

Family Conflict During a Pandemic:

Stories of Struggle and Hope



With compliments,

www.pandemicrelationships.com

Advice from over 90 mediators and related professionals, artists, politicians
and others affected by the Pandemic from around the world.

Created & edited by Michael Lang & Peter Nicholson
Editorial assistance by Georgia Daniels & Laurel Amaya

ACKNOWLEDGEMENT

When Peter Nicholson and I created last year’s “pandemic book” (Living Together, Separating, Divorcing: Surviving During a Pandemic), we understood the pandemic would bring chaos, peril, and disruption. We couldn’t know then the extent of these destructive effects, nor that they would continue for months and months. Now, vaccines give the world hope for an eventual end to this virulent disease; though that end will not arrive for many months.

Aware of the continuing strain on families who continue to struggle with the consequence of the pandemic—illness and death, lockdowns, economic catastrophe, distance learning, virtual work, and anxiety caused by constant uncertainty—it seemed time for a second book that offered advice, support, compassion, and hope. We set out to collect stories that describe both the ongoing struggles and glimmers of hope.

Contributors responded with personal stories, stories of family and friends, stories from their professional work, and advice for managing family life as the pandemic continues to disrupt our lives. In this book, we have collected contributions from 93 people—from professionals, from artists and poets, and from children whose lives have been especially unsettled. Our contributions come from 17 countries – Argentina, Australia, Canada, Czech Republic, France, Greece, India, Iran, Ireland, Italy, Kenya, Nigeria, Poland, South Africa, Trinidad, UK, and US. Contributors offered pieces in 9 languages (Czech, French, Greek, Irish, Italian, Persian, Polish, Russian, and Spanish). Family Conflict During a Pandemic: Stories of Struggle and Hope is truly a global gift to families.

In addition to our humble appreciation to all our contributors, I want to give thanks to three people whose talents and time were invaluable in creating this book. Believing the response to our request for contributions would produce a wealth of stories and essays, I enlisted the help of two friends--colleagues—to help read and edit the pieces we received. They, like all of us, gave their time and considerable skills to the project, willingly and without compensation. They patiently, and deftly edited the stories and essays, with a light touch to preserve the author’s voice and intent. Without Georgia Daniels and Laurel Amaya, this book would not be as clean and readable. Their generosity moved me and lightened each day we worked together. My publishing partner and dear friend, Peter Nicholson, gave his time and more importantly his creative mind and company graphic designers, to the concept, desk top publishing, illustrating and publishing of the book. The look and feel of this book is a tribute to Peter and his wonderful colleagues at the OGX Group, who yet again have kindly sponsored the design and production of this publication.

Michael Lang

US

FOREWORD

‘Ou le vent me porte’ is a French phrase that literally translates as ‘where the wind takes me’. I love its sentiment but in reality, it is harder to achieve. In an ideal world, we would all like to sail through life with an air of nonchalance, throwing caution to the wind. But in a global pandemic, it is nigh to impossible, particularly when faced with family conflict. At that point, a compass is needed to point us in the right direction. It can prove too challenging to try and navigate our way home without it. More importantly, we need support, comfort, understanding, and compassion along the way.

In the first book, expertly put together by Michael Lang and Peter Nicholson: ‘Living Together, Separating, Divorcing: Surviving during a Pandemic’, that badly needed direction was provided. This first book was geared towards marital breakdown. Within its pages is an invaluable crucible of information, advice, guidance, and tips to assist couples. A pandemic aide-memoire, if you like, for separating and divorcing couples. The quality of contributions in its pages has no doubt helped many couples and families in difficulty throughout the world. The knowledge, foresight, and experience of the contributors are evident when you read the essays. Their insights and wisdom have helped many.

This second book: ‘Family Conflict during a Pandemic: Stories of Struggle and Hope’ is, to my mind, a more intimate book. In the first section, the authors explain how they and their families have been affected by the pandemic. The personal insights into the authors’ lives bring us into their worlds. We can identify with their struggles, cry with their frustrations and even laugh on occasion. They give us a glimpse into the lives of our fellow human beings and how we are all coping during these difficult days. They help us know we are not alone. In the second section, there are stories by mediators that describe the struggles their clients faced in the pandemic. We have a ringside seat in the room of the Mediator. It is invigorating to witness the calm presence and power of the mediator in assisting others to find satisfactory outcomes, something that may not have been possible at all without their help. The invisible magic of the peacemaker is alive and well, even online. We are witness also to the monumental shifts that individuals within families make in order for conflict to be resolved. Each one of them is to be commended as there is never anything easy about that shift. The resilience, fortitude, and ‘digging deep’ required by many to overcome their respective challenges are humbling. The third section provides us stories that illustrate the resilience of couples and families in the pandemic. The stories highlight the daily struggles, trials, and tribulations that we all face in this pandemic but how tenacity and courage, and ultimately hope will win out in the end. The fourth section provides programmes that offer help with psychological, legal, mediation, and housing matters. For those in need of their services in different countries, it provides useful details of more practical supports and programmes, from domestic violence to community hubs.

Both books are must-reads. Where the first book illuminates the path ahead, a ‘compass’ to navigate our way home, this second book provides the support, comfort, understanding, and compassion necessary for the journey. Anyone who reads this book will be buoyed by

it. It has an abundance of humanity, depth, and camaraderie within it. I have no doubt its contents will be of historical interest in generations to come. They will read it and marvel as to how we all coped in these unprecedented times. And how some, in particular, rose to the occasion to assist. Suffice to say Michael and Peter did just that. They didn't sit back and do nothing. They asked instead how can we be of service? We owe them both our gratitude for their determination, hard work, and organisation in bringing these books together. They are shining a very bright light at a time of deep suffering for so many.

The wind is at our back, our sails are up and the world will, once more, be our oyster.

Josepha Madigan TD
Minister of State for Special Education and Inclusion
Ireland

Family Conflict During a Pandemic: Stories of Struggle and Hope

One of the quotes that circulated during the pandemic is to the effect that “We are all in the same storm but, we are not in the same boat”. It is so true and so humbling. Yet, there are many ways the viral storm has had similar impacts on millions of people from all over the world including ongoing fears, and loss, and relational upsets to and among our families - common experiences none of us want for ourselves or others.

Early on in the raging storm Michael Lang and Peter Nicholson had the presence of mind, foresight and thoughtfulness to compile 75 essays from family law lawyers, mediators, mental health professionals and financial advisors for their book “Living Together, Separating, Divorcing: Surviving During a Pandemic”. This was a brilliant idea aimed at providing practical advice and helpful tips to families – to help them cope with the huge and adverse impact of the coronavirus on their relationships with each other and with their children. The generosity of so many contributors, with first-hand knowledge, made this book a must-have for families by providing support and comfort needed to families - that they are not alone in their struggles to get through these unprecedented times, and that there are ways to do so.

With the same strong motivation – to support families in their journeys through the pandemic – Michael and Peter have brought together 91 contributors for their latest book entitled “Family Conflict During a Pandemic Stories of Struggle and Hope”. Again, these writers who freely gave of their time also want to support families by providing accounts of many who found effective ways to manage and resolve their conflicts on their own or, with professional help.

My heart-felt congratulations go to Michael and Peter and to all the writers who contributed the essays, poems and images - from 17 counties and altogether 9 languages! The accounts in this book, of those who found ways to cope, are heart-warming, hopeful and life-affirming - something we all need while we continue to ride the waves.

Cinnie Noble LL.M. (DR), Certified Mediator and Coach and Founder of CINERGY™ Coaching.

Toronto, Ontario, Canada



Artist:
Jacob Lang
US

The COVID Pandemic: The Crisis Can Be Our Collective Opportunity

US President, John F. Kennedy has inspired the world for nearly 60 years with his words:

“The Chinese use two brush strokes to write the word ‘crisis.’ One brush stroke stands for danger; the other for opportunity. In a crisis, be aware of the danger--but recognize the opportunity.”

It is ironic that the worst health crisis in a century most likely started in China. Families worldwide have faced other crises as eloquently described in this book: Medical crises, some resulting in a catastrophic number of deaths and lingering long-term disabilities. Financial crises leading to loss of employment and worldwide stagnation of growth. Emotional crises ranging from an individual feeling lack of self-worth due to the loss of employment and collective anomie resulting from lockdown isolation and disruption of our patterns of friendship, workplace connectivity, and broken or interrupted dreams. Our children are facing challenges of which neither they nor we ever thought possible. Just like children of the Depression, this generation of youth may never forget Zoom school or “masking up” on the playground.

This is the brushstroke of danger. However as demonstrated in this anthology of international peacemakers and mediators although non-intuitive, this pandemic has resulted in opportunities never envisioned in early 2020.

With the help of research scientists, first responders, courageous health care workers, and other helping professionals, we have all been inspired to dig out of hopelessness and can now vision a new normal made possible by vaccines and collective sacrifice. Our children are developing resiliency and strength that will fortify them and their children and their future children for the unexpected and uncontrollable life challenges for decades to come.

In the body politic, as citizens, we often found our renewed voice at the ballot box to choose leaders who could meet our needs for medical and financial help and thirst for recovery.

Family and business conflicts have been turned into positive options by the mediator authors in this book, many of who work in relative privacy of zoom meeting rooms that permit creativity and resolution at lower cost and logistical ease. From computer screens fired up at dining room tables and often from the solitude of parked cars, people can get help from mediators worldwide who guide them with ideas for their own solutions. And, more importantly, mediators have modeled communication skills and empathy to help people to solve conflicts on their own....and garner hope for the future.

As I read through the courage and innovation of humankind depicted in this book created through the brilliant vision and artistry of Michael Lang and Peter Nicholson, story by story, person by person, I too am revitalized with hope and motivation for the future. Mediators

emphasize baby steps toward resolution. Use this book to baby step your own personal way to self-reflection on how you can learn from these families to unveil your own opportunities... in your work, in your families, in your cherished communities, and in the small planet that we all share and must preserve.

Forrest (Woody) Mosten

US

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To protect the privacy of those whose stories are retold in this book by our contributors, names and other identifying information have been altered.

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There is no Copyright on the content created in this publication. It is a gift from about eighty people who took the time to write valuable advice, who edited and molded the material, who created the visuals, designed the book, and managed to get it into your hands.

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Produced during the COVID-19 Pandemic March/April 2021
by Michael Lang and Peter Nicholson

Section 1

During the pandemic, families have been strained by persistent and intense worries about their health, managing remote learning, adjusting to working from home, as well as economic uncertainty. In this section the authors explain how they and their families have been affected by these stresses and how their family responded. Several stories describe the children's experience, in their own words.

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BC

aaah, those olden days
Before Coronavirus
when life was unspoiled

friend A had a job
friend B had plump piggy bank
friend C could dine out

friend D could shake hands
friend E could meet luncheon groups
friend F planned a cruise

friend G could fly home
wife could watch graduation
I could see grandkids

life back to normal
After Coronavirus?
can't wait to hug you

Dan Dana, Dan. Songs of the Pandemic: World Haiku

Five Palms Press. Kindle Edition. Reprinted with permission.

Turning 21 in a Pandemic

Life in the pandemic has affected our lives in every way possible way, and for young people, this has included milestone events in our lives including things like proms, graduations, and for many, including me, turning 21. Events like these can't be postponed or redone once the pandemic is over. They are things forever lost to this year which we can never get back. It is a loss that our parents and those much older than us won't understand and may even trivialize, in light of life's "bigger picture." This has been a point of contention between generations especially for those of us who have been living at home again after having been away at college. Trying to make sense of this and find some positives is what this story is about.

I had been dreaming of my twenty-first birthday since I turned fourteen. Every birthday leading up to my twenty-first birthday meant I was one year closer to the most important birthday of all time. I never had a fake I.D., pretty unusual for someone from my generation, so I had never experienced the bar scene and was anxiously awaiting. This meant twenty-one was going epic, a big party with all of my best friends in my fabulously decorated apartment, then marching to 13th Ave where all bars are, followed by a night of partying, dancing, and trying every single drink I wanted.

Sadly that was not how my twenty-first birthday was spent. My birthday was spent in my apartment with my three roommates (who happen to be my best friends). One of my roommates made me vodka sauce pasta and a cake, and we had a few (5+ but hey it's 2020) wine coolers and then I went to bed. It was not the dreamy twenty-first birthday I had spent the past seven years envisioning.

While it was upsetting and if I was being really dramatic, I would say devastating I did not get my dream birthday, I try to find positivity and hope in the horror that has been 2020.

About a week after my birthday, I flew home early to avoid having a crowded flight full of college students flying home for the holidays. I went back to living with my parents for all of November and December and about half of January. At twenty-one, I live a very different life than my parents do. They are very content to stay home and I love to adventure. I love my parents, and unlike the majority of my friends and peers, we have a very good relationship so there are worse places I could think to be. But, I am still twenty-one having a good relationship with my parents does not mean we are in the same places in our lives and that we have not had our struggles adjusting to how the other lives. I wake up late and stay up late, they wake up early and go to bed early. I am used to having my own apartment and doing things when I want and how I want. We have had to adjust our lifestyles and our preferences to make it so we can live in harmony.

My parents have worked really hard to adjust to my lifestyle, my mom stays up late watching TV with me and takes me on social distanced adventures. My dad and I have discovered Bevmo, and he always makes sure to make time to hang out with me or go on a drive even though he is a very tired and busy healthcare worker. I have appreciated that they recognize the effects of the pandemic on my life and experiences just as it has affected them.

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They have recognized that it has been hard to spend the months since my twenty-first birthday at home, away from all my friends (I have not seen my friends from home either), and have tried to make up some of the fun and experiences I would have experienced having celebrated with my friends.

My parents, who are not big drinkers, have bought vodka, tequila, rum, Kahlua, Midori, and all the mixers and proper glasses so that I could make and try all the drinks I had waited twenty-one long years for. It turns out, I actually dislike the majority of drinks I make because they are too strong, but my parents gladly relieve me of my drinks.

This is not the year I envisioned, that anyone did. More than difficult and not normal, it has been heartbreaking and debilitating at times. However throughout this year and all of the changes and setbacks I have tried to make the best of it and survive knowing that life will not always be like this. I have my entire life to go to bars and party the night away dancing. Right now I am doing my part to stay home and stay safe, and thankfully I now have a full bar to help me do that.

Marisa Amaya

US

Fortune Cookie Wisdom

Tim grew up with an alcoholic father who was verbally, and sometimes physically, abusive. From an early age, Tim walled himself off from his emotions, a coping mechanism that served him well in his personal and professional life until March of 2020, when the coronavirus pandemic hit and the world as he had known it came to a screeching halt. His long-held rage began seeping through new cracks in his once-impenetrable walls.

Joan's parents had gone through a bitterly contentious divorce when she was 5. She was left with deep emotional scars and, as a result, struggled with intimate relationships in adulthood. Fortunately, she had an extensive support network, including a therapist, who was helping her grow past her wounds.

Joan was a bartender at a restaurant in Burlington, Vermont, and was working toward a bachelor's degree in psychology. Tim was a regular at the bar, where he would stop for dinner and drinks after work. He worked as a paralegal at a law office in town, a job that he found very demanding and stressful. Tim and Joan met and started dating in 2017. In September 2018, Joan moved into Tim's two-bedroom apartment in downtown Burlington, after the couple learned she was pregnant. Tim had been unsure about their relationship all along and was resentful of what he perceived as Joan's "intrusion" into his home and his personal space. His walls were so strong, however, that he was unaware of this resentment, and wanted nothing more than to be a "good" person, a "good" boyfriend, and a "good" father. Joan suspected something was amiss, but every time she tried to talk to Tim about it, he reassured her that he was happy. In fact, it was Tim who initiated the idea of saving up to buy a small house together in a couple of years, so there would be ample room for three. Joan took this to mean he wanted to build a life together, but, unbeknownst to either of them, what Tim was really seeking was more space from Joan.

When their daughter, Lila, was born in May 2019, the first cracks in Tim's walls started to appear. His heart was opening for the first time in his adult life, and yet, at the same time, his resentment toward Joan grew. To Tim, it seemed as if Joan had suddenly changed and become more controlling and demanding. However, Joan had plunged into postpartum depression, and what Tim perceived as controlling and demanding was Joan's way of seeking support from him.

Life in their two-bedroom apartment was increasingly stressful, and Joan and Tim's communication was becoming strained when, in March of 2020, the coronavirus pandemic changed their world. Tim was now forced to work at home and the restaurant where Joan worked shut down. Tim had more and more trouble containing his anger. Joan began to feel resentful of Tim, and their communication was now defined by veiled attacks and barbed defenses.

For Lila's first birthday in May, Joan and Tim ordered a take-out dinner from a local Chinese restaurant. Ever since she started eating solid food, Lila's favorite meal had been chicken lo mein, and she loved to break apart and eat fortune cookies. When she broke open one of the fortune cookies that came with her birthday dinner, she asked Tim to read her the fortune. As

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Tim spoke, Joan felt a stirring inside: “If we don’t change the direction we are going, we are likely to end up where we are heading.” Joan was deeply struck by the message and taped it to the refrigerator. She pondered it for weeks afterward.

One day, months into the pandemic, after yet another argument with Tim, Joan took Lila grocery shopping. While at the grocery store, Joan’s stress levels soared as Lila had a meltdown. Joan couldn’t remember what she had come to the grocery store to get, and, in a frenzy, grabbed a gallon of milk, a dozen eggs, a loaf of bread, and a lollipop to help quell Lila’s tears. At the same time, Tim was home alone, ruminating on his “miserable” life.

When Joan and Lila arrived home, Tim unloaded the groceries. Upon seeing that Joan had bought a gallon of milk when they already had an open gallon in the refrigerator, Tim flew into a rage. “You’re always buying things we don’t need, wasting money. You never make a grocery list and look at what happens. We end up with two of the same thing. Every time. You don’t know how to budget and you don’t know how to run a household. I have to do everything or else it doesn’t get done right.”

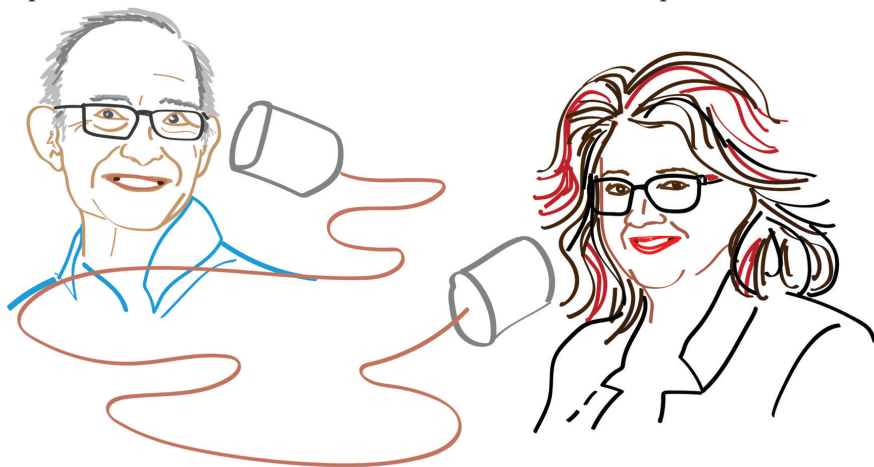
Joan was livid. She felt tears well up and her body start to shake, and she lashed out at Tim: “How dare you talk to me that way? You, who doesn’t say anything all day until you come out and declare that I have done something wrong, yet again. I’m sick of you taking your anger out on me as if I beat you like your father did. I don’t deserve this treatment. Go yell at your father and tell him he ruined your life. Maybe then you’ll be able to act like a normal human being.” Head in her hands, Joan leaned against the refrigerator and broke down crying as torrents of emotion rushed through her body. After a few minutes, she opened her eyes. There on the refrigerator, she saw the message from the fortune cookie. She looked into Tim’s steely eyes and, for the first time, saw a vulnerable, wounded child who was doing his best. At that moment, she decided to stop taking Tim’s anger personally. In the days, weeks, and months that followed, that simple shift on Joan’s part allowed Tim the space he needed to begin to come to terms with his past.

Lori Lustberg

US

Hope and loss: An email conversation

The following is an exchange of email messages between Joanne Chuckaree, a civil and family mediator from Trinidad and me regarding my request that she write a story for this book. The words speak for themselves and need no further introduction or explanation.



Hi Michael, Sorry but I will not be able to submit an article for this sitting. I really do not want to disappoint u but between u and I, this month has been quite difficult for me. I suspect I'm in a somewhat depressed state and I'm trying my best to deal with this on my own terms and my own way. I am totally burnt out and I am not motivated to work but I force myself to as I have financial commitments.

I'm the one who usually administers hope, not that I feel hopeless but exhausted. For the last 13 plus years from Monday to Saturday I have done mediation, I think I'm experiencing vicarious trauma. I humbly apologize but I just need to be still and feel God's love and take care of me.

Joanne

I read your message feeling a deep sadness for the state of your spirit. You made a courageous decision a year ago to retire from court mediation, without knowing what the pandemic would bring, but a decision that was right for you. You stepped away from work that had been nurturing, but had become limiting, and you stepped toward an unknown in which you had great hope. That you aren't able to contribute to the book is a disappointment that will fade. My concern that you find a measure of peace will always continue.

Michael

Thank you for your understanding, your concern and support especially for my heart and spirit. I really wished you were here to just sit with me and simply be my friend. A sense of "grief" has gotten the better of me and I do pray that it will not take up permanent residence in my space. I am treating it as a short-term guest as it has a purpose and I need to embrace it without fighting against it.

Family Conflict During a Pandemic: Stories of Struggle and Hope

As I sit quietly, I thank God for you and all my caring and wonderful people in my life near and far. I am blessed to be a peacemaker but I also need to be one for myself. This message also applies to you, my mentor and friend. All peacemakers need to just sometimes stop and be still and remember what peace there is in silence as our hearts, our souls and our beings need silence. Our souls are connected to the creator, but sometimes our brains forget that and it continues to force us to deal with all levels all conflicts. I feel as though if we don't take a break from conflicts, we will then have a conflict within ourselves. It is good to grieve for everyone, but it is also very important that we grieve for ourselves. I am hopeful that this "grief" too shall pass.

Hope is such a beautiful and powerful word as it has life and breathe of its own. It's one of my favorite words in the entire English vocabulary. When I hear or say the word, HOPE it really makes me smile even though I feel disenchanting at this time. Just the sound of this amazing word grants onto me courage, light at the end of the tunnel. It's an empowering word and it has positive and enchanting magic in it. I will continue to allow myself to "grieve" for others and myself and embrace this interesting journey. I will ride this wave a little longer and I am mindful to find the teachings coming out from it. Let's share hope directly to ourselves before we administer it to others. The oxygen mask has just dropped and I am now placing it on myself first and foremost before I place it on my loved ones- self-preservation. I am moved to share this with you my friend, I do pray that u do the same.

Joanne

I grieve with you, for all the losses (even in the face of many blessings). Thank you for this most exquisite message. I imagine this exchange of messages would be a beautiful and heartfelt contribution to the book. Perhaps it's too personal for you to share more widely, and I can understand the importance of holding these words close to you. At the same time, they are uplifting and hopeful. Sit with the idea, and if you feel at peace with the notion of including it in the book, I will gratefully do so.

Michael

Thank you for your continued support and giving me continued hope. Please feel free to use the lines that you wish to add in the book, as I would have written the article from my heart and I would have used such messages. People need to be hopeful especially mediators - if the peacemakers don't have hope, how can we share hope? Hope has a life of its own- it allows the heart to be filled with acceptance, and grants permission to receive joy, happiness, love, and everything positive and beautiful. Even in this space that I am in, I still want to encourage and share hope. I think this will be a wonderful opportunity for me to still contribute and to share my message to this awesome book.

Joanne

Joanne Chuckaree

Trinidad

Online School is...

What is this pandemic like for children? Will there be long-term effects from spending two or more school years glued to screens rather than interacting in-person with peers and teachers? As a retired teacher, these questions intrigue me, but spoiler alert – this piece doesn't answer these questions. This piece does present edited interviews of two American children – “E”, an 11-year old boy, who goes to his local YMCA Extended Daycare for some in-person connection as well as public school video lessons, and a 13-year old girl we'll call “G”, who suffers from “school” conducted solely through screens. I am Q, for “Questioner”.

Interview of “E”:

Q: Why don't you start by telling me something about yourself that I'm unlikely to know?

E: I'll tell you about what happened to my leg. In November of 2020, I split my leg open – all the way to the bone. I had to have over 70 stitches, but it's feeling much better now.

Q: Oh, my goodness.

E: It was very gross when it happened. I didn't cry when I got the stitches because they gave me a shot. It didn't hurt at all. It felt like a little tug and a sting for half a second.

Q: Where did you go for the stitches?

E: I went to the emergency room. But all the rooms were packed so they had to give me stitches on a hospital bed in the hallway.

Q: What else is going on with you? Are you doing school at home?

E: Usually I go to the YMCA. I do most of my school there.

Q: Your classes are at the YMCA?

E: Yeah, but when the YMCA is closed, we have to do them at home. At home, since it's just me and my sister, my mom has to go back and forth between us a lot. We go to the YMCA as much as possible. Because if we didn't go there, my mom or dad will have to quit their jobs.

Q: At the Y, do you have an actual person who's helping you?

E: Yeah, we have a counselor. We all have our masks on. We're social distancing. [My sister] goes to the YMCA too, for 1st grade. I'm in 5th grade. Downstairs, it's kindergarten, toddlers and babies, and ...ooh, the babies are so cute.

E continues: In our room, we have lots of pets. The bearded dragon's name is Lemon, because she's yellow. The rabbit's named Mr. Pepper. And my friend Colin, whose mom is in charge of the YMCA, always brings their pet tortoise, Rocky.

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Q: What's your school day like at the YMCA?

E: We get there a little before 8:00. Everyone says "Hi" to me cuz I'm basically the funny guy there. I bring my laptop bag and plug in my charger. The school meeting starts at 8:30, so we have half an hour to talk.

Q: How many students are there?

E: If everyone is there, there will be 7 or 8 [students], but that doesn't happen often. Most of the week, there are 4 or 5 kids. It's not many, but it's more fun than staying home.

Q: When you are online with your Zoom lessons, do you see other kids in your class who are not at the Y?

E: Yes, I do, but sometimes they turn off their videos for certain things.

Q: How do you feel when other kids turn their videos off?

E: I used to do that sometimes, too, because I was shyer on Zoom meetings, but now I have my video on more often. In our classroom, we're allowed to have our videos on or off, but we get rewards if we answer questions from the teacher or if we raise our hand on Zoom.

Q: What kinds of rewards do you get for raising your hand?

E: It's usually a group or class effort for prizes like a movie day for all of us.

Q: It seems that this pandemic isn't causing you a lot of grief.

E: Yes and no at the same time. No, because I have extra time to do things virtually, and I have DISCORD, a site where I can talk to my friends. I'm playing more video games. I definitely have more screen time.

Q: I'm collecting stories about life during the pandemic. That's why I'm asking you questions. Do you have any questions that you want to ask me?

E: Not at the moment. This was a lot of fun!

Interview of "G":

Q: What do you want to do when this pandemic is over?

G: I want to travel, to actually go on a plane and fly somewhere, and not just write about a place.

Q: What else do you look forward to doing?

G: I look forward to going to actual school. Yes. Online school is really bad, and I hate it. I feel

like online school ruins school. I mean, I already didn't like school, but online school makes you hate it even more because the assignments are really boring. It's just writing a bunch of stuff down. There's bad WiFi connections and it's also bad because I'm pretty camera shy. So normally, I don't have a video on. I don't like talking, so I really don't like it.

Q: Can you tell me what you liked about 7th grade school [in person] and what you don't like about 8th grade online?

G: In 7th grade, I had pretty good teachers. I had a really fun science teacher. I really liked to go into his class. I also really liked my history teacher. He would do a lot of fun activities.

Q: Please describe some of those fun activities.

G: Well, when we were learning about China, the teacher got out a calligraphy set. He started drawing Chinese characters, so we started doing that – making Chinese characters.

Q: What did you do in science that was fun?

G: We did labs, which are fun. And overall, the teacher made a really fun, social environment.

Q: What science class are you taking now online?

G: It's physics. It's boring. It's not fun. We really just listen to lectures and then we'll do homework assignments. It's kind of confusing and really hard for me. Ooh, I don't like it.

Q: Is there any online class that you enjoy now?

G: I like my band teacher a lot, it's super fun.

Q: What do you play?

G: I play the bells and marimba.

Q: How do you do band online?

G: Normally, when the teacher's taking roll, he'll make a bunch of jokes with people. He always tries to make these assignments fun and engaging, even though we have a limit to how much we can do online in band. He knows it's hard, yet he really tries to make it fun.

Q: What makes it fun?

G: We use an app called SoundTrap to create our own songs using loops. In the app, we can drag the loops together and make songs. We'll have themes that we have to do and criteria that we have to meet.

Family Conflict During a Pandemic: Stories of Struggle and Hope

Q: Do you ever get to hear loops from other students?

G: You can create your own loops, but you can't upload them [to share]. But the teacher will sometimes play people's assignments if they are okay with it.

Q: What is it about band that's different, that makes you like it? Is it because he makes jokes and tries to liven it up?

G: Yeah, I like that he does that. It's just more fun. It isn't just boring [online] lectures.

Q: When you were going to in-person school, what was the general kind of feeling there? Were kids happy to go there?

G: Yeah, I think in general, people were happy to be there. They could hang out with their friends a lot during passing period, during breaks.

Q: Now, do you see your friends at online school?

G: Oh, I have a group of friends that I'll hang out with online through other apps.

Q: You mean that you see your friends on your phone at lunch or in breaks, and then you go back to your computer for school?

G: Yeah.

Q: Is there anything you want to ask me?

G: What is it like for adults during the quarantine?

Q: It's not fun, but I have a group of mediators that I started spending time with online before the quarantine started. We are assembling a second book of stories about how people have adapted during this pandemic. If you and your mom agree, I would like to include your story.

G: Okay. This was fun!

Q: To adults reading this, what do you think? What can we do to encourage and support this younger generation?

Bios:

Q is Georgia Daniels, J.D., a family and divorce mediator in Southern California who is also a retired teacher. E is an 11-year old boy whose parents wish to keep him anonymous; G is a 13-year old girl whose parents wish to keep her anonymous.

Permissions:

This is from the mother of “G”:

Georgia! Thank you so much for giving the kids a chance to open up. She and I approve your using whatever portion of her interview you want.

This is from E’s father,

Hi Georgia, we read it today, it’s great.

Yes you may publish it.

Georgia Daniels

US

What my son's auto accident taught me about self-care

Our youngest son was in a very serious automobile accident during his last year of high school. His road back to good health required months of physical therapy, counseling, and visits to multiple doctors. As his primary caregiver, I faced mental, emotional, and physical stress unlike anything ever in my life. As a fellow parent, I know you shudder to imagine this. I hope you never face anything like it.

To help me support his daily needs, to keep my energy up, and to avoid worrying excessively about his current health and his future prospects, I realized it was paramount to commit to a variety of regular self-care activities.



The need for self-care preceded the pandemic, for me and for each of us. Of course, it has escalated during these times. When the pandemic ends, our need for self-care will continue. As parents supporting our kids through these unprecedented times, regular self-care is very important. It keeps us on an even keel and minimizes conflict with our loved ones.

Self-care is a gift to help us bring our best to those we love. Self-care is not a luxury. Self-care is not selfish. Instead, self-care is love of self.

In coaching families over the past 20 years, I've emphasized the need for parents to work on themselves, model their best habits to their kids, and then pass those habits on to them. Most experts agree several things are important in the area of self-care: staying hydrated, exercising regularly, and doing things for fun.

Good self-care practices increase physical energy, reduces mental stress, and restores emotional balance. Restorative self-care can vary from person to person. My husband loves getting active and working outside on hands-on projects. I prefer to get quiet and lose myself in a good book or a fictional show, or to have a conversation with a friend.

In our private Facebook group for Moms & Dads, I asked the following:

“What regular self-care activity helps you in the pandemic?”

S.N. shares, “Exercise is a must and so is outdoor time with limited human contact. My family is lucky in ... that I know a lot of places to go for both of these...”

T.G shares, “I have been baking. It calms me to create something yummy... (I'm baking) sourdough bread from a starter I have made myself.”

Responses to that question from other parents in our group included prayer, yoga, running, light carpentry, organizing, eating nutritious foods, and more.

Can you name 3 self-care activities that are important to you? Here's what I encourage you to do. Take a self-care inventory. You might start by asking yourself 3 quick questions:

- What energizes me physically?
- What calms me mentally?
- What restores me emotionally?

Creating regular self-care practices models to your kids the importance of carving time for self in the busy-ness of life. In this time of struggle, self-care practices reduce family conflict and allow us to rethink how we want to be present for our kids.

Janet Bonnin

US

For the love of their children

Seán and Saoirse love their children; Eoin and Lia; more than anything else in the world. Seán and Saoirse would do anything for Eoin and Lia and their children know this, their faces light up when they see either their dad or their mum, the invisible link between them is so strong and so unbreakable.

Seán and Saoirse would do anything in their power to protect their children from any harm in this ever changing world. Their own hearts are breaking that they find themselves in a position they never dreamt of when they first got together, when they were full of love for each other and of dreams for the future. They now find that they have grown apart, that they can no longer live together in the one house but they wish more than anything, more than any hurt or regrets for their own broken dreams to continue to co-operate together as parents for their children; to continue as a family for their children; to ensure that their children can depend on both of them as parents; to ensure also that their children have the freedom to continue to love each of them as they so obviously do; to ensure that they are free to enjoy time with either parent without having to hide that enjoyment from the other parent.

Seán and Saoirse acknowledge to each other and to themselves that their precious children are gifts from the relationship they had and that they vow to protect and nurture Eoin and Lia as much as possible so that they are free to avail of any and all opportunities and interests they wish to pursue. However, they could never have predicted the difficulties they would be presented with when COVID 19 spread like wildfire throughout the world, not just causing fears for everyone's health and wellbeing but also bringing jobs and schooling to a standstill. Suddenly they, as parents, were not the only ones making decisions. The government was imposing travel restrictions; schools were closed; family support - in particular grandparents who had been so much part of their children's every-day lives – could no longer be availed of for help.

Despite their own worries and concerns, Seán and Saoirse again put their children first. They embraced technology so that their children did not miss out on sharing time with either one of them – yes, they had to make changes to their parenting plan as the children were not able to physically move as freely between their two homes now but they ensured that the children could share time via video calls with the other parent.

They took on board the fact that Eoin and Lia reckon their dad is the best ever at telling stories so Seán records stories so that they can hear and see him telling the stories whenever they want and everyone agrees that Saoirse is the one with the artistic skills and so she records creative tips that may also be used whenever they are needed. Eoin and Lia are delighted that they are able to depend on their parents being there for them and continuing to work together to find the best solutions possible even within the COVID restrictions.

Colma Nic Aodh Bhui

Ireland

Le grá dá gcuid páistí

Is mó an grá atá ag Seán agus Saoirse dá gcuid páistí; Eoin agus Lia; ná d'aon rud eile faoin spéir. Dhéanadh Seán agus Saoirse aon rud dóibh agus tuigeanann na páistí sin. Tá seo soiléir ón ngrá atá le sonrú ina gcuid aghaidheanna is cuma cé acu mamaí nó daidí a fheiceann siad, an cion agus an nasc eatarthu chomh láidir agus dohriste.

Dhéanadh Seán agus Saoirse aon rud is féidir chun a gcuid páistí a chosaint i saol atá de shíor ag athrú. Tá a gcuid croíthe féin briste agus iad anois áit nár shamhlaigh siad riamh nuair a casadh le chéile ar dtús iad; nuair a bhíodar doirte i ngrá le chéile agus lán de bhrionglóidí faoin saol amach rompu.

Ach anois, faraor, tá a gcaidreamh féin tagtha chun críche agus níleadar ábalta maireachtáil in aon teach le chéile níos mó. Ainneoin sin agus ainneoin aon ghortú nó díomá atá orthu féin go pearsanta is mian leo, thar aon rud eile, tacú agus comhoibriú le chéile mar thuismitheoirí; chun leanúint mar chlann ar son a gcuid páistí; chun cinntiú go bhfuil na páistí in ann brath ar an mbeirt acu mar thuismitheoirí; chun cinntiú freisin go bhféadfadh an caidreamh grámhar le ceachtar acu leanúint ar aghaidh dá gcuid páistí; chun deimhniú go bhféadfadh na páistí sult agus spraoi a bhaint as a gcuid ama le ceachtar tuismitheoir gan a cheapadh go gcaithfeadh siad sin a cheilt ón tuismitheoir eile.

Admhaíonn Seán agus Saoirse dá chéile agus dóibh féin gurbh iad na páistí an tseoid is luachmhaire a eascraíonn óna gcaidreamh agus geallann siad go gcosnóidh siad agus go gcothóidh siad Eoin agus Lia chomh maith agus is féidir sa gcaoi go mbeidh na páistí ábalta na deiseanna agus spéiseanna a thograíonn siad a thapú. Dar ndóigh ní raibh súil ar bith acu leis na deacrachtaí breise a chruthaigh an Víreas COVID 19 agus é ag scaipeadh gan srian ar fud an domhain, ní hé amháin ag cur faitíos ar dhaoine mar gheall ar chúrsaí folláine agus sláinte ach freisin ag cur stop le fostaíocht agus scolaíocht. Go tobann, ní hiad beirt amháin a bhí i mbun cinntí a dhéanamh. Bhí an rialtas ag cur srianta le taisteal; bhí scoileanna dúnta; ní raibh tacaíocht teaghlaigh – go háirithe na seantuistí a bhí mar chrann taca i saol na bpáistí – ar fáil níos mó mar chúnamh.

Ainneoin a gcuid imní agus buairt féin, thug Seán agus Saoirse tús áite dá gcuid páistí. Chuadar, beirt, i ngleic le teicneolaíocht sa gcaoi go mbeadh teagmháil ag a gcuid páistí go héasca le ceachtar acu is cuma cén chearn den tír ina raibh siad. Bhí athruithe le déanamh acu, cinnte, ar na comhaontuithe a bhí eatarthu go dtí seo mar nach raibh na páistí ábalta bogadh anois chomh héasca céanna idir an dá theach ach le sin ar intinn acu chinntíodar go mbeadh na páistí ábalta am a chaitheamh leis an tuismitheoir eile ar fhísghlao.

Thuigeadar go maith gur cheap Eoin agus Lia nach raibh scéalaí ar domhan níos fearr ná daidí s'acu féin agus mar sin rinne Seán taifead ar scéalta sa gcaoi go mbeadh siad in ann éisteacht leo nuair a thograigh siad féin é. Agus ní raibh duine acu nár aontaigh gurb ag Saoirse a bhí na scileanna ealaíne agus, mar sin, rinne sise taifead ar smaointe cruthaitheacha a bheadh ar fáil dóibh aon uair. Tá réiméad ar Eoin agus Lia go bhfuileadar in ann brath ar a gcuid tuismitheoirí a bheith ansin dóibh agus muinín acu go gcoinnóidh Seán agus Saoirse ag comhoibriú le chéile chun teacht ar na comhréitithe is fearr fiú agus srianta Víreas COVID 19 i bhfeidhm.

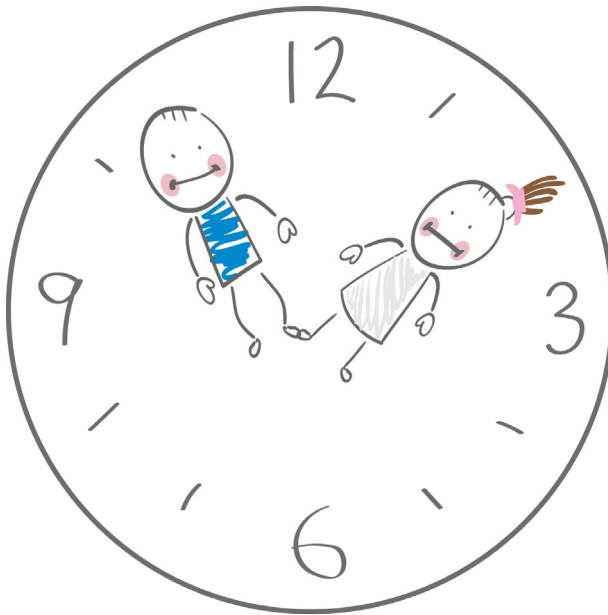
Colma Nic Aodh Bhui

Ireland

A Story of Hope

John and Susan had a reasonably amicable divorce as a result of mediation but as the main breadwinner, John had to work extra hard to pay for two homes when he moved out, leaving Sammy aged 10, and Jenny aged 8 with their mother. He became a weekend only father and often because of commitments to work, only saw the children on Sundays. When COVID-19 caused lockdown in the UK, Jenny was 11 and Sammy was 13. John lost his job but picked up another part-time from home while Susan, who had already begun to pick up her career by nursing part-time, was wanted full time in intensive care.

What had been occasional weekend stayovers at Dad's had to become full-on 5 to 6 day stays to fit in with Susan's long, exhausting work shifts. John found himself not only running the kids' lives and homeschooling but also helping Susan with shopping and deliveries. One day Susan came home from a long sad shift to find John cooking in her kitchen and the sounds of music echoing from Sammy's bedroom above. "What are you doing here?" She asked indignantly.



"The kids wanted some stuff and they're missing you. I'll take them back, but I just thought you might need a hot dinner when you got home so we've waited to eat with you." He put a cup of tea on the table in front of her. She burst into tears. "You can't believe what it's like on the ward." She blubbed as John turned the hob off and sat down near her to listen.

Half an hour later, two hungry children appeared looking worried at their parents talking and their mother's tearful red face. John leapt up to warm supper. Susan explained that it was tough watching people suffer and die with coronavirus. Both children sat with her. "I'm sorry that I haven't been with you much the last few weeks, it's been so full-on, such hard work." Susan sighed. "Have you been OK? It's not too tough being with Dad so much I hope?"

Sammy hesitated and then said, “Actually Mum, it’s been really good. It’s like Dad was always fictional before and now he’s real.” His voice had a bit of a croak still.

“He’s a good teacher.” Said Jenny smiling at her Dad.

“You know I like cricket now.” Sammy continued. “Dad and I have a great time in the park and Jenny’s a good batter.”

“Oh.” Susan looked surprised.

“Actually, I only refused to play cricket with him for your sake,” Sammy said.

“You shouldn’t have done that.” Glancing at John, Susan added. “I didn’t ask you to do that.”

Jenny piped up. “And I wouldn’t go on sleepovers because I didn’t want you left alone.”

“So, you were both punishing me?” Asked Dad.

“Yes but it’s history.” Replied Jenny getting up to hug him.

“But Dad’s isn’t home, and I’m sick of carrying all my stuff back and forth.” Said Sammy.

Jenny asked, “Why not have Daddy move back in?” John was serving food.

“It’s a long story,” said Susan.

“Why not create a completely new story?” Asked Jenny.

“That’s a good idea.” Said John.

“We’ll never get back together,” Susan paused, “but we could discuss doing things differently.”

Jane Cooksey

UK

Family Conflict in a Pandemic

– My story of struggle and hope

Appreciation

*Having the Time of your life
This time in your life .
COVID - what a time of our life!*

How to survive and thrive through Appreciation.

The COVID paradigm has placed an unusual lens on all of our lives and in particular on our families and our homes. Staying home, holding firm at this time of crisis is our duty, but it brings with it a lexicon of challenges. Even for a devout optimist, it is hard to have the time of your life at this time in your life, regardless of what stage of live you are at.

As an entrepreneur, mediator, trainer, author, consultant, wife, daughter, sister and mother, life can be complicated but life is also the ultimate gift not to be wasted or wished away just because it is difficult.

‘A smooth sea never made a skilled sailor’ F. D Roosevelt.

I spend my time resolving or mediating problems across the world, restoring relationships and enabling leaders to optimise their businesses, so this should be a walk in the park!. But what happens when I look inside my own home in time of COVID, at my beautiful family and realise it is a pressure cooker, and with many of the challenge, I cannot resolve. The outside lens turned inside and the pain is searing. Some days it is sometimes hard to see a way out but I know there is always hope. To quote the lyrics of the Beautiful South.

“How far does a tear have to fall when a woman is on her knees”

We all know that the adage that cobblers children often have no shoes or the carpenters kitchen has the doors hanging off but what does one do when faced with any of the following inside the front door, mental health, low impulse control, and suicide ideation in a teenager with autism, gender transitioning in another teenager, state exams, anorexia, chronic OCD [due to contamination.... In a world of COVID – give me a break!!!] in another teenager and add to that parental care of a father with dementia and a mother vulnerable and living alone following three break-ins and a mugging which caused a heart attack. What do you do when all of them are an everyday factor in the home – a veritable pressure cooker, in COVID, in lockdown. Terrible, No – a challenge, yes.

“Every terrible thing needs our love “ Rinke.

Feeling helpless is disabling, and I realise that where there is life, breath, there is always hope.

“The only way is Up” - Otis Clay/Yazz

so get off your knees, stand up – Rise and Shine. Embrace and appreciate your day, your life, your challenges.

Play the game in front of you, no point wishing for a different game, a better or easier family, a better rugby pitch, a tennis court with no moguls, a fairer referee, a different economy, a bigger paycheque - play the game in front of you, and do your best, `your very best. It is very easy to lie your head on your pillow every night if you can say this. I did my best. Then rise the next day to do the same – your best. Rise because you can, you have the gift of life.

A very wise man once told me that on each day remember you will meet the ‘other day’ yet. On a good day remember that it only feels good because you know what a bad day felt like. On a bad day, know that all pain ends and that the good day is coming.

Remember each day is the gift wrapping on your life – life in COVID is difficult, unwrapping each day can feel like groundhog day but it is your life and if you don’t lead it, love it and live it to the full, then who will. So paint on the right attitude as you rise and shine to live the gift of each day. I lead in my own life by being the mother, wife, daughter, I want my family to see the one who turned up though they couldn’t solve the problem but was still there, not judging, just supporting or finding the right support.

In the little things seek to find joy, always live in hope and you are more likely to find it. Most of all embrace each day with gratitude and appreciation. Look up, it hard to see the brambles at your feet if your eyes are turned to the sky. So be appreciative, because if you are reading this, and it resonates, you are not alone, you are still breathing and you will rise to face the “other” day.

“Appreciation is a wonderful thing. It makes what is excellent in others belong to us as well”.
Voltaire

Margaret Considine

Ireland

Fourth Thursday of November 2020

The day before my daughter was born my husband and I went to Arby's for lunch - just before my last OB appointment where my doctor told me not to eat anything more because I'd be induced by midnight if the baby didn't come earlier. So when the day before our daughter's 1st birthday came around, we thought it would be fun to go to Arby's again just like we had the year before. By her second birthday, we were calling it "Arby Day", the day before my daughter's birthday, a "holiday" we created for our family, which we have now celebrated for 21 years. The creation of Arby Day has always been fun for our family. As a family law attorney and mediator, it is an example I can share with my clients that we are able to create special days and traditions unique just to our own families. This is an important lesson in the year of a pandemic.

