

HOW TO SURVIVE BEING DUMPED

A Handbook for People Whose Spouses Leave Them for Another

by

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TABLE OF CONTENTS

TITLE PAGE

DISCLAIMER

BIO

DEDICATION AND ACKNOWLEDGEMENTS

| CHAPTER | PAGE |
|--|-------------|
| INTRODUCTION | 1 |
| TAKING CARE OF YOUR EMOTIONAL NEEDS (WOMEN) | 4 |
| TAKING CARE OF YOUR EMOTIONAL NEEDS (MEN) | 10 |
| GETTING PROPER THERAPY | 13 |
| THE REAL WORLD OF MONEY & THE DIVORCING WIFE | 18 |
| THE REAL WORLD OF MONEY & THE DIVORCING MAN | 27 |
| THE UNPREPARED WIFE | 31 |
| THE UNPREPARED HUSBAND | 42 |
| THE LEGAL SYSTEM & THE DIVORCING SPOUSE | 45 |
| WORKING WITH YOUR ATTORNEY | 52 |
| SOME OF THE LEGAL ISSUES IN DIVORCE | 62 |
| HER NEW BEGINNING | 68 |
| HIS NEW BEGINNING | 80 |

This handbook is not intended to be a substitute for legal advice or mental health counseling. Every divorce case is different; each has its own particular circumstances. Every state is different; each has its own laws and procedures. Our few legal references are valid only in California, and are subject to change.

Our intention is to describe, very briefly, the way in which general law principles work during the dissolution of marriage, and to encourage divorcing spouses to hire professional mental-emotional support and professional legal services. We seek to remind people that they are not alone in their muddled feelings, and that there are emotional phases through which they can expect to travel during this traumatic event in their lives.

It is our hope that people reach a peaceful state of mind, and learn there is a good life, after divorce, waiting for us to reach for it.

All names used in the body of this book are fictitious. The events portrayed herein are from actual cases.

Jann M. McCormick, Ph.D.

Divorced when her youngest child was fifteen, Jann was employed as a legal assistant. Participating in the legal processing of her office's divorce clients, she has had many views of the ramifications of dissolution, including the overwhelming despair of long-term homemakers being forced out of their life-time dreams into the real world of low finance.

Jann enjoys her piano, guitars, organs, and synthesizers, composes music, loves riding passenger on motorcycles, and reads textbooks and spy novels for relaxation.

She met two writing friends through her membership in Mensa, and in discussions, learned that they all shared a serious concern for the plight of divorcing and divorced women. Unfortunately, they agreed, the middle-aged, dumped homemaker finds it so difficult to deal with the ultimate rejection, she often fails to deal with the very real prospect of becoming a bag lady. This handbook is Jann's contribution toward providing hope for the future of men and women who think they have no hope for happiness, and no future.

Initially, this book was intended to be directed only at women of lengthy marriages. However, at the law office where Jann worked, the traffic of young, weeping men increased exponentially. Ergo, it has made sense to include the current trend of women dumping men.

There are many books that explain the entire legal process of dissolution in each state. Rather than provide volumes of information on California divorce proceedings, this handbook concentrates on the emotional aspects of divorce, and on the need for professionals (for your emotional needs and your legal needs), regardless of the rules in your state of residence.

DEDICATION

To women everywhere, whose indomitable spirits and courage never cease to amaze us.

To American men, whose fortitude and valor gave us a free country.

ACKNOWLEDGMENTS

There is no possible way to properly acknowledge all those who have had a hand—knowingly or not—in the shaping of this volume. The pages of this handbook were born out of the suffering, the trying, the learning, and the surviving of hundreds of men and women who shared their lives with us. But those whose contributions we must take special note of are Donald B. McCormick, Esq. and in the area of Mental Health, the assistance of Violet Hall, Ph.D.

We give sincere thanks to the many men and women whose lives took them through the morass of divorce and who turned the pain of that experience into something positive. We thank the sensitive young men who helped us to understand their mystique.

HOW TO SURVIVE BEING DUMPED

I WANT A DIVORCE

A Handbook for People Whose Spouses Leave Them for Another

"I want a divorce." These words have just been spoken to you by your husband. You have been married to him for two decades or more. You are close to fifty. He is leaving you. This man to whom you devoted your life--the man to whom you unstintingly gave your heart, your soul and your body; the man you looked to for your identity, your financial security, and the man in whom you invested your dreams, your hopes and your future--is leaving you.

This scenario is played in homes the world over. Less frequently, but more often now than in the past, it is the wife who wants out of the marriage. She is weary of being an unpaid slave; she is perhaps weary of being the whipping boy" on whom her husband's anger and frustrations are visited; she wants more control over her own life. Or she has found somebody else.

A middle aged American woman is no longer the attractive young girl she was when he proposed. Her husband is dumping her--casting her out--and she feels like a discard; sees herself as a useless, unwanted and unworthy remnant of her former self. She feels completely alone. If she has never worked outside the home, she is in an especially vulnerable position. She is at the mercy of a man who has come to dislike her and of a society that holds the belief that the woman is responsible for the failed marriage.

Women always hope. They hope that things will improve; "If I love him enough and wait on him enough, he will love me and we will always be happy together." When he has an affair with another woman (often a younger woman), the wife tells him he is forgiven and she tries to put that painful episode behind her. All women know that men sometimes stray, and it doesn't mean that they no longer love their wives. But when he announces that he wants to leave the marriage, the woman begs him to stay and insists that she will be "a better wife." She is reduced to sniveling, and he is filled with contempt for her. She then really feels like her life is over.

The young husband who has struggled to take care of his burgeoning family, secure in the knowledge that he has the world by the tail, is devastated and perplexed when his wife wants out of the marriage. He knows that his wife will get custody of the small children, and that he won't be able to interact with them when he wants. He knows that his support obligation will barely allow him to survive. It took two salaries to support the children and the lifestyle they had carved. Now, unless they embark on new relationships with other partners who work, they will all be reduced to poverty-level living.

Men have different issues to deal with than women, but all the issues are difficult and painful. Men have an unconscious proprietary interest in their spouses. Women are their "possessions," and for another man to have violated his "territory" is an unforgivable crime. The woman is, then, "unclean," and he is caught between his feelings of love for her and proprietorship of her.

There are frequently abuse issues that feed the flames of discontent. It appears that Americans seem to be living in an era wherein we all tell everything we know, and everything is apparently "okay." We sometimes see spouses leaving their marriages for new relationships with members of the same sex. This is especially devastating to the bereft spouse; a real slap-in-the-face. Same-sex relationships are thought by some to be an evil influence on young children. Custody disputes, then, become even more volatile than those cases wherein homosexuality is not an issue.

We have hit on only a few parts of the despair felt by every spouse who has ever been dumped. These are the predictable and incredibly painful feelings of rejection, uncertainty, anger, and fear. However understandable and human such emotions are, they must not be allowed to go on unchecked.

Societally, the woman of a lengthy, affluent marriage, who has never worked outside the home, is more vulnerable than most. She is incredibly naive about the workings of the world; sometimes she becomes a "bag lady."

If a woman has been a wife for many years and is about to be divorced, she needs all her wits about her. She cannot afford the luxury of self-pity; she has not the time

to spend indulging in self recrimination. She cannot give up, nor can she resign herself to lie upon the scrap-heap and wait for the relief of death. She has to learn that her survival - emotional and financial - is in her hands. She has to get up! get out! and get going! Two essential things she needs right now are: financial protection, and emotional support. Both these needs must be attended to at once, but this handbook will consider them one at a time. First we will deal with emotional needs, and afterwards, look to financial and legal needs.

Remember that these feelings of despair, of hopelessness and of unworthiness, are not set in stone. The dumped spouse will, believe it or not, come to see that such feelings are both unfair and temporary. Have faith; a happiness greater than any that can now be imagined may be waiting just around the corner.

TAKING CARE OF YOUR EMOTIONAL NEEDS

TO THE WOMEN:

The sage, Mary Blakely, described a divorce as the "psychological equivalent of a triple coronary bypass." We think she was right.

Your world has collapsed. You cannot believe the words your husband uttered. Did he really say he wants a divorce? That is impossible! Surely it was all a bad dream. He was angry, upset--even sick. Perhaps he is being deluded by an "affair." He will come to his senses; he did not mean it. He really loves me. Our marriage vows are just as inviolable to him as they are to me.

These are typical, predictable and fully human reactions. Grief, whether caused by the death of a spouse or by an unwanted divorce, is still grief. The unwelcome dissolution of a long term marriage causes as piercing and as devastating a grief as any death. It is a death--the death of a marriage--the death of a way of life. We can't console ourselves, however, with platitudes about "heaven" and "meeting again."

Reactions to grief have been studied and codified by many experts. Foremost among them is the pioneer in the field, Elisabeth Kubler-Ross. According to Kubler-Ross, the first reaction to grief is disbelief and denial. The shock--the pain--is too huge--too hurtful to be taken in all at once. Our psyche rushes to protect us, to build a protective wall around us--a buffer to give us time to adjust. The wound is too raw, the pain too deep to register upon our consciousness. Our emotional circuits are overloaded--we are numb--we feel nothing. We say to ourselves, "This can't possibly be happening--he'll be back, he can't really be leaving me."

Later, when the signals begin to work their way into our awareness, anger and resentment boil up within us. As we become more able to admit what has happened, disbelief turns to fury. Our rage is directed at our husband and his mistress and at the destruction they have brought down upon our world.

At this point, if the anger is internalized (not good), we become depressed; our blood pressure soars; our

thoughts turn to self destruction. We may try suicide. It is healthier and much better for us to focus our anger on its external source--on the man who is ruining our life. "The bastard! How dare the S.O.B. do this to me? How can he say he loves that slut--that common whore? She knew he was married, what kind of a woman can she be?"

The desire to strike out at him/them is understandable and predictable. Such feelings are much healthier being acknowledged rather than hidden. To the human soul, there is nothing more hurtful than rejection, and being dumped by a long-time mate is the ultimate rejection. The man for whom we have set aside most of our own needs, is now saying, "Sorry, lady, I don't want you anymore; there's another woman I want." Such total rejection by the one we have trusted above all others, by the one to whom we devoted our lives, hurts as nothing else can hurt. The common reaction is a desire for revenge--a wanting to get even--to strike out and hurt this man the way he has hurt us. As one still-married woman said, "If he pulled such a stunt on me, I'd shoot him in the balls." How better to get even? The penalties for "getting even" usually involve public disgrace, along with prison time, and are to be avoided at all costs.

Then comes the third stage, which in her book, *On Death and Dying*, Elisabeth Kubler-Ross calls "bargaining." A person facing death often tries to bargain with God. It is a dickering for more time--for a postponement. "If you spare my life, I promise to..." The wife facing rejection is willing to make any changes if only he will return home. As one woman said, "At that point, I would have walked on broken glass to get him home."

The fourth stage of grief is depression; we can see no reason to live. Everything becomes too much effort; we stay inside ourselves rather than face the world. Often overwhelmed by a feeling of guilt, we say, "If only I had done..." or, "I shouldn't have..." The future appears empty. In public we feel ashamed as if the whole world knows of our nothingness. We are humiliated to be seen at the supermarket shopping for our self alone. We had been taught, through time immemorial, that women who don't have husbands are not valuable. To have had a husband and then "driven him out," is disgraceful.

These stages of grief almost never occur in a nice neat progression. But, when we have worked our way through (and it does take work), we arrive at an acceptance. How well we accept this change in our life can range from a grudging admission of defeat, to a gracious embracing of an unalterable situation. This difference is up to you; it depends on the path you take now, and the help you get. In the end, with help, the majority of rejected wives come to find a new life for themselves, a life filled with pleasures and satisfactions long forgotten, or perhaps, never known. It is true that for every door that closes another opens somewhere else.

The unwanted breakup of a long-term marriage can produce more stress than any other life crisis. The degree of stress generated by different crises is frequently rated by experts in today's popular literature. In these charts the death of a spouse is usually number 1 (the most stressful), and divorce is number 2. This is a myth which has outlived its time.

The flaw in such generalizations is the way they group all kinds of divorces together and treat all deaths as if they were the same. In reality there are as many different divorce situations as there are different circumstances about the death of a spouse. In these ratings, the accidental death of a young man is equated with the merciful death of an octogenarian whose body has been devastated by months or years of painful illness. A divorce between childless consenting mates should not be equated with the one-sided divorce in which a man dumps his wife of two or three decades to marry another woman. This lack of acknowledgment of the true impact of an unwanted late-in-life divorce, is a sad disservice to the older ex-wife.

Recently, at the funeral of the husband of a close friend, I witnessed the generous compassion showered upon the woman newly widowed. I could not but compare this kindly outpouring of caring with the restrained understanding and questionable support a divorced woman receives from confused and embarrassed friends. The grieving widow was showered with cards, letters, hot dishes and prayers. She would endure her ordeal in the warm bosom of compassionate understanding. Her self esteem intact, her memories untarnished, her worth undiminished, her worldly

goods undivided, she remained in the eyes of the world, a person of value.

For the widow, thoughts of her deceased mate could offer comfort in knowing that he had found eternal peace; but for the divorced middle aged woman whose husband has suddenly left her, there is more likely the image of him lying in bed alongside the slim young body of his mistress.

We do not wish here to minimize the plight of the widow. Her pain and sorrow are of an enormity to test the strength and the courage of any woman. But for our divorced woman, there is all that pain, and there is more.

There is pain in any divorce; in an unwanted late-in-life divorce where the woman is dumped for another, the hurt is enormous, and every aspect of her life is disrupted.

From the simplest segments of daily routine, to the social and financial aspects of her life, all will be changed. When it is time for the company's annual picnic--she gets a sickening sinking feeling in her insides--she will not be going. The mailman brings tickets for the community concert--addressed to "Mr. and Mrs." The property tax statement arrives addressed to "Mr. John Doe, et ux." There is no end to such reminders.

The fall-out of divorce spreads out and touches the entire family structure, and each person in it. The ill effects on the children (no matter what their age) will pass down through their sons and daughters for generations to come. The fall-out of divorce is often a societal issue also, due to financial issues and emotional issues that become psychiatric. One of our goals is to prevent these kinds of ruin.

Divorce separates the children from one parent, usually the father. Not only is the man not around any more, but he has shattered his image as a role model for them. In many instances, he has left without a word of explanation. This leaves the mother the task of explaining to the children where their father is and what has happened to their lives. Children usually blame the mother, probably because the father represents a larger threat to the children.

Because the woman usually remains the children's caretaker (no matter what their age), she is therefore more acutely aware of their distress. While trying to deal with her own trauma, she also suffers the pain she sees her children going through, and often their contempt of her for having "driven daddy away."

Family disruption often includes the instant creation of step-siblings of various degrees of relationships and the introduction of ready-made grandparents. There is often the cutting-off of the children (and the ex-wife) from the paternal grandparents, uncles, aunts and cousins. In cases where the couple had settled down in the husband's home ground, his family may have been an important support group for the wife.

