

Is There Such A Thing As A “Good” Divorce?

By Steven J. Kaplan, Esq.

With all the horror stories we hear about horrible divorces, could there really be a “good” divorce?

Divorce is never easy but it does not have to be disastrous.

It has been said that a good divorce is one in which both parties share the pain equally. To me there is a certain appeal to that sentiment.

As a lawyer whose practice is limited to divorce and related issues, I meet with hundreds of people each year who are struggling with the issue of whether to end their marriage.

Most of these people make it clear to me that they intend to be fair to their spouse and want their divorce, if they do choose to get divorced, to be as speedy and as relatively pain free as possible.

Most of them say at some point during our consultation “I only want what’s fair.”

However, every year there are a few people who consult with me and tell me that they want me to “go for the jugular.”

Clearly this expression has come to mean that the prospective client wants his lawyer to be more than aggressive and to really seek to annihilate the other side, causing as much paid and damage as possible.

Most good divorce lawyers do not accept these potential clients for two main reasons.

First, the concept of “going for the jugular” is usually not good for the divorcing clients themselves. Judges do not want to see people behaving this way and most judges will not tolerate litigants who are trying to intentionally hurt each other.

Second, the concept of “going for the jugular” is not good for children. Children are the enduring legacy of divorce. They take it all in, process the information, and get ripped apart by what they understand.

I have heard it said that a “good divorce” is a divorce that leaves the parties in a position where they are able to dance with each other at their child’s wedding. That is the image that I encourage people to try to keep in mind as I counsel people who are facing divorce.