

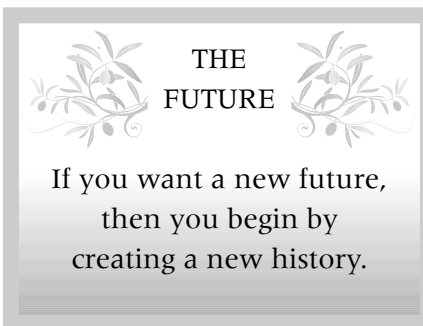
❧ 1 : THE PATH TO BIG ROCK ❧

It has been said that one's perception is one's reality. During my first week of law school, one of my adjunct professors, a practicing attorney and part-time teacher, expanded on that notion and shared a valuable and memorable lesson. She said, "The

practice of law has nothing to do with the truth and everything to do with the perception of truth." This is reality — an only slightly exaggerated statement of fact that is perhaps most applicable when it comes to child custody litigation and all its twists, turns, and unhappy consequences.

In life in general or within the confines of a courtroom, those who think that they will prevail on the truth alone are often sourly disappointed. Sometimes such naivety results in people choosing to represent themselves in a divorce or child custody case. This is never advisable. If you are going through a separation, divorce, or child custody and visitation dispute you need good advice. When it comes to parenting effectively through a separation and divorce, if you do not get on the right path, you will likely, knowingly or otherwise, contribute to the ruination of your children. If things continue to spiral out of control, your children will be robbed of the innocence of childhood.

We will start our journey by addressing what is usually the most contentious area of parental discord: the children's residential and parental access schedule when their parents no longer live together. If it is possible to work out a schedule that is acceptable to both parents and beneficial to the children on many different levels, the rest of the needed changes and solutions to new problems are more likely to fall into place. However, it isn't easy and it requires much



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hard work and effort. You and you alone need to be the impetus for meaningful positive change.

When there is no governing court order or agreement in place, parental scheduling issues can be all consuming. There is often a heightened feeling of helplessness that exacerbates all related issues and concerns. In most cases, the worst time for custody chaos is shortly after the initial separation. The problems of the past are overshadowed by the current practical and emotional difficulties associated with adapting to dramatic and life-altering changes. The need for self-preservation and the protection of the well-being of one's children, along with huge financial adjustments, can be significant stressors.

During a breakup, emotions are high; feelings of anger, resentment, and other unpleasant emotions are thrown into the mix. A great uneasiness may loom about. The future is uncertain, and the "fear" (false evidence appearing real) — whether genuine, imagined, or exaggerated — can be overwhelming. There are often threats, tactical innuendoes, and power struggles whirling about. In the midst of such quagmires of turmoil there are impressionable children caught in the middle of ongoing child access disputes and doused in never-ending loyalty conflicts.

This book is designed to give you the suggestions, resources, and tools to bring stability, contentment, and, hopefully, some peace and happiness to your children. They are proven methods. The degree of their success depends first and foremost upon your willingness to change your behavior. That, in turn, will allow you to teach the other parent — by example. Except in the most extreme cases, avoid litigation at all costs. To be candid, complaints about personal injustice and wallowing in the "this isn't fair" chorus are of little concern to our family law court system. Judges are primarily concerned with the best interests of the children, not about you. What is truly in most children's best interests is to have two

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parents who can demonstrate by their words and actions that they love their children more than they dislike each other.

If there are regular and continued child-related arguments centered on phrases like the ones to follow, you just might be in for some tough times ahead.

- ☞ There is no “agreement” — so take it or leave it.
- ☞ It’s not your scheduled time.
- ☞ They are planning on moving — what are my rights?
- ☞ I don’t care if you made plans with our son, you shouldn’t have.
- ☞ I’m not letting you have her until a judge tells me that I have to.
- ☞ I’m calling the police.
- ☞ I have to beg just to spend time with my child.
- ☞ Unless you sign this paper, or do this, or agree not to do that... you’re not getting him.
- ☞ You can’t tell me where to take my child or who she can be around.
- ☞ You were late bringing him to me; so I will be keeping him longer and to hell with your plans.
- ☞ What about a right of first refusal? You don’t need a sitter; I am available and I want to spend the time with our children while you are out.
- ☞ I never get notified about school functions, report cards, or my child’s medical appointments.
- ☞ No one ever returns my phone calls.
- ☞ He is always bad-mouthing me in front of the children.
- ☞ None of the things that I buy for my child ever get returned.
- ☞ I don’t have the health insurance information.
- ☞ We disagree on the doctors and the way medical issues should be dealt with.

