird/hampster/python/tarantula/Richard Simmons
Mow the lawn
Tape that soap opera I watch, pause through commercials if you can
Do some dishes
Clean out all the ashtrays
Get rid of rancid leftovers in the fridge
Water the flowers
Return those DVDs/Videos (they're lying about that whole end of late fees thing!)

Fix the loose board on the floor in the den
Unclog the garbage disposal
Go get some milk, we're out
Pick up some bread, too, the low carb stuff please
Pick your dirty clothes off of the bedroom floor
Pick up the dry cleaning
Bury that body, it's starting to smell
Clean out and organize the junk drawer"

So what does this have to do with divorce or mediation? Think about the following: Do you appreciate tasks your significant other does on the honeydo list? Who will do these tasks if you are divorced?

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British Divorce and Bad Financial Guesses

June 25, 2009

(http://3.bp.blogspot.com/_jF4ClpjVnxw/SiFumYzKxil/AAAAAAAAAQI/V_cQcQ6bGUg/s1600-h/tooth.jpg)

It was interesting to read an article in the May 26, 2009 New York Times by Landon Thomas, Jr. entitled, "For Wealthy British Husbands, 'Mr. Tooth Calling' Brings a Chill." Divorce attorneys seem very much the same on both sides of the Atlantic or as they say the "Pond" as well as anywhere in the United States See the entire article at

www.nytimes.com/2009/05/26/business/global/26divorce.html What I found most interesting in the article was the discussion of one of his cases where the former husband tried to abrogate the divorce settlement because he called the market wrong. This is happening everywhere with the Madoff problems and the fall of housing prices. In a divorce it may now be better to edge your bets and share the potential upside and downside.

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Divorce Rate and the Economy

June 18, 2009

(http://4.bp.blogspot.com/_jF4ClpjVnxw/SiFsgn5OAqI/AAAAAAAAAQA/XbOqyd0dUdA/s1600-h/cherlin.jpg)

Andrew J. Cherlin, author of "The Marriage-Go-Round: The State of Marriage and the Family in America Today," wrote an excellent OpEd piece entitled "Married with Bankruptcy" in the May 29, 2009 New York Times. You can see the entire essay at <http://www.nytimes.com/2009/05/29/opinion/29cherlin.html>. Cherlin says that "in times of economic crisis, Americans turn to their families for support. If the Great Depression is any guide, we may see a drop in our sky-high divorce rate. But this won't necessarily represent an increase in happy marriages, nor is the trend likely to last. In the long run, the Depression weakened American families, and the current crisis will probably do the same." He goes on to say that "But history suggests that this response will be temporary. By 1940 the divorce rate was higher than before the Depression, as if a pent-up demand was finally being satisfied. The Depression destroyed the inner life of many married couples, but it was years before they could afford to file for divorce. Today's economic slump could well generate a similar backlog of couples whose relationships have been irreparably ruined. So it is only when the economy is healthy again that we will begin to see just how many fractured families have been created."

Many divorce professional are struggling. If Cherlin is right, this is

only temporary. We must prepare for the pent up demand and the flood of cases that will come.

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