

How to Divorce and Not Wreck the Kids

Seeking Participants for a CBC Documentary

Think “custody and divorce,” and the likes of K-Fed and Britney spring to mind. Our culture is riddled with stories of divorcing parents whose children become collateral damage. Alec Baldwin’s stinging cell phone invective to his 11-year-old daughter, the prize in his high-profile battle with ex-wife Kim Basinger, is a recent example.

But ask anyone who works in the divorce world, and they’ll tell you the Canadian reality is a far cry from the supermarket tabloid headlines. There is a quiet revolution sweeping this country. In short, when it comes to children and divorce, *good behavior is busting out all over*.

No question there are still embittered couples hell-bent on spending hundreds of thousands of dollars destroying each other and their children. But for the majority of the 2 million Canadians who divorced between 2001 and 2006, that was not the case.

Witness:

- This past June, for the first time, Statistics Canada released census data about families in transition. *More than one-third* of those recently separated or divorced agreed on child support or residential custody without even needing a formal document. And of the two-thirds who did have a written agreement, “many worked out arrangements between themselves, without lawyers or judges.” (The Daily, June 13, 2007)
- According to the Vanier Institute for the Family, joint custody now exceeds all other forms of custody agreements – and the vast majority of these were uncontested. According to Alan Mirabelli, the Institute’s director, widespread acceptance of mediation has made this possible.
- A decade ago, a “divorce professional” most often meant a lawyer. Not anymore. Google “divorce coach” and you’ll get almost two million hits -- psychologists who work hand in hand with mediators, alternative dispute negotiators and collaborative law teams to ensure the whole process puts the child’s interests first. According to the International Association of Collaborative Divorce, the organization had only 75 Canadian members in 2000. Now it has 2750. Growth in alternative dispute resolution is exponential: Canada now has National Mediators and Alternative Dispute Resolution organizations that oversee accreditation and standards.
- Governments coast to coast are exploring new ways to create as many off-ramps as possible on the way to court. In BC, the Family Justice Reform Working Group is re-writing the Family Relations Act, which governs divorce. The new legislation is slated for debate this winter. One of its recommendations: to make at least one alternative dispute resolution session mandatory before going to court.

The other: one-stop shopping for divorcing families. Just like when you go to the hospital and get your X-ray, your MRI, your nutrition counseling all under one roof – that’s what the BC government will attempt to do for divorcing families. Officially opened this Sept 20th, but quietly up and running since April, is a year-long pilot project called *The Family Justice Services Centre in Nanaimo*, which does exactly that.

- In BC, approximately 97 percent of divorce/custody cases are resolved before they need to go to trial.

Parents contemplating divorce across Canada are barraged with Britney and Alex Baldwin disaster stories. They need to see their own homegrown successes. With half of marriages ending in break-up, divorcing parents thirst for a common sense guide that appeals to our better selves. What we propose is an accessible populist documentary, working title: *How to Divorce and Not Wreck the Kids*. This story will be full of the hard-won wisdom of real people who have managed extraordinary divorces for the sake of their children.

This film can provide a blueprint for moving forward in a manner that works for the parents AND the kids. This is not about sacrificing yourself for the kids or being a doormat to keep the peace. The kind of stories this documentary will tell call upon both parties in the divorce to proceed with courage and grace. The payoff: healthy children, their own mental health - and likely the health of their wallets too.

These stories will be told from a “his” and “hers” perspective, so we can address each partner’s hopes and fears post-marriage break-up. For women often it’s fear of being poor. For men, it’s fear of losing their children. During the act of separating, often every decision involving the children is viewed through the prism of “how is my ex trying to screw me?”

And we hope to hear from kids. The child’s view of this collaborative process might well provide the strongest impetus for real change among Canadian couples contemplating divorce: *How to Divorce and Not Wreck the Kids*.

If you’d consider talking to us about your situation, we’d be honored. No commitment necessary, just a chat.

A personal note: both Helen Slinger and I have had the benefit of exceptional, collaborative divorce. (Not from each other!) We’ve each been divorced for more than a decade, yet in very many ways we still function as real families with our children *and* our ex-husbands. We know how difficult it is to go through this process, but we also know the tremendous dividends it pays, especially for our children.

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