This is actually an issue that comes up every time parents are creating their parenting plan and deciding upon who gets which holiday. When parents decide to alternate years to spend holidays, like Thanksgiving, with their children, there is almost always a sense of "how do I celebrate with my children when it is not my year?" This is a good question? Advice I received from a mentor years ago was to encourage parents to see holidays from their children's perspective because, after all, in the celebrating of holidays we hope that we are creating memories and traditions for our children. I encourage parents to look to what kind of memories and traditions they can build with their children both in the years they have their children for the traditional holidays as well as the years they don't. While parents can try and recreate Thanksgiving on a different day, they can also create a new "holiday" that is unique to just them and their children. Give it a name, attach to it special food or excursions and develop something special which results in your children experiencing tradition and creating memories with both parents each year no matter who they are with for the traditional holiday. I have seen parents create holidays with names such as "Our November Day", "Un-TurkeyDay", and the like, where they decide on special foods, such as BBQ or special take-out, and traditions, such as a Star Wars movie marathon.

This year I am thinking about Thanksgiving in the same way. This year we don't get Thanksgiving. It's not our year. It is just the 4th Thursday in November. We aren't going to have our family come to our house where we would otherwise share food, sit across a 3 ft wide table eating, laughing, or yelling across the table because it's loud with so many people in the same room. This is what could make the people we lovesick. My household does not include my Dad, my Mother-in-law, cousins, and nieces, so they are not coming over this year. This year we don't get this holiday. Will I miss them- of course. Is it weird not to have them here, YES! But we won't because we don't want to make them sick or them to make us sick. We have already had COVID in our house and it is NOT the flu and it is not insignificant. It is horrible and frightening and here's the thing- you don't know what COVID experience you will have if you get it. You might have a short-lived fever, cough and then be fine. You might have a fever for a month, lose your sense of taste, maybe have exhaustion and body aches, and then be fine. But you might also, long after the fever is gone, have lingering effects of memory loss, brain fog, and near-constant fatigue. You might even die. You might give the virus to someone you love and they might die. Not just get the flu, but die. Is that what you want Thanksgiving to be about in the future?

So this year will not be our year for Thanksgiving but instead, we are going to do something else. We are going to just be with our immediate household. We have talked about it and we are going to treat it differently this year and not try and make it “like” a normal Thanksgiving. Instead, we are creating something different. We are going to have one of our favorite meals, drink our favorite drinks (mojito for me please!), and have a Harry Potter marathon. It is not a substitute because it can't be the same. So for this year, we will remember this as what we did on the 4th Thursday in November during the awful year of 2020 when we had to do things differently. We will create new memories and hopefully, if we all stay home and stay safe, we can return to our Thanksgiving traditions for 2021!

Laurel Amaya

US

El cuarto jueves de noviembre de 2020

El día antes de que naciera mi hija, mi esposo y yo fuimos a almorzar a Arbys. Fuimos antes de mi última cita con mi obstetra, en esta cita mi obstetra me dijo que no comiera nada más porque me inducirían a la medianoche si mi bebé no llegaba antes. Cuando llegó el día antes del primer cumpleaños de nuestra hija, pensamos que sería divertido ir a arbys como lo hicimos el año anterior. Para su segundo cumpleaños lo llamábamos “Día de Arbys”, el día antes del cumpleaños de mi hija, un “día festivo” que creamos para nuestra familia, que ahora hemos celebrado durante 21 años. La creación de Arby Day siempre ha sido divertida para nuestra familia. Como abogada y mediadora de derechos de familia, es un ejemplo que puedo compartir con mis clientes de que tenemos la capacidad de crear días especiales y tradiciones únicas solo para nuestras propias familias. Ésta es una lección importante en el año de una pandemia.

En realidad, este es un problema que surge cada vez que los padres crean un plan y deciden quién recibe que vacaciones. Cuando los padres deciden alternar años para pasar las vacaciones, como el Día de Acción de Gracias, con sus hijos, casi siempre hay una sensación de “¿cómo voy a celebrar con mis hijos cuando no es mi año?” Esta es una buena pregunta. El consejo que recibí de un mentor fue alentar a los padres a ver las fiestas desde la perspectiva de sus hijos porque, después de todo, en la celebración de las fiestas esperamos crear recuerdos y tradiciones para nuestros hijos. Ayudo a los padres a buscar qué tipo de recuerdos y tradiciones pueden construir con sus hijos, tanto en los años que tienen a sus hijos para las fiestas tradicionales como en los años que no. Los padres pueden recrear el Día de Acción de Gracias en un día diferente,

pero también pueden crear un nuevo “día festivo” que sea exclusivo solo para ellos y sus hijos. Déle un nombre, adjúntelo a comidas especiales o excursiones y desarrolle algo especial que resulte en que sus hijos experimenten la tradición y creen recuerdos con ambos padres cada año, sin importar con quién estén para la fiesta tradicional. He visto a padres crear días festivos con nombres como “nuestro día de noviembre”, “nuestro día festivo alternativo” y similares, donde deciden sobre comidas especiales, como barbacoa o comida especial para llevar, y tradiciones, como una maratón de ver las películas de Star Wars.

Family Conflict During a Pandemic: Stories of Struggle and Hope

Este año estoy pensando en el Día de Acción de Gracias de la misma manera. Este año no tenemos el Día de Acción de Gracias. No es nuestro año. Es solo el cuarto jueves de noviembre. No vamos a tener a nuestra familia en nuestra casa donde de otra manera compartiríamos la comida, nos sentaríamos en una mesa comiendo, riéndonos o gritando al otro lado de la mesa porque hay tanta gente en la misma habitación. Esto es lo que podría enfermar a las personas que amamos. Mi hogar no incluye a mi papá, mi suegra, primos o sobrinos, y es por eso que no vendrán este año. Este año no tenemos estas vacaciones. ¿Los extrañaré, por supuesto? ¡Es extraño no tenerlos aquí! Pero no lo haremos porque no queremos que ellos se enfermen o que ellos nos enfermen a nosotros. Ya hemos tenido COVID en nuestra casa y NO es gripe y no es insignificante. Es horrible y aquí está la cosa: no sabe qué experiencia de COVID tendrá si la obtiene. Es posible que tenga fiebre de corta duración, tos y luego se sienta bien. Puede tener fiebre durante un mes, perder el sentido del gusto, tal vez tener cansancio y dolores corporales, y luego estar bien. Pero también es posible que, mucho después de que haya desaparecido la fiebre, tenga efectos persistentes de pérdida de memoria, confusión mental y fatiga casi constante. Incluso podrías morir. Puede transmitirle el virus a alguien que ama y podría morir. No solo contraer la gripe, sino también morir. ¿De eso quiere que se trate el Día de Acción de Gracias en el futuro?

Así que este año no será nuestro año de el Día de Acción de Gracias, sino que vamos a hacer otra cosa. Simplemente estaremos con nuestra familia inmediata. Hemos hablado de el Día de Acción de Gracias y decidimos que vamos a tratar de una manera diferente este año y no intentaremos que sea como un Día de Acción de Gracias normal. En cambio, estamos creando algo diferente. Vamos a tener una de nuestras comidas favoritas, tomar nuestras bebidas favoritas (¡un mojito para mí por favor!) y vamos a tener un maratón de las películas de Harry Potter. No es un sustituto porque no podemos ser lo mismo. Así que para este año recordaremos esto como lo que hicimos el cuarto jueves de noviembre durante el terrible año de 2020 cuando tuvimos que hacer las cosas de una manera diferente. Crearemos nuevos recuerdos y, con suerte, si todos nos quedamos en casa y no insistimos en el Día de Acción de Gracias como de costumbre, ¡podremos volver a nuestras tradiciones de el Día de Acción de Gracias para 2021!

Traducción por Marisa Amaya

Laurel Amaya

US

Joe

Joe came home to live with his elderly parents to help care for his father who was recovering from COVID-19. His father had been on a ventilator in hospital and was slowly recovering. Both of his parents are in their eighties. His father is in the early stages of dementia and his mother is partially blind. Joe's help was needed, especially during the night, when his father has got out of bed and fallen.

Joe had to create space in his bedroom for his desk and laptop so that he could continue his work as a computer programmer during the day. He encountered many difficulties with holding that space. Difficulties arose from the location of their washing machine which was in the en-suite of his bedroom. His mother and support workers for his parents tended to carry washing in and out through his bedroom while he worked. As his father's bedclothes regularly needed changing this posed a problem. He had to assert himself with his mother and the support team because no one understood his need to work without distractions. His solution was to install a wash basket at the other end of the house and give strict instructions that he and no one else was in charge of washing.

He found that a care worker, a neighbour, who came at mealtimes and had been with his parents before he came home, regularly gave his father sandwiches for lunch and dinner. His father liked sandwiches and his mother was quite happy with this. Joe was unhappy with the quality of his father's diet but not available to cook all meals. His solution was to buy healthy meals from a local delicatessen which his father enjoyed.

Joe had to learn to step out of his role as the youngest (by 10 years) in a large family where his voice was not usually counted. His older siblings, some of whom were doctors and living abroad, had many opinions about his father's care. He found that he had to listen to his brothers and diplomatically find ways to process and discuss their advice, some of which was unrealistic. He also had to assert himself with his siblings and request that they take turns in giving his parents care while he had time out. Fortunately, he had his own apartment. As the months passed, returning to his own life for short periods and living in his own home was vitally important for Joe because his own needs had become overwhelmed when living with his parents.

Delma Sweeney

Ireland

I know I am Strong

“Oh, God! Ah jus want to get ah lil break in life.... ah willing to work hard”

These cries came from the woman that I had come to know as Angel about 2 years earlier. Her early years were marked by experiences that no child should have to endure – she was abused by a trusted male relative and did not receive any protection or comfort from other adults in the household. She left home at an early age and began to fend for herself.

I met her when she joined a support group for women in her community which I facilitated. She shared with the group that this was the first time that she had participated in anything like that. She welcomed the safe space to share with other women and told her story. She grew and blossomed with every session and a whole new world opened within her. She began to dream of a better life for herself and her children. She was happy. She began taking care of herself physically, mentally, and emotionally. She would look forward to dressing up to attend the sessions. She also enrolled in classes to continue her education.

Angel's household is made up of her five children, two boys and three girls ranging in ages from eleven years to three years, along with her common-law husband. If life is like a game of snakes and ladders, the pandemic for Angel was like landing on the snake and having to slide back down to the beginning of the game. At the time the country went into lockdown because of the pandemic she was just establishing her small business and was filled with hope and dreams that finally things will get better.

Angel is the consistent and steadfast income earner for her family. Her situation became grim as the weeks and months went by and opportunities for earning an income were few and far between. She sat and cried and cried and wondered if she will ever get a break in life. The other women from the support group rallied around her and offered support as best as they could. Apart from the economic hardship that she was struggling to overcome she was also faced with verbal and psychological abuse by her common-law husband. This abuse escalated during the pandemic.

Towards the end of 2020, she began working a few days per week. She was presented with another chance to start again and she then dusted herself off and began again with the same determination to make a better life for her children. She is working most days of the week now. The abuse is still ongoing, but she is receiving professional counseling support which is critical for her at this time. Throughout all her life challenges Angel continues to smile and love and maintain a sense of optimism and hope.

Her life continues to be one of struggle and still she does not lose hope that things will turn around for her. I once told her ‘you are a strong woman’ and she said that inspires her on her low days.

I am in awe at her resilience in facing challenges and I am inspired by her.

Christine Cole

Trinidad

Working remotely while homeschooling our children during the pandemic

Rather than let the stress of sheltering-in-place during the pandemic take us over and keep us frozen in our tracks, let's try to use that energy in a positive way, and devise alternatives to help us cope with working from home while also home-schooling our children.

Here are two examples of divorcing couples who came to mediation, worked as a team, and came up with their own ways of dealing with their jobs and their children.

Couple One

The parents of a 6-year old boy and an 8-year old girl had agreed to live no further than a 10-minute walk from one another so that they could both have easy access to their children. When faced with the pandemic, working remotely and homeschooling their children, they maintained their 50/50 overnight parenting schedule, whereby each of them would have the children for one week (7 nights) but modified the daytime schedule in the following ways:

- Monday through Friday, from 8:00 am until 4:00 pm, they would each take one child, making it less burdensome for each of them to help with online schooling while attending to their own work.
- At the end of each day, the parent whose turn it was to have the children overnight, would prepare dinner. The other parent would drop off the child they had during the day.
- On the weekends, one parent took both children for the day on Saturday and the other for the day on Sunday. This gave them each some free time once a week, to tend to their own needs and refuel for the following week.

Couple Two

The other couple who had also started living separately agreed that for the duration of the pandemic, and while high schools and colleges were closed, they would hold off on the sale of their jointly owned country home, and move back into it together with their 16- and 19-year-old sons. They had sufficient space so that each of them could have separate sleeping areas. However, they would all have to share their single car.

They posted on the refrigerator door a weekly schedule indicating who would shop for food and household necessities, and who would cook dinner on any given day. The boys were able to attend to their schoolwork on their own but also had their tasks helping around the house and outdoors. They all remained full-time in the house from March until December 2020, including the holidays in December.

For this family, moving back in together when they planned to get a divorce required a lot of effort and goodwill on both their parts. Months later, with a pandemic lasting longer than

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anyone anticipated, with high school attendance required a couple of days a week and college opening in January 2021, they adapted their schedules and are taking turns using the second home and the car.

More than ever, parenting during the pandemic requires putting the children's needs ahead of one's own. It requires flexibility and making changes as the situation evolves. Even though we may have our own fears and frustrations, our children need us to provide some stability and be a model of how to manage crises as they arise.

Jennifer Safian

Divorce and Family Mediator, NYC

Travailler à distance tout en scolarisant nos enfants à la maison pendant la pandémie

Plutôt que de laisser le stress du confinement du a la pandémie prendre le dessus et nous paralyser sur place, essayons d'utiliser cette énergie de manière positive afin de trouver des solutions pour faire face à notre travail à distance depuis la maison tout en aidant nos enfants avec leurs obligations scolaires.

Voici deux exemples de couples en instance de divorce qui sont venus en médiation, ont travaillé ensemble pour mettre en place un programme qui leur permettrait de mieux gérer leur travail et celui de leurs enfants.

Premier couple

Les parents d'un garçon de 6 ans et d'une fillette de 8 ans avaient décidé d'habiter à 10 minutes à pied l'un de l'autre afin d'avoir tous deux un accès facile aux enfants. Face à la pandémie, travaillant à distance et scolarisant leurs enfants à la maison, ils ont maintenu leurs horaires parentaux hebdomadaires ou chacun d'entre eux aurait les enfants 50% du temps, soit 7 nuits consécutives avec l'un, puis avec l'autre. Dans les nouvelles circonstances, ils ont choisi de modifier le quotidien de la manière suivante:

- Du lundi au vendredi, de 8 h à 16 h, chaque parent prendrait un enfant, ce qui permettrait à chacun de s'occuper d'un enfant à la fois tout en faisant leur propre travail.
- À la fin de chaque journée, le parent dont c'était le tour d'avoir les enfants pour la nuit, préparerait le dîner. L'autre parent déposerait l'enfant qu'il avait eu pendant la journée.
- Pendant les week-ends, un parent prendrait les deux enfants pour la journée du samedi et l'autre pour la journée du dimanche. Ainsi chaque parent aurait une journée libre par semaine, ce qui leur donnerait du temps pour s'occuper d'affaires personnelles et pour se reposer avant le dé but de la semaine suivante.

Deuxième Couple

Le second couple qui vivait déjà séparément, a convenu de reporter la vente de leur maison de campagne et de s'y installer avec leurs deux enfants, âgés de 16 ans et 19 ans, pendant la durée de la pandémie, et pendant que les lycées et les universités seraient fermés. Ils y disposent d'un espace suffisant pour que chacun d'entre eux puisse avoir une chambre à coucher séparée. Cependant, ils doivent se partager l'usage de leur seule voiture.

Ils ont affiché sur la porte du réfrigérateur un horaire hebdomadaire indiquant qui serait responsable de faire les courses pour la nourriture et les produits de nettoyage, et qui préparerait le dîner chaque soir. Les enfants n'ont pas besoin d'aide pour leurs études en ligne, mais néanmoins doivent faire leur part de travail dans la maison et dans le jardin. Cette famille est restée ensemble dans la maison depuis le mois de mars jusqu'au mois de décembre 2020, y compris pendant les vacances de Noël.

Pour les parents, habiter sous le même toit alors qu'ils étaient en instance de divorce, représentait un gros effort et beaucoup de bonne volonté de leur part. Neuf mois plus tard, avec une pandémie qui dure plus longtemps que prévu, avec un enfant qui doit aller au lycée quelques jours par semaine, et l'autre retourner à l'université en janvier 2021, ils ont de nouveau adapté leurs horaires. Les parents occupent maintenant leur résidence secondaire et utilisent leur voiture à tour de rôle, dépendant des horaires de chacun d'entre eux et des jours d'école.

Cette période de pandémie exige que, en tant que parents, nous fassions passer les besoins de nos enfants au-delà des nôtres. Nous nous devons d'être aussi flexible que possible et nous adapter à tout changement à mesure que la situation évolue. Nous avons certes nos propres frayeurs et nos frustrations, mais nos enfants ont plus que jamais besoin de nous pour leur assurer beaucoup de stabilité. Nous représentons un exemple pour eux dans la façon dont nous gérons cette crise au fur et à mesure de son évolution.

Jennifer Safian

US

A Family who Learned Flexibility

Pre-COVID, I was so proud of my lists. My time was perfectly allocated: Meeting, Email, 8 minutes of lunges before next meeting, write proposal. My poor kids—their time was specifically allocated as well. 23 minutes of homework, start dinner, race to football practice while the other one was at cross-country. I would point to my list and say NO to anything that looked spontaneous and tempting. We were a highly efficiently functioning family.

In retrospect, I would replace Functioning with Frantic.



Here we are now, a year later, thick in the COVID lifestyle. I adore the work I do at Mediate.com, and so I am glad that technology has allowed this company to flourish. I also adore my children, and I am so glad that technology has allowed them to do home-schooling. And previously? Never the twain shall meet. Now? The twain meet all the time. Every five minutes, the twain of family and work are meeting. One moment, my heart fills with gratitude for this time of all of us gathered around the kitchen island, Zooming away, gentle lilt of The Piano Guys in the background. Enjoying each other's company and siblings asking each other questions about circumference and Mark Twain and inauguration day. The next moment—UPS is at the door, my Zoom meeting starts, internet crashes, our puppy is running down the street, brothers are giving each other wet willies, and I pray for the vaccine to hurry up.

What I have learned: At first, I thought a good merlot in place of my coffee might get me through this pandemic. Then I thought I would go back to my lists, and plan out all of the needed chores and homework for the month. Obviously, both of those ideas were bogus. But you know what worked instead? Being flexible. Completely letting go of my plan and just being what was needed in the moment. My son is freaking out because he can't remember his Zoom password? I can pause what I'm doing, give him a hug and help, and then get back to my email. I'm headed out on a morning run and my daughter starts asking about human rights? Come on a run with me and let's talk about it. Work has become the same way for most of us—I was proofing a blog post but I get a request for a Zoom meeting right now? Well,

I'm obviously sitting here online, so, sure let's have that quick meeting. And you know what? Giving myself permission to let go of my plans and enjoy the spontaneity and the surprise of what the moment brings has been wonderful.

This is the same flexibility we have all learned: letting go of birthday plans and movie dates, weddings, and sports. Finding new ways to honor important moments.

I have also discovered what is sacred. Locking my doors when I am overwhelmed or I have an important meeting. Strong hotspots. Comfy sweatpants. Quiet time to clear my head. Dinner together around the table.

Now, finally, for the good part: How has this impacted my mediation practice? I didn't realize how much I needed to work on the skill of flexibility. I thought I was great at this! I have always preached, "In mediation, put yourself on the shelf. It is not about your plans but what your parties need." But I was still pushing my agenda much more than I realized. I needed to let go of my process and my planned strategies, and get back to the curiosity, going through the collaboration journey with my clients. Now I have learned the flexibility of shifting to what the parties really need in that moment. Take a moment and be with the party in their story, honor what was difficult, ask them a follow-up question that has no bearing on the agreement but let them know that you care.

This time has taught me not just what I can be flexible about, but also what is sacred about mediation and needs to be protected.

- First, value the parties' interests.
- Second, create a process that supports what they are going through.
- Third, when anyone—party or mediator—is feeling overwhelmed, take a moment to yourself and focus on what will help.
- Fourth, Human Connection is paramount. Whether this is through eye contact at your webcam, sharing a link to an article that a client will enjoy, laughing together over technology mishaps.

I think as humans we have learned this year what is sacred: to forgo our lists, and just spend the moment sitting in each other's presence, be it over the dinner table or over Zoom. And comfy sweatpants—those are equally important.

Clare Fowler

US

“2020” Year of Struggle

The year 2020 beginning of a decade, but the year and new decade started with an unexpected and horrible virus named “Coronavirus” or also called COVID-19. It all began in December 2019, emerged in Wuhan, China, and has rapidly spread worldwide.

COVID-19 has rapidly affected our day-to-day life, businesses, disrupted world trade and movements. Lockdown and curfews were imposed in all major countries; everyone was quarantined in their home. The biggest impact of Corona in India was on the daily laborers and daily earning people. They don't have money to survive in the big cities and they can't go to their hometown because for two reasons; first was lack of money and second public transport was also on halt during the lockdown. Some laborers decided to go to their hometown by walking and some of them succeeded while a few of them died because of exhaustion, dehydration, etc.

Well, I want to share an incident with you related to this situation, there was a laundryman who has a small stall near to my house. He was from another state and he came here to earn, he had a wife and four children so working hard was the only option for him. He had many customers and most of them gave him clothe to iron on a daily basis. But since the corona began and the government-imposed lockdown, the number of his customers has dwindled and at one point his business completely got shut down. Eventually, he closed the stall and walked away. Only a few months ago, the situation improved, and life returned to normal. One day I was to that side for some reason and my eyes went to the laundryman's stall and I saw that his shop was open and there were his wife and his children, but he was not there. I went to her to talk about why you haven't been here for so long.

She recognized me as soon as she saw me and there was a look of sadness on her face. She told me that her husband had died. I was shocked to hear that. I said I was “very sad to hear that sister but how did this happen? He was very young.” She told me the whole story, her husband was only 28 years old, he had kidney failure in the lockdown and was admitted to the government hospital in the city but as the illness got worse her relatives decided to take him to their hometown for treatment. Because of the lockdown, the ambulance fare got very expensive and corona testing was mandatory before entering for any illness because of the corona. Her brothers also helped them financially and took her husband to their hometown. But after all the treatments, his condition did not improve, and he finally died. When I asked her the cause of kidney failure, she told me that her husband was an alcoholic and first his liver was affected and then his kidney failed. I felt sorry for her after knowing this, so I asked her why are you back here now and what will you do next? And her answer surprised me. She told me that she and her husband had booked a house under the Prime minister's scheme by taking a loan and since the death of her husband she got a 90 per cent waiver in the house loan, which is the reason why she came here later. In the end, I would say women are stronger than men, a mother can raise her children without a father, but it is very hard for a man to raise his children without a mother.

Nidhi Modi
India

Running for the hills in a Pandemic - A story of struggle, hope, and finding a way to manage or resolve conflicts during COVID-19.

The COVID-19 pandemic struck the world in February 2020, and my first instinct was to run to the hills and hide. It was six months after my colon cancer surgery, and post chemotherapy treatment. The idea of surviving the global pandemic seemed scary and difficult to grasp.

During this time, I received an invitation to provide support for an elderly family member, with a joint living arrangement that saw me relocate. It was thought that together we could ride out the pandemic, and support each other during this difficult time.

So, on six acres of scenic land, the joint living arrangement began. All was well for the first few weeks. Family members would drop off needed food, and other domestic supplies after enduring the heavy sanitizing process. Many days were spent gardening, following the news on television, and communicating with family and friends on social media, as well as, sharing the chores and casual evening conversation.

Over time, however, the struggle of not being close to family and friends became a heavy emotional burden. Added to that, there was the stress of keeping up with medical appointments and managing my post-cancer check-up schedules. This escalating stress combined with the existing pandemic related worry and anxiety, ultimately leads to depression. Slowly, the realisation slipped in that COVID-19 was not going away any time soon, and that my current shared living arrangement was approaching a one year anniversary.

In order to survive a change of plan was drastically needed, the rocks were falling off the hills and the winds of dependency were blowing too strong for the arrangement to stand. The initial living arrangement was slowly feeling like a ton of bricks on my back, a silent conflict of self-interest was brewing under the surface of the hill. The need to run was rising from the belly of the hills. To stay and support my elderly family member was causing a mental and emotional struggle that was not good for a cancer survivor. Additional family support was needed urgently. No one was prepared for the global pandemic crisis to last this long.

While other members of the family were comforted by the arrangement, continuing the live-in relationship was a struggle that could activate into a conflict situation. Long periods of silence was my initial method of coping when gardening and exercise strategy failed. The decision to survive the pandemic versus the desire to stay and accommodate my elderly family member created an internal war that could not be ignored.

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Frequently, the idea of fleeing the hills and reuniting with family members was liberating and energizing. So the decision was made, and a plan was developed to take the necessary precautions and slowly re-entering the 'new normal' world. So as timid as a mouse and with the much-needed courage and the guidance of a trusted friend, I emerged and rescheduled my medical visits and began living in the pandemic.

Having a plan for my elderly family member has not been easy, but to survive, we both had to run from the hills and reunite with our families.

Ms. Gillian L. Lewis

Tobago

Ludovica

Ludovica is a fourteen year-old teenager; the parents have separated by mutual agreement for several years and fortunately, they are on very good terms. She has two older brothers who live with her father 700 km from her who is staying with her mother. Before the pandemic, when phone calls, video calls were no longer enough to fill the sense of emptiness, it was easy to make up for them with a train or plane and reach them; today his words are perhaps the best way to try to understand how difficult it is, especially for young people, everyday life....

(Ciccìa: friend of the heart – Abbi and Galbi: older brothers)

“A letter to you

Linked by an all-too-strong relationship, but perhaps not enough to withstand 600 km and a global pandemic.

Ciccìa

I'd tell you a thousand things, you look up that it's hard to look at this world if you don't know it. I who write these words to you, without knowing what I am doing; but not seeing you destroys me; not knowing when I can shake your hand, it makes me collapse. And it's true that no one understands me, I don't trust you, sometimes I don't smile at you, but you take off my mask in this 2020! Who knows what you think now: maybe behind those letters you send me from a screen, you're crying, only how do I read you in the soul if I don't see you and how do I tell you that we're just monsters, with a great fear of finding a child under the bed. After all these years, I feel like I left there on a one-way ticket. You are my nail: I have a picture of us in my pocket, the mask, but I forgot it! I miss laughing, looking stupid; invent names, pretend another life that at this very moment I would like. If I wanted to, now, I couldn't even take a train to hug you hard, and it hurts a little bit. Everyone moves, moves, fast as a hurricane, yes it hurts a little bit, I can't hope anymore. I drove all thoughts out of my mind to make you comfortable with it. Waiting for your message when I least expect it, maybe at three at night, when your mother told us to go to sleep, but it's not the same. We call them dreams, but they're memories. Maybe you've grown up a little bit now, maybe you're not waiting for Scooby Doo on TV anymore, maybe you're not that little girl who always fell, but I really want to go back to those moments: see I'm not good at making those who love me stay, but I really think I'll wait for you. The truth is, I'd like you to remember that you're as beautiful as my house! I know it might make you laugh but best compliments I don't have, maybe I never told you but you're like hope in the eyes of those who stay. You take beauty where it wasn't there before, you're the hand I shake if I'm about to fall.

Abbi e Galbi

My heroes, you're just my heroes... there's nothing apart from us, letting go of broken dreams before time takes away beautiful things. Rest that maybe I have something to tell you, it's not normal for me to miss you on Christmas Day too! They broadcast TG on television, I'm not listening to it, it's going to be that I'm thinking about it, it would be nice to have you by your

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side so maybe we can get some sleep, our cutest picture is that movie. If you saw me crying, it was an optical illusion, I just wanted to take the sea out of my eyes and if you think it has too loud music, I'm just trying to get you out of my head, I'm fine, I'm fine even when I'm sick, you don't worry, but when I come back you take me to the park that maybe pushes me on the swing? I already feel like I'm on a swing, but every now and then I fall down. I feel like calling you, not always, but I wouldn't mind taking the phone and asking you a few questions: how's it going? What about work? The university? Is everything as hard as it sounds? You know I'm proud of you? Shall we get a tattoo together? Do we travel together one day? Maybe being able to tell you these things live would be easier. We are talking about something else, it seems to me that the past exists, but what is the point if the future is uncertain? It will be years before those moments that upset my day come back, with those smiles that I miss so much, and now I have nothing left in my chest. The half-full glass becomes half empty to me, I smile at you as a cure, but from what? I'm looking for a flaw in you, it's not there, but you see too many. Now that I look at you, you look just like me, I actually swim in the flaws. At the moment we are divided by this silent war, too much for my liking, perhaps if a few bombs exploded, the kilometers between us I would not hear them, instead, I hear them, I see them, I wonder how many masks away divide us? I talk to you without saying anything and I don't give a, how many times I took that train leaving you... know that I have never really left you, and I am sick of it, I have cried to us.

Dad

I miss you, come here and save me, save my happiness, please! I know you can't, but you do it, tell me you're going to do it, you know psychologists don't cure anxiety, maybe your hug does.

Dad, tell me you're proud of me.

Although sometimes I'm wrong, even though I'm lost, even though I'm fragile and sometimes I do things without even knowing what I'm thinking. Tell me you're proud of me, even though I'm always on the clouds and never want to go down! I often get sad, tell me that if I get lost you come to find me, tell me that if I am drowning, you arrive with a life jacket, tell me that you are proud of me because I risk everything, because I fight, because I do not stop, because even when the world is an asshole, I continue to hope the same that somewhere, maybe, something better is there. Dad tell me that you are proud of me because even when I cry then I get up, because even if I feel alone to others I smile, because I am afraid but I try, because I put my whole heart into the things I do and to do it I never get tired. Tell me you're proud of me Dad, even though I've sometimes let you down, even though I'm not perfect and have no timetables and I laugh too hard or I cry in and walk fast in a life where I'm never in the right place. Tell me you're proud of me because it's nice to know there's someone who loves you, regardless.

Because I need it to smile.

Because I need it so much now.

Dad tell me that you are proud of me even when I am wrong, even when I am in disarray, even when I scream, even when I get angry, even when my fears defeat me, tell me that you are

proud of me because I remain who I am, because I sleep too little, but I dream as you taught me to do, because it is me.

Take off your mask and scream that you want to hug your daughter, 'that if you're there Dad I do too.

Ludovica”

One year after the beginning of the pandemic, tiredness, frustration and stress cannot be defined in simple words... ; or rather the words of an adult are not able to show the weight that in boys, in adolescents already tried by a situation of parental separation they have created.

It is not an indictment of us adults, but rather it wants to be a food for thought to face in a mature, non-selfish and conscious way the moment we are experiencing, the present moment

Almost always the most burdensome situations are seen with our own eyes and not with theirs, we try to do the best for our children but perfection does not exist, or rather it is not of this world; our children, in an imposed solitude, live a silent storm that would like to wipe out everything it encounters but that struggles, a great effort and even more will make it in recovering if they are alone in rebuilding everything that the storm has destroyed.

Ludovica's letter expresses from the bottom the need for a lost normality, an affective void that was previously “easily” filled today not only for a kilometer distance. She is lucky she has a family that despite the difficulties related to a situation of separation and great distance tries to stay as close as possible, she relates civilly avoiding friction. The normality, however, is not this, there are those who escape more easily from their responsibilities those who take advantage of it to keep their distance and blame the former spouse without reflecting on the fact that those who will suffer the most will be the already weak children caught in a whirlwind who have not asked to cross.

Dott.ssa Tiziana Magnaghi

Italy

Ludovica

Ludovica ha quattordici anni un'adolescente; i genitori si sono separati di comune accordo da diversi anni e fortunatamente sono in ottimi rapporti. Ha due fratelli più grandi che vivono con il padre a 700 km da lei che invece sta con la mamma. Prima della pandemia quando le telefonate, le video chiamate non erano più sufficienti a colmare il senso di vuoto era facile sopperirvi con un treno o un aereo e raggiungerli; oggi le sue parole sono forse il modo migliore per cercare di comprendere come sia difficile, soprattutto per dei giovani, il quotidiano....

(Ciccia: amica del cuore – Abbi e Galbi: fratelli maggiori)

“Una lettera per voi

Legati da un rapporto fin troppo forte, ma forse non abbastanza da sopportare 600 km e una pandemia globale.

Ciccia

Ti direi mille cose, tu guarda in su che è difficile guardare questo mondo, se non lo conosci. Io che ti scrivo queste parole, senza sapere cosa sto facendo; ma non vederti mi distrugge; non sapere quando potrò stringerti la mano, mi fa crollare. Ed è vero che nessuno mi capisce, non mi fido, a volte non ti sorrido, ma tu togli la mia maschera in questo fottutissimo 2020! Chissà che cosa pensi ora: magari dietro a quelle lettere che m'invii da uno schermo, ci sei tu che piangi, solo che come faccio a leggerti nell'anima se non ti vedo e come faccio a dirti che siamo solo mostri, con una grande paura di trovare un bambino sotto il letto. Dopo tutti 'sti anni, mi sembra di essere andata via da lì con un biglietto di sola andata. Tu sei il mio chiodo: ho una nostra foto nella tasca, la mascherina, però l'ho scordata! Mi manca ridere, sembrando stupide; inventare nomi, fingere un'altra vita che in questo momento proprio vorrei. Se avessi voglia, adesso, non potrei nemmeno prendere un treno per abbracciarti forte, e ci fa un po' male. Tutti si sposta, si muove, veloce come un uragano, sì mi fa un po' male, non riesco più a sperare. Ho scacciato tutti i pensieri dalla mia mente per far sì che tu ci stessi comoda dentro. In attesa di un tuo messaggio quando meno me lo aspetto, magari alle tre di notte, quando tua madre ci diceva di andare a dormire, ma tanto non è lo stesso. Li chiamiamo sogni ma sono ricordi. Forse sei un po' cresciuta oramai, forse non aspetti più Scooby Doo alla TV, magari non sei più quella bambina che cadeva sempre, però vorrei davvero tornare a quei momenti: vedi non sono brava a far restare chi mi vuole bene, però credo proprio che ti aspetterò. La verità è che io vorrei che ti ricordassi che sei bella come casa mia! So che potrebbe farti ridere ma migliori complimenti non ne ho, forse non te l'ho mai detto ma tu sei come la speranza negli occhi di chi resta. Tu porti bellezza dove prima non c'era, tu sei la mano che stringo se sto per cadere.

Abbi e Gabli

I miei eroi, siete proprio i miei eroi... non c'è niente a parte noi, lasciando perdere i sogni rotti prima che il tempo porti via le cose belle. Restate che forse ho qualcosa da dirvi, non è normale che mi manciate anche il giorno di Natale! Trasmettono il TG in televisione, io

non lo sto ascoltando, sarà che vi sto pensando, sarebbe bello avervi accanto così magari possiamo dormire un po', la nostra foto più carina è quella mossa. Se mi avete vista piangere, era un'illusione ottica, volevo solo togliere il mare dai miei occhi e se credete abbia la musica troppo alta, sto solo cercando di togliervi dalla mia testa, io sto bene, sto bene anche quando sto male, voi non vi preoccupate, però quando torno mi portate al parco che magari mi spingete sull'altalena? Mi ci sento già su un'altalena ma ogni tanto cado giù. Mi viene voglia di chiamarvi, non sempre, però non mi dispiacerebbe prendere il telefono e farvi qualche domanda: come va? E il lavoro? L'università? È tutto così difficile come sembra? Sapete che sono fiera di voi? Ce lo facciamo un tatuaggio assieme? Viaggiamo assieme un giorno? Magari potervi dire queste cose dal vivo sarebbe più facile. Parliamo di altro, mi sembra che esista il passato, ma a cosa serve se il futuro è incerto? Passeranno anni prima che tornino quei momenti che mi sconvolgono la giornata, con quei sorrisi che tanto mi mancano, e ora non ho più nulla nel petto. Il bicchiere mezzo pieno mi diventa mezzo vuoto, vi sorrido come cura, sì però da cosa? Sto cercando in voi un difetto, non c'è, ma voi ve ne vedete fin troppi. Ora che vi guardo bene sembrate proprio come me, in realtà io nei difetti ci nuoto. In questo momento ci divide questa guerra silenziosa, fin troppo per i miei gusti, forse se scoppiasse qualche bomba, i chilometri fra noi non li sentirei, invece li sento, li vedo, mi chiedo quante mascherine di distanza ci dividono? Vi parlo senza dire nulla e non mi frega niente, quante volte ho preso quel treno lasciandovi... sappiate che in realtà mai vi ho lasciati, e ci sto male, ci ho pianto.

Papà

Mi manchi, vieni qua a salvarmi, salva la mia felicità, ti prego! So che non puoi ma tu fallo, dimmi che lo farai, sai che gli psicologi non curano l'ansia, forse un tuo abbraccio si però.

Papà, dimmi che sei fiero di me.

Anche se a volte sbaglio, anche se sono persa, anche se sono fragile e a volte faccio le cose senza sapere nemmeno a che penso. Dimmi che sei fiero di me, anche se sono sempre sulle nuvole e non ho mai voglia di scendere! Spesso divento triste, dimmi che se mi perdo vieni a ritrovarmi, dimmi che se sto annegando, arrivi con un salvagente, dimmi che sei fiero di me perché rischio tutto, perché combatto, perché non mi fermo, perché anche quando il mondo è uno stronzo, io continuo a sperare lo stesso che da qualche parte, magari, qualcosa di meglio c'è. Papà dimmi che sei fiero di me perché anche quando piango poi mi rialzo, perché anche se mi sento sola agli altri sorrido, perché ho paura però tento, perché ci metto tutto il cuore nelle cose che faccio e di farlo non mi stanco mai. Dimmi che sei fiero di me papà, anche se a volte ti ho deluso, anche se non sono perfetta e non ho orari e rido troppo forte oppure piango dentro e cammino a passo svelto in una vita dove non sono mai al posto giusto. Dimmi che sei fiero di me perché è bello sapere che c'è qualcuno che ti ama, a prescindere.

Perché mi serve per sorridere.

Perché mi serve tanto, adesso.

Papà dimmi che sei fiero di me anche quando sbaglio, anche quando sbando, anche quando urlo, anche quando mi arrabbio, anche quando le mie paure mi sconfiggono, dimmi che sei

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fiero di me perché rimango ciò che sono, perché dormo troppo poco, ma sogno come mi hai insegnato a fare tu, perché sono io.

Togliti la mascherina e urla che vuoi abbracciare tua figlia, ‘che se ci sei tu papà lo faccio anche io.

Ludovica”

Ad un anno dall’inizio della pandemia la stanchezza, la frustrazione e lo stress non possono essere definibili con semplici parole... ; o meglio le parole di un adulto non sono in grado di mostrare il peso che nei ragazzi, negli adolescenti già provati da una situazione di separazione genitoriale hanno creato.

Non è un atto di accusa verso noi adulti anzi vuole essere uno spunto di riflessione per affrontare in modo maturo, non egoistico e consapevole il momento che stiamo vivendo, il momento presente

Quasi sempre le situazioni più gravose vengono viste con i nostri occhi e non con i loro, cerchiamo di fare il meglio per i nostri figli ma la perfezione non esiste, o meglio non è di questo mondo; i nostri ragazzi , in una imposta solitudine, vivono una tempesta silenziosa che vorrebbe spazzare via tutto quello che incontra ma che fa fatica, una gran fatica e ancora di più ne farà nel riprendersi se saranno soli a ricostruire tutto quello che la tempesta ha distrutto.

la lettera di Ludovica esprime dal profondo la necessità di una normalità persa, di un vuoto affettivo che era precedentemente “facilmente” colmabile oggi lontano non solo per distanza chilometrica. Lei è fortunata ha una famiglia che nonostante le difficoltà legate ad una situazione di separazione e di grande distanza cerca di starle il più vicino possibile, si relaziona civilmente evitando attriti. La normalità però non è questa, c’è chi fugge più facilmente dalle proprie responsabilità chi ne approfitta per mantenere le distanze e incolpare l’ex coniuge senza riflettere sul fatto che chi ne soffrirà di più saranno i figli già deboli presi in un vortice che non hanno chiesto di attraversare.

Dott.ssa Tiziana Magnaghi

Italy

Navigating separation under a COVID prism

For many, family conflict was exacerbated during COVID; for others, it abated. For some, COVID served as an opportunity to unite against a common enemy; for others, it became another potential source of conflict. For some, COVID heralded the return to a simpler life and living their best life; for others whose lifeboat may have been shakier, it was more complicated. Life continued with limits impacting the normal rites of passage, life rituals, graduations, birthdays, tests, deadlines, expectations. Parenting discussions and decisions still needed to be managed. Here are some examples of three families who attended mediation to craft arrangements 'for now' – these are snapshots in time.

In Melbourne, Australia

We were living under rigorous and extended restrictions, enforced lockdowns, the introduction of compulsory face masks, limits on leaving our homes, 5 km limits to distance travelled from home, and enforced grocery purchase limits with shortages due to supply chain issues and panic buying of essential goods like toilet paper. This led to exacerbated grief and loss - loss of connectedness with loved ones, family, and friends, heightened fear and worries, loss of income and opportunities, financial impacts, work insecurity, economic hardship, homeschooling, death, and deterioration of health of loved ones, etc.

For mediators, COVID 19 created a need to be more creative and open to new ways of connecting. Many mediators and families transitioned to online and using virtual platforms. For mediators, this required exponential learning to ensure services were considered, appropriate, helpful, and safe, notwithstanding the constant juggle to balance the vagaries of internet connectivity. We needed to consider what do we offer clients so they can consider what they do for now – to create a safe space to see and hear each other, and how they can create/ensure they maintain retreats, post, and in between sessions? How to support families trying to navigate obstacles and manage as best they could?

Zoom has meant that our lives are more open to each other – our clear personal/professional boundaries are harder to enforce - our pets are usually present and the potential (and actual) intrusion of household members for clients and ourselves. However, this created some unexpected magic moments that previously we would not have had. An example of a wonderful opportunity this created was an intervention that I refer to as child-focused. In reality, it was pure happenstance.

Case 1 – child focus

Towards the beginning of our lockdown, this family was one of my first online mediations. They were separated under one roof and their plans for setting up separate homes were kyboshed by COVID. They had two very young children who were being homeschooled. We set up a mediation around their work and the children's lessons, with the parents in different

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locations – one inside the house, one in the studio. Within a few minutes of beginning, the two children sauntered into one of the rooms (therefore the session), and saw the other parent on-screen, and recognised the other space. This turned into a beautiful series of moments – watching the children joyfully waving on screen, then running between parents. Watching both parents engage with their children in an interaction that was loving, genuine, authentic, and free. This was an unexpected bonus; seeing the children and their love of their parents, appreciating their pure joy. This created a lovely opportunity as we were able to reference this moment and return to it when things became tricky. The parents were able to make some arrangements ‘for now’.

Case 2 - a parenting plan impacted by COVID

This family presented wanting to consider the impact of COVID and how to manage their different views about safety and risk. Separated for 2 years, they had one child together; a 2-year-old. Their relationship had been conflictual with little trust between them. They had previously negotiated a shared time arrangement in Mediation. They presented wanting focused negotiations to consider the impact of COVID on their parenting and arrangements, how to manage any conflict as a result of their increased stressors, and to develop a specific plan around what happens if any (of them) are unwell or impacted by COVID-19.

Using a shuttle mediation online process, they were able to develop a number of clear and explicit agreements given their current circumstances. Also, they made clear plans around the possibility of any of them being unwell. Their agreements highlighted how they could meet their commitment to ensuring they had consistent advice and understanding, medical advice that was in their language ‘medically sound’, that was for them reasonable, current and maximised ‘the best public and personal care outcomes’. This included allowing ‘for the dust to settle’ and setting timelines for reviews and allowing for possible changes. This required them to have a tricky conversation around the possibility of how they could manage COVID and acknowledge they may need to change their arrangements if any of them were exposed or became unwell. These agreements have stuck for a few months now. Their final agreement was to recontact for further mediation if necessary. So far, so good.

Case 3 - both parents were front-line medical workers.

In this family, the parents needed to navigate their recent separation – they had 3 primary school-age children. Both parents were front-line medical workers and working under extremely stressful circumstances. The father was not faring well, and his behaviour had deteriorated. Mental health was a factor. Communication became highly conflictual, there were altercations and the disagreements escalated. Overnight time arrangements were suspended in lieu of short visits of supervised time.

These parents were able to use a virtual shuttle mediation process (with the mediator communicating agreed messages between them) to negotiate their agreed parenting principles and rebuild trust. This process was mainly separate until the final stage when parents were willing to come together to see if they could manage to talk together and see how they felt. Both parents were able to address each other’s concerns and take responsibility for their

behaviour, actions, and choices. This enabled the asking of, and responding to, some tricky questions and some give and take i.e. win/win.

In this session, parents were able to move forward and make a plan for the week. At the end of the session, we set up a tentative mediation for the end of the week depending on how they felt things were progressing. Mid-week I received emails from both parties saying they had reached agreements, were abiding by what they had negotiated as respectful and safe communication, and together decided to cancel this appointment. Both parties agreed to follow up if necessary.

So, for these 3 families, agreements for now whose next chapters are yet to unfold.

Jodie Grant

Australia

The Irish Lockdown: The perspective of a young person on the difficulties of social isolation

It all started for me during an exchange semester reunion in London, I was alarmed at the growing concern and news about the coronavirus, so I decided to return to The Hague two days earlier than I'd originally planned. Soon a call from my parents (wanting me to come home) flew me over to Edinburgh the next day. I was a bachelor's student at Leiden University, in my final semester, and doing my Thesis. My Grandad was currently in a hospital near Glasgow. While I was in Scotland, I visited him and then stayed in quarantine for a week before returning home to Dublin with my family (my sister included). A few days later we discovered all four of us were COVID-19 positive. So the first month of the lockdown consisted of me doing my thesis while sick with the virus, unable to venture outside. It was when we visited my Grandfather in the hospital that we were infected. He had it too, and on the 6th of May 2020, he died from bacterial pneumonia caused by advanced coronavirus. My Grandparents had been married for almost 61 years, and my strongest memory from this period will always be hearing my Gran say goodbye to him on the phone. Since then, it has felt like life has almost frozen. Since I live in a small peninsula separated from the next towns by two long estuaries, and currently having a rule not to go beyond 5 kilometers, it feels like I've been living in my own little bubble for the last year, with every day the same routines and a drought of social contact, and never an indication of when it will end. I've had constant worries that my time as a young person is being eaten up by this experience and that people don't realise the struggles of young people between 18-25 years. It's always been about keeping the children and old people happy, but no recognition of the students.

