

Mediation to Stay Married – A Technique with Promise

by Laurie Israel, Esq.

There is a veil of silence that surrounds every married couple. Spouses express loyalty by not complaining about their partner or their marriage. People feel ashamed if other people know there are problems in their marriage. People often feel that they are the only ones with an imperfect marriage. The truth is that every marriage is complex and every marriage is a blend of the imperfect, the perfect, and everything in between.

Often people want to bail out when the going gets tough. People in long-term marriages know that if that happened, there would be no one left standing in long-term marriages. What should one do during those times of discomfort in a marriage?

Learn to Make Your Marriage Work

People use books and take classes to learn everything – how to kayak, how to use a computer program, how to paint with oils – the list is endless. A marriage is one of the most important aspects of one's life. And yet when a marriage is suffering and needs to be fixed, people do not tend to seek the knowledge and education that would help put the marriage back on the right track.

Many married couples actively address problems in their marriage by seeking individual and/or marital counseling at strategic times. This is a very good thing and provides tools for communication and change. Books can also help. I highly recommend George Pransky's *The Relationship Handbook* for spousal reading, chapter by chapter, in bed before going to sleep. (This book is out-of-print, but is easily available on www.alibris.com) Pransky is a PhD psychologist, and the book describes a positive and workable approach to addressing marital problems.

How Mediation to Stay Married Began

I worked for many years as a divorce lawyer and divorce mediator, seeing couples who had assumed and decided that their marriages were irreparably broken. Many of these people had taken irrevocable steps towards divorce – moving in with other partners, expressing words of bitterness or taking negative actions that could not be taken back. I diligently worked to make the divorce as fair, and dignified as possible.

I began to wonder, why can't my skills as a divorce lawyer/mediator help people stay in their marriages? I began to write about marriage and divorce. (See articles on my website www.laurieisrael.com) People are starting to contact me to help them stay in their marriages.

A Lawyer/Mediator Can Help

Lawyer/Mediators have a special set of skills that can help a couple work through their problems. The first of these is dispute resolution skills. Lawyer/mediators know how to help people express themselves clearly (or translate an imperfect expression) by "reframing", so that conflict can be clearly addressed. Sometimes parties can trade interests, so that a resolution provides more of what each party wants, and is no longer a "zero-sum" game. This can get people out of fixed positional bargaining and can lead to

new openings in their interactions. A lawyer/mediator can sometimes help people find solutions that they did not think of themselves.

Why a Lawyer

Lawyers (especially divorce lawyers) tend to be very conversant in business and financial matters. They have to be to do this work. This expertise can often help a couple in trouble.

Many marital problems (especially in longer marriages) deal with financial concerns. For instance, there may be a devastating business reversal, illness, or job loss. There may be children of previous marriages, and concerns about making sure they have an inheritance after one's death. Or the parties may not be able to appreciate the contributions the other brings into the marriage, some of which might be non-monetary.

Lawyer/mediators can help a couple work through these problems, and in some cases, write agreements ("Postnuptial Agreements") and/or estate planning documents that will help the couple move forward and alleviate some of the conflict.

Mediation to Stay Married

Mediation to Stay Married offers couples a safe place to work their way through sustaining their marriage. It's voluntary, neutral, and non-adversarial, and led by an attorney/mediator who will help define areas of conflict for mutual solutions. In a non-threatening and comfortable setting, the mediator will set the stage for frank discussions. If the mediator is an attorney, the parties will have the benefit of legal insights into their problems. The negotiations and understandings may or may not result in a written agreement. This is totally up to the couple. In any event, it can be a step forward in mutual understanding and respect, and may let a marriage live to see a new day.

Laurie Israel is an A-V rated lawyer practicing in Brookline, Massachusetts. Laurie helps clients resolve their disputes with highest level of dignity and integrity possible.

Laurie works in the areas of collaborative divorce, divorce mediation, and prenuptial agreements. She also helps people who wish to stay married through providing marital mediation (a/k/a mediation to stay married) and negotiation of postnuptial agreements.

You can find out more about her work and read her articles on her websites: www.LaurieIsrael.com and www.MediationToStayMarried.com. Laurie's email address is lisrael@socialaw.com.

Copyright © 2007 All rights reserved.