Custody Solutions for Couples in High-Conflict

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Abstract

High-conflict couples need extra attention from the mental health field. Adlerian Psychology concepts can aid in the process of helping parents, lawyers, and mediators make custody solutions. Parents need to learn to cooperate, communicate, and resolve conflict for the child to thrive in the midst of separation in a family. Family therapists can bring couples together to develop solutions for a future co-parent relationship rather than using an adversarial process which can tear them apart.
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When two parents break up there are many struggles to face. What remains the most important is looking out for what is best for the child. For healthy child development, both parents need to be involved in a child’s life. There are many factors that need to be taken into consideration before decisions are made as to where a child is placed.

A quarter of divorced parents are completely unable to construct a co-parent relationship unaided. They remain locked in a bitter struggle to last during children’s formative years (Garrity & Barris, 1994).

This paper will look at what role mental health plays in reaching custody solutions for high-conflict couples. High-conflict couples have a hard time coming to a mutual agreement. I will show with a literature review how relying on an adversarial process can make it even more complicated for everyone involved. When counseling needs aren’t addressed, it escalates the conflict.

Steps in reaching a custody solution are outlined. A closer look at how children are affected when in the middle of the battle will be discussed. Bringing families together by utilizing a systems approach along with Individual Psychology is helpful. More importantly, joining hands with mental health and family law is an integral piece in order to serve high conflict couples and their children.
High-Conflict Couples

Stacer and Stemen found that “approximately one-third to one-fourth of the couples who argue over child custody and child sharing issues end up in high-conflict, usually within the first two years after their initial breakup. Unfortunately, the number of high-conflict cases continues to grow, while already taking up approximately eighty to ninety percent of the court’s time and energy (Stacer & Stemen, 2000).

By requiring high-conflict couples to participate in mediation and counseling, the need for the court’s involvement will lessen. In the midst of a court battle, high-conflict couples continue to fight with one another and bring continued hatred. Turkat states, “After spending several years in the courts and tens of thousands of dollars on legal fees fighting over their most prized possessions (i.e., their offspring and their financial assets), many parents have a particularly hard time transforming themselves into cooperative participants in a court-ordered, shared parenting scheme” (2002, p. 386.) Instead of coming together, couples begin to rely on the adversarial process to work it out. When couples can’t come to an agreement concerning custody of their children, courts and lawyers are placed in the picture. They often become part of the problem by continuing to separate the couples from coming to a mutual agreement.

Couples would benefit from learning how to communicate more effectively with one another.
Lack of Communication

Lawyers begin to communicate for the couples rather than bringing couples together to come to a mutual agreement. This not only keeps parents apart but continues the fight and separation for future communication to occur. Couples begin to utilize their attorneys to solve problems keeping them from learning how to come to solutions themselves.

By addressing high-conflict at the start, parents can learn how to communicate for the sake of the children. Without an understanding that parents need to cooperate and communicate, the children will continue to be put in the middle. Due to communication problems between parents in high-conflict, children become triangulated in their parent's messages (Lebow, 2003). Children become messengers for their parents and are often asked questions that put children in an awkward position.

When couples do communicate with each other it’s often negative and hurtful towards one another. “Adversarial proceedings over custody can illuminate terrible parental behavior, such as leveling vicious allegations against each other, engaging in underhanded tactics, and spreading animosity to their friends and relatives” (Turkat, 2000). The hurtful comments said to one another continue to separate the families and bring even more animosity. Couples begin to avoid one another and rely on the adversarial system to work it out.

Parallel Parenting

Another common communication problem between high-conflict parents throughout the research literature is a concept called parallel parenting. This
occurs when parents ignore the other parent’s discipline and parenting style and only are concerned with their own when they have their child. 50% of divorced couples operated in this manner not coordinating parenting strategies and continuing persistent conflict (Hetherington & Kelly, 2002). When parents aren’t coordinating parenting and communicating with one another, issues can arise when a child is sick. Parents risk a chance of distributing too much medication or receiving duplicate services when there’s a lack in communication. This also increases the chances of children being the messengers for their parents and, as a result, being placed in the middle of conflict.

**Shared Parenting/Joint Custody**

Today, more and more states are moving towards an equal placement or joint custody arrangement when couples can’t make an arrangement on their own. Courts continue to grant joint custody without realizing many couples aren’t able to make this arrangement work. Turkat notes, “While shared parenting seems like a reasonable and laudable goal for most divorcing families, it is based on the premise that parents will cooperate in parenting their children. Unfortunately, literature reveals a growing number of reports that many divorced and divorcing parents are not able to cooperate in the ways intended by the courts” (2002, p. 386). Shared parenting relationships can’t work without cooperation. Shared placement including developing a parenting plan can’t be made without cooperation between parents.
Lowenstein states when joint custody is imposed on parents in conflict, it isn’t beneficial (2002, p. 102). In order for joint custody to work, both parents need to look out for the child’s best interest. This is often difficult when parents only see what their needs are.

Steinman studied families in a joint custody arrangement and found when parents were in conflict over values in childrearing or major differences in philosophy, children were greatly troubled by it (1981, p. 409). Parents in a joint custody arrangement need to be on the same page and agree on values and philosophy. Children need consistency so they don’t feel torn to side with one parent or the other.

Another area of consideration is attachment security of young children and their parents. McIntosh & Chisholm caution courts from giving shared care arrangements for children with conflicted parents after separation. They note that attachment security cannot be transferred from one parent to another (2008, p. 43). Careful consideration should be given before shared care is enforced.

**Factors in Custody Decisions**

When couples continue to work against one another a decision is left up to the courts. Donnelly and Finkelhor stress the importance of looking at each case individually, including such factors as income and class equity, before giving joint custody (1993, p. 60). This is especially important when looking at high-conflict parents when they are unable to decide what is in the best interest of their children. They also advise the courts to use caution before courts make
policies mandating joint custody (Donnelly and Finkelhor, 1993). Joint custody can add to the financial stress of families impacting the care provided for children. When parents are on their own without financial support from a dual earned income, many parents can’t make it work. This not only causes added stress to parents but, as a result, kids are negatively affected. Tschann, Johnston, and Wallerstein in a longitudinal study found greater stressors including decreased income and conflict with the ex-spouse impacts adjustment to the separation. They also found that conflict sustained a negative attachment to the spouse (2001, p. 1044).

Courts continue to grant parents joint custody but, in order for this to be successful, cooperation and close proximity are two key components. When two households are far apart in distance it complicates the transitioning from one house to another. Children are often at risk for witnessing more arguing than necessary with frequent transitions.

When parent conflict remains intense following divorce, frequent transitions and contact may be detrimental to children if they are exposed to and embroiled in their parents' conflict. (Kelly, 2007) The more children see conflict in their parents the harder it is for them to adjust. They often are placed in the middle of arguments and continue to feel they are a source of the anger between their parents.

In a study of post-separation patterns in parenting, Smyth found that close geographical proximity, work flexibility, financial independence, and a cooperative co-parenting style made shared parenting work (2005, p. 7). Many
of these parents were able to avoid the adversarial process and work out arrangements themselves.