All these emotional demands put a tremendous stress upon the woman's physical health. The trauma of divorce commonly results in disruptions of sleep, appetite, concentration, and judgment. Since this is a time when you need all your strength and resources, it is a good and wise move to see a physician.

The strain on the woman's general health is enormous. It is estimated that a large number of medical problems (from 60% to 75%) are either caused by or are aggravated by psychological accompaniments of anxiety, fear, pain, and depression. This increase in the amount of illness (and even death) following such major life crises as the death of a spouse, divorce, marital separation, jail term, etc. is well documented. The physical body is truly at the mercy of our emotions.

Although you may not have been fully aware of it, you have most likely been living under a lot of stress for many months prior to your husband's announcement of his intention to divorce you. Because of this, your physical well-being has undoubtedly paid a price already. Your doctor should do a complete physical. He/she will want to know of any changes in appetite, or in sleeping, and any weight loss or gain. The doctor may detect minor problems which, if aggravated by stress and not attended to, could develop into major problems.

The doctor may give you a few (and we do mean to emphasize the word "few") sedatives to help you sleep for a night or two. However, we want to caution you against a

doctor who gives you tranquilizers to get you through this difficult period. It is far better to be angry and to face and deal with your problems than it is to take psychoactive medications. Pills can, at best, postpone your dealing with reality, and at worst, keep you from ever making the painful--although necessary--adjustment to what has happened to you. Drinking to a state of oblivion is not a good alternative, either.

Working through these emotional stages of grief while dealing with all the changes in your life is not easy. You must work your way through denial, anger, bargaining, and depression in order to arrive, finally, at acceptance of an unchangeable situation. It is not uncommon for a wife who has been dumped after a long term marriage to need four or five years to completely recoup her emotional equilibrium. (When financial survival is in question, she doesn't have time for "equilibrium.") However, with the help of a good therapist, the time can be cut down, and the eventual readjustment greatly enhanced. How do you find a good counselor or therapist?

TAKING CARE OF YOUR EMOTIONAL NEEDS

TO THE MEN:

[This book is written by a woman. Being female, we can have only an intellectual understanding of the feelings of men. We try.]

This is not acceptable. The woman who said her main goal in life was my happiness no longer wants me. We have a nice house, kids, two cars, a nice life. She must be in menopause or maybe suffering from a mental illness. Surely she wouldn't have an affair! Nice women don't do that. What kind of man would steal another man's wife?

You think about living alone, not tucking in the kids at night, and you feel like crying. It isn't manly to cry, so getting angry seems the only viable alternative. Men don't seem to feel fearful of this unwanted life change; the feelings they experience are not easy to define, primarily because men are not accustomed to talking about their feelings. "It isn't manly."

[This may be a good place to observe that women say they want their men to be more sensitive. Those men who allow themselves to become "sensitive" also become more vulnerable. Sometimes that is not in their best interest.]

Men, programmed by nature to be pillars of strength, hunters, protectors, know-alls and do-alls, have difficulty acceding to the decisions of women. Nature programs males to be dominant; that is why they are usually bigger than women. Men and women are almost different "animals." We don't react in like ways. Men who aren't in touch with their feelings often define their response to rejection as immense anger welling up into their thoughts, consuming their very souls. They strike out in verbal anger; sometimes their expression is physical. That is not wise nowadays, since domestic violence is treated as a serious crime. Unfortunately, the acts of throwing something at the wall, or punching a door, are considered "domestic violence" and a vengeful woman can use that to her advantage by having the man arrested. It is twice the trauma to have to deal with the criminal justice system as well as the family law court system at the same time. A domestic violence accusation (whether or not there is

conviction) can have a serious negative effect on custody and visitation determinations. We strongly advise men to control themselves; get a handle on your anger; pay attention to the consequences of ill-advised behavior.

One of the emotions experienced by men is defined as "grief." Both sexes feel grief in similar ways and under similar circumstances. Grief is discussed in the first part of this chapter, which is addressed to women. [It will help you to read the "Women" portion of this chapter, making appropriate substitutions.]

Your writer, a legal assistant, has spent many hours discussing these matters with men who are in the process of unwanted divorces. Early on in these discussions, it is made clear that it is okay for guys to weep; sadness is not limited to women.

In lengthy marriages where the woman wants the divorce, and there has been no abuse or infidelity -- no obvious reasons for a woman to want a divorce -- the distraught husband should be advised to seek medical care and to insist that his wife visit the physician, also (not necessarily together). Sometimes the onset of menopause interferes with a woman's judgment, and this prospect should be addressed. There are also situations wherein the woman just feels it would be better to be "on (her) own, without somebody always telling (her) what to do." In most instances, this is very unrealistic thinking.

Men often find it in their best interest to seek rational discussion with their wives, and will attempt "bargaining" with them. They vow, "I'll do whatever it takes to keep you." They promise diamonds, help with housework, spending less time with the guys, spending more time with the kids, etc. Usually, however, by the time they are in the attorney's office, the bargaining has failed.

That means it is time for anger and outrage. When a woman is the moving party in seeking a divorce, it usually means she is finished with the marriage, for whatever reason. Frequently, she has become involved with another relationship. The man, then, has to deal with his feelings of proprietorship. In ancient times, women were chattels, and that feeling still persists (although it is seldom acknowledged, and certainly unspoken). The husband has

been "robbed" of his "private property." Whether or not the husband has been faithful to his wife, her infidelity is a serious offense against him. Nature programmed males to be more promiscuous than females, so as to propagate the species. Men can have sex with "other" women without being in love with them and with no intention to harm their marriages. Men do not allow women that "privilege."

By whatever means possible, control your anger and do not allow it to consume you. Your existence is precious, your kids need you now more than ever, you must keep your priorities intact so as to ensure your survival.

Men, like women, also endure depression. Men don't usually feel ashamed or disgraced by divorce, but nevertheless, have difficulty functioning for awhile. These depression issues must be dealt with in a healthy manner. Again, you are referred to the section of this chapter that is addressed to women.

It is known that when a wife dies during a marriage, the widowed husband has a difficult time surviving, partly because he often does not know how to take care of his more mundane needs. His wife always did the cooking, cleaning, and laundry (using some of the talents for which women are valuable!), and the widower really doesn't know how to do these things. The widowed wife can usually take good care of herself, but often has difficulty in dealing with the more worldly aspects of life. Divorce and death of a spouse are similar in that in both instances, the partner is alone. The main difference is that death is not usually a matter of choice. Divorce is. Ergo, death is not a rejection and divorce is the ultimate rejection.

Having a person with whom you can discuss your feelings is of utmost importance. A counselor who is able to deal with your feelings in an objective way and guide you through the hazards of raw anger, grief, and depression will be well worth the investment in both time and money.

GETTING PROPER THERAPY

For you, just dumped by your spouse, some kind of emotional support is essential. The support of a loyal friend can be a God-send. In tandem with the help of an effective therapist, a good friend willing to listen without judging, is of inestimable value. However, this is not always without risk.

An untrained friend, no matter how well-meaning, may be fulfilling his/her own subconscious needs through his/her role of confessor. [Sharing the woes of another's life makes the life of the friend seem better than it is, because the friend does not currently have the same types of problems. When it comes time to share a joy, that friend might not be so interested.] A competent professional therapist does not approach the client with needs of his/her own to be satisfied at the expense of the client.

A friend is often too ready to advise and direct. People who have been divorced remember what worked out for them, and assume the same thing would also work for you. The professional therapist, however, helps the clients come to their own decisions through increased insight and self knowledge.

Confiding in a friend when all one's defenses are down sometimes leads to later embarrassment. Those who have been friends of both the parties may have confused loyalties. Others may listen to your story and then, for reasons of their own, choose to ally themselves with the "enemy camp." In a client-therapist relationship that is kept professional, these problems do not arise.

In the majority of late-in-life divorces where the husband has initiated the divorce, he will refuse to go to therapy. If he does go, it will often be a token effort of one or two sessions. By the time he has decided to get a divorce, he is usually dead-set against any kind of interference. He considers therapy a ploy to get him to remain in the marriage. Everyone, he thinks, is trying to force him to change his mind. To him this is a hateful effort to rob him of "his only chance at real happiness."

At this point there is very little chance that the marriage can be saved. Unfortunately, what the fleeing

spouse does not see (will not see), is that participation in therapy could make the divorce less painful to all concerned. [One problem with this is that the spouse who wants the divorce is obviously not interested in avoiding the pain caused to the dumped spouse.]

Generally speaking, if it is the husband who wants the divorce, the only "pain" he is suffering is the prospect of having to pay spousal support. He does not care if his ex-wife will be a bag-lady. If it is the woman who wants the divorce, she wants to be free to do whatever her own thing is, and have her ex-husband pay for it. She does not care whether or not he has money enough to cover his needs as well as hers.

Whatever your spouse's decision concerning therapy, you must get help for yourself. Your life is in crisis. Even the most mature and well-adjusted person can benefit from help when engulfed in a crisis. We all need emotional support from time to time, and getting competent therapy in time of crisis may very well make the difference between a future of misery and a future of happiness. In times past, there was a stigma attached to any kind of emotional/mental health needs. Nowadays, however, seeking emotional support during a crisis is the "way to go." Most people consider it a sign of wisdom.

This brings up the question of money. Many times an affluent husband is willing to pay for his wife's sessions, (does this ease his guilt?). If the parties are not able to pay, therapy is available through public services. Almost every community has agencies, both public and private, which offer excellent services on a sliding scale of costs, geared to one's income.

Counseling is available from many different kinds of therapists and counselors. Services are usually listed in the telephone directory under such headings as: counselors; crisis intervention; divorce assistance; human service; marriage, family and child counselors; mental health; physicians; psychologists; social service organizations; social workers; men's organizations, and women's organizations and services. Other possible sources of counseling are connected with various religious, or church-oriented organizations.

As these helpers differ in the ways they are listed in the phone book, so do they differ in philosophies, methods, goals, training, and licensing requirements of the state. There is a great deal of confusion in the use of the terms "counseling and counselor" and "therapy and therapist." Much of the confusion is in the legal application of the terminology to matters of licensing and the regulating standards for advertising and training. This confusion is shared by professionals as well as laymen.

Since there are so many different kinds of professionals, a good place to start in choosing a counselor or therapist is to ask a trusted physician for a referral.

Some of the available professionals are termed:

- Psychiatrist, (an M.D., who can prescribe medication);
- Psychologist and Clinical Psychologist, (licensed by the state);
- Licensed Clinical Social Workers;
- Licensed Marriage, Family, and Children Counselors.

In California all of the above must be licensed by the state.

Among the religious helpers, there are priests, ministers, and rabbis; their training is controlled by their religious entity.

Many different terms are heard when referring to mental health professionals and their work: The slang expression "shrink" is randomly applied, and often stands for: psychiatrists, psychotherapists, psychiatric social workers, psychometrists, school psychologists and school counselors. The mental health professionals use many different approaches to the client's problems: such as hypnosis, biofeedback, primal-scream therapy, crisis intervention, encounter groups, self-awareness therapy, stress reduction, and the list goes on and on. Although some authorities make a distinction between "counselor" and "therapist," there is really no clearly understood or generally accepted usage. In this book we use the terms interchangeably. It is because of this confusion in

terminology that the search for a therapist must be approached with eyes open.

Finding a person to help you through this crisis of divorce should be conducted with the same amount of research and comparison shopping as you would use in making any important purchase. Your physician should be able to suggest several names. If he/she does not know of someone, a colleague should know.

The State or County Department of Mental Health will have a reference list of local therapists. Once such matters as cost, location, and availability have been considered, an interview should be arranged. Do not hesitate to ask questions; remember that you are doing the hiring. Many people who are already feeling low about their own worth, approach a therapist as if the therapist is doing a great favor. This is not true. You are paying for these services; be sure they are what you need.

You should choose a therapist with whom you can feel comfortable. Whether it be a man or a woman, old or young, is a personal decision. Some people relate better to a counselor of the opposite sex, and others believe that only a member of the same sex can understand their crushed psyches. The choice you make is not irreversible, you can always make a change.

You should feel free to ask if the counselor looks for solutions in your childhood, and what techniques would be used. The therapist will not be able to tell immediately if a good rapport can be developed or how long it might take. After two or three visits, you should be able to expect some answers.

Sometimes after working with a therapist for a while, you will feel that you are not making any progress. (Of course, in fairness, it is not unusual for things to get worse for a while before they can get better. It may be necessary to open old wounds in order for them to heal.) Not every therapist will work out for you. It is wise to be aware of this, and not to settle for half-way results. If you feel an increasing sense of dependence on your therapist and it goes on too long, you should be concerned. If you become dissatisfied, discuss your feelings with him or her, and if nothing changes, look for someone else.

Differences in therapists can run the gamut from those who seek all causes in your earliest childhood (or even in utero), to those who consider your problems only in terms of the present and the future. Therapists can be understanding and compassionate, or brusque and demanding. Some therapists seldom talk (their only verbal activity being an occasional grunt), others offer volumes of detailed interpretation and advice. Some use helping devices such as tape recorders, mirrors, plastic bats, journal writing, tests, hypnotism, role playing, and reading assignments. Whatever approach the therapist uses, if it does not work for you, then you should change. You are the one doing the hiring, and you are the one who needs the help.

If you choose a therapist of the opposite sex and he or she makes advances to you, or suggests any form of physical intimacy as a way of curing your problems, you should leave immediately and report the incident to the Department of Mental Health. This is unethical conduct, and it is your duty to report it in order to protect possible future victims.

Finding and working with an effective therapist is an absolute necessity for a middle-aged (or older) woman who has just heard her husband say, "I want a divorce." This will be your lifeline as you work your way out of the trauma of this incredibly devastating rejection, and back to health.

THE REAL WORLD OF MONEY AND THE DIVORCING WIFE

[This chapter is primarily addressed to women who are being dumped after a lengthy marriage.]

"From birth to eighteen a girl needs good parents. From eighteen to thirty-five she needs good looks. From thirty-five to fifty-five she needs a good personality. From fifty-five on she needs good cash." This statement, attributed to Sophie Tucker, says it all.

But how many middle aged women, dumped after a long term marriage, end up with good cash? Certainly not Nora, whose marriage ended abruptly after twenty-seven years....

Nora put away the last of the cards and score pads and emptied the ashtrays filled by the men and women of their monthly bridge club. Glenn helped her carry the extra chairs back to the kitchen and she was pleased with the good mood he'd been in all evening. He had been cordial to their guests and even tolerant of what he called "her simple-minded way of bidding." Since he had been hospitalized for a bleeding ulcer three months earlier, Glenn had generally been preoccupied and taciturn, a mood which Nora attributed to worry over his health.

Stacking glasses and cups, Nora made small talk about the bridge hands until she realized she was getting no response from her husband. She turned to see him standing in front of the open refrigerator drinking wine from the bottle. He was glowering at her.

Glenn's doctor had warned him that alcohol in any form was absolutely 100% forbidden to him. When Nora reminded him about this, he cursed her and hurled the wine bottle across the room and out through the kitchen window. "I'm leaving," he screamed.

