IMPORTANT: If there has been any history of violence or abuse against you or any child of yours, please see A Note to Families with a History of Domestic Violence before deciding how to use this guide or any of our resources. Many ideas that work in nonviolent settings will not fit families with such histories.

<table>
<thead>
<tr>
<th>Video Title</th>
<th>Duration</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Girls’ Invisible Pain</td>
<td>8:14</td>
<td>Wisdom from inside a troubled family</td>
</tr>
<tr>
<td>Bonnie &amp; Ross</td>
<td>9:06</td>
<td>A young couple’s journey to success</td>
</tr>
<tr>
<td>A Daughter Speaks about Survival</td>
<td>3:54</td>
<td>A daughter on what hurt -- and helped</td>
</tr>
<tr>
<td>The Person the Child Will Blame</td>
<td>2:00</td>
<td>Conflict’s predictable loser</td>
</tr>
<tr>
<td>9 Myths That Fool Almost Everyone</td>
<td>7:00</td>
<td>Folklore you must discard to succeed</td>
</tr>
<tr>
<td>The Child Safety Zone</td>
<td>2:21</td>
<td>A vital gift extended to some children</td>
</tr>
<tr>
<td>8 Hidden Keys No One Has Told You About</td>
<td>6:06</td>
<td>Heroic steps you can take -- for free</td>
</tr>
<tr>
<td>What Exactly Is Joint Legal Custody?</td>
<td>3:31</td>
<td>A judge’s explanation of a vital idea</td>
</tr>
<tr>
<td>Cigarettes, Seatbelts, and Separations</td>
<td>6:22</td>
<td>The coming view of what families need</td>
</tr>
<tr>
<td>Some Effects of Unnecessary Litigation</td>
<td>3:32</td>
<td>An experienced judge's warning</td>
</tr>
<tr>
<td>How Do Divorce Lawyers Divorce?</td>
<td>3:05</td>
<td>An important lesson from insiders</td>
</tr>
<tr>
<td>Rely on Your Legal Rights – Or Should You?</td>
<td>3:29</td>
<td>How using rights can actually hurt</td>
</tr>
<tr>
<td>Who Do Those Judges Think They Are?</td>
<td>4:03</td>
<td>A judge’s response to some critics</td>
</tr>
</tbody>
</table>

Many parents have requested this link to the Quotes on UpToParents.
1. Children experience attacks between their parents as attacks on them.
   • “It hurts just to hear them saying it.”
   • “Sometimes they’ll call each other names, but we came from them, too, so you’re hurting us just as much as you’re hurting each other.”
   • “If they’re saying something bad about our parent, they may as well call us that.”

2. When parents fight, and do so supposedly over children’s needs, children’s real needs can actually become invisible.
   • “[What are your parents not getting?] The fact that we’re miserable.”

3. No matter how seemingly small the topic (birthdays, holidays, pickups, etc.), parent fights leave kids badly hurt. Pettiness in the topic doesn’t equate with pettiness in the injury to children.
   • “I don’t even look forward to holidays anymore. Every Christmas I think it’s going to get better, but it never gets better.”
   • “[Holidays are] horrible; they’re just fighting over the silliest stuff.”

4. Children almost never care about the things that the parents are fighting about; often they want simpler and nobler things than the parents and professionals are arguing about.
   • “We don’t care where we are on holidays.”
   • “[What we actually care about is] our parents getting along, and us having a good time.”
   • “Just peace between them.”
   • “I just wanted them to get along.”
   • “We used to be so excited for Christmas, but now it’s just another fight—birthdays the same way.”
   • “Like communication—they need to be open with each other and talk in a calm voice and stop yelling. And just be nice to each other—have respect for each other.”

5. Parent fights can force children to try to resolve adult issues—and to blame themselves when they fail.
   • “[We’ve tried to fix the problems.] We told Mom that Dad said this and Dad said that, and we went back and told Dad that Mom said this and Mom said that. [It didn’t work.]”
The foundation for many parents’ courageous decision to end conflict and move forward as a team is usually one thing: noticing how dangerous their conflict is to their children. Here is a sampling of the uniform conclusions from researchers and other experts about the you fax of parent conflict on children.


