

1.

Introduction and Overview

Divorce is such a gut-wrenching experience, and there isn't anyone I know that hasn't come through it with their whole world just turned upside down.

—“Janet,” a divorced, single mom

Overview: In this chapter you will learn about the general purpose of this guidebook. It is designed to be a resource to individuals at the crossroads of divorce, that is, for individuals who are thinking about divorce or whose spouse is thinking about divorce. You will learn about the requirement in Utah for divorcing parents to participate in a divorce orientation education class intended to help individuals at the crossroads of divorce understand the effects of divorce, and to carefully consider their options, including repairing their relationship and keeping their family together. You will also learn why the Utah Legislature thought this class would be valuable, including information about the number of divorces in Utah, the estimated costs to the taxpayers of divorce, and a brief summary of the effects of divorce on children and adults.

James and Shelly (names have been changed) were considering divorce. They have three children. As with many couples who divorce, they had a big fight. Shelly wanted to divorce, but James wanted to save the marriage. Shelly had a long list of issues that the couple needed to work on. She had rarely been open about her disappointment in their marriage, but there had been a few frank conversations over the years. After the big fight, Shelly took the children an hour away from her home to her mother's house. Shelly wanted to think carefully about her options as she decided how to proceed.

Hilary and Sam had come to a crossroads in their marriage. Hilary was an alcoholic. Sam decided he was ready to move on and divorce. Hilary wanted to work through the marital issues. She promised that this time, she would get her addiction in check. This

was a second marriage for both of them and they each had children from their previous marriages, as well as children in the current marriage.

Felicia and Rolando were also at the crossroads of divorce. Felicia had yelled about an issue regarding their children. Rolando had stayed calm, but Felicia was heartbroken and refused to talk about the problem. The couple separated abruptly and Felicia took the children with her. They needed to decide if this separation was going to become a permanent fixture in their lives.

This guidebook is a way to help couples like Sam and Hilary, James and Shelly, and Felicia and Rolando make important choices that come when a couple is deciding between working through marital problems or divorcing.

A. What is the purpose of this guidebook?

This guidebook is designed to be a resource to individuals who may be thinking about getting a divorce or whose spouse is thinking about divorce. These individuals are at the “crossroads of divorce,” facing a challenging decision that has powerful consequences for the future of their own lives, the lives of family members, and their communities. This guidebook contains research-based information about important questions that individuals at the crossroads of divorce often have, such as:

- ❖ Can my marriage be repaired and can we be happy again?
- ❖ Is divorce a dependable path to happiness?
- ❖ What are the effects of divorce on children, adults, and the communities they live in?
- ❖ What can I expect will happen during the legal process of getting a divorce?
- ❖ What are the legal options for ending a marriage?

We try to answer these kinds of questions and many more in this guidebook.

We know that these are sensitive and difficult questions to answer. Circumstances are different for everyone. We believe there are valid reasons for a divorce. And many individuals going through divorce want to keep working to save the marriage but their partners do not. The law allows one partner to end a marriage without the consent of his or her spouse. We try in this guidebook to be sensitive to different situations. It is not our intention to make judgments about what individuals should or should not do in difficult, personal circumstances.

At the same time, we try to present the scientific research on marriage and divorce accurately and fairly. And the research is clear that, in general, the process of family breakup marked by divorce has potential problems for children, adults, and the communities they live in. In some instances, divorce actually improves the lives of

those involved, but for the most part, researchers have found that divorce generally has negative effects. Also, research suggests that some—maybe even many—individuals at the crossroads of divorce may be able to repair their marriages and avoid those potential negative consequences. A lot of good research identifies the knowledge and skills that individuals need to form and sustain a healthy and happy marriage. And there are good resources available to help those who want to work to keep trying to improve their relationship. If you decide to divorce, there are legal options to consider that may be better for you and your children. This guidebook can give you solid information that will help you make good choices in your individual circumstances.

In 2007, the Utah Legislature passed a first-of-its-kind law to require individuals who file for a separation or divorce and who have children under 18 years old to participate in a divorce orientation education class. The purpose of the class is to help individuals considering a divorce to think carefully about their options, including repairing problems in the marriage and keeping a family together, and to inform individuals of the potential consequences of divorce. The class also informs people of their legal options for divorce. This guidebook can be an additional resource for individuals who take the divorce orientation education class.

We hope this *Crossroads of Divorce* guidebook can be useful to people in other circumstances, as well. For instance, individuals who may not be thinking too seriously about divorce but are experiencing the struggles and disappointments that almost all married couples face could be motivated to work to improve their relationship to avoid the challenges of divorce. Some may be thinking more seriously about divorce but haven't taken any formal steps in that direction. This guidebook can be a valuable source of information for those individuals, too. Sometimes family members and friends who are watching loved ones struggling with their marriages want valid information, like the information in this guidebook, to share with loved ones. In addition, perhaps the information in this guidebook can help those who have already experienced a divorce understand some of the challenges they have faced and better prepare for future relationships. Marriage counselors, religious leaders, and mediators who are working with couples facing a possible divorce may want to use or recommend this guidebook. And because most people think that divorce is a serious problem in our society, this guidebook has general educational value; it is not limited just to those who are currently going through a divorce.