Being a young person in Ireland during the pandemic has been hard. You almost feel like a helpless slave, unable to change the situation. I managed to graduate and the ceremony (thankfully) took place. In August, I went over to The Netherlands to grab my belongings, diploma, and celebrate with friends, and it was the first time in five months I'd seen them and been able to enjoy something. I then left The Netherlands on August 31st, and I haven't seen any of my friends since. I'm currently doing a gap year, but remained at home, because I couldn't handle the scenario that students have been put under: being detained in their rooms, overpaying thousands of euro for a few online lectures, and discrimination for any breaking of restrictions. I feel like young people's mental health and livelihoods have been taken for granted by older generations (and they are the ones who complain the most) just because they're young. Henceforth I've spent 10 months of this last year in my house. The first lockdown never really ended in Ireland, because the reopening of the economy was too slow before the second one began, so I've struggled to find things to do and rarely left the house.

Despite the fact I'm living with my parents again which has its benefits, loneliness has been the hardest part of this whole experience. The last few months have consisted of numerous mental breakdowns and depression. At least I don't have the burden of rent and having money for food, which is a constant worry for thousands of students across the country. To fill my days,



I've been child-minding and dog-sitting for family friends, playing guitar, and planning for Masters, as well as what's probably now hundreds of walks around my small parish. I'm also cooking regularly for my parents and helping out in the garden. There have been many days however when it has been incredibly hard to get off the sofa. Watching the news is unbearable these days. I often get angry and frustrated by the constant gloom vibe from the press and from politicians, sometimes made deliberately, despite encouraging news about vaccinations. I also hate the words "New Normal", as they are overused words to disguise the problems the pandemic brings, especially around mental health, and the fact that this way of life is not sustainable. These restrictions are only built for monogamous couples or families with solid monthly salaries and big houses and gardens, and the people who are in less fortunate positions are brushed aside by this privileged narrative. I'm now planning for my Masters and have made applications, hopefully, to return to The Netherlands in September 2021. I'm starting to feel good about the summer and the prospect of normal life returning. I hope that this struggle will be worth it and that my family and I will be able to move forward to much better days ahead.

Benjamin Jones

Ireland

Calm COVID Conflict

Having experienced a high conflict divorce, I am well acquainted with the ongoing litigation between separated parents. The active litigation in my personal case is likely to continue until our child turns 18. For the past several years, my child's father and I have been under the care of a parenting coordinator (a therapist) to help us mediate long term solutions to issues we have not been able to successfully address as co-parents. We were already meeting with her virtually, an accommodation I requested for my safety and well-being. So, the format of our meetings did not change much. During each session, we each raise concerns or issues that we feel are not being addressed through our communication (or lack thereof) on Our Family Wizard. Then we agree on an action plan to implement.

I happen to have an immune deficiency, meaning my body has low levels of antibodies to fight off things like strep, the common cold, and the flu. Before COVID, I was already cautious with my health. As the primary caregiver to our child, I knew I would need to make some hard decisions in order to stay healthy. One of these decisions was volunteering to temporarily switch where our child lives and goes to school since school was in person. I went from being the full-time caregiver to almost no contact at all. That issue has been brought up and somewhat resolved in parenting coordination.

Now, my child meets me at a park twice a week and we both wear masks. We ride our skateboards together, kayak, or go hiking (all outdoor activities). We each were tested this summer and over winter break and stayed in a cabin at a state park. We do talk on the phone or video chat every evening. We are already planning a few summer getaways, to outdoor spaces where we can safely spend time together (pending clear COVID tests). All of this communication and planning is between my child and me. My co-parent is not likely to change or facilitate our relationship.

At the beginning of COVID, while we were still learning about the virus, my PTSD was in overdrive, due to my immune deficiency. I was having a hard time regulating my nervous system and could not sleep. I was not working because the school I worked at eliminated positions. I was in survival mode. I took that time to increase my self-care since my usual routines were not as effective. I increased my exercise, meditation, therapy appointments, and time in nature. I mourned life as it was, my child, going to live with the other parent. I journaled. And I have come to not only accept but to thrive in my new normal. My life is simpler, more focused. I am healthier. I miss my child more than anything, yet we have quality time together.

My personal family conflict in the pandemic has taught me that I can learn to be calm through conflict. In fact, I can help others to be calm in conflict. In high conflict cases like mine, the other parent may never change or might use court as an attempt to continue control. I know I have no power over that and I have come to accept it for what it is. I can, however, change how I respond and react to things. I can learn to regulate my nervous system, for my physical and mental well-being. I can practice self-care. All of these things help nurture the relationship I have with my child, no matter how distant that is at the moment. This is calm conflict.

Darby Munroe

US

COVID Co-Parenting

“I’ve gotta go. Dad’s taking us out to dinner.” This should have been an innocuous statement by my 16-year-old son, but it’s not. It’s COVID.

After a nine-year relationship and fourteen-year marriage yielding two biological sons and two daughters adopted from Ukraine at ages eight and thirteen, we were officially divorced in January of 2018. The four-year process to divorce was awful, going through multiple lawyers, judges, and mediators. As a trained mediator myself, and someone who trains others on skills including communication and anger management, I apply my skills daily in my personal life. COVID brought a new, urgent level of daily negotiation with my ex and my kids.

My ex and I always had our differences, political and otherwise. Now we are seeing this play out with greater impact, as each of our actions affects each other and our children directly. I have taken the coronavirus very seriously. I barely go to supermarkets. I’ve put off non-essential appointments, rarely see family and friends and I always wear my mask. My ex is the opposite. He was among the first to go back to eating in restaurants. Travel didn’t bother him and he saw no need to quarantine afterward.

This presents quite the dilemma since we have joint custody of our teenagers. He rarely tells me what he is doing and I often learn from the kids where he takes them and who he exposes them to. In the situation above, he decided to take our younger son and our oldest daughter to dine indoors for her birthday. They decided not to take my oldest son because he was going back to school the next day and didn’t want to risk his exposure. (We worked together to place our younger daughter in a residential treatment center when she kept running away during COVID.) It didn’t faze him to expose my younger son, who was about to return to my home the next day, or even let me know. My son mentioned it casually, then probably immediately regretted it. My initial reaction was that he shouldn’t come here if he goes to dinner, but then I reconsidered, not wanting to make him choose between going with his father and coming to me. They went to dinner, then he came here and I am forced to accept the risk.

My children have to live with constantly changing standards. He lets them see friends. I am much stricter. I let my son play baseball, but became the “mask-police” at every game. I despised this role but took it on so he could play.

While our divorce mediation was arduous, it did enable us to try to stop looking for the worst in each other, which was demanded by the court process. With four challenging children, we speak several times a week, sometimes productively, sometimes not. Now that we are divorced, I can set boundaries as to how I am spoken to and what I will endure. We have found ways to effectively co-parent, especially during this pandemic, which I attribute to my skills, therapy, supportive relationships, and ultimately my positive attitude that we will get through this. Perhaps then we can all go out to dinner and celebrate.

Tara Fishler

US

Home, A Deeply Interior Design

Pandemic Floor Plan Change

For a decade, since our family had lost our home and my health to an environmental disaster, finding our own place had been our mission. We had lived in tents, yurts, vacation rentals, a barn, a shed. Finally, we had found a house. For the few weeks it took my then husband, the kids' Dad, to make the house suitable for my disability, the kids and I stayed in someone else's home, with their art and bedding and silverware. In anticipation of our move, we funneled our excitement into picking out bedding, paint colors, and plants for the garden. All that was left was to make the house a home, by living in it together.

When the kids and I arrived excited to cross the threshold into our new life, Dad showed us the work he had done, before crossing back over the threshold to sleep with another family's art and bedding in the name of being fifteen minutes closer to work for a week. That choreography, representing something much deeper, would tear our family apart. Two years later Dad would leave the house permanently. A year after that, the entire planet would be trembling, splintering, beneath the weight of a global pandemic.

COVID crippled the world with a disability that made it dangerous to take classes or work outside the house. I had been living this way for years. So as most people's worlds condensed, my opportunities expanded under accommodations designed to connect people in new ways. I was able to take almost two hundred hours of Mediation training, dip my feet into practicing virtually, and collaborate with some of the world's top peacekeepers.

In addition to my growing awareness of new ways to approach conflict, the collision of national and global crises, including the pandemic, forced — allowed — us to put our own conflicting interests into perspective. I very intentionally decided not to add one more fissure to a world in fracture. As a mediator, I imagined asking myself, as the wife, if the trust that died in our bond could be resuscitated in some form. I envisioned asking the husband what he would like to have heard his wife say that she didn't. As a mother, I wondered what I could do to get all our needs met in the moment. I became confident we could travel together, even as our paths diverged.

As opposed to anchoring to positions of getting a fair share of the traditionally baked pie, we enlarged it, setting out to determine what resources we had and how we could utilize them with maximum efficiency while navigating a new sort of interdependence.

In part because COVID has forced — allowed — us to remain socially distanced, we have been able to get creative with what is here: a house, food gardens, a garden shed. To stay healthy, I live in the house and tend the gardens. He gets the renovated shed, an abundance of fruit and veggies, and the space he yearned for that first night. I sold my car as I work from home. I have someone shop for me, and he picks up those groceries once a week. He drops his dirty laundry at the door for me to wash, I put out my trash for him to take to the dump. When we encounter



a blocking point, I resist the urge to stay stuck on my side of the obstacle and instead wear it down with curiosity and creativity. Our dually navigated path will curve again, and we will have to reexamine how to move forward, creatively. That's what life forces — enables — us to do.

Courtney Cole
US

Necessity Leads to Creativity

Bitterness marked their separation a month before COVID became a worldwide concern. They were at odds over every issue, every detail—whether parenting or finances. Then COVID intervened to add stress and turn every conversation into a battle.

During their time together, they had worked cooperatively as parents of their 3 children, sharing all of the responsibilities and opportunities of being parents. The children thrived with the parents' attention.

As a consequence of the pandemic, Betty was furloughed from her job, meaning less income; Ron's professional practice income declined, and he was now working from home. As a result, when Betty moved, it was to a small apartment—it was to be a transition place and only for a couple months. It wasn't ideal, but not far from the family home. It wasn't large enough to accommodate the children for extended periods of time. The children felt the loss of their mother.

Under their initial arrangement, the children came to Betty's apartment 3 weekends each month sleeping on inflatable mats. She spent afternoons after school at her apartment 2-3 times each week. It wasn't ideal, and the children soon struggled with the changes in schedules. However, once the children's school closed and they were involved in distance learning, afternoon visits were infrequent.

The plan wasn't working for any of the family. Ron was overwhelmed dealing with 3 different online school schedules, trying to maintain his professional practice, and coping with the responsibility of being a full-time dad. Betty was miserable. She missed her children, missed being part of their lives each day.

One night, Ron invited Betty to have dinner with him and the children and to help put them to bed. He explained to the children in advance that this didn't mean they were getting back together. Once the children were in bed, Betty and Ron talked for several hours, having promised one another they would find better arrangements.

The plan they devised, promising it would change once Betty was back to work, she moved to a larger apartment, and things got back to "normal" was this: Ron was responsible for the children in the morning, from wake up to starting school and until lunchtime, Betty would come to the house in time to prepare lunch and to spend the afternoons with the children, helping them with schoolwork. This allowed Ron to focus on his clients while Betty was with the children. On Friday and Sunday, she would also prepare and have dinner with the children and get them to bed. For this family, the plan is working, at least for now. The children see both parents regularly, feel a sense of security. Betty is satisfied because once again feels like a mother for her children. Ron has ample time with the children and can maintain his client work.

Michael Lang

US

The world is very strange right now and has been for the last 12 months.

When the pandemic began, we had the sense that “We were all in this together.” We were adamant about doing what we could to suppress the virus and bring us back to a “new way” of living.

It could be a life where we would be more mindful of our time and our relationships with others and ourselves. This was new. A mindful relationship with ourselves. Some people were already at this place before COVID; I was not one of them. We saw this as a new start, and a wiping the slate clean. We were going to learn to bake, knit, play mindfully with our children, work from home, school from home, exercise from home, socialize on zoom from home, have shopping delivered to our homes to keep each other safe. And we did.

In Ireland, when Christmas arrived, restrictions were fully eased and then basically lifted. We were told to be sensible to protect each other. Wash hands, wear masks, and stay in our bubbles. Christmas felt strange. For our family, there was no in-store Christmas shopping. There was no visit to Santa. Our Christmas tradition had consisted of a Santa visit, a night in a hotel, and shopping the next day. This didn't happen this year and it would have been our last visit to Santa. It's small I know, but I felt cheated. Every year for 20 years this was the tradition and COVID-19 had taken it. We shopped online and all the boxes were left contactless outside the door.

COVID cases rose again just before Christmas day and a heavy air of panic started to descend. It was palpable. We all knew what was coming. Some people partied, knowing what was come, ignoring public health guidance. Some returned from other countries but didn't quarantine.

My mom, who is in our bubble, cancelled Christmas dinner at our house. She was anxious about becoming unwell and becoming a burden. I prepared dinner and delivered it gloved and masked on Christmas Day through the window. I was not ok with this. This was the first year in 20 years nana (mom) has not been to our house to open gifts.

Grandad rang our doorbell and left the children's gifts outside the door. He also was afraid to be unwell and become a burden. Christmas Day is dad's birthday too. He normally makes the most amazing potato stuffing for me (another tradition) then stays for soup. Mom and dad are divorced and this is how we see and spend time with both on Christmas Day. This didn't happen this year. I'm not ok with this.

On the 27th of December, the dreaded announcement came. We were back in a full level 5 lockdown.

It's now mid-February. There is very little (if any) baking, knitting, or playing mindfully with my children. There is Zoom fatigue. There are incessant arguments over homeschooling. We felt exhausted and on edge, like many other families, whose mental health is in shreds. We are angry, annoyed, and tired as a nation. There are financial and emotional pressures; there are

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health risks for frontline staff. There are negative political implications. The noise doesn't stop.

In the middle of a snowy, dark, and blustery day news was "leaked" that lockdown will continue until April. At this point friends who are in the beauty and hair industry are broken, in the hospitality industry broken, and not to mention the front-line workers- not just financially broken, but emotionally, psychologically, and physically also.

Food deliveries are not available as far into the country where we live. I have to go out, and even though I hate doing the grocery shopping, now, it's my one moment of freedom from the daily stress at home. I have noticed that I'm nervous going out--about driving the car, but mostly about encountering people. The other day, I met a lady I know but have not seen for a long time. It took me a moment to recognize her through her mask. She greeted me warmly, then stood back. She looked tired. I asked how she was and with amazing honesty, courage, and vulnerability she said, "I'm exhausted." I acknowledged her feeling and statement. We spoke for a couple of moments about work, teaching, trying to keep it all together. In the next moment, she said, "I miss touch, I miss human contact and touch." Her words echoed in my mind and in my heart. With all of the advances in technology, the positive human connection of touch cannot be replaced. For some "touch" will have negative connotations and I know this, but in the middle of the shopping aisle, gloved, masked and over six feet apart- all we could do was hold eye contact, yet all we wanted to do was hug. When this terrible pandemic over, I will hug all those whom I have missed. Hugs heal, and in my opinion, they are the best healers of all.

There is hope, when two gloved, masked middle-aged women can hold that space with our eyes in the middle of a pandemic, with the single wish for a hug.

Sharon Morrissey

Ireland

My Story

My younger sister was set to get married during the summer of 2020 and I had agreed to officiate the wedding. In her mind, the year 2020 may as well have only consisted of one day, and that was THE day. It's obvious by now that COVID's presence has ruined a lot of plans, my sister was not about to allow it to ruin hers.

The upcoming wedding and her inflexibility with the timing created a lot of friction between many family members, but primarily between her and our dad. Our dad was convinced that if he were to get sick it would be game over. He asked her if there was any possibility of postponing the wedding and was met with a solid "No."

In our dad's mind, going to the wedding was a life or death situation and he eventually made the decision to not go. This obviously left my sister upset and angry that her father wasn't going to attend her wedding and I got the privilege of being stuck right in between the two of them.

I wasn't able to come up with any sort of real solution to all of this that would satisfy each party. However, we could employ the concepts of "respect" and "choice" to lessen the negative impact this would have on our family.

My sister and my dad clearly have two very different models of the world and to each one, the other was totally crazy! Finding mutual respect in the fact that they each make their own choices based on their own models quickly nullified much of the resentment. They could choose to be angry with each other, or they could choose to respect each other's perspective and not allow the actions of another person to dictate how they're going to feel. It's such a simple concept and yet when we're in the moment and our emotions are completely running us it's not always that simple to see.

The wedding ended up being really beautiful and more people showed up than I personally had anticipated. Our dad was missed yet he still felt safe with the choice he made. To my knowledge, no one who attended ended up getting sick as we were all following up with each other afterward.

We're not all always going to agree on everything. We all have different values, perspectives, and ways of doing things. If our focus is always going to be on what's different and how it victimizes us then we leave little room for progress and peace.

Philip Turner

US

Pandemic Life Is Hard Wherever You Are

Courtney and Andrew met in college more than two years ago. She is presently a senior at Colorado College and is originally from Arlington, Virginia. He graduated from Colorado College in May 2020 and is living in Juneau, Alaska with his parents. They met when they were both studying abroad during college.

They began quarantining together in the Spring of 2020 when the pandemic first hit. Since only seniors can live off-campus, Courtney moved from her on-campus dorm room into Andrew's off-campus house with several roommates. Courtney describes Andrew as having OCD issues, severe anxiety, and health concerns. The pandemic magnified these issues for him. Andrew also had no health insurance between January and June. Quarantining together was difficult, in part because Andrew was adamant that no one was to ever leave the house during that spring. He feared that going for a walk outside could result in death.

Andrew moved home to Juneau after graduation. Courtney spent that summer in Arlington working two summer jobs. They kept in touch via texts, phone calls, and pre-arranged FaceTime calls, managing despite the four-hour time difference. In October, Courtney visited Andrew and his parents after a five-month separation. It was crippling to be apart from each other for so long. Courtney flew from Colorado Springs to Juneau and quarantined alone in the basement of the Andrew's small family home for a week while trying to do online schoolwork with an unreliable wi-fi connection.

Staying alone in the basement with no social interaction and no physical touch was brutal. Also, Juneau in the fall is cold and dark – the sun rises between 8:30 and 9:00 and sets around 4:00 p.m. Andrew and his parents remained upstairs during the quarantine week. Courtney took three COVID tests at Andrew's insistence. After quarantine, Courtney and Andrew cooked meals with his parents, took walks, went out for groceries, and slept at night in Andrew's twin bed. Courtney longed for pre-pandemic normalcy where they could have gone skiing and hiking, spent time outdoors, had dinner with friends, socialized at coffee shops and bars, and spent time studying at the local library.

They spent the holidays apart. On January 27, Courtney flew for 20 hours, from Arlington to Los Angeles to Seattle to Ketchikan to Juneau. She wore three masks on the plane and felt claustrophobic from the difficulty of breathing. She has acne from wearing the masks. She was afraid to remove her mask and eat on the plane because others were snacking throughout the flights. When she finally arrived, Courtney felt awkward. She was desperate to touch Andrew but there was no hug, no kiss, no touch. She knew what to expect based on the October visit. She found it pure torture to see Andrew in front of her but she can't see his face since it is covered by the mask.

Courtney went immediately down to the basement upon arrival into the house. This time said she insisted that Andrew live in the basement with her for her quarantine week. He relented but insisted she wear a mask if his dog came down into the basement. His anxiety about being

infected with COVID intensifies before her visits. Because of his fears, it is hard for him to accept Courtney's presence.

Andrew works for the State of Alaska, and Courtney has her thesis to complete. Both will be working from home along with Andrew's mom; Andrew's dad is retired. Andrew's parents are always in the house. Sunset is around 2:00 pm in January and the weather is cold and dark most days. Flooding is a concern in southeast Alaska and Andrew's house has flooded several times.

Courtney knows that pandemic life is hard wherever you are. She is an extrovert so the lack of social interaction is tough. She and Andrew have each other. The weather is too cold right now to spend time outdoors. As hard as this pandemic life may be in Juneau, she made the journey because she is in a relationship with him and because his pandemic anxiety keeps him from traveling. She loves the beauty of Juneau and plans to remain for four to six weeks, then return to Colorado Springs to finish her senior year.

Ellice Halpern

US

Family Conflict During a Pandemic: *Stories of Struggle and Hope*

Section 2

The strain on couples has been especially intense. To find help with the conflicts that have either arisen during the pandemic or have become more difficult, they often turn to mediators. In this section the stories, written by mediators, describe the struggles their clients faced and how together they addressed the conflicts and found a measure of hope.

ROSES

Last April, when our roses died –
I cried.
Splendid hybrids that once sashayed in the wind,
admired,
now, lifeless under the cursed gaze of a storm
& to think, I'd seen the rapid decline.
In my heart, I knew they were dying
yet, too afraid, I ignored the signs.

Cardinal petals turning earthy brown,
brown to black,
black petals folded –
crisped, shriveled like old paper,
like dry wood,
burning quickly
inch by inch,
leaving nothing but a smoldering ash heap.

Still – I watered,
I nurtured,
raking mulch about them.
Sore hands
scrubbed of toiled soil so many times over,
preserving ashes in a windstorm.

We'd once planted these seeds;
watered – molded – tended the weeds,
back when buds burst with life.
So often then I'd catapulted into the past
where my parents' garden had blossomed
for fifty-years.
So naturally, shouldn't I blame myself for letting ours wilt?

If only you had helped
but you'd long reasoned:
We were better off just letting them die.
[That] roses were such delicate little things
that took too much time,
to nurture, to love, to care for.
Still – I tried.

I'd even bought plastic roses,
stuck them carefully in our beds.
A ruse to deceive our neighbors,
but the north wind fierce,
kept knocking them over & over
Still – I tried.

Then one time, distressingly, you'd said:
Our roses were gone
& everyone could tell the difference
between what's real & what's not.
[That] buds can no longer sprout here.
You were right.

Uprooting them all
I hurled them into the face of the night.
I'd seen roses die before,
death was a past time in some rose gardens.
Still – I'd tried.

Today,
a slight change in the wind,
a cool breeze that stirs in & out,
my thoughts shifted.
We'd sown them in the early spring,
white flags, pledging peace,

We're learning to plant chrysanthemums now.

Sally Delancy
Trinidad



Slowing Down to Find Peace in the Time of COVID

I first met Rachel and Gary a month or so into the pandemic. They had recently separated Rachel staying in the marital home and Gary moving into a nearby apartment. They shared over a decade of marriage and two daughters, ages six and eight...and came to me to help mediate a parenting plan.

Almost immediately, Rachel was terrified. She was worried that her job in marketing might be eliminated due to the uncertain economic impact on her company. The girls were no longer in school physically, and Gary's work schedule wasn't conducive to being at home during the day. Additionally, Gary was going in to work, and some people there didn't wear masks. Gary was also worried. The girls had recently been through a lot. They were trying to get used to two houses. They missed their friends and their teachers. They seemed withdrawn and on edge as stability was falling by the wayside. And, every time he talked to Rachel, she communicated that she was afraid he was going to contract COVID. Safety, stability, consistency, and financial security were strong interests in defining what was best for their daughters.

In an effort to begin the mediation process, the first thing we did was to breathe. We acknowledged that these circumstances were overwhelming and that the task of co-parenting in a pandemic felt unbearable. We addressed the guilt they both felt at the horrible timing of the divorce. We shared frustrations about the cost of everything and how neither of them felt equipped to weather the storm. And then, we began the hard work of problem-solving what each believed was in the best interests of their daughters. We looked into online counseling with the school psychologist to get support for their daughters' transition, as well as therapeutic support for each of them through their employee assistance programs.

As we started negotiating the parenting plan, we agreed to move slowly, and in some cases, to trial components like regular weekly parenting time and a communication protocol, so that both parents could assess and determine the next steps while actively in mediation. The slower we moved, the more they could breathe, and the greater their confidence became. As the process unfolded, it became clear that the parents saw a future that could be bright. They believed that one day their daughters would be back in school and that there were safety precautions they could subscribe to that ensured meaningful parenting time for the both of them.

They afforded each other moments of compassion and recognized that their girls needed them to create structure now more than ever. Week over week as they saw that their daughters were going to be okay, they remained cooperative and hopeful. They still became hamstrung by fears but returned to what they could control—their willingness to try and their desire for positive change—to work toward common ground.

Kelly Gering

US

Hearing Harmony in Hard Times

Jane and Samuel have always been anything but ordinary. A classical singer and alt. rock percussionist, they lived the lives of successful artists, touring and teaching internationally and building a fluid nomadic life together with their daughter. When they decided to part ways, Jane remained in New York while Samuel relocated to Europe. They amicably structured a parenting schedule that accounted for their tour dates, their transatlantic residences, and their daughter's academic calendar.

Then, the COVID-19 pandemic hit. The music industry froze. Schools shut down. Purse strings tightened. Flights were canceled. Quarantine periods of varied duration, peppered with inconsistent international testing protocols, created new international obstacles. Jane was now alone in New York with a young child learning remotely, while Samuel lost the ability to both travel and provide previously agreed-upon financial support. There was no more music. There was no more travel. Their world went dark.

When a pandemic shuts down society globally, there are limited options to brainstorm. Even in the most collaborative of dynamics, stressful times inform new tensions. Jane stopped honoring Samuel's video calls with their daughter. Samuel stopped making payments. Jane was frustrated and vulnerable. Samuel was distraught. And the child, who was "Zoomed Out" from her remote learning exercises, welcomed the opportunity to turn off her screen.

And so, I received a cellphone call. In the virtual ether, straddling time zones and languages, we bemoaned the changing arts and culture landscape online in a video-conferenced mediation session. Not only were their challenges mutual and relatable, but global - the new normal. They could handle this. Once they aired their frustrations and acknowledged that they both inhabited the same broken world, the conversation shifted. They cried together. They discussed travel options for their daughter through the shortened quarantine parameters offered by the Icelandic corridor. They jointly drafted letters to landlords and created payment plans. And they invited one another to their virtual gig opportunities - because once we realize we are in this together, even music-making can resume.

Lara Traum

US

Слышать гармонию в тяжелые времена

Джейн и Сэмюэл всегда были необычными. Классическая певица и джазовый барабанщик, они жили жизнью успешных артистов, гастролировали и преподавали в разных странах, и вместе со своей дочерью строили плавную гастрольную жизнь. Когда они решили расстаться, Джейн осталась в Нью-Йорке, а Сэмюэл переехал в Европу. Они дружно составили график, в котором учитывались даты их гастролей, места проживания за границей, и академический режим дочери.

Но пандемия COVID-19 изменила все. Музыка и культура замерла. Школы закрыли. Деньги исчезли. Рейсы самолетов были отменены. Карантинные периоды и правила создали новые международные препятствия. Джейн осталась одна в Нью-Йорке с ребенком, обучающимся дистанционно, а Сэмюэл потерял возможность путешествовать и платить алименты. Музыки больше не было. Больше не было путешествий. Их мир потемнел.

Когда пандемия закрывает всем мир, люди остаются с ограниченными возможностями. Даже в самой дружелюбной динамике трудные времена создают новую напряженность. Джейн перестала поддерживать видеозвонки Самуэля с их дочерью. Самуэль перестал платить. Джейн была расстроена и уязвима. Сэмюэл обезумел. И ребенок, который был “Зум-видео-усталый” из-за дистанционного обучения, приветствовал возможность выключить свой экран.

Итак, мне позвонили по мобильному телефону. В виртуальном эфире, в разных часовых поясах и на разных языках, мы оплакивали наш меняющийся мир по видеоконференции. Их проблемы были не только взаимными и взаимосвязанными, но и глобальными - новой нормой. Они могли справиться с этим. Как только они выразили свое разочарование и признали, что оба живут в том же сломанном мире, разговор изменился. Они горевали вместе. Они обсудили варианты проезда дочери через сокращенные параметры карантина в исландском коридоре. Они совместно составили письма владельцам квартир и разработали планы выплат. И они пригласили друг друга на свои виртуальные концерты - потому что, как только мы поймем, что находимся вместе, даже музыка может возобновиться.

Lara Traum

US

Courage is a choice.

Choosing to move through your separation with courage in the face of fear is the one battle in a divorce worth winning. It requires that you share your truth with the person from whom you are separating, with authentic self-awareness.

As professional family mediators, we understand the depth of the divorce experience. We witness your process and see you as people with deep emotions and with a history that, for better or worse, has shaped who you are. We also stand witness to the history of your relationship and the underlying conflicts that have developed.

Just as doctors diagnose and treat your physical conditions, divorce mediators diagnose and treat your relationship conflicts. We guide you to make your best decisions together. We support you in having the courage to continue through the difficult and often painful process of divorce.

The word “courage” derives from the Latin word *cor*, which means “heart”. During a divorce, many people try to shield their hearts. The truth is that the more you speak from your heart during divorce, the closer you get to the heart of the matter. This is where you and your spouse can reach your best possible agreements.

“Courage leads to vulnerability,” says professional mediator Kristyn Carmichael. “When we mediators are vulnerable with clients, we connect with them in a way that we couldn’t if we held them at arm’s length.”

When the mediator moves into a vulnerable position, by asking sensitive questions in a positive and neutrally-framed way, it gives separating spouses permission to respond truthfully, without defensiveness or threats. Spouses need to voice their truths, to best solve problems through divorce conversations.

Courageous conversations contain the secrets to discover life-altering opportunities during a divorce. When a mediator asks difficult and courageous questions, it provides spouses the opportunity to give honest and courageous answers. The most challenging problems may evolve into opportunities when you feel the freedom to explain what you need and why you need it.

Jamie is a child with serious underlying health conditions. In the early days of the pandemic, one of Jamie’s parents had not participated in basic social-distancing practices and continued to resist doing so. The other parent had withheld the child from parenting time for three weeks, fearing harm would come to Jamie.

Mediator: How do you both keep Jamie safe and continue allowing her to share time with both of you?

Parent: Look, this is a control thing. The health issues are being exaggerated. The reason that I’m not following these restrictions is because that’s what my soon-to-be-ex wants.

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Mediator: I'm curious, hypothetically, what if the only way to have time with Jamie right now was to practice the social-distancing guidelines being proposed? If it was the only way to keep Jamie safe, would you consider it?

Parent: I don't know.

Mediator: Can you imagine, for a moment, a scenario where something harmful did happen to your child?

Parent: No, I couldn't imagine that. I wouldn't -- [long silence] Okay, we need to figure this out.

Divorce can be filled with some of life's most impactful problems. Equal to the magnitude of these problems lies the magnitude of the opportunities. This is also, and maybe especially, true during the pandemic.

We can begin to view family conflict as a chance to act courageously. Only through conflict do we grow. Choosing to grow takes courage. Any problem has an answer if we have the courage to search for it. And, in searching, there is an opportunity to land at an even better place.

Karen Aurit
Michael Aurit
US

And life still goes on in M&M's house

She was sad, just sad.

It was a long time since happiness had abandoned Monica's family nest. Mathew was constantly working, and then there was their business they were trying to develop. No, Monica was not really involved in the daily operations, but it was all in her name. Even the accounts. Not that it mattered, as their marriage was one of community property. "No worries, I will handle it," he used to retort whenever asked about the actual amount of their debt. So, she'd go about her business leaving the questions unanswered. She took care of their two kids instead. At some point, she went back to work which helped her get some perspective on their marriage.

And let's not forget- Matthew drank. It did not happen often, but he used to lose control when under the influence. And Monica felt more and more abandoned and isolated. She got support from her colleagues at work and began to understand how deeply unhappy she was in this marriage.

Then, one time when she saw him drunk at a friends' party, she decided she needed to change something. She had no clue what it would be. Long did she ponder, and the solution came when she spent a whole day on her own trying to make up her mind.

Eventually, she filed for divorce, which came as a shock to Matthew.

Sure, life had not been perfect for him either, and he had often mentioned separation, especially in reply to her verbal attacks about the money. At least that's how he felt about her asking questions. It was a kind of threat, yet he never really meant to go down that path. He felt lonely faced with long rows of figures of debt piling before his eyes! But he did not want to burden her with this.

When he received THE letter from the court, he realized that what he really wanted was for her to stay, to repair their marriage. He was determined to spare no effort to convince her to take back the legal action. He approached her several times, initiated talks, but in vain. She just let him speak, sometimes for hours, but stuck to her decision.

He was at a loss. He called on me, asking me to convince her. As a mediator, I could not offer this. I suggested mediation instead.

It was the early stages of the pandemic. Europe was getting ready for lockdown, but when I met them individually online, they insisted on a physical joint meeting. That's what we did. This meeting allowed him to listen to his wife's story, which had been impossible as he mostly tried to 'reason with her.'

Restrictions began, and we needed to continue the mediation online. Monica and Matthew gradually unveiled to one another each one's interpretation of their common story. They talked about relationships with parents, unfulfilled plans of rearranging their house and their feelings. In a caucus meeting, he admitted that going after her with nothing but accusations,

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pushed her towards the very outcome he dreaded- the divorce. Faced with her unwillingness to change her mind, step by step he learnt to let go. He decided to turn his focus to other things. He gave her time.

In one mediation session, they looked at their debt and decided to address this issue. It was far from easy for Matthew, but it was one of Monica's goals for this mediation. We had a break and reconvened a couple of weeks later. She maintained her decision to divorce, but they kept living together. He started rearranging their house, something he had promised her years before. Now he found motivation and strength to just do it.

And so it is. For the time being, life still goes on in Monica and Matthews' common house.

Anna Saczuk

Poland

A w domu M&M życie toczy się dalej

Monika była smutna, już tylko smutna.

Szczęście już dawno opuściło jej rodzinę. Mateusz ciągle pracował, oprócz tego sporo czasu zajmował mu biznes, który próbowali wspólnie rozkręcić. Nie, Monika nie zajmowała się tym na codzień, ale wszystko było zarejestrowane na jej nazwisko. Kredyty też. Co zresztą nie miało większego znaczenia, bo mieli wspólnotę majątkową. "Nie martw się, załatwię to", odpowiadał krótko, kiedy pytała go o wysokość ich zadłużenia. Wracała więc do swoich zajęć, a jej pytania pozostawały bez odpowiedzi. Zamiast tego zajmowała się dziećmi - mieli ich dwoje. A tak, jeszcze jedna ważna rzecz- w pewnym momencie wróciła do pracy, co pozwoliło jej inaczej spojrzeć na ich małżeństwo.

I nie zapominajmy- on popijał. Nie zdarzało się to często, ale zwykle po alkoholu tracił panowanie nad sobą. A ona czuła się coraz bardziej samotna i porzucona. Koledzy i koleżanki z pracy okazali się bardzo pomocni w tamtym czasie. Powoli zaczynała rozumieć, jak głęboko nieszczęśliwa jest w tym małżeństwie.

I kiedy zobaczyła go w stanie upojenia na przyjęciu u znajomych, dotarło do niej, że musi coś zmienić. Wtedy nie wiedziała jeszcze, na czym ta zmiana miałaby polegać. Długo się zastanawiała, a rozwiązanie pojawiło się, kiedy na rozmyśleniu spędzała samotnie cały dzień.

Ostatecznie złożyła pozew o rozwód, co na Mateusza spadało jak grom z jasnego nieba.

Pewnie, on też czuł, że ich życie jest dalekie od doskonałości. Sam często wspominał o separacji, zwłaszcza, kiedy atakowała go o pieniądze. A w każdym razie tak on odczuwał jej wypytywanie. Dla niego to był taki straszak, wcale nie miał zamiaru iść tą drogą. Patrząc na kolumny piętrzących się przed oczami cyfr długów czuł się taki samotny! Ale nie chciał jej tym obciążać.

Kiedy dostał TO pismo z sądu, dotarło do niego, że tak naprawdę chce ją zatrzymać. Był

zdeteminowany, starał się jak mógł, by przekonać ją do wycofania pozwu. Wiele razy ją o to nagabywał, inicjował rozmowę, wszystko na próżno. Pozwalała mu się wygadać, co czasem trwało po kilka godzin, ale nie zamierzała zmienić decyzji.

Był już u kresu i nie wiedział, co dalej począć. Zadzwoił do mnie z prośbą, żebym to ja przekonała ją do pozostania. Jako mediator nie mogłam tego zaoferować, ale zaproponowałam mediację.

Działo się to na początku pandemii. Nad Europą wisiała wizja lockdownu, ale kiedy spotkałam się z każdym z nich na indywidualnym spotkaniu wstępnym, każde z nich niezależnie optowało za spotkaniem wspólnym na żywo. I tak zrobiliśmy. To spotkanie pozwoliło mu usłyszeć całą historię ze strony żony. Wcześniej nie mógł jej wysłuchać, jak że głównie starał się jej „przemówić do rozsądku”.

Kiedy wprowadzono obostrzenia, kontynuowaliśmy mediację online. Stopniowo odsłaniali przed sobą własną interpretację wspólnej historii. Mówili o relacji z rodzicami, o niezrealizowanych planach przebudowy domu. I w końcu - o uczuciach. Spotkania na osobności pozwoliły mu zdać sobie sprawę, że prześladował ją swoimi oskarżeniami o rozbicie rodziny, czym popychał ją w stronę rozwiązania, którego najbardziej się obawiał – rozwodu. Musiał zmierzyć się z faktem, że pomimo jego wysiłków ona nie zamierza zmienić zdania. Nauczył się odpuszczać. Przekierował swoją uwagę na inne sprawy. Postanowił dać jej czas.

Podczas jednej z sesji mediacyjnych razem spojrzeli na poziom swojego zadłużenia i tej kwestii zdecydowali się poświęcić sesję. Nie było to dla niego wcale łatwe, ale dla niej był to jeden z ważniejszych celów w mediacji. To był kamień milowy. Następnie zrobiliśmy w mediacji przerwę i spotkaliśmy się po kilku tygodniach. Ona podtrzymywała swoją decyzję o rozwodzie, ale wciąż żyli razem. On rozczął przebudowę domu, którą obiecał jej wiele lat wcześniej. Teraz znalazł motywację i siłę, by ten zamiar zrealizować.

I tak zostało. Jak na razie, we wspólnym domu Moniki i Mateusza, życie toczy się dalej.

Anna Saczuk

Polska

50/50 LOVE

Many couples are hitting the wall of lockdown, some relationships are strained, some have broken, and almost all have been examined. We often look at the level of fairness in our relationships and our perceptions of equality offer us a stop-go evaluation that may be unduly harsh. These report cards on love can indicate a failing grade especially when we focus on equality over equity. Did you ever get everything you needed when you gave 50%? What if we focussed instead on equity, where each partner did not contribute exactly half but gave 100% of what they could?

As family mediators, we hear daily about why relationships breakdown – common words are, my spouse doesn't contribute equally, I do all of the.....fill in the blank here.....cooking, cleaning, financial planning, organizing of events, income earning, child care, etc. The uneven exchange is assessed and relationships break.

There is a natural instinct to do more of what we like and less of what we don't. What if instead of comparing and competing with a spouse on the unwritten report card, we began to have a good look at what each partner brings to the relationship. What is in it for both partners, where is the balance?

Take Chris and his partner Seema for example. Seema and Chris have two children, Amrita age 13, and Gale who is 6 years old. Due to the pandemic, Chris's hours working in construction have decreased. Seema is trained as an Accountant and worked briefly in the field after Amrita went to full-time school. Soon after her return to work, Gale was born and Seema stayed at home to raise the children.

During the lock-down, Amrita misses her friends and has become moody and disinterested in family activities. Gale has always been an active child and seems to have limitless energy. Seema worries that Gale may have special needs.

Chris resents that Seema doesn't see how hard he is working at home. Both children needed desks and new computers. Chris found inexpensive desks at the local thrift shop and refinished them and was able to source, old but usable, computers at a low cost. Chris knows Seema wants him to help with the finances, but he feels unskilled in this area. Chris misses spending time alone with Seema. He feels rejected as Seema doesn't seem interested in making any plans, saying she is too busy with home-schooling and there is "nothing to do during the pandemic anyway".

Seema is worried about money and upset that Chris won't take an interest in helping her with the banking. Seema feels that Chris does not acknowledge the additional "pandemic job" of home-schooling she acquired, adding to her already long list of responsibilities. Gale requires constant supervision to remain focussed during homeschooling and by the time homework comes around, Gale is bouncing off the walls, Amrita is sulking and Seema has reached her limit. Going on a date with Chris right now seems impossible.

Tensions high, Chris and Seema make the effort to talk and have agreed to leave Amrita in

charge and to have a drive-through meal to eat in the park.

Chris acknowledges the challenges Seema faces with the children and tells her he could never have the patience she shows with the children. Chris expresses his total confidence in Seema's skills in managing money. Seema sees that Chris is reducing expenses by getting good deals and appreciates that Chris is doing all he can around the house. A new path emerges, instead of seeing each other as contributing less than 50% to a given task, they see each other as individuals making a 100% contribution in the area of their expertise, as a team. Together, each performs their expert roles, and together they are partners, 100/100 Love.

Mary-Anne Popescu

Canada

The story of Julie and Dave and their children; from fear, anxiety, and worry to co-operative parenting

Julie (48), Dave (50), and their 2 children; Laura (14) and James (12) live in a suburb of Manchester, North-West England. The children go to the local school. Julie's parents live nearby. Dave's parents separated when he was 8, his mother has died, and he doesn't see his father. They met 20 years ago. Dave is a self-employed software engineer, and Julie is a part-time HR manager.

Increasingly, there have been difficulties in the relationship. Dave said that he felt unwelcome at home and has developed a friendship with a female colleague at work.

Before the pandemic, Laura was an outgoing happy teenager, sporty, and doing well at school. James is academic and more introverted, plays the guitar and games online with his friends.

Things came to a head during the first UK lockdown. Most evenings were frosty. When lockdown eased, Dave moved into a rented house. Julie agreed that they should share the parenting of the kids.

The children started going to Dad's for tea twice a week and overnight on Saturday. Dave asked Julie about increasing this to half of the time. Julie thought the kids should build up time with him.

The kids came back one weekend talking about Dad's new friend Sarah. Handovers became increasingly difficult. Dave saw a solicitor, who wrote to Julie threatening a court application. Julie talked to a solicitor, who recommended mediation.

So Dave and Julie came to meet with me, separately first on Zoom and then together on Zoom. Both were emotional at times, although positive about the importance of each other to the children. They were worried about how grumpy and withdrawn Laura had become, and reluctant to stay with her Dad. Both were also worried about James. Julie kept finding him on his tablet late at night. He said he would run away to Dad's where he could do what he wanted.

Dave was worried that he would become a Sunday-only Dad, and he felt aggrieved that the children were with him so little. He wanted to introduce the children to Sarah as his new partner and to have her stay with him and the kids.

Julie was equally worried that she would lose James completely, and Laura half the time.

Over the course of a couple of meetings, we started to explore these fears, and how to best help the children before things became worse for them.

I met the children via Zoom to hear their views. Both children talked to me separately about



wanting to spend time with both parents, and for them to stop getting cross and arguing. Laura said she'd rather be with Dad when Mum was at work, and to see Dad on alternate weekends. She worried that Dad didn't know how to cook. James talked about Mum getting cross if he was on his tablet and said Dad lets him do what he wants. He didn't really mind how much time he spent with each. Both said that they didn't want to meet his new girlfriend yet, and said they didn't want Mum to be upset about it.

I gave both parents feedback from the children, with their permission. They agreed on what to do to meet their children's needs – and a parenting plan – covering things like new partners, ground rules around screen time, and using WhatsApp to communicate.

The arrangements have been working for a month now, and both agree the children are happier. I look forward to meeting again in 6 months.

Alison Bull

UK

Joyful Side of Lockdown

The marriage appeared over. The couple had separated with the wife having custody of their three children, whilst the man had visiting rights. He visited alright and the woman maintained a hostile indifference.

The attendant lockdown to the COVID-19 menace in the country was, however, to put a twist into the plot. Invoking the health concerns to socially distance, the woman sought to halt the man's visits to see the children, notwithstanding the family court's subsisting order. That was where I came in.

The conflict between the couple was as a result of divergent views on finances and communication style differences. This became apparent from the sessions held with them. The opportunity to work with an independent Neutral and the recognition of the cause of their conflict rekindled the love they had shared. Both resolved to bridge the communication gap.

This is a story of hope for many who may still be led to the "light at the end of the Tunnel" after a horrible separation and the impact of the pandemic on the family.

So, we had several mediation sessions mostly private sessions with the parties via the Zoom Meeting App. The couple is back as a family and has resolved to communicate more openly with each other understanding and appreciating that the differing communication styles was a major cause of their family conflict.

1. Communication is very key. I discovered during the different sessions I had with the parties that the Wife was initially very hesitant to open up and it took a lot and a couple of sessions to build trust. Once we moved past that, it was smooth sailing and we were able to work through the issues identified. We must be prepared to communicate and ask rather than assume. Too many assume and wrongly too because they haven't given the opportunity for their partners to listen and be heard. Making any relationship work involves our ability not to be blinded by our views but be receptive and all this can only be by effective communication.
2. No matter the past, don't focus on the past but look to the future and the possibilities each day holds. Be open to new ideas and suggestions. No one knows it all. Treat the other party with respect.
3. Ask for help, don't be shy. Don't assume. "ignorance is not bliss-it is oblivion."- Philip Wylie

Morenike Obi-Farinde

Lagos-Nigeria

Common Sense Instead of a Contest

The pandemic hit everyone in March of 2020, five months after Doug and Sylvia completed a contentious court/lawyer supervised divorce.

Suddenly, kids were at home, Doug was furloughed from his job, and Sylvia's hours were different. Doug calls Sylvia and says he can't pay child support, because he lost his job, besides, he says he is still paying off his attorney's fees and her attorney's fees. They had a mess. Sylvia told him to do what she was doing which was to cash in some of her IRA. Doug said he checked with his attorney and was told the courts do not require one to cash in their retirement to pay child support. The child support ruling no longer worked and the visitation schedule needed to be changed now the kids were at home with no school. They had a mess.

They hardly had talked to each other since the divorce, what with each being forced to the brink of a custody battle and then settling for almost equal custody at the last moment before going to trial.

A neighbor said: Go to mediation. Sylvia replied: "We tried it early on. The mediator kept us in separate rooms all day and she said the judge would probably make us do equal time-sharing because the assigned judge didn't like custody trials.

He only wanted full custody just to punish me, I needed to keep control so the kids were not always being yelled at just like he yells at me. So I just gave in and now with no school, I don't know what we have, I hardly get any child support, what a mess."

.....brrrrrrrrng! "Hello, Erickson Mediation, this is Steve Erickson."

Sylvia: "Hello Mr. Erickson, my neighbor said you might be able to help us. I really am not sure unless you are a miracle worker, but I want to know if you understand how to deal with high conflict personality types like my son's father. We just completed a divorce in district court and now everything has changed and I don't really feel we got anywhere in court and every time the kids need something, I don't have the money and I tell them to talk to their dad, but that just puts them in the middle."

Mediator: "I often hear what you just said from people who call these days. I could explain how I might be able to help you, but if you and your husband are thinking about seeing if you can do better in mediation with me, let's try to get him on the line for a joint call. Better yet, let's schedule a zoom meeting later today with both of you."

Mediator: "Hello, You must be Doug, I am Steve Erickson, I am glad you were able to jump on this zoom meeting. When Sylvia called me earlier today, I suggested that we have this zoom call...Oh, I have to admit Sylvia.