“Conflict essentially stops kids in their tracks—they are less free to go about the business of being a kid, meeting the developmental tasks that are essential to forming a healthy self.” Mary Ellen Hannibal, *Good Parenting Through Your Divorce*. New York: Marlow and Company (2002), p. 58.


“Some parents desperately hold onto the belief that children are not affected by the parents’ conflicts. Sadly, this just isn’t true. Unhappy homes make unhappy children, and every divorce will take its toll unless some corrective steps are taken.” Archibald D. Hart, *Children and Divorce: W. hat to Expect—How to Help*. Dallas: Word Publishing (1982, 1989), p. 121

Parents -- If you are in conflict, your children are in danger.

Available on the Parents Corner of UpToParents.org
1. “I'm so ashamed. I'm humiliated. Other kids' families aren't like this.”

“Children believe they are responsible for all of the major occurrences in their lives—including parental fighting.”—Edward Teyber, Helping Children Cope with Divorce. San Francisco: Jossey-Bass, 1992, p. 82.

2. “I'm scared. I don't know what will happen next.”

“In a home marked by conflict and unpredictability, children do not have a deep and abiding trust in their caretakers.”—Elizabeth M. Ellis, Divorce Wars: Intervention with Families in Conflict. Baltimore: Port City Press, 2000, p.49.

3. “I need to fix this. It's dangerous if I don’t.”

“Having lost the family as a unit, children are apprehensive about the future. . . . Some youngsters feel they have lost any semblance of control over their lives. . . . Their fear and sense of powerlessness are heightened when children witness scenes in which their parents are at each other’s throats.”—Stanton E. Samenow, In the Best Interest of the Child: How to Protect Your Child from the Pain of Divorce. New York: Crown Publishers, 2002, pp. 19-21.

4. “This is MY mom and dad. I must have the faults they see in each other.”

“Parental conflict not only sends kids messages about love, marriage, and relationships, it speaks volumes to them about who they are. To a child’s ears, any comment about his parent—positive or negative—is a judgment of him. Any critical barb about your ex goes right to your child’s heart.”—M. Gary Neuman, Helping Your Kids Cope with Divorce the Sandcastles Way. New York: Random House, 1998, p. 202.

5. “I need to figure out who's right and pick sides.”


6. “I can't talk about my real hurt and real fears.”

“Children also find it difficult to talk about sensitive topics and feelings . . . because they fear they might escalate the fight . . . Instead, some turn inward, trying to make do with their own meager resources.”—Janet Johnston, Karen Breunig, Carla Garrity, Mitchell Caris, Through the Eyes of Children: Healing Stories for Children of Divorce. New York: The Free Press, 1997, pp. xiv-xvii

1. “I need to tell people what they want to hear.”

“In the battle between you, they learn to be polished diplomats. They’ll tell each of you what you want most to hear—not because they’re liars but because they want desperately to soothe each of you, to calm you down, to reduce their fears that you’ll become enraged. They’re afraid of your anger, they pity you, and they want you to feel better.”—Judith Wallerstein and Sandra Blakeslee, What About the Kids? New York: Hyperion, 2003, p. 204.

2. “I will make one parent angry (or hurt) if I need or love my other parent.”

“In divorce . . . the choices that are put before children do not lead to a sense of control. Rather, they often lead to the child being placed in a position of feeling like they are betraying one parent or the other (or both).”—Jeffrey Zimmerman and Elizabeth S. Thayer, Adult Children of Divorce: How to Overcome the Legacy of Your Parents’ Breakup and Enjoy Love, Trust, and Intimacy. Oakland, California: New Harbinder Publications, Inc., 2003, p 61.

3. “If I weren't here, this wouldn’t be happening.”

“Because they are often the centerpiece of their parents’ arguments with each other, to varying degrees, these children feel responsible for causing the disputes, yet must feel helpless to control or stop the conflict.”—Janet Johnston, Karen Breunig, Carla Garrity, Mitchell Caris, Through the Eyes of Children: Healing Stories for Children of Divorce. New York: The Free Press, 1997

4. “I can’t do anything right. I deserve whatever bad happens to me.”