Research suggests that some—maybe even many—individuals at the crossroads of divorce may be able to repair their marriages and avoid potential negative consequences.

Using This Guidebook. There is a lot of information in this guidebook. You may be more interested in some parts and less interested in others. We don't assume you will read the entire guidebook, so there may be some repetition of information in the various chapters. Select the parts that are most helpful to you. You may want to look over the table of contents to see which parts might be most helpful. Brief overviews are at the beginning of each chapter. In addition to all the research that is presented, sprinkled throughout the guidebook are stories and quotations from real people we have interviewed in Utah and a handful of other states who have been at the crossroads of divorce, telling how they handled their challenges, what they decided to do, and how things have worked out for them. Stories like these put a more human face on the difficult topic of repairing a marriage or getting a divorce than you get from all the research findings we present. (We have changed the names of these individuals to preserve their privacy.)

Also, at the end of each chapter, there are some exercises or self-guided activities so that you can evaluate your own situation and think about your best course of action. These

The exercises provided in this book may help you think more clearly about your decision to divorce or not to divorce.

exercises are one of the most valuable parts of the guidebook. Sometimes at the crossroads of divorce people can be caught up in emotions it can be difficult to sort out your thoughts and feelings. Moreover, they often lack helpful information about marriage and divorce. In these situations, people often make decisions that satisfy them for the short run but may not be an optimal decision for the long run. If you take the time to do these exercises, they may help you think more clearly about your decision. We encourage you to do Exercise 1.1, "Plan Your Use of This Guidebook," at the end

of this chapter. It will help you get an overview of the guidebook and encourage you to plan your use of it.

Many students, research assistants, and colleagues provided us with help and guidance while writing this guidebook. We are grateful to them for their help and contributions. In addition, members of the Utah Commission on Marriage that oversees the Utah Healthy Marriage Initiative reviewed this guidebook and made suggestions. They endorsed this guidebook. But we, as the authors, take responsibility for the content.

B. Why is a divorce orientation education class needed?

When the Utah Legislature passed the divorce orientation education legislation, they wanted to encourage Utahns thinking about a divorce to consider their options carefully. After careful consideration, if some marriages can be repaired and families remain intact, then everyone probably is better off. If individuals choose a divorce, then it is important for them to be well informed of what to expect and what legal options are available.

The Utah Legislature is concerned with the number of divorces in Utah and the economic, social, and personal costs involved. There are about 10,000 divorces a year in Utah,¹ and a little more than half (52%) of these divorces involve children.² About one in five (18%) Utahns have ever been divorced.³ Furthermore, nearly one in three (29%) married Utahns report that they thought their marriage had, at some point, been in serious trouble and had thought about divorce.⁴ More than 90% of Utahns think that divorce is a serious problem in our society.⁵ In addition to the personal costs of divorce to families, a recent study from Utah State University estimated the financial costs of Utah divorces to Utah taxpayers to be more than \$180 million a year, or about \$18,000 per divorce.⁶ A lot of these costs come from the fact that divorce is one of the most common ways that adults and children fall into poverty and thus receive some government assistance.⁷ Another, more rigorous national study conservatively estimated the cost nationwide of family fragmentation—divorce or having children without marrying—to be \$112 billion a year, and the cost to Utah taxpayers was estimated to be about \$276 million a year.⁸

For these reasons, the Utah Legislature has required that divorcing parents, before proceeding with a divorce, be given information that may help them decide if a divorce is the right thing for them, give them resources for how to improve their relationship, or help them be better prepared for the challenges of a divorce. A recent survey of 2,000 California adults showed that more than 80% agreed that when a married couple with children is considering a divorce, they should be required to attend some kind of marriage education class or counseling before the divorce is granted.⁹ We suspect that Utahns' attitudes are similar. Indeed, one Utah divorced single parent—"Brittany"—shared with us her strong personal feelings about this idea:

What would I share with those who are approaching the decision of divorce? Explore every single avenue possible. . . . I think that it should be required that they go to a full-day, 8-hour course on "this is what happens [with divorce], this is how many days you get [with your kids], these are the holidays you get, this is how many days a year you get to see them. This is how this works." . . . I truly think that people start the process [of divorce] but they don't know what the ramifications are, but once they find out what the ramifications are, they are in it so far, that they don't want to go backwards. So if they knew up front how it was going to work, and what would happen to the kids, and the cost, I think people would be more apt to try harder. I think it should be required that they go to a course before they even file [for divorce].