"Where are you going?" Nora asked, callused to his sudden departures which for years had followed any show of temper, whether his or hers.

"I'm leaving. I'm leaving you," he repeated and left the room.

Thinking it no more than his usual behavior, Nora was surprised when he reappeared shortly with his suitcase.

"Where are you going?"

"I told you, I'm leaving you," he said, hurrying across the kitchen. He slammed the door closed on twenty-seven years of marriage.

This case is not unlike countless others where the husband has walked out on a long-term marriage. Nora, like most wives, was completely unprepared for Glenn's sudden decision. Unfortunately, the rest of Nora's story is also all too familiar.

Nora did not understand the finality of her husband's action, nor fully recognize the impact of his words. She spent a sleepless night concerned only with how she would get through his latest tantrum. When the bank opened Monday morning she found out that Glenn had taken out all but a few dollars from their joint checking account. The savings account had \$25.00 left in it, and the safe deposit box had been stripped of all their bearer bonds. Later that day, Nora heard from the wife of one of Glenn's co-workers that he'd had an apartment for several months where he was keeping a mistress.

She did not hear from him for two weeks. After this total silence, including refusal to accept her telephone calls at his office, Glenn returned to the family home with divorce papers for Nora to sign. "I'll always take care of you," he said, "just sign here. You and the children will never have to worry." Smiling, he reassured her: "There's no need for you to waste your money hiring a lawyer; mine can do it all."

Nora did have the good sense to know she needed her own attorney. Having no cash at all, she was forced to turn to her parents for help. They reached into their meager savings and lent her enough to hire a lawyer. Choosing a name from the yellow pages, Nora hired the first attorney she talked to--a decision she was to regret bitterly later on.

During the next several emotionally exhausting months, Nora discovered that Glenn had not only reduced their community property holdings to almost nothing, but he had

put them deeply in debt. In court he painted a pitiful picture of his business assets and the total financial profile he presented left little worth dividing. When the dissolution was final, Nora found herself with nothing. Even the child support was put on hold until Glenn could get himself out of debt. (This was a feat which he not-surprisingly accomplished only after the youngest child became eighteen. Altogether he paid a total of \$400.00 in child support.)

After twenty-seven years of marriage, Nora was alone. The complete, daily responsibility of providing for their children fell upon her. Desperate, Nora swallowed her pride and applied for welfare. Humiliated at having to ask for public funds, she was, on top of that, tortured with the unjustified feeling that the failure of their marriage was somehow all her fault.

A woman like Nora, who devotes her most marriageable years to being wife and mother and is then dumped by a husband who fancies another, should not end up without financial security and the means to live a decent life. Although the family is considered to be the foundation of our society, current divorce laws unfortunately do not honor the contributions a woman makes to that family. No-fault divorce laws devalue her role. They tell the woman that if she is to protect herself from becoming another victim of this shameful tragedy, she must put herself first. This devaluing of women and women's roles is one of the unfortunate consequence of a divorce reform that was intended to help, not hinder the concept of family. How did this come about?

In 1963, a California Assemblyman, Pearce Young, worried about the lack of judicial consistency in domestic relations cases. Others were concerned with California's high rate of divorce. (In 1964 the rate of divorce in California was 47% compared to 26% in other states.) Professor Herma Hill Kay of University of California at Berkeley was especially concerned with the harmful effects of the adversary divorce procedures.

In 1966 California Governor Edmund G. Brown established a committee to find ways to stop the rising tide of divorce. This led, in 1969, to the introduction of Senate Bill # 252 by Senator Grunsky and the introduction of Assembly bill #530 by James B. Hayes, chairman of the

Committee on the Judiciary. Hayes' amended bill #530 became the Family Law Act signed into law on September 5, 1969 by Governor Ronald Reagan. Known to us today as "no-fault divorce," the enactment of this law has made the words of Sophie Tucker more cruelly true than ever.

By 1980--just one decade later--all but 2 states had adopted some form of no-fault divorce. Started with the good intentions of preserving marriages and decreasing the amount of acrimony in the divorce process, the bill was unfortunately hurried through the legislature in an election year. Part of the original concept, the Family Court, which would have focused on saving troubled marriages, was abandoned in a last minute legislative compromise. The evil effects of this law on women and children have spread like a plague across the nation and now affect the future of nearly every American woman.

Far from having slowed down the divorce rate, the no-fault concept has been taken as permission to divorce. In 1970 the national rate of divorce was 3.5 per 1000; it was 4.6 in 1974, and by 1979 had risen to 5.3.

Immediately after passage of this law, James B. Hayes, (author of Bill #530,) divorced his wife of twenty-five years (who was also the mother of his four children), in order to remarry. As a California legislator, Hayes was earning \$3000 a month, and was ordered to pay his wife \$650 in spousal support. Later he was successful in convincing the judge that his ex-wife should go out and get a job, and his alimony payments were cut to \$300. When Hayes was earning \$40,322 annually, the support was again reduced, this time down to \$200 per month. To the shame of the State of California, the ex-wife of Assemblyman James B. Hayes ended up on Welfare and food stamps. In the words of Sophie Tucker, Mrs. Hayes did not have good cash.

What can women do to protect themselves from ending up like Mrs. Hayes or Nora? How could Nora have been protecting herself and her children before that last bridge party? Let us look at what had been going on before the decision to divorce was made.

Before your husband announces he is leaving--that he wants a divorce--he has undoubtedly been sending out warning signals. Unfortunately, it is quite likely that these signs did not register in your conscious mind. Among

the indicators are: increased secretiveness and tightness with money toward you and the children (he starts thinking of it as "my money"); increased interest in his health, such as dieting to lose weight, and body building; changes in his wardrobe, habits, and friends; purchase of a new car, (typically a sports car); changes in the way he wears his hair; changes in drinking and smoking habits, such as taking up pipe smoking; increased criticism of you and the children (family dinners are a nightmare of tension for everyone); if he was once possessive of you, he now becomes disinterested in your whereabouts. During all this, there may be unexplained phone calls that hang up when you answer. He will typically refuse to talk about what is bothering him, although he does not deny that there is something. If confronted, he may leave, lie, or blame others.

Not until you get some emotional distance away from the trauma of his sudden departure, will you be able to see objectively the danger signs which you overlooked or wrongly attributed to other causes. But there were warning signs, which, when seen in the clear light of afterwards, could have given you time to protect yourself.

Not all departing husbands manifest the same symptoms, but few, if any, go through the pre-divorce period without showing some of these typical tell-tale signs. In looking back over what she called, "the most unbelievably horrible time of my life," Glenda remembered some of the things that happened--things she gave slight significance to at the time.

Glenda and Henry had been married more than twenty years when he bought an expensive sports car--for himself. Sleek and powerful, it was a two-seater not designed to hold a wife and two children. He allowed no one else to drive it. In business for himself, Henry's time had always been his own, and now he started being away from home more than usual, many times on weekends. When Glenda asked about his increased gasoline bills, he coldly said the trips were for business. He made it quite clear that he resented her questioning.

Worried about his short temper and irritability with the children, Glenda read every article she could find on male menopause and mid-life crisis. [A divorcing woman once asked this writer if men have a menopause. My tongue-

in-cheek response was, "Yes. They purchase red sport cars and take up with bosomy young blondes."] Glenda took to heart the popular advice to be patient and understanding. (Most of this advice was written by men.) She believed, as the experts said, that he would get it out of his system and come back to his senses. She worried about his health, thought he was working too hard, and tried harder than ever to make life easy for him--to please him. Like most women of her generation (those born in the 20's, 30's, and 40's), Glenda had a strong tendency to blame herself for everything that went wrong in her marriage. When something went wrong, she tried harder. When she suggested they get marriage counseling, Henry ridiculed her.

When male co-workers invited him on a week-long hunting trip, Glenda thought the change might help him feel better. She encouraged him to go. She expected that when he returned he would extend the same courtesy to her and encourage her to do something for herself. But instead of such a reciprocating reaction, Henry considered this first trip a precedent for his many subsequent travels "with the boys."

Not long after one such trip, Henry started dieting. He refused to let Glenda help by preparing special low calorie meals for him. He took off 20 pounds and joined a health club where he worked out with weights to tighten up his middle-aged paunch. He bought new clothes, most of them colorful and youthful. He justified these purchases by explaining that his old suits were now too big.

During this period of time, Henry continued his long-time involvement in civic affairs. He often had to go to banquets and ceremonial functions, and expected Glenda to go with him. Even though she had never enjoyed these evenings of small talk with people she hardly knew, she always went. Wanting to be a credit to her "successful and important" husband, she made it a point to dress well.

Although he insisted she go with him, her presence irritated him. Several times, for little or no reason, he became very rude to her in public. Glenda recalled one night in particular; it was at a formal banquet honoring a retiring official. Everyone at the dinner table was participating in lively conversation and she contributed a comment. Henry turned to her, and in a voice clearly

heard by everyone at the table, said, "That's a stupid thing to say!" This outspoken rudeness, unlike the Henry whom Glenda thought she had married, was so blatant, she could barely realize, let alone admit, that he had actually said such a thing to her. The others, embarrassed by his poor taste, tried to pass it off as a joke, and hurriedly turned the conversation to other matters. Deep inside herself Glenda felt that if Henry said so, it must have been a stupid thing to say. Afraid to anger him, she let the matter drop.

Another tension was added to their lives when, within six months of each other, Henry's father and two of his male coworkers died of heart attacks. Terrified by these untimely deaths, and finding himself the eldest male in his family--the patriarch--Henry became acutely aware of his own mortality. He tried to re-establish bonds with his children, but there had been too many years of disinterest. They were busy with lives of their own.

Henry's attitude toward the children worsened. Never close to them, he now became increasingly impatient. One night Glenda went for an overnight visit with her ailing mother and left Henry to care for their two children. On her return the following day, Glenda found the youngest child in a state of panic. When she finally got him quieted, she learned that Henry had left them alone all night. He had warned the children not to let her know, and threatened never to love the boy again if he "acted like a baby" and told. When she confronted Henry about this, he called her a "meddling old fool" and stormed out of the house. Completely mystified, but afraid of angering him further, she did not refer to the matter again.

Having no idea what was really the matter with him, but acutely aware that he was feeling really down, Glenda planned a lavish party to celebrate their 25th wedding anniversary. She invited everyone they knew, prepared delicious and festive dishes, and bought a lovely new dress so Henry would be proud of her. The party went well, and when they went to bed, Glenda longed for some show of romantic interest in her. Henry said he'd had too much to drink, then turned over and went to sleep.

The following morning, Henry was up unusually early and Glenda found him working in the garden. Using a long handled hoe, he stood with head down and shoulders stooped-

-his whole posture that of sadness and despair. Glenda went to comfort him. When he lifted his head to look at her, his eyes were filled with tears. She asked what was the matter.

"I don't love you any more. I have met somebody else, and it was just like magic. We love each other," he blurted out, and burst into tears.

It is ten years since that morning in the garden. Henry is remarried and living luxuriously on an annual income of six digits; he owns two expensive cars and his own private airplane. Glenda, who has remained alone in the same house, has just received the last of the \$100.00 monthly payments which represent her share of the business. Spousal support will end in three months.

At the time of her divorce, Glenda was fifty five years old and had not worked for pay outside the home for twenty-five years. Left in a deep depression which lasted several years, she has been virtually unemployable.

The amount of time Glenda worked before their marriage was not enough for her to qualify for Social Security on her own. Henry is five years younger and she is not entitled to benefits on his account until he becomes 62-- she will then be 67.

Since her divorce, Glenda has been living without health insurance. At 65 she became eligible for one part of medicare, the Medical part. To be covered by the Hospitalization part, she would have to buy into it (in 1998, that is about \$50.00 per month), and she cannot afford to do so.

A proud woman, in spite of being reduced to wearing hand-me-downs from her sisters, Glenda lives her life with her head held high. She still believes in Henry's basic goodness.

Glenda's story is not unique. What happened between her and Henry in the courts of California has happened to thousands of women--women who served as housewives and mothers and who now make up the new poor.

How did it happen? What could Glenda have done to protect herself?

THE REAL WORLD OF MONEY AND THE DIVORCING HUSBAND

TO THE DUMPED MAN:

In the unconscious minds of most people, "understand" means "agree." That is not correct. We women can understand perfectly well, and at the same time, not agree. When you guys say, "I just can't understand my wife," the truth of the matter is that, although you have a complete intellectual understanding of what she says, the same kinds of events do not affect you similarly, and you disagree with her behavior.

In most instances, a woman will become an extension of her husband's personality, and adapt herself to whatever circumstances arise. We women know that we are as valuable to this planet as men are, but nowadays there seems to be a kind of competition wherein young women think they are "better" than men. We often think that we are valuable because we are cute and because we "tolerate" our men. We don't want to participate in decision-making; we want to make the decisions unilaterally (but we don't say that). We want to be "in charge" because we don't like being "subservient" to men. We are unpaid slaves, and we don't want to clean up after men any longer.

The dissatisfied woman withdraws all the money from the bank accounts, opens an account of her own, and retains an attorney to represent her in a dissolution of marriage. She has her husband served at work, so as to embarrass him and as pay-back for all the indignities she has suffered at his hands. Since she thinks she is entitled to whatever she wants, she seeks spousal support, and plans to "take him for all he has."

She does not seek counseling, because she wants out of the marriage; often, she has found another man, who, of course, is much better than the husband who has always loved and cherished her. If there are children, of course, she wants full custody and "adequate" support for them.

"Adequate support" translates to "all the money you have left after paying spousal support."

The woman on whom you pinned all your dreams, in whom you placed your trust, is now your adversary, and does not

care one whit about your emotional or financial survival. This is something you must realize and understand, so that you have enough sense to retain your own attorney, who will help to minimize your support obligations.

Generally speaking, men make more money than women do. Men nearly always recover financially after a divorce (women almost never do). Nevertheless, men are saddled with support obligations that amount to far more than they would spend on the other members of an intact family.

The emotional deprivation suffered by men is vastly different from that of women. Men usually have great difficulty discussing emotional issues. Among male friends, the talk is almost never about feelings or emotionally charged events. When the time comes to discuss feelings, it is hard for men to find the words to define or describe their immense sadness and anger.

When the woman has left because she found a new partner, the bereft husband must deal with the proprietary interests he had in his wife. After all, she is HIS wife. A possession. He has now been robbed. He goes through all the men the couple knew during their marriage, and wonders if each one is the "bad guy." The husband expends great energy wondering if his wife and the bad guy "do it" like he and his wife. The word that defines these feelings is "rage." This emotion can be a very destructive force if not properly controlled. A female counselor might inform you that at the outset of a relationship, women are complimented by the fact that men want them and feel proprietary toward them. After awhile, however, that changes to feelings of resentment for the attitude that they are "owned." People also own dogs, cats, and goldfish. As marvelous as we are, we women are not always reasonable or rational.

Men are at a further emotional disadvantage due to their very strong sexual orientation. Having access to regular sex is one of the benefits of marriage, and is often, in fact, the main motivation for marriage, although it remains unspoken. Sexual deprivation adds another dimension to the emotional suffering experienced by men.

