

Ep #14: Getting Comfortable With Conflict in Your Divorce



Full Episode Transcript

With Your Host

Lauren Fair

[The Sensible Split](#) with Lauren Fair

Ep #14: Getting Comfortable With Conflict in Your Divorce

You're listening to *The Sensible Split* podcast, Episode 14. Today, I'll be talking about conflict, what it costs you in your divorce, and how you can make one shift today that's going to help you manage conflict in your divorce more effectively.

The Sensible Split is a podcast for smart but overwhelmed women in search of a roadmap to a successful separation and divorce. If you are looking for guidance in navigating the practical, legal, and emotional aspects of divorce with confidence, this is the show for you. Here's your host, Master Certified Life and Divorce Coach, Divorce Attorney, and Mediator, Lauren Fair.

Hello, ladies, how are you this week? Welcome back to the podcast. I am here with you coming out of a terrible bug that my daughter brought home from the petri dish that is kindergarten. And oh man, did not knock me out for a good week and a half. My voice is still not 100%. But here I am with you anyway.

I'm really excited to talk to you today about a topic that has really been kind of a frontier of growth for me, and that's conflict. When you hear the word conflict, what comes to mind for you? I want you to think about that for a moment. Is it something that you want to avoid at almost any cost? Does it stress you out? Make you want to cry or shut down? Or, when experiencing conflict do you blow up?

I have a lot of clients who tell me that conflict is really uncomfortable for them. They'll say, "I'm not a conflict person. I don't like conflict. I really want to try to avoid the conflict as much as possible." And no matter what your usual response is to it, the likelihood is you're not fond of conflict.

I was thinking about conflict for me and where my tendency is to how I react to conflict, like where did that come from? And I've realized, over time, that growing up I really was raised in a fairly conflict-avoidant household. And it definitely impacted my reaction to conflict, or potential conflict.

How we see our parents interact with each other, with other people out in the world, or with ourselves, teaches us things about conflict. And I really didn't become aware of what I unconsciously thought and felt about conflict, probably until my late 30s, when I started intentionally focusing on that topic, really

Ep #14: Getting Comfortable With Conflict in Your Divorce

becoming more self-aware by thinking about 'how do I react to conflict?' What is my conflict style?

These aren't things that normally we really spend time thinking about unless we're prompted to do that. And for me, I think that when I did that it became clear to me how that early learning about conflict and how we should respond to conflict impacted how I behaved, what I tolerated, things like that, in the relationships that I had.

So, when I really reflected on what I learned about conflict in those early years of my life, it really became apparent to me how that impacted the way in which I behaved in my relationships with other people, particularly in my marriages, right? But that's not limited to that.

I think what we learn about conflict and how we then respond to conflict is something that not only impacts us in our romantic relationships, but also in our relationships at work, our relationships with other family members, relationships with friends, or just even people that we might not even know but encounter and have some kind of a conflict with in our daily life.

And the thing is, conflict is virtually unavoidable in divorce. It varies in degree, but every divorce typically has some sort of conflict involved. Even in an amicable divorce, there is conflict. So sometimes when we think about, "Oh, I want to have an amicable divorce," we expect that there's going to be no conflict, and that's just not realistic, right?

There are so many issues involved in untangling a marital relationship that there is going to be some degree of conflict involved, even in the most amicable of situations. And if we are prone to avoid or engage in conflict from a reactive place, it can cause undesired outcomes in divorce.

We really are not taught how to become less uncomfortable engaging in conflict in a productive way, when doing so is necessary or it's in our best interest. This is really an important skill to learn in the divorce context. Because if you, for example, are avoiding conflict in divorce, what that risks for you is you not standing up for what is an acceptable resolution to you in the divorce.

Ep #14: Getting Comfortable With Conflict in Your Divorce

It may have you giving up more than possibly what you should be, because the conflict itself is so scary that you just want the conflict to end. And in order to make the conflict end, you give up too much. You realize after the fact that, well, this isn't an outcome that really sets you up for success in your next chapter.

Another way that reacting to conflict can cause an undesirable outcome in divorce is if you are engaging in conflict in a way that has you blowing up in response to it. One of the ways that I have seen this impact clients is in the co-parenting context. Co-parenting is really an area that is ripe for a lot of conflict.