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- ☞ No one provides me with anything!
- ☞ My vacation time was supposed to start this weekend and she won't let me take her.
- ☞ We have to take turns going on our son's field trips because we cannot get along well enough to ride on the same bus.
- ☞ We do not agree on our child's sports involvement or extracurricular activities.
- ☞ We don't agree on childcare providers.
- ☞ We have different views on education and religious upbringing.
- ☞ She ignores me.
- ☞ He tries to intimidate me.
- ☞ She is using our child as a weapon.
- ☞ He uses the children to spy on me.
- ☞ She tells the children to lie.
- ☞ His girlfriend keeps sticking her nose in our business.
- ☞ We don't agree about holidays.
- ☞ Why do I have to do all of the driving?
- ☞ Basically, we disagree about everything.

If any of these issues resonate with you, then you probably do not need to see illustrative case examples. You know what the problems look and feel like. Only a superior parent can do what needs to be done to bring about positive change in these situations. Will you rise to the challenges that lie ahead or will you surrender to a life of chaos for you and your children?

The truth is, it's easy for you, your ex, and your children to be miserable when you're dealing with the ongoing details of parenting with someone you no longer live with. It's not hard to unwittingly allow all of your anger and bad feelings to continue to disrupt your children's lives. There are a host of issues that nearly all separated and divorced parents deal with, and often they don't

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deal with them very well: transportation, school, extracurricular activities, medical issues, holidays and vacations, primary residence, child access and visitation issues, and keeping track of what's at mom's and what's at dad's. The devil is in the details, and it too often brings out the devil in us.



WISE WORDS



In war,
events of importance
are the result of
trivial causes.
—*Julius Caesar*

It doesn't have to. In this book we'll take a look at the everyday issues that prove troublesome for many separated and divorced parents, *with a special emphasis on the trials and tribulations of the recently separated*. We will explore ways to overcome the usual trouble spots. There is a way to preserve your children's innocence, to preserve your relationship with them, and even (or perhaps especially) to preserve your children's relationship with their other parent. It starts with developing the right mindset, attitude, and commitment to be the best parent that you can be — a superior parent.

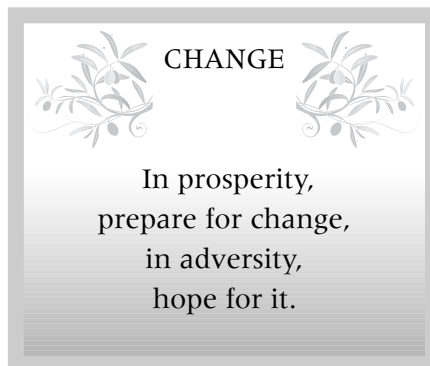
Of course, everyone is busy these days — and no one is much busier than single parents. I know. That's why this book is written in relatively short, easy-to-read sections. You can read it through quite easily, or you can browse for the most applicable sections.

According to a survey of the nation's top divorce and family law lawyers conducted by the American Academy of Matrimonial Lawyers (AAML), the ten top mistakes that parents with children make during divorce are:

1. Denigrating the other spouse.
2. Using the child as a messenger.
3. Interfering with visitation rights.

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4. Sharing intimate details of the other spouse's infidelity and behavior.
5. Failing to pay child support; inadequately supporting the children.
6. Immediately introducing the child to the parent's new love interest.
7. Moving the child as far away as possible from the other parent.
8. Listening to the child's conversations with the other parent.
9. Having the child read all of the legal pleadings or having them contact the attorney.
10. Having the child request money from the other parent.



You don't want to make these mistakes, or the many others that separated and divorced parents so frequently make. If you are going through a child custody battle, a child access or visitation dispute, or fear that you might, you could probably benefit from some sensible and affordable guidance. Even if you are far along in the process or living years later in the aftermath of divorce, you may occasionally encounter difficulties in dealing with your ex. The way you cope with the many situations arising from your separation and divorce will greatly determine how well your children cope. You are at a crossroads; take the high road, the path to Big Rock.

