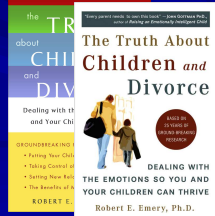


## Divorcing Emotions: Children's Pain, Parents' Grief, and the Results of a Randomized Trial Mediation or Litigation 12 Years Later

Robert E. Emery  
University of Virginia

ree@virginia.edu  
Emeryondivorce.com

A publisher's title.  
The real title is:  
*When Parents Part*



## The Controversy

- Children of divorce are doomed
- Children of divorce are resilient
- Is this really an either/or question?

## The Forest

- Divorce causes stress – conflict, grief, troubled relationships, uncertainty, financial problems
- Divorce increases risk for psychological problems
  - Risk is real: My twin studies (D'Onofrio et al., (2006) J of Abnormal Psych; Developmental Psych.)
- Still, most children from divorced families are resilient
- How parents parent *after* divorce promotes resilience – or increases risk
  - The goal: Divorced parents need to be parents, so kids can be kids (not “children of divorce”)

## The Trees

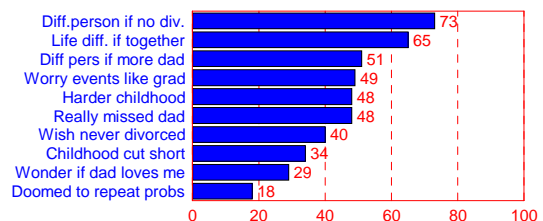
- Resilient students crying in my office
- My daughter, Maggie's, love of literature
- My student, Lisa Laumann-Billings, sensitivity
- What researchers don't measure but parents worry about: Pain

## The Pain Research

- 99 UVA students whose parents divorced; no psychological problems
- 94 students whose parents remained married
- 53 community adolescents whose parents divorced 12 years earlier
- A standardized measure of pain

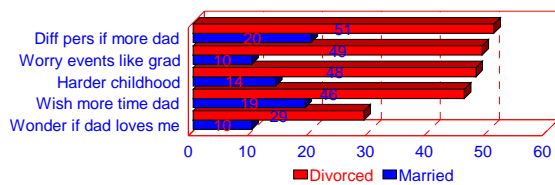
## Some of Young Adult's Painful Beliefs About Divorce

Percentage of 100 well-adjusted college students who agreed or strongly agreed



Billings and Emery, 2000

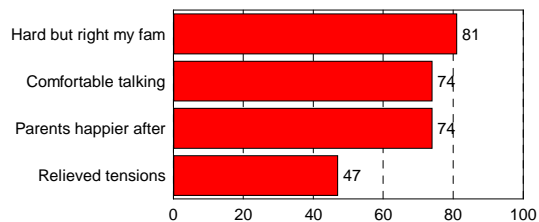
## Painful Beliefs About Childhood: Divorced versus Married



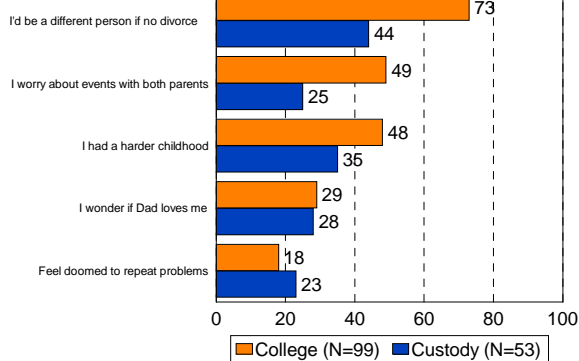
Percent agree or strongly agree; based on Billings and Emery, 2000;

## Painful Beliefs About Divorce: Acceptance

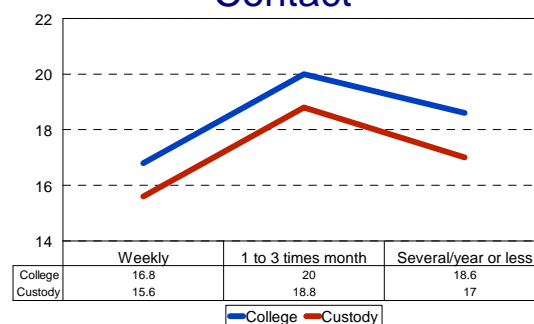
Percentage of 100 well-adjusted college students who agreed or strongly agreed



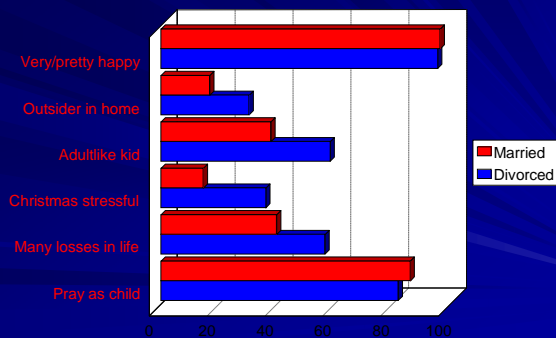
Billings and Emery, 1997



## Mean Loss Scores by Father Contact



## Marquardt (2005): Selected Items



## The Take Home Message

- Pain is not pathology
- Grief is not a mental disorder
- But pain is a part of divorce, even for resilient children
- We want to recognize both the forest and the trees

## Costs of Divorce Conflict

- Not subtle...



