

January 18, 2016; When to Save, end marriage?

Recently, I've subconsciously found myself humming the tune to Carol King's old song, "It's Too Late." For those who may not remember the song, or for those too young to even know who Carol King is, here are the key lyrics:

Chorus: "And it's too late, baby now, it's too late. Though we really did try to make it. Something inside has died, and I can't hide, and I just can't fake it.

"Stayed in bed all morning just to pass the time. There's something wrong here, there can be no denying. One of us is changing, or maybe we've just stopped trying.

(Chorus)

"It used to be so easy, living here with you. You were light and breezy, and I knew just what to do. Now you look so unhappy, and I feel like a fool.

(Chorus)

"There'll be good times again for me and you. But we just can't stay together; don't you feel it too? Still I'm glad for what we had and how I once loved you.

(Chorus)

Obviously, this song is about a relationship that has soured. Although the singer can't quite put her finger on the cause, she's come to the realization that the flames of passion and love have died and her relationship with her partner is over.

You might wonder why this song keeps coming to my mind. I certainly have. I think it's because each December, and into the first few weeks of each January, a higher than normal flow of people consult with me on the process for obtaining a divorce. Perhaps this is because as an old year ends and a new year begins, people want to set new goals and resolutions. They feel an intense urgency to make major life changes, NOW! And, as changes go, ending a relationship is quite major!

In the last month, I've encountered couples seeking divorces for marriages lasting anywhere from only four months to twenty-five years. The reasons for wanting a divorce vary. Most center around one or more causes I've discussed in earlier columns, including incompatibility, adultery, drug and alcohol addition,

financial discord, and abusive behavior. I certainly understand the emotional strain these situations place on couples. However, I know many couples that have faced similar challenges and decided to stay together despite these major setbacks.

So, as clients consult with me to learn about the legal framework for processing a divorce and for resolving all the various issues surrounding the end of a marriage, I find myself trying to figure out what exactly caused them to turn thoughts about divorce into action. This makes me ponder the question, when, if ever, is it time to call it quits and walk away from a marriage? When is it too late to save a marriage?

I realize that this is a philosophical rather than a legal question. But I believe it is an important question for all couples considering divorce to ponder and to give serious consideration. In my experience as a family law attorney, I think too many couples give up on marriage too quickly.

At a minimum, I encourage all couples considering divorce to seek the advice of a professional marriage counselor or trained religious leader before seeking legal advice. This will place the focus on saving, rather than ending the marriage. Most couples don't have the know-how or the proper mental tools needed to fix a failing marriage themselves. They will simply continue to make the same mistakes over and over again.

For this reason, they should seek the services of a person specifically trained to help couples identify the root causes of their problems and to plan a course of action to repair their relationship. Of course, there is no guarantee that even counseling will save the marriage. However, should the couple ultimately decide to divorce, they will do so with the conviction and satisfaction that they used their best efforts to reconcile their differences.

As we begin the New Year, if you find yourself with serious doubts about the sustainability of your marriage, I encourage you to set the reconciliation of your marriage as your 2016 resolution. Seek out a trained counselor to help you find out whether or not it's too late.