Hello Sylvia, I have just introduced myself to Doug and I am glad to be able to talk to both of you together."

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Doug breaking in: “Why do you think you can help us, we have already tried mediation?”

Mediator: “ I understand from Sylvia the mediator kept you in separate rooms all day and then predicted what the judge would do at trial. That was not mediation. That was settlement conferencing by a retired judge predicting the outcome in court. That is not what I do. I will help you choose the path you feel is best for both of you.”

Sylvia: ”How does that get done?”

Mediator: “I help you see that divorce, custody and child support are not legal problems, they are parenting problems and financial planning problems. It’s not a contest, it is a future planning discussion.”

Sylvia: “I don’t think we solved anything in court.”

Mediator: “I tend to agree with you. Courts are good at creating a contest and then deciding who wins and who loses, but they do not teach you how to share parenting and share costs of the children after the divorce.”

Doug: “How do you get us to stop fighting?”

Mediator: “By helping you make small manageable agreements at first, by giving you homework to jointly work on like creating a budget of children’s expenses and by not using loaded words like custody and visitation. Those are ownership words that create a contest. I will provide options that allow the two of you to remain involved, significant parents by focusing on the children, rather than each other, options that make it unnecessary to run back to court and change child support every time the visitation schedule is changed. By the way, did you realize that the only other place the word visitation is used is at the funeral homes? You don’t visit your children, you parent them.”

Sylvia: “What would be some of the options?”

Mediator: As to child support during this Pandemic, with changing income and changing work schedules, many people use a joint account and each will place money in that account each month to be used by both parents to pay for children’s items when they have the children.”

Doug: “Wow, is that the law, can we really do that?”

Mediator: “That is not the law. That is common sense. And, if you think you wish to work with me, I will ask that you understand that you can only get a good result for yourself, when you also help the other find a good, fair, just result as the two of you define it. I will help the two of you create your own laws of fairness and in the process, you will learn to better trust each other and not need to keep running back to court.”

Stephen K. Erickson

US

Chloé et Alan

Chloé et Alan ont obtenu leur jugement de divorce le 4 février 2020. Après une bataille juridique de près de 3 ans, les mesures prises pour l'organisation de cette famille étaient enfin devenues définitives.

Chloé et Alan ont trois enfants, Jean 13 ans, Lila 11 ans et Luca 7 ans. Alan est expert-comptable à son compte et Chloé est professeur de violon dans une petite école de musique de quartier.

Tous les deux désiraient la garde de leurs enfants et se sont beaucoup disputés pour l'obtenir. Au début de la procédure de divorce, les enfants avaient 10, 8 et 4 ans. Chloé avait mis en avant le fait qu'elle pouvait mieux que son mari adapter ses horaires de travail, lui reprochant entre autre de n'avoir pas d'heure dans son métier et de travailler dans certaines périodes 7 jours sur 7.

Alan, père très impliqué et très attaché à ses enfants, souhaitait la garde alternée mais Chloé s'y était toujours fermement opposée, invoquant le jeune âge de Luca, la prochaine entrée au collège de Jean et les multiples activités extra-scolaires des enfants totalement ingérables selon elle pour Alan.

Elle avait alors obtenu dans le cadre de mesures provisoires, la résidence des enfants à son domicile, l'attribution du domicile conjugal et une contribution à l'entretien des enfants. Alan de son côté, avait obtenu d'avoir ses enfants 3 week-end complets par mois ainsi que la moitié des vacances scolaires.

Chloé et Alan ont d'un commun accord souhaité conserver la maison familiale achetée à la naissance de Luca sous réserve que Chloé accepte de laisser Alan en profiter lorsqu'il est avec ses enfants, c'est à dire 3 week-end par mois et la moitié des vacances scolaires. Cela ne pose pas de problème à Chloé qui habite à 5 km de chez ses parents chez qui elle va lorsque Alan vient.

Cela permettait aux jeunes divorcés de ne pas perdre le patrimoine familiale et de laisser les enfants dans leur lieu de vie. C'est un effort que Chloé et Alan ont décidé de faire ensemble dans ce sens durant la procédure. De son côté, Alan qui a son cabinet d'expertise en centre ville, a pu aménager une pièce pour y dormir le reste du temps.

Le jugement est enfin rendu, les choses se mettent en place doucement et l'évènement COVID-19 entre alors en jeu: Le mois de mars 2020 fût plein de changements. D'abord le père de Chloé a été atteint du COVID-19 et hospitalisé pendant 2 mois. Il s'en est sorti mais Chloé qui est fille unique, a été très sollicitée par ses parents.

Elle a de son côté perdu son activité, l'école de musique dans laquelle elle travaillait a été fermée du fait de la pandémie, tout comme le collège de Jean et Lila ainsi que l'école de Luca. Tous les enfants sont à la maison avec l'école en ligne. Chloé est surchargée et désemparée. Lorsque Jean demande à son père, à la fin du week-end passé avec eux de rester à la maison

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car il a besoin de lui, Alan est convaincu que Chloé n'acceptera jamais.

Je suis contactée à ce moment là.

C'est sans doute la plus jolie médiation familiale que j'ai eu à faire pendant cette période de COVID-19 car les membres de cette famille sont des personnes exemplaires. Durant toute la médiation je vais constater que Chloé et Alan sont des parents qui veulent bien faire, ce qui est le plus important. Ils sont en demande de conseils mais ils sont aussi très participatifs et volontaires, souhaitant vraiment que nous mettions en place une organisation équilibrée.

Et je dois dire que, en dépit de la fin de leur histoire d'amour, ils vont réussir à faire des efforts, à prendre sur eux et à unir leur forces pour traverser la tempête et réorganiser les choses pour le bien de leurs enfants, de leur famille.

Alan a donc accepté avec l'accord de Chloé, très peu de temps après le début de la pandémie, de travailler à distance pour son cabinet d'expertise, de chez lui, ce qui lui a permis de mettre ses deux grands enfants au travail également.

Le collègue étant en ligne il pouvait les assister si nécessaire, et montrer l'exemple de l'assiduité à ses enfants. Alan a été très impliqué et volontaire durant toute la médiation voulant montrer à Chloé qu'il voulait rester le père de ses enfants malgré le divorce.

Jean était très fier car plusieurs fois, Alan qui s'y connaît très bien en informatique, a aidé les professeurs pour des problèmes survenus sur le logiciel de l'école au début de la mise en place du système.

Chloé, se retrouvant sans travail, a pu se consacrer à Luca tout en aidant ses parents quand ils en avaient besoin.

Lila qui est en 6^{ème} a été très appliquée scolairement et particulièrement attentive à ce qu'il se passait à la maison.

Elle est celle des enfants qui a le plus culpabilisé durant la procédure de divorce et celle qui souffrait à chaque fois que son père partait en fin de week end de garde ou à la fin des vacances scolaires passées avec lui.

Il a été important dans le dispositif mis en place d'expliquer à Lila que la pandémie étant exceptionnelle, il y avait des mesures exceptionnelles mises en place et que cela ne signifiait pas que ses parents se remettaient ensemble.

Jean et Lila ont ainsi pu réaliser clairement que si le couple des parents n'était plus un couple amoureux, ils étaient encore un couple de parents, une sorte d'équipe, capable d'affronter ensemble les tourments de la vie pour le bien être de la famille toute entière. Le petit Luca qui avait un peu régressé dans les premiers temps de la mise en place des dispositifs de la médiation car il voyait beaucoup de changements, va beaucoup mieux aujourd'hui. Il a non seulement reçu les explications nécessaires de ces changements soudains par ses parents mais également de Lila sa grande soeur qui s'est révélée très attentive à son petit frère, se faisant une

joie de transmettre à Luca, les explications qu'elle même recevait. Depuis 1 mois Alan repart de temps en temps pour un jour ou deux dans son appartement pour des raisons professionnelles et pratiques de couvre feu notamment. Quand il revient tout le monde joue le jeu et les choses se sont apaisées.

Le jour de l'anniversaire de Jean , celui ci a remis une lettre à ses parents pour les remercier d'avoir mis en place ce système ou il écrivait : “ ca m'a fait du bien de vous voir encore ensemble être nos parents, je sais que je peux compter sur vous.“

Aujourd'hui Chloé est presque prête à accepter une plus grande souplesse de résidence alternée pour les enfants et Alan s'est amusé à m'écrire dans une très jolie lettre de remerciement qu'après 3 ans de procédure juridique un virus a réglé leur vie en quelques semaines..!

Ce à quoi j'ai répondu : - un Virus , une médiation mais surtout beaucoup de bienveillance de la part de chacun de vous.

Nathalie Sennegon Nataf

France

Chloe and Alan

Chloe and Alan obtained their divorce decree on February 4, 2020. After a 3-year loan battle, the steps taken to organize this family had finally become final. Chloé and Alan have three children, Jean 13, Lila 11 and Luca 7 years old. Alan is a self-employed chartered accountant and Chloé is a violin teacher in a small local music school.

They both wanted custody of their children and fought a lot to get it. At the beginning of the divorce proceedings, the children were 10, 8 and 4 years old. Chloe had argued that she was better able than her husband to adjust her work schedule, criticizing him for not having an hour in his job and for working 7 days a week at certain times. Alan, a very involved father and very attached to his children, wanted alternating custody but Chloé had always been firmly opposed to it, citing Luca's young age, Jean's upcoming entrance to college and the many extra-curricular activities of the children, which were totally unmanageable for Alan.

She had then obtained, the residence of the children in her home, the attribution of the marital home and child support. Alan on his side had obtained to have his children 3 full weekends per month and half of the school vacations.

Chloe and Alan have agreed to keep the family home they bought when Luca was born, on condition that Chloe agrees to let Alan enjoy it when he has his children, that is to say, 3 weekends a month and half of the school vacations. This is not a problem for Chloe who lives

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5 km away from her parents' house where she goes when Alan comes.

This allows young, divorced people not to lose the family patrimony and to leave the children in their place of life. It is an effort that Chloe and Alan decided to make together in this sense during the procedure. For his part, Alan, who has his office downtown, was able to set up a room to sleep in for the rest of the time.

The judgment is finally handed down, things are slowly coming into place and the COVID-19 event comes into play: The month of March 2020 was full of changes. Chloé's father was diagnosed with COVID-19 and hospitalized for 2 months. He recovered but Chloé, who is an only daughter, was very much in demand by her parents. She also lost her activity, the music school where she worked was closed because of the pandemic, as well as Jean and Lila's school and Luca's school.

All the children are at home with the online school. Chloe is overloaded and distraught. When Jean asks his father at the end of the weekend to stay home with them because he needs him, Alan is convinced that Chloe will never accept.

I am contacted at that time.

This is without a doubt the nicest family mediation I have had to do during this period of COVID-19 because the members of this family are exemplary people. Throughout the mediation I will see that Chloe and Alan are willing parents, which is the most important thing. They are in need of advice but they are also very participative and voluntary, really wanting us to set up a balanced organization.

And I have to say that, despite the end of their love story, they will manage to make efforts, to take on themselves and join forces to get through the storm and reorganize things for the good of their children, their family.

So, Alan agreed with Chloe's agreement, very soon after the beginning of the pandemic, to work for her consulting firm remotely, from home, which allowed him to put his two grown children to work as well.

With the college online, he was able to assist them if necessary, and set an example of attendance for his children. Alan was very involved and willing throughout the mediation to show Chloe that he wanted to remain the father of his children despite the divorce.

Jean was very proud because several times Alan, who knows a lot about computers, helped the teachers with problems with the school's software in the early stages of the system's implementation.

Chloe, finding herself without a job, was able to devote herself to Luca while helping her parents when they needed it. Lila, who is in 6th grade, was very diligent in her schoolwork and particularly attentive to what was going on at home.

She is the one of the children who felt most guilty during the divorce proceedings and the one

who suffered every time her father left at the end of the custody weekend or at the end of the school vacations spent with him.

It was important in the arrangements put in place to explain to Lila that since the pandemic was exceptional, there were exceptional measures put in place and that this did not mean that her parents were getting back together.

Jean and Lila were thus able to clearly realize that although the parents' couple was no longer a couple in love, they were still a couple of parents, a kind of team, capable of facing life's torments together for the well-being of the entire family.

Little Luca, who had regressed a little in the early days of the mediation process because he saw a lot of changes, is much better today. Not only has he received the necessary explanations of these sudden changes from his parents, but also from Lila, his older sister, who proved to be very attentive to her little brother, being happy to transmit to Luca the explanations that she herself was receiving.

For the past month, Alan has been leaving from time to time for a day or two in his apartment for professional and practical reasons such as curfews. When he comes back everyone plays the game and things have calmed down.

On John's birthday, he wrote a letter to his parents to thank them for having set up this system where he wrote: "It was good to see you still together as our parents, I know I can count on you". Today Chloe is almost ready to accept more flexibility in alternate residence for the children and Alan had fun writing me a very nice thank-you letter that after 3 years of legal proceedings a virus settled their lives in a few weeks..!

To which I replied: - a Virus, a mediation but above all a lot of benevolence from each of you.

Nathalie Sennegon Nataf

France

“No, YOU keep the kids!”

COVID-19 changes everything. There are not many times in the last twenty-four years of being a family law attorney where parents were arguing over who must keep the children. Usually, the opposite is true. We constantly argue over who gets to spend time with the children, not who must keep them longer than scheduled.

High conflict parents who cannot agree on anything have more topics on which to disagree. If a child has been exposed to the virus? Who quarantines them? For how long? What about the siblings? Will the child be tested? What kind of test will be required? Is the working parent exempt from having to keep the children when they need to be quarantined? Is one employment “more important” than the other?

A family going through a divorce with three children has discussed and argued over all these questions, twice. Laia had the children when one was exposed. She demanded Javier take them because her job was “more important.” Javier would not take the children unless they were tested; one child tested positive, and Javier “was forced” to take the children for the quarantine period.

And then it happened in reverse. Javier had the children when one was exposed. Laia demanded the children be tested. Javier refused. Chaos ensued, and three kids are in the middle of the argument.

In another situation, a divorced couple made an agreement for taking the child more. One parent works from home and the other parent continues to work in an office. There is practically no trust in their co-parenting relationship, and they continue to stay in the litigation mode long after the divorce has been finalized.

COVID provided this second couple with a set of circumstances that required putting aside years of distrust. They agreed the equal parenting time schedule would continue, but the child would go to virtual school with the parent who worked from home.

That seems like such a logical fix for a problem, but logic is not usually present with high-conflict parents. These particular parents do not/cannot interact with each other civilly, and their parenting styles are drastically different. Their agreement requires contact every school day, a dropoff and a pickup, communication about the time of the pickup, and discussion about special circumstances that always seem to arise.

Although the child is in the middle of their constant litigation mode co-parenting, this has been a bright spot of hope for future cooperation. It is still to be determined how bright this spot will be now that the parent in charge of virtual school requested grocery money from the other parent.

Andi Paus

US

Life in Perspective

THE BACKGROUND

Rebecca and Rachel, both in their early thirties became life partners. Rachel, an

Israeli, met Rebecca in the U.S. while working for the same international marketing company. When marriage became legal for same-sex partners, the two married. Ultimately Rachel became a U.S. citizen. Prior to the marriage, Rebecca had adopted an infant, Jonathan, who considered both women his parents. Rachel never adopted him. Rebecca and Rachel shared life, love, a home, and parenthood for close to ten years.

They ultimately left the company and began their own successful marketing company.

Rachel frequently traveled to Israel to provide care for her aging parents. The times away became more demanding placing greater pressure on their business and family interests. Their relationship soon frayed and problems were exacerbated upon the arrival of COVID and the subsequent pandemic. One of Rachel's parents became ill while the country was "shut down". Concerned, Rachel extended her stay in Israel for several months. Rebecca then informed Rachel she was about to seek a divorce. They both agreed to mediation.

THE ISSUES

The couple agreed, after the first session, on an agenda: (1) their property; both the jointly held home as well as business (2) child support, and (3) shared parenting. Rebecca was recalcitrant in a shared parenting plan since Rachel never adopted Jonathan and since she had already abandoned them would become even more distant upon the divorce.

THE MEDIATION SESSION(S)

The couple's unusual circumstances called for rather lengthy separate intakes regarding each of their past feelings for the other and what they each expected for their own future. Both said "yes" to the prospect of "change" however, each held a different view of what change needed to take place in order to remain together. Rebecca needed Rachel to be a "full time" parent and partner in life and business. Rachel needed Rebecca to be more empathetic of her need to care for elderly parents in another country. Their new concerns regarding COVID and its restrictions were further adding to their drifting relationship.

HOMEWORK ASSIGNMENT

Having the knowledge that both of them felt that "perhaps" changes could be made in order to move forward together I decided to give them an assignment as a prelude to the discussion of sorting through their finances, parenting plans, etc. I asked if they would be willing to each read a book before commencing further mediation. I did not tell them what the book was, only that it would not take more than a day or two to read. Fortunately, they agreed. I sent

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each of them the book and told them to contact me separately with their thoughts once they had read it. I would then schedule a ‘working session.’

After a few days, I heard from them in a joint email. They had decided to remain together and to be more understanding of each other’s concerns, each having discussed with each other their needs regarding change. They realized that their love would and could survive both separation and pandemic. They were discussing the purchase of a larger home so Rachel could bring her parents to the U.S. The additional benefit would be that Jonathan would have grandparents. I heard from them three months later that things were proceeding as discussed and was thanked profusely.

THE BOOK

Many years ago I received a self-published book from a now 96 year old woman. That woman was married to a cousin of my father. Why was this book so instrumental in aiding this family? The book is about this woman’s survival where, as a young woman in Poland, she and her family were sent to the Lodz Ghetto. They were starved and endured hardships before being sent to Bergen-Belsen concentration camp. There she was separated from her family. She never saw them again. She endured. She endured when she was transferred to Auschwitz. She endured Auschwitz and at 85 pounds was liberated by allied troops, ultimately being sent to a displaced persons camp. There she met a young man from her home town who she married in the camp. From the camp, they were ultimately able to come to America where they lived and worked for years and had three children. Her husband died in his 90’s of Alzheimer’s but she is still alive and every day, as she says in her book, is a good day and that life is good. Why? Because she had a loving husband and three wonderful children. Everything else was minimal. The book enabled Rachel and Rebecca to place all that they had and shared in perspective, realize how much they loved and needed each other and that, after all, “life is good”.

Geraldine Lee Waxman

US

Οικογενειακές Ιστορίες

Δεν είναι τυχαία η λέξη «κύμα», που χρησιμοποιείται για τα προβλήματα που έχει προκαλέσει αυτή η αναπάντεχη πανδημία του COVID-19, καθώς και η συνεπακόλουθη κατάσταση του εγκλεισμού, καραντίνας ή όπως πλέον καθιερώθηκε διεθνώς του “lock-down”. Και δεν είναι τυχαία η επιλογή αυτής της λέξης, γιατί πάντα το κύμα φέρνει κάτι στην ακτή και κάτι παρασύρει ξανά μέσα στα βαθιά. Έτσι και αυτή η κατάσταση, φέρνει πολλά στην ακτή, στην επιφάνεια, που δε γνωρίζαμε ότι υπάρχουν.

Οι ανθρώπινες σχέσεις επηρεάστηκαν από τον εγκλεισμό. Αντιμέτωπisan νέα δεδομένα, νέες συνήθειες και ήρθαν στην επιφάνεια, καλυμμένα για χρόνια, προβλήματα. Σκεπασμένα από την μέχρι τώρα καθημερινότητα και “κανονικότητα”. Όπως και η ακόλουθη αναφορά, αποτελεί ένα από τα πολλά παραδείγματα βουβών προβλημάτων, που απέκτησε φωνή και βγήκε στην επιφάνεια, γιατί την ξέβρασε το κύμα του Κορονοϊού:

Μια οικογένεια, οι γονείς και τα δύο παιδιά, που μέχρι τώρα ζούσαν τη δική τους “κανονικότητα”. Ο χρόνος, η ρουτίνα, οι έντονοι επαγγελματικοί και οικογενειακοί ρυθμοί ξεθώριασαν τον έρωτα που υπήρχε στην αρχή, όταν το ζευγάρι πρωτογνωρίστηκε και ένιωσαν ότι ήταν ο ένας για τον άλλο. Οι ρυθμοί της καθημερινότητας δεν άφηναν χώρο σε αισθήματα πλέον ούτε άφηναν την αποξένωση ανάμεσα στο ζευγάρι να φανεί. Δεν ένιωθαν τα προβλήματα τους γιατί δραπέτευαν από αυτά, κάθε μέρα που φεύγανε νωρίς το πρωί για δουλειές, σχολεία κλπ, και γυρνούσανε αργά το βράδυ, όλοι απορροφημένοι από τις υποχρεώσεις τους, σαν καλοκουρδισμένα ρομπότ!

Η πρώτη καραντίνα πάγωσε την έντονη καθημερινότητα τους και τους έφερε αντιμέτωπους με την πραγματικότητα: Τα προβλήματα ήρθαν στην επιφάνεια, όπως τα αντικείμενα που επιπλέουν μετά από ένα ναυάγιο. Πλέον είναι όλοι μαζί, μέσα στο σπίτι και ο καθένας ψάχνει να βρει το χώρο που θα είναι πάλι μόνος όπως έμαθαν να ζουν τόσα χρόνια. Και το βρίσκουν: τα παιδιά στο σχολείο μπροστά από έναν υπολογιστή, μόνα με το άπειρο, οι γονείς ο καθένας στον δικό του κόσμο, στις δουλειές του μέσα από τη δική του συσκευή. Η καραντίνα βοηθάει στην αποξένωση: όλα γίνονται ηλεκτρονικά και όλη την μέρα.

Δεν αργούν τα παιδιά να παρασυρθούν, θύματα εξάρτησης από το διαδίκτυο και αρχίζουν να επιδεικνύουν μία αντικοινωνική συμπεριφορά. Οι γονείς πλέον είναι αντιμέτωποι με επιπλέον προβλήματα και σε μία ανάγκη διαχείρισης κρίσης που δεν περίμεναν. Ο καθένας ήταν μέχρι τότε απορροφημένος στην εικονική ζωή τους και τα προβλήματα ολοένα και να στιβάζονται. Κανένας συνεκτικός κρίκος ούτε διάλογος.

Το πρώτο κύμα, το διαδέχτηκε ένα ανέμελο καλοκαίρι. Το καλοκαίρι σίγασε όλες αυτές τις ανησυχίες, κουκούλωσε τα προβλήματα που είχαν προκύψει. Το δεύτερο κύμα, όμως επανέφερε στην επιφάνεια ακόμη πιο πολλά προβλήματα μαζί με την απόγνωση. Η υπομονή χανόταν, από τον εγκλεισμό και την απουσία εναλλακτικών επιλογών. Τα παιδιά στην εφηβεία άρχισαν τις εκρηξεις, απέναντι στα «άκομψα» «πρέπει» και «μη» των γονέων. Παράλληλα με τα ανωτέρω, η αναστολή στην εργασία των γονέων, επιδείνωσε τα οικονομικά προβλήματα. Το ζευγάρι άρχισε να μαλώνει και οι γείτονες να τους κοιτούν πλέον με νόημα.

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Το ηφαιστειο ήταν έτοιμο να εκραγεί και η λάβα να καλύψει 4 ανθρώπους. Οι ανθρώπινες σχέσεις είναι δύσκολες, απαιτούν ώρες διαλόγου, ένας διάλογος που χάθηκε από αυτή την οικογένεια. Και που για καλή τους τύχη ανακαλύφθηκε τυχαία, όταν μετά από ένα ξέσπασμα βγήκαν όλα τα παράπονα ετών από όλους στην φόρα. Βγήκε η αλήθεια για τα πάντα και την άκουσα όλοι, για πρώτη φορά.

Αφορμή ήταν οι συγγενείς. Που απο καιρό είχαν αντιληφθεί τι συνέβαινε στην οικογένεια. Το αδιέξοδο! Και μιά μέρα, αποφάσισαν να σπάσουν το απόστημα με έναν διάλογο που άρχισε απλά : “Πώς περνάτε στην καραντίνα;” και σα χείμαρρος βγήκαν όλα, φωνές, κλάματα, παράπονα. Μίλησαν όμως, γιατί να μιλούν πριν. Και άρχισαν όλοι μαζί να συζητούν από το μεσημέρι μέχρι τα μεσάνυχτα.

Τα είπαν όλα. Εντόπισαν τα προβλήματα, τις διαρροές ενέργειας, που επέφεραν αδιέξοδα, τις παρεξηγήσεις και παρερμηνεύσεις και έθεσαν νέους στόχους. Μιλούσαν τόσο πολύ που δεν κατάλαβαν ότι κάποια στιγμή οι συγγενείς είχαν φύγει, όταν βεβαιώθηκαν ότι όταν μιλούσε ο ένας, ο άλλος άκουγε και δεν προσπαθούσε να πει την επόμενη ατάκα, όπως έκαναν μέχρι τότε.

Θέλει ενεργητικό διάλογο και δύναμη να παραδεχτείς τα λάθη σου. Αν όμως το κάνεις, τότε η λύση σε κάθε πρόβλημα είναι μονόδρομος!

Όλγα Ν. Τσιπτσέ

Σοφία Τσίπτσε

Ελλάδα

Family Stories

It is no coincidence that the word “wave” is used for the problems, caused by unexpected reason, e.g. 1st-2nd pandemic of the COVID-19 wave, etc, as well as the consequent state of quarantine or as it is now globally established as “lock-down”. And the choice of this word is not accidental, because a wave always brings something to the shore and something drags it back into the deep. So this situation brings a lot to the coast, to the surface, that we did not know that existed.

Human relationships were affected by the pandemic and social distancing. New data have occurred, new habits and problems came onto the surface, that was covered for years. Covered by everyday life and so far “normality”. Like the following story, that is one of the many examples of silent problems, which gained a voice and came onto the surface, because it was washed out by the Coronavirus wave:

A family, the parents, and the two children, who until now, lived their own “normality”. Time, routine, intense professional and family rhythms faded the love that existed in the beginning, when the couple first met. The rhythms of everyday life had not left room for feelings anymore. Alienation between the couple was a fact. They had not felt their problems, up to that time,

because they escaped from them, every day they left early in the morning for work, school, etc., and returned late at night, all absorbed in their duties, like well-tuned robots!

The first quarantine wave froze their intensive daily lives and brought them face to face with reality: Problems came onto the surface, like objects floating after a shipwreck. Now they were all together, in the house and everyone was looking for the place that would be alone again, as they had lived for so many years. And they found it: the children at school in front of a computer, alone with a chaotic net, the parents isolated into their own world, in their work through their own device. Quarantine helps alienation: everything is done electronically and all day.

It does not take long, for the children to become addicted to the net and begin to display anti-social behavior. Parents now are facing additional problems and they need crisis management that they have not expected. Until then, everyone was absorbed into their virtual life and the problems were getting worse. No coherent links or dialogue.

The first wave was ended by a carefree summer. The summer silenced all the previous worries and again covered the problems that had arisen. The second pandemic wave, however, brought onto the surface even more problems and despair. Patience was lost, because of the absence of alternatives. Children in adolescence began to explode, against the “inelegant” “should” and “not” of the parents. At the same time, the suspension of the parents’ work made the financial problems worse. The couple started arguing all the time and the neighbors started looking at them meaningfully.

The “volcano” was ready to erupt and the lava to cover 4 people. Human relationships are difficult, they require hours of dialogue, but the dialogue was lost in this family. And that, fortunately for them, was discovered by chance, when after an outbreak of the 4 members of the family, all the complaints, hidden for so many years, came out. The truth about everything came out and all the 4 members of family heard everything, for the first time.

The reason was the relatives of this family, who had realized, for a long time, what was happening in the family. The dead-ends that family had reached! And one day, they decided to break that wall, through dialogue that relatives invented, beginning with a simple question, which caused a hurricane: “How are you getting with quarantine?”. After that they spoke, they cried, they argued, because they knew how to do it. They had done it before. And they all began to talk together from noon until midnight.

They said it all. They identified problems, energy leaks, deadlocks, misunderstandings and misinterpretations and set new goals. They talked so much, that they did not notice that the relatives left, when they were sure that one spoke and the other listened and did not try just to attack, as family used to do it.

It takes active dialogue and strength to admit your mistakes. But if you do, then the solution to every problem is the only way!

Olga Tsiptse
Sofia Tsiptse
Greece

Tensions in Co-Parenting

It is the midst of the pandemic, a woman named Angel, separated from her husband, Pete, for several months, is struggling with her health concerns that sometimes prevent her from being able to work. And now there is another wrinkle in her pursuit of staying safe and being able to spend time together with her daughter Alice, who also is somewhat vulnerable to childhood infections.

There is a new development every week in the issue of the divorce. But the most concerning are the wildly unpredictable threatening new dynamics created by her spouse showing hostile disregard for any of the safety measures recommended by the CDC – wearing a mask, social distancing, and selective engagement with groups of people – all of which could endanger not only her, but her aging parents, and her daughter whom she adores.

As her divorce coach, I hear about these concerns on a weekly basis when changes are made to the co-parenting arrangement and unexpected requests come up. A call today: “Pete has asked me to take Alice for the weekend so he can volunteer at his church in feeding the homeless. Of course, he won’t wear a mask while cooking because he can’t breathe through the mask materials – so he says. And Alice tells me that a female friend of his is a frequent visitor to the house. All of this exposure makes me very nervous about bringing my daughter into my safe space! My parents will have to stay secluded in their apartment because at 85 years plus they are vulnerable And of course, I am dying to see my daughter and haven’t had an overnight with her in more than two weeks because she was spending time with her Dad against my better judgment when one of her classmates was diagnosed with COVID. She had to quarantine and now needs to be tested again.” In Angel’s response to Pete, she wrote a six-paragraph email diatribe response to him about the recent past, all of which will send Pete over the edge. This kind of communication prolongs and intensifies emotions and derails productive solutions to their co-parenting. Working with her as a divorce coach, we reduced her response to a three-sentence response. The newly-drafted three-sentence response focuses on a brief and direct communication to Pete, which gets to the core of her message. The brief clear message eliminates all the blaming, shaming, and angry tone and prevents an escalation of the emotional rhetoric.

While the current situation is very frustrating and feels like it is never going to end, one thing it has made Angel realize is that the perpetual assault on the safety of her environment is quickly pushing her toward desperation to fight for what she needs. The possibility of having greater distance from Pete is now a greater pull than the fear of not being able to survive without Pete’s unpredictably giving and taking away support. Focusing on what she is trying to accomplish instead of getting distracted by the resentment from the past turns our conversations more frequently to what the possibilities for the future COULD be, instead of editing angry emails.

Too Much Change – Too Much Loss

Tayasha is the first in her family to graduate from college. As soon as she graduated, she found herself in a job as an insurance agent and very quickly won awards for production because she is a natural at sales with her enthusiastic disposition and her desire to be a problem solver

for her clients. Her world was rosy and bright! She was married to her high school sweetheart and they now have three energetic boys who are smart and adored by the grandparents. The American dream was becoming a reality for this person who immigrated here from another country. She became a top performer in her company because of her drive for success. She then took the leap to become a broker for the insurance company which would give her greater flexibility in raising her children with more upside for generating revenue based on her effort.

In November of last year, that American dream began to crumble. Her husband walked out on her. COVID descended on her family and her stepfather died, leaving Tayesha as the only child to take care of her mother who is now on her own. Her father moved in with her because his wife died, and he can help Tayesha with his grandchildren until the divorce sorts itself out. Tayesha finds herself supporting her three boys on her own, and her father and mother, and being the go-to person in her family for the emotional and financial support for a variety of Aunts and Uncles, and cousins. COVID has passed around her extended family like chickenpox in kindergarten.

As her divorce coach, I could see her bursting with enthusiasm for getting involved, helping other people; and then one day, I noticed that she had disappeared. I reached out to her as a divorce coach to see how I could support her in getting her mojo back. She made up excuses – her boys need her, her mom needs her, her father needs her. And then she revealed that she is defaulting on her bills and her credit cards are maxed out. She is feeling tremendous conflict with all the loss and all the changes and can't focus on what has to be done to keep it all together. Her success has always rested on her own shoulders.

I know that she can figure it out – how to get back in the game, but she needs someone to help her sort through her options. What are her most urgent priorities, I ask? She replied, “To start generating income again.” And she said that she needs, “Support from other members of her family to provide for her mom on a regular basis.” I asked what else? She replied, “Reach out to her ex-husband to take care of the kids on a regular basis.” And I asked what else? “I can reach out to those who have been wondering where I am because they refer clients to me.” What else? “I need to make space on my voicemail for incoming messages.” She knew just what to do and a lot of it had to do with asking others for the specific support she needed.

“How can I support you?”, I ask as her divorce coach. “Let me touch bases with you weekly on what I have done, as someone who can help me focus on my priorities. It is nice to know that someone cares about what I am doing.” Listening, good questions, and motivation to be accountable are three of the most common ways divorce coaches support clients. We are in our third week, and she is doing great! And I know that she may not call next week – and all there is to do is to remind her of the others that can support her to focus on what she needs to focus on!

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Overwhelming circumstances often require simple acts of support:

- Listening provides clues to what different perspectives might be needed.
- Good questions allow individuals the space to think through their own answers.
- Practice and consistency support new thinking.
- Accountability motivates people to keep their promises.

Pegotty Cooper and Randall Cooper

US

Dealing with the Challenges of COVID Via Virtual Mediation

I recently met again with a couple that I originally worked within mediation a few years ago to create their prenuptial agreement. They reached out because they were contemplating divorce and indicated that the pressures of quarantine had caused so many problems for them that they were at a breaking point.

I was quite surprised to hear this. As part of their premarital preparations, they spent a great deal of time discussing their shared roles in caring for their home after marriage. They felt it was important to define basic responsibilities for things like cooking, house cleaning, bill paying, and the like so that they both had a clear understanding of their mutual expectations and would not run into issues along the way. They discussed and came to agreements on both their current situation but also discussed how they might vary their agreements when expected changes in their lives occurred such as changing jobs and the birth of children. This worked very well for them and they were proud that they had for the most part calmly discussed and agreed on the division of their responsibilities. They found that as time went by in their marriage, and eventual parenting and more, they continued to feel that they had divided their responsibilities fairly between them.



That is until March of 2020. The one thing they did not plan for was the pandemic and the havoc it wreaked on their personal and professional lives was unanticipated and extremely disruptive. With quarantine, they found challenges at every turn with them both now working from home, having no child-care, and the myriad of other issues that couples have faced during the pandemic. The constant flood of new problems each day felt like a fire hose of problems and they fell into a pattern of just assuming that the other person would take care of the new issue and then feeling resentful when I wasn't dealt with. They each returned to mediation feeling like the other was not stepping up to take care of all the new responsibilities that they had never discussed in the past and could not find a way to discuss in the present. They were living with increased tension between them and resentment which led to arguments that seemed to increase in intensity with the never-ending hamster wheel of life during the pandemic.

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As we started to unpack the issues they were both having, it quickly turned into a litany of the challenges that they were facing as a couple but had not discussed. It actually took us a few hours just to list all of the many issues that they were struggling with. What became apparent was that the barrage of problems raised by the unprecedented pressures brought on by the pandemic had exceeded their ability to communicate clearly and work together to resolve those issues. As we continued to work through the major issues of conflict, the couple seemed to settle in and eventually got back into a rhythm of discussion, compromise and agreement. In fact, over a couple of sessions, they managed to address all of the outstanding points and started communicating again. They walked back the thoughts of divorce. They started working together rather than apart.

One final note: As with all things during COVID, we did this all via videoconferencing. In fact, we laughed as we finalized their process and noted that if they needed help in the future, it was only a Zoom link away.

Susan Guthrie

US

The Final Moments of Family Mediation during COVID-19

The lawyers had been consulted. Support had been calculated, the family business was divided, the house was ready to be put on the market. After enduring 10 months of mediation and over 60 hours of negotiations, over 100 emails exchanged and a parenting plan painstakingly drafted and redrafted after the emergence of COVID-19, Patrice and Jeffrey were finally “pretty much” done.

In front of Patrice was not the perfect agreement, it was the agreement she could live with. In the same moment that I handed her my customized “Fair & Friendly Mediation” brand pen, I noticed Jeffrey’s eyes widen and his face subtly harden. He saw it immediately. Patrice was not going to sign the agreement.

Like COVID itself, the mediation had been a storm to endure, an awful situation that was no one’s fault but threatened the well-being of everyone involved.

And like COVID, they were faced with a “second wave” of challenges. Having gotten 99% of the way there, Patrice and Jeffrey faced a test in the final moments of their mediation.

Final moments in family mediation are different in 3 main ways. To get through them often requires drawing from some of the most important lessons our clients learn along the way. First, final moments are often the last opportunity for people to get things off their chest. Second, they are the last opportunity to say “no” and deny your spouse from obtaining the things that are important to them within the agreement. Third, the final moments of mediation are the last opportunity to sabotage the entire process.

It just didn’t “feel” right to Patrice. While this is common in mediations, Jeffrey was caught off guard, took the hesitation personally, and looked like he was about to explode.

“Strategic silence” is a useful technique to apply any time a participant in mediation is faced with an outburst. While there is nuance to it, the idea is that some information (insults, swear words, etc.) is immediately filtered out and ignored. The strategy underlying the silence is to “listen through” the other person’s complaints while trying to identify keywords and phrases that give you information about what they think, feel, and prioritize.

You can then use that information to generate offers and counteroffers that are more likely to be accepted, as they are more calibrated to the interests of the other person. The technique helps you offer “better” rather than offer “more”.

In the final moments of their mediation, Jeffrey used some pointed words which were best ignored and also used words that gave insight into his mindset.

Patrice was able to listen through the complaints and insults, and she identified that this was not Jeffrey’s “free shot” at obtaining a lopsided agreement. He was not trying to rip her

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off - their agreement was the result of authentic intentions to reach the most fair agreement possible.

After the initial outburst, it was Jeffrey's turn to apply a very useful technique in family mediation, which is embracing the idea of "no". Saying "no" makes people feel empowered and in control of the mediation. Saying "no" doesn't just reject an offer – it communicates that you understand that you are not obligated to sign or go along with any particular agreement. Rather than fighting this assertion of self-determination, it is useful for mediation participants to embrace and even encourage the other person to say "no" when they feel an agreement is unfair or otherwise untenable. It lowers people's defenses when you demonstrate flexible and accommodative behavior.

Jeffrey eventually accepted that Patrice could say "no" at any time, and reinforced that he did not want to persuade her to reach an agreement she would be unhappy with. If Patrice wanted to say no to the agreement they had crafted, he would simply have to "take it from there." By accepting her assertion of "no", Jeffrey removed an obstacle from her ability to say "yes".

Patrice and Jeffrey signed their agreement. Later on, they admitted they both had a lot more they had wanted to say at the very end. Final moments are unavoidably macro in focus. As mediators, we often break issues down into manageable pieces and then encourage clients to focus on the logistics of what they can do next. This helps clients avoid getting stuck with competing narratives they will never resolve regarding who was right or wrong, who was the helpless victim, and who was the evil aggressor. But both client narratives have to converge in the final moments as both narratives have to include signing the settlement agreement.

If ego, emotions, and a narrative of injustice have not been addressed, the participants may be unable to sign their settlement agreement and the mediation may fall apart at the last minute.

Allowing clients to articulate their views either during caucus or to each other at the mediator's discretion can prevent this issue from resurfacing in the final moments and sabotaging a mediation by revealing that they are not truly ready to sign a settlement agreement.

Patrice and Jeffrey realized each other's willingness to sign the agreement was no more within their control than a virus spreading around the world. While you navigate the final moments of mediation amidst the second wave of the COVID-19 virus, it is worth remembering to not let up now, to keep going, and that crossing the finish line may invoke the full gamut of lessons you have learned along the way.

To read more about strategic silence and embracing "no", please visit the blog section of my website: www.fairfriendlymediation.com/blog.

Josh Kraus

US

The Pandemic - creating a space for reflection?

At one minute past midnight on 23rd March 2020, the first UK national lockdown began. Boris Johnson, the UK's Prime Minister, announced on national television that everyone "must stay home" except for shopping for essential items (such as food and medicine) and one form of outdoor exercise per day either alone or with others from the same household. Not since WW2 had the UK been subjected to this kind of curtailment.

For the majority of households it was a novelty and as we eased into the 'new normal', working from home, on-line schooling, we embraced the slowing down of our usual frenetic pace. The weather was unseasonably glorious – a full-on early warm spring. Those with gardens took full advantage of the extra space and those with parks and beauty spots within walking distance started to appreciate the beauty of nature. If it wasn't for the invidious reason behind lockdown, it could almost be seen as idyllic.

However, many families did not fare so well. Those households already showing signs of even slight tensions would be held up to the microscope and as the lockdown continued those fissures would widen and become cracks and those cracks would become veritable canyons. The first lockdown ended on 23rd June, three months after its commencement.

On the 15th of April, I received a call. Would I be able to use my mediation skills to try and diffuse an intolerable situation? A married couple, Sonia, 32, and Bill, 52, were at breaking point, unable to cope with being cooped up with each other (their words) for what was then an unknown period of time. There were two children, Ella, 3 (their joint child), and Emma, 14, Sonia's daughter from a previous relationship in Bulgaria where she was from. Sonia had escaped a violent relationship and started a new life in the UK where she met Bill when she answered his advert for a cleaner. This had led to a romantic relationship and shortly afterwards Sonia and her daughter moved in. They married a few months later and Bill formally adopted Emma.

It was clear from my conversations with Bill that he loved both his wife and adopted daughter whom he thought of as his own. However, Sonia admitted she had never really loved Bill but accepted with gratitude the security he offered. A few months before lockdown Sonia had started a relationship with someone else who was relocating to a different part of the UK. She planned to leave once he had got settled in his new place and take the two children with her. COVID-19 scuppered those plans.

When lockdown started, Sonia panicked and, during an argument, told Bill she had met someone else and wanted a divorce. At that time Sonia and Bill's relationship was failing but Bill point blank refused to accept it. He certainly would not allow her to take the girls. Weeks of heated arguments ensued. The girls heard every word. They lived in a small apartment with only 2 bedrooms. Sonia started sleeping in the girls' room in a sleeping bag on the floor. The apartment's living area was open plan so there was very little privacy which didn't help diffuse tensions. They were all stuck in the apartment together without an end in sight.

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There were tears and tantrums, Ella had started bedwetting. Emma had settled well in school and had local friends, also she was close to Bill who she saw as her real father. The strain on the family became unbearable. It all came to a head when Emma ran away to a friend's house (breaking lockdown restrictions) and the friend's mother called Sonia. The situation was completely untenable.

Via a mixture of telephone calls and Zoom, I asked them what was most important to them? They both instantly agreed it was the mental health of the children. I said then they had a shared goal to work towards and this was a really positive step forward. I also suggested they might temporarily apportion part of the open plan living space by tacking up sheets to allow everyone to have their own room during this time? They would obviously share the kitchen and bathroom and they could work out a rota if absolutely necessary. They could maybe consider having at least one meal all together each day to give the children a focal point and a forum for them to speak about their feelings? Perhaps they could go out for a walk each day together?

We kept in touch. Sonia and Bill reported that after they started implementing some of these suggestions, although not easy at first, things got easier and the family settled into a kind of rhythm. Sonia and Bill are now on pretty good terms. They have worked out some issues and Bill has accepted the situation. Sonia has seen how important it is for the girls – and Bill- to spend time together and they will work something out with the help of a professional family lawyer. Of course, there will be rocky times ahead but the pandemic forced Sonia and Bill to evaluate how their actions affected their family; this period where they were literally compelled to lock down together became one of reflection and of working things out which, I believe (and sincerely hope), will minimise any future fallout.

Shelley-Anne Salisbury

UK

Stories of Hope: Nesting during a pandemic

Working as a professional family mediator during this pandemic has been a different experience and while there have been many families and couples we've worked with that have struggled I'd like to instead focus on the stores of hope that I've seen. I worked with a couple who, while they were getting divorced, were deeply committed to maintaining a positive co-parenting relationship for their three children, ages 14, 11, and 8. I could tell from our first initial meeting that both of them seemed a bit uncertain as to whether they actually wanted to divorce and the Husband especially seemed to struggle with whether this would be what was best for them and for their children. That being said they came to me with the idea of nesting (for those of you who might not know what nesting is it's where the children stay in the home and the parents switch off going back and forth between the home and another place) and we were able to work together to put in place a plan for not only what nesting would look like but how they would use the equity they had in their home to do a cash-out refinance and purchase a second place that they would also own jointly so that they had another place for the other parent to go.

Now, this may not be unique to the pandemic, but I could tell from our conversations that it was important to them that they have a living environment that would be best for the children and also make sure that everyone was safe and healthy during this time. Both of them knew it was important to have them consistently in the children's lives and set up a living situation that was going to be best for them. Furthermore, with the oldest being home doing virtual learning full time and the younger two on a hybrid schedule they acknowledged how important one place for them to focus on their schooling would be.

I do want to also acknowledge, as I believe they would have as well, that they were in a privileged financial situation to be able to purchase another home and maintain not one but two primary residences during this time when many are unable to maintain one home. That being said they really just wanted to do what was going to be best for the children.

Working with them through mediation I was able to explain their options to them and we put together a plan that will work both during the pandemic as well as when we come out of this. Seeing how they were able to rally around their children and not think about how moving back and forth may be difficult on them (as I find many parents do when the idea of nesting even comes up) gave me the hope that although their relationship may be changing, and they will no longer be married that they will always do what's best for their children.

Amanda Singer

US

Transformative Family Dialog in Pandemic Times

Facing the time full of unpredictable occasions, many families stayed together at home for a much longer time than their members are used to. Housebound families have to find out how to cope not only with their difficult economic situation, home teaching, a new daily routine of family members but also how to face up to conflicts that could arise from the tense atmosphere. Tensions between people, small misunderstandings, or significant conflicts can usually be fought off by time or space. But when people are locked at homes, conflicts tend to grow higher. In most families, they are shared with other family members within a space of a few square meters.

We want to introduce the possible impacts when family members decide to speak about the situation at home, not just pretending that it will be better, or from the child's perspective, it is only the parent's problem. Family mediation center in Brno, which usually deals with family disputes, especially divorce cases, is now experiencing unusual clients. Whole families are asking for a place where they could open a conversation about their situation.

In spring 2020, our Mediation center visited the family's father (let's call him Jack), who gave details about their unpleasant situation at home, where all members can hardly speak to each other. The family consists of two adults (Jack and Jill) and two teenage children (Tommy and Jerry). The children are not only in a bad mental state of mind, but these symptoms seem to be indicated in their health as well, at least in his daughter's. She is not eating very well and is losing weight. After the premediation talk with Jack, we offered him and his wife a chance to speak about their situation during the mediation session. That still seemed to be a quite usual mediation. Two angry parents argue about misunderstandings, purported injustice from the other, and blame for the current unpleasant situation. The conversation was based on accusations where each parent was trying to defend her/himself but simultaneously convince the other he or she needed to change something. The prevalent issue was based on "theory of whose approach hurts their children more".

