

CHILDREN AND
DIVORCE
GUIDE

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A Peaceful Divorce by Design



Neil James Dan Johnson Martha Smith Chris English

Your divorce settlement is important. And how you get there matters a lot.

Our Collaborative Divorce service makes a difference

When Dan Johnson began practicing family law in the early 1990s, he knew there had to be a better way to help clients than taking their cases to court. "Divorce litigation cost a lot of money and dragged cases on for months," he recalls. But he soon learned about Collaborative Divorce — an alternative method of dispute resolution outside the adversarial system. Johnson and his partner, Martha Smith, are both seasoned collaborative attorneys who are trained to resolve divorce cases using this process. With their Collaborative Divorce service, you can get through your divorce with less stress, expense and conflict.

A high rate of out-of-court settlement

Today, the law firm of Johnson & Smith has a stellar reputation in Los Angeles County for resolving the vast majority of its cases through collaborative family law. "In Collaborative Divorce, you and your spouse retain your own separate attorneys who will work together with settlement as the only goal," Smith explains. "The best part is: both attorneys sign an agreement stating that they will resign should the process break down and you want to litigate. So everyone is committed to finding a non-adversarial solution."

Serving you with top-rated legal skills

Johnson and Smith are highly respected by not only clients but also other divorce lawyers and judges. Johnson is a Fellow of the American Academy of Matrimonial Lawyers and has an AV

rating in *Martindale-Hubbell*. Smith is a past-president of the California Bar Association, is listed in *Best Lawyers in America*, and has been profiled in *Newsweek* and *The Los Angeles Times*. Both have represented numerous celebrities in their divorces.

Financial and child custody expertise

"I also have training in asset valuation," Johnson adds, "which is extremely valuable if your divorce involves significant property issues. And if your case warrants it, we will bring in a financial advisor. Furthermore, Martha has experience as a child advocate, so we cover different aspects of your divorce."

"Come to us for peaceful divorce resolutions," says Smith. "We can help you design a divorce settlement agreement that is best for the future of you and your family."

Contact us today to book a free initial consultation and start designing your peaceful divorce.

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How do I tell the kids? Will they blame me? How can I protect them from the conflict? Will they be afraid to get married? How do I bring structure back into my family life?

These are just some of the many far-reaching questions that parents struggle with during and after divorce. This special **Children and Divorce Guide** provides you with hand-picked articles, book excerpts, advice and more. You'll find answers and insights to help you make wise decisions that are in the best interests of your children, and your family's future.



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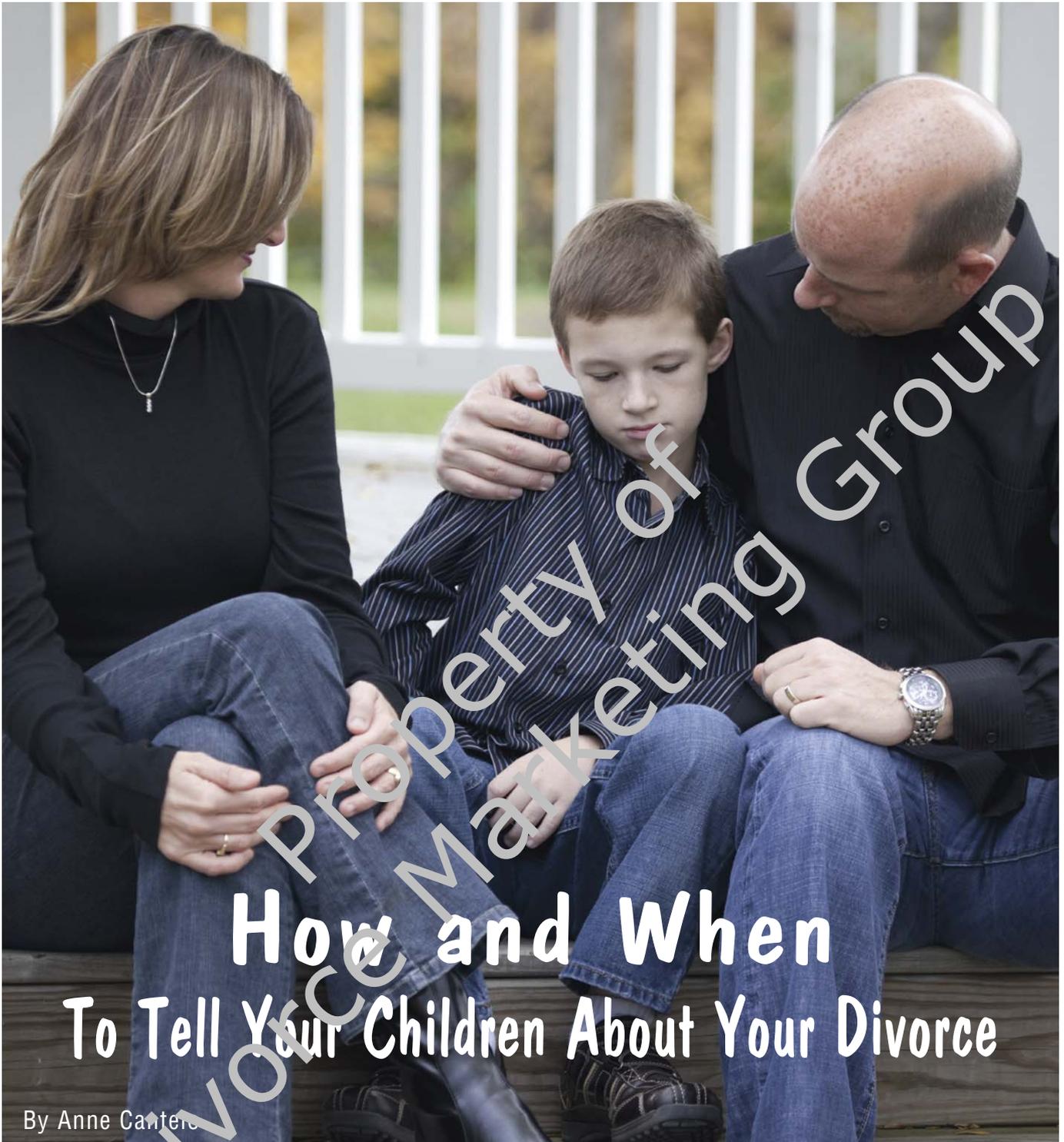
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How and When To Tell Your Children About Your Divorce