And when you don't handle that conflict appropriately, it can lead to an escalation of that conflict. In particular, I have seen this, at times, result in a parent losing legal custody of a child. And when I say "legal custody", I mean the decision-making power, about their health-, education- and welfare-related decisions. Because there is so much conflict with the other parent happening, that it's resulting in a child not getting services that they need.

When an outside third party, usually a judicial officer, sees what's happening with the conflict, and seeing the tenor of the communication, etc., they've got to make a call on 'how do we resolve this conflict so the child gets the services that they need?' And that's, usually, then removing that decision-making power from one of the parents. It can be from a parent who is otherwise a great parent. But they just can't effectively manage the conflict, and they start looking like they're the problem in this situation.

These are just a couple of examples. There are lots more. I think an important one that I always like to bring to your attention on this podcast is the cost of the legal proceeding. The more conflict that there is, the higher cost there is. And I'm going to get a little bit more into the costs here in a few minutes. But suffice it to say, you have a real interest in managing conflict effectively in your divorce.

So, what even is conflict? A definition of conflict is, "it's a clash between individuals arising out of differences in thought processes, attitudes, interests, understanding, and perceptions." The conflict involves the parties to the conflict;

Ep #14: Getting Comfortable With Conflict in Your Divorce

you and your spouse, or former spouse, as well as the situation that the conflict is over. So, that's really what we're talking about here.

According to Daniel Katz, who was an American psychologist and early theorist on conflict, there are three primary sources of conflict. I think these are pretty right on, in the divorce context. They are, number one, economic. So, when there are competing motives to obtain scarce , that can create conflict.

What does that mean in divorce? It means when we're looking at how we slice up an economic pie? How do we divide the assets and the debts? What about support, and how that impacts the payor's ability to pay it, the recipients need for it? The cash flow on both sides, usually everyone feels like there's not enough. And so, this can be an area that's really rife with conflict.

The second primary source of conflict is value or values. We've talked a lot about that as well in previous episodes, but when you're looking at incompatibilities in the way of life. And this is something I see a lot, again, in the co-parenting context. After people have children, they start to see sometimes that they have very different values and that can create a lot of conflict in and around the raising of children, and what they think is in children's best interest.

And the third primary source of conflict, according to Katz, is power; each party wanting to retain, or obtain, a certain amount of influence in their relationship. We see a lot of power dynamics in the marital relationship, and then certainly as it is dissolving. Not only through that process, but then again into a co-parenting relationship after the fact. This is, again, an area that's just rife with a lot of conflict.

So, there are these three primary sources, according to Katz, which I think ring really true in the divorce context. But there also can be others. An example of that is, miscommunications and misunderstanding can create conflict even when there are no basic underlying incompatibilities. Even if you don't have value differences, even if there's not a power struggle, even if there's enough money to go around for both parties, if communication isn't happening, or there is a breakdown in communication, or miscommunication, that can cause conflict.

Ep #14: Getting Comfortable With Conflict in Your Divorce

This is huge in the divorce context because oftentimes, when you're going through that transition, the communication between the spouses can become poor or non-existent. And I often see an attorney's saying, "Don't talk to the other party, everything should go through me." That creates a situation where it's kind of a telephone game sometimes. Things get lost in translation, and the parties just aren't talking to each other anymore.

There can be misunderstandings as to what their positions are on various issues, and that can create conflict in and of itself. Examples of some additional sources of conflict in the divorce context; some that are within our control and some that aren't. We'll start with the ones that are within our control, and that is unmanaged expectations about what a reasonable resolution might look like. For example, knowledge and communication skill gaps.

Again, on that communication front it can be really problematic. People often end up in divorce situations because their communication has broken down at some point. They don't have an effective communication dynamic. And if that was the case before you separated, it's unlikely to get better after the separation. Unless, at least one of the parties is taking real, intentional action toward improving the communication.

So, if you have a communication skill gap, you've got some lack of understanding about the process, about the issues, etc., that can be a source of conflict.

Another one is unregulated emotions. Big in divorce, obviously. Our emotions are running high. It's an emotional roller coaster. And if you are not proactively managing those, that can be a source of conflict.