“Children in high-conflict homes are more likely to view themselves . . . in overly negative and hostile ways.”—E. Mark Cummings and Patrick Davies, Children and Marital Conflict: The Impact of Family Dispute and Resolution. New York: The Guilford Press, 1994, p.5

11. “I’d do anything to feel better or to fit in.”


12. “I don’t care anymore. It hurts too much to care. The world doesn’t care about me—and I don’t care about the world.”

“Ongoing post divorce conflict reinforces the child’s belief that bad things will continue to happen to him or her in the future and that he or she is helpless to do anything about it.”—Elizabeth M. Ellis, Divorce Wars: Intervention with Families in Conflict. Baltimore: Port City Press, 2000, p. 197.
| #1: “We have a competition.” | Almost always in divorce, parents either win together or lose together. Parents’ common interests remain common after separation. |
| #2: “We have legal problems.” | Nearly all issues in divorce are Mom-and-Dad issues. Parents and kids are badly hurt when parent issues are miscast as legal ones. |
| #3: “We have a custody dispute.” | Almost no couples have an actual custody dispute; instead, much like married couples, they have decisions to make, not labels to fight over. |
| #4: “The judge will solve the problem.” | Judges’ decisions don’t solve a family’s problems; in fact, resorting to court almost always leaves parents, children, and families more fractured. |
| #5: “This is complicated.” | The emotional challenges are great, but the answer can be parents’ simple focus on their children’s needs. Building peace for kids can be parents’ best light out of their own hurt. |
| #6: “To protect my children, I must fight.” | The fight can’t protect children because the fight is precisely what’s hurting the children. Success, therefore, isn’t winning a fight; it’s ending a fight. |
| #7: “Focusing on my children will hurt me.” | Far from hurting parents, focusing on the children’s need for family cooperation is the best predictor of a parent’s good outcome. Protecting kids protects parents. |
| #8: “I’m not sad, just mad.” | Many parents hurt themselves by choosing a dangerously destructive battle to try to avoid their deep hurt. Grief must be faced, not camouflaged with anger or conflict. |
| #9: “We’ll have no relationship.” | Parents’ good relationship will always be important to their children. If both parents want, they can even work on staying married. But even if divorced, they’re good co-parenting relationship is essential. |

Click for video: 9 Myths That Fool Almost Everyone

Available on the Parents Corner of UpToParents.org
The Philosophy of a Child Safety Zone:

There are about 10,000 minutes in a week, and on average most children of divorce see their parents together for about 4 of those minutes. This leaves the parents about 9,996 minutes when they can talk about any topic, no matter how difficult or emotional. Is it really selfish for the children to ask that the 4 minutes when they see their parents together be consistently peaceful?

Because these times together are so brief, all parents can give their children the gift of decent interaction during these times.

Our Pledge to Our Children:

We now agree that all times when our children see us together or hear us speaking belong to our children. They make up their Child Safety Zone and are entirely for meeting their needs, including especially their need to see us act as responsible adults in a partnership for them. They are not for conflict or dealing with any difficult issues.

Other children receive this gift from their parents, and our children are no less deserving.

From today forward, we each give our children the gift of this Child Safety Zone. Regardless of what my co-parent does or how I think I’ve been treated, I will always speak and act as a courteous and responsible adult during:

• All pick-ups and drop-offs.

• All other times our children see us together.

• All telephone conversations when our children know we’re speaking.

With this agreement each of us will have the benefit of knowing that our children will be safer and happier—and that we can approach all family encounters confident of a civil time.

Click for video: The Child Safety Zone
Most of us during divorce have much more power than we realize. Widespread social myths about divorce, our fear and sadness, and poor advice from well-intentioned but mistaken advice-givers can lead us to believe we are helpless.

Quite the opposite is the case. In many ways, we will never be this powerful again.

Here are 8 secrets – things we call 8 Hidden Keys – you can put to work for you and your children today.

- They’re free.
- You can use them right away.
- And you can use them regardless of what your co-parenting is doing.

1. **Observing the Child Safety Zone**

Remember the formula we have already shared. There are over 10,000 minutes in a week, and most children of divorce see their parents together only about 4 of those minutes. Those times together, as well as any times your children hear you speaking, should belong to your children.

