

ARE YOU SEPARATING? DO YOU HAVE CHILDREN? IS A GOOD DIVORCE POSSIBLE?



When people separate they are generally going through enormous distress and anxiety, so how can it be in any way good? There is the point that although the process can be a very painful one, for some people they end up in a better place emotionally. The relationship, for whatever reason has not worked and moving on to be alone and comfortable with that, or to be with a new partner is often far better than staying in a difficult and possibly destructive relationship.

Nevertheless if there are children both parents will fear losing contact with the children. Often there is an assumption that the children will stay with their mother. But women still worry about losing their children in some way. The children may spend time with their father who, if he is the breadwinner, may have more resources to give the children a better time, or so the mother fears. So there is anxiety for both parents. Added to that, children will notice difficulties between the parents well before you think they do. So try and focus on the children as soon as possible and this may help to be able to work towards separating on better terms.

In order to separate better, to achieve if not a good at least a less awful divorce or separation, parents need to realise that if they can work together in relation to what is going to happen to the children, then neither of them will in any sense "lose" the children.

Collaborative law, whereby from the outset parents agree not to go to court and to do their best to cooperate, often sitting round a table together, to find solutions that best suit their particular situation must be a better way. Inevitably when parties separate there is less money, there is no solution which will enable the parties to be in exactly the same position financially as when together, you will inevitably be worse off financially. But that does not mean that solutions are impossible, there is generally a way to ensure one way or another, that both parents can be adequately rehoused, and in such a way that both parents can have the children staying with them.

Most importantly though, if parents can work together in relation to the arrangements for the children, both parents can then play a significant part in the rest of the children's lives. Every parent will want to be able to attend school events, university graduations, weddings and any other significant family event. You may not be best friends with your ex-partner, but it would be good to be able to attend those joint family occasions after you have separated.

So right from the outset there are a lot of good reasons to make a commitment to collaborate in some way. To work out with the help of collaborative lawyers, mediators or other advisers how to arrange your finances so that although you are living separately you can in a way you decide together co-parent the children for the rest of their lives. It has got to be worth making the effort from the outset to do this for yours and your children's sakes.

Nicky Gough

Collaborative Lawyer

www.cotswoldfamilylaw.co.uk