July 12, 2006. Dr. Nicholas Bartha, 66, blows up Manhattan townhouse after sending ex-wife email:

“You will be transformed from a gold digger into an ash and rubble digger.”

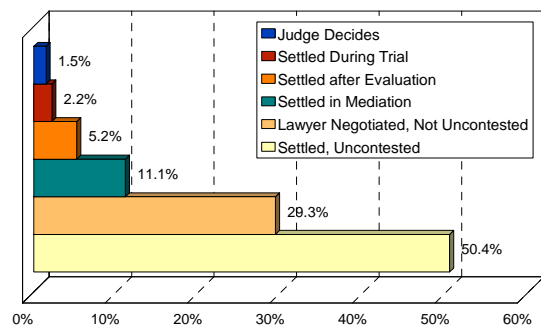
## Benefits of Cooperation

- Many ways to encourage parents to work together as parents

## Hierarchy of Interventions in Divorce

- Negotiating at kitchen table (pro se divorce)
- Divorce education
- Mediation
- Collaborative law
- Adversary attorney negotiations
- Psychological evaluation, med/arb (arbitration)
- Judicial decision making
- Parent coordinators (med/arb; limited coordinator decision-making authority)

## Final Settlement Methods for 933 Custody and Visitation Issues



Based on Maccoby and Mnookin 1992

## Mediation

- My focus and expertise
  - Aside: Calling it mediation doesn't make it so
  - Much variation in mediation quality
- In all cases, mediation is hard work
- What happens to angry families after they leave mediator's office – and years later?
- We hope we've planted a seed. Have we

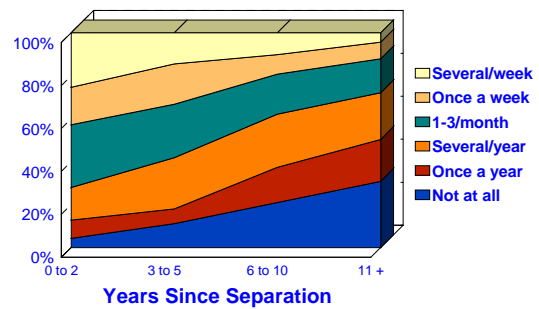
## The Mediation Study

- High conflict families – filing for contested custody hearing
- Random assignment (the magic of science) to mediation or adversary settlement
- Young, low income sample
- Longitudinal study – 12 years
- Short-term (5 hr average) problem-focused but emotionally-informed mediation

## Grief: The Central Emotion

- Losses in divorce: Your marriage, maybe your children, your home, your savings, your friends, your role, your hopes and dreams
- Grief is a normal and healthy reaction to loss
- How do most people handle the hurt and pain of lost love?