Also, desire for revenge or justice. Really seeking that emotional justice in the process of divorce can, in and of itself, be a source of conflict.

But the good news is, those four examples are all within your control. And those are things that you can get support in managing. There are some things though, of course, that are going to create conflict that are outside your control. That includes what your spouse is doing or not doing. Right?

Ep #14: Getting Comfortable With Conflict in Your Divorce

You can influence what they do at times, you can't fully control it. And so there is that aspect of the process that is, 'you are only one half of it,' right? What the other party is doing or not doing is not something you have a total amount of control over, and that does result in conflict.

Finally, the legal system itself isn't set up to be an adversarial process, even for family law matters, unfortunately. And so, that is something that can introduce certain events and frustrations into the process that you or your attorney don't have full control over either.

There are so many fronts on which conflict may arise in your divorce, and conflict is expensive. The escalation and continuance of it is even more expensive, okay? The more conflict there is, the more cost to you. And when we're thinking, normally, about the costs of divorce, what you think of first is the actual out-of-pocket expenses for that. And so, those will be considered "direct costs". Things like attorneys, therapists, experts.

Anybody who is considered a divorce professional, that's helping you navigate conflict in a divorce, you're going to be paying them. Divorce is notoriously expensive. We've got the "billable hour" for most of those professionals. And the more conflict there is, the more you're likely utilizing those professionals and getting charged by the hour, most commonly, for dealing with all of that.

As an attorney, I so often would be fielding communications from clients about conflict with the other side, and so much of that was really not seeking legal advice, right? And so, you sort of end up being in a position of trying to help manage conflict when you're charging \$550/hour for that. So, it could be directed toward other professionals who are better suited to help you with that. But even so, the direct cost of conflict is really significant.

Another type of cost, though, that comes up with conflict that you don't really think of at first is, what are the "productivity costs", or the "opportunity costs" of conflict? An example of that would be sleeping. For example, so many clients I hear say that their sleep has been impacted by the conflict; they're waking up at night, their mind is racing, or they're having trouble falling asleep. Their sleep

Ep #14: Getting Comfortable With Conflict in Your Divorce

quality gets reduced when there is a significant degree of conflict that they are not effectively managing.

Another example of an opportunity or productivity cost of conflict is lost time that could be spent on work. So, how much are you spending, in terms of time at work, thinking about your divorce? Working on tasks for your divorce, when you should be working?

Divorce costs businesses billions of dollars, and that is from this exact reason, for the fact that it is very distracting to employees to be going through a divorce and having to focus on all of the issues that are coming up, particularly when it's high conflict. What is coming up that needs to be dealt with, versus what they should be doing at work during that particular time?

Another example would be time with children. So, when there is a high degree of conflict going on, it is hard to be present with your children and be able to really spend that quality time with them that you'd like to spend when your mind is focused on whatever is going on in that conflict at that particular time.

Another example of a cost of conflict is what's called "continuity costs". What it really refers to is the community around you. So, when there's a high degree of conflict between you and your spouse, or former spouse, oftentimes that results in you not being able to continue your relationships with certain members of your circle.

A common example of that would be if you had shared friends, and now that you can't get along with the friends then tend to kind of choose one or both of you... or not "both", that's the whole problem, right?... one or the other of you to continue their relationship with. And so, you may then lose some friends in the process.

Another example of a loss of relationship, in that regard, that comes to mind is the lack of continuity of relationships with the family of your spouse. That can be one that can create a lot of emotional hurt. And also, some grieving that comes up is not being able to continue the relationship that you had previously with

Ep #14: Getting Comfortable With Conflict in Your Divorce

family members that typically are, at the end of the day, going to side with their own blood. Their own “family of origin” is a better way of putting it.

Then, the last type of cost that comes up with conflict in divorce is the emotional cost. So, how much stress/anxiety is coming up for you in this process? It can be so destabilizing to be engaged in a high degree of conflict or chronic conflict. It can really take a toll on your mental and emotional health.