From the perspective of transformative mediators, looking at conflicts as a crisis of human interaction between parties helps us look at disputes between the parties with no pressure on finding the solution for them. From our perspective, the parties need help to overcome this crisis and restore a constructive interaction rather than find a solution. The occurrence of conflict tends to destabilize the parties' experience of both - self and others - so they interact in more vulnerable and more self-absorbed ways than before. People in a conflict tend to experience a sense of both relative weakness and relative self-absorption. These negative dynamics often feed into each other in a vicious circle that intensifies each party's sense of weakness and self-absorption.

In Jack and Jill's family, this was untenable because their conflict was even more visible during the lockdown. They weren't able to communicate together. But it is challenging not to communicate when closed together in one house 24/7 for several months. Trying not to say much, makes things even worse because you seem to be detached. So, trying to stay hidden

you are accused of not participating in family life. You try to apply some techniques from TV or Google, but then you are pushing too much. And you feel it is not your fault. It is hard to be a responsible parent for your children when they can observe every single moment of your struggle. Jack and Jill were convinced they do what is possible to protect their children from experiencing the harmful effects of this situation. There were conflicts between the parents and their children as well. Of course, there were, but it was due to the lockdown which was hard even for the children. Or wasn't that the reason?

Tommy and Jerry were fully aware of their parents' situation. They felt the atmosphere of the cold war. Their approach was to get disconnected from the situation, put on their headphones, turn on their computer, or deep dive into their homeschooling. The children's decision was not to bother the parents with any of their problems, fears, or needs. They felt going to the kitchen or living room was like walking on eggshells. But the less they visited those rooms, the more their usual homework assignments were uncompleted. And, that was the point when new conflicts in the family arose. So, it wasn't just the parents trapped in the vicious circle but the whole family itself. That was the initiative for Jerry's health issues.

In our mediation center, we believe that despite the destabilizing impact of conflict, people have the ability to rebound and recover from its alienating effects. People can make dynamic shifts along two dimensions - empowerment and recognition - and have the capacity to move back into their sense of personal strength or self-confidence (the empowerment shift) and their sense of openness or responsiveness to the other (the recognition shifts). The challenge for this family was how to support the relational self-determination of the family members. But what kind of self-determination for parents might be there when the sympathy for their children's real feelings and perspective were not part of their conversation? Self-determination can be effective only through the recognition of the perspective of other person - adults or children.

So, we started the mediation with the parents, but after the second meeting, we involved their children. As for the parents, the fact that we can offer help for the whole family was the key factor for choosing our services. Based on our practice, children have their own mediator, child specialist, to whom they can speak separately. Subsequently, they have the chance to decide if they want to be a part of the mediation process on their own, or they "send there" their child specialist to defend their voice. In this case, after the first meeting with the child specialist, children decided to be part of the whole process along with their child specialist. During the third mediation session, we were sitting at a round table of 7 people - parents, children, child specialist, and two mediators. The child specialist presented what he had been discussing with children. He focused on the awful atmosphere at home, as a result of which the children were not able to speak with their parents. They were too worried that this would cause (another conflict. Getting information from the child specialist was the most intense part of the mediation. Even though the atmosphere was very emotional, all the family members agreed to do something about that and that it is the commitment of all family members, not only the parents. They were having a conversation about difficult topics, but they decided to go through them together to consider all perspectives, not only the adults' views.

After this first experience, they came to the mediation session only as a family. The children

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always had the chance to speak with their child specialist before the joint meeting to tell him how the situation was then and if they still would be present in the joint meeting with him. Overall, they spent five sessions with us.

During the sessions, deep family matters were discussed, but all the procedure was directed by the family members – the parents and the children. The mediators helped them strengthen every member's voice so that they could talk about issues never discussed before in a constructive way. The children could explain why they are withdrawing from the shared space in their house, how aware they are of their parents' conflict, and that they were cautious not to act as in troublesome manner. At the same time, the children could explain how hard it is for them and how much they need their parents to be their parents. The parents described how they are struggling individually and how lost and helpless they feel. They were able to assure the children of wanting to be their best parents and would work hard on it. Through the summaries, the family members were able to be clearer, and were oriented toward what has been going on, how particular situations are connected, and their options for a different approach. Through repeated check-ins on how and whether and how they wanted to respond, the control remained with the family for all the mediation. It helped the family to restore its ability to regulate its functions, be responsive, and caring about every family member and the family as a whole. They decided to try to change the situation using particular goals they want to achieve from session to session. They were not successful every time or on the whole scale. But through the mediated conversation, they kept working hard. And they succeeded in the end. The security, connection, and belonging of the family were restored. The parents found their way to rebuild their relationship. The children started to believe once again they could ask their parents for help and support, including emotional. After the worst year in their life, the children said that they spent the best Christmas ever together with their parents. That is what we believe is the power of conversation.

When, at the end, we asked them to give us feedback on this experience, they said it was rough but were happy to have gone through this as a family. The parents agreed that without their children's voice, they would have only guessed and supposed what was going on in their family. And they realized that, as they had understood the situation before the mediation process, they were completely unaware of certain issues. Only a family dialog through mediation helped them make sense about what was going on, understand better what the other family members' real needs were, say what they wanted to say, and be sure that the other parties were listening.

In January 2021, at our final meeting, the family left our center with smiles on their faces, even though almost a year before, they were lost and thinking about bad scenarios like the family break up. One of the most important outcomes of their meeting was the promise of more frequent and open communication at home. They also agreed to come back and have a conversation in a mediation process in case it is not working.

In this difficult time, a family mediation is offering the chance to deal with conflicts and the opportunity to redefine the way of making decisions and having a conversation between family members. A mediation based on rational self-determination can help parties have a more constructive and less destructive conversation about challenging topics. In this matter, we encouraged them to shift from relative weakness to relative strength and from relative self-

absorption to responsiveness, helping them make their own decisions and supporting self-determination and mutual recognition of each family member, including children.

Robin Brzobohatý
Martina Cirbusová
Czech Republic

Transformativní rodinný dialog v časech pandemie (Robin Brzobohatý, Martina Cirbusová)

Tváří v tvář období nepředvídatelných událostí zůstalo mnoho rodin zavřených společně doma mnohem déle, než jsou jejich členové zvyklí. Rodiny uvězněné doma se musí vypořádat nejen s jejich obtížnou ekonomickou situací, domácím vyučováním, novou každodenní rutinou jednotlivých členů rodiny, ale hlavně s tím, jak čelit konfliktům, které by mohly vzniknout z napjaté atmosféry. Napětí mezi lidmi, malá nedorozumění nebo významné konflikty obvykle vyléčí čas nebo vzdálenost. Ale když jsou lidé zamčeni doma, konflikty mají tendenci narůstat a ve většině rodin jsou sdílené se všemi členy rodiny na několika metrech čtverečních.

Rádi bychom vám ukázali, jaké dopady může mít, když se členové rodiny rozhodnou o jejich situaci doma mluvit, nejen předstírat, že to bude lepší, nebo z pohledu dítěte předpokládat, že je to jen problém rodičů. Mediační centrum CSS v Brně, které se obvykle zabývá rodinnými spory, zejména rozvodovými případy, nyní zažívá poptávku od “neobvyklých klientů”. Celé rodiny žádají o prostor a příležitost, kde by mohly hovořit o své situaci.

Na jaře 2020 navštívil naše mediační centrum otec rodiny (říkejme mu Jack) a popsal jejich nepříjemnou situaci doma, kde spolu všichni členové rodiny stěží mluví. Rodina se skládá ze dvou dospělých (Jack a Jill) a dvou dospívajících dětí (Tommy a Jerry). Děti jsou dle otcových slov nejen ve špatném psychickém stavu, ale zdá se, že minimálně jeho dcera začíná mít i zdravotní potíže. Moc dobře nejlí a pořád hubne. Po předmediačním rozhovoru s Jackem jsme mu a jeho manželce nabídli příležitost promluvit si o jejich situaci v mediaci. Zdálo se, že to bude docela běžná mediace. Dva rozzlobení rodiče, co se hádají o nedorozuměních v jejich vztahu, o domnělých nespravedlnostech toho druhého a obviňují se za současnou nepříjemnou situaci. Konverzace byla založena na obviněních, kterým se každý rodič snažil bránit, ale současně přesvědčoval toho druhého, že právě on/a musí něco změnit. Převládající otázkou bylo, čí přístup více poškozuje jejich děti.

Perspektivou transformativních mediátorů nám pohled na konflikt jako krizi lidské interakce mezi stranami pomáhá dívat se na spory mezi stranami bez tlaku na hledání jejich řešení. Z našeho pohledu, strany potřebují pomoci překonat tuto krizi a obnovit konstruktivní interakci

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mnohem víc, než najít řešení. Konflikt má tendenci destabilizovat zkušenosti a chápání stran jak sama se sebou, tak s druhými, takže jsou lidé zranitelnější a sebestřednější, než jindy. Lidé mají v konfliktu tendenci zažívat pocity relativní slabosti i relativní sebestřednosti. Oba stavy se v rámci negativní dynamiky navzájem ovlivňují v začarovaném kruhu, který pocity slabosti a sebestřednosti ještě zesiluje.

V rodině Jacka a Jill byla situace neudržitelná, protože jejich partnerský konflikt byl během lockdownu ještě viditelnější. Nebyli spolu naprosto schopni komunikovat. Je ovšem náročné nekomunikovat, když jste společně několik měsíců zavřeni v jednom domě v podstatě 24/7. Snažíte se toho moc neříkat, ale všechno tím ještě zhoršujete, protože to vypadá, že se ostatních straníte. Snažíte se zůstat zavřeni v pokoji, ale pak jste obviněni z neúčasti na rodinném životě. Pokoušíte se použít některé techniky, které jste okoukali v televizi nebo na internetu, ale pak jste zase obviněni, že tzv. „příliš tlačíte na pilu“. A přitom máte pocit, že to není vaše chyba. Je těžké být pro své děti odpovědným rodičem, když ty mohou sledovat každý okamžik vašeho neúspěšného boje. Jack a Jill byli přesvědčeni, že dělají, co je možné, aby své děti ochránili před škodlivými dopady jejich konfliktu. Postupně ale docházelo také ke konfliktům mezi rodiči a dětmi. Pochopitelně! Ale to bylo přece proto, že byl lockdown náročný i pro děti. Nebo to mělo jiný důvod?

Tommy a Jerry si byli velice dobře vědomi situace svých rodičů. Cítili atmosféru studené války. Snažili se odpojit od rodinné situace, nasadit si sluchátka, zapnout počítač nebo se ponořit do domácího vzdělávání. Děti se rozhodly neobtěžovat rodiče s žádnými svými problémy, obavami nebo potřebami, na které jako děti mají právo. Cítily, že jít např. do kuchyně nebo obývacího pokoje je jako chodit mezi skořápkami. Ale čím méně tyto místnosti navštěvovaly, tím méně se jim dařilo plnit jejich domácí povinnosti, jako je např. pomoc s úklidem doma. To bylo příčinou vzniku nových konfliktů v rodině. Nebyli to tedy jen rodiče, kdo byl uvězněn v bludném kruhu, byla to celá rodina. A to byla chvíle, kdy začaly také zdravotní problémy u Jerry.

V našem mediačním centru věříme, že navzdory destabilizujícímu dopadu konfliktu, mají lidé schopnost zotavit se z jeho odcizujících účinků. Lidé jsou schopní dělat dynamické posuny ve dvou dimenzích - zmocnění a uznání - a mají schopnost vrátit se zpět ke svému vědomí osobní síly nebo sebejistoty (posun ve zmocnění) a svého postoje otevřenosti nebo vnímavosti vůči druhým (posun v uznání). Výzvou pro tuto rodinu ale byla otázka, jak podpořit relační seburčení všech členů rodiny? O jakém seburčení pro rodiče tu však můžeme hovořit, když porozumění skutečným pocitům a perspektivě jejich dětí nebylo součástí jejich rozhovoru? K seburčení totiž může dojít pouze uznáním pohledu jiných osob - dospělých nebo dětí.

Mediaci jsme proto sice zahájili s rodiči, ale po druhém setkání jsme zapojili také jejich děti. Pro rodiče byla koneckonců už na počátku rozhodujícím faktorem právě skutečnost, že můžeme nabídnout pomoc celé rodině. V rámci naší praxe rodinné mediace mají děti svého „mediátora“, dětského specialistu, a mohou s ním samostatně mluvit. Pak mají šanci se rozhodnout, zda chtějí být součástí mediačního procesu osobně i s dětským specialistou, nebo „do mediace vyšlou“ pouze svého dětského specialistu, aby hájil a reprezentoval jejich hlas. V tomto případě se děti po prvním setkání s dětským specialistou rozhodly být součástí celého mediačního procesu společně s ním a rodiči. Na třetím mediačním setkání tak u kulatého

stolu sedělo 7 lidí - rodiče, děti, dětský specialista a dva mediátoři. Dětský specialista rodičům představil výstupy pohovoru s dětmi a zaměřil se zejména na to, jak děti popisovaly tíživou domácí atmosféru, díky které nemohly se svými rodiči vůbec mluvit, protože se obávaly, že by to vyvolalo jenom další konflikt. Předávání těchto informací od dětského specialisty a dětí bylo nejintenzivnější částí mediace. I když byla atmosféra velmi emotivní, všichni členové rodiny se rozhodli, že s tím musí něco udělat, a že je to závazek všech členů rodiny, nejen rodičů. Mluvili o obtížných tématech, ale rozhodli se jimi prokousávat společně, aby měli možnost soustředit se na všechny perspektivy, nejen na názory dospělých.

Po této první zkušenosti už chodili na mediální sezení pouze všichni společně, jako rodina. Před společným setkáním měly děti vždy možnost promluvit si se svým dětským specialistou, sdělit mu, jaká je aktuální situace, a domluvit se s ním, zda na společném setkání s rodiči stále chtějí být. Rodina s námi tedy absolvovala pět sezení. První dvě setkání pouze s rodiči, další tři jako celá rodina.

Mediační setkání byla protkána velice hlubokými a intenzivními rodinnými rozhovory, ale celý proces si řídili členové rodiny - rodiče a děti. Mediátoři jim pomáhali zesilovat hlas každého člena rodiny tak, aby mohli konstruktivně komunikovat o problémech, o kterých se dosud nediskutovalo. Děti mohly vysvětlit, proč se stahují ze sdíleného prostoru v domě, jak si jsou vědomy konfliktu svých rodičů (i když se to rodiče snaží skrývat), a že jim nechťejí přidávat nové problémy. Zároveň mohly děti vysvětlit, jak je to pro ně náročné a jak moc potřebují, aby jejich rodiče byli zase jejich rodiči. Rodiče popsali, jak každý sám bojuje co to jde, ale jak se současně cítí ztracení a bezmocní. Zároveň dokázali děti ujistit, že stále chtějí být jejich nejlepšími rodiči, a budou na tom tvrdě pracovat. Díky průběžným shrnutím byli členové rodiny schopni jasněji a lépe se zorientovat v tom, co se děje, jak jsou jednotlivé situace propojeny a jaké mají možnosti, jak k celé situaci přistupovat. Prostřednictvím opakovaných ověření se členové rodiny mohli pravidelně rozhodovat, jak a zda vůbec chtějí zareagovat, pokračovat nebo co budou dělat. Kontrola nad celou mediací byla vždy v rukou rodiny. Mediace pomohla rodině obnovit schopnost regulovat své funkce, věnovat pozornost a starat se o každého člena rodiny i o rodinu jako celek. Celá rodina vždy mezi jednotlivými mediálními setkáními pracovala na vlastních konkrétních cílech, jejichž prostřednictvím se pokoušeli o změny. Nebyli pokaždé úspěšní nebo se jim vše nepodařilo splnit v plném rozsahu. Ale i přesto v rámci mediálního rozhovoru na své změně pracovali opravdu tvrdě. A nakonec uspěli. Dokázali obnovit pocit bezpečí, vzájemné propojenosti a příslušnosti k rodině. Rodiče našli způsob, jak obnovit svůj vlastní vztah. Děti začaly znovu věřit, že mohou požádat rodiče o pomoc a podporu, včetně podpory emocionální. Po nejhorším roce v jejich životě děti na poslední mediaci řekly, že spolu se svými rodiči strávily ty nejlepší Vánoce, jaké kdy zažily. Tak podle nás vypadá síla a moc rozhovoru!

Když jsme se jich na konci zeptali, jestli nám mohou poskytnout zpětnou vazbu o své zkušenosti, řekli, že to bylo náročné, ale že jsou šťastní, že tím prošli jako celá rodina. Rodiče souhlasili, že bez hlasu svých dětí by jen hádali a předpokládali, co se v jejich rodině děje. To, jak rozuměli situaci před začátkem mediálního procesu, bylo úplně mimo. Pouze rodinný dialog nebo rodinná mediace jim pomohly ujasnit si, o co jde, lépe porozumět skutečným potřebám ostatních členů rodiny. Pouze v rámci asistovaného rodinného rozhovoru dokázali říci, co potřebovali a chtěli říci, a přitom si mohli být jistí, že je ostatní poslouchají.

Family Conflict During a Pandemic: Stories of Struggle and Hope

V lednu 2021, na našem posledním setkání, rodina opustila naše centrum s úsměvem na tvářích, i když téměř před rokem byli naprosto bezradní a přemýšleli o tak hrozných scénářích, jako je rozpad rodiny. Jedním z nejdůležitějších výstupů jejich setkání byl příslib častější a otevřenější komunikace doma. Rovněž se dohodli, že pokud jim to nebude fungovat samotným, vrátí se a povedou svůj rozhovor znovu pomocí mediace.

V této nelehké době nabízí rodinná mediace nejenom příležitost řešit konflikty, ale i příležitost předefinovat způsob rozhodování a vedení rozhovorů mezi členy rodiny. Mediace založená na relačním sebeurčení může stranám pomoci konstruktivněji a méně destruktivně hovořit o náročných tématech tím, že jim pomůže při přechodu od relativní slabosti k relativní síle a od relativní sebestřednosti k otevřenosti. Pomáhá stranám přijímat jejich vlastních rozhodnutí a podporuje sebeurčení a vzájemné uznání každého člena rodiny, včetně dětí.

Robin Brzobohatý
Martina Cirbusová
Czech Republic

Lukas and Marie

Lukas and Marie are brother and sister, originally from the UK, both in their forties. Lukas currently lives in Brisbane, Australia, and Marie in Dublin. Lukas and Marie had a major falling-out around Christmas 2019 during a family outing that went horribly wrong. There was an argument between Lukas and Marie's husband, which became physical. The police were called at the time and Lukas received a police caution.

After lockdown began in Spring 2020, Marie contacted me about the relationship between her and her brother. She explained that Lukas had significant mental health problems, for which he was continuing to receive treatment. She was sympathetic to his personal challenges and understood how his ill-health may have contributed to the critical incident, but the family had become fragmented. Marie wanted to take the opportunity during lockdown to consider online mediation.

Their parents were quite elderly and were terribly upset by the situation. For their sake as well as her own, Marie wanted to patch things up. She was not confident that she and Lukas could yet meet face-to-face. Meeting online might provide a safer and less confrontational setting in which to try and address their conflict.

After an initial chat with Lukas to check his willingness to participate, we set up online mediation. First, I spoke with each sibling individually and then brought them together in a meeting for a few hours.

What emerged in this first session was that, inevitably, there was more to this dispute than just a single argument. There were underlying resentments from their upbringing and family history. The incident at Christmas was merely symptomatic of these.

Marie had always felt that her older brother had never taken her seriously: that he spoke down to her, disregarded her needs, and could be quite aggressive and dismissive with her. Lukas felt that Marie was always the apple of their parents' eye: that she could always get whatever she wanted from the parents, and that she could win any brother-sister argument by 'playing victim' with mum and dad, as he put it.

As a psychotherapist-turned-mediator, I am more aware than most of the need to draw a line between mediation work and therapy. In mediation, we are looking to resolve a dispute and agree on a future behavioral plan. In therapy, we are trying to increase people's insight and awareness, often by a detailed consideration of their past experiences. This situation sat right on the line between these two disciplines.

Having clarified and agreed to some objectives, we began a series of 90-minute online mediation sessions, one every six weeks or so, with some homework in between sessions. The two had brief, unmediated Zoom calls at the weekends under strict rules of engagement. I saw them so I could help de-brief their calls, slowly edge into more and more risky territory with them, and plan how they were going to interact with one another as well as other family members in between sessions.

Family Conflict During a Pandemic: **Stories of Struggle and Hope**

The work is understandably slow and tentative. The goal is for Lukas and Marie to meet face-to-face for a conversation that feels normal and natural. They have not been able to meet in person for over a year now. As their sessions progress, meeting in person seems to be increasingly likely. Online mediation, necessitated by lockdown, will make this possible.

Mike Talbot

UK



For Giving
Richard Lang

Section 3

Through stories of families they helped, the authors in this section, show how they were able to assist people to find answers to troubling conflicts. These stories illustrate the resilience of couples and families as they struggled with difficult situations and found hopeful outcomes.

Ditch shame and silence to manage conflict

In some communities, shame, silence, and “what will people say” are triplets. Growing up in a community where these imaginary siblings are accorded greater value than real people can make life difficult for those who are facing conflict. Especially, when it is more important to keep the community honour and semblance of peace at the expense of an individual’s peace, security, and happiness. Conflict is further flared as individuals feel increasingly undervalued, abused, and/or ignored.

Conflict is a certain and normal aspect of part of human life. However, depending on how it is managed, relationships could be strained or strengthened. Minor things such as who gets to choose what is eaten for lunch or major ones like why a particular child is bequeathed a seemingly larger inheritance can lead to varied degrees of conflict. The more the interactions over a short period within constrained space; the greater the possibility of conflict as everyone tries to secure their space and maintain independence. Little wonder that in some communities, the men prefer what they consider the peace and comfort of bars rather than retire to ‘the noise and disturbance’ of their homes.

In some families, certain aspects of conflict are openly talked about. For example, the child who always wants the bigger share of everything will probably be known and openly discussed. While this could lead to bullying or taunting, talking to the child and sharing things with them may help them to change. On the other hand, there could be the respectable man whose quiet and pleasant wife often has an odd injury from ‘inexplicable’ accidents. A possible victim of physical abuse such a woman is bound by ‘silence’ to protect her family and marriage from ‘shame’ and ‘what will people say’. Although outwardly portraying calm and strength, she could be suffering from pain, deep fear, and insecurity.

Knowing that conflict is inevitable, how do we free ourselves from the shackles of these three siblings? Firstly, we need to normalise difficult conversations. Talking freely about fear, failure, aspirations and even goals should be encouraged. People should feel safe to talk even when their perspectives and experiences appear to significantly differ from what is considered normal. Being honest when answering questions from children helps to remove the shame and silence that goes with tackling certain topics. This also helps them face difficult conversations as they grow.

Secondly, we need to respect and accommodate people’s opinions even when we do not agree with them. Respectfully giving an ear and then raising our concerns is better than openly dismissing people’s opinions without hearing them out. This is particularly important for teenagers and young adults in families. Creating an opportunity where family members know that they can freely air their views helps to create a safe place where people can openly talk about conflict.

Finally, we need to openly admit our faults when we err. Knowing and appreciating that we are all different with varying strengths and weaknesses helps us to be more tolerant with one

another. Acknowledging our mistakes and apologising makes it easier for others to relate to us as well as discuss the things that could lead to conflict.

Creating safe conversation spaces in families helps in effectively managing conflict. Let us encourage more conversations by listening, accommodating, and saying sorry when we need to. Actively and consciously work to ditch the three siblings from your family!

Sarah Ater

Kenya

Improving Communications: An Iterative Process

Here are nearly verbatim emails I exchanged following mediations between “Rachel” (whose divorce from “Mark” I mediated years earlier) and “John,” with whom she had been having an affair, until he returned to his prior girlfriend, “Sally.”

Hi Ken

Since the last time we saw each other...I've ebbed and flowed through the ordeal with John... I had this epiphany today that maybe the last part of the healing will come if I look at this differently. I've survived the worst when it comes to the heartache. BUT it's hard to move on to the thriving part.

[On Zoom, I asked her to draft an email to send to John.]

First draft:

I get it.

The message is clear.

I promise to go away.

I'm sorry that I haven't honored your need for total distance.

Some day... when you look back on this... if you have the capacity for empathy... you will understand. You went back to someone you love. Maybe if you think about when you lost Sally... It's hard to be alone and face the world from the place of feeling discarded. I know you think Mark left me on the curb... well you put me in the trash. I'm lucky I got my body back and I'm grateful for this year by myself because I'm learning about me and trust me... I know it's not pretty. I hope you are truly happy because you've finally lost me.

[On Zoom, I asked her to go over her draft, imagine how John would read it, and revise it.]

Second draft:

I'm sorry that I haven't honored your need for total distance.

Some day... when you look back on this... you will understand. It's hard to be alone and face the world from the place of feeling discarded. I'm grateful for this year by myself.

I'm learning about me.

I hope you are truly happy.

[I emailed back: “Thanks for sending me your redraft. Now start over and ask yourself two questions: 1. If I were John, what would I most want to hear Rachel say to me? Write that. And 2. If I were completely free from his narcissism, my addiction, and the “heroin rush” of contacting him you described on our call, what would I want/need to say to him? Write that, then reread the earlier drafts and see what comes up.”]

[Rachel wrote back:]

“Thank you so much! I will work on a new draft. It’s interesting that I completely understand this draft will be harder to write. It allows for me to be more mindful. Taking away manipulation and compulsivity. This is probably the hardest task you’ve given me.”

Third Draft:

John

I want you to know that I cherish the time we spent together. You are an incredible trainer and our time working out and eating eggs and pancakes after our weekly sessions is a good memory. You were infectious in that gym and taught me to enjoy working out.

More importantly, I am grateful to you for stepping in and helping me and the girls during a very difficult time in our lives. I will always remember you for your kindness and how you pushed me to be a better me... when it came to my fears and habits.

I wish I could have loved you the way you wanted me to. I am happy you have found love and I want all good things for you.

I want to respect your need for privacy and will not reach out to you and your family anymore.

Love

Rachel

I wrote back:

“Beautiful Rachel, well done - now read your earlier drafts and write down what you learned by doing this, how you felt, who you became with each draft, and how your conflict shifted as a result.”

Kenneth Cloke

US

Inadequacies and uncertainties during the COVID – 19 Pandemic

As would normally be said, conflicts are inevitable! The COVID – 19 Pandemic has however no doubt had a great impact on family relationships and brought about exaggerated conflicts within families. The conflicts no doubt have resulted in feelings of inadequacies and uncertainties. Parents, children, and siblings have not been spared in the various conflicts.

Relationships that were ordinarily being managed prior to the pandemic simply got worse and those that were ordinarily referred to as blissful were in some way affected.

One of the major causes of conflict in the families during the pandemic has been finances. With major sources of income affected as a result of series of lockdowns and livelihood threatened, pressure began to mount on families especially where no arrangements were made for palliatives. Head of families /breadwinners began to feel inadequate and lose confidence in themselves as the needs in homes began to increase. This was made worse with everyone stuck together and getting in each other's way. There were uncertainties about what the future held. All of the stress involved has led to mental health issues and depression.

One thing that must be made clear is that everyone is under tremendous stress in such an unprecedented time. In dealing with this, it must be appreciated that individuals behave differently and it is an extremely important time to understand each other. The behaviour must be separated from the person, as stress can aggravate things. This will certainly take away all forms of resentments and animosities. In intervening in some of such family situations, it has become clear that in dealing with the family conflicts, a lot of communication must be involved and some of the ways of effectively doing this, are;

- To endeavour to stay calm.
- To reassure each other that everyone is going through the same thing.
- To put emotions aside and be extremely careful in the choice of words in such a sensitive period.
- To actively listen to what others are saying, check that you understand, and ask questions.
- To brainstorm together as a family. I have seen the huge difference this has made in the family. Everyone felt involved and it brought about a better understanding and unanimous decision on how to move things forward. This has also been extremely useful in generating ideas on alternative sources of income.
- To rearrange priorities and values with the involvement of everyone.

With the line of communication open and used appropriately, members of the family can draw strength from each other and come out stronger post the COVID – 19 Pandemic.

Josephine Akinwunmi
Lagos, Nigeria

Lessons Learned Through COVID

I was listening to the radio when it was announced that there would be no Patrick's Day parade, it struck me as a bit surreal at the time as I had been hearing about COVID since January and how it was impacting China and cases had begun to emerge in Europe but it seemed far away and to be honest a break for the endless speculation of Brexit which had been dominating our airwaves for years.

With alarming speed, we would be plunged into a global pandemic and we would have to learn how to live and manage this unseen foe. It seemed that overnight the country was on high alert. There was a sense of unity among people, "we were in this together" and metaphorically we marched arm and arm against the terrorist called COVID.

We had to reinvent how we did our job of mediation. There was no time for training. The offices were closed we had to stay at home, we had to continue to provide a service which was uncharted by us. We were provided with mobile phones and a central hub was started in Dublin to filter Clients to mediators around the country.

I began with enthusiasm. The self-referral Clients and existing Clients were to be put on hold and we were to deal with court referrals for single issues like access and maintenance. All seemed pretty straight forward. But it was not. It wasn't long before the reality of what we were doing became apparent.

The Courts were determined that access would continue with parents despite COVID.

One of the first cases I dealt with was an access issue. There were two very young children involved. The youngest of which was only six months old. I spoke to Mum and she did not seem to be too concerned about COVID and she wanted access to continue every Saturday and Sunday. The arrangement between them was that Dad would collect the children from the family home and take them out for two hours each day and then he would return them to the family home. All seemed straight forward enough.

When I spoke with Dad it was obvious that he was struggling. He had lost his job. Since leaving the family home he had rented a room in a house with a number of men and felt the environment was unsuitable to bring his children there. He sounded depressed and frightened. "Where am I supposed to go with a two year old and a baby?" he asked me and "What about COVID?" "Am I supposed to walk around the streets with them?" "How will I feed them or change their nappies?" It was also March, and while the weather was getting milder there were still cold and damp days.

Was I, as a mediator, going to encourage this parent to put himself and his two children at risk?

I decided to revert to Mum to see if it was possible for Dad to have access in the family home. Initially, when we spoke she was not open to that proposal but as the conversation continued she said that if he was prepared to pay for her car insurance she would facilitate the access in the family home.

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Ok, this was now going in a whole new direction. Was I, as a Mediator, now bargaining for access to these little ones?

I contacted Dad and put the proposal to him. It all felt so wrong to me. He said he was very upset not seeing the children and he agreed to pay the car insurance but insisted that Mum leave the family home when he was there with the children.

This reminded me of a case I had been involved with in the Family Court when I was working there prior to COVID.

A distraught Father had been sent to me by the Judge to try and resolve an access and maintenance issue for his eighteen month old daughter.

He had arrived in Court that morning and was waiting in the corridor when he was approached by his solicitor and the solicitor for the other party. They told him there was a possibility that the Judge would order a maintenance payment of €150.00 per week. He could see no way of paying this amount as he was on an average salary and he was totally intimidated by the Court setting, the Solicitors, and the prospect of appearing before the Judge. The solicitors then told him that “the less access he looked for the less maintenance they would look for”. He came out of court that day with two hours a week with his child. I was appalled.

Was I now doing the same thing?

Phone call number five:

Mum agreed to leave the house to accommodate access but said she lived with her sister and that she would remain in the home for the time Dad spent with the children.

Dad agreed to this arrangement.

An interim parenting plan was put in place specifying the arrival time and departure time of Dad. This worked for week one and all seemed to go well. I felt somewhat better about this case as the children got to see their Dad, Dad got to see his children, and Mum got her car insurance. Something still bothered me. What was it???

The following week I checked in with both parties and both agreed to a repeat schedule for the upcoming weekend. Mum asked for the same interim agreement to be written up. I spoke with both parties about the benefit of positive communication for the children going forward and how they had many years of parenting ahead of them. They both agreed they wanted the best for the children which gave them both a mutual goal. I talked through with them that in order for them to reach that goal they needed each other to get there. Both were in agreement. I thought we were making progress. But at this point, I had invested hours and multiple telephone calls, as well as emails.

I decided to write the agreement and to encourage them to try out the arrangement for a month as doing this on a weekly basis was very time consuming and unsustainable.

I told them I would check in with them in a couple of weeks to see if the reality testing of the arrangement was working for both parents.

I rang Dad first and he told me the first weekend had gone off without a hitch but that she had refused him access to the family home the following weekend. He was very angry and felt he was constantly over a barrel with her and that he didn't believe mediation would work as she would break the arrangements when she wanted and he had no control over that, he felt there had to be a court order to make her comply with access.

He asked me to relay to the other party that mediation was over.

When I spoke to Mum, she too was very angry, she said that on the mornings that Dad had access she would have the children up very early to ensure they were fed and bathed and dressed in their nicest clothes. She said she was very upset when Dad arrived and not only was his hair not brushed but he was wearing sweat pants, she said this was disrespectful to both her and the children, and she refused him entry to the house.

While this case is long-winded it represents a lot of cases I dealt with in the early days of the pandemic. Backwards and forwards between the clients and making little if any progress.

I had become the third party in this "relationship". I was the message carrier. The skills I had learned and practiced as a mediator were not working. I had to rethink how I was approaching this whole process.

I could no longer read the Clients body language or facial expressions. I could not use my old friend the flip chart to set the agenda or to use simple visual drawings to reflect the impact on the children of the continued hostility between them. Gone too self-determination and the voluntary nature of the process to find a better way to resolve their dispute and in its place was a conduit to punish each other through my voice.

The other factors that were beginning to emerge were the loneliness and isolation of people, parents trapped in apartments with small children, parents trying to home school or cope with children with special needs. The vastly opposing views about the pandemic and access. People who had made the decision to separate and who were now in lockdown with each other twenty-four hours a day.

As a mediator, I felt overwhelmed by the enormity of it all. My role was blurred to both the clients and me. The number of times I said "I am not a Councillor" I couldn't count but I was a voice on the end of the phone that listened to their concerns and their fears and acknowledged them and empathized with them.

There has long been a debate about the yardstick for mediation and how it is captured. Is the ultimate goal for measurement an agreement? Or has this pandemic given us a window into the areas of mediation that are not captured by statistics or recorded as valuable?

I knew I would have to be more clinical in my approach. I focused on the issues and let very

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little of the background story into the conversation. I became more realistic in what I could do to facilitate them. I set a time for each call and would tell the client I was speaking to from the beginning the amount of time we had and I would remind them ten minutes before the end of the call that the time was almost up. This worked in focusing the clients on the issues to be resolved. It was an incredible opportunity to take active listening to a whole new level.

I was kinder to myself. I opened a door in my mind and let all the clients who had come to live there since the beginning of this pandemic, go home.

Back in this third lockdown, I discipline myself to open the computer at nine and to close it at five. I take lunch!! I admit it when I struggle and to share these struggles with colleagues and to be available to colleagues with struggles of their own. The shared experiences have been an invaluable source of learning for me during this time.

Breeda Cotter

Ireland

Family Mediation at its Best

Even on Zoom—Even During a Pandemic!

Ravi and Rebecca had not been getting along for most of their 16-year marriage. Since COVID-19 consumed the world, the marital and family conflicts in their home had worsened dramatically, and the tension in their family had become palpable to their two children, Samantha, age 8, and Rory, age 13.

Ravi and Rebecca understood that the pandemic had not created their family problems, but rather it acted as an accelerant—magnifying their pre-existing problematic relationships and dysfunctional family dynamics. They had talked, on and off over the years, about separating or even divorcing. But, as the years went by, other problems took priority to the idea of separating—Ravi lost his job and was unemployed for 6 months; Rebecca's mother died suddenly in a car accident, leaving Rebecca to take care of her father who had advanced Alzheimer's Disease; their beloved family dog suffered kidney failure and needed constant caretaking while on dialysis. So, the family endured, while continually and erosively bickering with each other.

Over several recent weeks, things escalated in the family to crisis proportions: Samantha began crying a lot, refusing to comply with any and all simple requests, while alternately clinging to Rebecca and kicking, scratching, and biting her. Rory began cutting himself, vaping (with supplies snuck into the house), while withdrawing into his room and refusing to do any schoolwork on Zoom. One day, Rory told his parents “I hate it when you fight with each other; everybody's always yelling at each other---I just want out!” and Samantha also voiced, “I want to live somewhere else; I hate it here!” These utterances from her children were the final straws that propelled Rebecca to call a family mediator to get some help.

In two sessions, the mediator helped the couple first to reach an agreement to separate (This was not a difficult decision for them to make, since, over several years, they had already attempted marital therapy—with no success). Then, the mediator helped them set up a short-term plan to immediately get away from each other. They started with a temporary “Nesting” arrangement, whereby the children would stay in the house and each parent would alternately remain in the house with the children for a period of a week, then that parent would move out for a week and stay with relatives or friends, while the other parent moved back into the house for the next week, all within COVID-safe conditions. Two weeks after implementing this short-term plan, the tension within the house dramatically reduced; all the symptomatic behaviors of the kids vanished, leaving welcomed relief, along with understandable sadness. Weeks later, the mediator was able to help Ravi and Rebecca formulate a way to financially support two households and create a path toward a more permanent plan for dissolving their marriage while maintaining a solid co-parenting relationship for the children. The structure provided by these interventions allowed the family to get unstuck and to move on to a more satisfying, conflict-free living arrangement. And, remarkably, this whole intervention process took place on Zoom and was successful even as COVID continued to ravage the world—an innovative family intervention at its best!

Donald T. Saposnek, Ph.D.

US

The Narrow Door

The pandemic has resulted in both mediators and parties being forced to go through the narrow door that separates face-to-face mediation from virtual mediation.

I speak of the “narrow door”, as a metaphor, because it does not allow a fluid passage but rather the jostling between mediators and their recipients since all at the same time need to go from the face-to-face to the online.

There are several difficulties to convert a face-to-face professional practice into a 100% virtual one, as the circumstances require, but basically, the mediators who resisted online dispute resolution years ago now identify them as the only mechanism to maintain their income and must accept that this new normal of online mediation is here to stay.

In 2020, from our non-profit social network ODR LATINOAMERICA, we gave basic training in ODR to almost 3,000 mediators from Latin America and Spain, with this we generated an important workforce that could quickly begin to assist a significant number of conflicts that had remained paralyzed due to the lack of legislation that allowed online mediation.

We worked on generating new protocols for remote processes in mid-2020 and a large number of private and community mediations were carried out, the latter free, with a high degree of agreement.

Most distance mediation cases are linked to money, communication, and neighborhood conflicts. It should be noted that in some provinces of Argentina mediation is mandatory as a step prior to trial.

The community mediation center of the Government of the City of Buenos Aires Argentina, for example, offers free services to citizens since July 1, 2017, before COVID 19 30% were carried out online, now all mediations since March 2020 they are online, approximately an average of 600 cases per month.

The digital mediator requires, in addition to acquiring the skills to manage emotions in virtual environments, he must be an expert user of the tele-mediation platform he uses, as well as informing the parties about the risks they run when using some of the videoconferencing software that was “not created” to mediate remotely, but to give classes or for business meetings.

In this way, platforms are already being generated that at a reasonable cost will allow the complete mediation process to be carried out, from the summons of the parties to the final signature of the agreement document.

We are convinced that in the near future when the pandemic has passed, online mediation will remain as a result of this change, we will soon study “techno-peace”.

Alberto Elisavetsky
Argentina

La Puerta Angosta

La pandemia ha traído como consecuencia que tanto mediadores como partes se vieron obligados a atravesar la angosta puerta que separa a la mediación cara a cara con la virtual.

Hablo de la “puerta angosta”, como una metáfora, porque la misma no permite un paso fluido sino más bien a los empujones entre mediadores y sus destinatarios ya que todos al mismo tiempo necesitan pasar de lo presencial a lo online.

Las dificultades para convertir una praxis profesional presencial en una 100 % virtual tal como las circunstancias lo requieren son varias, pero básicamente los mediadores que años atrás resistieron las “online dispute resolution”, ahora las identifican como el único mecanismo para mantener sus ingresos y deben aceptar que esta nueva normalidad de la mediación online llegó para quedarse.

El año 2020 desde nuestra red social sin fines de lucro ODR LATINOAMERICA, dimos entrenamiento básico en ODR a casi 3000 mediadores de América Latina y España, con ello generamos una importante fuerza laboral que pudo comenzar a asistir rápidamente un importante cantidad de conflictos que habían quedado paralizados por falta de legislación que permitiera la mediación en línea.

Trabajamos en generar nuevos protocolos de los procesos remotos a mediados del 2020 y se realizaron gran número de mediaciones privadas y comunitarias, estas últimas gratuitas, con un alto grado de acuerdo.

La mayoría de los casos de mediación a distancia están vinculados con conflictos de alimentos, régimen de comunicación y vecinales, cabe destacar que en algunas provincias de Argentina la mediación es obligatoria como paso previo al juicio.

El centro de mediación comunitario del Gobierno de la Ciudad de Buenos Aires Argentina, por ejemplo, ofrece servicios gratuitos a los ciudadanos desde el 1° de Julio de 2017, antes del COVID 19 el 30% se realizaba online, ahora la totalidad de las mediaciones desde Marzo de 2020 son en línea , aproximadamente un promedio de 600 casos por mes.

El mediador digital requiere además de adquirir las habilidades para la gestión de las emociones en entornos virtuales, debe ser un usuario experto de la plataforma de telemediación que utiliza, como así también informar a las partes cuales pueden ser los riesgos que corren al utilizar alguno de los softwares de videoconferencia que “no se crearon” para mediar a distancia, sino para dar clases o para reuniones de negocios.

En ese camino ya se están generando plataformas que a un costo razonable permitirán realizar el proceso de mediación completo, desde la convocatoria de las partes como la firma final del documento del acuerdo.

Estamos convencidos que en el futuro próximo cuando la pandemia haya pasado , quedará la mediación en línea como resultado de este cambio de época, y estudiaremos la tecno paz.

Alberto Elisavetsky
Argentina

Enhancing Communication: Bringing Hope to Elders and their Families

COVID 19 has increased our awareness of the fragility many experience in the aging process and moved us fast forward to address some of those challenges. For families, there is an urgency to resolve conflict regarding an elder while we still have the chance. Lack of communication or miscommunication can leave an indelible imprint for generations to come. Sometimes families need help to open the doors to understanding. Eldercaring coordination a conflict resolution process for families in high conflict regarding the care and safety of an aging loved one, can help. (see www.EldercaringCoordination.com) An eldercaring coordinator is appointed by the court to help the family reduce conflict and focus on the elder's needs, wishes, and safety. The family learns new skills to communicate, problem-solve, and make decisions unencumbered by expensive and often hostile court interactions. Through eldercaring coordination, families can face the challenges posed by the pandemic together:

- Alan, hospitalized and alone, wouldn't allow his wife and daughter to visit, although they got special permission from the medical team due to the severity of his medical condition. He wouldn't even talk to them to avoid telling them again to stay away. When the eldercaring coordinator arranged for a hospital social worker to intervene, they all realized he just wanted to protect his family from contracting the virus in the hospital and did not know how to return home to die safely as he wished. Once his true wishes were revealed, arrangements were made for him to go home safely, where he died with them wearing masks by his side and forged memories that reinforced love rather than rejection.
- Sometimes family members whose hostilities dominate their interactions realize they can provide for their loved ones only if they join forces. Carlos loved his home and resisted any move from his familiar surroundings. He needed 24/7 supervision due to increasing dementia, but his wife worked outside the home and needed the income. How could the family members arrange for care if they were not amenable to speaking with one another? The eldercaring coordinator set them up with online communication tools, and with their shared calendar the family could coordinate care for Carlos at home, transportation to the doctor, and meals when his wife had to work late. They also provided visits with grandchildren and decorated his home with photographs and drawings from his great-grandchildren. While they never opted to celebrated holidays altogether, Carlos was able to participate in separate festivities enjoying all the generations of his family.
- Claudia is in a facility, aging with developmental delays she has experienced since birth that cause impulsive outbursts to the detriment of herself and others. She used to live with her sister Diana until her behaviors threatened them both. Diana is now totally isolated from Claudia and fears she will never see her sister again due to restrictions posed by COVID 19. Even calls to her sister disrupt Claudia's

behavior. The eldercaring coordinator began working with other family members to increase some feeling of connection between the sisters while still maintaining safety for Claudia. They are all sharing photographs and medical information with Diana regularly and have initiated services to increase Claudia's coping skills.

While we are missing the opportunities for hugs and the warmth of our smiles, now enveloped by the masks we wear, we do have the chance to build on good relationships and establish better relationships, bringing hope even in these dire conditions. Enhancing our communication, focusing on our aging loved ones rather than past disappointing family encounters, can help all of the generations before it is too late.

Linda Fieldstone and Sue Bronson

US

Family Conflict During A Pandemic

As a divorce attorney and mediator for more than twenty-five years, I am no stranger to intense family conflict. The pandemic pushed many families beyond their breaking point. Having their day in court to have justice is now more important than ever and yet, access is more elusive than ever. We have all been called to sit still. And it is not easy for anyone. It's pushed many people way past their emotional limits. Kids are suffering. Parents are suffering. And the normal escape hatches are not available.

Even during normal times, when we're living with adversity, we can feel trapped. I know this from my own life, and professionally. These days, in my divorce mediation practice the phone is ringing off the hook. And it's clear from the desperation on the other end of the line, relief can feel impossible to attain.

I've received many calls from frustrated litigants who don't understand why they can't get a court date for weeks or even months. The issues that they want a judge to decide may simply not rise to the level of "emergency" under the law. And yet, they're struggling and need help. They're calling me in as a mediator, even when they're not the classic mediation client. Higher conflict couples are looking for help from me, because now, mediation may be the only shot they've got.

Here's the good news: I've found, during this unprecedented time that when given no other options, even the most intractable difference can be resolved at the settlement table.

Necessity being the mother of invention, on-line mediation has become a norm that allows resolution of even the most intractable differences. High conflict couples are now given the space to mediate without fear of intimidation that happens in the waiting room when we are in person. Plus, much to my surprise, I actually settled cases involving relocation, which I otherwise would have said were likely unlikely to resolve absent judicial intervention. People are so desperate to move forward that they're willing to sit and talk. Especially because they're not forced into the same room as one another.

Interestingly, during this time, I have worked with more than one couple who were at first resistant to mediating who found coming together via an online platform to be game-changing. For example, when Karen and Bob asked me to help with their divorce, they had not been able to talk directly for weeks. Unresolved problems of children and finances had become more difficult because of virtual schooling for the children, both were working from home and there was constant anxiety about the pandemic. I modified my online mediation practice to include one-to-one caucus sessions that allowed each party to speak freely and to be heard without fear of being shut down by the other. Hearing each side allowed me to come back to the table with possibilities for resolution. The added crises of the court shut down created an opportunity for greater settlements to arrive via a thoughtful, meaningful process. With this approach, Karen and Bob found some solutions that worked for them and their children. The greatest benefit for the couple is that they were able to talk about these issues, work together to find solutions, and end their constant bickering. They rediscovered that they could communicate effectively, even when they had conflicts.

This pandemic will pass, and things will presumably one day go back to normal. But, I am hopeful that collectively we will continue looking toward the mediation table to work toward a reasonable resolution for even the most complex conflict. The pandemic has a pale silver lining. Though today, it may be hard to see.

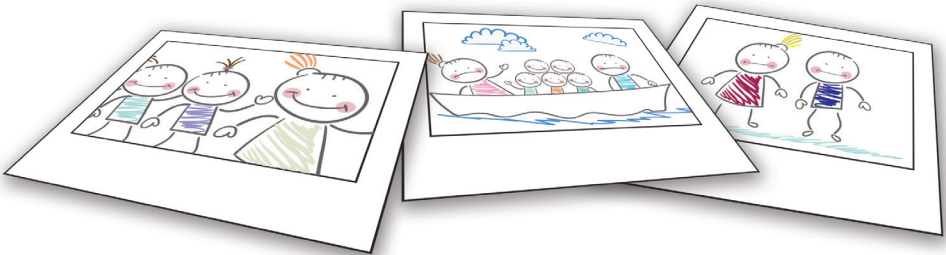
Gabrielle Hartley

US

Creating memories

COVID 19 pandemic has thrown up all sorts of additional challenges. Parenting schedules that worked well, where one parent flew back to Ireland every second weekend, were scuppered when required to quarantine for 2 weeks. Where once it might have been possible to come to Ireland for a special occasion such as First Communion one month, a birthday the next month, and then Christmas, this was no longer possible. Quarantining in Ireland for 2 weeks and quarantining in the other country for another 2 weeks meant all annual leave was gone, so the parent could only come for one event. This led to questions as to why that parent chose to live in another country: another issue to add to the list, courtesy of COVID 19.

External factors can often be a unifying factor when a couple has nothing in common, eg not giving the tax authorities anything more than they have to. But in the current climate, COVID 19 has often become an additional uncertain context, looming large as people try to negotiate their separation. It has increased the level of anxiety and stress and financial worry in a separation that is unplanned and by its nature highly stressful anyway.



As we become more resourceful as mediators we find ourselves digging deeper and tapping further into the creativity of mediation. We use technology that makes mediation more accessible and enables us to deliver a professional service while still keeping everyone safe. In particular, we try to do our bit by not adding to the transmission of this deadly virus. Video mediation, conference calls are now part of our daily working life making mediation more accessible to those who live far apart, who may have health issues or additional responsibilities such as looking after elderly relatives. In addition, some employers can offer very little flexibility to our clients. Now they can avail themselves of our service far more easily which reduces these people's level of stress and illustrating the creativity of mediation.

Tensions are often high in mediation and the future uncertain. Yet children's birthdays arrive, Christmas happens and I was reminded of the precious gems that arrive unprompted and are gratefully received in a session when mediation and life, in general, can be really difficult.

In one case, a couple were living in different countries with very different values with regard to money and finance and trying to work out the terms of their separation. As Christmas with one parent was happening before Christmas in the other parent's home, it was agreed that

while they were both in the one house there would be no comments concerning money and nothing negative would be said. They agreed that this was an opportunity to create memories to cherish for their children and themselves, despite COVID.

Creating memories is a lovely image and one I caught and built on, one of those transformative ones where the landscape changes and everyone feels it. It gave me the opportunity to bring a bit of humour into the situation. As I was going to talk to them again before Christmas, I said I was looking forward to the next session to hearing what Santa and Mrs. Claus managed to get, as some of the gifts they were looking for were in very short supply. This produced a seldom seen shared smile.

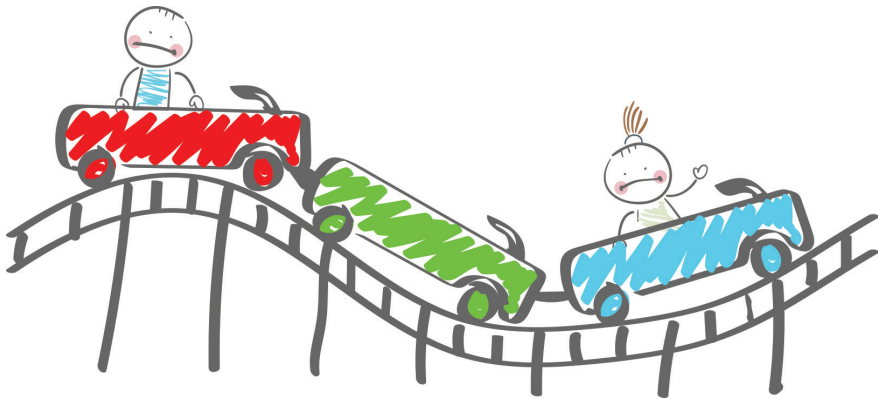
Tapping into this at the next session there were smiles all around as Santa and Mrs. Claus had come up trumps. Both agreed lovely memories had been created by them and their children which would warm those children and their parents as tough times in a COVID climate still had to be navigated. But magic had also happened. These moments are special. That image can be drawn and tapped into not just at Christmas, but Hanukkah, Diwali, birthdays, Communion, children's plays, etc. They craft and we craft a life full of meaning and good things even though couples are separating, helping them see all the good that they can still create, dissipating their fear and guilt on the negative impact on their children. It makes our work really special and important for all of us to appreciate these moments especially when life is extra hard.

Majella Foley-Friel
Ireland

The roller coaster riders

Tony and Mary moved together when she became pregnant with their now 3-year-old son. They've known each other since high school when they were classmates. Later they graduated in different fields (he's a physician, she's a social worker) while attending the same university. Conflict has always been a part of their relationship along with the typical demand-withdraw pattern, where she blames him to be "selfish and unreliable" while he replies that she's "overbearing and bossy".

During the spring 2020 lockdown, conflict escalated due mainly to an increase in Tony's workload and to Mary's feelings of anxiety and needs to be reassured and helped with the child. When she discovered he was having an affair, she asked him to move out. At the end of the national lockdown, they asked for professional help, although with different goals: she wanted to end the relationship, while adequately protecting their son's emotional needs, whereas he asked to recover their couple relationship. Mediation started and stopped after a few sessions because they were dating again with a lot of passion. However, after three months, new conflict ignited and they came back in mediation.



This story helps us to point out some problems couples are facing during the time of COVID-19 pandemic. According to the developmental model by Bader & Pearson (1), this couple is blocked in the struggle between the need for closeness and intimacy and the need to maintain clear individual boundaries. These couples present an array of unmet needs that are likely to increase the level of conflict under the pressure of the pandemic.

Italy was the first European country to be affected by the outbreak of SARS-CO-2 virus and in March 2020 the central government imposed a series of measures to stop the spread of contagion, including social distancing and home confinement. Scholars and practitioners expressed concern about the psychological consequences of the pandemic, since reactions of anxiety, emotional distress, uncertainty for the future, as well as closer physical contact and the economic strain, are likely to exacerbate existing conflict in couples while decreasing partners' ability to effectively cope with major changes and provide appropriate parental support to their children (2-4).

A study survey showed that 12% of the Italian respondents reported a worsening of the quality of their intimate relationship during the first lockdown (March-May 2020), with an increase in negative emotions associated with a decrease in relationship quality (5). Several articles in pop magazines and social media addressed the issue of how to improve marital relations during the pandemic emergency by listing cues and suggestions. The forced stay-at-home order was presented as an opportunity to foster a closer intimacy between partners and a stricter commitment to cooperate in order to cope with the many practical problems brought about by the pandemic.

Facing severe containment measures, in Italy, as in other countries, many practitioners shifted to online work. Furthermore, in order to support economically disadvantaged people, national and local associations launched pro bono psychological services, including marital counselling. The main concern was to ensure an adequate coverage of psychological needs to prevent family dysfunctional outcomes and violence.

The current COVID-19 pandemic calls for effective interventions on couples that include: 1) to increase partners' awareness of the way they actively engage and maintain dysfunctional conflict; 2) to teach negotiation strategies and problem-solving skills to move partners to a more fruitful cooperation; 3) to mobilize individual and couple resources that may support resilience and a positive outlook to the future.

Dina Labbrozzi

Lanciano, East-central Italy.

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La necesidad de generar puentes virtuales ante el aislamiento obligatorio

En la provincia del Neuquén, Norpatagonia Argentina a partir del año 2017 se implementó el “Servicio de Mediación Familiar” que introduce la mediación bajo la modalidad intrajudicial, conforme la Ley 2930 (modificada por la Ley 3055 y complementado por la Ley 3134).

El sistema implementado posibilita que los juzgados de familia deriven al Organismo los conflictos familiares que se encuentran judicializados, en procura de posibilitar la autocomposición de las controversias, recuperar el protagonismo de los involucrados y generar una mayor participación de la ciudadanía en la construcción de una sociedad más pacífica, inclusiva e igualitaria.

En Marzo 2020, una semana antes de que el Gobierno Nacional decretara la cuarentena por la Pandemia COVID-19, varias familias participaron de diferentes procesos de mediación familiar; una de ellas, hacía más de un año que atravesaba mucha judicialización por el cuidado personal de una niña (5) y contaba con un antecedente de violencia doméstica por un incidente en ocasión de la ruptura de pareja.

En el encuentro de mediación arribaron a un primer acuerdo, en el que, tras mantener el diálogo por más de dos horas firmaron un acuerdo provisorio para continuar trabajando al cabo de dos meses; de manera de avanzar en el nuevo proyecto de vida familiar post ruptura de manera gradual y progresiva, intentando recuperar la confianza y el diálogo que se había vuelto prácticamente inexistente.

El acuerdo celebrado contenía un régimen de comunicación (visitas) paterno-filial por el cual el padre se comprometía a buscar a la pequeña para compartir 2 veces por semana varias horas y regresarla al domicilio materno.

A la semana del acuerdo, el contexto cambia abruptamente con el escenario de pandemia e incertidumbre sanitaria. Las medidas de emergencia extraordinaria en Argentina¹ consistieron en aislamiento social preventivo obligatorio (ASPO); permitiendo limitadísimas salidas sólo para aprovisionarse de alimentos o por razones de salud. El caos, la confusión, la falta o cruzada información, los miedos, sumados a la desconfianza de estos progenitores los encontró con un acuerdo firmado que uno (el no conviviente) quería hacer cumplir insistentemente sin importarle los riesgos de contagio que en esa fecha incluso eran prácticamente alarmantes, desconocidos y con información en los medios de comunicación aterradores para muchos; mientras que la madre, entendía que la niña debía quedarse en el domicilio aislada sin ir al domicilio paterno para evitar posible contagio.

En las idas y vueltas de intercambios de mensajes por Whatsapp en torno del tema, comienzan una escalada del conflicto, uno insistiendo que sólo le importaba el acuerdo firmado y que ni la cuarentena impediría que lo llevara a la práctica; la otra, argumentando que no iba a permitir que la niña fuese expuesta a contagio por ir con el padre, que durante un año o más no había estado en su vida. Discusiones privadas subidas de tensión llegaron a consulta de la

abogada de la madre y ésta se contactó inmediatamente con la mediadora, quien consideró necesario volver a articular espacios de facilitación de diálogo en ese momento privados con colaboración de los abogados/as para contener, facilitar y descomprimir la situación mediante el asesoramiento legal de los letrados y evaluar posibles escenarios.

A partir del 20 de marzo el Servicio de Mediación Familiar amplió las vías de comunicación con las familias y abogados/as, para atender situaciones de urgencia que pudieran requerir un espacio de facilitación como el mencionado en pos de ayudar a gestionar los diversos conflictos que fueron surgiendo; para ello incrementaron las líneas de telefonía celular, mails, plataforma zoom, iniciando aceleradamente una nueva modalidad de trabajo, la mediación remota.

Alicia González Vitale²

Argentina

¹Decreto Nacional 297/2020 recuperable en el sitio web <https://www.boletinoficial.gob.ar/detalleAviso/primera/227042/20200320>.

²Directora Provincial del Servicio de Mediación Familiar del Poder Judicial de la provincia del Neuquén- Argentina. Abogada, Notaria, Magister en Asesoría Familiar, Doctoranda en Negociación y Mediación en el IMM (2019 a la fecha) docente invitada de Mediando Metálogos, Espacio Sistémico y Redes Alternativas. Autora de varios artículos publicados en Revista Interdisciplinaria La Trama.

When seeing is hearing

Michael and Paula entered my office one January afternoon in the middle of a typical South African summer. The walk from the parking lot to my office had left them drenched with perspiration as the humid, suffocating heat of Durban enfolded them. Greeting them at the door to my office, I could not tell whether they looked hot and bothered because of the heat, or if they were just boiling over with anger towards one another.

I soon realized that it was more as a result of the latter than the former. Michael and Paula were hostile and angry - angry with the World, each other, and the numerous curve balls that life had thrown at them and which had left them financially and emotionally broken. While Michael and Paula had happened to arrive at the same time for the mediation, never was a couple further apart. They sat at opposite sides of my long rectangular table. Refusing to even glance at their soon to be ex-spouse. They spoke of the other with the venom of the African Mamba. Sharp, deadly, jaded words of sheer dislike and ridicule were traded back and forth. I held out little hope for this couple or the parenting plan that they needed to jointly put together.

My first session with them was followed by a second and a third. We made slow progress but enough to warrant each of them reassuringly advising me that they would be back the next week. All the while, Michael and Paula never spoke to or looked at each other preferring to direct all communication through me.

That was, until the deadly and much-feared COVID virus hit the African shores, closing businesses and driving families indoors. Face-to-face mediation was replaced with online sessions and whereas in the past Michael and Paula would have been able to swivel their mediation chairs in such manner as to not even see the other, suddenly they were in front of a screen....the great magnifier of concealed human emotions. For Michael and Paula both of whom were hypertensives with uncontrolled diabetes, COVID brought with it the fear of their children being orphaned. I watched as my clients' furtive glances at the screen became longer moments of observation. Taut facial expressions softened in the wake of disclosures of fears for themselves and their children. The tears accompanying Paula's usual outbursts of frustration were no longer met with Michael's derision but instead prompted a question or two... which yielded increased understanding between them.

An invisible virus had become a common enemy.

A screen had become the portal through which an estranged couple, while not wanting to reconcile, found each other again. Not as spouses but as parents with a common goal to give their children the best that they could despite the circumstances in which they found themselves. Parents willing to give co-parenting a chance to benefit not only their children but the generations to come.

And for me... their Mediator, this case brought with it the revelation of what happens when Parties really start to see each other. Not just in the concrete sense of "I see your form". But in the observational sense of "as I look and listen to you. As I notice your body language

and become alert to the inflections in your voice and the emotions that rise to the surface of your speech, so I begin to grow in my perception and understanding of what you are saying and where you are coming from". As a Mediator, I have come to realize that hearing is not enough on its own. Just as, seeing is not enough on its own. It is the senses working together in acknowledgment and honoring of the person who is sharing his or her heart, that brings seeing and hearing in its truest sense and delivers with it enough understanding to resolve a dispute.

For Michael and Paula, a lockdown necessitated an online mediation which led to an opportunity to view albeit behind a screen the fears, concerns, and needs of a parent. Michael and Paula are now divorced, but as they learn to co-parent together, I have hope for their children and the generations to come.

Tracey-Leigh Wessels

South Africa

Job Description: Be Your Own Family's Conflict Manager

Background:

Your situation is unique, nobody has the insight, experience, or understanding of the people and circumstances involved better than you. So it stands to reason, with the right skills, you are well placed to manage conflict, right? This story features skills found in mediation that real-life families used to overcome tough times themselves.

The family I am about to tell you about inspired me in how they overcame their own issues even though the two parents who came to me for mediation were locked in dispute. For months beforehand they had stopped speaking and refused to cooperate with each other but as we progressed through mediation both parents awoke their own conflict resolution skills. You can manage your own family's conflict, even if you are directly involved in the dispute itself. Here's how:

Create a safe space to address disputes

Firstly, both parents were arguing in front of others and their children were caught in the crossfire. Fights would break out at any time, without warning, and escalate quickly. Both knew that they needed to communicate effectively. They create a system of texting each other when there was a need to speak about a parenting issue. In the text, they suggested a suitable time and place to talk. They agreed with 'Ground Rules' such as no interrupting, mutual respect, confidentiality, and that the discussion was limited to the needs of the children. It took practice but the system took hold and conflict became more manageable.

Develop and use a toolkit for problem-solving

During mediation, it became apparent that the two parents often ran into a cul-de-sac whenever tackling an issue. In particular, their eldest son was having trouble at school and both parents struggled to find a way forward. This was particularly hard during the pandemic.

Their resourcefulness was amazing. They used their ingenuity and developed options that were positive and creative. They researched online for evidence-based resources such as worksheets and apps that their child could engage with. They spoke to a local family and mental health support services who engaged remotely through phone support and video calls. They relied on their wider families to help more and one uncle mentored the young boy while fishing and farming.

Guide and assist towards resolution

Mediators will be familiar with the phrase 'roll with resistance'. Our separating couple often could not get past the entrenched position the other parent took and often arguments came

down to a battle of wills and ended in a sense of victory/loss or stalemate. This, of course, makes resolution more difficult. These parents did two things: Firstly they changed their view of the differences between them. Rather than seeing the other person's unreasonableness, they treated their differences as boulders on a road that blocked their pathway. By viewing things this way they lessened the blame and personalisation of issues. The boulders analogy helped them focus and jointly work towards a resolution.

Secondly, they asked themselves 'What can I do this week to make things better?'. By doing something however small, each week the cumulative effect was transformative. Simple gestures helped the process move forward, e.g. offering to do a school run or helping with the children's homework, etc.

Identify and develop areas of agreement

Rather than just focusing on the areas where they disagreed both parents worked hard to emphasize where they agreed as well. They both agreed that separating would mean a better quality of life for all. They agreed that they had to work hard to get there, they agreed that mediation was the best way to achieve that and that the best interests of their children came first. From those agreements, they developed a mediation settlement that worked for everyone.

Already throughout your life experience, you have the competencies listed above. Like the parents in this story, you can manage your own dispute, even during the pandemic. Trust the skills that you have to do so.

David Gray

Ireland

The Peripheral Support Team that Holds You Up

Whatever your family has endured during the Pandemic, you will return to an old routine soon. It might not be the same, but you are always supported in ways you may have taken for granted before but will never take for granted again.

Have you ever thought about that barista who makes your coffee or latte as you stand in line at the local Starbucks as being part of your support system? Not the latte, the barista. And that grocery cashier at the local food store where you buy your meat and staple goods, or the man at the fruit stand and the lady at the flower stand you will soon pass again every day to buy your breakfast or newspaper as being part of your system for well-being?

It isn't only our close relationships that affect our health and well-being. I would posit that our health and well-being are equally impacted by those we might not think about but who are part of our sphere, who are contributing to our well-being nonetheless, what I call our Peripheral Relationships. Perhaps it is people out walking their dogs on a routine walk, or neighbors whom you don't know well but see out and about in your community on a daily basis. When suddenly these individuals, and the sense of community and well-being they provide by their presence alone, are resoundingly absent from our lives, we suffer in invisible ways; part of our safety net was torn.

It is not just our close friends and family, people we live with, and colleagues and those we work with whom we can look to for support. Many others are creating the invisible web that holds us up more than we might realize. Those peripheral relationships form a Peripheral Support Team for you. Think about it. Think about your peripheral support team. They create a safety net for you that you can count on to give you daily stability, they anchor you. This is vital during a time when our life might be upside down. When you are not present, which can happen when life gets turned upside down, they notice.

Allow yourself to be that we may not even see until it is not there. Those on the Peripheral Support Team form the often-unrecognized support that we rely upon for our well-being.

And when we are absent for one reason or another, the peripheral support team notices, and they might ask next time we see them: "Haven't seen you for a while, how's it going?". That's because your absence was noticed. That's because you matter. It could also be that neither one of you has an opportunity to engage at all, but they form an anchor in your life that you may not have even realized. The thump of the delivery man's newspaper every morning, the bells of the local church ringing, the choo choo of the local train conductor every evening. The Peripheral Support Team contributes to the foundation of our lives, which is so important in times when our lives feel upside down.

Human beings are designed for community, so it follows that our relationships are an important contributing factor to our health. Community — even passive community — heightens our sense of well-being and affects our bodies in concrete ways which are measurable in our

routine medical statistics. How safe, how reliable, how dependable is our life?

In an ideal world, each member of every family, household, and workplace would be a healthy individual. Families, homes, and workplaces need each member to be healthy individually to be healthy collectively, as a unit.

Each one of us also has plenty of peripheral relationships which sustain us. We may not fully appreciate, or even be aware of, these peripheral relationships. We may not appreciate or be aware of the richness and depth they add to our lives as individuals, and most importantly the routine and stability they provide us which positively influences our individual health.

The pandemic has brought many to recognize the unspoken interconnectedness they were unaware of before. Perhaps when you return to normal, whatever that is, or now, whatever that is, you give a nod to the cashier at your grocery store, your bartender, your barber, or the security guard you pass every morning on your way to work. To say thank you for being part of the support team that impacts my quality of life. Thanks for providing me stability. Thanks for being reliable. Thanks for allowing me to count on you and to provide for me.

These are not relationships we cultivate over Zoom, but by their presence, they form part of our safety net, part of the sense of community for which human beings are designed. In the absence of our everyday relationships, our bodies can experience a form of collective trauma, a subconscious signal to the brain that we have been cut off from a resource that is vital to our wellbeing. By reconnecting with these peripheral relationships, we can restore the energetic flow that allows us to heal and live fully again.

Louise Phipps-Senft

US

COVID 19 has a lot to answer for

It has certainly challenged the meaning of 'normal' for all of us no matter what our circumstances. As we know some couples dealing with relationship breakdown, and still living in the same house, found themselves 24/7 in a pressure cooker of tension, which for some led to an escalation of conflict resulting in applications to Court for Domestic Violence related orders.

Whereas I dealt with a number of such cases, thankfully this was not the situation for everyone. You know the saying 'Every Cloud has a Silver lining' - well I had a case where the parties were living separately but in very high conflict. They found it very hard to make compromises or decisions such as the lack of trust between them. We had worked very hard on the communication between them and were slowly getting closer to an agreement when the first lockdown hit in March 2020. Both lost their jobs and were surviving on Government COVID payments so Mediation was suspended given their changed financial circumstances until things got back to 'normal' and they were in a better position to make final decisions. None of us could have foreseen the never-ending saga that has ensued.

The couple returned to mediation (on-line) recently and having dealt with so many couples in heightened difficulties during the pandemic, I was pleasantly surprised to find two people who in the face of adversity, had learned to deal with each other in a more conciliatory fashion and were now hugely supportive of each other, particularly around looking after the children. Access had continued without difficulty, which surprised me as initial confusion around access during the first lockdown meant that some parties were either afraid to move the children between two households or one used it as an excuse not to facilitate it. It was also previously a point of conflict for them. We were quite agreeably able to review what we had previously done, much of which was still valid. We reworked the finances with a during COVID and Post COVID agreement, and we were able to finalise their agreement.

The couple said that so much had changed in recent times, it reminded them that nothing has any certainty. They had realised the futility of how they previously engaged with each other and how destructive their anger was, not only to each other but also for the children. They had stopped being afraid of the outcome as none of us know what is around the corner and COVID 19 has certainly reminded us all of that! One of the things that had helped them do this was that they agreed they would not discuss things if one of them was angry. They had made it safe for either of them to say 'I can't talk about this right now' and they would agree when they could discuss it and would always follow through with the agreed time.

I would like to think that the work we did in the mediation room before lockdown, looking at triggers, impacts, and outcomes, gave them some new tools in their kit bag that enabled them to handle their conflicts in a different way and thereby facilitating a somewhat happy ending and a 'New normal' for them!

Pauline Eustace

Ireland

A Window Into their World – Online Dispute Resolution

In my area, the courts have been operating on some sort of reduced service since March 2020. I temporarily closed my physical office at about the same time due to social distancing concerns. I've been practicing Online Dispute Resolution (ODR) via Zoom since April 2020 in an attempt to offer continuity of care to my existing clients and a viable alternative to new clients and for those who cannot receive court services.

I had never offered mediation online before and had lots of fears and expectations, but none lived up to my actual experiences. At that time, the whole world was becoming Zoom-savvy. I would tell my clients that even my 78-year-old mother had managed to figure out how to take her Pilates classes on Zoom so I'm sure they could figure it out too! And slowly, mediation came to Zoom.

And that is when I got a glimpse into the resiliency of the families struggling with issues during this pandemic. And I was astounded by what I saw. For the first time as a mediator I was literally looking into the homes of the families I was serving. I mediated a mother crying in her daughter's closet – because it was the only private place in the house she could get away from the children. I've had sessions interrupted by children who are being home-schooled and know mom or dad is right there in the next room. I've mediated scores of people sitting in their cars because it is the only quiet, private place they can find since their house is full of other people working or going to school. I've even mediated couples where one spouse is on a computer upstairs and the other spouse is on a computer in the basement. Just a few short months ago these scenarios would have seemed outrageous and would have been unnecessary. Today they are the norm. And of course, everyone who has spent any time on Zoom can tell a story about an errant child or pet roaming through, or some terrible technology glitch.

My particular favorite is the client who applied her full face of extensive make-up – false eyelashes and all – while we were mediating. Apparently, she was headed right out to work.

All of these clients were motivated to find a way to work with their co-parent in any way possible. They did not allow the court closure or the inability to meet in person to delay their desire for dispute resolution. In fact, I am finding that ODR is working just as well as in-person mediation. Many of my clients actually prefer ODR to in-person mediation. Some of the reasons they cite are: no commuting or parking issues, allowing for more flexible scheduling, not having to wear a mask, not having to see their co-parent in person (especially helpful in very contentious cases), feeling more comfortable in their own home. While I've had to adjust as the facilitator of these conversations, I too benefit from these changes and believe that ODR in some fashion is here to stay.

Lisa Sundquist

US

How you approach a disagreement matters!

Separation is challenging, going through a separation during a pandemic can be more challenging. If you are like many of the families I have worked with over the last several months you are no doubt managing a considerable level of stress.

While the pandemic has impacted everyone, it has impacted some families more than others. It is not surprising that a family where one or both parents have lost their job (or now have a reduced income), work on the front lines, or have different risk tolerances have a few more hurdles to get over.

In my role as a mediator, I am continually impressed with how resilient the people I work with are, and bringing out their creativity and resourcefulness is really important. This resourcefulness is much more likely to occur when both parents are willing to approach or frame the circumstance of the pandemic as the adversary and not the other parent. The other parent is the counterpart that is struggling with some aspect of the same problem. When parents can work together to solve the problem together they are both better off.

If you are having difficulty making decisions with your spouse or co-parent try to focus on discussing options that might work. This will often decrease conflict and also increases acceptance of the outcome because both parents were involved with the decision making. It is also helpful when both parents understand the need for mutual satisfaction and that their personal best-case scenario is not the goal – sometimes the goal is something you can live with.

Amy Robertson
Canada

Connecting through the clouds of conflict - supporting a new dawn for fractured families

“The one thing we’ve learned is that we never learn” observed radio host Brendan O’Connor drily on the last day of January 2021. He was referring to Irish lockdowns - how we handle both them and the recurring differences between our public health leaders and politicians.

Families in strife are sometimes given to similar declarations. Likewise, are some people outside these families – who may move to distance themselves from poor behaviours and choices; and the people who’ve made them. Totally understandable but also isolating for those most in need of connection, a bit of humour and support.

The job of friend or ally may be tough. Key adults in the fractured families get that. They also appreciate, in mortification, the additional toll some of their behaviours have taken. Neighbours may have had their peace disturbed. Older generations may have been devastated by an extra-marital affair in the family.

But do we sometimes make other people’s mishaps more about ourselves? Give more import to the offence - and distance - we take? Do we contribute to making things more public than they need to be? Do we make ‘humorous’ comments – ensuring the person pays for their mistake time and again and is never able to put it behind them?

Perhaps we all need to learn, to cultivate compassion for ourselves and ‘others’. To be catalysts of connection with people who knew isolation long before COVID.

Ways in which we might do so include asking, with kindness:

- What is *really* like to be this person right now?
- What might help this person and his children - or indeed, this child and her parents – feel more secure, supported and content?
- How can I work with this person’s capacity – i.e. with where he is now - to help reduce his load?
- How can I demonstrate higher thinking? With the aim of helping repair, recovery from conflict and an easier adjustment to change?

We’ll be off to a good start once we can move beyond actual, or metaphorical, finger-pointing and blaming. When - instead of reacting or retreating – we can ask kind questions with a gentle curiosity, compassion and respect. When we can understand that the person in turmoil may not be able to fully articulate right now; when we are happy to wait and support them when they can.

Keave O’Donnell

Ireland

Mediation as a Solution to Heightened Stress and Emotional Turmoil

The pandemic has significantly slowed down the already slow New York City court system, stalling out many divorce and family law cases as the courts deal with back-logs of cases resulting from the full closures in Spring of 2020. Creative lawyering is necessary to help families move forward. The clear benefits of divorce and family mediation are now much more on display to most practicing litigators as a way to help clients reach results while bypassing the pains of judicial intervention. Here are three examples of cases that involved heightened stress and emotional turmoil due to the pandemic, where the parties benefited from a mediated resolution.

Fights Over Child Relocation

A client, let's call her "Becca," called me in a panic: during the height of the Spring COVID-19 pandemic in New York City, she had discovered that her husband Paul was cheating on her. As schools closed, Becca was unable to keep up with her job and their 7-year-old son's remote schoolwork. She was fired, while 8-months pregnant, now unemployed and home-schooling. Exhausted and isolated from her extended family, she fled the city to Vermont where her parents could help her. Her husband Paul responded with several emergency court filings all aimed at forcing Becca to return to the city with their son and his newborn sister. His court filing called her a "bad parent," and claimed that she was trying to keep him from the kids, despite the clear stress created by his own actions.

As the COVID-19 numbers increased in New York City, some parents moved to other states to be with family for support, or to larger homes in more rural areas for peace of mind. The resulting fall-out has been all manner of custody and child access disputes, including writs of habeas demanding the return of kids to the city. Some cases have involved disputes between courts as to which court should even hear the case (who has jurisdiction).

Another case in my office involved a mother who had fled to Hawaii without the children and was demanding that they be permitted to "make-up" time with her for 6-months in that island state, despite the time-difference that would impact them during school remote hours.

In Becca's case, we slugged through court, and after 9 months had favorable results of a forensic psychological parenting assessment, which gave us leverage against her husband. Paul had been resistant to mediation until that point because he thought the court would "punish" Becca for leaving the state. But after the evaluation pointed out Paul's role in creating the situation, Becca used the opportunity to suggest mediation as a less expensive and fast way of hashing out the remaining issues in her case.

Delayed Starts

A client, let's call her "Jess," was prepared for kicking off her divorce with a request for her husband to move out of their apartment, where he had been increasingly fighting with her in

front of their 2-year-old son. The Summons was filed and ready to serve, but the courts closed in New York City shortly afterwards, and legal deadlines were extended. To Jess's dismay, this potentially meant that once her husband was served the divorce, his time to respond would be extended. Not only that, but the strife in their home wasn't to a level where a Court would be likely to exclude him from the residence, meaning that they would be stuck living together.

We agreed to delay serving her husband the divorce papers. But, as the pandemic lags on, the toll of living together became too much, and we served her husband the papers. Rather than a full-motion to the courts, Jess was able to convince her husband to attend virtual mediation sessions and they worked out a move-out agreement together. This saved them thousands in court fees and untold time.

Other cases were not so lucky. One of my clients waited to serve his wife, only to find that she lost her job due to the pandemic. This forced a much less generous calculation of support. Another case, my client's husband spent down marital assets while she was waiting for "the best timing."

Fast-tracking: From Trial to Mediation

In some cases headed for trial, the parties did not lose the chance to move forward and took a pivot to mediation. One set of clients, I will call them "Margot and Jude," had been in the court system for over a year. They were headed for trial dates when the New York courts closed. Fortunately, they had entered into a court-ordered stipulation that allowed Jude to move into his own apartment and settled child support and a temporary access schedule. This gave them both time and space that they wouldn't have had if they were shuttered together in a small city apartment. While the case was still extremely contentious, cooler heads prevailed and they agreed not to waste time waiting for the court system to reopen. Margot and Jude opted to attend virtual mediation sessions where we were able to resolve all issues in their divorce (with some minimal negotiations between counsel outside of mediation).

Morghan Leia Richardson

US

Familia y escuela en pandemia

Mediador, miembro del Equipo de Mediadores Escolares del Gobierno de la Ciudad Autónoma de Buenos Aires, Argentina.

Escuela y familia interactúan en el proceso de aprendizaje de los y las estudiantes. Esta interacción incluye situaciones conflictivas y la pandemia las ha intensificado.

Como Equipo de Mediadores Escolares fuimos convocados a intervenir en esta situación conflictiva escuela- familia y en un conflicto intrafamiliar.

La familia “Martinez” está compuesta por dos mamás: Cynthia y Rosa, Ana (12) y Andrés (10). Cynthia, madre biológica de ambos, trabaja, estudia y se ocupa de los aspectos educativos. Es una militante por la diversidad. Frecuentemente actúa de manera impulsiva y con modos agresivos. Rosa es calma y retraída.

En la primera entrevista con la escuela, el Equipo de Conducción nos planteó dificultades de comunicación por el “estilo agresivo” de Cynthia. Relataron que al comenzar el Aislamiento Social Preventivo y Obligatorio (ASPO) Ana y Andrés dejaron de contactarse con la escuela. Describieron situaciones de tensión con Cynthia desde 2019, cuando ingresaron a la institución. Solicitaron nuestra intervención para la reconexión de los dos estudiantes.

En la entrevista con las madres Cynthia acaparó la palabra. Describió las “luchas” que históricamente enfrentaron ante discriminaciones por las características de su familia. Se quejó de la conducción de la escuela y especialmente de la maestra de Ana. Se mostró batalladora y dispuesta a enfrentar ferozmente a sus adversarios. Rosa prácticamente no habló.

Para Cynthia el conflicto con la escuela se centraba en que la maestra de Ana, enviaba las tareas por e-mail. sin responder a sus reclamos o preguntas, en cambio la de Andrés se contactaba por Whatsapp con fluido intercambio. Esta diferencia era significada como discriminatoria. Reclamaba el mismo trato. Y se negaba a que Andrés hiciera tarea y Ana no.

Por su parte, director y maestra se sintieron maltratados cuando a fines de marzo, Cynthia los acusó de discriminadores. Se pusieron a la defensiva. Para ellos la diferencia simplemente radicaba en la modalidad de cada docente. Ante los ataques, eligieron restringir la comunicación: No contestaban los e-mails por considerarlos agresivos.

Al avanzar en el proceso y construirse confianza, en las reuniones privadas Cynthia empezó a mostrarse sobrecargada. Trabajaba, estudiaba y se encargaba de la educación de sus hijos. Contó que un familiar falleció por COVID-19. Quedó claro en su relato que tomaba casi todas las responsabilidades y subyacía la idea de que Rosa estaba capacitada solo para cocinar y limpiar. En uno de los encuentros nos contaron que tuvieron una intensa discusión entre ellas. Rosa expresó su deseo y necesidad de colaborar con la educación de Ana y Andrés. Le pidió a Cynthia que confiara en ella. Emergió claramente que hacía años que en la dinámica de la pareja Cynthia quedaba en un lugar de preponderancia por “estar a cargo” y Rosa relegada en una posición sumisa. La pandemia puso este desequilibrio en evidencia y generó

la oportunidad de abrirse a nuevas posibilidades. Acordaron entre ellas que Rosa estaría a cargo del vínculo con la escuela y de ayudar con las tareas a sus hijos.

El conflicto escuela-familia fue encarado mediante un proceso de mediación donde cada uno explicitó perspectivas y necesidades, repararon malestares y diseñaron un plan de trabajo colaborativo para que Ana y Andrés pudieran estudiar. El estilo más calmo de Rosa favoreció la recomposición de la relación familia-escuela. Por su parte, Cynthia, comprendió la perspectiva de la escuela y aclaró que la pandemia había intensificado sus dolores por anteriores vivencias discriminatorias.

En este caso el estrés de la pandemia generó dificultades pero también la posibilidad de equilibrar los vínculos de un modo saludable.

Guillermo Mario González

Argentina

Maybe Hope is Contagious, Too

The Conciliation Court manages a panel of mediators and supports negotiations of parenting plans required by statute. Suddenly, the entire courthouse was shut down for a day of deep cleaning when some court employees tested positive for COVID-19.

The pandemic wave brought unforeseen changes. We abruptly shifted from 40 years of in-person parent education classes and face-to-face mediation sessions to an assortment of live experiments with webinars, video, telephonic, and email mediations.

As COVID-19 cases increased, so did concerned calls from parents wondering how to protect their children and safely co-parent from two homes. Did they need to modify their Parenting Plan? Did they need to remediate? I, too, became concerned, fearful, and worried about how to help parents and children.

Then it happened. I received an email that would help me get out of my COVID slump. The story “My Ex and I Fought About Everything. Then Came the Coronavirus” by Hanna Ingber in the New York Times brought new insight. “We both wanted our kids to be healthy, but we rarely agreed on what that looked like,” Ingber wrote. Their arguing and parental conflicts continued after the divorce. As anxiety and fear about the global pandemic grew their parental conflicts grew, and communication suffered.

But then when the pandemic hit, they decided to “discuss the topic like sane adults” and began respectfully sharing information and resources about the pandemic. They used the pandemic as an opportunity to approach their co-parenting differently and focus on their kid’s best interests.

This story renewed my hope and trust in parents as the experts on their child, family, and situation and doing right by their kids.

Hopeful and inspired, I too decided to use the pandemic as an opportunity for positive change; an opportunity to take a more creative, mindful, and reflective approach to my parent education classes and mediations. So, later that day, when I got a call from a concerned parent asking about modifying their parenting plan because of the pandemic, I was more hopeful and optimistic as I shared ideas, options, possibilities, and resources from a place of empathy and humility. The pandemic call ended with a plan to take the next parent education class and I would call later.

While the pandemic forced unwanted changes, renewed hope inspired realizing the opportunity the pandemic presented to get creative, create new and improved handouts, resources, articles, links, video clips, and websites for a refined parent education class.

With a renewed perspective of parents as the experts and the best ones to make decisions about their children, I went to work on a new and improved class, as a webinar, sharing new information from resources such as:

- The Association of Family and Conciliation Court’s website and its amazing collection of free resources for families, including guides on family mediation, parenting plan guides and templates, “Co-Parenting Communication Guide” and “Planning for Shared Parenting – A Guide for Parents Living Apart.”
- The “UP to PARENTS” website with free videos and articles for parents like the “Child Safety Zone.”
- The book and website; “Living Together, Separating, Divorcing: Surviving During a Pandemic” with its 70-plus contributions.

When I followed up with the parent who had called earlier, I was pleased to hear that they had already mutually agreed on what they needed to do to parent in a safe and healthy way during the pandemic. I do not know what inspired them but the opportunity during the pandemic affirmed my faith in parents as the experts on their conflicts and their children.

Maybe hope is contagious, too.

David Hubbard

US

Late Life Divorce

Longer life expectancies, expectations for fulfillment in later years, and the increased trend in gray divorce, all challenge the effort for personal retirement planning. Accumulating assets necessary to live comfortably beyond one's working years requires planning. But what happens when those assets are split in a divorce and income has to maintain two households? Divorcing on the cusp of retirement takes place in peak earning years with a lifestyle reflecting the accumulation of wealth. It is a powerful reckoning for clients to realize that peak earnings funding a household's mature lifestyle may not last longer than a few years and maybe insufficient to support two post-divorce. The efficacy of their retirement planning may be sorely tested if not destroyed by divorce.

Retirement, when coupled with divorce, represents a significant transition in lifestyle, family relationships, and financial wellbeing. What does divorce mean for older couples? Major concerns include worrying about spending on health care, the need to downsize, anxiety about what happens when no longer earning income, and apprehension about achieving financial independence. The pandemic naturally heightens anxiety, but also may bring clarity to what really matters and be conducive for productive conversations about a precarious financial situation. A crisis can be a turning point in a relationship: healing or rupture.

These are unusual times and the pandemic affects us in different ways. Some people have lost their job, some are working harder, some people work only from home, and some people have to reinvent how they work or what they do. For age 50 plus workers, the crisis really highlights serious challenges – effects of age discrimination, lack of “in demand” skills, health risks, limited emergency savings, and lack of paid sick leave/family caregiving leave. If trying to support two households after divorce, it is tough to generate higher earnings in a career late in life as well as daunting to get back into the workforce if having been a homemaker and out of the workforce for many years.

However, older workers might be more resilient in some ways than millennials. They are more capable of adapting and very effective in dealing with various strategies for restoring how they engage and how they respond to disruptions in their career. Older workers tend to self-regulate much better at recovering from work demands. Others who are resilient financially, are less likely to be struggling. Many older adults become entrepreneurs by choice and technology facilitates these connections easily. The biggest risk is uncertainty about replacing earned income.

Recently I worked with a divorcing couple where the husband left his W2 job to start a business in social strategy services based on his connections, networking, and his passion to improve socio-environmental workplaces. His wife re-tooled her skills to gain her realtor license and learned online showcasing of homes for sale. Their kids returned home from college to quarantine and quickly grasped how not to be financial drains on their divorcing parents' limited resources and reduced income. The family had savings to fall back on, but it was the consent of both spouses to use savings to create a different lifestyle and to carry them forward post-divorce.

Financial matters are typically the primary issues to resolve in divorce. Late-life divorce is different because there is a shorter time horizon to replenish savings before retirement. However, one should not underestimate the emotional pain that also comes with divorce: inexperience with becoming self-sufficient, psychological and emotional depression.

Without proper guidance, gray divorcees may be sacrificing and compounding the risks for their own future security. Retirement concerns can be eased greatly during divorce by planning ahead and laying a good foundation for financial security. Divorce financial planning for late-life divorcing couples has the potential to eliminate the biggest financial concerns about retirement.

Lili Vasileff

US

Stages of Divorce: Learning to Mediate your Own Divorce

In 1999 I survived a life-threatening divorce and hired two of the most famous and expensive attorneys in Los Angeles. During the process, I wrote a book. I included tips from each of the divorce experts who helped saved my life. Since then, I have helped people learn how to move from Panic to Peace without taking prisoners or becoming one themselves. What are the most important skills you need to have a safe, peaceful, fair divorce?

1. You **MUST** learn all your financial options before discussing divorce with your partner and that means consulting with a CPA specializing in divorce before saying the “D” word at home.
2. You **MUST** learn how to motivate and inspire your partner to a peaceful, fair divorce. This requires learning Self-empathy and Empathy.

Let’s imagine that you are a woman with young children who wants to divorce; here is one example of a peaceful conversation with your husband; the first of a series that anyone in this situation will need to have throughout the divorce process. Let us also imagine that she has already taken my suggested Step 1 and has sent all the family’s financial information, including income, assets, and debts to a CPA for a confidential consultation. At this time, she does not hire the CPA; she does not pay a retainer; she simply pays for the CPA to “run the numbers” which normally takes a few hours of the CPA’s time.

Remember, the more skills you acquire to motivate other people, the more successful you will be in co-creating any solution in your life. Conversations for a peaceful divorce do not depend on the topic around which the marriage has ceased to thrive; it is the tools and skills that are key.

Wife: “Bob, I know that you’ve been feeling very frustrated for a long time because we don’t have the passion that we had in the beginning, right?”

Husband: “You got that right! You act as if I have COVID even though I don’t!!!”

Wife: “I can hear that you feel angry that I haven’t been the passionate wife I was when we married, is that what you mean?”

Husband: “Well finally; you admit it! NO more pretend headaches!”

Wife: “I know you feel really disappointed that the emotional connection we had in the early days has changed; am I understanding you?”

Husband: “Yes!” (now his anger has dissipated because he’s been heard and understood and at this point, he can begin to listen)

Wife: “I’m wondering if you would be willing to discuss options that may help us.

Husband: “Sure; what do you have in mind?”

Wife: “I know, Bob, that you have always enjoyed sex more than me; I know that you’re only 60 and I’m 55 and it’s not likely that my desire will increase as I get older and you have a long life ahead of you during which you deserve to have the love and passion that you want; do you agree?”

As the Wife learns how to Motivate and Inspire her husband which are essential communication skills, she will create cooperation instead of push-back.

1. Some partners in this situation aren’t sure that they want to divorce and this conversation, properly managed with skills, leads to reconciliation.
2. As she learns to empathize with her husband, he will be less inclined to fight and options that they didn’t consider or discuss before can be considered.
3. If the husband has motivation and inspiration skills, this is the time that he can finally be heard, and again, depending on his skill level he may be able to encourage his wife to reconsider marriage.
4. The key, if the Wife is definite that she wants a divorce, is to always be calm before speaking and always be compassionate when she does, so that she can be heard and so that cooperation is possible.

As the Wife continues to utilize the services of the CPA, she will be able to avoid utilizing an attorney’s services and can hire a mediator who will work with both partners to create a fair, peaceful, and INEXPENSIVE divorce that is cooperative and avoids creating emotional and financial disaster for the parents and the children! By learning the 7 Stages of Divorce© and how to manage their communications, couples only need a mediator to create the final paperwork and file it with the court; everything else can be accomplished by one or both of the spouses!

Susan Allan

US

Is Revertigo Fueling Conflict at home or work?

Do you ever find yourself acting (out) like your five or fifteen year old self? If so you may be affected by *revertigo*!

Revertigo is the act of reverting to old patterns of behavior when around family or others from your past. I unexpectedly came across the term revertigo while doing research for a class on Family Patterns and Conflict in the Workplace. This evocative word was created not by psychologists, but by writers on the popular sitcom, How I Met Your Mother. (Castles in the Sand episode April 2008).

When I heard it, I was immediately struck by the accuracy and value of this term for certain kinds of conflict, not only with family members but with people at work as well.

I am a relatively mature adult, with a lot of communication wisdom, and clarity. But with some members of my family or certain authority figures, I can get triggered to feel fifteen or even four years old and act accordingly, with predictably awful results.

With old friends, revertigo can have a playful aspect, but if our parents or siblings are still seeing us at fifty as if we were fifteen, and we respond accordingly or if we start acting like nine year olds with our supervisors or spouses, we can quickly find ourselves in deep communication trouble.

A client I'll call Bettina is a perfect example of this pattern. Bettina, an HR professional, was having serious problems getting along with her supervisor, Carla. Bettina found herself reacting defensively or arguing with Carla over any feedback or instructions she gave her. Although Bettina was extremely good at other aspects of her job and got along well with most of the other HR and administrative staff, this conflict was affecting her evaluations and other relationships at work. She had to heal this for her own sake and for her job.

Through coaching sessions, Bettina and I examined why this relationship was triggering her and what was fueling her conflict with Carla. In fact, she realized the supervisor reminded her of her cold and critical mother. With awareness, reflection, and guided visualization, Bettina was able to separate her attitude toward her mother from how she felt about Carla so she could interact with more detachment and professionalism.

How can you change this pattern?

If you, like Bettina, are around people at work or in your family or both who trigger revertigo, here are some tips to help you avoid acting out that old behavior, or catch yourselves quickly if you do start reacting:

1. Be aware. What tends to trigger your revertigo? By reading this article and by reflecting on past situations, you can understand more about what might set you off. As soon as you

notice yourself beginning to react, you can pause and intervene. A few deep breaths or a quick trip out of the room or away from Zoom can help you return to an adult response. Naming your feelings can also help you detach.

2. Acknowledge your inner child/teenager but don't let him or her run the show. Those feelings and impulses are real and are there for good reasons. These parts of yourself deserve support, but must not be in charge. Thank him/her, but set boundaries.
3. Listen carefully in a detached manner, gathering information calmly rather than reactive instantly. Is there a grain of truth in the triggering person's comments? Are they way off base? Do you need to respond at all? You can analyze this calmly rather than react as you may have done as a child or young adult.
4. Practice the new behaviors. As I often tell my clients, managing conflict is an absolutely learnable skill. But, like all skills, it takes practice, repetition, and patience. You may not be able to respond completely with the new approach the first time you try (or the tenth) but you can definitely get better at this.
5. Remember how the other person sees you isn't your truth, only their limited perspective. They are not the all-knowing judge of who you are. And, unless you allow it, they do not have the power to turn you into a rebellious teenage or acting out child.

By the way, I recently learned that psychology does have a professional term for this issue--associative regression. But I still think revertigo describes it best!

Lorraine Segal

US

A version of this article first appeared on the Conflict Remedy blog.

Parenting Plans Turned Upside Down due to COVID – New Conflicts and New Resolutions

Who would have ever imagined that following a parenting plan could or would be filled with so many challenges and heartaches? If you think conflict is hard within a relationship, it's even harder to resolve once the relationship has ended. Whether you've been out of the relationship 2 weeks, 2 years, or 10 years one thing is for certain - "old ways of conflict" are sure to play out over and over again. Do they ever go away or will they stay as the game forever?

The global pandemic of COVID -19 has brought out the best and worst behaviors in everyone. No one has escaped the pitfall of these trying times, especially those who have shared parenting time. The battle for equal time and health concerns is at an all-time high, and words like, "socially distance, quarantine, stimulus check, virtual learning, that's not fair, you owe me, and I'll take you to court" are thrown around like confetti. The exhaustion that mounts from the ongoing conflict and the uncertainties of the pandemic has everyone wondering what is fair? What is just? And what is safe? In some cases, the parties are using the pandemic as a way to isolate the child from the other parent.

Parenting agreements that were working successfully before COVID became an unexpected source of conflict with the changes in both school and work due to COVID. A common example was the case of one family in which the pre-COVID plan provided for Mom to have parenting time Monday to Thursday, and Dad's to have Thursday after school to Sunday evening. Now that the kids were home instead of in school, Dad felt that Mom had more time with them than he does, which changed the nature of their parenting time-share and made it "unfair." At the time in which, due to COVID, most courts had shuttered or were only addressing emergency hearings, many parents were seeking court intervention to modify the existing parenting agreements. The cases resulted in parents arguing fairness vs. the health and wellness of the children. However, when courts in many jurisdictions issued guidance that parenting plans would not be changed solely due to virtual or in-person learning, parents had to find non-court methods to resolve their concerns. This has opened new pathways for conversations and methods for reaching resolutions which hopefully will be meaningful for conflict resolution even when COVID-19 is no longer a reason for co-parenting challenges.

Sheila Cole

US

Change your Mind, Change your Life

When the pandemic arrived in March of 2020, as it was with most of us, I had difficulty apprehending what this meant and what the impact would be; on myself, my business, my family, and my clients. Making this time more confusing and emotionally intense, my older brother had a heart attack on March 23, 2020. He did not survive. My brother and I were extremely close. His loss could not have come at a more difficult time. He was survived by a daughter, a young adult, in her 20's and still struggling to find her path in life. Witnessing her lose her #1 supporter has been devastating.

Like many families who live in Southern California, my husband and I work full time. We have two daughters, MJS, 11 years old and in 5th-grade, and CSS, 6 years old and in kindergarten. When my daughters were sent home from school in early March, we believed they would be home for a couple of weeks and then they would be back in school. As weeks turned into months, it became clear, this situation was much different than anything we have ever dealt with or even contemplated.

A week after my kids were sent home from school, my husband was laid off from his job of 13 years. Unfortunately, he worked in hospitality, one of the hardest-hit employment sectors. The situation seemed insurmountable; I was grieving the loss of my older brother, my family lost one of our sources of income, my children were home from school for what appeared to be an indefinite time. As we March moved into April, calls for mediation services stopped.

As if the universe knew what I needed, a friend reached out and invited me to join her 8-week long Mind-Body Skills group. We met every Friday for 2 hours via Zoom and learned how to work through our stresses, meditate, and appreciate the time we were being given to re-evaluate our lives. Support from this group was exactly what I needed. It helped me shift my mindset and look at this time as a blessing and an opportunity, and not as the chaos I was currently experiencing.

After shifting my mindset, I realized that having my husband at home removed the pressure of figuring out what to do with my kids when I needed to work. Both children were involved in remote learning from March through June. My husband received unemployment which helped our finances. And, we agreed he would not search for a new job until we had a better idea of when the kids could return to in-person classes--which did not happen that school year. During the summer, instead of paying hundreds of dollars to send the children to summer camps, my husband invited two of the kids' friends to spend the summer days with us. This was wonderful for all the children and allowed the friends' parents to work as well.

After the initial shock of being home all of the time, I started to enjoy not having the pressure to get up and rush out the door every morning. My days became less chaotic and I was spending more time with my children and husband than before. Other families had similar experiences as they realized this "new normal" would not change any time soon. When clients began calling again, my colleague and I pivoted to providing our services remotely and put in place policies and procedures to run our mediation firm as an entirely remote business.

Family Conflict During a Pandemic: Stories of Struggle and Hope

Clients would tell me that having their family forced to be home and not traveling for work or spending long days at the office, brought about a new connection that had been missing for years. I do believe it was a great reset...a time for individuals and families alike to rethink how they spend their time and whether that time was being efficiently used. Many companies realized the costly employee travel schedules may not be necessary. More and more employees were forced to figure out how to work remotely and realized it was a far easier transition than anyone could have thought.

However, good things are sometimes balanced by the bad. Children (and parents) could no longer rely on school attendance for daily structure. Meals might not be served at set times. Couples who required occasional physical separation found that virtual learning and remote work intensified the stress within the family. As a consequence, the vision of families becoming stronger and closer was replaced by rising tensions. Families slowly realized there could be such a thing as TOO MUCH time together. By contrast, after several months of our family being sheltered together, I experienced separation anxiety from my family when I did start spending more time at the office. For too many families, however, that wasn't the case. Tensions within families began to spill into our streets and neighborhoods. A storm was coming, and we all felt it.

Reports appeared that divorce rates were higher than ever, racism and social unrest were increasing, and the country started splintering along political, social, and economic fault lines. As I write this, I would like to believe that, in early 2021, following the disturbance at the Capitol, with vaccines offering a way out of the pandemic, we may now be on a path to more solid ground.

If 2020 taught me anything, it was to respond to the unknown and the unexpected with patience and self-care. Finding peace at the intersection of the unsettled, unknown, and unexpected offers a measure of comfort. As a professional family mediator, I have learned to be at this uncomfortable place with my clients. At first glance, it may appear to be an uncertain and scary place. If we can adjust our mindset, to see the opportunities among the challenges and stress, we may also find hope and new beginnings.

Jennifer Segura

US

Section 4

Not for profit organizations and government agencies that had developed programs to provide help to families found that their services were in even greater demand during the pandemic. In this section, several of these programs that provide help with psychological, legal, mediation, and housing matters are featured. As well, we include essays that offer information and advice on related topics.

Community Hubs for Separating Families: An Innovative Response accelerated by COVID-19.

Sadly, COVID is magnifying pressures on families, accelerating the impact of issues that traditionally undermine family relationships and end in separation.

The court system, already backlogged with cases, and struggling with the exponential rise in self-represented litigants (now over 70% in many locations), is faced with informing couples that it may take 2 -3 years before their cases can be heard. At the end, less than 5% go to trial. What if cases were assessed at an early stage so that urgent cases were fast-tracked while others diverted before an action was filed?

The delay is disturbing news for the rising numbers of women trapped in abusive relationships and for those relationships that have frayed due to a multitude of stresses - emotional, financial, health, as well as changing work and parenting roles.

When both married and common-law couples are counted, separations likely affect more than half of Ontario families. Prior to COVID, concerns were frequently raised about difficulties navigating the separation minefield – too expensive, too long to reach a solution, and too adversarial for an already strained parenting relationship. Clearly, this is a call for new ideas!

Crises can provide opportunities. It is time to revisit former Chief Justice Beverly McLaughlin's Access to Justice Report, 2013. She recognized the need for a more holistic, supportive, affordable process that encouraged early information about responsibilities and rights, and referrals to affordable community services.

Our focus is on providing guidance to clients on the issues that most concerned them. Some of these issues are legal, but many are fueled by relationship issues, mental health, addiction, financial struggles, and parenting conflicts, that if left to fester, stoke the fire that may end in separation. What is needed before initiating an adversarial process, is the opportunity to have a low cost, professional triage/planning meeting to ensure that family members are safe, identify the couple's immediate needs, provide information, and refer them to appropriate community resources.

Early intervention can help families to address the emotional, addiction, or abuse issues that often fuel relationship breakdowns, thereby feeling better prepared to address the legal and financial issues more calmly. A client-centred focus asks individuals and couples to identify their priorities and then assists them to create a supportive and affordable Separation Plan.

Such an approach is being launched! In keeping with the Access to Justice Report, Community Hubs for Separating Families are currently being created in three Ontario communities, Durham, Barrie and Ottawa. Requests to create Hubs have just arrived from 4 more communities! The plan is to implement this model across other jurisdictions, in Ontario and beyond.

Here is the basic plan with some individual differences across locations. Clients can find us on our website www.separationpathways.com or through a user-friendly online tool, the Family Law Portal (www.familylawportal.com), created by Ryerson University's Legal Innovation Zone (LIZ). The Portal has a "25 Clicks" app that offers an overview of Family Law requirements and responsibilities for both parties and includes several questionnaires to assist clients in gathering information required for their separation process, all free of charge.

Those who wish to speak to a professional are directed to a brief online Intake Questionnaire. The purpose is to gather basic demographic information, conduct an initial screening for Domestic Violence and ask about the client's priorities – emotional and legal issues. Once completed the client is directed to the closest Community Hub and offered a brief telephone Intake consultation for free. The purpose of Intake is to further screen for Domestic Violence, and if safety is an issue, direct the caller to a domestic violence resource, that will also provide free legal assistance.

If safety is not an issue, the Intake worker inquires about the issues that are a high priority for the client and then arranges a low fixed-cost Separation Planning/Triage meeting with a lawyer or a mental health professional, based on the client's needs as expressed in their Intake Questionnaire and the Intake interview. The outcome is a personalized plan or 'Separation Pathway' with referrals to community resources and ADR options such as collaborative practice, mediation, med-arb and arbitration, as well as parenting coordination.

To better prepare for negotiations about their Separation Agreement, clients are referred to relevant portions of the Family Law Portal for a more complete understanding of their issues and assistance in gathering needed information. This free online service is intended to reduce unnecessary costs and expedite the process.

All clients are encouraged to obtain legal advice, likely a partial retainer will be requested in most cases. It is expected that well informed and prepared clients will be better able to afford and appreciate relevant legal assistance.

Community Hubs for Separating Families is being welcomed by professionals working with families – law, social work, and accounting, but institutional change is slower. Government still prioritizes court-based initiatives in funding and public support, although COVID has raised awareness about the merits of more cooperative approaches. Increasingly, innovative ideas are emerging to clear the court backlog and ensure that clients have supportive, safe, timely, and affordable community-based options.

COMMUNITY HUBS PROJECT LEADERS:

**[Dr. Barbara Landau](#), [Chris Bentley](#), [Thomas C. Dart](#), [Omar Ha-Redeye](#), [Linda Ogle](#),
[Judith Huddart](#), [Beatrice Traub-Werner](#), [Anne Sayers](#)**

La reinención del espacio de mediación: de lo presencial a lo remoto

Ante la pandemia por COVID-19, el gobierno nacional de Argentina dispuso medidas sanitarias a consecuencia del aislamiento social preventivo obligatorio (ASPO), entre ellas, la suspensión de atención al público en toda la administración pública, a excepción de los servicios esenciales.

La situación de emergencia sanitaria, la cuarentena obligatoria, los conflictos familiares existentes y los emergentes surgidos en ese escenario y en gran medida recrudecidos a consecuencia del contexto, requirieron con urgencia el rediseño de la prestación del Servicio de Mediación Familiar del Poder Judicial de la Provincia del Neuquén¹.

A partir del 20 de marzo², desde la Dirección del Servicio se habilitaron las vías de comunicación (celulares, whatsapp, mail), brindando información masiva a abogados/as respecto de la disponibilidad del Servicio; y se elaboró un protocolo de mediación remota que fue aprobado por el TSJ³, lo que posibilitó se desarrollen mediaciones con el uso de las TIC⁴, a través de plataforma Zoom, en su defecto videollamadas de whatsapp, según los recursos de las personas⁵.

El protocolo de mediación remota⁶ prevé la posibilidad de mediar conflictos familiares de alimentos, régimen de comunicación (visitas), cuidado personal de hijos, división de bienes, e incidentes de aumentos, disminución, cese, modificación de cuidado; para lo cual el mediador/a al contactar a las partes a través de los letrados⁷, debe requerir la doble voluntariedad: de mediar y de hacerlo virtualmente. Pudiendo realizarse de manera mixta, una parte virtual y otra presencial.

1 Ley 2930, modificada por Ley 3055, recuperada en el sitio oficial <http://200.70.33.130/images2/Biblioteca/TOLey2930ServicioMediacionFamiliar.pdf>

2 Fecha en que se decreta la cuarentena en Argentina.

3 Tribunal Superior de Justicia.

4 Tecnología de Información y Comunicación.

5 <http://www.jusneuquen.gov.ar/se-realizo-en-neuquen-una-mediacion-familiar-en-forma-virtual/>

6 <http://200.0.228.132/AcuerdosExternos.nsf/vstAcuerdos.xsp?action=openDocument&documentId=C57E>

7 La Ley de Mediación N 2930 establece el patrocinio letrado obligatorio en el artículo 14: "Los participantes deben, obligatoriamente, asistir a la reunión de mediación con patrocinio letrado. Quienes carezcan de recursos deberán gestionar la asistencia jurídica gratuita en los organismos pertinentes (Modif. por Ley 3055)."

En caso de aceptación, se consensua fecha del primer encuentro⁸, comunicados mayormente por whatsapp, al igual que la acreditación de identidad de las partes y profesionales y se remite el link de la reunión, vía mail o whatsapp. Las familias pueden participar de tantos encuentros como sean necesarios y abordar integralmente la problemática familiar, independientemente del tema derivado por el juzgado.

El convenio de confidencialidad es leído por el mediador/a compartiendo pantalla y las partes expresan su conformidad a viva voz y de similar manera, en caso de acuerdo se procede a la redacción y lectura, dando las partes la aceptación a sus términos y firmando digitalmente el/la mediador/a, remitiendo un ejemplar digitalizado a cada parte a través de los correos electrónicos constituidos y otro ejemplar al Juzgado interviniente, para el trámite de homologación.

Para el caso de personas sin acceso a internet, desde la Dirección del Servicio se articula con jueces de Paz de la localidad para facilitar una sala con computadora e internet para brindar un mayor servicio de acceso a justicia en toda la provincia⁹.

Alicia González Vitale¹⁰

Argentina

8 Estableciendo el protocolo que los encuentros podían realizarse por separado, es decir, mediación puente en razón del contexto extraordinario de la pandemia, que motivaba en las personas mayor ansiedad, incertidumbre, irritabilidad y diversas emociones negativas, de manera que un espacio privado podría resultarle más conveniente y provechoso; e incluso para equilibrar posibles desigualdades desde lo tecnológico para las partes y también para posibilitar al equipo de mediadores la adaptación al nuevo escenario virtual.

9

10 Ley 2930, modificada por Ley 3055, recuperada en el sitio oficial <http://200.70.33.130/images2/Biblioteca/TOLey2930ServicioMediacionFamiliar.pdf>

Conflict Intervention Service Faces COVID-19

It was late in the afternoon on Friday the thirteenth this past March. As panicked calls from distressed people cascaded into the helpline, the Conflict Intervention Service (CIS) faced its greatest challenge.

Earlier in the day, San Francisco Mayor London Breed had announced an eviction moratorium, relieving many residents but triggering confusion at the same time. An unprecedented shelter-in-place order was rumored. It followed on Monday, March 16, effective immediately across the Bay Area.

When people are frightened, they hunker down. They lash out. They act out. When they are jammed together in unwise space-sharing arrangements, fear and trauma make things unmanageable and sometimes dangerous. CIS has helped hundreds of desperate people trapped in bad situations avoid eviction and homelessness through its many service offerings.

The advent of COVID-19 tested CIS, starting with a huge increase in help requests. Rapid response is the program's touchstone. We guarantee every help request a touchback within twenty-four hours, seven days a week, 365 days a year. Service delivery begins with the first contact. Could we keep up?

John W., the terrified elder with an irresponsible roommate, was stunned when CIS returned his call twenty-two minutes later. He had made a dozen calls over three days before an attorney with the Aids Legal Referral Panel suggested he contact CIS. Terrified, worn out, despairing, John's surprise was soon matched by the empathy he received from a CIS Conflict

Navigator who listened not only for the details but also for the emotions driving the conflict and distress. CIS presented a communication plan for constructive dialogue to address the conflict.

Following the plan, John posted an urgent message on his roommate's door. The much younger man, Kyle, subleased a room in John's two-bedroom, one-bath flat in Cole Valley. The message was firm—that unless strangers stopped entering the home, John would need to take further action—while offering an olive branch in CIS language. Kindly and respectfully, John asked Kyle to join him in a facilitated conversation to discuss his concerns.

Deploying ombuds strategies, a CIS attorney-mediator met with Kyle by Zoom on Saturday morning, explaining John's sincere concerns, and the potential consequences Kyle faced under the circumstances, such as legal action or a restraining order. Having John's sentiments conveyed without judgment and in a way he could hear them, Kyle owned up to his dismissive attitude about John's health concerns. A graduate student at UCSF, he also possessed the maturity to change up his game. He agreed to meet with John later in the day.

While Kyle engaged with CIS, one of our mental health licensed mediators prepared John

for a direct conversation with his roommate, about whom he had very high emotions. Later that day all four participants were linked up via video conference. Within thirty minutes, Kyle thought it best to take living together during the heightened period of contagion off the table and offered to stay with friends until the crisis passed, while keeping up his rent payments to John. Through swift intervention, entirely online, two members of the LGBTQ community bridged their generational differences, honored their common interests and concerns, and entered into a practical solution for the moment.

The resolution was memorialized in a mediation agreement that was drawn up during the video conference. It was transmitted, signed, and distributed among everyone entirely online, within ninety minutes following the meeting.

Carol Conn
Roger Moss

This story is republished with the permission of the San Francisco Bar Association and is excerpted from an article, “Conflict Intervention Services: Transforming Lives, Transforming Affordable Housing, Transforming Community in Times of COVID-19” that appeared in the summer 2020 edition of San Francisco Attorney.

COVID-19/Pandemia/Tics./Mediación

El 11 de marzo de 2020 en rueda de prensa el Director General de la OMS expresa: "...Por lo tanto, hemos evaluado que COVID-19 se puede caracterizar como una pandemia. ...Y hemos pedido todos los días a los países que tomen medidas urgentes y agresivas. Hemos tocado la campana de alarma alto y claro.¹"

Dentro de las medidas que se recomiendan² para afrontar la situación "reducir la trasmisión"; a lo que la mayoría de los países respondieron con aislamiento social, implicando ello que la comunicación personal presencial se vea muy seriamente alterada, lo que afecta a la mediación ya que compartir físicamente el espacio es parte del ecosistema para abordar la transformación de conflictos, y se describe como presencialidad, participación personal, etc. como uno de los requisitos, o principios que hacen al proceso de mediación.

Las respuestas a esta situación particularmente compleja, estaría asociada al uso que de las tecnologías de la información y comunicación (Tics.) tenían las organizaciones y los mediadores, sus experiencias con las mismas, la capacitación, y conforme fuere necesario la existencia de un marco normativo de referencia –entre múltiples factores-.

La arquitectura judicial de la República Argentina obedece al diseño constitucional federal, por lo que la integran 23 estados y una ciudad autónoma, con regímenes jurídicos distintos y autónomos, pero cuyos poderes judiciales provinciales se encuentran asociados en su mayoría a la Jufejus³, con diversas experiencias en el área de Tics. y su relación con la mediación (tanto en capacitación como en mediaciones realizadas), iniciándose las mismas aproximadamente en 2010. *Convenio de Mediación Interjurisdiccional con el uso de Tecnologías de la Información y la Comunicación*, donde se plasmaron las pautas en común para llevar adelante la mediación online a nivel interprovincial, que fue aprobado y ratificado por la Comisión Directiva de la Junta Federal de Cortes y Superiores Tribunales de Justicia en 2016. En el 2019, a nivel local aprobó el Protocolo de Actividades, Acciones e Información a tener presente para trabajar en el contexto del Convenio de Mediación Interjurisdiccional con el Uso de Tecnologías de la Información y Comunicación, con el objetivo de generar estándares mínimos de atención de acuerdo a los niveles de servicio.

1 <https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-COVID-19---11-march-2020> Consultado el 31/01/2021.-

2 Ídem 1

3 <http://www.jufejus.org.ar/> consultado el 31/01/2021.-

El marco normativo de referencia⁴, con estándares mínimos para brindar seguridad y determinar las condiciones de posibilidad para llevar adelante una mediación con el uso de tics, generó experiencia y habilita la masa crítica de conocimiento, práctica, gestión y análisis de procesos para concebir la proyección de las garantías y principios de la mediación en el nuevo entorno, donde el concepto de presencialidad virtual, confidencialidad, consentimiento informado, participación personal, asistencia jurídica, seguridad e integridad de la información y del proceso, etc. el uso de plataformas multipunto y la integración de la virtualidad a la presencialidad física, con ofertas que van de las presenciales con las garantías de los protocolos de bioseguridad, a mixtas presencialidad física y virtual a la virtualidad total. Su homologación judicial y asistencia post acuerdo como colaboración en la reformulación de los mismos de ser necesaria.

Inicialmente fue necesario un relevamiento del equipamiento, conectividad, opciones redundantes en acceso y equipamiento, en el Centro y en los domicilio de los mediadores y personal administrativo, capacitar a todos los actores, mediadores, partes, abogados, etc., generándose la figura del asistente institucional, que en caso de ser necesario disipa las dudas respecto del proceso, como así también y con el fin de generar las condiciones de acceso al servicio habilitar salas con infraestructura para quienes no cuentan con la misma.

El teletrabajo fue una herramienta estratégica de gestión para cumplimentar los protocolos de bioseguridad en las oficinas, y la rotación del personal administrativo y de mediadores fue esencial para los supuestos en que se contagiaron quedando en cuarentena domiciliaria hasta tanto se habilite el regreso, o a los efectos de no perder contacto con los restantes integrantes del equipo de trabajo.

Estadísticamente nos dio como respuesta institucional, a nivel de aceptación, similar a la actividad previa a marzo del 2020 en 2019, pese a que la cantidad de casos iniciados fue menor pues no se incorporaron los casi dos (2) meses iniciales de la pandemia⁵.

José Luis Montoto Guerreiro

Argentina

4 *Acordada N°62/2020 28 de mayo de 2020. Superior Tribunal de Justicia de la Provincia de Misiones. Rep. Argentina.*

5 *Aquí se pueden incorporar tres o cuatro referencias comparativas de ambos años.*

National - Self Represented Litigants Project

As COVID-19 counts continue to rise in Canada, the National - Self Represented Litigants Project (“NSRLP”) has faced novel questions relating to co-parenting during a pandemic. In the majority of cases, parents are concerned that their children will be exposed to the virus while in the other parent’s care. In one case, for example, a parent who was in the middle of a mediation process with her former spouse contacted the NSRLP fearing that the former spouse was going to travel overseas with their children. In yet another case, a parent expressed concern that her children’s father was violating stay-at-home orders by bringing the children to his new partner’s household. The NSRLP has also noted that such safety concerns tend to come into play in situations where a highly volatile relationship already exists between exes.

While all the above are reasonable concerns given the complexities of life in a pandemic, it can cause further hardship on this already strained relationship. To alleviate such concerns in the most effective way possible, the NSRLP has encouraged parents to have peaceful, consistent, and purposeful communication with their exes, and to follow public health recommendations and protocol. The NSRLP has also encouraged parents to follow stay-at-home orders, as well as any court orders that might already be in place between the parties. Co-parenting during a pandemic is really no different than when there is no pandemic, after all – parents are motivated to continue making decisions that are in their children’s best interests.

In a world riddled with chaos, there has never been a more pressing time than now to improve communication and start forming a healthy co-parenting relationship. The pandemic has taught everyone how to communicate anew and in different ways, and it has also taught us to accept change, an inevitable part of the human experience. Let’s take this as an opportunity to try and change for the better while focusing on the things that truly matter. It is only by continuing to work together and being generous to one another that we will eventually get through these unprecedented times.

Ani Zheku, Research Assistant
Canada

Domestic Violence during the COVID-19 Pandemic: The Case of Iran

Following reports and statistics in relation to a global rate of domestic violence amid the COVID-19 pandemic, reports and statements in Iran are remarkable. The first report came out on Apr. 2020: an official of State Welfare Organization (SWO) declared that the number of contacts with the organization due to family disputes, particularly between couples, during the lockdown and restrictions (e.g. quarantine) shows a triple growth (IRNA, 2020).

Nevertheless, this report was denied by another official of SWO, arguing that the rates of domestic violence do not demonstrate a significant difference between pre-pandemic and post-pandemic periods. However, he acknowledged the reality that cases of domestic violence may increase when people are under stress and pressure, whether due to humanitarian or natural crises (SAZANDEGI NEWS, 2020).

Meanwhile, Ministry of Health and Medical Education sent the below nationwide text messages in the early months of the pandemic: "If you observe or encounter cases of child abuse or spousal abuse in the days of Coronavirus, to receive the social and psychological services for free and around the clock, call the number 123, with the Social Emergency of SWO" (SHARGH Newspaper, 2020).

According to the reports received in May 2020, the previous data was confirmed by the SWO officials in several cities and provinces (55Online, 2020). Among these reports, one of the most important pieces of evidence is the experiences of women who have been victimized as a result of domestic violence (<https://www.aasoo.org/fa/articles/2902>).

In one case, a girl who witnessed the continuous domestic violence between her parents, states that the situation deteriorated amid the home quarantine where her father and brother beat the mother to get her credit card in order to receive the temporary COVID-19 wage subsidy scheme. Consequently, the girl decided to take the mother to her home.

Even women of prosperous families have similar experiences. For example, a 60 year old woman narrates her account, thereby worsening her family relationship during the COVID-19 lockdown. She states that her husband injured her because of their disputes with the observance of the COVID-19 health protocols, in particular when she rejected her husband's request for having sex. In this case, her daughter took the mother to her home to prevent re-victimization.

In another case, a 50 year old woman narrates her experience with an addicted husband. She tells that their disputes were aggravated after the lockdown because her husband uses drugs at home while he did so before out of the home. The situation caused aggressive and sometimes violent behaviors against his wife and their children as well.

Such cases demonstrate the way through which men represent their authority in family relationships amid the quarantine. A sociologist female describes the violation of privacy

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by her husband as a form of domestic violence during the quarantine period. She has been concerned about being under the control of her husband, particularly when he checked her phone calls and text messages on social networks like Telegram and WhatsApp. She regards this kind of mental violence more seriously than physical forms of domestic violence.

Another case reflecting the importance of mental violence in family relationships relates to a grande dame who tells about her fears and concerns for inadequate legislation and ineffective practices to protect women. The satisfaction of the victim with her treatment by the police is a major measure for the victim's satisfaction with the protection system. She narrates her concerns about the negative consequences of any contact with police in domestic violence cases, including the distrust in police to deal with the complaint, particularly during the COVID-19 lockdown.

Mehrdad Rayejian Asli

Iran

خشونت خانگی هنگام پاندمی کووید ۱۹: نمونه ایران

مهرداد رایجیان اصلی (جرم‌شناس، بزه‌دیده‌شناس، و عضو هیأت علمی پژوهشکده تحقیق و توسعه علوم انسانی: سمت)

به دنبال گزارشها و آمارهای مربوط به خشونت‌های خانگی در دوران کووید ۱۹، گزارشها و اظهار نظرهای منتشر شده در ایران شایان توجه بوده‌اند. نخستین گزارش در فروردین ۱۳۹۹ (آوریل ۲۰۲۰) منتشر شد، که به موجب آن: یک مقام رسمی سازمان بهزیستی کشور اعلام کرد که شمار تماسهای تلفنی مربوط به اختلافهای خانوادگی (به‌ویژه، میان همسران) با واحد اورژانس اجتماعی این سازمان در دوران محدودیتهای کرونایی (مثل قرنطینه خانگی)، افزایش سه برابری داشته است (خبرگزاری ایرنا: ۱۳۹۹).

اما، این گزارش از سوی یک مقام دیگر آن سازمان تکذیب شد، با این ادعا که میزان خشونت‌های خانگی، تفاوت چشمگیری در دو دوره پیشاکرونا و پساکرونا را نشان نمیدهد. با وجود این، وی بر این واقعیت نیز اذعان داشت که پرونده‌های خشونت خانگی ممکن است هنگام مواجهه افراد با استرس و فشار، خواه به علت بحرانهای بشری یا طبیعی، افزایش یابند (خبرگزاری سازندگی: ۱۳۹۹).

در این میان، وزارت بهداشت، درمان و آموزش پزشکی در نخستین ماههای این پاندمی، یک رشته پیامکهای سراسری را با این متن به تفلنهای همراه فرستاد: «اگر در روزهای کرونا شاهد موارد کودک‌آزاری یا همسرآزاری یا برخورد با آن شدید، برای دریافت خدمات اجتماعی و روانشناختی رایگان و شبانه‌روزی، با شماره ۱۲۳ اورژانس اجتماعی سازمان بهزیستی کشور تماس بگیرید.»

گزارشهای دریافتی در اردیبهشت ۱۳۹۹ (مه ۲۰۲۰) نیز داده‌های پیشین از سوی سازمان بهزیستی را در چندین شهر و شهرستان تأیید کردند (خبرگزاری ۵۵ آنلاین: ۲۰۲۰). از میان این گزارشها، یکی از مهمترین شواهد، تجربه‌های بانوانی است که بزه‌دیده خشونت خانگی بوده‌اند (<https://www.aasoo.org/fa/articles/2902>).

در یک نمونه، دختری که شاهد خشونت‌های خانگی پیوسته میان پدر-مادر خود بود، اظهار داشت که این وضعیت در دوران قرنطینه خانگی تشدید شده است، تا جایی که پدر و برادرش با هدف دریافت یارانه معیشتی دوران کرونا، مادر را برای گرفتن کارت اعتباری او کتک زده‌اند. در نتیجه، دختر تصمیم گرفت که مادر را به خانه خودش ببرد.

حتا بانوان وابسته به خانواده‌های مرفه، تجربه‌های مشابهی داشته‌اند. برای نمونه، یک خانم مسن ۶۰ ساله در شرح ماجرای خود می‌گوید که رابطه خانوادگی او در دوران محدودیتهای کرونا بدتر شده است. به گفته وی، شوهرش او را به علت اختلاف در رعایت پروتکل‌های بهداشتی کووید ۱۹ (به‌ویژه، هنگامی که از او درخواست رابطه جنسی داشت)، مورد آسیب فیزیکی و روانی قرار داده است. در این نمونه نیز دخترشان مادر را برای پیشگیری از تکرار این بزه‌دیدگی به خانه خود می‌برد.

در نمونه‌ای دیگر، یک خانم مسن ۵۰ ساله، تجربه خود با شوهر معتادش را روایت می‌کند. وی اظهار می‌کند که اختلافهای شان پس از محدودیتهای کرونایی افزایش یافته است. زیرا شوهرش که پیش از این محدودیتهای بیرون از خانه مواد مخدر مصرف می‌کرد، اکنون این کار را در خانه انجام می‌دهد که به بروز رفتارهای پرخاشگرانه، و گاهی همراه با خشونت نسبت به همسر و فرزندان شان انجامیده است.

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چنین نمونه‌هایی نمایانگر راههایی هستند که مردان از گذر آن، اقتدارشان در روابط خانوادگی در دوران قرنطینه را نشان می‌دهند. یک بانوی جامعه‌شناس در این زمینه، نقض حریم خصوصی خود از سوی شوهرش را در دوره قرنطینه شرح می‌دهد. او نگران کنترل شدن از سوی شوهرش بوده، به‌ویژه هنگامی که تماس‌های تلفنی و پیامکها و پیامهای تلگرام و واتس‌آپ اش را می‌خواند. این خانم رفتار شوهرش را نوعی خشونت روانی که به مراتب شدیدتر از خشونت فیزیکی ست، می‌داند.

نمونه دیگری که اهمیت خشونت روانی در روابط خانوادگی را نشان می‌دهد، مربوط به بانویی ست که ترسها و نگرانیهای خود از قوانین ناکافی و رویه‌های ناکارآمد در حمایت از بانوان را شرح داده است. رضایت بزه‌دیده از رفتار پلیس با خود همواره معیار مهمی برای سنجش رضایتمندی بزه‌دیدگان از سامانه حمایتی شمرده می‌شود. این خانم نیز بر پیامدهای منفی تماس با پلیس در موارد خشونت خانگی، از جمله بی‌اعتمادی به پلیس در رسیدگی به شکایت، به‌ویژه در دوران پاندمی کووید ۱۹، اذعان می‌کند.

Mehrdad Rayejian Asli

Iran

Family Mediation Services in Ireland

In Ireland, members of the public can access a free family mediation service, paid for by the State and run by the country's Legal Aid Board. Mediation services are primarily in the area of divorce and family separation with mediation agreements being legalised, made rules of court or kept as an agreement between the parties. The mediators, first and foremost, focus on increasing the capacity of the parties themselves to resolve their dispute, de-escalating conflict, enhancing communication, and empowering the parties to be effective decision-makers in their own lives.

On Monday 30th of March 2020, Ireland went into a national lockdown to curb the viral transmission of COVID 19. Everything closed. Family law courts suspended all non-urgent cases and the Legal Aid Board suspended all but essential services. Early on, mediation was not classed as an essential service but this quickly changed. There was a wall of anxiety in civil society, as families coped with the realities of lockdown and the spreading virus. Parenting Plans between separated parents collapsed, as there was confusion over whether access to children could be managed safely. Parents who lived in homes a distance apart worried about either breaking the new law for restricted travel or being in breach of Access Arrangements ruled by the Court. Within the first week, the Minister for Justice made a statement that Access plans should be adhered to and that this was deemed essential travel. The President of the District Courts in Ireland urged parents to put the child first in negotiating health concerns around access. He made clear that co-parents could agree to alter arrangements that had been made by court order and also indicated that reasonableness by both parties in trying to work out alternative arrangements would be taken into consideration. The focus was on practical solutions, rather than a literal reading of a court order. Still, many who were unable to reach reasonable accommodations needed a place to resolve their disputes, and mediation was the best answer.

The Board's family mediation services closed its offices on Friday following the imposition of the lockdown. It had been a completely office-based service and, while staff had work mobiles and office-based PCs, there were only a handful who had laptops. The following Monday morning, calls started coming into the one central office that remained open and were diverted to mediators working from home. Laptops were in short supply and phones were the main source of communication and for mediation. Mediators conducted mediation sessions whatever way they could, some sitting in their cars to get better wifi connection and or spending full days with phones pressed to their ears. The willingness of staff to do what they could take many to the point of burnout. In the first three months of lockdown, the mediation staff managed 680 completed mediations (1,360 people).

As IT solutions improved, the amount and quality of the work mediators could do was enhanced. A Legal and Mediation Information Helpline was established to provide information on civil legal aid and family mediation services. Callers to the Helpline are first triaged at the first-line support level and, if the problem could be dealt with there and then, it was.

There is no doubt that couples found it a lot more challenging to separate in a pandemic. Arrangements are harder to put in place and it is tougher to find support. For the first few

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weeks, mediators notices that divorce mediation requests seemed to stall or be put on the back burner. At the same time caseloads requiring immediate resolution of specific issues increased. Parents were coping with the immediate effect of lockdown and the pandemic while delaying any longer plan separation.

In many ways, mediation came into its own during the pandemic. People needed opportunities to talk, to work things out, and manage their everyday issues. Many of the other avenues for resolution of family matters were either closed or seriously curtailed, and the families themselves were 'stuck at home.' To be able to pick up the phone and access a safe confidential space to resolve issues was a lifeline. When mediation services began offering online mediation a few weeks into the pandemic, we were worried that our clients would find the experience impersonal and would struggle to trust the mediator. However, this did not prove to be the case. Our early research confirms that online sessions make it easier for many to attend appointments, as they do not need to factor in travel time from home or work. Those who live in remote areas and far from mediation centres find that virtual mediation is more convenient. Online mediation has also proved to be safer for people who may feel at risk from the other party.

As we progress into 2021 with restrictions still in place, Family Mediation Services now provides a blended model of phone, online, and room-based mediation. These are tough, confusing times for families. Resilience is low, practical problems abound. Mediation, with its flexible pragmatic, listening ear and new access routes is here and helping.

Fiona McAuslan

Ireland

Advice on Co-operative Co-parenting during & after an Acrimonious Divorce: It Will improve your Mental Health

Once every 30 or so cases, if a family law attorney is fortunate, she may come across parents who are able to rise above the fray and put their children front-and-center. So remarkable are these instances that they break the mold of what we traditionally see in our cases - particularly when the cases are protracted, there has been deception of one kind or another in the marriage, and/or the parting is bitter and hostile. The anonymous letter you are about to read is from a mother whose matter checked all of those boxes. Throughout the case that went on months and months longer than it should have, I was constantly amazed to observe how the two parents were able to pull off the seemingly impossible: co-parent as if they were not locked in a rancorous legal battle. While it is so easy to “talk the talk,” I was honored to bear witness to this Mom and her ex who “walked the talk.” So impressed was I with her example that I asked her to write a letter to other parents in like circumstances. I hope her example will prove an inspiration for all divorced/divorcing parents - and their lawyers - who read her words.

“Anyone going through a divorce with kids knows the guilt of feeling like you shattered a childhood full of happy family memories. Will divorce traumatize my children and make them distrust the entire concept of love and commitment forever? If you are going through a divorce then clearly it’s the only choice – if there was any way to save the marriage, you would have. But amid the rage and frustration, there is still choice and control you can have about how you co-parent. Even though my own divorce negotiations were protracted, bitter, and painful, the one thing I could control was the kind of co-parent I was – even if it meant swallowing my pride. Now that I am on the other side of it, I know that it was worth it.

Like all marriages, each divorce is different. The bitter resentment, the heartbreaking disappointment, the burning anger, the maddening frustration – the flavors of sadness and umbrage that permeate each decoupling are so deeply personal that they are nearly impossible to explain to someone outside the broken union. So how can one divorced person ever give any practical guidance to anyone else going through this mess? When it comes to divorce with kids, I think some words of advice are true for nearly all situations: compartmentalize, take the high road for the kids’ sake, and have a long-range view. There is no winner and there is no loser – there is just your duty to be the best parent you can be to your kids. They were not to blame for your failed partnership and they don’t deserve to bear the brunt of your conflict. Divorce is never smooth for kids but I believe that having parents that can sit next to each other at graduation makes it a hundred times less traumatic.

When I first asked my ex-husband for a divorce, the conversation was desperately sad. There was no way for us to remain married and yet we had two elementary-school aged daughters who had lived a charmed life and had no inkling of the troubles that had been brewing for years. Our hearts broke for the havoc we were about to wreak on their sweet and innocent lives. Despite failing as husband and wife, we had succeeded at parenting. We adored them

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equally and both wanted what is best for them. We hugged and cried. We planned on quickly dividing our assets and determining a parenting schedule. Surely, we would work it all out with no issues. We were not like other people who had ugly acrimonious divorces. Famous last words.

The next year brought pain and anger unlike any I've experienced before. I felt betrayed, deceived, and bamboozled by my ex-husband as we moved through endless negotiations. I raged and seethed. Our lawyers exchanged scathing letters and threatened litigation. The union that I once felt sad about breaking felt more and more poisoned as I stayed up nights pacing and doing financial calculations. And yet, as we hissed angry words about money, we continued to act as a team for our daughters. As proposals were fired off and rejected by our lawyers, we took them out to dinner for their birthdays together. We went to their soccer games together. We sat next to each other at their plays. We visited each other and I offered him tea and cookies in front of the girls. I sent him photographs of the kids doing cute things. We were flexible with moving parenting days around to suit our work schedules or kids' activities. We divided and conquered when each kid had to be at a different activity at the same time.

So how were we able to do it? I can speak only for myself of course, but I consciously compartmentalized, swallowed my pride for the kids' sake, and had a long-term perspective.

No matter the circumstances of the divorce, every child deserves parents that are adults in control. When adults in control have personal problems, they go to their day jobs and put those problems aside to do their work. I viewed co-parenting as the most important job of my life. That means I consciously compartmentalized my anger with my ex from his love for our daughters. I vented my fury about the negotiations to friends and family (and my lawyer of course). However, when it came to interacting with my ex on child-related issues, I put those feelings in a separate box and forced myself to be an amicable co-parent – because that is what my children deserved. I treated him as two separate people – the man who is the adversary in the negotiations and the man who is the father of our children. I was furious at the former, and I was gracious and civil to the latter. It was not always easy but I reminded myself that I am an adult in control. It meant lots of deep breaths, remembering happy family memories, and talking myself down. But even on days when I received particularly infuriating correspondence or yet another untenable settlement proposal, I sent friendly texts about playdates and piano lessons.

Grace in co-parenting is not always reciprocated. But my advice is to just let it go – swallow your pride, laugh it off with friends, and move on. Of course, taking the high road is admittedly hard. For example, it stung when my ex did not remind my daughters to wish me a happy Mother's Day while they were with him that weekend. It would have been easy to get back at him a month later. But when it came to Father's Day I made sure the girls made cards and presents to celebrate their dad. Because they are still young and need reminding of such things - and I don't want them to grow up with the memories of having forgotten these days and hurt their parents' feelings. I intend to always remind them of such occasions and help pick out gifts for him for birthdays or holidays. Similarly, I will never speak ill to my kids about their dad or anyone on his side of the family, even if I believe some of them have treated me unkindly. Kids deserve untarnished relationships with their grandparents, uncles, aunts, and cousins.

They should never feel any guilt about complicated adult conflicts that have nothing to do with anyone's genuine love for them.

There were some people that gave me the advice to act counter to these principles when they thought I was being bullied or taken advantage of financially. I am glad I did not heed these words. I appreciate that those that gave me this advice did it out of love for me. But here is my suggestion to anyone else going through this: don't take anyone's advice to get nasty or to play emotional games when it comes to parenting. Trust your own instincts to protect the kids from being involved in the conflict. Despite whatever differences led to the divorce, try to visualize life ten, fifteen years from now. Your ex will forever be the parent of your children. And that means you will have to parent them together forever. Life is long, kids are unpredictable, and parenting throws curveballs – a child can get sick, a child can experience emotional or behavioral challenges, a child might need extra attention. That is when you need to be partners more than ever. The impulse to do short-term damage is not worth damaging the long-term co-parenting team. The best thing I did during the co-parenting process is to force myself to have a long-range perspective.

We finally reached a settlement over a year later and the divorce became final a few months after that. I was exhausted and relieved to close that chapter of my life. But more than anything I felt proud of how we parented during the process. One of our children is experiencing some emotional difficulties and our co-parenting teamwork has proved to be invaluable. It is hard to be a single parent. A trusted co-parent that loves your child as much as you do is vital. I am so grateful to have the ability to call on my ex for support even on his non-parenting days or to have the flexibility to re-arrange the custody schedule to address the girls' needs for space from each other. Had I damaged the co-parenting relationship, who knows if that would be possible.

If I could have done anything differently during the co-parenting process is to worry less about the parenting schedule. I had initially thought that the girls would have one primary home and I was devastated when my ex pushed for a 50/50 schedule. (I was so hysterical during this conversation with my ex that I excused myself to aggressively jump up and down in my bathroom like a crazy person – an out-of-character behavior for me!). But now I think the schedule works out wonderfully, especially with the flexibility to visit and see the kids during the “off” days that an amicable co-parenting relationship allows. Having equal time with both parents gives stability and structure for the children, and kid-free time allows adults to pursue their own interests.

After the divorce was final, my ex purchased a home in my neighborhood and I am thrilled: the proximity brings even more consistency for the kids and makes travel between homes for things like forgotten mittens, books, or just a hug all that much easier.

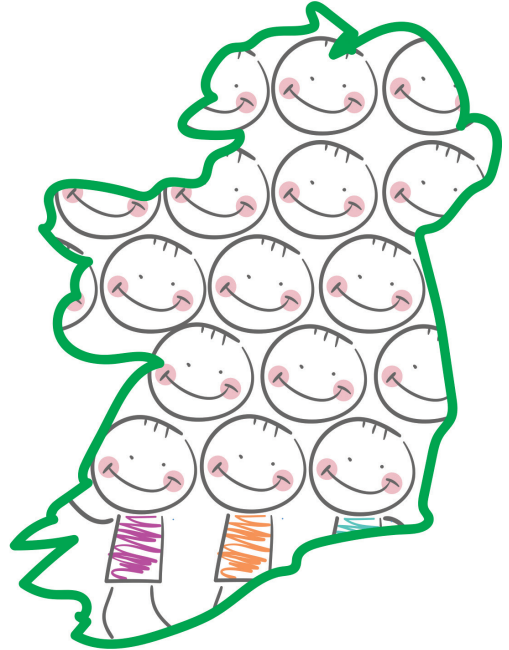
With the passage of time, the boiling anger felt during the divorce process quiets to a simmer and eventually cools off. And that makes compartmentalizing easier and ultimately unnecessary. Sure, flare-ups of conflict will arise. But if you built a foundation of respectful and amicable co-parenting then you can move past those conflicts with grace. Your kids deserve it.”

Vicki L. Shemin

US

Is Ireland slowly moving into the 21st Century – the Recognition of Parental Rights for children born through Donor Assisted Human Reproduction

The Children and Family Relationships Act 2015 was signed into law in Ireland 6th April 2015. However, a number of key sections were not actually commenced into law at that time and it was necessary for the Minister to sign a further commencement order in respect of certain sections of the act. Simon Harris, then Minister for Health signed a commencement order on 8th November 2019 in respect of Parts 2 and 3 of the Children and Family Relationships Act 2015 (the Act).and these sections of the Act came into effect from 4th May 2020. Therefore, since 4th May 2020, in the midst of a pandemic, and some five years after the Act which provided for these rights was signed, some key sections of this Act which will allow for parents to have full parental rights of their children, slowly and silently came into law.



