

June 09, 2014; Know your spouse before marriage

The author of a recent article I read said that between 40 to 50 percent of all American marriages end in divorce. I find this a staggering and rather depressing statistic.

This may sound strange coming from someone who makes a good part of his income from warring couples. But, as I frequently tell my clients, I would gladly shift my practice to another area of the law if tomorrow we could figure out how to keep marriages together. I mean this!

Over the past three decades, I've met with literally thousands of clients who came to me seeking a divorce. I've heard hundreds of horror stories of betrayal, abuse, and abandonment, and I've been caught in the crossfire of bitter hatred and anger. Like a referee at a boxing match, I've stopped clients from delivering verbal punches that hit below the belt. In some extreme cases I've even prevented the exchange of physical blows.

One question that continuously pops into my head as I listen to a client's rant against the other spouse is "what went wrong"?

This question has nagged me for years. What follows below, and over the next four installments, are my observations of the leading causes for divorce on Guam, and undoubtedly, for divorces throughout the world.

In ancient times, latte stones provided a sturdy foundation for Chamorro buildings. The latte stone for modern marriages must be a solid foundation of knowledge about a future spouse. All too many people enter into the most serious commitment of their lives without really knowing the person they are about to marry.

A few years back, a young lady came to consult with me about a possible divorce. She'd been married two weeks! When I asked her why she wanted to divorce her husband, she replied: "Because I didn't realize what a jerk he is." I then asked the next logical question, "How long did you know him before you got married?" As she chomped on her gum, she replied, "Three weeks."

Although this was one of my more extreme cases, all too frequently I meet with clients who knew their spouses for only a few short months before they married. Their casual attitude toward such a serious vow absolutely floors me.

Our laws do very little to encourage couples to get know each other better before they wed. This is rather curious considering the great strides Guam has made in preparing our future drivers.

Take my son for example. At 16, he wanted to start driving. I researched the law. I found out that in order to obtain a driver's license he had to take a course to prepare him for his written driver's test. He then had to present his certificate, proving he completed the course, to the Division of Motor Vehicles (or other testing site) before they'd allow him to take the written test. If he passed the written test, he would then be given a driving permit. Over the next six months he had to take driving lessons and log 40 hours of driving during the day and 10 hours at night.

When he completed all of this, he was eligible to take the driving portion of the test. Assuming he passed the driver's test, he'd be given an intermediate driver's license. He could earn his permanent driver's license only if he received no traffic violations for the next 12 consecutive months. If he happened to get a traffic violation during the year, the probationary period would be extended.

Considering the grave responsibilities of driving, this long process makes perfect sense to me.

Now, let's contrast the process for obtaining a marriage license to that of a driver's license. My son won't be eligible to get his permanent driver's license until September. On July 17th, two months prior to his eligibility for a permanent driver's license, he'll turn 18. If he wanted to, on his birthday he could go to Public Health with his 18 year-old girlfriend and together apply for a marriage license.

Normally, applicants must wait five days from the date they submit their application until Public Health actually issues the marriage license. However, for an extra fifty dollars Public Health will waive the waiting period.

Assuming they have someone lined up to marry them, they could then immediately get married. Just like that! The entire process could be finished in one day!

This makes absolutely no sense to me. No wonder nearly half of all marriages end in divorce and most divorce lawyers drive around in a Lexis or Mercedes.

As a community we need to insist couples know each other better before they take their "til death do us part" vow. At a minimum, no one should be able to obtain a marriage license until they take a course to help them prepare for marriage.

I realize this isn't a new idea; some churches already require engaged parishioners to take a pre-marriage course. I'd like to see the requirement become more widespread. The subjects can be expanded to include such topics as compatibility of certain personality types; the meaning of commitment; how to raise children; how to manage finances; religion and marriage; marriage and careers, among many other possible subjects. These courses could be taught by a variety of

licensed persons or entities including churches, community colleges, family counselors, and private companies that meet certain standards.

On Guam, we've made great progress in ensuring that new drivers meet minimum competency requirements. Let's work together to ensure that those considering marriage are likewise prepared to meet the challenges facing them as a married couple.

Put me out of business!

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