No arguments. No difficult discussions. No snide or chilly behavior. Just what other children are lucky enough to observe in their parents’ behavior: courteous and considerate interaction, however brief.

2. **Keeping your children out of adult roles**

Being a child of divorce is hard enough. Your children deserve to have complete liberation from anything other than dealing with their emotional challenges and personal development.

Your children deserve to be free of any role as witnesses, allies, spies, whipping posts, messengers, counselors, or confidants. And because sensitive kids often try to fix what is not theirs to fix, they may actually need you to rescue them should they take on any of these roles. that you find good qualities in their other parent, even ones they get from their other parent.
3. **Sharing 10 good things about their other parent**

What we show our children we think about their other parent is what we virtually require them to think about themselves. Any doubts about this can quickly be dispelled by viewing again [3 Girls' Invisible Pain](#).

And it’s not enough to avoid speaking ill of children’s other parent—they desperately need to know that you find good qualities in their other parent, even ones they get from their other parent.

4. **Celebrating what they get to do with their other parent**

Far from being threatened by your children’s good relationship with their other parent, it’s vital that you see the value of that good relationship and what your children and their other parent enjoy together. Telling your children how glad you are that they have good times and experiences with her other parent can be liberating for everyone, especially your children.

5. **Cheerfully encouraging calls to their other parent**

A child who hears, “How about calling Dad and telling him about this great report card?” and “Hey, give Mom a call – you know how she loves to hear from you” is receiving an incomparable gift. It’s the gift of knowing he has complete freedom to love, miss, and enjoy both parents.

6. **Promptly sharing child-related information**

Remember that you have an important interest in making sure that your co-parent feels included and at ease with you. There is absolutely no reason to be anything but generous and prompt in sharing child-related information.

Make sure that your co-parent is kept abreast of everything important in your children’s lives.

7. **Using your highest values and best self**

Separation and divorce are the last occasions for being petty. Whatever your moral or religious values are, we can guarantee you they support the kind of mature, considerate, and child-focused thinking and behavior we are suggesting for you.

Stop and ask yourself what you really believe in and stand for. You can even make a short list. When you live by that list, it’s virtually assured you’ll be doing what’s best for you and your children.

8. **Enjoying and admiring your children**

Your children are the future, and no doubt the greatest source of joy and satisfaction in your life. When you spend time with them – and see and support their happiness – you cannot help but see and support your own happiness.

And picture the future all of you can hope to live.

**Click for video:** [8 Hidden Keys No One Has Told You About](#)
Divorce advice almost always sounds like encouragement to do more. In truth, often the first and most important change is to stop doing some things that are virtually assured to injure you and your children.

Here are 8 Deadly Missteps to think about skipping entirely. You may be amazed at what you can accomplish with the energy and money you save.

1. **Looking to professionals to do what only parents can do.**

With separation, the goals for wise parents presumably include saving their children, chance to make their own decisions, money, and peace of mind. Only parents’ mature thinking and wise behavior can accomplish these goals.

Appeals for aggressive and expensive interventions by judges, attorneys, custody evaluators, and other professionals should be reserved for parents who cannot succeed in that mature thinking and wise behavior.

2. **Thinking a divorce is a dispute and your co-parent is your opponent.**

Remember, whatever the personal differences you may have, you and your co-parent share overwhelmingly identical best interests. Many voices (including your own hurt and advice from misguided supporters) can lead you to an incorrect conclusion: that a divorce is a dispute between adversaries. It will be up to you to resolve to act on the many mutual interests you have with your co-parent.

3. **Hiring an attorney for representation against your co-parent.**

If you use an attorney, use one who knows this is a transaction between people who hold common interests, not a battle between adversaries. You can even look on your state supreme court's website for the forms available for completing a divorce without attorneys. Even if you use an attorney, these forms can help you see that the required legal tasks are much simpler than the complicated legal language can suggest. Consider using an attorney who acts as a constructive agent in the process, not someone who sees you and your co-parent as adversaries. In divorce, law can record peace, but it does not create peace.