By Anne Canters

It's no easy task for parents to break the news of their divorce to the children. Here are some dos and don'ts that will help.

Your children will probably remember the moment you tell them that you're separating for the rest of their lives. It's therefore something that needs careful thought and preparation; you don't want them to find out from someone else, or worse, in the heat of an argument, e.g., 'Your father doesn't want us anymore.' Your children will try very hard to find out why. It's unlikely, particularly if they're very young, that they'll have had any idea that this is going to happen, even if you've been arguing a lot or more one of you has been violent towards the other. So be prepared for their shock.

The don'ts:

- Don't approach your children until you're absolutely sure that this is the end; it's not something you want them worrying about unnecessarily
- Don't assume that because your children are older that they'll not be as deeply affected (the reverse is usually true)
- Don't use the opportunity to get your side of the argument across to your children or paint your spouse as the villain (even if you think they are)
- Don't use your children to argue the case for keeping the family together. It's a terrible burden to put on them, sets unrealistic expectations that they can 'save their lives' and is emotional blackmail against your spouse. And do you really want to be married to someone who's only with you because your children begged them?
- Don't do it in a public setting or in front of other relatives or friends. This is a private moment; your children will probably be distressed and no one likes breaking down in front of other people
- Don't try and defend your actions or get into an argument about it
- Don't expect to be asked questions straightaway, they may need time to take it in
- Don't leave it to your spouse to handle alone; your children may want to speak to you too
- Don't avoid telling them and just disappear one day; you need to let them get used to the idea before one of you leaves the home
- Don't assume they're going to be devastated and encourage that emotion; be prepared for it but also accept that children react in different ways and some may actually be relieved, particularly if you've been fighting a lot

Some of these may sound obvious but they're all based on real-life accounts. If you have more than one child make sure they all find out from you and not from each other or from listening at doors. This will give them a

Children want to look back and think that they were part of a happy family. Don't take that away from them.

distorted idea of what's going to happen, and because you've not discussed it openly they're likely to feel less able to tell you their worries and concerns.

I find it alarmingly common for one or both parents to tell their children that they've always been unhappy in the marriage. If you tell your children that, it makes them question their whole childhood up to that point and their part in your unhappiness. You're effectively telling them that all those times that they felt they were in a happy family were all lies. Children find that very difficult to deal with and they'll be very suspicious of happiness in the future. They might also feel guilty if they think you only stayed together for their sake. Children want to look back and think that they were part of a happy family. Don't take that away from them.

The dos:

- Try to speak to each child on his or her own and get out of earshot of the other. This should be one-to-one or two-to-one (with both parents there) if possible so that they feel free to ask questions and have your complete attention
- Be loving and affectionate; recognize and accept their pain (but don't anticipate or encourage it if it's not there)
- Reassure them of your love and of the love of your spouse for them (if he or she isn't with you)
- Reassure them that you'll both be in their lives
- Promise them that you will be friendly with your spouse
- Be prepared to answer their questions, and also for their refusal to talk about the divorce
- Be ready to come back to the subject when they're ready

- Make what you say age appropriate
Be there for them: choose a time when you don't have to rush off to do something else
- Let them be by themselves if they want: some children will want to grieve in private before they're ready to talk to you
- Be as honest as you can be with them. It's good to let them know you're upset but try to cut out the bitterness you feel ■

This article has been edited and excerpted from the book It's No Big Deal Really, with permission by Anne Cantelo, copyright © 2007. It's No Big Deal Really is a parent's guide to making divorce easy for children, and is recommended by the NSPCC. Her book can be purchased on amazon.com.

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