And whenever we have conflict going on, and we are raised to avoid it, or we don't healthily engage in it... So, perhaps you don't avoid it, but perhaps you engage in it in a way that is volatile or hostile, or it's just in a way that the result is there is some escalation of the conflict... then that can just be really problematic in terms of these costs.

So, we're seeing not only the presence of some of these costs, but really this is where we're getting into a level that is severe and is very impactful on a financial and on a personal front.

When you have a situation where the conflict is escalating, it increases the intensity of the conflict and can create a sense of urgency or anxiety. You may feel like there's some imbalance of power going on, which, again, takes us back to one of Katz's three primary sources of conflict. It can make a situation really unmanageable and difficult to resolve.

So, what do we do about conflict? If it's ever-present in divorce in some way, and there's the potential for escalation, or we can't get away from it, what do we do so that we don't give up the farm or blow things up? Or just drive up the costs to ourselves that come with the conflict?

Well, peace really is something that we strive for in this, and it may seem like it's a pipe dream for you, but I want to offer you a quote by Ronald Reagan that I think is really relevant to this. It is, “Peace is not the absence of conflict, it is the ability to handle conflict by peaceful means.” And so, I think that really beautifully encapsulates the work that I do with clients.

How do we handle conflict when it comes up, and not avoid it, not overreact to it? How do we healthfully engage with conflict to the extent necessary to get the

Ep #14: Getting Comfortable With Conflict in Your Divorce

result that we want from this process? How do we engage in those peaceful means of managing conflict? We can't eliminate it, but we can manage it and reduce it.

First, it's important to think about the fact that conflict is normal in the divorce process. If, when you think about conflict in your divorce, you're thinking that there's a problem that conflict is there, or you're arguing with the fact that it shouldn't be there, "It's here and it shouldn't be here," it's absolutely expected as part of the divorce process.

But you get to decide how you think and feel about the conflict. Because your experience of the conflict has a few layers. The first is, whatever that conflict situation is, whatever that subject matter is that you are arguing over or you're considering initiating some kind of argument over, that is the conflict situation. Whatever that external factor is, you then get to have a thought about it.

And from that thought, whatever you are thinking about that particular issue, then creates a feeling in you. And from that feeling, you take some action. And that action is either going to escalate conflict, or it's going to manage conflict, or reduce conflict in some way. You get to decide, whenever you're presented with whatever that thing is that's creating the conflict, how you are going to handle it.

We really want to look at whether those actions that you're taking in response to your experience of conflict are leading to the results that you want. So, let's take an example that could come up in the mediation room. First, let's look at if you're avoidant when it comes to conflict.

Let's say you're talking about negotiating a resolution of what the community interest is in a retirement plan that belongs to your spouse. And he says to you, "I'm not giving you any of my retirement. You didn't do anything to contribute to that. That's my money."

The way that you're thinking and feeling about the fact that you're going to have to figure out what to do with the fact that now you have some conflict over what's to happen with this retirement account, and that has you shutting down and crying, and potentially giving up your share of it, because you don't want to

Ep #14: Getting Comfortable With Conflict in Your Divorce

engage in the conflict and you just want to avoid it, then that may lead to a result that you don't like ultimately.

Or take another example where maybe you have a big emotional reaction to something, in an explosive way, that doesn't lead to the result that you want. So, let's say that you're talking about the fact that it may not be feasible for him to have half of the time with the kids because of his work schedule, and you don't know how he's going to get the kids to and from school.

And he says to you, "I'm just going to have my girlfriend drive them to and from school." That hits you the wrong way, and you're thinking something like, "Over my dead body, is she going to do what my job is." Then you feel angry, and from there you are getting up, yelling at him, saying things that are not productive to everybody staying at the table and working toward a cooperative resolution. That may result in a conclusion to the mediation that is not advantageous for you.

And so, we always want to look at what is the outcome that we want here. And based on the outcome that we want for ourselves, then what is the reaction to this source of conflict that we need to have? And what is getting in the way of us reacting to it in the most strategic and productive way?

All divorce involves some level of conflict, but the undesirable response to it can be eliminated. And so, instead of viewing conflict as a problem, conflict actually can be an opportunity for growth. If you can really open up your mind to the idea that conflict could be an opportunity for growth for you, it could be a really interesting front to see what could be different, in terms of what that historical conflict pattern with your spouse has been.

There really is this delicate balance in the divorce context of, how do I engage in conflict long enough and in a healthy way, that helps me achieve the result that I want to achieve in the divorce, without escalating it unnecessarily such that I'm increasing all of these costs to myself of doing so?

One of the things that you can do today is to think about what your thoughts are about conflict. So, if you can write down on a piece of paper, at the top,

Ep #14: Getting Comfortable With Conflict in Your Divorce

“Conflict”. And then just download from your mind, and onto the piece of paper, everything that comes up for you when you think about conflict and your ability to engage in it in a way that you want to. In a way that is designed to lead to the outcome that you want of a particular conflict.

Think about what comes up for you in that context. Write it all down. Just get some space between you and those thoughts about conflict by writing it down and taking a look at it.

Really questioning: Where do you think that those kinds of thoughts about conflict came from? And are they ones that you want to keep, or not? Or is it something that you can shift your perspective on a bit, to be one of more possibilities for yourself?

For example, if you are one that thinks, “I’m not a conflicted person. I don’t like conflict,” what if you could shift that to, “Conflict is not a problem. Conflict is something that is common in life, and something that I can learn to handle without it completely overwhelming me, or ruining my day,” etc. Right? “What if I could change my relationship with conflict? What if conflict isn’t a problem? What if it’s just a matter of adjusting how I handle it? I’m capable of making those changes.”

That’s what I do. I help clients develop conflict management skills to help them identify what conflict is worth engaging in, and how to engage in it in a productive and sustainable way that does not unnecessarily escalate it, or let it run their life.

So, if that sounds like a skill that you need, we really should talk. Because these are skills that if you can build them, they’re not only going to help you reduce the cost of your divorce, but it’s also going to help you in other relationships in your life.

Conflict is really a topic that is near and dear to my heart, because it’s something that I’ve really seen a drastic change in myself, and in my ability to handle it. It used to be something that was just very scary for me. It was something I didn’t ever want to deal with.

Ep #14: Getting Comfortable With Conflict in Your Divorce

Which is so funny, because people are like, “Aren't you a lawyer?” Yes, and whenever I would have to engage in conflict for work, of course, I would do that if it was required of me, and also, though, it would create a lot of inner turmoil for myself in having to do so.

And so, now I'm at a point where it's just so interesting to see how I can engage in conflict in a grounded, respectful, thoughtful way. I can increase my distress tolerance, kind of necessary, in order to engage in the conflict in that way. So that I can get the outcome that I want in particular situations. Or at least be the person that I want to be while engaging in that conflict, and trying to resolve it in the most productive way possible.

It's almost like I can observe myself and my experience of the conflict, and there'll be some space between those two things. Like me being the watcher of myself. “Okay, this is uncomfortable. Also, I can be uncomfortable long enough in order to say the things that I need to say, or do the things that I need to do, in order to get this thing done. In order to get this outcome that I need to have.”

And I want that for you because it's been life changing for me on many fronts. Starting with it in your divorce is a great place, because it can have such an impact on the outcome.

Alright, I hope that you will examine your relationship with conflict, and I hope that you enjoy this episode. I will see you next time.

If you've enjoyed today's show and don't want to worry about missing an episode, you can follow the show wherever you listen to your podcasts. And if you haven't already, I would really appreciate it if you could share the podcast with others who you think could benefit from it, and leave a rating and review to let me know what you think. I would love your honest feedback so I can create an awesome podcast that is helpful to you.

Visit www.TheSensibleSplit.com/podcastlaunch for step-by-step instructions on how to follow, rate, and review.

Ep #14: Getting Comfortable With Conflict in Your Divorce

Thank you so much for tuning in to this episode of *The Sensible Split*. If you're looking for more information and guidance to help you successfully navigate a divorce, please visit www.TheSensibleSplit.com.

Please remember, the information provided in this podcast is for general informational purposes only and is not intended to be and should not be taken as legal advice on any particular matter. The content of this podcast is not tailored to your specific, unique circumstances, and its transmission does not create or constitute an attorney-client relationship. Listeners are strongly advised to seek the advice of qualified legal professionals regarding their individual situation.