4. **Going to law.**

In divorce, relying on your legal rights – what can be called “going to law” – can actually be highly destructive to you and your children. In fact, it can easily become a “race to the bottom,” a contest to see who can do the least for their children.
What's the difference between these two divorcing couples? When a scheduling change is needed (say, one parent's relatives are visiting from out of town and want to see the children), Couple A uses language like, “No way—that’s MY weekend!” Couple B uses language like, “Of course I’ll shift things to help your plans work out.” The difference commonly is that Couple A has gone to law—they believe that relying on their legal rights will save them. It’s nonsense, and it’s taught by many well-intentioned but badly mistaken people.

5. **Undergoing a nonconfidential custody or family evaluation.**

Every criticism that can be leveled against unnecessary reliance on legal rights and court can be leveled against unnecessary custody evaluations. Custody evaluations may be necessary where a parent is dangerous to the children or the other parent. But like major brain surgery for a head cold, they can be *inappropriate* and *destructive* in resolving the issues most separated parents face.

6. **Admiring your grievances.**

Carrying, nurturing, and ruminating about one's grievances can become a dangerous habit. If you are caught in such a pattern, consider working with a counselor or some clear-thinking Guide to do to do better.

7. **Taking any action that could unnecessarily leave your co-parent feeling insecure or suspicious.**

Never will your “emotional bank account” with another person be as important as the one you have (and, we hope, add to today) today with your co-parent. Parents who do best are the ones who demonstrate *early and often* that they are friends to each other’s relationships with their children, are open to meeting reasonable requests, and avoid any self-serving financial or legal maneuvers. Basic consideration matters as much in co-parenting as it does in any other important relationship.

8. **Losing your integrity, your picture of your true objectives, or your sense of humor.**

In most circumstances parents do heroic things for their children. But too often in divorce, parents who had previously made incalculable sacrifices for their children can become preoccupied with their own hurt and resentments. Divorcing parents who stay in touch with their hero actually seem to do much better than those who lose their hero. And, virtually every person we have seen caught in a bad divorce has become almost painfully humorless and joyless. Maintaining your sense of integrity, perspective, and humor can be an important part of success in these trying times.
In Joint Legal Custody, separated and divorced parents make the major decisions concerning their children’s upbringing in the same cooperative way that happily married parents do.

Introduction

“Joint legal custody” (JLC) should be the goal of all separated and divorced parents peaceful and mature enough to focus together on their children. It represents the respectful cooperation that can help children and parents alike.

An important word of caution: JLC should not be used in certain cases. If there is risk of violence in a family or a current pattern of unpredictable, unsafe, or degrading behavior on the part of one or both parents, great caution should be taken before JLC is considered. JLC requires that parents have a peaceful, predictable, and respectful relationship with each other.

Understanding Joint Legal Custody

This is the simplest and best way to understand JLC: In JLC, separated and divorced parents make the major decisions concerning their children’s upbringing in the same cooperative way that happily married parents do. And because separated parents with JLC are raising children between two homes, they actually commit themselves to even better communication and cooperation than is necessary between married couples living under the same roof.

Matters calling for joint resolution include ones of education, religious upbringing, medical and counseling care, and schedules. But they also include any issue either of the parents thinks is important enough to merit their joint input—discipline, curfews, allowance, extracurricular activities, diet, even matters of dress and body adornment (want your child tattooed without a chance to be heard?). A good rule of thumb is this: Just like in a happy marriage, if one of the parents thinks a child matter is serious enough for the parents to speak and act together, then the parents speak and act together; neither parent acts alone on these matters.
Here, then, are some basic features of JLC.

1. The parents maturely separate any personal disappointments with each other from their children’s need for a courteous and cooperative partnership between the parents; the parents focus on their future co-parenting partnership, not their past personal relationship.

2. The parents respect and support each other’s relationships with their children.

3. The parents treat each other as partners rather than competitors, and they treat their differing opinions as assets rather than headaches.

4. Parents promptly share all important child information. When child issues arise, the parents seek each other’s opinions, discuss options, and then make decisions together. They value the different perspectives each brings to their children’s lives.