We believe that you and your children deserve nothing less than careful consideration of whether divorce is the right thing to do and to make that decision based on the best information possible. We encourage you to take the time to review the information and do the exercises in this guidebook. Whatever your decision, we wish you and your family the best.

Like James and Shelly, in the example at the beginning of the chapter, you may decide that counseling will help you make a more sound decision. James attended

counseling on his own to help him work through some personal issues that had contributed to his marital problems. James and Shelly ultimately decided to stay together and over time rebuilt a happy marriage. Or, like Hilary and Sam, you may decide to divorce and carefully consider your options of how best to proceed. Hilary and Sam used the divorce mediation process to amicably resolve all of the issues in their divorce. They continued to work well together as co-parents for the sake of their children. We hope you won't be like Felicia and Rolando, whose emotions drove them almost unthinkingly toward divorce, blocking any communication with each other and preventing any attempt to salvage civility in the relationship even though they will be co-parents to their children for the rest of their lives. They fought an expensive battle in court and the litigation over the children continued as each of them remarried.

If parents decide to divorce, the Utah Legislature requires them to take another brief course to help them make plans to minimize the negative effects of divorce on their children. The course to help divorcing parents minimize the negative effects of divorce is different from (and in addition to) the required divorce orientation education class that is designed to help individuals at the crossroads of divorce carefully consider their options.

Exercise for Chapter 1

1.1: Plan Your Use of this Guidebook.

Often it is a good idea to start an activity with a goal and a plan. We invite you to do that for this guidebook. First, we suggest you look over the Contents on pages 3-4 to get a better idea of the specific topics included in the guidebook. The various chapters and sections of each chapter are titled with a question that people at the crossroads of divorce often have. Next, you may want to skim the overview at the beginning of each chapter you have noticed to see if it is something you are interested in. Then think about how valuable the information in the chapter will be to you. If you believe it will be valuable, make a plan to go over the material and complete some of the activities.

Using the guidelines below, for each chapter indicate how important you think the information will be to you (circle the number for your answer). Then, indicate when you would like to have read the material and completed some or all the activities. Please consider carefully; make this a contract with yourself to help you think clearly at this challenging crossroad in your life.

Then, after doing this, pause for a moment and think about your overall goal for this guidebook. Perhaps you seriously want to think about working more on your relationship and avoiding divorce, so your goal may be to find ways to do this. Perhaps you don't have much choice—the divorce is being forced on you—so maybe your goal is to better understand what might have gone wrong in your marriage and learn what you can do better the next time. Whatever your goal might be, write it down.

| Chapter 2: Can unhappy marriages become happy again? How? | | | | |
|--|--------------------|-------------------------|-----------------------|---------------------|
| How important do you think this chapter will be to you? | 1 Not Important | 2 Somewhat Important | 3 Pretty Important | 4 Very Important |
| When will you read it and work on the activities? | | | Finish date goal: | |
| Chapter 3: How common is divorce and what are the reasons? | | | | |
| How important do you think this chapter will be to you? | 1 Not Important | 2 Somewhat Important | 3 Pretty Important | 4 Very Important |
| When will you read it and work on the activities? | | | Finish date goal: | |
| Chapter 4: Does divorce help adults become happier? | | | | |
| How important do you think this chapter will be to you? | 1 Not Important | 2 Somewhat Important | 3 Pretty Important | 4 Very Important |
| When will you read it and work on the activities? | | | Finish date goal: | |
| Chapter 5: What are the possible consequences of divorce for children? | | | | |
| How important do you think this chapter will be to you? | 1 Not Important | 2 Somewhat Important | 3 Pretty Important | 4 Very Important |
| When will you read it and work on the activities? | | | Finish date goal: | |
| Chapter 6: What are the possible consequences of divorce for adults? | | | | |
| How important do you think this chapter will be to you? | 1 Not Important | 2 Somewhat Important | 3 Pretty Important | 4 Very Important |
| When will you read it and work on the activities? | | | Finish date goal: | |
| Chapter 7: What are the financial consequences of divorce? | | | | |
| How important do you think this chapter will be to you? | 1 Not Important | 2 Somewhat Important | 3 Pretty Important | 4 Very Important |
| When will you read it and work on the activities? | | | Finish date goal: | |

| Chapter 8: What are the legal options for divorce? What should I expect during the divorce process? | | | | |
|---|-----------------------|----------------------------|--------------------------|------------------------|
| How important do you think this chapter will be to you? | 1 Not Important | 2 Somewhat Important | 3 Pretty Important | 4 Very Important |
| When will you read it and work on the activities? | | | Finish date goal: | |

Now write down your overall goal for your use of this guidebook:
