



A Healthy Outlook!

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10 REASONS TO MEDIATE, Instead of Litigate, Your Divorce

- 1. Mediation causes less emotional wear and tear**—For most people, separation and divorce is an emotionally traumatic and exhausting time. Mediation, with its focus on each person's needs and the future, offers a gentler way through this time. While litigation can often exaggerate already explosive emotions, mediation tends to help couples navigate this difficult transition without added rancor. Many couples also reach a resolution on some of the issues that caused strain during their marriage.
- 2. Mediation is better for the children**—Research shows that it is exposure to parental conflict rather than divorce itself that potentially causes harm to the children. Mediation helps protect the relationship between the parents as they proceed through the divorce process by encouraging respectful communication and cooperation.

For parents, this is key, because they always are going to be involved in each other's lives. The goal is to have parents who have children together be able to look forward to graduations, ballet recitals, sports events, weddings, and the like, without awkwardness or anxiety.

- 3. Mediation saves money**—Litigation is around 10 times more expensive than mediation. Since litigation generally is an adversarial process, the costs can build up quite quickly. With litigation, each person pays to speak to his or her attorney, then pays the attorney to speak to the other attorney, then the attorneys consult with each of you, and so forth. If you go to trial, you pay for discovery and hours of preparation. In contrast, mediation saves time and money by encouraging cooperation and direct communication.

- 4. Mediation saves time**—Mediation generally is completed within two to four months. Litigation often takes years.
- 5. Mediation is effective**—Mediation has a high success rate: most separating or divorcing couples who participate in private mediation resolve all essential issues and never go to court, except for a brief uncontested divorce hearing. Research shows that mediated agreements have higher compliance rates than court-ordered agreements; that participants have higher levels of satisfaction with mediated agreements; and that both parents are more likely to stay involved in their children's lives after attending mediation.

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Don't Get Held Up

Interruptions can have a way of converging and overwhelming you at the end of the day, including the colleague who drops in to talk as you head out the door to go home. You want to stay, but your family is waiting for you.

What do you do? Try telling your colleague that you really want to talk, but you need to leave. Take the time to find out his or her concern and set up a time to meet and talk the next day. Then, take the initiative to follow through on the meeting. Write yourself a note or put it on your calendar so you will remember.

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Mediate Instead of Litigate

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This makes sense when you consider that mediation allows both participants to be heard fully and to participate directly in the creation of the agreement.

6. *Mediation offers more privacy—*

The proceedings of a court hearing are open to the public, while negotiations that occur in mediation are confidential.

7. *Mediation allows you to make the decisions—*

In mediation, participants maintain control over their decisions, instead of giving that power to a judge. Couples can create an agreement that fits their family instead of having an arrangement imposed on them by a stranger. (Remember that, while most judges are hard-working and well-intentioned professionals, few of them have special training in

family dynamics or child development, and almost all judges must make decisions quickly in order to meet docket pressures.)

8. *Mediation is a creative process—*

The mediation process encourages creativity and brainstorming to find a truly “win-win” solution for both couples and their children. Because mediation is not bound by the same jurisdictional and logistical restrictions of the courts, couples in mediation are free to consider and even experiment with a greater range of options.

9. *Mediation teaches life-long skills—*

Often, couples learn new communication skills in mediation that they can use with each other and with other people in their lives. During the mediation sessions, they can practice positive conflict resolution skills that are tailored to their needs. These skills can help parents negotiate the various issues

that inevitably arise as their children grow up.

10. *Mediation is a low-risk option—*

With mediation, you are not giving up the adversarial option. If mediation fails, you still can go to attorneys and the courts. Also, you are not on your own with mediation. The mediator will guide you through the issues and, if needed, encourage you to get advice from attorneys, financial consultants, accountants, and child development experts. In addition, the content of mediation (discussions, documents, etc.) are protected by a confidentiality agreement and cannot be used as evidence in court.

Written by Donna Duquette, J.D., from the Mediation Office of John Spiegel. Printed with permission. For more information on mediation, telephone their office at 301-340-1811, or visit their website at www.mediationoffice.net.

THE RE-NESTING ISSUE: Do We Put Out the Welcome Mat or Shudder When a College Graduate Returns Home?



My next door neighbor has three grown children, all of them in their 20s: One is a recent college graduate, another is a part-time graduate student/part-time legal aide, and the oldest is starting his own business. They all live at home with their parents.

These neighbors are from Uruguay, and they see nothing unusual in having their grown children live with them. The parents even updated their children's bedrooms to make them more inviting for an adult to live in—new furnishings, fresh paint job, upgraded bathroom.

Not many of us feel this way when our grown children come back for re-nesting. Their appearance raises questions about their ability to be

independent, to launch themselves into successful careers and relationships. Their return smacks somehow of failure—a failure that reflects on us. (According to the most recent U.S. Census data, adults between the ages of 25 and 34 are living in multigenerational households at a rate not seen since 1950.)

Economic pressures aside, there may be a cultural divide—welcoming grown children back home as the norm versus readmitting them with a sigh of concern.

In a recent piece in the *New York Times*, “Why Rent When You Can Nest?,” the author talks about a 28-year-old friend with a good job who is living at home with his parents to save money in order to buy into a business. He is Russian and he feels it is a smart and comfortable thing to do. The author, on the other hand, says he celebrated getting his first job by “promptly signing away half my take-home pay” on rent for an apartment. He grew up, he says, “with an unspoken assumption, just as my parents had, that I would live on my own after college.”