5. The parents respect that there will be differences in the ways their households run and in the ways they relate with their children. They may share opinions about such differences, but they don’t try to make the other household run exactly their way.

6. If necessary, the parents reach out for the counseling, mediation, or other help that will make their joint parenting work. Like happily married parents, they work things out; they do not make unilateral decisions, and they do not take issues to court.

### Interaction in Happy Marriages and JLC Versus Interaction in Competitive Separations

<table>
<thead>
<tr>
<th>In Happy Marriages and in JLC</th>
<th>In Competitive Separations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child needs put first</td>
<td>Parent resentments put first</td>
</tr>
<tr>
<td>Child information shared openly</td>
<td>Child information withheld</td>
</tr>
<tr>
<td>Opinions heard respectfully</td>
<td>Opinions discounted or ignored</td>
</tr>
<tr>
<td>Important child decisions made together</td>
<td>Important child decisions made alone</td>
</tr>
<tr>
<td>Separate parenting styles respected</td>
<td>Separate parenting styles demeaned</td>
</tr>
<tr>
<td>Unconcerned with small stuff</td>
<td>Preoccupied with small stuff</td>
</tr>
<tr>
<td>Co-parent seen as an asset and a partner</td>
<td>Co-parent seen as obstacle or competitor</td>
</tr>
</tbody>
</table>
Conclusion: Some Reasons to Make Joint Legal Custody Work

The rewards to children and parents from a good JLC relationship are tremendous.

*Children* who are already hurt by all the painful losses that go with their parents’ separation, can at least have parents who make and implement decisions together—and children can see that their parents have remained a respectful and courteous team for them.

*Parents* are also rewarded. They know that they’ll be included whenever vital child-related decisions are being made. They know they’ll never find themselves in an expensive and embarrassing court battle over what are properly parent questions. And above all, they know they are giving their children the gift of a cooperative, respectful, and predictable relationship between the two most important people in their lives.

For peaceful and mature parents, the rewards from grasping JLC and, if necessary, reaching out for counseling to help it succeed, can truly justify the effort.

Click for video: [What Exactly Is Joint Legal Custody?](#)
1. Parents’ focus is always the kids and the future. (“If parents will agree on one thing, they’ll agree on everything, if that one thing is, ‘What do we want our children to look like when they’re 25?’”—Pat Brown.) They see that building peace for their children helps everyone.

2. Parents recognize that their conflict is a source of deep pain and serious danger for their children—and thus that their new peaceful and courteous relationship is essential.

3. Parents sincerely support their children’s contact and good relationships with both parents. They are friends to their children’s relationships with both parents.

4. Parents discard competition and embrace cooperation. They realize they have one scorecard, their fragile children’s well-being, and they score well by reducing conflict, building cooperation, making good decisions together, and saving money.

5. Parents constantly observe the 8 Hidden Keys, things they can do immediately, for free, and regardless of what one’s co-parent is doing.
   - Living by the Child Safety Zone.
   - Keeping their children out of adult roles.
   - Sharing with them 10 good things about their other parent.
   - Celebrating what their children get to do with their other parent.
   - Cheerfully encouraging their calls to their other parent.
   - Promptly sharing child-related information.
   - Staying out of unnecessary legal combat.
   - Enjoying and admiring their children.

6. Decisions about separating are just that—decisions. Each parent arrives at his or her position soberly but also accepts the other’s position. They work on their marriage if both are willing, but they grieve and move on if one partner is unwilling to commit to the marriage.

7. Parents honestly and courageously address their grief and do the hard work of creating a nonintimate businesslike relationship. Parents use whatever counseling or other help they need, singly or together, to do so.

8. The new relationship is characterized by transparent, trust-building interaction, addressing problems together and without blame. “Mom isn’t the problem, and Dad isn’t the problem; the problem is the problem, and we address it together.” There is a lot of cooperation and very little intrigue.

9. Everything passes through this test: will this statement, action, or position help our children? Will it help minimize their already enormous losses? Will it reduce their hurt today and increase their chances of broad success tomorrow?

10. Parents teach their “tribes” (close family and friends, new partners, etc.) this new way of relating (often using their Agreed Commitments from UpToParents.org).