Twiford noted that joint custody is successful when parents live in close proximity and if parents are willing to cooperate in childrearing activities (1986).

Need for Cooperation

In order for shared parenting to exist, couples need to cooperate with one another. Couples can work to develop a cooperative relationship to make co-parenting work. Cooperating with one another and keeping the best interests of children in mind, will allow parents to work out a parenting agreement. Cooperation needs to exist in order for joint custody or a shared parenting arrangement to succeed. Turkat states, “A parent who is unable to cooperate reasonably with a court-ordered, shared parenting plan when it is in the best interest of his or her child to do so, is doing that child a disservice”(2002, p. 386). Parents can gain an understanding of the importance of cooperation by utilizing Adlerian Psychology concepts.

Tarkat notes that courts are overly optimistic to expect couples to cooperate after a long history of not getting along before divorce (2002, p. 386). At the very start, parents can learn to cooperate with one another by participating in counseling. This can help couples understand the importance of cooperation, not only for the co-parenting relationship but also to develop custody agreements so courts don’t make the ultimate decision.
Ferreiro notes, “Joint custody is only one policy means for increasing the probability of cooperative parenting after divorce. Unless it is placed in the context of more comprehensive programs to promote the welfare of divorced families, policymakers run the risk of reaching for simple solutions to a very complex issue” (1990, p. 425). Before couples are placed into a shared parenting arrangement, it would be beneficial for couples to learn how cooperation can make it work.

Active and Passive Cooperation

Smyth describes two types of cooperative parenting that can occur in a co-parent relationship which includes, “active cooperation involving deliberate actions of co-parental support (the most desirable type) and passive cooperation where parents avoid demonizing the other parent in front of children or refraining from making children act as messengers or spies” (2005, p. 7). Although passive cooperation isn’t the best form of cooperation for parents, it can be a way to avoid conflict so children aren’t placed in the middle of arguments.

Custody Solutions

Zemmelman, Steinman, and Knoblauch developed a model project out of a need for services for parents conflicted over joint custody (1987, p. 32). Due to increased laws recognizing, giving preference, and presuming joint custody the authors used “mediation, counseling, and education to help parents decide on a specific custody plan, develop their skills in cooperative parenting, work through conflicts, and evaluate and support their children in the new
arrangement” (1987, p. 32). Learning how to get along with one another for the sake of the child is an important first step.

**Parent Education Classes**

Many states, as part of the process of getting divorced, are requiring parents to attend parent education classes. Research clearly shows that high-conflict between parents increases the risks of negative effects on both children and adults during and after divorce (Lebow, 2005). When parents participate in classes they can begin to understand that fighting in front of their children could make things worse. Deutsch states: “research is clear that conflict between parents results in maladjustment for children and that good parenting and good parent-child relationships can mediate the effect of discord between parents” (2008, p. 45). The classes can be geared towards providing skills for parents to avoid putting their children in the middle of parental conflicts. Grych identified overall goals of parent education programs to decrease conflict in parents and to improve child adjustment. Additional subject material could inform couples about co-parenting, increasing awareness of the effects of divorce on children, reducing litigation, and helping to understand the emotional and legal divorce (2005).

Bringing couples together in a group atmosphere can be helpful. It provides an environment where parents can be with other parents in the group who are going through a similar divorce experience. It provides an opportunity for parents to learn what parents can do to ease the transition for their
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children. It also reminds couples that coming together can help them make custody decisions on their own.

Parent education classes can be an important first step for couples before entering the mediation process. By understanding the importance of looking out for a child’s best interest, parents can work together at developing a parenting plan. Hopefully, the class prepares the parents to put aside what they need so they look out for what their children need.

Unfortunately, there is a lack of research looking at outcomes of participation in parent education classes. There is inconsistency in how many different subject areas should be offered, as well as the length of participation. Research needs to look at outcomes of required participation which usually includes one three to four hour class. This may not be enough time to get all the information that high-conflict parents need to have.

Divorce and parenting information can be handed out to take home for parents to read. A common example of information for parents is a Bill of Rights for children in divorce. This can be found in the appendix. Although parent education classes have relevant information which is given, parents may not take it seriously.

Mediation

Marriage and family therapists are often used in helping couples reach a placement decision for their children in the mediation process. Jaffe and Cameron define mediation as “an intervention by which two parents are facilitated in coming to a mutually satisfactory agreement concerning custody
and access arrangements based on their children’s best interest” (1984, p. 167). Mediators can help parents put aside their conflict and look at what is best for their child. Couples with increased conflict have a difficult time letting go of the arguments in order to see what is best for their children.

Katz explains a family therapy approach to mediation where creating a space for each party’s concerns to be articulated and acknowledged (2006, p. 106). Couples learn how to speak directly to one another and this healthy communication can continue in the co-parenting relationship. Mediators have the skills to minimize escalations or arguments. They work to resolve conflict quickly so couples can work out agreements.

High-conflict couples are often ordered by the court to participate in mediation but they are often not ready for this stage of the process. Some couples are not at a place to begin to problem-solve or work on a parenting agreement because they are still trying to get over the relationship. When one or both parties aren’t cooperative or receptive to the process of mediation, it will not succeed. Lowenstein states that the “process of mediation must be backed up by the court, which must encourage mediation and punish either party for failure to cooperate. The court must go so far as to award sole custody to the party who is amenable to the mediation process” (2002, p. 103).

Zemmelman states that “one of the most significant aspects of mediation is reaching a settlement of the issues through a process that reduces conflict rather than exacerbates parental hostility and conflict. The adversarial process tends to increase mistrust, frames the parties’ interests in opposition to one
another rather than as potentially mutual, and often feeds the anger and supports the distortions built on that anger” (1987, p. 34). Mediators often try to help couples put aside their anger and work on coming to a mutually agreed upon solution.

Emery and Wyer, in a study of parents’ experience in mediation versus litigation, found a significant number of mediation cases were diverted from litigation, that disputes were resolved more quickly, and parents were more satisfied with the results when taking part in mediation (1987, p. 186). Not only can the process of litigation be lengthy but it can tear couples even further apart from one another. Mediation brings the couple together to develop a parenting arrangement that both parties can be satisfied with. Emery, Matthews, and Wyer, in a similar follow-up study, found mediation to bring a win-win orientation while litigation brought a win-lose orientation in custody decisions (1991, p. 416). Mediation continues to provide an opportunity for satisfaction from both parents when they can take part in the decisions that are made. Emery, Matthews and Wyer also found that through mediation, joint custody was a frequent outcome (1991, p. 114). When parents are working with each other through mediation, they can realize the importance of both parents’ involvement with their child. It helps them develop joint custody arrangements that are satisfying for all members of the family. Mediation teaches parents how to cooperate with one another by making decisions together. This cooperative, co-parenting relationship can continue throughout the child’s life. Emery, Laumann-Billings, Waldron, Sbarra, and Dillon, in a
follow-up study 12 years after resolution, found less conflict in couples who used mediation. They also found parents who mediated were more flexible in changing living arrangements (2001, p. 331).