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

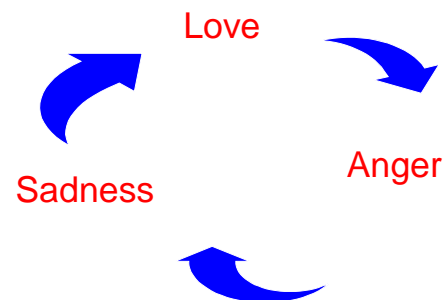


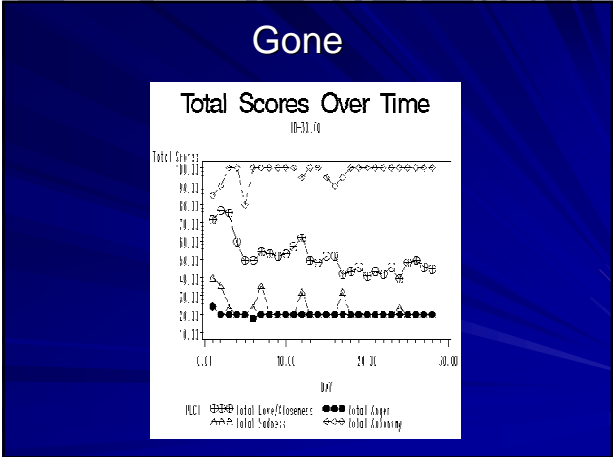
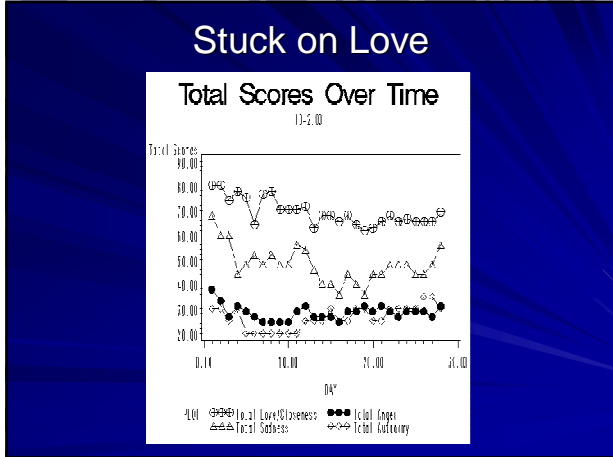
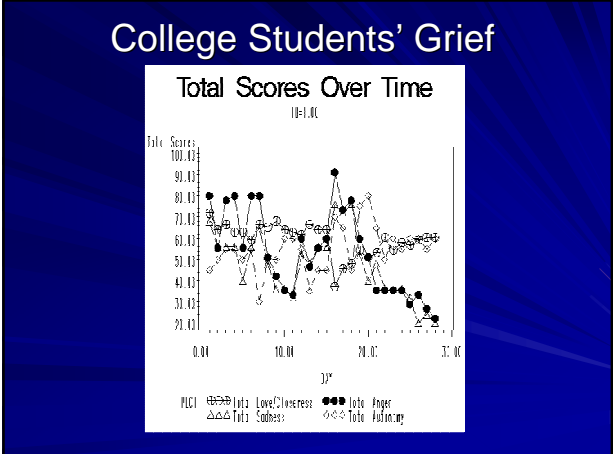
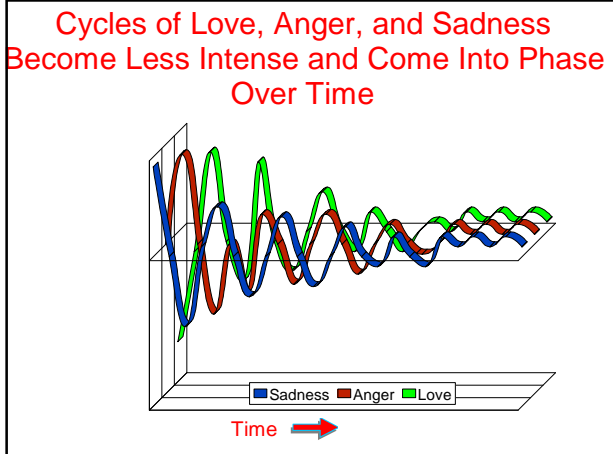
Based on Seltzer, 1991

## Problems with Grieving Divorce

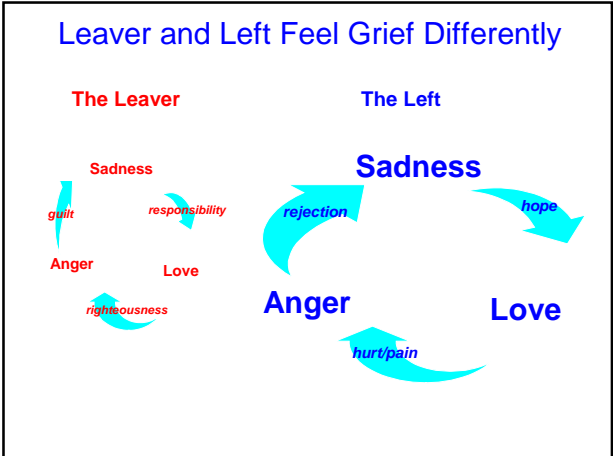
- Unrecognized grief
- No one to grieve with: Your ex? Ha, ha. Your children. Hopefully not.
- Lose support of friends and families instead of garnering it (as happens following death)
- And the big issue: An uncertain loss, a potentially reconcilable one
- This makes grief different.
  - Kubler-Ross, Bowlby stages: Denial, anger, bargaining, depression, acceptance
  - Emery cycles: Love, anger, sadness

## A Theory of Grieving in Cycles Not Stages

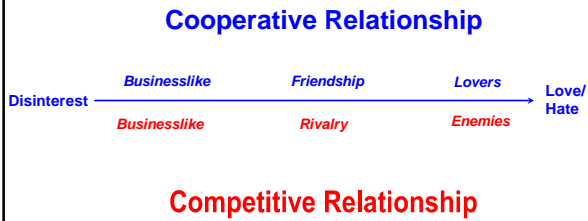




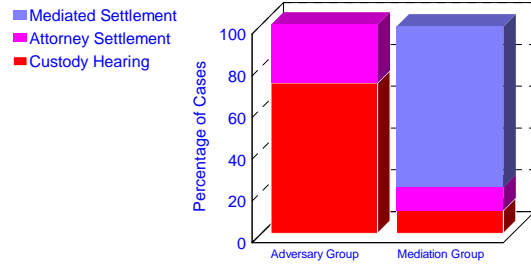
- ### Grieving Alone
- Why doesn't he/she understand?
  - How can she be so irrational?
  - How can he be so cold?
  - Different losses. His marriage died after a long chronic illness. Her marriage was in a train wreck – and is still alive in the ER.