“I suspect,” the writer goes on to say, “that many young American adults who have to move in with their parents feel crummy about it. Most Russian immigrants I know do not. They don't see it as a sign of failure but as a means to achieve their financial goals more quickly.” As for the parents, the Russian set see their son's homecoming as the natural, expected event, as do my Uruguayan neighbors. They do not expect their grown children to move out until they marry. They rejoice in dinners together as a family.

We American parents, on the other hand, struggle to hide our disappointment when we tell our friends that our adult children have—oh dreaded words—“moved back in.”

Penelope Lemov is the founder and author of a blog on parenting grown children, www.grownchildren.net, from which this article is adapted. You also can follow her on twitter as PenPenWrites.

Q. If I come for an appointment with the EAP, will I be referred immediately to an external resource?

A. No, you will not be referred immediately if at all. In the first session or two, an EAP counselor will conduct an initial assessment of your concerns. After that, the counselor will make a recommendation to you, such as self-help ideas, a referral, continued work with the EAP, or some combination of these. So, based on the initial assessment, some clients get a referral in the first session and are not seen again; others are seen by the EAP for short-term counseling.

How to Stop **PROCRASTINATING**

◆ **Set Specific Goals**

The most effective goals are specific, measurable, and achievable. An example of a good goal is saying, "I will buy paint on Friday and paint the living room on Saturday." This is better than saying, "I am going to get the house ready to sell."



◆ **Set Priorities**

Write down all the things that you need to do and place them in order of importance. The most important tasks belong at the top of your list and the distractions belong at the bottom. Start at the top of your list and work your way down.

◆ **Organize Your Work**

Set up a system for yourself. Prepare a daily schedule and keep it within view during your work time. List the tasks for each day. Check things off as you complete them. When you are working on a project, lay out all of the needed supplies or materials before you begin.

◆ **Divide and Conquer**

Sometimes a project can be overwhelming if you think about all of the

work that is involved. Do yourself a favor: break the activity down into smaller steps and set progress goals for each step. This is especially helpful when you are beginning a writing project, studying for a degree, or building a new set of skills. For example, make an outline before you start writing a report. If you have to clean your house, make your goal to do the first two rooms by 10:00 a.m., two more by noon, and two more by 2:00 p.m. Check off tasks on your list as you complete them.

◆ **Make It a Game**

Turn the temptation to avoid working into a challenge. Use your imagination. For example, if you need to study the first five chapters of your history book, pretend that you are a substitute teacher and will need to lecture on the material tomorrow. Take notes and organize the information into an outline that you could speak from. Sometimes changing the frame around a situation makes it more interesting and less of a chore.

◆ **Schedule a Small Amount of Time**

Tell yourself that you will spend only 10 minutes on the task right now, just to get your feet wet. Work on the task for the 10 minutes, then consider continuing for another 10 minutes. Continue doing this until you decide to stop, or until you finish the task. If you stop working on the task before it is finished, spend a few more minutes planning a strategy for the next steps.

When you are contemplating substituting a fun but unimportant activity (such as reading a magazine or watching a sitcom) for an important project (such as finishing pages of your report), make the substitute activity your reward for doing the important task. Do the high-priority job first; then reward yourself with the fun activity.

◆ **Ward Off Self-defeating Thoughts**

Telling yourself that you are going to do a poor job (or even fail) can seriously undermine your ability to function. It is important to realize that your negative statements are not facts. Keep your focus on the present moment and the positive steps you can take toward accomplishing your goals. If your negative thoughts are based on low self-esteem or a need for perfection, you may want to work on these issues.

◆ **Make a Commitment**

Make a verbal and a written commitment to completing the task or project. Write a contract and sign it. Tell someone about your plans and ask that person to follow up with you. One trainer wanted to create a how-to workbook and market it to other

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"Faced with the choice between changing one's mind and proving there is no need to do so, almost everybody gets busy on the proof."

~ JOHN KENNETH GALBRAITH
AMERICAN ECONOMIST

Stop Procrastinating

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training professionals. After weeks of procrastination, she decided to motivate herself by creating a deadline. She wrote an ad for the workbook and placed it in the professional publication that she knew her colleagues would be reading. When her telephone began to ring with orders for the workbook, she suddenly became focused.

◆ Remind Yourself

Write notes to yourself and post them in conspicuous places where you will see them—on the outside of your briefcase, bathroom mirror, refrigerator, television, front door, and the dashboard of your car. The more often you remind yourself of what you plan to accomplish, the more likely it is that you will follow through with action.

◆ Reward Yourself

Reinforcement is a very effective way to motivate yourself. When you complete even the most minor task, be sure to acknowledge what you have done. This is especially important in

Upcoming Events:

CANCER SUPPORT GROUP

April 9, May 14, and June 11 • 4–5 p.m.

Carver Educational Services Center • room 240

850 Hungerford Drive, Rockville

All are welcome to the next meeting of the MCPS Cancer Support Group. For more information, please contact Debra Tipton on Outlook or at 240-314-1040.

the beginning when you are struggling with procrastination behaviors. After you have mastered these issues and regained your peak productivity, do not forget to celebrate the completion of the big projects. You worked hard for it and should not take it for granted.

Adapted from an article in the *Therapists Newsletter* by Laurel Kaplan, clinical director of the Oak Center in Georgetown. Used with permission.

“How poor are they that have no patience! What wound did ever heal but by degrees?”

~ WILLIAM SHAKESPEARE



A Healthy Outlook!

To help employees with troubling issues before they become overwhelming.



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You may contact us or send your questions and comments to Jeffrey_Becker@mcpsmd.org

Please note that e-mail is not necessarily confidential.

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