Mediation can help couples work through differences without court involvement. However, the literature doesn’t suggest that couples who mediate experience fewer psychological difficulties (Emery, Matthews, & Wyer, 1991). Marriage and family therapists can step in and help couples through the divorce process especially when parents are experiencing psychological difficulties.

Counseling

Campbell and Johnston take a counseling approach in mediation after finding that 25%-65% of divorcing parents fail to settle disputes in one to three, brief, court ordered mediation sessions (1986, p. 221). When mediation is blended with counseling, it will provide an opportunity for a therapeutic relationship to form. Many couples may need this therapeutic relationship to take place before being able to work out a parenting arrangement. It could take one or more sessions for a couple to feel comfortable enough to even work with one another.

Mediation is often looked to as a brief, quick process that is results orientated. Couples in high-conflict need to resolve their anger with one another and other issues before mediation can work. Three brief sessions could keep couples from being able to come to a mutual agreement on their own.
Campbell and Johnston used a child-focused, therapeutic approach based on the needs of the families to resolve conflicts before working through the mediation process. Utilizing the Impasse Model of mediation, 80% of those in individual therapy and 85% of those in group therapy reached an agreement (1986, p. 238). The courts need to look to other methods besides mediation in a case by case need.

Integrative family therapy works well when mediation fails for couples with a high level of acrimony (Lebow, 2003). Utilizing cooperation, communication, and solution-focused problem solving, parents will be more capable to make better decisions for a child’s best interest. Couples will get the help they need when tailoring an approach that fits for each different couple. This can include a variety of methods including counseling, mediation, and parent coaching.

**Guardian Ad Litem**

When mediation doesn’t work for high-conflict cases and the couple decides to move forward with court, a common direction is an assignment of a guardian ad litem. The guardian ad litem or GAL is an attorney that represents the children in custody disputes. The GAL assists the judge in making custody, placement, and supports decisions. They can interview the children and be a voice for them in a proceeding. Kelly states: “when children have their own attorneys, the usefulness and veracity of such interviews are again highly dependent on the attorney’s interview skills and knowledge of children’s cognitive and emotional processes” (2002, pg 154). In a court proceeding, the
guardian ad litem makes a recommendation to the court on placement of the children based on evaluating the couple. Often, they will interview the child depending on the age. Evaluation forms may be given to each of the parents to have friends or family fill out to assess parenting capabilities. They can provide recommendations to the court if mental health services are needed. The GAL is usually appointed in the beginning of the case, but can be appointed at any time in the proceeding when the best interests of the children are at issue. The GAL will factor in the child’s age and developmental and educational needs at various ages. The GAL has access to any mental health records of the child and parents.

**Custody Evaluation**

When mediation doesn’t work for high-conflict couples, a custody evaluation is a common direction in a divorce proceeding. Parents in high-conflict often can’t look out for the child’s needs because of their own psychological problems and personality traits or disorders. A custody evaluation can be done to thoroughly assess the mental health of each parent and how it may affect their parenting.

Many couples, who are in high-conflict, have common cognitive disorders that are features of personality disorders (Ellis, 2000). A custody or psychological evaluation looks at each parent’s capabilities and the parent-child relationship. Therapists performing this evaluation use a non-biased approach. Without this evaluation, judges are placed in a position to make a decision on what is presented from each party. The expert witness or individual therapist
selected by the attorney can be presented in court if it supports the client’s position (Duquette, 1978). The attorney can decide from interviewing them beforehand if the witness will help their client. When parents see individual therapists, reports in the trial will be biased because they are presented in favor for each party. Therapists will advocate for their client and, in return, disclose biased information. In a sense, they are looking out for their client’s best interest but can’t reflect how the parent may interact directly with their child or other parent. The custody evaluator, on the other hand, can do a complete assessment of both parents and their parenting capabilities. They can interview the child with each parent and assess the parent-child interaction. Marriage and family therapists, in order to be licensed, are required to see individuals as well as couples or families. Brock and Barnard state family therapists are valuable for this type of work because they have a unique blend of knowledge and skills. Family therapists are “accustomed to perceiving people in their broader contexts, while remaining aware of and sensitive to both individual and family developmental needs and stages” (2009, p. 115). Family therapists interact with a variety of individuals and families in a variety of situations. Licensed marriage and family therapists are reminded to follow and review AAMFT or APA ethical standards as well as state codes of conduct. The American Psychological Association (APA) published “Guidelines for Child Custody Evaluations in Divorce Proceedings” in 1994, offering a good clarification of criteria to assess the best psychological interests of the child. Reading up to date literature is just as important.
The custody evaluator will determine if there are capabilities in the parents that are lacking because of psychological problems. According to Ramage and Barnard, “an effective custody evaluation requires the ability to assess individuals and families intrapsychically, interpersonally, and developmentally” (2005, p. 349). Evaluators who have a background in Adlerian psychology can look at each of these areas. Looking at a Systems Model of families, the expertise of Individual Psychology is lacking when looking at patterns of behavior with high-conflict couples (Friedman, 2004). Marriage and Family Therapists, having the knowledge of Individual Psychology, can blend both of these styles to perform sufficient evaluations.

Another advantage of a custody evaluation is a focus on the child. When high inter-parent hatred exists, an evaluation is more about increasing each parent’s ability to look out for their child’s needs (Denby, 2009). Not only can an evaluation assess parents’ capabilities, but it can advise the court as to who may be in a better position to look out for the needs of the child. Greenberg and Gould mention “if a parent is engaging in behavior that is distressing to a child, the therapist may need to request a behavior change from the parent, refer the parent for treatment or other services, or conduct structured conjoint sessions to address the issues in the relationship” (2001, p. 474). A report to the court can be mentioned if a parent doesn’t address the behavior. A custody evaluation can also be ordered to re-visit any custody or visitation issues if a parent’s behavior is at risk to a child in high-conflict. An evaluation can look at
particular behavior of couples that continues to be destructive to the child and how parents ignore this behavior.

Emery notes that child behavior is most affected in the setting where marital turmoil is present. It is difficult to find research that measures the extent of conflict. Emery explains that gathering evidence wherever it is available is key even if it's not measured precisely or uniformly (1982, p. 311). This is when a custody evaluator can step in and observe interactions among family members. Marriage and Family Therapists often work inside homes and can be a good fit for this area of work.

Getting the child's perspective can also be helpful if the child is comfortable and the age is appropriate. When a child continues to observe interparental conflict, it can perpetuate childhood problems through the divorce process.

**Parent Coordinator**

One of the newer efforts to address high-conflict couples in family law is the process of parenting coordination. Couples are continuing to use the courts for day-to-day decisions over childrearing practices, after-school activities, health care, and child care. They come to get help for minor changes in parenting schedules, telephone access, and vacation planning. It takes up a considerable amount of the court’s time and resources. A parent coordinator can step in to aid couples in making these decisions so that ongoing conflict doesn’t continue to impact children. Deutsch explains, “the parent coordinator is able to provide a structured intervention with appropriate boundaries to
address conflicts in decision making and possibly imbalances in power between parents” (2008, p. 60). The parent coordinator can function as a case manager so families can avoid the legal system while assessing and providing what the family may need. Waldron and Joanis explain how parent coordinators can “provide a much less expensive forum than the litigation process within which to engage in the winding down of the psychological dimensions of divorce, such as venting anger, dealing with the realities of the losses involved in a parental separation, and accepting the permanence of the divorce” (2007, p. 63). A parent coordinator can guide couples toward having the ability to make minor decisions on their own and to realize how using the adversarial system isn’t necessary.