## A Continuum of Relationships: Disengaging from Your Ex

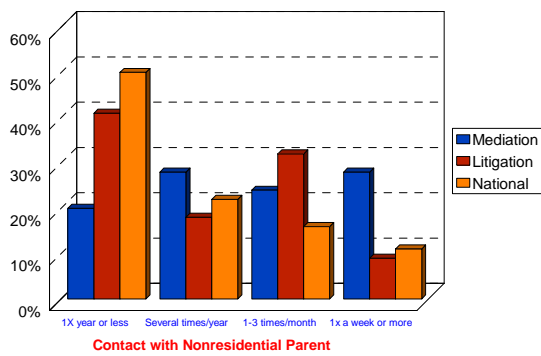


## Case Settlement Following Random Assignment

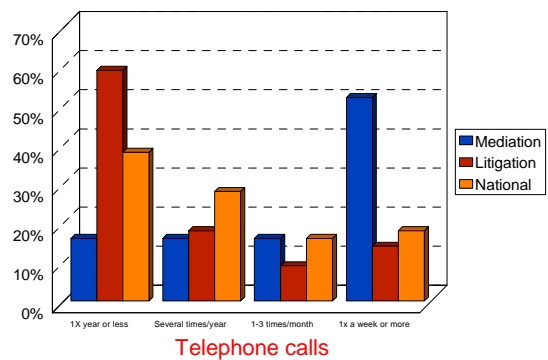


N=36 for adversary group and N=35 for mediation group

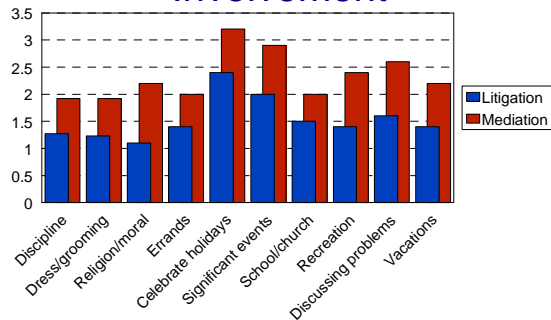
## 12 Year Follow-Up: Outcomes of Mediation and Litigation



## 12 Year Follow-Up: Outcomes of Mediation and Litigation



## Nonresidential Parent-Child Involvement



Based on residential parent report

## Why Did So Little Mean So Much?

- Timing is everything; this is the time
- The right path; not so much that mediation is not "good" as the alternative is... disruptive

## Why Did So Little Mean So Much?

Not the decisions reached (they were the same) but the process.

- Recognizing grief and how it causes anger (see Grief Study; workshop; The Truth about Children and Divorce)
- Parents having a voice
- Learning about children's needs and co-parenting
- Taking the long view of childrearing and their relationship
- Parents working together as parents

## Why Did So Little Mean So Much?

- Commitment and enthusiasm for mediation
- We constantly need to renew and remind ourselves of the importance of what we do, because this makes us better mediators (or better lawyers, social workers, psychologists, judges)

## Remember: Mediation is Emotionally Wrong

- The usual way to end a relationship is to... end it
- Mediation asks parents to do something different – for the children's sake
- Anger serves many functions following a loss (e.g., covering up hurt, grief, fear)
- The message of mediation makes separation emotionally harder (more ambivalence, more pain)
- But it is the right thing and it does work!

## For More Information

- Emery (1994), *Renegotiating Family Relationships*. New York: Guilford.
- Emery (1999), *Marriage, Divorce, and Children's Adjustment* (2E). Thousand Oaks, CA: Sage.
- Emery (2004), *The Truth about Children and Divorce: Dealing with the Emotions, So You and Your Children Can Thrive*. New York: Viking.
- Laumann-Billings & Emery, (2000) *Journal of Family Psychology*. Pain study.
- Emery et al. (2001). *Journal of Consulting & Clinical*. Mediation study.
- Sbarra & Emery (2006). *Personal Relationships*. Grief study.
- D'Onofrio, B., Turkheimer, E., Emery, R., Slutske, W., Heath, A., Madden, P., & Martin, N. (2005). *Journal of Abnormal Psychology*. Twin study.
- D'Onofrio, B., Turkheimer, E., Emery, R., Slutske, W., Heath, A., Madden, P., & Martin, N. (2006). *Developmental Psychology*. Twin Study.