

## On the Books > column



By Gemma B. Allen  
Ladden & Allen

### America's new reality

For so long in American society divorce was simply unacceptable. During the last 50 years, divorce has moved from being more than acceptable to, sadly, expectable. Despite this new reality, little has been written to help litigants cope and guide them through the heart-rending and financially bruising legal process. Every client seeks the Holy Grail of a "good divorce," but, like all fabled destinations, it is hard to find.

Michele F. Lowrance, a respected judge in the Domestic Relations Division, has written "The Good Karma Divorce," which is drawn from her insights gleaned from years in the trenches as a family lawyer and her judicial perspective. She reveals her experiences as a divorced woman and a child of divorce, and her vulnerability begets a heightened credibility because clearly her advice does not emanate from an ivory tower.

What she offers are spiritual goals, psychological observations, practical exercises and significant truths about the legal system and its limitations. These lessons can be learned either as a whole or on an as-needed basis.

Much of her writing is inspired and inspirational. The section on parenting is what all psychologists would advise if they could express it as artfully. Lowrance highlights that at the very moment life is unraveling for divorcing parties, they must simultaneously strive to be a better, more selfless and creative parent than ever before.

She aptly names it "Heroic Parenting." Lowrance gives readers statistical and anecdotal reasons that such heroism is imperative. She motivates readers to achieve the "good karma" divorce, not only for their children's present, but for their own and their children's future. The subtitle of the book best expresses its motivation: "Avoid Litigation, Turn Negative

Emotions into Positive Actions, and Get on With the Rest of Your Life." Following its directions to achieve a "good karma" divorce would be best for any individual, their children, if any, their bank accounts and their future relationships.

For some litigators, and for all litigious clients, the book will be challenging. Candidly, it's difficult for most lawyers to read a chapter titled "Carnage in the Courtroom," especially if they strive to maintain civility in the practice. It is true that in a litigated dissolution case every aspect of parenting faults, finances and personal foibles are necessarily heightened in pleadings and in the courtroom. The old truism that "a bad settlement is better than a good trial" may be particularly applicable in divorce.

However, in our current divorce reality, lawyers find some cases cannot be settled and some issues must be litigated regardless of the shortfalls of the process.

In divorce proceedings there may be questions of first impression, contradictory input regarding the classification of assets, real and well-grounded differences of opinion regarding equity, and valuation differentials often with significant financial consequences.

Most importantly, sometimes there are parenting values that do not lend themselves to compromise. More than occasionally, one party is so unreasonable that no amount of "good karma" can change the highly charged atmosphere. In these instances the judge has to render a decision with which warring parents and/or former lovers have to abide.

It may seem difficult to reconcile a belief in the litigation option with an equivalent belief in the overriding significance of this book, but they are not "irreconcilable differences." First of all, the "good karma" divorce is directed

toward parties who are in pain and it eloquently gives them aspirations and a new perspective.

It is relevant not only to currently divorcing parties, but to anyone who has been touched by divorce. Secondly, it delivers an important warning about the false expectations of the legal system. Clients talk about wanting a "fair trial," but that may be code for expecting much more than any divorce can deliver, because a divorce necessarily divides assets, income and precious time with beloved children. As Lowrance observes, "The gavel is not a magic wand." The dissolution of a marriage involves too many deep-seated feelings and the death of too many dreams to ever leave anyone feeling like a "winner." The battle is far from free, and the gladiators can end up with no spoils left to be divided.

Lastly, Lowrance clearly delineates the behavioral and psychological choices made each step during and after a dissolution process in an effort to help litigants see the long view. The divorce process can feel like life lived in a parallel universe. Those dealing with divorce and its aftermath need to understand the rules and expectations of that universe. She gives readers a methodology to eliminate as much of the rancor as possible, while preserving their legal rights and personal dignity.

Anyone who does the homework she recommends and savors her wisdom may avoid trial and will certainly be a better parent. Even those readers who have differences that need to be resolved at trial will be educated to narrow those issues and minimize their fallout. The hope is that "The Good Karma Divorce" can become America's new reality. ■

*"The Good Karma Divorce"*

By Michele F. Lowrance

[gemmaallen@laddenallen.com](mailto:gemmaallen@laddenallen.com)