**Parent Consultant**

Another new advancement in the State of Minnesota is a Parenting Consultant. The parenting consultant has three functions: mediation, coaching, and arbitration regarding parenting issues. The consultant gives parents the opportunity to settle disputes, believing that parents are in the best position to make decisions for their children and will assist them whenever possible. However, it is the responsibility of the parenting consultant to make decisions when parents don’t agree. Like mediation, the parenting consultant facilitates negotiations. There isn’t the same confidentiality as mediation because the parenting consultant has communication with all parties and they are subject to disclosure. Working as a neutral party, the parenting consultant doesn’t take cases where there is a conflict of interest or bias toward either
parent. It is part of the consultant’s job to develop opinions about what best meets the needs of children and to advocate for their best interests. The parenting consultant can work with parents to come up with decisions that are best for their child and when they can’t, will make a recommendation to the court. For example, when it comes time for a decision to be made as to where a child should go to school, the consultant can provide an opinion as to what is best for the child when parents can’t agree. Parents set goals and objectives but the hope of one parenting consulting program at the Minnesota Mediation and Counseling Center is that a number of things occur as a result of the process including:

- reaching agreements the issues presented; in the absence of agreement, that decisions will be made that will bring closure to the issues; that parents learn to resolve their own conflicts without outside assistance whenever possible; that things settle into somewhat predictable patterns and routines so that children are able to be as comfortable as possible; and above all, that the children eventually experience peaceful, loving home environments that contribute to their healthy development and overall well-being (2011).

**Conflict Puts Children at Risk**

When court interventions aren’t successful for couples in high-conflict, the court battle continues on. Scheiner, Musetto, and Cordier state, “When unresolved marital and family problems get played out as custody dramas, when parents put their own needs first and their children’s second, or when a
parent’s fight for custody is to gain a personal advantage at a child’s expense, children become victims of their family’s pathology” (1982, p. 99). When the conflict continues, children continue to be at risk. Each exchange between the couple escalates feelings of anxiety and stress for all members involved. When parents have anxiety, children do too, and they experience feelings that they are unsafe or unsure (Stacer & Stemen, 2000).

Many parents can precipitate or exacerbate problems when using the child in the conflict and develop intense emotional dependence upon the children. Parents are not only using the children to satisfy their own emotional security but use them in arguments with the other parent. When children continue to witness the arguments, they will continue to struggle in transitioning through divorce. Bing, Nelson III, and Wesolowski studied effects on children in conflict measured by the level of court involvement. The more involvement with court showed more conflict and maladjustment. Increased court involvement lessened favorable divorce conditions, child coping ability, and less positive divorce resolution.

**Factors Influencing Parent–child Relationship**

There are many dangers for high-conflict couples and negative consequences for a child’s development and growth. Tschann, Johnston, Kline, and Wallerstein found four predictors that impacted the parent-child relationship in high-conflict divorce:

a) involvement of child in conflict and use of child for emotional support;

b) warmth and empathy;
c) Modeling and expecting ego control; and
d) rejecting or distancing relationship;

All factors impact the emotional and behavioral adjustment in children (1989, p. 442). The study showed the importance of stepping in early to help families in conflict and to improve parenting. The authors stressed how one parent can offset the other by using empathy and warmth, avoiding involving children in the conflict or for emotional support, and modeling age appropriate behavior (Tschann, Johnston, Kline, & Wallerstein, 1989).

**Destructive Behaviors as a Result of Divorce and Conflict**

Felner, Stolber, and Gowen compared crisis families dealing with divorce and death to intact families not facing crisis. They found that children who experienced divorce or separation, increased their aggressive and acting-out behaviors (1975, p. 309). The study also found that the modeled behavior of parents impacted the child’s coping capabilities. Parents can make the crisis of divorce easier on their children by modeling good behavior.

Rogers reviewed risk and protective factors in children experiencing divorce and found post-divorce conflict as the strongest predictor of childhood outcomes following divorce (2004, p. 143). The conflict results in an inconsistency of parenting, linking increased depression, anxiety, and antisocial behavior in children. Parents need to be receptive and sensitive to their children’s needs at this crucial time. Children will adapt better when they can express their feelings about the situation. They need to have an understanding that the divorce isn’t their fault.
Utilizing Mental Health

Due to increasing divorce rates, the adversarial system seeks mental health professionals to help in custody disputes between parents (Jaffe & Cameron, 1984). There’s a growing need not only for knowledge from the field of mental health but for assessment of the help families need. Families don’t often get help when they need it; especially couples in high-conflict. A family may need counseling, individual counseling for each parent, and even counseling for the children when faced with divorce. When families are assessed at the beginning stages, high-conflict couples can receive the help they need in acquiring appropriate services from the start.

Compared to children in the general population, Wallerstein notes that children of divorce are significantly represented in outpatient psychiatric services, family agencies, and private practice services (1986). Experiencing divorce can be difficult for all family members involved. Mental health services are needed to help families transition to a new family structure.

Pearson and Thoennes evaluated child adjustment and found mediation ineffective for highly conflicted couples who have serious personality disorders, severe emotional pathology, and stress reaction (1980). By utilizing mental health services, couples can sort through the conflict first so mediation can succeed. It would be helpful for mediators to be highly competent in assessing parents’ mental health before couples start mediation. If couples in high-conflict have serious mental health issues that need to be addressed, they won’t
be able to accomplish the task of mediation. The court litigation will only exacerbate problems between parents.

Emery, Mattews, and Kitzmann, after a one year follow up study, found that both men and women reported negative effects from court contact, as well as continuing co-parenting conflict (1994, p. 129). The authors advise attorneys to encourage their clients to remind how destructive conflict is for their children. Often lawyers focus on the needs of the client and forget how damaging their actions can be on the children. Reminding parents to keep children out of the middle of arguments is necessary for couples in high-conflict custody battles.

Due to parents’ conflict in divorce proceedings, they aren’t psychologically fit to successfully parent. Scheiner, Musetto, and Cordier explain the need to look to the “psychological parent.” They describe this parent as encouraging a positive relationship with both parents, looking out for the child’s emotional and physical needs above their own, and not using the child for personal gain or emotional fulfillment (1982, p. 104).

