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# DIVORCE MAGAZINE

# Mediation Barriers

We asked several divorce mediators in New York City and New Jersey how to recognize and overcome some of the most common barriers to a successful mediation. Here's what they had to say. **Edited by Jeffrey Cottrill**

## Barrier #3:

### When your spouse misbehaves or acts out in mediation

First of all and most importantly, remember that mediation is a voluntary process. You don't have to stay. If the misbehavior of your spouse rises to the level of abuse, my advice is to leave. No dispute resolution process is worth subjecting yourself to an intolerable situation.

That said, where the misbehavior is irritating or annoying but not abusive, there may be an opportunity for you. Ask yourself if you're willing to accept the challenge being presented of not becoming reactive or retaliatory. This is hard. Your spouse knows your buttons. Still, if you can find your own center and let go of the need to strike back, it can be a tremendously empowering experience for you. Try to remember that your spouse is also frightened. As much as anything else, the outbursts are expressions of fear, the anger often is a cover of sorrow, and the reason your spouse raises his or her voice so much is because she or he thinks you

don't hear him/her. Underneath acting-out is always an expression of concern. Try to identify the concern and address it: for example, in response to, "She thinks she owns the blankety-blank kids," try: "Tom, I know you're worried about our children and your role in their lives.

There is nothing I want more than for our kids to have two fully involved, participatory parents, and I want you to know that I'll sign an agreement which reflects that."

Hopefully – and my experience suggests that this is the case – by modeling behavior that constructively addresses legitimate concerns rather than being reactive, even your very difficult spouse will begin to temper his or her own behavior, and the process will move forward toward solutions that work for both of you.

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