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# Psychology and Family Law

By Mark Baer, Esq.



I would like to use this column as an opportunity to thank those members who responded to my request for feedback in the last issue. The responses I received were incredibly gratifying and I can't thank you enough. I'd like to share the following

excerpts from some such correspondence

- "I just read your article and wanted to say that I have educated divorcing clients many times on the different ways of approaching it, including mediation, and have referred clients to mediators upon a few occasions.... You first introduced me to the concept of mediation, it's true! So thank you for that, sincerely.... Carefully navigating a divorce without escalating the conflict is not easy, but definitely a better approach.... I think what I've heard from you mostly is that a litigated divorce process is often two very irrational and enraged adults, who cannot see the helpless children who are victims to the war. You have said to us in essence, let's all do what we can to not do this. As a psychologist, and a mother, I hear you. As a psychologist, I can empathize with your feeling of not knowing whether you have had any impact. You have, but I'm sure you will never fully know what that is..."
- "I just read your piece in the Newsletter and was sorry to hear about your frustration with the membership's response. Perhaps it's unfortunate that it took your writing that for me to express my gratitude, but I should say I definitely respect and appreciate your prolific contributions to the newsletter over the years. While I admittedly may not have read every single piece you've written, I can say I've definitely learned plenty about collaborative divorce and mediation as an alternative to litigation! Thanks to you, I am definitely aware enough to be adverse to the idea of any couple or family going through the inherently adversarial process of a litigious divorce.... Your broad base of knowledge and thoughtfulness about the human condition and empathy is evident to me.... So, for what it's worth, thank you, and I hope you don't discontinue your writing altogether."
- "I think it took courage on your part to express your feelings publicly, and I hope that you've heard from others about how they have appreciated your articles, but simply haven't taken the time to let you know."
- "I understand your frustration. Nine years is a long time. I think that feeling unheard is like being invisible, and is very hurtful. I hope that you haven't put yourself in emotional harm's way by expressing your personal feelings and frustrations about the lack of comment or feedback regarding your column and that you can protect yourself emotionally if there is any negative feedback. I say this because therapists are human, and as such, don't always practice 'suspended judgement' outside of patient sessions.... The point that litigation is often chosen and preferred, despite the fact that it can be very destructive, reflects the same differences as a therapist choosing a modality of treatment, that doesn't fit the patient as well as another might. Colleague referrals ideally consider the specialty of the therapist's modalities, as should legal referrals.... Using the guidance of a mediator, parents are expected to co-parent, minimizing the trauma.... Given the populations with whom I've worked clinically, family law attorneys and therapists who work on behalf of the child's needs and mental health are sorely needed. I think that the awareness of the necessity to collaborate across disciplines is not a given. I don't think that because the therapists in SGVPA don't ask you questions about your columns means that the information you have shared hasn't resonated with them.... Your column was genuine and represents a courageous effort to communicate with the SGVPA therapists. Your writing is spectacular."
- "You have done a brave and passionate job conveying the merits of mediation over litigation for the SGVPA community over almost a decade; and you have made some converts, and left some unconverted... but that is what most passionate people find: Some folks become believers; and always, some do not. The human race is a diverse lot, and there are as many perspectives as there are human beings."

I am so incredibly grateful for the amazing response I received from my fellow SGVPA members. I know that not everyone will agree with me—which is a good thing, because life would otherwise be incredibly boring! I doubt any of you will ever fully know how valuable my membership in the SGVPA has been to me over all these years (and I am not referring to commerce in any way). My membership in this wonderful organization, has enriched my life tremendously. Last, and certainly not least, the friendships I've made with members of this organization are among my most cherished.

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