**Intervening in Conflict**

The San Diego High Conflict Intervention Program protects children by intervening in the conflict and stopping the communication and contact that keeps the conflict going (Stacer & Stemen, 2000). When parents have frequent contact with one another the conflict continues. Instead of communicating face to face, it can be done in writing or email. Parents need to keep the communication to a minimum and discuss the most basic ongoing
communication that parents need to know such as details on the child’s health. This can be done in writing or over email to limit the communication between families in high-conflict. Due to the adversarial system and having attorneys communicate for couples it can enable couples to become even farther apart. It keeps couples from being able to collaborate together and to communicate over future issues. Due to increased conflict impacting the adjustment of divorce, separating couples who are negatively attached can be helpful. Therapists can connect couples to social networks and help in finding more healthy relationships.

**Prevention for Children in Conflict**

Emery offers four prevention-orientated strategies to limit children’s involvement in interparental conflict:

1) Parents should work toward the difficult goal of keeping their children out of their angry disagreements, lest the children learn that differences are resolved by yelling, fighting, or hitting

2) Parents should always attempt to agree in front of the child about at least one important topic: discipline

3) Parents should make a special effort to maintain their individual relationship with each child, as this may partially buffer the child from the interparental conflict

4) More parents need to be aware that conflicts between them can have negative effects on their children. Parents need to be sensitive to how
their children react to marital turmoil and to be prepared to seek
outside help if these reactions are prolonged (1982, p. 324).

Lack of Knowledge in Court System

Duquette states that “often both the process of adversarial litigation and
results received by the courts in contested cases are inconsistent with what they
perceive as the psychological and emotional best interests of the child” (1978,
p. 193). Attorneys and judges don’t often have the understanding of how
relevant family issues come into play during a custody decision.

This brings up the importance of families to work on developing custody
arrangements together, instead of leaving it up to a judge who knows little
about the family. A judge doesn’t factor in what either party many want or the
child’s desires. The adversarial system states they look out for the best interest
of the child, but this isn’t how a decision is actually made. Felner, Terre,
Primavera, Goldfarb, Bishop, Farber, and Aber found data that contradicts
looking out for the child’s best interest when a majority of judges and attorneys
don’t factor in the child’s wishes in making custody decisions (1985, p. 47).
Parents can listen to their children and look to what they may want. Parents can
make an arrangement that benefits their child. They can arrange a parenting
plan based on their work schedules instead of a decision by a judge who most
likely will give a standard schedule that may not fit for either parent. If age
appropriate, it’s beneficial to look at what kind of placement a child desires. A
study of visiting patterns where children wanted more time with one parent and
didn’t receive it produced lowered self-esteem and helplessness (Kelly & Wallerstein, 1977.)

Edward Kruk researched divorce data over a five year period and noticed an increased probability for bias in judges’ decisions over child custody was related to a lack of knowledge in child development and family dynamics (2005, p. 129). They are making decisions that are supposed to be in the best interests of the child when they don’t understand what developmental needs are appropriate for each child. The mental health field needs to stress the importance of understanding family dynamics and child development.

In a study exploring the use of mental health services in the legal system, judges and lawyers overlook the need of services for children (Felner, Rowlison, Farber, Primavera, and Bishop, 1987). The courts are swamped with huge case loads and, as a result, they are more concerned with getting families in and out of court than looking at what resources or mental health services a family needs.

Flory and Berg-Weger note: complex issues such as high-conflict divorce demand that social services and the law join hands around the table to embrace families for the good of society at large. If the best interest of children is to be served, communication barriers between social services and the law must be broken down, implementation of parenting plans must become common place, and program evaluation must be standard practice to ensure efficacy of program services (2003, p. 217). Work needs to be done so that both social
services and the law are on the same page and can provide adequate services for high-conflict couples.

**Parent's Psychopathology**

An attempt to understand families in high-conflict is to look to patterns of psychopathology in parents. Wallerstein and Lewis note that the “long-lasting psychological problems displayed by children in divorce in adolescence and adulthood reflect more the preexisting psychopathology of the parents in their traumatic parenting than any consequence of the disrupted marriage” (2005, p. 452). The divorce alone can trigger psychological problems in parents. Lack of parenting skills, conflict between parents, and overall mental health can impact the quality of parenting for children of divorce.

Wallerstein and Kelly found, in a longitudinal study, found that divorced parents with a higher incidence of psychological illness place children of divorce at a greater risk of developing social and psychiatric problems than children of intact families. Divorcing parents need to be reminded of the risk their children have in developing problems that can be avoided by healthy parent-child relationships.

**Narcissism**

Some qualities of parents in high-conflict are worth mentioning. A narcissistic parent with a lack in empathy and self-preoccupation may have experienced serious neglect during childhood (Friedman, 2004). It makes it hard for this type of parent to look out for the needs of others and understanding the child’s need for involvement with both parents. Instead, the
parent feels the child only needs them and tries to keep the child from the other parent. Narcissistic parents have varying degrees of self-centeredness and entitlement which are detrimental to the child. According to Donner, narcissism and narcissistic characteristics are the most common psychological problem that couples in high-conflict have to face (2006, p. 544). They struggle with self-esteem and try to protect it by using others. Some narcissistic parents will continue to fight for complete control of their child or other parent. The custody battle is never-ending because the parent will continue to fight in order to remain psychically whole.

**Envy**

Parents have extreme rage and anger resulting in feelings of envy and jealousy towards the other parent. Keeping the child away from the other parent is much better than strengthening the relationship with the child. Damage and destruction to the other parent reestablishes the envious parents’ own equilibrium (Donner, 2006). Holiday schedules in particular can be challenging due to feelings of envy. One parent may not want the other parent to be with their child on a memorable, fun occasion out of selfish feelings. They make it a competitive fight to be with the child so the other parent may not. Parents with strong feelings of envy can only see what it is that they don’t have. Children are negatively impacted because of their parents’ destruction towards one another.

Common personality traits of parents in custody disputes are described by Ellis as being
excessively hostile narcissistically wounded, and extremely demanding and unreasonable. They engage in high levels of defensiveness and projection of blame as well as rigid, black-and-white thinking. They have difficulty seeing a situation from several viewpoints and have only a limited capacity for understanding the feelings and needs of others. They are described as insensitive to their children and said to view them as narcissistic extensions of themselves (2000, p. 259).

These parents need specific and increased attention to resolve difficult and intense feelings. They need help in seeing how each is contributing to the problem. The negative treatment towards each other needs to end so children aren’t witnessing bad behavior.

When evaluators look at which parent is more fit and how mental health may impact parenting, it’s important to assess what services are needed. Simmons and Meyer stress the importance of mental health professionals to not only explain the narcissistic, rigid, and egotistical traits in parents but to look at ways they can get help (1986, p. 154). Further studies are necessary to address the therapeutic needs of families who are in high-conflict.

**Depression, Anxiety, and Attachment problems**

When parents fight for their children in a custody battle, it serves profound psychological needs in a parent. It can ward off severe depression and other forms of pathological disorganization (Wallerstein & Kelly, 1979). The authors suggest appropriate counseling for parents and children. They also
suggest new and improved court-related services which can help couples avoid litigation.