None of either party's destructive behaviors or unhappy feelings, however, give automatic license for further destruction. In many instances, the man's need

for emotional support surpasses that of women. In addition, it must be stated that women's emotional distress can be dangerous to herself and her children. Men's emotional distress can be dangerous to ALL parties, as well as to suspected third parties.

It is also important for dads to remember that the kids are scared and bewildered, and they need you. You had a role in making these kids, and they are more valuable than you would ever say, and more fragile than you would want to believe. You need to take good care of your emotional health, for yourself, and for your children.

Why didn't you realize your wife was setting about to split? There were signs that you either did not see or that you blocked out because you didn't want to acknowledge them. Just like men do, women have to "work late," attend after-hours "business meetings," go to movies "with the girls" and go on "sales trips." The stay-at-home wife (who works for her family rather than for money) often gets involved in "bridge club," enters a "bowling league," develops needs for relief from mundane chores and visits "spas" or "gyms" to dispel the stress she has at home. She, too, loses weight, changes her wardrobe, hairdo and make-up patterns. She often will make sure of her husband's schedule (sometimes so she can conduct a liaison at home), and have some cockamamie excuse for needing to know when her husband will be home. If her new sex partner is himself a husband, she might just be brazen enough to invite him and his wife for a dinner at home with you! Women can be very clever manipulators.

This is not to say that men should suspect every activity their wives explore. It is also not to say that men should always watch their backs. If you were not in a divorce situation already you would not be reading this book.

If you suspect an imminent divorce, you should be first to empty the bank accounts, knowing that you will have to give half of it back to your spouse. [Women being what they (we) are, if they are the spouse wanting the divorce, would take it all out and spend it on themselves; men who are having an affair and plan to leave would take it all out and spend it on the new woman. In either case, spending the money does not help any kind of situation.]

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THE UNPREPARED WIFE

[The adage that has something to do with complaining because one lacks shoes until one saw a man with no feet is valid. However, seeing the man with no feet did not warm one's own feet. Similarly, the dumped wife doesn't really care about Nora or Glenda, or anybody else, but it does help to know one is not alone. The people named in our book are not merely fictitious examples; they are real-life examples, with their names changed. Truth is, any of them could be you. Onward.]

In the twenty-five years that Glenda and Henry were married she looked to him for major family decisions, for wisdom and for guidance. From the early days of their marriage, when the power structure (pecking order), was established, Glenda gave Henry the control of her life. All major life decisions revolved around his career and the business he ran. Glenda's and the children's lives were shaped around whatever was best for Henry.

Glenda also became isolated and socially dependent on Henry. They lived far away from her family and her home town friends. She was often confined to the house with no one to talk to but children. Her only adult contacts were Henry's business acquaintances and the women whose children's activities she shared. This was the time period when the "experts" were fond of filling women's magazines with articles on "cabin fever" and the cures therefor.

Not only was she dependent on him for leadership, she was totally dependent upon him financially. Conforming to the expectations of her generation--attitudes and beliefs taught early in life--Glenda believed that money was the man's domain. She took no active part in the family's financial affairs. Although not a stupid woman, she accepted the belief that he was vastly more capable than she. She conceded that it was his role to provide, and her role to tend to him and the children. She felt that had she questioned his judgment or his authority to act for them both, it would have implied a lack of confidence in him. It would have risked damage to his fragile and ever-important male ego. Glenda was too good a wife (meaning she was strongly conditioned according to the existing mores) to risk hurting her husband's ego.

The dependencies which Glenda and most of the women of her generation accepted in their marriages--emotional, social, and financial--were part of their early

conditioning. While very young, they learned that these were the qualities of a "good wife." Such attitudes were encouraged by husbands who--also conditioned early in life--felt their wife's need for them was the measure of their masculinity--their manliness.

The full effects of Glenda's dependencies were not to be known for many years. While always looking to Henry for superior judgments, she was at the same time chipping away at her own self-confidence. Socially isolated, Glenda's world was narrowing in around her. Without adequate outside stimulation, her self-concept was being reckoned in stagnant terms too narrow for the rapidly changing world around them. She was apart from the changes in women's attitudes, their freedom, and their expectation of increased respect. She remained financially dependent on her husband, and was probably not even aware of how severely this dependence limited her choices. In a matter as simple as buying her husband a birthday gift, with no money of her own, she had to pay for it out of "his money," money he gave her to run the house. The fact is, a woman without some money under her control has very little freedom of choice.

Glenda never knew exactly how much money Henry made. Since he was in business for himself, his income varied considerably at different times of the year. But every month he deposited a certain amount of money (determined by him) in a joint checking account. With this, Glenda bought the food and paid the bills at the end of the month. If the money ran out before the bills were all paid, Glenda did without--she made do. She became expert at stretching the money and prided herself on "setting a good table."

Henry prepared their joint income tax, and every April 15th he rushed in at the last moment with the completed forms for her to sign and then dashed to the post office to beat the deadline. Once or twice in the early years of their marriage, Glenda asked him to sit down with her and explain the forms to her. He did so in such a hurried and impatient manner that she did not ask again.

All other financial matters, such as house payments, insurance, and investments (real estate, stocks and bonds), were taken care of by Henry, at his office. From time to time he would bring home a stock certificate or a deed for her to sign so he could sell it. If she asked what the

money was for, he usually replied, "It's business," and left the room.

When one of Glenda's aunts died and left her a moderate amount of money, she gave the check to Henry to take to the bank. Without advising her of her choices or discussing the various ways she could handle the money and the implications of each, he put her money into a joint savings account, and it became community property. [A xerox copy of the check could have confirmed, however, that the money was hers by inheritance. In a divorce situation, if this type of co-mingling occurs, a letter to the lawyer who issued the check could resolve the matter.]

Several times throughout the course of their marriage, Henry expanded his business. He would arrange a bank loan, and bring the papers home and expect Glenda to sign them without question. She never understood how much money was involved in these expansions, nor did she have any concept of the extent to which the business grew over the years. Unaware of Henry's ever-increasing worth, Glenda continued throughout their marriage to practice thrift and frugality. To her, these were the virtues of a good wife.

Henry, on the other hand, was very aware of their financial position and his growing affluence. On his hunting trips with his buddies, he spent money freely. It was on one of these early trips he met the woman who was to become his mistress. She worked in a roadside bar. She had all kinds of family and financial problems and appealed to Henry's need to have someone to nurture. Over the next year and a half their relationship grew (thus the new car and increased gasoline bills). Gradually, Glenda's faults loomed greater in Henry's eyes, and his attraction to the new woman grew. Henry began to know (whether he admitted it to himself or not) that he would leave Glenda, and toward that end he began to make plans.

Your writer once knew a woman who had been married for 17 years. She adored her husband and their two children. When she came to believe that Ivan was straying, she set about to find out whether it was really true. She learned that he was seeing his secretary. She confronted him and they had a terrible argument. After much discussion, he closed his apartment and came back home, bringing his newly-purchased items of furniture with him. They told all their friends that they were back together and would soon

celebrate an anniversary. One week after he had moved back into the family residence, he brought Julie a second mortgage document for her signature. He was starting up a new business, and needed \$15,000.00 for that purpose. Of course she signed it, knowing that it would endear him to her further, and cement their reconciliation. The day after the loan was funded, they both endorsed the check and it was deposited into a new account which he had opened for the new business.

The next day, he moved out, and filed for divorce. Julie was quick to remove the funds from their joint savings account, which came to a little over \$14,000.00. She knew she would have to give half of it back to him, but in the interim, he couldn't spend it on his secretary, who was Julie's replacement.

Julie did not have good legal representation. She was unwilling to spend money, and there was an attorney who was willing to take a very small down payment, and work on a few dollars a month for the rest of the retainer. When Ivan commenced stalking and beating Julie, the attorney did nothing. The police department, at that time, offered to allow Julie to arrest Ivan (citizen's arrest), but since they didn't see him hurt her, they wouldn't arrest him. The problem with the wife arresting him was that he could bail himself out of jail with \$55.00 and come back and beat her again; this time more thoroughly. The attorney didn't attempt to obtain a restraining order, and Julie was again at the mercy of Ivan. When Ivan's attorney claimed that the second mortgage was a community liability, Julie automatically owed \$7,500.00. She used her half of the savings account to negotiate for sole ownership of the residence. Her attorney did nothing to explain to the court that her signature for the second mortgage was obtained by fraud and under duress. That cost Julie her share of the savings, and paved the way for Ivan to continue to stalk and hurt her.

She further failed to obtain counseling. She called her minister, and he set an appointment to meet with her nearly three months hence! She was unwilling to pay for counseling, so she did without it. She survived, but barely. This case is reviewed to illustrate that divorce can be more traumatic than it has to be. Adequate legal representation and emotional support can make a difference.

In no case where the husband surprised his wife with his intentions to divorce her, was it a spur-of-the-moment decision on his part. It was something he had been considering—working on and planning for—for a considerable time. When he finally informed her of his intentions, his plans were complete. There are endless ways for the husband to "adjust" his finances to his own advantage. Money can be put into distant bank accounts or into valuable collectibles (their worth easily misrepresented); property can be bought, and investments can be made, in other names or in his name alone, and accounts receivable can be put on hold. Such ways are limited only by the nature of his income and by his own ingenuity.

When he does tell his wife, she is surprised, hurt, and shocked into a state of immobility and almost complete helplessness. At this point, divorcing husbands often mislead their wives by saying he is "only trying to find himself," "will be home before Christmas," or, "is not seeing his mistress anymore and has no desire to remarry." These promises keep her off guard. She continues to think only of getting him back and, denying to herself his real intentions, she does not focus upon protecting herself.

The wife is emotionally devastated, off guard, and ever hopeful that he will "come to his senses." She does not fully understand or accept the premise that her husband—the man to whom she has given her heart, her soul, and her body—is now the enemy.

When she finally realizes what had been going on inside his head, his heart (and his pants) during those months of tension and silence, it is too late for their marriage.

The way Glenda left the full responsibility of family finances to Henry was not only unwise but also unfair. She assumed that because Henry was male, he was better qualified to take care of their money. Like generations of American women before her, Glenda was trapped by this myth into financial dependency.

Unless the husband's education or his job have specifically qualified him to handle money it is unfair to assume he is better qualified to do it all. (Many wives are actually smarter than their husbands, even though they have often been taught to conceal their brains.) Human

nature being what it is, having sole and complete power over the family money leads to temptation. Decision-making shared by husband and wife provides a safeguard against the abuse of such power.

Today in the 1990's, more women are realizing that they must accept the responsibility for their own financial life. In the younger-generation-marriages of today, the husband and wife take a more equal share in decision-making. This is a step in the right direction. Even for the woman already married many years, it is never too late for her to learn and to protect herself.

A young "90's" woman would laugh right out loud if you suggested she accept the attitude of dependency which the women of her mother's generation so passively swallowed. This is decidedly a change for the better--a definite improvement in womens' opinions of their own value.

If you have always left the money and finances up to your husband, if you don't know how much he earns or what investments you have and where your important documents are, then you are doing a disservice both to yourself and to him. Not only are you placing temptation in his way, you may also be adding to his sense of being "weighted down." Sometimes this is a part of what drives middle-aged men out to look for an unencumbered "sweet-little thing." Whether your marriage at this moment is great, good, so-so, or shaky, you need to know what's going on in the finances of your life.

If you are troubled by a vague feeling that something is not right in your marriage, then it is imperative and urgent that you take steps to inform and protect yourself now. Whether you've noticed changes in his behavior, in his attitudes, or if you have simply become aware that something has gone out of your marriage--you must learn all you can about your family finances.

No woman should give away the control of her financial future. In our present permissive society, where marriage and loyalty and family responsibility have become as disposable as "10 for a dollar" razors, no wife should lead her husband to the edge of such temptation.

Most likely the last thing in the world you want to think about is that your husband is laying the groundwork

toward leaving you. Whether this proves to be true or not, it behooves you to know about your family's money. (Who is to say, perhaps the more you know, the less tempted he will be to stray). You also owe it to your children to know about the family money that will affect them and their future.

Even if there is no thought of divorce, if it never happens, there is an 85% chance that you, the wife, will outlive your husband. If you are widowed, you will have to take over the financial reins of your own life. It will be much easier for you to learn while you are both alive and well, than later on, when he is dead and you are distraught with grief.

Looking specifically at what it means to take an active part in your own financial destiny rather than leaving it up to someone else, here are some of the things every wife should know:

1. The location and value of every savings and checking account, whether in a bank or Savings and Loan or Credit Union;
2. The location of any safe deposit box, its contents, who is authorized to open it, and where the keys are kept;
3. The names, addresses, and phone numbers of advisors or agents who have dealt with you and or your husband, such as lawyers, insurance agents, realtors, bankers, accountants, and investment brokers;
4. The location of all family documents such as birth, marriage, baptism certificates, and military and education records;
5. Social security numbers of all family members;
6. The location of wills, deeds to the home and other properties, business agreements and ownership certificates for vehicles, etc;
7. What insurance policies you have, when premiums are due, and how to pay them, and the company and agent for each insurance policy (life, homeowners, renters, health, auto, etc.), the policies' provisions, duration, cost of premiums, and where the policies are kept. In the case of

life insurance, you should know what kind of insurance you have, if it has cash value, can it be borrowed upon, and the name(s) of the beneficiaries (a beneficiary can be changed without notification to a current beneficiary);

8. The location of bonds and stock certificates and evidence of any other investments, name(s) in which they were issued (owned jointly or in one name alone), how much dividends are, and when and how they are paid;

9. The amount of your husband's income (in a community property state the wife owns half of his income); the amounts of any and all deductions taken from his salary and what they are for; whether or not he has an automatic savings or retirement deduction, and whether he belongs to a credit union;

10. All information regarding any retirement plans he pays into and what part, if any, his employer contributes;

11. If your husband is self-employed, you should know what costs or deductions he has on the money he takes out of the business;

12. The location of copies of your income tax records and all corroborating documents (the IRS suggests these be kept for 5 years), and the name and address of any accountant who prepares your income taxes;

13. What your husband spends and where the old bank statements and check stubs are kept (do not think of this as privileged information—he no doubt knows every single cent you spend; women in general make full disclosures (commitments) to husbands, while very few men share what they consider to be their private information); in short, you should know all the money that comes in, and where it is spent;

14. All of the credit cards and whether issued singly or jointly, their mailing address, credit limits and charges (for a small fee, you can get a print-out of the year's charges.);

15. The cost of maintaining and running the home (this includes knowing when routine maintenance is required, who provides these services and what the costs are).

The above information is for any wife, whatever the emotional climate of her marriage may be. For a wife long married who has left all matters financial to her "lord and master" it is ever more important that she become informed now.

Some husbands seem unwilling to let the wife share this financial information. Some men take care of family finances at the office, while others have all the bills sent to a post office box. His intentions may be fine and pure (he may be trying to protect you), or his secretiveness may be self-serving. If his intentions are honorable what harm can it do for you to have this information? If his motives are dishonorable, then it is imperative that you understand your family finances for your own protection. If you were in business in a 50/50 partnership with another person, would you shut your eyes to the financial side of the operation and let him/her handle all money matters? Of course not! That would be unfair to you both. Ergo, in marriage, it is also unfair.

