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# Overcoming Negative Emotions In The Mediation Process

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*Divorce mediator Nicole K. Levy explores the challenges posed by strong emotions in the mediation process.*



*Strong emotions are a predictable part of the divorce process. Divorce mediation helps spouses process and move past strong emotions – rather than inflaming destructive feelings – so spouses can resolve their divorce in an intelligent, productive manner. Strong emotions from one or both parties pose challenges in mediation, but a skilled mediator has tools for reaching consensus, [even when emotions are running high](#). Feelings such*

as anger, resentment, sadness and fear are natural responses to the breakup of any lasting relationship. Such feelings are often amplified by additional stress-points created by divorce, such as [concerns about children, finances, shared assets and the legal process](#). Because divorce litigation is an inherently confrontational process, resentment and anger felt by spouses following the breakup of their marriage often transforms into [resentment and anger over the litigation process](#). The cycle of conflict can lead divorcing spouses who choose litigation into a downward spiral of unresolved anger that only increases the emotional and financial costs of divorce. Mediation is not therapy. However, the mediation process is designed to enable divorcing spouses to recognize and move past negative emotions that are presenting roadblocks to an advantageous divorce settlement. A good mediator shows respect for a spouse's strong negative emotions, while teaching both spouses techniques for compartmentalizing their feelings to facilitate an objective, reason-based process that results in a [mutually beneficial divorce agreement](#).

### *My Spouse's Anger is Making Our Divorce Worse*

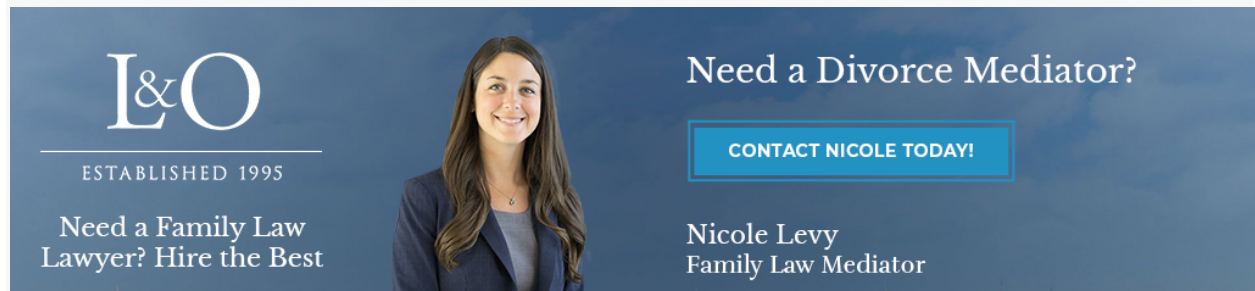
You and your spouse had a bond. You were in a close romantic relationship. You got married. Maybe you had a child together. You formed an attachment to each other and the life you shared. Once the attachment begins to unravel, a familiar set of negative feelings can be the result. Sadness, depression, anger, jealousy, regret or strong feelings of loss can dominate a breakup victim's mind for months or even years. The [hostility and confrontation of divorce litigation](#) often compounds these naturally occurring feelings with additional layers of frustration, betrayal and rage. Even as the divorce unfolds, of course, the children need to be cared for, bills must be paid, and practical issues – such as who is moving out of the house – need resolution. The divorce or custody process can be daunting, but resolving these issues can play an important part in the healing process. Spouses who learn to identify shared goals and resolve practical problems in a mutually beneficial way often move past the emotional turmoil more quickly than spouses who adopt a hard-headed, confrontational attitude towards each other. If litigation is your path, the normal and natural feelings you may be experiencing can be intensified by the [high degree of conflict that surrounds litigation](#). There is little room

in adversarial proceedings for working through unresolved feelings, but that does not mean these emotions go away. Instead, the feelings tend to fester into *resentment*, resulting in a longer and more hostile divorce case. Children can take the brunt of this animosity. While you and the other parent may not be friends, *children need their parents to be civil*, and spouses can struggle with civility in the heat of a contested divorce.

### *Processing Strong Negative Emotions During Divorce Mediation*

For spouses who choose mediation, natural and expected feelings of depression may not be compounded by the need to “win.” As a divorce attorney, I can tell you that I am always cautious about revealing a client’s weaknesses or insecurities during litigation. After all, part of the opposing attorney’s job involves *exploiting any weakness* that my client shows. As a mediator, however, I actively encourage spouses to share their *fears, insecurities and worries*. As we have noted in *previous blogs*, the key to overcoming anger often involves *understanding the fears and concerns* that the angry spouse is feeling. By addressing those fears directly, a spouse’s anger can often be defused. When a spouse is experiencing strong feelings, it is important to pause the mediation in order to determine whether a spouse’s emotional posture *presents a hurdle to resolution*. If there is some practical solution to the spouse’s concern, the mediator pursues it. If the feeling is purely emotional, the mediator may step back to explain the broader goals of the mediation. For spouses who are struggling to control emotions, the mediator may discuss the value of establishing boundaries in terms that both spouses can understand. Doubts about the future are the very problems that mediation aims to solve. Such concerns are often one of the first things discussed in a mediation session, and continue as a part of the conversation throughout the mediation process. By giving voice to troubled feelings, a spouse is also setting goals for the mediation process – even if he or she doesn’t know it. Resolution of each spouse’s concerns is the backbone of mediation, and resolution can only occur by understanding what each spouse wants or needs. Once your goals are the focal point of the conversation, finding resolution becomes much simpler. A person who truly cannot control his or her negative emotions can cripple the mediation process by making progress impossible or reach an agreement

on major or minor issues. While negative emotions will inevitably arise, a good mediator can often work through strong feelings to achieve an environment that is conducive to problem solving. Of course, mediation cannot solve every problem, and for spouses who simply cannot control themselves, litigation may be the only option.



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### *Mediation Is Not Therapy, even if Some Spouses Find It Therapeutic*

Emotions that arise during the process can often give direction to the mediation sessions. However, the true purpose of any mediation is to reach workable agreements on the practical issues contained within a divorce agreement. Your mediator is not a therapist. Nor is he or she a goalie, or responsible for determining who is right or wrong. The mediator's job is to assist spouses in moving past the emotions that stand in the way of settlement. Just because the mediator *encourages spouses to share concerns*, and to listen respectfully to each other's views, does not transform mediation into a therapy session. Indeed, when emotions arise that have no practical component in the context of the divorce mediation, the mediator will typically encourage a spouse to address their feelings with a therapist, outside of the mediation office. By balancing the need to acknowledge each person's perspectives and feelings with the overriding need to reach consensus on difficult issues, a mediator can tap into spouses' emotions to determine the *interests* that are really at play. The mediator can then help spouses "resolve" emotions that include a practical component, while coaching spouses to establish boundaries regarding those purely personal feelings that are best resolved in therapy. The result is a far more holistic approach that produces mutually-beneficial results and minimizes emotional negativity.

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