Anxiety in parents is also a concern. Being without the child is intolerable for many parents and brings on anxiety. Wallerstein states, “the need for the child in many of these families reflects the parent’s regressed dependence on the child’s presence as well as the parent’s acute anxiety engendered even by the child’s partial absence” (1985, pg 120). Anxiety in these parents makes it hard to parent effectively. They are often too concerned with their own wants and needs that they can’t look out for the children. Parenting is diminished at a time when children need it the most.

Due to the loss of the spouse in divorce, some parents cling to their children in destructive ways. Flory & Berg-Weger describe how some parents may love their children too intensely where parents become overly and dysfunctionally attached (2003). Every attempt is made for parents to be with their children. It can become so destructive that the child is the only link to their community.

Problems with loyalty can arise in children from witnessing their parents’ conflict. Children feel conflicted and will go to great lengths in order to be fair. Steinman found that about one-third of children in joint custody arrangements perceived themselves in a “hyper-loyalty” situation (1981). The children were hyper-alerted to their parents’ feelings. They are worried and confused about siding with one parent or the other while hurting the other. Placing children in loyalty conflicts is burdensome to children.
Revenge and Continued Concerns in Parents

Parents can pursue custody and fight with litigation in order to get revenge on the other parent. Attorneys reported more than twice as many male clients seeking custody out of reasons of revenge or financial leverage than out of genuine concern and affection (Felner, Terre, Farber, Primavera, & Bishop, 1985). It shows the need for mental health professionals to assess whether parents have the best interests of the child in mind.

Radovanovic, Bartha, Magnatta, Hood, Sagar, and McDonough, in a follow-up a study of high-conflict couples in custody disputes, found that even after separation, parents had significant concerns about one another and their children (1994, p. 434). Although these families received mental health services, it shows the severity and variety of problems continuing to occur for separated families. The court may order treatment for parents especially in high-conflict cases. It’s important that the therapist address the impact of the situation on the child while supporting their own clients’ emotional needs. Protective factors, such as skills in coping, support from family and friends, and access to therapeutic intervention can help children through the process of divorce (Amato, 2000).

Summary

In high-conflict custody disputes between parents, many negative consequences occur for children. Wallerstein sums it up in this citation:

In the long term, however, the central hazards to the psychological health of children are not the result of the divorce, per se, but rather in the
diminished or disrupted parenting that so often follows in the wake of marital breakdown, in the parental conflicts that can persist and become chronic within the post-divorce family, in the flawed or tragic role models provided by parents who fail over many years to reconstitute or to stabilize their lives, in the diminished quality of life, the multiple dislocations, the economic deprivation, and the sharply curtailed educational and social opportunities for the children that represent the legacy of divorce in so many post-divorce homes (1986, p. 116).

Parents’ conflict, diminished parenting, and custody battles negatively affect children and the parents in the process of divorce. Mental health resources can help bring couples together. If one parent is more psychologically fit to parent than the other, a custody evaluation can help. Before parents in high-conflict can come together to make custody decisions on their own they need counseling services. A joint custody parenting arrangement can only work with cooperation and good communication. A case by case basis is important when looking at each family to make decisions over custody.

**Conclusion**

The adversarial process can separate couples from coming together to make custody solutions on their own. At the start of a break-up, mental health services and the justice system need to join hands to serve each family the best it can. Assessing what counseling services are needed will help couples put aside individual needs and focus on the needs of their children. By putting aside the conflict, couples can then approach mediation in order to work out a
parenting agreement. Based on the research, a closer look at couples in high-conflict is necessary to help children who are placed in the middle. Lawyers and judges need to look to each case individually before believing that a joint custody arrangement will succeed. Marriage and Family Therapists will aid in the process of bringing parents together in a variety of ways. Using the adversarial system can be a destructive route when parents can otherwise benefit from effective mental health services.

**Recommendations**

An Adlerian (Individual) Psychology approach in counseling high-conflict couples is important to apply. A program proposal utilizing key Adlerian concepts follows this paper. Couples need to learn the necessary tasks of cooperation and communication in order to work together. Couples would benefit from learning Adlerian concepts to be able to understand one another better. By going through an Adlerian counseling program they will then be able to come together to develop a custody arrangement on their own. Using the adversarial process only brings more conflict and can be an expensive route. Lawyers and judges need to learn more about mental health and what interventions are necessary for high-conflict couples. When services aren’t provided, it will only harm children and place them in the middle of arguments. Couples may need to go through counseling in order to finalize the relationship. A good example of a particular program by the Minnesota Mediation and Counseling Center is Closure Therapy. A complete description can be found in the Appendix. An interdisciplinary collaboration helping
parents manage their relationships with each other and their children in a productive way while supporting families to let go and move on is the future of the family courts (Deutsch, 2008). When finalizing the relationship, resolving high-conflict, and looking out for their children’s best interests, couples can work together. Building a cooperative relationship will help couples come together to develop a new parenting arrangement and can continue throughout the child’s life when parents co-parent successfully.
References


differences in the determination of custody arrangements. *Family Relations*, 42, 57-60.


Appendix A

Children’s Bill of Rights

- The right to be treated as important human beings, with unique feelings, ideas, and desires, and not as a source of argument between parents.
- The right to a continuing relationship with both parents and the freedom to receive love from and express love for both.
- The right to express love and affection for each parent without having to stifle that love because of the fear of disapproval by the other parent.
- The right to know that their parents’ decision to divorce is not their responsibility.
- The right to continuing care and guidance from both parents.
- The right to honest answers to questions about the changing family relationships.
- The right to know and appreciate what is good in each parent without one parent degrading the other.
- The right to have a relaxed, secure relationship with both parents without being placed in a position to manipulate one parent against the other.
- The right to have the custodial parent not undermine visitation by suggesting tempting alternatives or by threatening to withhold visitation as a punishment for the children’s wrongdoing.
- The right to be able to experience regular and consistent visitation and the right to know the reason for a cancelled visit.
### Potential Solutions for High Conflict Custody Situations

#### Participants in Custody Solution

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<tr>
<th>Description of Potential Solutions</th>
<th>Judges</th>
<th>Lawyers</th>
<th>Guardians</th>
<th>Couples</th>
<th>Mediators</th>
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*Note: All of the participants except the children need to be aware of and knowledgeable of the listed potential solutions at some level of understanding.*
Closure Therapy

By The Minnesota Mediation and Counseling Center

Goals and Objectives – The goal of closure therapy is to help parents disengage emotionally and focus on co-parenting. It has been our experience that many parents maintain a hostile connection following separation or divorce. Each seems to feel wronged by the other and maintains anger and resentment. We are aware that these hostile, conflicted relationships are seriously detrimental to children. It is our goal to help clients address and restructure the negative aspects of their relationship and replace them with positive co-parenting.

More specific objectives for closure therapy are as follows:

1) Accept the end of the relationship.
2) Lay the groundwork for a functional relationship with the other parent.
3) Develop an understanding of each individual’s own contributions to the failure of the relationship.
4) Create or re-establish sources of social support.
5) Feel competent and comfortable in parenting roles.
6) Commit to ongoing negotiation and settlement of legal and pragmatic issues.