The first and simplest approach to learning about all these matters is to ask your husband. You should examine and double-check all the information he gives you to be sure it is accurate and complete. Whatever you do not understand, ask him to explain.

If you find that your husband's explanations are hurried, impatient, too complex or frustrating, you must ask yourself if he is doing this to keep you ignorant. Do not be put off by this technique. If he cannot explain or does not have the answers to give you, find someone who does.

If you do not understand your income tax statements, ask an accountant to explain them to you. Unless the income tax form in your possession is an official duplicate of the one signed and actually filed with the IRS, it may not be accurate. You can get copies from IRS for a small fee by filling out form #4506. (You may want to pay for this with a money order rather than a check, for which there would be a notation on your check stubs and on your monthly statement.)

If you or your husband file for divorce, all this information—such as bank statements, credit information, etc.—can be subpoenaed by your attorney. We will talk of

this later, for now we are talking about what you should be doing on your own.

In addition to getting a broad understanding of what your financial status is and how it works, you need to keep up on the day to day transactions and changes. Make it a practice to look at all the bank statements and pass books at least monthly. Make it your business to look at and check on all possible sources of information such as receipts, checks, telephone numbers called, incoming bills and statements. Assume nothing, check everything—pockets, glove compartments and waste baskets. If there is nothing to hide, this kind of knowledge can only increase the trust between you and your husband.

Once you understand what is involved in your financial life, and have learned to keep an eye on the day to day activity, there are other things you should know, for instance, about gifts and inheritances and community property laws. If you receive gifts in your name alone you have the right to keep them as your separate property. Make xerox copies of all checks or money orders you receive, and hold them in a safe place. You do not have to permit the funds to become commingled. If you put them into a joint account in both your names (this is called commingling) you are, for all practical purposes, giving your husband half ownership.

If you use your own separate money toward buying something for the family (house, car, furniture, boat, etc.), receipts and canceled checks should be kept so that the expenditures are directly traceable to the separate property fund. In the event of a dissolution, these items (or portion of items such as real estate, etc.) may then be claimed as separate property as long as the funds are traceable.

Every woman, married or not, should have money of her own. Without cash you're stuck. You should have your own bank accounts, even if only a little money is available for deposit. The banks, upon request, will hold statements for you to pick up rather than mailing them to you at home. It is also a good idea to have charge accounts and a credit card in your own name.

If a divorce is to happen, your best protection is for you to be informed of all your financial matters and to

have a good attorney. As the divorce proceedings sweep you into the legal arena, you will find much of the terrain unfamiliar and frightening. Since many women have never dealt with lawyers or courts before, the procedures, terminology and attitudes can be confusing and baffling. Women involved in divorce (especially an unwanted one instigated by her mate) are necessarily in a state of emotional turmoil. Their judgment is impaired and their brain does not always work as it should. Hurt, confused, and extremely vulnerable, you need a competent and experienced lawyer to get you successfully through the legal maze that lies ahead.

THE UNPREPARED HUSBAND

It may be a good idea to read the section titled "The Unprepared Wife," because the man whose wife handles all the family business is putting himself into a situation wherein he can be cheated just like the woman in the previous section. In most instances the woman who knows nothing about the family business is of a past generation; nowadays, the young women are very often in charge of family business, even when the man is the only earner.

It is unfortunate that young women are now taught not to make a full and complete commitment. It is necessary, however, because if there is a divorce (statistics almost prompt this writer to say "When there is a divorce"), the woman does have a tougher time in economic recovery than does the man. Perhaps the relationship would be stronger if both parties had little "nest eggs" of their own "for a rainy day."

Men used to be able to exercise some degree of control over their wives' activities, and that helped to minimize the chance that they would leave for another man. In these times, when most women work outside the home, it is almost impossible to monitor a woman's activity. Men have taught women that infidelity is no big deal anyway; one would wonder why, then, men are so surprised when their own wives are unfaithful.

Nevertheless, it happens, and blaming and accusing only make matters worse. It is time for men to take stock of the family assets and liabilities, so that splitting them will not be another trauma. Generally, in community property states, each party will receive one-half the assets and one-half the liabilities. Usually this can be done by exchanging apples for oranges, pieces of furniture for cash, equity in the residence in lieu of spousal support (providing the woman can support herself), and so on.

Spousal support is often based on the incomes of the parties, and, although the system requires a disclosure of expenditures, it is doubtful that the list of expenses is considered. Neither party is ever happy with the spousal support determinations. The man is paying "too much" and

the woman "doesn't get enough." This is a good time to remind you that your divorcing wife does not care whether you have enough left to live on or not.

Child support determinations consider the amount of time Dad spends with the children. In a situation where Mom and Dad share custody/visitation 50% each, the child support obligation is the smallest, and if Mom's income is adequate, the child support may be a wash. If Mom makes more than Dad, sometimes Mom may have to pay child support to Dad (sometimes, even spousal support).

Dads sometimes get custody of the children; there are moms who don't want the children. The children don't usually get to participate in the decision; those matters are best left to the adults.

The children absolutely must not be used as pawns or as sources of information about the divorcing/divorced spouses. A dad should not try for custody unless he wants the children for the children's best interest. To institute a custody battle just to punish "the bitch" is grossly unfair and hurts the children far more than it hurts Mom.

There are instances of beatings, stalking, all kinds of harassment, threats, intimidation, offers of bribery, etc. All these actions are crimes. The men who commit these crimes are subject to serving time in prison, in jail, in community service, and alternative work programs, in addition to probation and large fines. The attorney's fees for representation in these kinds of crimes are not small, and without an attorney, one has little chance of negotiating minimal punishments. Allegations regarding any of these crimes make child custody and visitation issues even more difficult, because they show the mediator and/or judge that Dad represents a danger to the children. No matter how angry you are at Mom, DON'T DO IT!

There are also men who quit their jobs so as to avoid making support payments. If Mom's income is low, she can apply for welfare, and when there are children, she almost always receives the aid she has sought. Sometime down the road, Dad is going to have to pay back the welfare, and pay support, at the same time. The District Attorneys in the counties (parishes, in Louisiana) where the children live

will search for the "deadbeat dad" and he will be prosecuted. They will take his tax refunds, will lien his property, garnish his paychecks, and seize his driver's license. (It doesn't make much sense to seize the license of a truck driver, because he will be unable to work and earn the money to pay, but they do it anyway.)

Men in divorce situations are also vulnerable to predatory women. The lack of regular sex is emotionally, physically, and economically dangerous to men. Women who want husbands are apt to seduce a man, allow herself to become pregnant, then insist on marriage or, even worse, leave the relationship, keep the child, and seek child support. Then, Dad is paying support to two women, and not receiving a good return on his money.

Many times, the predatory woman wants a meal ticket. She will be kind, loving, and sexy until she gets that wedding ring. Then, as the saying goes, her legs snap shut. No more cooking, no more of her loving kindness, no more sex. This will allow her more time to go shopping!

Further, as if you men don't have enough to worry about, let me remind you that sexually transmitted diseases, nowadays, are far more than minor inconveniences. BE CAREFUL!

THE LEGAL SYSTEM AND THE DIVORCING SPOUSE

A person suddenly faced with an unwanted divorce seldom has time to regain control of his/her mental and emotional balance before he/she is thrust into the unfamiliar world of the American justice system. Suffering the worst emotional pain that can be inflicted upon a person--his/her life totally shattered--the dumped spouse is suffering an emotional trauma that may well take three to five years to overcome. (People who do not get proper psychological help, may never regain their self-esteem.)

While still stunned by the spouse's pronouncement that the marriage is over, the dumped spouses are sucked down into the unknown and often intimidating world of law and finance. For what may well be the first time in one's life, this distraught spouse must deal with judges, lawyers, and accountants.

Many people have never been inside a courtroom or even talked to a lawyer. The uninitiated, most likely in awe of lawyers, often endue them with the powers of some higher species of mankind. Much of a layman's idea of what goes on in the hallowed halls of justice has been shaped by hours of "Perry Mason," "Law & Order," and "Judd For the Defense." Unfortunately the fictional personalities portrayed in these programs (which, by the way, are usually about criminal prosecutions, rather than domestic cases) can claim little similarity to fact. The truth is that in real life lawyers and judges are not gods. They are flesh and blood people like the rest of us, and like the rest of us, some are good at their profession, and some are bad. Lawyers are often hated, because "they are blood-sucking leeches who prey on the misery of society." In truth, there are many fine attorneys who are in the business of attending to the quality of life of their clients. The justice system is so complicated a lay person cannot expect to survive any kind of legal matter without the assistance of an attorney.

It is in these unfamiliar legal arenas that the divorcing spouses will be called upon to make decisions that affect the rest of their lives. Burdened as they are by the trauma of rejection and by the old myths that have crippled their self esteem, they often fare poorly in the legal process of divorce.

You have heard it said that the reading of the will brings out the worst in people? (Incidentally, there usually is not a "reading of the will," except on television or in the movies. Copies of the will are mailed to each person named therein.) Notice of a will in Probate, however received, brings out the worst in people. It is no different in a divorce. When money is involved, greed, jealousy, and pettiness come to the surface. In the first part of the divorce scenario, some husbands feel guilty, and mean it when they say, "I will always take care of you." But later, when the chips are down, they will wrestle you to the ground for every cent of what they now call "my money." (Don't forget his mistress--she's out there putting pressure on him; he'll need all his money to keep her happy.)

When the wife leaves the marriage, she seldom expresses any guilt; she almost always blames her husband, and will show him no mercy in the courtroom.

Make no bones about it, once your spouse has spoken those words, "I am leaving you," you will have been thrust into an adversarial position. From now on it's "no holds barred." The rest of your life will depend on the attitude with which you approach the legal and financial struggle that lies ahead of you. If you do not fight for yourself, for your rights and for your future, no one will. That must be re-emphasized: No one, not even the most conscientious lawyer, has as much at stake in this divorce settlement as you have.

A popular belief that works against the interests of the rejected spouse is the American fantasy that justice is dealt out automatically. Although our judicial system is set up to protect the rights of the individual, the reality is that if a person does not go out actively after his/her rights, he/she can easily lose them. (We will expand more on this matter in the next chapter. It is mentioned here only to emphasize the need for the dumped spouse to take an active part in the process of divorce.)

As you enter this whole divorce experience, there are three major traps waiting to snag you and to render you ineffectual in the forthcoming struggle:

First: You think, "He/she is leaving me, so I must be no good and therefore I deserve nothing." Because of this belief, you do not fight for yourself. This is why you must work with a good therapist to help repair your damaged self-esteem.

Second: The dumped wife thinks, "He says he will take care of me, and I know he will. I cannot believe that my husband would lie to me or cheat me." This is why you must never sign anything without the advice of your lawyer.

Third: You think that everyone tells the truth in law suits and in the courtroom. The fact is that they do not. We will deal later with this particular trap when we talk about financial declarations and giving testimony. This is why you are going to hire a competent attorney. (The terms "lawyer" and "attorney" are used interchangeably in this book.)

It is not easy to for the dumped wife to recognize, and harder yet to admit, that the person she married and spent so many years with is now out to "do her in." Indeed, the husband will most likely have tried to convince her that although he is leaving, he will always take care of her and the children. No matter what he says, few divorcing husbands are generous. After all, if he were concerned with your well being, would he be doing what he's doing? If he really wanted to protect you and take care of you, he'd stay in the marriage.

Women who want out of the marriage often, in the interest of softening him up for the "kill," will tell the dumped husband that she won't seek spousal support; that her lawyer checked that box on the form just to make sure that option is left open. If the man behaves as she wishes, he will not respond to the legal documents, and she will then go to court and get pretty much what she wants.

Divorcing men go through emotional and attitudinal changes. Often the wife of many years has become the "Mother." Seeing her as his mother, he assumes that she wants him to have whatever makes him happy. While he feels chivalrous toward the mistress, he is blind to the needs of his wife—the Mother.

Sometimes the long-term wife is regarded as a millstone. She is the only thing keeping him from great

and total happiness. The man who feels guilty for doing what he knows is wrong, has to make himself hate his wife in order to feel justified in the way he is treating her. This technique of self-deception is the emotional coward's way of dealing with guilt. He is lying to himself and to others.

(Some husbands may not really want legal freedom from their wives, instead, they want to keep the security of the marriage and yet be free to philander. Even if this is the case, be assured that he is much more concerned with his own economic well-being than with yours.)

The woman who has found another man will come to hate her husband, and will treat him with utter contempt. She will blame him for her infidelities, and punish him by making him pay. She will tell him that he is sexually inadequate (or a "beast"), and that he is a sissy or a brute. Whatever she thinks will demoralize him the most will be used to make him increasingly vulnerable to her demands.

Few spouses remain truthful during the divorce process. Don't forget they've been lying to cover up liaisons with their "significant other." If it comes to divorce, it is essential that you admit to yourself that you are in for a fight. This person who wants a divorce is not the same starry-eyed youngster who promised to "love, honor, and cherish." No; this person is now your adversary. Get wise and get tough.

If you have read this far, then you are smart enough to see that your well-being is not uppermost in your spouse's mind. Do not listen to their promises or permit them to lull you back into emotional and/or financial dependency. You must look out for yourself and the

children. As the parent and as a caretaker of the children, you must do whatever is necessary to take care of their rights rather than waiting for your spouse to do it. You are not a scapegoat or a millstone; you are a person of worth who has legal rights.

What are your rights? Even though you are not feeling great about yourself as a person, and may not feel that you deserve much, in the eyes of the law you do have rights. They include:

1. The right to proper representation;
2. The right to financial information about yourself and your spouse;
3. The right not to be harassed or endangered;
4. The right to keep your own separate property;
5. The right to a fair division of community property;
6. The right to request (or limit) support;
7. The right to request custody of children and/or visitation rights.

Since justice is not dealt out automatically, you need your own attorney to protect these rights for you. The divorcing spouse will often tell the wife/husband, "don't bother to get an attorney—you will only be wasting your money. My lawyer can do it all." Do not believe this.

This is seldom good advice. A party being divorced should, under most circumstances, have his/her own lawyer. However, if the divorcing parties have reached an agreement—i.e., if there are no matters left to be negotiated, then one attorney may complete the divorce as long as both parties sign a waiver. This waiver protects the attorney as well as the two divorcing parties. Still, the party who did not retain this attorney should take a draft of the marital settlement agreement to another attorney for a review and consultation. It will cost \$50.00 or so, but it is important enough that it should be reviewed by somebody who has only your interest to oversee.

In other instances (usually when there is nothing to fight over), the petitioner's attorney may prepare a Marital Settlement Agreement for both parties to sign. The Respondent also must sign a "Right of Advisement to attorney" or "Waiver of Counsel." Signing this form attests to the fact that he/she knows the attorney is not representing him/her, and he/she also knows that he/she has the right to have his/her own separate attorney and has chosen not to do so.

