

Advice from family law attorney Beth Silverman to divorcing parents:

As a practicing family law attorney for 30 years I have had the great pleasure of working with some divorcing couples who have worked tirelessly to forge a strong and successful co-parenting relationship. These parents focus less on their own needs and much more on the needs of their children.

The most challenging part of my job is working on a case where one or often both parents appear incapable of focusing on the best interest of their children. The reasons for this are numerous. In some situations, there has been such a great betrayal of trust or the need for punishment is so consuming, that they lose all perspective. No matter what advice is given, they are incapable or unwilling to consider any other perspective than their singular focus on hurting the other parent. Interestingly, these parents can't for a single minute recognize how harmful their actions are.

My best advice to parents who are divorcing:

1. Give the other parent the benefit of the doubt, at least initially. When your daughter returns home, saying Mom didn't feed her dinner, do not call your ex-wife to scream at her for her lack of responsibility. Instead, give her the benefit of the doubt. Perhaps she did feed your daughter, but it was a few hours earlier. Or maybe this was an extraordinarily trying day where dinner had to be sacrificed. If you feel this information from your daughter merits an inquiry, start your call or text with: "I am just checking in. Were you able to give dinner tonight to Elise or should I feed her?"

2. Cooperation is contagious. If your ex-spouse asks to alter the parenting schedule for something that is important to him, agree to it, no questions asked. Chances are high that he will repay the favor when you need one.

3. The most generous words you can utter are "You're right." If your ex contacts you to make a suggestion, and it is a good one, say "You're right." This demonstrates your respect for your ex-spouse and your gratitude that she is looking out for your child.

4. Don't threaten to take your ex-spouse back to court. Please trust me when I tell you that no one, not even judges, think court is the best place to decide what is best for your children. Whenever remotely possible, always seek to find an alternative way to resolve a dispute that does not involve court. Consider meeting with a child psychologist to discuss concerns, or participate in mediation.

5. Children don't count hours and days, only parents do. Many parents insist on having equal parenting time, and will count the number of waking hours to make sure those are divided equally, even if such a schedule is not best for the child. Maybe it will mean that your child has to wake up much earlier than necessary and be taken to day care because the parent has to be at work very early, but that parent "deserves" to have his overnight. Don't be focused on equality. Be focused on a parenting schedule that promotes your child's well-being. The important thing is for both parents to have a meaningful relationship with their children, and to

see their children frequently and consistently. Your child does not care whether his mom and dad have exactly equal amounts of time.

6. Attempt to put yourself in your ex-spouse's shoes. Try to understand why your ex may be refusing to allow your sixteen-year-old to get her driver's license. And, remember rule number 1: If you can't put yourself in his shoes, ask questions like - "Why do you feel this way?"

7. Choose your battles. Not every grievance with your ex-spouse needs to be spoken. Remember, there is a reason you got divorced. You disagree on many things and you were never all that successful in changing her. Accept the fact that part of divorce is being unable to control what happens when your children are outside of your care. Their mother may do things differently, but that does not mean her way is wrong and yours is right. She has a right to exercise her judgment (even if it falters on poor judgment at times), just as she would have done if you had stayed married. Confront only those concerns that you feel are truly impactful on your children.

8. In some situations, one parent has to be the bigger person most of the time. While we'd hope that both parents will follow these rules, the reality is that maybe only one is going to make the effort. Don't fall into the trap of saying "If he's not going to play nice, neither am I." All that accomplishes is your child seeing both parents behave badly. I promise you, your rewards will be many over the years when your child recognizes the care and effort you went to in trying to make things better.

9. Keep your child out of it. I so often hear parents say their children "deserve to know the truth" about the other parent. This is often said in the context of knowing about his extra-marital affair or her mismanagement of money. Except in rare cases, your children don't need to know the details. They are children. There is a great deal of information that we don't tell our children. What your children deserve is the right to love their parents on their own terms. As children age, they will have an understanding of what happened. But what they will understand most is which parent promoted their sense of security and well-being.

10. Don't rely on your children to provide emotional support or to take care of you. Children often feel they must take care of one of their parents. They perceive that parent as being sad or lonely, and needing them more than the other parent. This normally means that one parent has survived the divorce with a healthy outlook and the other is doing poorly. If you are not doing well post-divorce, seek comfort from adults or a professional, not your children. Do not put this burden on your children. It is a heavy load to carry.

11. Don't allow your children to feel frightened about telling you how they feel. It is entirely too often I am told that a child doesn't feel safe telling one parent that he'd like to make other plans for the weekend, or see him a little less. The reason a child is afraid is because he has tried expressing himself in the past and this was met with anger, recriminations or a blatant refusal to consider the child's wishes. Imagine how that would feel to a child. It is never the right thing for your child to be afraid of talking with you.

12. Choose your next partner carefully. I often tell my female clients, for example, that the ex-husband's new wife can be the best or worst thing that ever happens to your children. If you are dating someone who is threatened by the time or attention you give your children, loud alarms should be sounding. If you don't find out until it is too late, make sure your ex-spouse knows that while she is a priority, so are your children and you must have her support of that relationship.

13. Your children deserve time with you without your new love interest being present. My hair stands on end when a client justifies the fact that her new boyfriend is always at the house during her parenting time. She will tell me how much the kids love him and love being with his kids. What your child wants is to know that he or she is the most important thing in the world to you. Of course over time, a new person can be introduced, but this should be many months after a parental separation, if not longer. Even then, time should always be carved out for being alone with your children.

14. I know this sounds crazy, but do what you can to encourage a good relationship between your ex-spouse and your new spouse. Imagine how it will feel to your son to be able to look to the bleachers and see his father and step-father sitting next to each other, enjoying the game.

15. Make your children proud of how their parents chose to raise them in spite of being divorced. Imagine the immense pride you will feel if you learn, many years from now, that your son told someone he is so grateful that his parents made a true effort to get along. And as a result his childhood was healthy and free of stress.

I often think to myself that divorce brings out the worst in people. But there are so many times when I see the challenges of this life-altering event bringing out the very best in people. It's terribly hard, believe me, I get it. Yet the reward of raising a healthy child, who comes from a divorced family, makes your efforts entirely worthwhile. There really is no downside to following these rules. Your choices will dictate the script your child will later tell someone about his parents' divorce.