Therapy process – Closure therapy is designed to be short term (4-6 sessions of 2 hours each) and focuses on a range of topics that will move clients through the process. Clients will be asked to review the circumstances of their coming
together and separating. They will also be asked to participate in a process designed to initiate forgiveness of themselves and each other. Finally, they will be asked to create a ritual to symbolize their commitment to relating differently. Clients are cautioned that this process will undoubtedly be painful for them at times as they recall hurt feelings, anger, sadness and otherwise re-experience the grief of the loss of a relationship. However, it is our hope that clients will also experience relief and a sense of peace as they begin this worthwhile journey.

Closure therapy is designed to begin a process for clients that they, hopefully, will continue after the completion of therapy. Continuation may take a variety of forms for different clients. Those options will be discussed with clients at the end of the process but will not extend the closure therapy process.

**Journaling** – Clients will be asked to keep a journal through the therapy process. Clients will be given guiding questions as needed.

**Client Responsibility** - It is recommended that clients purchase three books at the start of therapy:

- **The Power of Forgiving** (Everett L. Worthington, Jr., Templeton Foundation Press: [www.templetonpress.org](http://www.templetonpress.org));

- **Forgiveness – How to Make Peace with Your Past and Get on With Your Life**, (Dr. Sidney B. Simon and Suzanne Simon, Warner Books: [www.twbookmark.com](http://www.twbookmark.com));

- **Forgiveness is a Choice** (Dr. Robert D. Neright: [www.apa.org/books/](http://www.apa.org/books/))
Clients should also purchase a journal in which to document thoughts and feelings during this process.

Constance Ahrons’ books, *We’re Still Family* and *The Good Divorce*, are also recommended as optional reading.

This is just one example of a counseling program that could aid high-conflict couples.
Appendix D

Quotes by Alfred Adler

- To see with the eyes of another, to hear with the ears of another, to feel with the heart of another. For the time being, this seems to me an admissible definition of what we call social feeling.

- It is not possible for a partner in a cooperative task to accept a position of subservience. Two people cannot live together fruitfully if one wishes to rule and force the other to obey. When people are equal, they will always find a way to settle their difficulties.

- Love may have its beginnings in the sudden infatuation, but it does not deserve the name of love, without labor and discipline, sacrifice and cooperation.

- Love is a task for two individuals. For many people this is bound to be a new task. To some degree we have trained to work alone; to some degree, to work in a group. But we generally had little experience of working two by two.

- Equality is only possible if both partners have this attitude. It should be the effort of each to ease and enrich the life of the other. In this way each will be safe; each will feel that he is worthwhile and that he is needed.

- Sometimes the mouth lies or the head does not understand; but the functions of the body always speak the truth.
**Quotes by Alfred Adler Cont.**

- We are always better prepared if the marriage of our parents has been harmonious. Children gain their earliest impression of marriage from the life of their parents. If the parents are not able themselves to cooperate, it will be impossible to teach cooperation to their children.

- The worst preparation for marriage is when an individual is always looking for his or her own interests. If partners have been trained this way, they will be thinking all the while what pleasure or excitement they can get out of life. They will always be demanding freedom and relief, never considering how they can ease and enrich the life of the partner.

- One sign of lack of preparation is if one member of a couple always wants to educate or criticize the other.

- For the right choice of a partner, in addition to physical and intellectual suitability and attraction, the following qualities, which indicate a sufficient degree of social interest, should be taken into consideration: a. capacity for retaining friendship; b. an ability to be interested in his work; c. more interest in the partner than in self.

- Don’t take without giving, nor give without taking, in love.

- Don’t expect an impossible perfection in others, of which you yourself are incapable. Love a woman, not an angel; a man, not a phantom ideal.
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Program Development Proposal

Introduction

Couples in high-conflict after a divorce need counseling services at the beginning of the breakup. Utilizing Adlerian concepts can help couples come together to make custody decisions instead of relying on the adversarial system which can tear them even farther apart. Marriage and Family Therapists can help couples see the need for change, cooperate with one another, and communicate more effectively. Exploring values, Family of Origin, and Individual Psychology can help each parent realize why they stand strong in their beliefs. Looking out for a child’s best interest is the most important piece of the puzzle. When parents can put aside their own needs and look at what their children need, they can begin to co-parent. Being better parents will help in a child’s development and ease the transition into a new family structure.

List of Program Components

- Need for Change
- Tenets of Adler’s theory to Help Couples in High–Conflict
- Family of Origin
- Values
- Cooperation
- Communication
- Nonviolent Communication
Need for Change

When parents aren’t able to look out for what a child needs, it can be an opportunity to help couples learn how change is possible. Prochaska, in his book *Changing for Good*, explains that in order for change to occur, couples need to be at a stage where they are willing to make the change (1994). If couples are in denial concerning how they are contributing to the conflict, change won’t occur. Children will continue to be placed in the middle of arguments. Lebow explains, “given the degree of dysfunctional behavior that typifies almost everyone involved in these conflicts, it is rarely hard to find some immediate change that would be helpful for each client in the service of the ultimate goal of reducing conflict” (2003, p. 187). Explaining to clients that change works on a continuum can be helpful in helping parents understand that change is a process. Suggesting that clients understand the process of change by reading Prochaska’s book, “Changing for Good”, can help parents take steps at becoming better parents. Even if they can start to focus on how the conflict is affecting the child, it will help change the outcome of conflicted situations.

Serenity Prayer

By learning the necessity for change, parents can begin to see what is best for their child. The Serenity Prayer can be another helpful aid to suggest that parents work on faults in order to help their children. Understanding what role each parent plays and how they can change will help children in the long run.
The Serenity Prayer reads like this:

    God, Grant me the serenity to accept the things I cannot change, the
courage to change the things I can, and the wisdom to know the
difference.

When couples realize what they can work on in order to change they will help
themselves and their children. Adler said one of the hardest things for human
beings to do is to know themselves and change themselves (Adler, 1998).
Challenging ourselves by participating in therapy will help us change for the
better.

**Adlerian and Individual Psychology**

The goal of understanding more about yourself derived from Alfred
Adler, M.D, who was an early associate of Sigmund Freud in Vienna. He
dedicated his life to understanding people and his theory called Individual
Psychology. His theory of human behavior has impacted models of practice in
education, the social sciences, family life, psychology, and psychotherapy. He
was one of the earliest theorists who used a brief, solution-oriented approach,
making it a good fit for work with couples in high-conflict.

**Tenets of Adler’s Theory to Help Couples in High-Conflict**

- Focus on Strengths
- Democratic principles and Mutual Respect
- Sense of community
- Personal freedom and responsibility
- Sense of contribution
• Individual view of life
• Social context of behavior
• Goal oriented movement
• Purpose and meaning of behavior

In order to understand Adlerian (Individual) Psychology, a few essential definitions are listed below. They are derived from A Student’s Glossary of Adlerian Terminology, Second Edition by T.B Beames.

**Adlerian Definitions**

**Conflict**– defined as intrapersonal by others, is defined as a “one stop backward movement,” the net effect being to maintain the individual at a point “dead center”. –Mosak, 1979, p. 45

In accord with Adler’s Law of Movement and pursuit of the individual purpose, the apparent conflict becomes a matter of maintaining the appearance of movement while in fact remaining unmoved. The problem is not within the person, but between the individual and the problem he faces but avoids solving (Beames, 1992).