Whatever the circumstances, it is usually not in your best interests to give up your right to your own separate

attorney. You must have a voice in your own divorce settlement—you must not give up your rights. If you have no money, then you must beg or borrow the money necessary to engage a lawyer.

When (or if) the husband of a non-working wife does leave, she will need money for herself and the children in order to survive. Without money, she will have a rough period between the separation and the time it takes the court to award temporary support. Without money, one's options will be seriously limited. There would be no choice but to stay and accept what is doled out to her. With money, she can participate in the legal process. It is usually better for the man to be fair about money at the outset of the divorce. When the court is requested to order the husband to pay the wife's attorney, the more he resists, the higher the fee will be.

It is not unusual for a non-working woman to be left in the crippling state of having no money to hire an attorney, or even to live. Many men who leave without warning will have already cleaned out the checking and savings accounts, and the safe deposit box.

If your spouse has not yet made his/her final move, and if there are joint accounts, withdraw one-half of the funds and put them in your own account in another bank. (Then it can't be spent on a sports car or a "friend.") Don't spend this money frivolously; you will need it to hire an attorney, find a new place to live, and perhaps feed yourself and the children if you don't have enough income (from whatever source).

The lower-income party should look through all personal papers and make copies of any documents involving money and property. Stay up-to-date on the contents of the safe deposit box and record any changes. Take photographs of collections such as coins, stamps, gems, etc. (These are very good places to conceal large amounts of money. One might buy a stamp collection for several thousand dollars and tell that it's worth very little. Then at the settlement talks he/she will pretend to be generous and offer to "take it off your hands.")

Keep track of all unusual or significant happenings and transactions. Such things might be unusual absences, increased mileage on the car and the explanations that are

offered. Make a record (preferably on a calendar) of unusual phone calls and visits. If you are asked to sign legal documents, note their titles and the dates. Write all these events down on your calendar. Later, this can be used to refresh your memory and as proof of action. (Don't plan to reconstruct this calendar later, you must do it as it happens.) Significant conversations should also be recorded on this calendar, as well as money paid or received, and child visitations.

When you realize that there is going to be a divorce, it is important that you select a competent attorney. You'll be in a state of shock. You are upset, your mental processes are not working, you feel terrible, and you probably don't feel like you deserve anything. But you must not close your eyes and pluck a lawyer's name out of the phone book or from a TV ad. You must not run to his office and say "Here I am, take care of me." You must give up your role of victim. You must take charge of your own life. You must take an active and critical part in selecting a lawyer.

WORKING WITH YOUR ATTORNEY

You have selected your attorney; now what can you expect? Even under the best of conditions, dealing with a lawyer for the first time can be a frightening experience. To many people, and especially to the emotionally shattered woman, the lawyer is surrounded by an aura of solemn authority. An officer of the court, capable of complex reasoning, he is to most, a formidable figure.

For the rejected wife whose self esteem has been seriously crushed, whose ability to concentrate or think is seriously impaired, an attorney can be a god-like figure. Wounded and alone in an unfamiliar world of business, finance, and law, she is very apt to feel that her lawyer is the only thing standing between her and total destruction. In this vulnerable state, it is all too easy for her to hand her life over to this figure of authority and say, "Here, take care of me." But you must not do this. It is your future—you must take an active role. Your function in the upcoming legal battle is to see that your attorney has every bit of information necessary to represent you.

Many men believe they do not need an attorney, because, after all, being men, they know how the world works, and they understand the system. Some men feel that it is unmanly to seek the assistance of an attorney for a divorce. If they have no children, their divorcing wives earn adequate incomes, and there is no property to be divided, they do not always need an attorney. Under other circumstances, where there are children and assets, seeking legal representation is not any less manly than going to a barber to have a haircut!

Do not go into your lawyer's office thinking that you're going to lay your whole platter of problems before him/her and expect to receive your legal needs. You must be a participant, not an on-looker. We do not mean that you should give the lawyer legal advice, but rather that you take the responsibility to see that everything necessary to prepare the case is known. Information that your attorney does not have cannot help you. It is your responsibility to be sure that all you know about your family assets and your spouse's finances is available to the lawyer. In order for you to best help your attorney,

you must see that your emotional needs do not muddle your thinking.

When a rejected spouse first sees the attorney, he/she is most likely in the early stages of grieving over the death of the marriage. Still working through the first step of grief (the denial stage), it is likely that the rejected spouse still wants the marriage. You must either go ahead with your side of the divorce, or not; if you do not, your spouse will get what he/she wants. If you go ahead, you must put all your effort into it.

Your desire for the marriage to remain intact must not be permitted to confuse your thinking or to interfere with paying proper attention to the legal and financial interests. (If, during the dissolution process, a reconciliation is attempted, the legal process can be put on "hold" at any time.) But while the case is being processed, it must not be conducted half-heartedly in order to "avoid making him/her mad," or "win him/her back." All too often a person holds just such a carrot out in front of the spouse, to keep him/her off guard so the proceedings will not be taken seriously (and not duly pursued).

The divorcing spouse is concerned about the children. In late-in-life divorces, custody of the children is seldom an issue. Grown or almost grown, these children are old enough to choose their own place of residence. If they're still with a parent, it is generally the mother. The man who is divorcing in order to relive his youth does not usually want the children. They would be in his way. A woman who wants out, however, may very well want the husband to keep the children; she may feel that the children are a part of the problem.

The legal process of dissolution does not dictate the future relationship between the grown children and the divorced parents. How they relate to each other after the divorce will be shaped by future events and by complex emotional interactions.

When the rejected spouse realizes that the marriage is, in fact, over, and when the issues concerning the children are settled, one's attention turns toward getting one's share of the family's worldly goods. This is where the services of a good lawyer are imperative. Together,

you and your lawyer will have to fight to get what is rightfully yours.

The first order of business with the attorney you hire to represent you is to understand what he will charge. If you have not been a wage earner or active in the business world for years, or if you have never required the services of a lawyer, you may not have a realistic idea of lawyer's fees, court costs, and so forth. Or the non-working wife, long dependent upon a husband for money, may have a sort of silent hesitancy about spending "his" money to hire a lawyer against him.

Although it is common practice for the wife's attorney to request the court to order the husband to pay her legal fees and costs, the court does not always comply with this request. Because of this uncertainty, most attorneys do require a retainer. They cannot take the risk of not being paid.

You will probably be required to pay your attorney an up-front, non-refundable retainer. This is actually his minimum charge and will cover the usual costs and fees incurred in representing you. If the divorce is stopped, there will be no refund. If the case goes easily and is without complications, there will be no refund. Most dissolutions, especially those of lengthy marriages, will require many hours of the attorney's time (billed as fees). There are wide differences in attorney's fees. The amount depends upon such things as the current hourly rate in your community; the amount of time he spends in court or in negotiation sessions; the time involved in client office visits; the amount of research done on unusual matters; time spent in studying records and documents; and the time involved in phone calls. All these charges are "fees."

You will also have to pay any "costs." Costs can be thought of as "out-of-pocket" expenses which the attorney pays while processing your dissolution. They include services of the process server, investigators, appraisers, and court reporters (as at depositions); costs of court filings, of documents subpoenaed and transcripts required. These costs, of course, are higher in complicated cases. All dissolutions (in California, in 1998) will incur at least \$225.00 in costs.

If there are many and complicated assets and liabilities, expect both a larger fee and more costs. If the total expense appears too large for the client to pay immediately, the attorney may agree to wait and take part of his/her fees from settlement funds. (In some states the attorney's fee is a percentage of your settlement.)

You have the right to expect the attorney to explain the fee system and requirements to you. It is not "pushy" or "unlady-like" (or "unmanly") to talk about fees. You should ask the hourly rate and how time is logged. You should know how often you will be billed. You may request periodical updates on the bill. (Many attorneys do not routinely itemize statements, but will if requested.) Ask what rate is charged for phone calls and for what portion of an hour is billed (i.e., 5 minutes, a quarter or tenth of hour). Ask what the charges are for time in court. Some attorneys charge the same fee whether in court or office; others charge more in court. A trial day is usually considered to be from 9:30 to 12:00 and from 1:30 to 4:00.

Many law offices have a bookkeeper who logs attorney time and keeps track of costs against each client's account. For example, if the client has paid \$1,500, there is enough money to cover the initial costs (at least \$225.00), plus \$1,275.00 worth of attorney time. If the dissolution can be finished without going beyond this amount, and the judge orders the husband to pay, the attorney will remit to the wife the amount the husband pays. If the attorney's hours spent on the case exceed the amount the wife has paid, the attorney will apply the husband's payment to her account and remit any overpayment to her.

Between a lawyer and the client, the coin of the realm is information—his and yours. We have several times stated how important it is for you to give your attorney all information pertinent to your dissolution. This is not always an easy task. Since divorce is such an emotionally devastating experience, it can be difficult to distinguish between the facts your attorney needs to know and your feelings you want him to understand. You must try to avoid deluging your lawyer with non-essential information. The lawyer does not need to hear, "He never remembered my birthday," or "She kicked me out of the bedroom," but does need to hear, "I signed my AT&T stock over to him because

he wanted to buy a building--'a real good bargain,' he said. He put the deed to the building in both our names, and I did not realize that I was actually making him a present of half of my stock."

It's best for you not to try to get your attorney emotionally involved in your marital problems. To do the best job for you, objectivity is imperative.

Because you are not a trained lawyer or accountant, you will not always know which facts are significant, and which are not. It is for this reason that you must expect your lawyer, if he/she is doing the job right, to ask you questions. Many of the questions that must be asked would be considered extremely rude if asked in polite society, but this is a business situation. He also knows how some husbands withhold financial information, such as retirement funds, insurance policies, property and secret bank accounts. If your lawyer doesn't ask questions, he probably isn't doing his job.

In your relationship with your attorney, the subject of phone calls is an often confusing and frequently frustrating one. You should not expect to be able to talk to him any time you take a notion to pick up the phone. A busy attorney is often in court, in depositions, or in other out-of-office business. When he is in, he may be in conference with clients or other lawyers or is busy on the phone. Lawyers spend a lot of their time on the telephone and must charge for it. Much of the negotiating a lawyer does takes place on the phone rather than in the more expensive face-to-face meetings. Many matters are settled by a series of telephone conversations between attorneys, thus saving court appearances and the clients' money.

A very common complaint of disgruntled clients is "my attorney never returns my calls." A busy attorney can easily receive dozens of calls a day. He could not possibly return them all. If there has been no significant change in your case, he may choose not to call back. If there is no new information, there is really no need to use your money on a phone call from him. If he thinks he knows what information you want, he may have his clerical staff return the call. Most offices do not bill for telephone calls of the clerical help.

Many times the clerical people can explain matters to you on the phone, and since they do the paper work, they are already aware of your case. Like the attorney, they are required by law to keep everything confidential. The lawyer-client privilege of confidentiality extends to all members of his staff. This is universally true, and the attorney is liable for any indiscretions of his employees.

It is a good idea, when you telephone his office, to first identify yourself, and then state what it is you want to ask or tell him. If you are in the middle of a crisis and the attorney is not available, the receptionist can transfer your call to his secretary who would either tell you what to do or try to reach him. If you tell the secretary you have new information, she can tell him you do not simply want an update of the case, and he will be more apt to return your call. If you are calling because you need some particular information, it is best to tell the secretary this, so she can either give you the information or place the proper priority on his returning your call.

You should not feel reticent to mention details of your case to the clerical staff. Don't be embarrassed or ashamed. Offices that handle dissolutions every day are accustomed to the kinds of things that happen in divorce cases and are aware of the intense feelings involved. The staff's job is to help the attorney represent you. They are not there to judge you, and as professionals, they should keep their opinions to themselves.

A client who believes, "the squeaking wheel gets the grease," may think that constant reminder calls will speed up the case. In truth, by alienating the attorney, they may actually slow the process.

If you are calling your attorney only because you need someone to talk to, you are choosing a very expensive listener. A phone call to the attorney may offer some reassurance, but it is expensive, and a conscientious attorney will not encourage such an expense. A person who so desperately needs someone to talk to about his/her divorce, probably has not found a good therapist.

One last item on the list: (this should never concern you if you are dealing with a reputable attorney) If the attorney starts "coming on to you," you must immediately report it to the local Bar Association and get another

attorney. Embroiled in a divorce, hurt and vulnerable, you are susceptible to anything that will lift your sagging ego. A lawyer who takes advantage of such vulnerability is guilty of non-professional conduct and should be reported. For the sake of vulnerable people who will come next, you must report the incident.

The layman is often distressed by the apparent slowness of the legal process. The wheels of justice do move slowly—and seem even slower to the person involved. It is not uncommon for a dissolution to take several months and many take more than a year. The length of time will depend on how much investigation has to be done, how many motions are processed, how many cancellations and delays either side causes, and how crowded the local court calendar is. In one of your early appointments with your lawyer, you should ask for some idea of what time-frame to expect.

In general, you will meet with your attorney only as needed to answer questions, receive instructions, and be briefed about such things as depositions, conferences, and court appearances.

If your spouse's attorney takes some special action, or if there is a change in scheduled meetings, you can expect to be informed. If a settlement offer is made by the other lawyer, you will be informed and given the opportunity to decide whether or not to accept. Your attorney does not have the authority to make such decisions for you.

When either side files a document requiring some action, your attorney is obliged to inform you. He/she will do this in time to prepare the necessary responsive documents. (All legal actions have stated deadlines). Naturally, if you acquire any important new information you should either call your attorney or send it to the office.

After the initial action is completed and papers are filed, it is not unusual for weeks (or even months) to go by without any new developments. There will be many times when the only thing going on is waiting for a reply from the opposing attorney or for a court date. During these waiting times, your lawyer is not required to be in touch with you. (An unprincipled attorney might fill these gaps with unnecessary work in order to charge you more. The

person going through a divorce does not need the extra burden of being charged for unnecessary appointments, superfluous correspondence or for "make-work" filings.)

In counties where courts are crowded, it may be several months before you can get a court date, although when custody, visitation, and/or support issues are pressing, a court date for those issues only, can be scheduled in a matter of weeks.

Dissolutions are heard by a Superior Court Judge and not in front of a jury. In California, dissolutions can only be filed in the county where the Petitioner or Respondent has been a resident for at least three months. The judge's job is to decide issues on which the divorcing husband and wife have not been able to agree. The greater the number of unsettled issues brought before the court, the longer and more costly the trial will be. It is to everyone's benefit to reach as much of a settlement before trial as possible. Attorneys often come up with solutions or compromises as they talk informally among themselves in the course of their daily routines. In this way they often find solutions that the emotionally involved divorcing couple cannot see. When taken back to the clients, these suggestions can result in agreements and save everyone time and money.

Sometimes, during lulls in the legal process, clients worry that their attorney will "forget" them. They think they need to keep constantly in touch lest important deadlines are overlooked. In reality, deadlines are seldom missed. Lawyers work on a calendaring system which controls their cases and keeps track of significant dates. A successful attorney is responsible for hundreds of cases going on at once, and each is processed according to its own carefully recorded calendar. The lawyer knows that if he were to miss a deadline to the detriment of his client, he would be liable for a malpractice suit.