The act provides for parents who are not genetically related to a child and who are not adoptors to be a parent in certain circumstances. Parts 2 and 3 of this Act deal with parental rights for children born through Donor Assister Human Reproduction and provide that parents of children born through Donor Assisted Human Reproduction (DAHR) can be lawfully considered to be the parents of the child.

Under the new provisions, a woman who gives birth to a donor-conceived child is lawfully the mother of the child. The husband, wife, or co-habitant of the mother, will also be treated as a parent of the child, provided certain consents are provided and other requirements are met. The Court can grant a declaration of parentage of a child to a person who is not the birth mother of the child but was an “intending parent”.

Applications are brought to the District Court or the Circuit Court under the Act. With the

District Court having jurisdiction when the application is being made on consent. There are a number of specific and strict criteria set out in the Act which must be complied with in order for the Court to grant the application. However, the clinics who provide these services are well aware of the requirements and should ensure that they are met, in order to allow the Court application to be made and passed with ease. My understanding is that the District Court is now regularly hearing applications on consent and that Orders are being granted without difficulty.

This change represents another significant step forward for Ireland, following the passing of the Marriage Equality Referendum in May 2015, and shows that the country is willing to “put it’s money where its mouth is” in terms of enacting laws that will have a real and lasting impact on families and particularly on children in this country. However, there is still a long way to go and a number of other areas of Assisted Human Reproduction have not yet been legislated. In particular, the area of Surrogacy requires urgent legislation and we still have a long way to go in ensuring equality for all children and families.

Doirin Mulligan

Ireland

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Contributors

Family Conflict During a Pandemic: Stories of Struggle and Hope

Josephine Akinwunmi

Josephine Akinwunmi is a Legal Practitioner, a Fellow of the Chartered Institute of Arbitrators (UK), a CEDR (UK) Accredited Mediator, a Certified SCMA Mediation Advocacy Trainer, a Certified Online Dispute Resolution (ODR) Practitioner, a licensed Human Resources Practitioner and a Notary Public of Nigeria.

Josephine is on the Panel of Neutrals and a faculty member of a number of Institutions. She is known for her high sense of commitment, diligence and integrity.

Susan Allan BIO

Since 1999 Susan Allan has been America's leading Marriage & Divorce Coach also working with clients worldwide. A domestic violence prevention expert and creator of Heartspace® Solutions, The 7 Stages of Divorce®, The Divorce Forum®, The 6 Part Conversation®, and she is a certified Mediator. Allan created Marital Mediation® in which reconciliation results are 99% successful when even 1 partner is trained. TV and radio guest and motivational speaker, Susan has authored 3 EBooks and her 251 video trainings are available at <https://www.youtube.com/user/susanallan2001> .

Marisa Amaya

Marisa Amaya is a native Southern Californian who is in her junior year at the University of Oregon. She is double majoring in Political Science and Spanish and double minoring in Media Studies and Criminology. Marisa is planning on entering law school after her graduation in 2022.

Laurie Amaya

Laurie Amaya works as a family law mediator, consulting and collaborative attorney in Pasadena, California, USA. She is an APFM Certified Advanced Practitioner, APFM Senior Mediator, and a Certified Mediator with Mediate.com.

Sarah Ater

Sarah Ater practises mediation in Mombasa, Kenya. A logophile with a passion for resolving conflicts, she weaves her experiences and those of people in discord through stories. Sarah believes mediation can promote harmony in families, motivate workers to boost productivity and support sustainable management of marine resources.

Michael Aurit

Michael Aurit, JD, MDR, is Co-Founder and Director of The Aurit Center for Divorce Mediation in Scottsdale, Arizona. Michael is President of The Academy of Professional Family Mediators. He is also an adjunct professor at Arizona State University's Sandra Day O'Connor School of Law. To learn more visit www.auritmediation.com

Karen Aurit

Karen Aurit, LAMFT, is Co-Founder and Director at The Aurit Center for Divorce Mediation in Scottsdale, Arizona. Karen is a Licensed Associate Marriage and Family Therapist. She specializes in connecting mindfulness and stress reduction theory with dispute resolution systems design. To learn more visit www.auritmediation.com

Janet Bonnin

Janet is an Accredited Life Coach and Parenting Educator, author of *Communicating with God and Family* (An interactive DVD series), creator of the Family Abilities Builder® tool, the founder of Fine-Tuned Families business, and a Becoming a Love and Logic Parent® Curriculum Facilitator. For the past 20 years, she has given numerous virtual and in-person workshops, and coached individuals, parents and families to reduce stress and thrive.

Sue Bronson

Sue Bronson, LCSW is Co-Chair of the ACR/FLAFCC Elder Justice Initiative on Eldercaring Coordination and lead trainer. Ms. Bronson is a mediator, trainer, and retired psychotherapist in Milwaukee, WI since 1983 mediating family, elder, and workplace disputes. She teaches mediation at the University of Wisconsin- Milwaukee and is the lead author of the Self-Assessment Tool for Mediators, translated into three languages.

Robin Brzobohatý

Robin is the leading family mediator in Czech Republic. Since 2015 he was the head of the cross-border family mediation program at the Office for International Legal Protection of Children in Brno. Robin is the Czech contact person for communication with the European Parliament mediator for resolving international parental child abductions. Robin is certified transformative mediator by the Institute for the Study of Conflict Transformation (ISCT), USA.

Alison Bull

Alison Bull heads the Manchester family team at English law firm Mills & Reeve LLP. An accredited family, child inclusive and commercial mediator and collaborative practitioner, she assists clients with family disputes of all kinds. Chambers and Partners (independent legal directory) refers to her as a “leading light in the ADR world...an innovator, leader and first-class mediator whose constant and consistent client-focused attitude ensures a favourable outcome.”

Joanne S Chuckaree

Joanne S Chuckaree (BA, LLb, LPC, MSc) is an Attorney-at-Law and certified Mediator and for the past fourteen years she has been practicing as a mediator in both Civil and Family Matters. In 2015 Ms. Chuckaree was a nominee for the prestigious Peace Awards from the Mediation Board of Trinidad and Tobago. Ms Chuckaree is very passionate about being a mediator and teaching mediation. She is a director with Caribbean Institute for Conflict Resolution (CICR).

Martina Cirbusová,

Martina Cirbusová, Ph.D. graduated at Faculty of Law at Masaryk University Brno, Czech republic. Already as a doctoral student she was specializing in family law and the protection of children's rights. She is currently a head of transformative Mediation Center in Brno, Czech Republic, where she leads a team of 14 mediators and work also as a mediator. Since April 2019, she has been a certified transformative mediator in ISCT US. In Czech Republic and other countries, she works as a lecturer, facilitator of family conferences, mediator and methodologist in many areas of interdisciplinary cooperation of subjects in family dispute

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resolution. As a mediation trainer she works mainly in the USA. From the last events she was co-lecturer in Divorce and Family Mediation Training in St. Paul, Minnesota in June 2019 and 2020 and also in Basic Transformative Mediation Training in Los Angeles, USA in August 2019 and 2020 with Dan Simon. Since summer 2020 she leads also Family and Marriage therapist office in Brno.

Kenneth Cloke

Kenneth Cloke is a mediator, arbitrator, coach, consultant and trainer, specializing in resolving complex multi-party disputes, including transnational, marital, divorce, family, grievance and workplace disputes, organizational, public policy, and school conflicts, and designing preventative conflict resolution systems. He has worked in over 25 countries and is founder and first President of Mediators Beyond Borders. He has published 15 books on conflict resolution, recently *The Crossroads of Conflict and Politics*, *Dialogue and the Evolution of Democracy*.

Christine Cole

Christine Cole is a certified mediator in both Civil and Family matters. She holds a master's degree in Mediation Studies and a BSc in Psychology and Communication Studies from the University of the West Indies. She is also trained in Restorative Justice practices, conflict coaching and designing conflict resolution and facilitation systems. Since 2010 Christine worked as an independent consultant engaged in mediation and conflict resolution training/coaching. She is a practicing mediator and is passionate about using her skills to help build a peaceful society.

Courtney Cole

“What do you do?” To this complex question that begs a simple answer, Courtney responds, “I look for stories, I guide, I translate.” As a Feature Producer, a bodyworker and childbirth doula, a community organizer, a mom, a teacher, a coach, a mediator, she asks and listens deeply — to words and to bodies — so they may have a chance to share and teach, each in their own way, what we may all benefit from.

Sheila Cole

Sheila Cole of Collaboration Matters, LLC has a Masters of Art in Law International Human Rights/Rule of Law. Her mediation training includes certificates in Basic, Family, Specialized ADR, Child welfare/Family group conferencing, and Restorative Justice. Sheila has a Certificate in Grief Group Facilitation and the Sand Trays Method. Sheila is certified in Conflict Resolution for Relapse Prevention and has served for nearly 20 years working with a variety of multicultural and diverse groups.

One of her favorite quotes is by Maya Angelo, “I am convinced of this, good done anywhere is good done everywhere.”

Community Hubs

Community Hubs for Separating Families are online multi-disciplinary service centres that are adapted to the reality of each community. Some are connected through a government funded

Community Legal Service that traditionally does not offer Family Law assistance, but now has a roster of Family professionals – a new hybrid model! And others are managed through a network of likeminded law and mental health professionals (Mediators and Collaborative professionals), who each work in their separate offices, but are connected on a roster. Our shared commitment is to a client-centred, safe and affordable community approach!

COMMUNITY HUBS PROJECT LEADERS:

Dr. Barbara Landau Ph.D, LL.M, Acc (Comprehensive) FM, FDRP Arb.

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Carole Conn

Carole Conn is the Director of Public Service Programs for BASF's Conflict Intervention Service, Alternative Dispute Resolution and Lawyer Referral and Information Service. She brings her passion and innovative program development experience to expand access to justice and resolution, however possible.

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Margaret Considine

Margaret is an Advanced Practice Mediator - Mii and CEDR accredited, a Commercial Negotiator, a Conflict coach, Trainer, a Management Consultant and an author of six books. Margaret holds faculty posts in universities in Ireland, the UK and New Zealand. Margaret holds masters from UCD, NUIM and Trinity College Dublin and is Harvard and Northwestern University trained. Margaret is president of the Mii, and Chair of Making Connections a charity alleviating loneliness in the elderly. Her best role is as parent of three very different, exciting and demanding teenagers.

Jane M Cooksey BSC LLB MICI Arb FMCA

I began as a Psychologist working with children before becoming a Litigation Solicitor and Partner, always endeavouring to settle out of court. For the last 12 years I have been solely mediating and I have accreditations in civil and commercial, workplace, community, family, transformative, intercultural competency, mediation advocacy, and international. Currently doing an MSc in Psychology and Neuroscience, my dream is to research how mediation can significantly enhance peoples' lives. I also teach Qigong.

Pegotty Cooper, MBA, FASAE, CDC®, CHCC®

Co-Founder, CDC Certified Divorce Coach® Certification

Certified Narrative Coach, CHCC Career Coach

EQ-i Emotional Intelligence Certified Practitioner

Randall R. Cooper, MBA, CFP®, CDFA®, CDC®

Supreme Court of Florida Certified Family Mediator.

Co-Authors: Divorce: Overcome the Overwhelm and Avoid the 6 Biggest Mistakes and

Divorce: Taking the High Road

Breeda Cotter

I was self-employed for twenty-five years before joining the Family Mediation Service in 2012. I took part in a number of research projects and pilot projects with the FMS during the last ten years and transitioned into mediation in 2018. I have worked in the Family Courts prior to the Pandemic last year when the Courts closed. This was a blend between single issue mediation and all issues which I also dealt with at that time. I made the transition to online and phone mediation in March of 2020.

Dan Dana

Dan Dana is a retired mediator, psychologist, and educator living with wife Susan in Sarasota, Florida. Holding the PhD in psychology from University of Missouri (1977), he is the author of two books on mediation. In 1985 he founded the Mediation Training Institute, now housed at Eckerd College, St Petersburg, Florida. Dan is the father of one and grandfather of two.

Georgia Daniels

Q is Georgia Daniels, J.D., a family and divorce mediator in Southern California who is also a retired teacher. E is an 11-year old boy whose parents wish to keep him anonymous; G is a 13-year old girl whose parents wish to keep her anonymous.

Sally Delancy

Sally Delancy is a poet living in Trinidad and Tobago, West Indies. She holds a B.Sc. in psychology and M.Sc. in counselling from the University of the West Indies. Her poems have appeared in The Australia Times Poetry Magazine, Writers' Morning Out, Rise Up Review, Rigorous Magazine, The Wild Word, The "Life in Quarantine" Project, Stanford University, USA, The Phare, Exeter Publishing (From the Soil: A Hometown Anthology – December 2020) and Spillwords Press.

Alberto Elisavetsky

- Public Accountant- Mediator - Expert in Distance Education
- Founder and President of Odr Latin America Social network that articulates new technologies with conflict resolution.
- Director of the Conflict Observatory and Postgraduate Course in Cybermediation at the National University of Tres de Febrero Argentina
- Fellow of the Center for Technology and Conflict of the University of Massachusetts United States
- President of the Negotiation and Mediation Commission of the Professional Council of Economic Sciences of the Autonomous City of Buenos Aires
- Professor of Introduction to Conflict Resolution, Negotiation, Design of Systems for Conflict Resolution and Online Dispute Resolution of various universities and courts in America and Europe
- Creator of the Global Registry of Cyber-Mediators
- Creator of the Platform for simulating mediations at distances "Simediar"
- Editor of the digital magazine in Spanish Online Dispute Resolution Latin America Journal
- Editor in Spanish of the digital magazine mediate.com
- Creator of the Latin American Council for Online Conflict Resolution
- Member of the Advisory Committee of Ex Curia International India
- Creator of Odr Argentina, Peru, Brazil, Mexico and Spain
- Director of the book "Mediation in the Light of New Technologies" Editorial Erreius
- Ambassador of Peace Thousand Millenniums of Peace Foundation Pea Unesco
- Member of the ICODR board of directors and president of the education committee.

Stephen K. Erickson

Stephen K. Erickson, J.D. has been mediating full time since 1977. He is co-founder and co-director of the Erickson Mediation Institute in Minneapolis, Minnesota, and has trained new mediators in the U.S., Canada, Holland, England, and Singapore. He is a founder and second president of the Academy of Family Mediators and he serves as Chair of the Standards and Ethics committee for the Academy of Professional Family Mediators. His recent books include The Practitioner's Guide to Mediation (2003), Family Mediation Casebook (2014), as His most recent book is: The Child Support Solution, Unhooking Child Support from Custody, (2020)

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Pauline Eustace

Pauline is an Advanced Member of the Mediators Institute of Ireland and has been Mediating for the last 10 years. She has worked in Private Practice in Workplace, Community and Family Mediation and has been working for the Family Mediation Service in Ireland since 2005. She also works as a Volunteer Mediator and mentor with Community Law and Mediation.

Linda Fieldstone

Linda Fieldstone, M.Ed., is Co-Chair of the ACR/FLAFCC Elder Justice Initiative on Eldercaring Coordination and provides conflict resolution opportunities to families of all ages since being Supervisor of Family Court Services, Miami-Dade, Florida, servicing families in the court for 26 years. Linda is past president of the Association of Family and Conciliation Courts. She is involved in research, writing, training, and consultation internationally.

Tara Fishler

Tara Fishler is the Director of Learning and Development for Creative Response to Conflict and the founder and CEO of Customized Training Solutions. A leader in ADR, she has taught conflict resolution and related skills to thousands of adults and students in schools and organizations. She is a facilitator, strategic planning expert and a passionate defender of individuals with special needs. Her memoir, “Up-Rooted: Climbing Through Family Chaos” will be published in 2022.

Majella Foley-Friel

Majella Foley-Friel is a law graduate of University College Cork and was called to the Bar in Ireland in 1986 in Dublin. She has a Masters of Mediation and Conflict Resolution from University College Dublin as well as an Advanced Diploma in Supervision from the University of Middlesex, England.

She trained and was employed as a mediator by the Family Mediation Service in 1997. She was employed as a manager in the Service from 1998 until 2008. She was then employed as a Trainer and Manager in a Non Governmental Organisation from 2009 until 2018. She currently works as a mediator, trainer and supervisor in the Family Mediation Service as part of the Legal Aid Board in Ireland.

Dr. Clare Fowler

Dr. Clare Fowler received her Doctorate on designing dispute resolution systems for small businesses from Pepperdine University Graduate School of Education/Organizational Leadership and her Masters of Dispute Resolution from the Straus Institute for Dispute Resolution at the Pepperdine University School of Law. Dr. Fowler serves as Managing Editor at Mediate.com and as Director of Caseload Manager. She has also worked at Pepperdine Dispute Resolution Department and UO CRES as the Career Advisor. Clare has mediated and trains, focusing on workplace disputes. Dr. Fowler’s dissertation was a phenomenological study of Workplace disputes. Her current book project is a guidebook for HR directors dealing with high conflict employees.

Kelly Gering

Kelly Gering is a conflict engagement private practitioner in Omaha, Nebraska. Her practice, Shared Story www.sharedstory.net provides mediation, facilitation, and training services to individuals and families working to find common ground. Kelly holds a BA in philosophy and an MA in Conflict Resolution and teaches in the Negotiation and Conflict Resolution Graduate Program at Creighton University. As a Board Member of the Nebraska Mediation Association, she works to help people have difficult conversations that matter.

Guillermo Mario González

Master en Estudios Avanzados en Mediación, Instituto Universitario Kurt Bosch, Suiza. Mediador del Equipo de Mediadores Escolares del Gobierno de la Ciudad Autónoma de Buenos Aires, Argentina. Mediador del Registro Nacional de Mediadores del Ministerio de Justicia y DDHH, Argentina. Director del Programa Diálogos Colaborativos de la Asociación Civil Visión Compartida. Facilitador de Círculos de diálogo con enfoque restaurativo. Facilitador de Diálogos Appreciativos en ONGS, Equipos de Trabajo y Organismos Gubernamentales.

Master in Advanced Studies in Mediation, Kurt Bosch University Institute, Switzerland. Mediator of the School Mediators Team of the Government of the Autonomous City of Buenos Aires, Argentina. Mediator of the National Registry of Mediators of the Ministry of Justice and Human Rights, Argentina. Director of the Collaborative Dialogues Program of the Shared Vision Civil Association. Facilitator of Dialogue Circles with a restorative approach. Facilitator of Appreciative Dialogues in NGOs, Work Teams and Government Organizations.

Jodie Grant, Shifting Sands

Building upon Social Work foundations, today Jodie is a highly skilled and knowledgeable Family Dispute Resolution Practitioner (FDRP) and Mediator. Commencing work in the Family Law field nearly 20 years ago, Jodie has maintained clinical practice whilst fulfilling education and training roles, leading and supporting professional best practice. Jodie also works as a coach, FDR clinical supervisor, and Restorative Engagement Facilitator/ Direct Personal Response Facilitator.

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David Gray

David Gray has practiced Mediation and Alternative Dispute Resolution for the last 5 years as a Certified Mediation Practitioner with the Mediators Institute of Ireland. In this time David has helped dozens of families, separating couples, workplaces and community organisations resolve disputes. www.talklistenresolve.com

Over a 12 year period David has worked as a Licenced Functional Family Therapist and Frontline Worker in the Irish Addiction & Mental Health services. David holds a Masters in Mediation and Conflict Intervention, a Degree in Services Marketing and a Diploma in Community Development and Social Integration.

Currently David is the C.E.O of a state funded Youth & Family Service in South East Ireland. David is passionate about mediation and is the proud father of two wonderful children too.

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José Luis Montoto Guerreiro

ABOGADO / MEDIADOR. Director de Centro Judicial de Mediación Poder Judicial Provincia de Misiones Argentina.

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DOCENCIA Grado: Universidad Cuenca del Plata. Medios de Resolución de Conflictos. Prof. Titular. Posgrado: Centro Europeo del Atlántico– Santiago de Compostela España y Universidad Nacional de Misiones. Facultad de Ciencias Económicas. Argentina

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Lawyer/Mediator: Director of the Judicial Center for Mediation Judicial Branch Province of Misiones Argentina.

Relevant Training: Specialist in High Technology Law – Universidad Católica Argentina. Master’s Degree in Judicial Magistracy, University of Buenos Aires. Management of Information Systems and Information Technology, University of California, Berkeley–University Extension Program. General Council of the Judiciary / CEDDET Foundation / Spanish Cooperac Agency. Internac. for Development - Spain - “Alter-native Solutions and their Economic Impact.

Education: Cuenca del Plata University. Conflict Resolution Means. Prof. Titular. Postgraduate: European Center of the Atlantic - Santiago de Compostela Spain and National University of Misiones. School of Economics. Argentina.

Author: “Environment to the Jurisdiction in Electronic Commerce.” EAE. 2014. “Aspects related to the Telecommunications regulation”. Rev. Jca. The Law, etc.

Susan Guthrie

Susan Guthrie, nationally recognized as a leading family law attorney and mediator in the country has been helping couples navigate separation and divorce for more than 30 years. She is highly regarded world-wide as an expert in online mediation and has helped more than 17,000 colleagues and professionals transition to an online format since founding her company, Learn to Mediate Online™. Susan recently partnered with Forrest “Woody” Mosten to create The Mosten Guthrie Academy for Mediation and Collaborative Law Training. Susan is proud to serve on the Executive Committee of the American Bar Association Dispute Resolution Section and to Co-Chair the Section’s Mediation Committee.

Ellice Halpern

Ellice is the founder of Little Falls Mediation in Arlington, Virginia. She was voted Best Mediator 2020 and 2018 by readers of Arlington Magazine. She was voted Best of the Best in 2020, 2019, 2018, and 2016 by readers of the Arlington Sun Gazette. She is Adjunct Professor of Law at George Mason University's Antonin Scalia Law School, teaching Alternative Dispute Resolution as well as Mediation. She is a graduate of Cornell University and Georgetown University Law Center.

Gabrielle Hartley

Gabrielle Hartley, Esq. is a family lawyer and divorce mediator with 25 years of experience working with high conflict divorces in private practice and clerking for a NYS Judge where she resolved hundreds of trial ready cases. She authored *Better Apart; The Radically Positive Way to Separate* (Harper Wave 2019) and hosts *The Better Apart Blog*. Gabrielle is a sought after divorce expert in outlets such as NBC's *Mass Appeal*, *The New York Times*, *The New York Post*, *USNews* and *Vice*.

David Hubbard

David Hubbard, J.D. is Director of the Conciliation Court for Douglas County District Court in Omaha Nebraska. David mediates parenting plans, teaches parenting education classes, advanced mediator workshops, and provides restorative justice processes for the District Court. From 2005 to 2017 David served as the Director of Facilitation and Training at The Mediation Center in Lincoln, Nebraska and taught mediation and family mediation at the University of Nebraska College of Law.

Benjamin Jones

Benjamin Jones, aged 22, currently back living with his parents in Dublin, Ireland since March 2020. Benjamin was in his final semester of a Bachelors in International Studies at Leiden University in The Netherlands when he was made to move back home amid the lockdowns across Europe. He is now doing a gap year (after graduating) but remains living at home and as Ireland is in a third lockdown, he is waiting to restart his life.

Josh Kraus

Josh Kraus is the founder of Fair & Friendly Mediation, where he practices as a family mediator throughout the state of Florida. He is also on the Board of Directors of the Academy of Professional Family Mediators. Please visit www.fairfriendlymediation.com for more information.

Dr.ssa Dina Labbrozzi

Dr.ssa Dina Labbrozzi is a clinical psychologist and family mediator. She works in private practice in Lanciano, East-central Italy.

Jacob Lang

Jacob Lang is an artist working in a variety of digital formats in Santa Cruz, California.

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Michael Lang

For the past 40 years, Michael has mediated marital disputes as well as other family conflicts and worked to resolve conflicts in businesses, government agencies, universities and other workplace settings. He was instrumental in developing and teaching in graduate programs in conflict resolution at Antioch University and at Royal Roads University in Victoria, BC.

His books include, *The Practitioners Guide to Reflective Practice in Conflict Resolution* (2019), *The Making of a Mediator: Developing Artistry in Practice*, (2000) and is lead author for a series of ebooks, *Divorce and Separation: A Practical Guide To Making Smart Decisions*. He co-created and co-edited *Living Together, Separating Divorcing: Surviving During a Pandemic* (2020).

Richard Lang

As a studio artist, Richard Lang draws with a variety of mediums including the notoriously difficult monoprint and watercolor, that he describes as either akin to rock climbing or downhill skiing. For 20 years he has been transforming his studio into “The Large Hadron Collider”, a device for discovering the Higgs/Boson Particle of Art. He feels he has uncovered the elusive critter—awaiting peer review.

Richard is also a poet, short story writer and performer. His blog 90 Ojime is a repository for his memoirs and musings describing the modern human as a part of the natural world, <https://90ojime.wordpress.com> As The Poetry Jukebox he recites selections from 150 memorized poems to attendees at fundraising venues.

Gillian L. Lewis

Ms. Gillian L. Lewis is an educator, school administrator, mediator and contributor to the Lifestyle magazine, ‘My Caribbean Comforts.’

Gillian holds a Bachelor of Education from the University of the West Indies and Masters of Education in Curriculum, Leadership, and Administration from the University of New Brunswick.

Gillian is a native of the twin island Republic of Trinidad and Tobago, and currently resides in the village of Plymouth. She loves photography and nature, and is the mother of three adult children.

Lori Lustberg

Lori is a CFP® and CDFA® at Pathway Financial Advisors in South Burlington, Vermont. She specializes in working with women facing a life change who seek to become financially empowered and take charge of their destiny. A recovering attorney, she is a prolific freelance writer and a frequent presenter on taxation and financial issues to professional organizations, including the Vermont Bar Association. Lori is co-president of the national Association of Divorce Financial Planners.

Tiziana Magnaghi

I practise the profession of conflict mediator, criminologist and counsellor; I collaborate with legal offices as consultant, I have been and I am a supervisor at various conferences. Great satisfactions (despite the diffidence in Italy) I am having with school mediation at a Higher Institute and with counselling combined with yoga at a maximum security prison. Through updates and different courses that I constantly attend (even for simple curiosity) I try to mix my different skills to get the best for my clients and certainly also for me and my family.

Fiona A McAuslan

Fiona is Director of The Legal Aid Board's family mediation service in Ireland. She has worked as a mediator for over twenty years in family, workplace and education and is presently Chair of Ethics for the Mediators Institute of Ireland. She was the Director of the Conflict Resolution Education Module on the Masters programme in MaynoothNUI, directed CRE Drumcondra, a Conflict Resolution Education Programme for National schools and is an experienced conflict coach. She is particularly experienced with Bullying and Harassment work.

To date Fiona has co-created a number of successful publications with Peter Nicholson and Michael Lang. These include: The S.A.L.T. Programme: Creative Solutions to Conflict for Primary Schools, The Resolving Book Series and Living with Separation and Divorce.

Nidhi G Modi

Nidhi G Modi is an International Arbitrator, Director and Counsel at CiADR and is a Qualified Advocate in India. She is working with the UK, USA, Germany, Spain, Argentina, Myanmar, India, and Thailand. She is also a Member of the Charter Institute of Arbitrators, UK. Ms. Modi is Research head and a Fellow member at World Mediation Organization, Berlin, Germany.

Darby Munroe

Darby Munroe founded Trauma Informed Solutions to prevent and reduce childhood trauma and ACEs. After making it through a high conflict divorce, she wanted to make the process less stressful and traumatic for other families, so she became a certified mediator and conflict coach. darby@traumainformedsolutions.com

Sharon Morrissey

Sharon Morrissey is a mediator specializing in family mediation this includes child inclusive mediation and child focused mediation.

She lectures in Understanding Conflict, Conflict Analysis and Dynamics , Advance Mediation Theory and Practice, Self-Awareness and Reflection. She is involved with groups that support children who are separated from their parents for reasons such as parental separation, alienation, bereavement and loss. Sharon supervises Masters dissertation students in Dispute Resolution, and Program Lead on HEA Course. She authored "That's Not My Ending!" This tells the story of parental separation through the eyes of the children. www.sharonmorrisseyconflictresolution.ie

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Roger Moss

Roger Moss serves Conflict Intervention Service as supervising mediation counsel, and founded Rincon Resolutions LLC, an organization dedicated to increasing access to resolution through innovative online dispute resolution. He studied medieval history at UC Berkeley before mastering collaborative, relationship-driven negotiation in the commercial real estate industry. An active member of the bar in California and Washington, Roger lives on an island on the Puget Sound. Learn more at RinconRes.org, or tweet Roger @Rincon_Res.

Forrest (Woody) Mosten

Forrest (Woody) Mosten is in his fifth decade as a mediator and collaborative family lawyer www.MostenMediation.com. Woody is a Master Trainer of Peacemakers from introductory to advanced courses www.MostenGuthrie.com. The author of 6 books and numerous articles, he teaches Mediation and Lawyer as Problem Solver at the UCLA School of Law. He is the Chair of the Mediate.Com Task Force on Online Mediation Training Task Force Resource Center (mediate.com) and Chair of the Louis M. Brown and Forrest Mosten International Client Consultation Competition www.brownmosten.com. He is recipient of the prestigious ABA Lawyer as Problem Solver Award and in 2019, he received the Academy of Professional Family Mediators Lifetime Achievement Award.

Doirín Mulligan

Doirín Mulligan is a practising solicitor and a trained mediator and collaborative family law practitioner. Doirín practices exclusively in the areas of Family Law and Child Care Law and is equipped to provide clients with expert advice in these areas. Doirin's view is that the best interests of the children should be paramount in any proceedings concerning them.

Darby Munroe

Darby Munroe started Trauma Informed Solutions to prevent and reduce childhood trauma and ACEs. After making it through a high conflict divorce, she wanted to make the process less stressful and traumatic for other families, so she became a certified mediator and conflict coach. She is also the founder of Calm Conflict, a nonprofit aiming to help individuals navigate conflict on their own, even if the other person won't change. I release any Copywrite to my article for use in this publication. darbymunroe@outlook.com (personal) or darby@traumainformedsolutions.com (business)

Nathalie Sennegon Nataf

Nathalie Sennegon Nataf is an Honorary Lawyer of the Paris Bar and a Family Mediator, expert and specialist in family conflicts, Author, Consultant and Speaker. She puts her expertise acquired during more than 25 years of practice as a lawyer in France, then mediator, serving families leaving between France and the United States. Always concerned about the best interests of children in situations of family breakdown, divorces and separations, also very involved with associations helping families in difficulty in France and the US. She also works in close collaboration with therapists, psychologists, pediatricians and child psychiatrists, to better meet the needs of families she supports, advises and guides. She built and is the director of the National French Chapter of the NADP (The National Association of Divorce Professionals) and is a Certified Divorce Specialist by NADP. www.sennegon-nataf.com

Colma Nic Aodha Bhui

Colma Nic Aodha Bhui joined the Family Mediation Service as a Family Mediator nearly twenty years ago attracted by its ethos of supporting the family to continue albeit in separate homes and the fact that the voice of the child was heard either through the child being directly consulted or by ensuring that parents never lost sight of their ongoing relationship as parents.

Keave O'Donnell

Keave is a mediator, restorative practice facilitator, conflict coach and trainer. She works online and on site, in private practice and with the Family Mediation Service in Dublin, Ireland. A former journalist, Keave holds degrees from NUIM, Griffith College Dublin and masters degrees from UCD. She has recently completed child consultant training. e. keave@onesmallstep.ie

Morenike Obi-Farinde LL.M FCIArb

Morenike is a multi - disciplinary practitioner. Morenike brings her legal experience of over 2 decades into her practice as an Alternative Dispute Resolution (ADR) Practitioner. She is a Fellow and Tutor of the Chartered Institute of Arbitrators (CIArb). CEDR Accredited Mediator, Member and Tutor Standing Conference of Mediation Advocates (SCMA), Tutor and Neutral at the Lagos Multi Door Courthouse (LMDC). Fellow, National Centre for Technology and Dispute Resolution (NCTDR), Board Member, International Council for Online Dispute Resolution (ICODR), Founder ODRAFRICA NETWORK and Notary Public of the Federal Republic of Nigeria.

Andi Paus

Andi Paus is a graduate of Creighton University School of Law and has been admitted to practice in Arizona since 1997. She has been practicing family law litigation her entire career. Andi shifted her practice to almost exclusively mediation nine years ago when becoming a partner at Arizona Mediation Institute. She has a very small litigation practice with Paus Law, PLC, but primarily serves as a mediator, arbitrator, special master, and parenting coordinator. Andi lives with her long time significant other, Steve, her teenagers, Carter and Kennedy, and their dogs, Thunder and Lester. In her free time, she enjoys painting rocks for the You Rock Project.

Louise Phipps Senft

Louise Phipps Senft is an Attorney family Transformative Mediator and innovator of relational practices for conflict transformation, negotiation, and problem-solving. She is a Distinguished Fellow in International Academy of Mediators and author of the Best-Seller Being Relational: The Seven Ways to Quality Interaction & Lasting Positive Change. She is the creator of the international podcast Blink of an Eye with a message of hope and advocacy for trauma healing as told through story-telling, and that you are never alone. www.BlinkofanEyePodcast.com is listened to around the globe and is supported by the Integrative Center for Trauma Healing, Advocacy, and Transformation (IC THAT), a non-profit she founded to support families through catastrophic trauma.

Family Conflict During a Pandemic: Stories of Struggle and Hope

Mary-Anne Popescu, B.A.Sc., AccFM, AccEM, CPMed, Family Mediator, Executive Director, OAFM

Since March 2015, Mary-Anne Popescu has served as the Executive Director of the Ontario Association for Family Mediation (OAFM). As an OAFM Accredited Family and Elder Mediator, and Child Protection Mediator in private practice, she works to bring peaceful resolutions that have helped hundreds of families adapt to challenges and changes across the life cycle. Mary-Anne has been a roster mediator for the Office of Independent Police Review Director (OIPRD), since 2013 and roster mediator for the Ministry of Government and Consumer Affairs since 2016. In 2020, in response to the global pandemic, Mary-Anne became a Certified Online Mediator.

Mehrdad Rayejian Asli

Mehrdad Rayejian Asli holds a PhD in Criminal Law and Criminology. He is Assistant Professor at the Institute for Research & Development in Humanities, Tehran, Iran. Dr. Rayejian Asli has published several articles, including: “Iranian Criminal Justice System in Light of International Standards Relating to Victims, European Journal of Crime,” Criminal Law and Criminal Justice, 2006; “Forced Marriage in Islamic Countries: The Role of Violence in Family Relationships,” Springer, 2016; and “Incorporating the United Nations Norms into Iranian Post-Revolution Criminal Policy: A Criminological-Victimological Approach,” Springer, 2021.

Morghan Leia Richardson

Morghan is a Partner at Davidoff Hutcher & Citron LLP in Manhattan. She exclusively handles divorce and family litigation and mediation. Ms. Richardson has been named by Super Lawyers and by the American Society of Legal Advocates as a Top 40 Family Lawyer Under 40. She is a member of the New York State Bar Association’s Section for Women in the Law, and Lawyer Moms of America. Ms. Richardson is selected as a mediator for the New York County Supreme Court’s pilot Matrimonial Mediation program. She is licensed to practice in New York, Maryland and D.C.

Amy Robertson

Amy Robertson is a Family Mediation Canada certified Comprehensive Family Mediator, a Chartered Mediator and a Mediate BC Family, Civil and Child Protection Roster member. Amy has conducted over 600 mediations and has a private practice in Victoria, BC Canada where she focuses on Family, Divorce and Workplace mediations. For more information visit victoriamediation.com.

Anna M. Saczuk

Mediator with over 20 years of managerial experience. Specializes in family, commercial and workplace mediation including collective bargaining. Speaks several languages. Trains family members, HR managers and CEOs in communication, negotiation and problem-solving skills. Mentor for young professionals. Judge in the ICC mediation competition. Mediator by the Polish Minister of Labor and Social Policy. Chosen by a French deputy to co-design and run a cross-border family mediation project.

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Jennifer Safian

Jennifer Safian is a divorce and family mediator with a private practice in New York City. She is fluent and mediates in French and Spanish, as well as English. Jennifer is a Member of the National Association of Divorce Professionals as well as the French Chapter (NADP) and an Accredited Mediator Member of the New York State Council on Divorce Mediation (NYSCDM). She volunteers in the areas of divorce and custody/visitation at the Westchester Mediation Center of Cluster in Yonkers, NY. www.safianmediation.com

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Donald T. Saposnek

Donald T. Saposnek, Ph.D., is a clinical-child psychologist, child custody mediator, and family therapist in practice since 1971, and an international trainer and consultant in child psychology and mediation since 1977, author of *Mediating Child Custody Disputes*, co-author of *Splitting America* and of *The Child Support Solution*, and has taught on the psychology faculty of the University of California, Santa Cruz, for 41 years, and at Pepperdine University School of Law, Straus Institute for Dispute Resolution since 2009. (www.donsaposnek.com)

Lorraine Segal

Lorraine Segal, M.A. is a Conflict Management and Communication Consultant, Coach, and Trainer. At Sonoma State University, Lorraine leads the Conflict Management professional development certificate program. Through Conflict Remedy, she works with individuals and organizations to promote harmonious and productive workplaces and relationships.

With kindness and expertise, Lorraine offers insight and perspective to help leaders see organizational blind spots. She shares practical and spiritual tools to help clients gain clarity about the underlying issues and then heal seemingly intractable disagreements. She has contributed to Medium.com and the anthology: *Stand up, Speak Out against Workplace Bullying*. Find her blog posts and more information about her services and writings at ConflictRemedy.com

Family Conflict During a Pandemic: Stories of Struggle and Hope

Jennifer Segura

I always had a strong desire to work with families. I began my college career on a path to become a psychologist. Along the way, my educational desires changed, but I still had a longing to work with families. After completing an anthropology course that compared the American legal system to how American Indians handled conflict, I wanted to learn about alternative ways of handling conflict. I attended law school then became trained as a family mediator. I founded San Diego Family Mediation Center in 2008 and since then I have worked with families, learning to help them in every way possible. I am grateful to be in a profession that fulfills my passion to help families through difficult transitions.

Vicki L. Shemin

Vicki L. Shemin, J.D., LICSW, ACSW, a family law attorney, mediator, collaborative law attorney, divorce coach, and clinical social worker, is a partner at Fields and Dennis LLP in Wellesley, Massachusetts. She can be reached at VShemin@FieldsDennis.com.

Amanda D. Singer

Amanda D. Singer, Esq., MDR, CDEA is the co-founder of West Coast Family Mediation Center where she works as a professional family mediator with clients all throughout California to help them deal with conflicts constructively and find ways to improve communication, solve problems and reach agreements on legal and non-legal issues in a peaceful manner. Amanda is the Vice President of the Academy of Professional Family Mediators.

Lisa Sundquist

Lisa Sundquist is the Owner and Mediator at Creekside Mediation, LLC a dedicated mediation practice in historic downtown Frederick, Maryland. She focuses on assisting families in transition with divorce and custody issues.

Delma Sweeney

Delma Sweeney PhD, was the Director of Mediation & Conflict Intervention at the Edward M Kennedy Institute, Maynooth University, National University of Ireland. She has worked as a mediator since 1986 mediating thousands of family and workplace disputes. Accredited with the Mediators Institute of Ireland, and a psychotherapist with the Irish Council of Psychotherapy, she currently practices as a psychotherapist.

Dr. Mike Talbot

Dr. Mike Talbot is a psychotherapist, mediator, trainer, author, and professional practice consultant, and the founder and CEO of UK Mediation Ltd. Mike holds degrees in Psychology, Ergonomics, and Psychotherapy, and a doctorate in the overlap between mediation and psychotherapy (D.Psych.)

As well as running UK Mediation, Mike mediates commercial, interpersonal, family, workplace, and business disputes; he facilitates teams and provides conflict coaching. Mike's particular interest is in the psychological and relational aspects of conflict.

Lara Traum

Lara Traum, Esq. is an attorney and mediator, working in a family practice in Queens, New York together with her mother, Alla Roytberg, Esq. Focusing her work on family, matrimonial, prenuptial, and estate matters, Lara mediates internationally and both teaches and publishes academically. Prior to pursuing a career as an attorney and mediator, Lara worked professionally as a vocalist and choral conductor.

Sofia Nic. Tsiptse

Sofia Nic. Tsiptse, is a Lawyer at Court of Appeals and one of the owners of the Law Firm “the MEDIllution team Law Mediation-Data Protection. She is a Certified Mediator of Ministry of Justice and she is member of Mediators Committee of OP EMED, a governmental entity that promotes Mediation. Also, she is member of Mediators’ Catalogue of HOBIS, specialized for banking and insurance and investing disputes. She has founded the Mediation Center of SMEs Chamber. She has written articles on legal issues in papers and journals, especially on GDPR and Mediation. She is DPO in entities (Journalist’s Association, German School in Thessaloniki Greece and Association of Handicapped Persons) and GDPR counsel in compliance projects. She is member of the Board of Greek EADPP Branch. She has founded INEPID (Institute for Professionals Of Data Protection and Privacy. She has co-written a book about Mediation.

Olga Tsiptse

Olga Tsiptse, Member of Secretary of the Field of Justice KINAL; LL.M lawyer at Supreme Court of Greece; Accr.Mediator spec.civil,commerce, family,online, banking mediation; Dpo at Deutsche Schule Thessaloniki; Chair of Greek EADPP Branch & Member of EADPP Certification Committee; and Member OPEMED, EODID, EBEA-ACCI, IAPP, CIArb

Όλγα Ν. Τσιπτσέ, Μέλος Γραμματείας Τομέα Δικαιοσύνης ΚΙΝΑΛ; Δικηγόρος LL.M παρ’ Αρείω Πάγω; Δ.Διαμεσολαβήτρια ΥΔΔΑΔ; Gdpr/ Dpo exprt.

Philip Turner

Philip Turner is a father and Divorce Coach helping create empowerment through divorce. He primarily focuses on empowering individuals to take massive responsibility for everything that shows up in their lives including their emotions, health, and wealth. Other areas include helping people remain a powerful influence in their children’s lives despite the parenting arrangement, and ensuring that they don’t repeat the negative patterns that created their divorce.

Lili A. Vasileff

Lili A. Vasileff is President of Wealth Protection Management, based in Greenwich, CT, a mediator, Certified Divorce Financial Analyst, and litigation divorce financial expert. She is a nationally recognized speaker, practitioner, writer, and author of three books on divorce, including: “Money & Divorce: The Essential Roadmap to Mastering Financial Decisions” published by the American Bar Association. Lili is the co-president of the national Association of Divorce Financial Planners (ADFP). Her awards include the prestigious 2013 Pioneering Award for outstanding public advocacy and leadership in the field of divorce financial planning. Her website is www.wealthprotectionmanagement.com.

Family Conflict During a Pandemic: Stories of Struggle and Hope

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Directora Servicio de Mediación Familiar

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Geraldine Lee Waxman

Geraldine Lee Waxman, J.D, received her mediation training at Harvard University and advanced training with John Haynes Institute during the early 1980s. She is an approved Primary Trainer for family mediation in Florida and is an Advanced Practitioner of the ACR. Geraldine was instrumental in creating a program for the American Arbitration Association for mediators in Florida during the early 1980's and also trains Elder Mediators.

Tracey-Leigh Wessels

Tracey-Leigh Wessels is an Attorney and Mediator practicing in Durban South Africa. Tracey-Leigh was admitted as an attorney in South Africa in 1997. In 1998 she obtained her accreditation as a Family & Divorce Mediator through SAAM (The South African Association of Mediators). She has since 2011 been focusing predominantly on Family and Divorce Mediation matters.

Ani Zheku

Ani Zheku, Research Assistant, National Self-Represented Litigants Project, *NSRLP's mission is to advocate for a better and deeper understanding of the needs and challenges of self-represented litigants in Canada through continuing dialogue among all stakeholders including self-reps, lawyers, judges, and the court system as a whole.

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A Final Note

When I called my friend and colleague Michael Lang precisely a year ago as I type this note, and told him that I had an idea for a new project. As usual, he was all ears and ready for an adventure. Cutting a long story short, the “Surviving during a Pandemic” book was imagined, created, produced and published in less than a month.

It was a strange time as none of us knew what was ahead of us concerning this Pandemic. When I said to Michael recently that I thought we should go again with a second book, Michael said yes as he was already in the same mind. After contacting our very talented network of collaborators and some new partners, the second book is now complete (well, except for this note). I have just finished giving this new book one last read to make sure everything is correct. During my journey through the pages, I was reflecting on my year of the Pandemic.

On a personal note, the Pandemic did not have that much of an effect on my life. Yes, I was concerned for the loss of life and hardship people had to endure, but as a happily married man, with my loving family, home and dogs, I could carry on with my life in my happy little bubble. I found new ways to do business, entertain ourselves, and cope with the toilet roll shortage, the zoom quiz nights, and the very clever people in power telling us not to wear masks for the first few months of the Pandemic.

Besides the worry of my parents, Anne and Peter and my wife Karen’s parents Christine and John, and the challenges my mid-twenties kids Patrick and Ailish have with life going on hold for young people who want to get on with their lives, develop friendships, relationships, careers and the next phase of their lives.

Now we have toilet roll mountains, our parents are all vaccinated, my son Patrick is building data centres like there is no tomorrow with his pal Mel in Warsaw while becoming an expert Salsa dancer (no downtime for him). My beautiful daughter Ailish while waiting for the Virus to go away for good, has developed new talents including Oil Painting with me, retro roller skating with Mai, and has developed stronger friendships with better people all around.

I have seen how people and businesses have adapted. My colleagues in OGX have been fantastic, working from home, back in the office, at home again but always performing to the highest level. Working with Alan in Global Tax Reclaim has shown how companies can adapt and grow when the business landscape changes.

Karen and I have created a fab back garden to enjoy our summer holidays this year, probably in the rain, but we have that covered with the Shack! I am making so much homebrew, Diageo may wish to acquire my enterprise in case I flood the market, and Karen has a new sewing room and is making more frocks than Pennys.

Michael and I intend to produce another book in the series, and let’s hope the final note in that book will be a message about how things are so different now that COVID19 is finally defeated.

Peter Nicholson
Ireland

Family Conflict During a Pandemic: **Stories of Struggle and Hope**

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**Living Together,
Separating, Divorcing:
Surviving During a Pandemic**




Advice from over 70 leading mediators and related professionals from 10 countries to help you deal with the loss of income, lack of accommodation, child care, and **dealing with each other!**

Created & edited by Michael Lang & Peter Nicholson

Family Conflict During a Pandemic: Stories of Struggle and Hope

Created & edited by Michael Lang & Peter Nicholson



Everything is closer to being
alright, maybe not today,
but soon.

Advice from over 90 mediators and related professionals, artists, politicians and others affected by the Pandemic from around the world.

Aware of the continuing strain on families who continue to struggle with the consequence of the pandemic - illness and death, lockdowns, economic catastrophe, distance learning, virtual work, and anxiety caused by constant uncertainty—it seemed time for a second book that offered advice, support, compassion, and hope. We set out to collect stories that describe both the ongoing struggles and glimmers of hope.

Family Conflict During a Pandemic: Stories of Struggle and Hope is truly a global gift to families.

Visit our website for more advice at
www.Pandemic-Relationships.com



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