**Courage**– For the Adlerian, courage is a key concept. It’s maintenance bespeaks movement on the socially useful side of life. It’s lack betokens movement to the useless side. Courage is expressed in action to meet the tasks of life as they are encountered, despite the individual’s inability to predict the outcomes. It is often important to remember that one does not acquire courage to meet danger. It is in meeting the danger, in daring to risk, that the individual acquires courage.
Encouragement—The word is included here to emphasize its fundamental significance in Adlerian psychology. Without encouragement, the individual does not acquire or exercise the courage to face the tasks of life. One who has seen the inert infant who has been seriously neglected or rejected in the first days and weeks of life has observed the effects of lack of encouragement. A helpful program for parents to encourage their children is through Systematic Training for Effective Parenting (STEP). The Parent’s Handbook teaches parents to use encouragement which is especially useful to apply during divorce.

Family Constellation—A term which in its most restricted sense, refers to a static listing of the family system in which the individual grew up.

Holism—For the Adlerian, the holistic concept of man includes the purposive nature of man’s behavior, his goal directedness, and his place as one of mankind. Man is seen as indivisible, creative, more than the sum of all his physical, mental and emotional faculties and function. It is not enough to say that man is a whole being. Individual Psychology views the individual as a whole person functioning in a current social context and within the context of his evolutionary future.

Social Interest—Adler’s term social interest is both a fundamental and a difficult concept in his psychology. Adler says it is an innate potential in everyone that has to be consciously developed. Social interest has also been referred to as social feeling; community feeling; community sense; communal sense; and humanistic identification (Beames, 1992).
Family of Origin

The anger and resentment in many couples comes from deep-seated issues that were unresolved in the parent’s own childhood. Adlerian Psychology can aid in helping parents become aware of their childhood upbringing and how it’s impacting the current parenting. Adler explains how order of birth can impact how a person feels about life. Family members experience psychological difficulties and also experience inabilities to deal with the pressures of their family of origin (Lebow, 2003). To help family members understand themselves better, a therapist can explain Adlerian psychology techniques. By having an understanding of birth order and family upbringing, parents can see how they were raised in their family of origin. It helps parents understand why they use some of the same parenting styles as their parents did. When becoming aware of what parenting they received when they were little, they can change the styles they may or may not want to continue in their own family. Many parents have been raised in homes with unhealthy parental modeling. The parenting skills they learned when little were observed from their own parents and family.

Birth order can attract couples to each other in the beginning but irritates one another in the end (Nelson, 2006). For example, a first born may take care of a spouse who is placed in their family as a baby. After awhile, it may irritate the spouse when at first they enjoyed taking care of the other parent. Learning what position each parent has in the family can be helpful in understanding mutual respect and cooperation.
Values

Parents have strong values that were carried from their family of origin. A discussion on values is helpful to discuss with parents. This allows each parent to see why they value what they do. For example, one parent may have a strong religious background and want to be with their child on Sundays in order to take them to church while the other parent may not. The other parent could value athletics more and want to participate in each child’s athletic activities. By coming to an understanding of what values a parent has, it can help in negotiating days and special occasions accordingly. They can look to their values and come together to develop a parenting plan. It helps to put in perspective what couples want from a custody placement when they understand what each other’s values are. Traditions, family rituals, and religious upbringing should be respected by each parent so these can continue for children.

Carlson and Dinkmeyer, Sr. explain that parents who have different values and come from different backgrounds will argue over what is best for their children (2003). Parents can agree to disagree but need to respect the other parent’s values. An effective approach explained by Garrity and Baris is to help parents identify values that they both share (1994). For example, it could be a shared value with an agreement on discipline like limiting the amount of time watching television. By joining together and finding similar values instills a sense of cooperation.
Cooperation

Hagen suggests that courts need to be certain that couples can cooperate before joint custody can work (1987). Couples need to learn to cooperate with one another for a co-parenting relationship to exist. After one year of counseling, enhanced relationships between children and parents, mutual enjoyment, increased cooperation and closeness contribute to more interest in frequent visits (Kelly & Wallerstein, 1977.) By participating in counseling, couples will learn to cooperate with one another just by coming to the first session. Adler states in Ansbacher & Ansbacher:

Psychotherapy is an exercise in cooperation and a test of cooperation. We can succeed only if we are genuinely interested in the other. We must be able to see with his eyes and listen with his ears. He must contribute his part to our common understanding. We must work out his attitudes and his difficulties together (1956, p. 340).

When participating in counseling, couples will learn how to cooperate by listening to one another. Getting involved in therapy can help parents listen to each other and begin to understand one another to work out difficulties together.

Communication

Most of the conflict between couples is due to how they communicate with one another. Efforts to limit the communication by only discussing basics or by utilizing email can help. Today, there are online programs to help couples communicate over a website.
Parents need to learn specific communication skills so couples can talk in a respectful manner. Teaching parents to speak using “I” statements rather than “you” is ideal (Miller & Miller, 1991). Communication will be congruent and parents will express directly what each is thinking and feeling by a focus on self. It prevents attacks on the other parent by making statements or declarations about what others may think or feel. The therapist working with the couple can model good communication so couples can communicate better. The parents can then model this for their children.

Daily appreciations as taught by professor Jeff Lupient is a positive practice at communication with family members about what is appreciated from others and self. This can be practiced at the start of a counseling session. Finding something positive to say to the other parent could be something interesting, something they learned, or what they like about the other parent. It builds a parent’s self-esteem and makes them feel appreciated rather than always pointing out the negative.

**Non-Violent Communication**

Non-violent communication (NVC) was developed by Rosenberg to mediate disputes and conflicts (2003). It’s a process to communicate what you want without being demanding. It will also help couples in hearing what others need. It continues to apply “I” messages instead of using “you”. The NVC process works when communicating these four points:

- The concrete actions we observe that affect our well-being
- How we feel in relation to what we observe
The needs, values, desires, etc. that create our feelings

The concrete actions we request in order to enrich our lives (2003). This process can be practiced in counseling so couples can learn to listen and communicate each of the four components. This process helps to identify observations versus evaluations. It connects couples to their feelings by what they observe. Based on a parent’s needs, values, and desires they will be able to request from the other parent what they would like.

**Conclusion**

By looking at values, encouraging cooperation, and accepting the need to change by effectively communicating, parents will establish a future co-parenting relationship. By learning Adlerian techniques, a family can come together and decide what’s best for their children, keeping them away from being in the middle of conflict. This can be a helpful approach for couples to realize that they have to cooperate with one another to develop a co-parent relationship for their child. Helping couples communicate more effectively by using a nonviolent approach will begin to bring couples together. After learning to cooperate with one another they can then approach a mediation effort to develop a custody arrangement that works for both parents. Not only will the counseling help the couple to come to a custody decision, but it may also strengthen the co-parenting relationship so children aren’t in the middle of conflict.
References