The dissolution process is charged with much more than the legal termination of a marriage. It also involves; 1) protecting the rights of all involved individuals, 2) providing support for the children and, where appropriate, for the spouse, and, 3) equitably assigning all properties to the rightful owner.

Throughout the whole process of dissolution, the personal rights of the parties can be at risk. In most dissolutions there is anger and there is hurt. Emotions are rubbed raw and tempers are hot. To the courts is given the task of protecting each person's legal rights.

The legal process should provide for the protection of all individuals from harm, from fear, and from deprivation of rights. Our judicial system is the finest in the world; however, it is not perfect, and there are some parties who are extremely vindictive (and have a good income to be spent on attorneys) and will find ways to get around any orders that are made. Unfortunately, the court does not have the power to change peoples' personalities! Your lawyer has access to the power of the law to try to see that no one is harmed, harassed, or deprived of what is rightfully his/hers. An attorney has the legal tools to try to put an end to abuse, either physical, emotional or other. He/she has legal instruments to try to make certain that the opposing party does not deceive or deprive his client. When the orders of the court are violated to the detriment of a client, it is the responsibility of the lawyer to take action. (Unfortunately, the implementation of the powers of the law are sometimes frightening and tedious, as well as time-consuming and expensive.)

In the dissolution process, the greatest proportion of time and attention is usually devoted to financial matters. This includes the disposition of separate and community assets and liabilities, both present and future. Also involved is the right of the spouse and the minor children to ask for support.

The laws in California hold that community property is to be divided equally between divorcing spouses. In the areas where the application of the law is unclear, the judge must make the final decision. It is the job of the attorney to provide the judge with the information needed to make such decisions. It is also the attorney's job to be sure the judge understands the information he is given. It is up to you, the client, to provide your attorney with facts and figures, so that the judge has access to enough information to make studied decisions regarding your case.

SOME OF THE LEGAL ISSUES IN DIVORCE

Throughout the United States, the public libraries have books that explain the legal issues in divorce. The main focus of this handbook is emotional and financial survival. Each state has different rules and regulations regarding dissolution of marriage, and an attempt to deal with the entire legal system in one small handbook would be an exercise in futility. Don't ask your attorney, at \$200.00 per hour or so, to explain the legal system to you. Buy a book. What follows is a brief list of legal issues you will face:

1. CHILD CUSTODY, VISITATION, AND SUPPORT

These issues are usually dealt with at the beginning of the dissolution process.

When there are children in a marriage, issues of custody and visitation are addressed very early in the case. In California, if there is a dispute over custody and visitation, the parties are required to go through a mediation process whereby they meet with a licensed counselor to discuss these issues. The mediator makes a determination based on the best interests of the child. The judge can order what the mediator recommends, but has the discretion to make different orders, under certain circumstances.

With regard to support, in general, if there are minor children (under age 18), child support will be ordered by the court. Special efforts are made to provide for children with unusual health or social problems, who require particular treatment, education, or therapy. If a child over eighteen is still in high school, support can be ordered for the child until he/she graduates or turns nineteen. The court, in determining child support amounts, considers the amount of time the child/ren spend with the non-custodial parent. If the kids are with Dad at least half the time, and Mom has adequate income, there may be no child support ordered. Child support is not a consideration that can be waived, and the amount ordered is always subject to being modified.

Child support is almost never ordered for children to attend college. If one party wants the other party to contribute to their children's education, there should be a discussion of the matter between the parties.

Child custody, visitation, and support orders are not permanent, and can be changed periodically if a change in circumstances is presented and recognized by the court.

2. SPOUSAL SUPPORT:

In California, the determination of spousal support is always discretionary, and is based, in part, on the county's guidelines. Individual counties and states reflect different attitudes towards spousal support, some being less generous to the woman than others.

The information on the Income and Expense Declaration, submitted as an estimate of needs, is seldom the deciding factor in the judge's decision concerning spousal support.

The following items are taken into consideration in the determination of the amount and duration of payment of spousal support:

1. Length of marriage.
2. Ages of spouses.
3. Wife's education and her ability to work.
4. Husband's income.
5. Wife's income.

When spousal support is ordered, it can be constant or decreasing, with or without a termination date. Spousal support should never be waived, because doing so precludes any future award. Even if the judge doesn't grant any spousal support the first time, it should not be waived (the judge can order that the issue of spousal support be "reserved"). Unforeseen future circumstances could create the need for support, but if it has been waived, it cannot be requested again. As with child support, spousal support orders can be changed upon presentation and recognition of changes in circumstance.

3. PROPERTY

In a dissolution in a community property state, the division of community property will be based upon information supplied by the two opposing counsels. Each side will prepare a list of assets and obligations, which, unless contested, will be accepted by the court as valid and truthful.

The following is a break-down of the financial considerations in a dissolution. The disposition of any items which the divorcing husband and wife have not agreed on, will be determined by the court.

PROPERTY is either SEPARATE PROPERTY or COMMUNITY PROPERTY. It is either an ASSET or a LIABILITY.

SEPARATE PROPERTY ASSETS include:

- a. Gifts given to you alone by a third party.
- b. Inheritance or inherited items left to you, not to the family. (Funds from different sources should not be mixed—i.e. "commingled.")
- c. Items owned before marriage; or bought with gifts of money to you; or bought since separation.

SEPARATE PROPERTY LIABILITIES include:

- a. Debts incurred prior to marriage.
- b. Debts incurred after separation.

COMMUNITY PROPERTY ASSETS include:

- a. Income: Income of both parties and business income or value. (Business started with community funds is a community business.)
- b. Cash or cash value: Checking or savings accounts, bonds, retirement accounts, and cash values of insurance policies, pension funds including military or railroad. (Each partner is credited with having paid in half of the premiums for the time the marriage existed.)

c. Real estate includes:

1. Family residence.
2. Business property.
3. Rental properties.
4. Second home, condominium, etc.
5. Bare land.

Disposition can be affected by how real estate is held. "Joint Tenancy" ownership involves two people with the survivor getting the other's half. "Tenants in Common" can involve more than two people, and allows each party to sell his/her share.

- d. Vehicles: All vehicles purchased with community funds, or gifts to the community (marriage).
- e. Pending litigation: Settlement from pending lawsuit (personal injury suit, civil suit, etc.).
- f. Possessions: Anything purchased with community funds during marriage. This usually includes household furnishings.

The court does not always require a detailed list of furniture and personal effects. A ball-park figure of how much money they would bring at quick sale is usually adequate. With regard to antiques or items of unusual value, a furniture dealer should be consulted.

COMMUNITY LIABILITIES (OBLIGATIONS) include:

- a. Mortgages, liens on real property. (Although deed may be in both names, mortgage may not be.)
- b. Encumbrances on vehicles.
- c. Personal loans.
- d. Charge accounts.
- e. Installment debts.
- f. Business liabilities-- (depending on how the business or liability was set up).
- g. Medical bills.

SUPPORTING DOCUMENTS:

For every claim a lawyer makes in court, there must be documents to support it. Supporting documents can be requested for any claims, whether property, income, or any

asset or liability. Those documents not readily found can be subpoenaed or searched out by hired investigators.

Supporting documents may include:

- Income tax returns for last three years.
- Pay check stubs (wife & husband) for current year.
- Documents with legal description of any real property.
- Mortgage payment coupons on any real property.
- Passbooks and savings certificates; (banks, Savings & Loans, and credit unions).
- Stock certificates and/or bonds, statements from brokers.
- Life insurance policies and statements of loans against same.
- Copy of pension, retirement, or investment programs.
- Copy of pink slips, registrations or certificates of ownership of any vehicles, boats, or motors.
- Copy of financial statements or statements of net worth prepared for securing bank loans or any other purpose.
- Copy of current wills, including those of third parties from whom inheritances are anticipated.
- Any written agreements made with the spouse, (such as a premarital agreement).
- Copies of any appraisals of real property.
- Copies of all promissory notes either owing to or owed by either or both parties.
- Copies of statements for any outstanding debts.
- All pertinent court documents, (as other litigation involving either party).

In addition to the division of all assets and liabilities, other arguable issues are those of spousal

support, child custody, child support and visitation. In a no-fault dissolution state, the divorce itself is not an "arguable issue." If one wants a divorce, one can have it.

Occasionally, one party may file a Petition for Separation, which usually means they want their assets and liabilities split, custody, visitation, and support issues decided, but they wish to remain married. Frequently those who seek separation have reasons, such as religious belief, for opposing divorce. Sometimes, people think that having a separation on file will cause the other party to "sit up and take notice," and quit fooling around—or whatever. If the Respondent checks the "Dissolution" box on the Response, a dissolution will be granted. The person who requested separation ends up being divorced.

HER NEW BEGINNING

Barbara closed the front door behind her and tossed her car keys onto the hall table. She stood in the doorway of the family room and listened. For seventeen years this room had been the busy, noisy center of their family activity, but now it was silent. She was alone.

The trial was done. It was all over, and yet she felt numb; as if nothing real had happened. She looked around the room and every chair, every lamp, every picture flooded her with memories of the life that would be no more.

She turned and walked down the hall; she had to fight against dwelling on the past. She had gone over this many times with her therapist: "Focus your attention, not on what happened in the past, but on what you will make happen in the future."

This must be the "post-trial" blues they talk about. She had a feeling of incompleteness--as if there had to be something else yet to happen. In court, everything was business. Everyone was so intent on dividing up her life, splitting up the property and counting money, that no one thought to stop for a minute and say to her, "I'm sorry." It wasn't as if she wanted the divorce, nor as if she had been given a chance to prepare for it. No, this dismembering of her life was thrust upon her, and she had no voice in the matter. She had no choice but to swallow all the hurt and the pain as best she could and try to pick up the pieces of her life.

Barbara feared she would never understand nor be able to fully accept what had happened to her marriage. In her head she could hear her counselor's voice warning her against too much looking back, urging her to look forward. It made sense to keep looking ahead, Barbara knew, because that was, after all, the direction she was going to make her life take.

Barbara made herself a cup of tea and took it upstairs to the bedroom. Sprinkling bubble bath into the tub, she turned on the hot water. Through a circle rubbed clear of steam, she studied her face in the mirror. She smiled. Lifting the cup of tea up to her lips she toasted her image in the glass, "To me and to the future," she said.

The realtor came to put the house on the market and gave Barbara a list of suggestions for sprucing up the place. He pointed out several walls that could stand painting "to make the house more appealing," as he put it. He told her he'd always try to give her plenty of notice before bringing clients through, but in the same breath, explained that when he had a hot prospect, it just wasn't good business to put them off until the next day. He knew Barbara would understand that all this was for her—to make it easier for him to sell the house for her.

Barbara spent the next week painting here and there, and working many hours in the yard, weeding the flower beds so as to make the garden attractive. She'd never had much interest in gardening; that had been Phillip's domain. The yard had been badly neglected since that day--the day he left.

One early morning when the phone got Barbara out of bed to answer it, she was stunned at hearing Phillip's voice. It was still there--the emotional impact of him--of even hearing the sound of his voice. Trying to remain calm, she listened quietly as he told her he wanted to come by that evening to pick up his stereo and the chair and sofa. She explained that taking the furniture now would leave a big gap in the family room and make it harder to sell the house. She asked him to wait a bit for it.

"No," Phillip said, his voice stern and unyielding, "I can't put it off any longer. We need something to sit on. Besides that, you know it's mine, and so you have no choice. I'll be there at 6:00," and he hung up.

As Barbara waited for Phillip to come, she relived every emotion she'd felt toward him since that day two years ago. Going through it all again, through the disbelief, the rage, and the hurt, left her exhausted. She fortified herself with positive messages, and by the time he arrived, she was ready. He drove up in a rented truck and walked up the driveway just as he had done hundreds of times before. He had the same old look of confidence about him. Now she wondered if it was confidence or arrogance. Suddenly Phillip was no longer the formidable figure from her past.

He had brought a helper with him, a young man Barbara didn't know, and Phillip's introduction was so swift she never did catch his name. Phillip's whole manner made it perfectly clear he would tolerate no interchange with her. He avoided looking at her and said nothing. Barbara removed herself to the far corner of the room and waited silently while they stripped the stereo out of the cabinet, and took away "his" easy chair. The two men exchanged scarcely three words as they maneuvered the love-seat out through the doorway.

Barbara was puzzled by Phillip's unspoken rage. She was hurt that he treated her as if she didn't exist. Yet, there was also growing in her, a sense of freedom from him and from the relationship which, she now saw, had been destructive to her.

Later, when Barbara heard Phillip had married his mistress, she suffered several days of misery. All the pain came back; the rejection, the humiliation, the guilt and the self-doubt pounded at her. He really went through with it! He married that woman! And Barbara was hurt! There had remained deep down inside her heart the hope (she knew it was foolish), that he was not really leaving her--that he'd always be out there some place holding his hand out for her. But now it was over. She had to let go of this last bit of wishful thinking. It was painful, and it took all her courage.

For the next few months, the realtor was good to his word, and always let Barbara know when he had someone to show the house. She dreaded being home when he brought clients through. She hated to hear them talk about changing this and changing that. She hated the thought of other people, husbands and wives and children, living in her house--the house she loved so dearly.

Keeping everything spotless and always picked up, ready to show, was doubly difficult because she was also sorting and packing. They had lived in that house for most of the years the children were growing up and there was an accumulation of seventeen years to be sorted and tossed out, or kept. Going through the attic and the garage was a slow process. It was a painful process that dredged up all kinds of memories--both happy and sad. There was the cage that had once held a parakeet, the balsa-wood airplane wings left over from a Cub Scout project, and the sleeping

bags they'd used on their camping trips. These memories were too dear to be thrown out, and yet, what do you do with them?

Barbara could only work at this task for short periods of time. She found that she got depressed when she overdid it. She printed a sign and propped it up in plain view whenever she was going through old boxes and things. The sign said, "Focus on the future, not on the past." It helped. Each week Barbara could see the task get a bit easier, until she came across a box of old family photos...

At the top of the box was their book of wedding pictures. Holding the unopened album in her lap, she tried to visualize Phillip sitting up here on the attic floor surrounded by mounds of dusty boxes full of memories. He had not had to sort through any old memories. He had simply packed a bag and walked out on the past—never once looking back. Barbara set the wedding album aside for later. She would look at it when she was a bit more sure of her own strength.

Between visits from the realtor, Barbara was out looking for a house to buy. All she was sure of was that it had to be a whole lot cheaper than their present house. Discouraged by the houses she saw, and not at all sure in her own mind what kind of place she really needed, or even if she wanted to remain in the same city, she thought of renting for the time being. Renting an apartment, a condominium, or even a house for a while, would give her time to decide what she really wanted to do.

Several of the apartments she looked at were small, and after having a big garden for so long she was afraid she'd feel terribly cramped in a tiny little space with not even a view to enjoy from the window. The realtor showed her some rental houses in a neighborhood suitable for her. One that she particularly liked would hold most of her furniture, and there'd be no problem with taking her dog, Buttons. She decided to lease the house for a year. She had promised herself at least that long before making any major decisions like buying a place or moving to another area.

The realtor sold her house and Barbara and Buttons settled down in their rental. She turned her full attention to looking for work. At first she worried about

whether to get a full time job or a part time job, but the question soon became academic when she found none at all. It had been 27 years since she held down a paying job (before the children were born). Even then, her clerical skills had been minimal, and now rusty from lack of use, they scarcely fitted her for anything.

She took several civil service exams, for county, state and federal positions. For the results of each she waited months only to find out that she was not high enough on the list to have any real chance.

There were waitress jobs available, but they were more than she could handle physically. The receptionist job interviews she went to all turned her down for "very legitimate reasons." It was clear to her that had she been 30 years younger, she might very well have been hired.

Job hunting was demoralizing; it kept reminding her of her own inadequacies. She had to make an effort to take time out to watch her own physical health. She forced herself to follow practical, common sense guidelines. She had a regular check up with her doctor, went in for her annual pap smear, and did monthly self breast exams. Although weight had never been a big problem to her (for which she was grateful), she had always paid close attention to what she fed her family. For years she had watched Phillip's diet, to be sure it was low in fat and cholesterol and high in fiber and vitamins. Now, she could start taking care of her own diet and fixing the foods she liked.

Although from time to time her nerves were jangled, Barbara resisted taking any nerve pills. She felt that (within limits, of course), it was better to face her problems and conflicts rather than to submerge them in medication. Sometimes she went without sleep, but unless it went on for too many nights, she shunned the sleeping pills the doctor had given her.

Exercise, she found, did her more good than pills. Wearing off some of the nervous energy this way seemed to help her sleep better. She took up walking in the early mornings--it helped her spirit and did wonders for the dog's waistline. She mentioned to her doctor that her arthritis was easing. He was not surprised. The severe

emotional strain caused by her divorce was bound to have had a harmful effect on her whole system. He encouraged her to continue her walking, and told her that few things were better for the spirit or the body than getting up early and taking a walk.

At the time the divorce had become final, Barbara was seeing her therapist once a week. She continued to do so until, together, they decided to try every other week to see how it worked. It wasn't long before Barbara felt she was ready to go it alone. The therapist was enormously pleased with her progress and agreed it was time. With the understanding that Barbara could return any time things became too stressful, the therapist explained it would always be appropriate for her to come in once in a while for a "tune-up." Barbara bid her a grateful farewell and went out to take up her life on her own.

A bit frightened at first by being cut loose, Barbara soon came to appreciate just how much she had grown and in so many different ways. She felt much stronger now than she had in a long time. She was beginning to experience the joy of being alive that had somehow been lost over the last years. Every day there were new little flashes of excitement, and she came to feel that she could handle whatever crossed her path. It had been a long time since Barbara had known such joy of being alive or such confidence in herself.

Since becoming single, Barbara's life had taken on a different tone. Continuing her life-long habit of keeping monthly calendars of her activities, she could see how the pattern was changing. There were names of new friends now, and different kinds of activities. The names of those friends who had been mostly "our friends" were scarcer now. At first this bothered Barbara, but, talking to other divorced women, she knew this was the usual pattern. Now, when she looked at some of those "couple-type" friendships, she saw she no longer shared much of the old interests.

Barbara was making new friends; women, men and couples, people who shared her interests—rather than those who came as part of the "Mr. and Mrs. Package." There were some, of course, whose friendships remained—they were people Barbara felt close to because of who they were, not because they were half of the couple.

She met several new men. She enjoyed them as friends, yet she was acutely aware of her fear of getting close to any man. She just wasn't ready to trust a man again. In talking this over with her therapist on one of her "tune-up" visits, Barbara learned that that was "par for the course." She was able to give herself permission to go slowly in this part of her life.

Many of Barbara's divorced women friends were outspoken about remarriage. As one woman put it, "No way. I'm enjoying my freedom too much to want ever to go back to picking up some man's dirty underwear, and having to be there three times a day to cook his meals."

Barbara knew the statistics showed that between the ages of 40 and 49 there were 10 women for every 3 men, and that most divorced women over 50 never remarried. She had read that between 45 and 65, only one woman remarried for every four men who did. To Barbara, dating was a decision that would wait. She wasn't ready even to think about this yet, nor was it something that worried her.

Barbara, fortunately, had never been the kind of person who had to have people constantly around her. She enjoyed others' company, but always needed a certain amount of "alone time" too. Now that she could schedule her life's activities to please herself, she was able to have a balance between "alone time" and "people time."

One thing she did in her "alone time" was refinish furniture. This gave her a tremendous amount of pleasure and satisfaction. Working on an old garden bench, she thought about Phillip, and could almost hear him say, "just chuck it out, don't waste your time on it, we'll buy a new one." Now the decision was hers to make.

Barbara also became adept at doing many of the household maintenance chores which had always been Phillip's domain. She found many helpful "How-To" books in the public library, and became quite good at getting information from clerks in "Home Improvement" stores. These new skills became a source of pride to Barbara. They gave her a sense of being in control of her own life. She made the decisions whether to hire someone or do it herself. Either way, she felt in charge of her own life.

Earlier, Barbara had worried about living alone, and had thought she would be afraid living in the house without a man to protect her. Then she found several things she could do to relieve this uneasiness. She asked the local police department for a safety check of her house. The officer looked over her place and suggested exterior lights, dead bolts on the outside doors, a safety lock on the sliding glass door, and dowels in the tracks of sliding windows.

The landlord agreed to put in the exterior lights, and Barbara hired a locksmith to install the dead-bolts and the lock on the sliding glass door. She bought a smoke alarm, and put a fire extinguisher in the garage. These safety precautions, in addition to her dog, gave Barbara a sense of security. She was no longer afraid to live alone.

She began to find many talents that had remained dormant over the years—talents she had repressed in deference to a "higher authority." She enjoyed arranging the house to suit herself, and found she had fun experimenting in the kitchen. She liked knowing that if she wanted to eat at 10:00 at night instead of at 5:00, or if she wanted a peanut butter sandwich or just a salad for dinner, she could do what she wanted, and would not owe anyone an explanation.

Television was another area of change in her life. She had never been a sports fan, and now found it a relief not to have sport events on all weekend and every holiday. She no longer had to watch cowboy shows or the cop shows that seemed more slanted toward male tastes than women's.

Of course Barbara admitted that there were times she was lonely. But then, so were there many—too many—times when she was lonely while married to Phillip. This had been true more often in the last few years. Loneliness in her marriage had been something she could not remedy. Mostly it was time spent waiting for Phillip to come home, or waiting for him to talk to her. But now, when she felt lonely, she was free to do something about it; she could call a friend or she could go out.

Barbara did finally get a job. Hired as a clerk in a city office, she was paid minimum wage. She worked with three other females—all just out of high-school or in their early twenties. Although they were pleasant enough,

Barbara felt out of place, and somehow demeaned by the position. She could not help but compare her position to Phillip's. The divorce had made no change in his career. He continued to run the engineering firm as he had always done, while she had been lucky to get any work at all. This job would certainly never have been a career choice for her.

The health benefits would have been helpful had she lasted on the job. After a three month probation period she was dismissed. They said she was "too slow." Being fired was a terrible blow against her self-confidence. It brought back all of the same self-doubt the divorce had caused.

Barbara picked herself up and resumed job hunting. She worried about money and what would happen to her in the future. She knew she had to get a job if for nothing more than the health insurance. If she got sick right now, it could wipe out every cent she had. She wouldn't be eligible for Medicare for years, and individual health insurance cost much more than she could possibly pay. She suffered many sleepless nights worrying about how she was ever going to find someone to hire her.

The only other solution she could think of was asking Phillip for an increase in spousal support. She hated even thinking about this. She didn't like having to accept anything from him, let alone having to ask for more. She knew he was doing very well financially (he had just bought a 40 foot boat), but still she hated the thought of having to depend on him for anything. The thought of being beholden to the man who discarded her made her skin crawl. She tightened her belt.

Barbara's total assets at this point consisted of spousal support (which she prayed to God Phillip would be reliable about paying); her share of the proceeds from selling the house (there wasn't a lot left after paying Phillip her share of the mortgage payment); and, for ten years, a percentage of the business profits.

Her spousal support had no time limit on it, and so it would continue until Barbara remarried, Phillip retired or became unable to work, or until he convinced the courts to reduce or discontinue this obligation. None of this added to Barbara's sense of security. As a wife of more than ten

years, she would be entitled to her share of Phillip's social security benefits when he either became 65, or died, or became disabled. Until then, she would get nothing because she had not worked long enough to be entitled to any social security on her own.

After thinking through her whole financial picture, Barbara decided it best not to buy a house, at least for now. She would continue renting so she could invest as much as possible from the sale of the house and from the money she got from the business. This she knew would be all the money she'd ever have. She had to build it up into as much income-production as possible. She had to plan her own financial future. There was no one else to do it for her.

Since the divorce, she had become a competent researcher. Whenever there was something she needed to know, she simply set about finding the information for herself. What she needed to know now was about investments—how to make her money work for her.

If she went to a stock broker for advice he would tell her to buy stocks or bonds; if she asked a banker, he would tell her to get Certificates of Deposit or Treasury Bonds, and if she went to a realtor, he would tell her, "Land, that's where the future of this country lies," ("Buy land. They ain't makin' no more!") and if she went to an investment counselor, he would advise her according to his own personal philosophy. It was up to her to make her own decisions.

She needed a place where she could get answers to questions and learn about sources of information. She enrolled in a class in Personal Finance at the local community college. There, she learned the number one rule: "If anyone tries to rush you into a financial deal, run away from it. No reputable deal has to be made in a hurry."

A class assignment sent her to different banks and Savings & Loans to find out about their accounts, the interest, and the penalties they charged for infractions of the rules. This search into the world of money eventually gave her the confidence to make her own investment decisions.

In her reading and in class, Barbara learned about the different kinds of life insurance. She decided to buy term insurance on Phillip's life. Reasoning that if he died while still paying her spousal support, she'd lose that income and have only social security, which would be less. A life insurance policy would help whenever he died.

In the Personal Finance class she learned about credit, taxes, budgets, and other financial matters she had ignored during her marriage. Her new knowledge would protect her from loss and help her make the most of what she had. A person who owns a computer can learn how to get on the inter-net, and that is a great source of many kinds of information.

Except for these worries over money, Barbara was content. Her way of life was not what it had been: the house she lived in was nowhere near as nice as the one she shared with Phillip; there was not the money for vacations; and even meals out had to be carefully rationed. There was a peace in her life and she was mostly comfortable, although sometimes she couldn't help getting angry. She knew that Phillip and his new wife were enjoying all the affluence and security which had come as part of her marriage contract—the part that started out—"for better or for worse." In the money department, Phillip's mistress got the "better," and Barbara got the "worse."

Her new life brought with it an ability to face challenges as they came and a confidence in this new ability. All this helped Barbara build for herself a satisfying life. Although she never found another job, either part time or full time, she did from time to time earn money baby sitting and doing occasional sewing. With cautious investments and careful planning, her income provided the necessities of life.

Barbara's relationship with her children remained one of the most satisfying parts of her life and was further enriched when she became a grandmother. She found satisfaction in her church activities. She had many interests which she shared with new friends. She gave much of her time to helping others, and although she continued living alone, her life turned out to be full and rewarding.

It had not been easy for Barbara to overcome being dumped by her husband of twenty-nine years, but she did,

and when she did, she found there was a lot more to Barbara than she had ever believed.

HIS NEW BEGINNING

Aaron left the courthouse in the knowledge that his divorce was over, and soon, he would have documents proclaiming that fact, and outlining his entitlements and responsibilities regarding his divorce. The final court appearance seemed anti-climactic.

Only 29 years old, Aaron had a bright future to think about, but it just didn't seem that "bright" today. He had struggled to finish college and start his career, knowing that he would be able to take good care of his burgeoning family. His wife and baby were the lights of his life, and the home they were buying was a great source of satisfaction to him.

Now, he is alone most of the time. The love of his life had left him so she could take up a lesbian lifestyle; she became the primary caretaker of their child, she stayed in their home, and she was mean and nasty to him every time she saw him in the exercise of his visitations with the child. This woman, whom he had loved as much as life itself, showed him nothing but utter contempt, and made both him and their child miserable. Looking at things this way, Aaron didn't know why he felt so lonely.

At the beginning of his divorce, he started counseling and he felt quite strong after his counseling sessions. He had watched himself go through the regular stages that he had been told he could expect.

Aaron still does not know how his ex-wife could do what she has done to him and to their child. He doesn't even know how she could have done this to herself! He had a very difficult time dealing with her rejection of not only him, but of men. It felt as though he was such a terrible man, he had somehow caused her to despise all men. The counselor he chose (having been referred by a co-worker) is female, and has been a marvelous source of emotional support, as well as providing information that helped Aaron to better understand the turmoil that his ex-wife is also enduring.

He got a small apartment, and enjoyed fixing up a nice bedroom for his daughter. He got some inexpensive furnishings, and equipped his kitchen as well as he could.

Since his ex-wife was employed, he had shared the cooking and housework. These tasks were done so lovingly for the family; it was difficult to do them just for himself. He was glad he knew how.

There were some items of furniture that were his separate property. He dreaded going to the family residence to pick up his items; he knew it would be an emotional trauma just to see his home, and also knew there would be a fight between him and his ex-wife. Another set of hurdles to be scaled. He was pleased to see that when he arrived at the family residence, he saw not his family home, but an ordinary house. His wife was there, with her female companion and his child. He said nothing; he just got his stuff and left. That was okay.

All that is left for him to do now is to continue attending to his career, exercise and enjoy his visitations, and take care of his financial obligations. He would take each event in hand and deal with it as it comes. Aaron intends to return to court after some months, and request more time with his child.

It is unfortunate that Aaron, in the midst of the trauma of rejection and destruction of his life-plan, has had to summon the police to the sites of child exchange, on more than one occasion. Having accused Aaron of domestic violence in the past, his ex-wife has used that non-event as a ploy to attempt to destroy his relationship with their child. She apparently doesn't realize the self-destructive aspects of that kind of behavior, and either does not realize or does not care, that she is hurting their child. Life is going to be hard for Aaron for a long time.

Being a healthy young man, Aaron needs female companionship. He is aware of all the cautions regarding safe sex, and his counselor has also made him aware of his emotional vulnerability. He has met a young, unmarried woman, with whom he has enjoyed several quiet talks, a few riotous parties, and, yes, intimacy. His child and his new friend like each other. With regular counseling "tune-ups," and with the other parts of his life returning to some kind of normalcy, he will be fine.

THE END

THE MOVING FINGER WRITES; AND, HAVING WRIT,
MOVES ON; NOR ALL YOUR PIETY NOR WIT
SHALL LURE IT BACK TO CANCEL HALF A LINE
NOR ALL YOUR TEARS WASH OUT A WORD OF IT

Quatrain 71
Rubaiyat of Omar Kahyyam