**The Importance of the “Scheidingsmelding”—The Goodbye Process in Divorce**

By: René de Haas, Annelies Verhoeff, and J. Mark Weiss

*The literal translation into English of the Dutch word “scheidingsmelding” is “divorce notification.” Unfortunately, a literal translation does not convey the meaning of this concept, discovered to be an important but easily overlooked element to achieve the closure necessary from an intimate relationship for a more efficient and effective consensual dispute resolution process such as mediation or Collaborative Practice. In Dutch, the scheidingsmelding is sometimes also described using the French word* “Adieu” *(goodbye). In this article, we use the translation “Goodbye Process” in an attempt to convey the meaning of the original Dutch.*

Emotions that interfere with acceptance of divorce can easily interfere with negotiating the substantive terms of the divorce. The Goodbye Process is perhaps the most important step during the divorce mediation or Collaborative Divorce. It helps parties accept the divorce and each other as individuals, thereby facilitating more efficient negotiations. In the Netherlands, the Goodbye Process is viewed as an essential part of divorce mediation and Collaborative Divorce. Outside The Netherlands, the Goodbye Process is not well known. When properly completed and fulfilled, the Goodbye Process has a profound psychological impact by helping the parties acknowledge the deep-seated emotions that can drive the chaos and acrimony that is otherwise so common in divorce. Its steps allow the parties to better understand each other and lead towards acceptance of the divorce.[[1]](#footnote-1)

Peter Hoefnagels[[2]](#footnote-2) discovered the Goodbye Process after coming to realize that much of the conflict he observed in divorce mediations could be traced back to an inadequate or poor closure of the relationship. He realized that poor communication about the reasons for divorce resulted in an inadequate “goodbye” that greatly contributed to keeping kept the parties emotionally engaged. Once rectified in a structured Goodbye Process led by the mediator, the parties could often emotionally settle down and better participate in the transactional portions of divorce—addressing the financial and parenting particulars. Hoefnagels discovered that the Goodbye Process helped the parties accept the divorce and thereby boosted have their capacity to engage in a rational discussion about the issues.

The Goodbye Process operates as a psychological catalyst to help the parties reorganize their emotions and the meanings they make of the separation and divorce. When included as an explicit step of divorce, the Goodbye Process can become a foundational and structural component for a good divorce. A properly completed Goodbye Process therefore not only provides psychological benefits for the parties but helps them productively engage in making more grounded decisions.

In an ideal world, the Goodbye Process would occur organically at the time of separation through excellent direct communication between the parties such that each has achieved the necessary understanding to make sense of the profound changes to their relationship and lives. Sometimes that occurs. However, because the quality of communication tends to be impaired at the time of separation and is often accompanied by overwhelming emotion, , , that ideal is rarely realized without professional assistance. Hence, the task typically occurs with the assistance of skilled professionals towards the beginning of the mediation or collaborative process.

*How does the Goodbye Process work?*

Normally, the decision by a party to divorce only happens following a period of deliberation that is accompanied by ambivalence. During that period, it is common to have doubts about the future of the relationship, whether to engage in marital counseling, and whether there is a possibility for change. This deliberation typically occurs in the face of real-life disappointments and unfulfilled expectations, at a time when communications are strained or broken down, and after one or both parties have started to disengage and divest from the relationship. This internal deliberation is usually done without both partners participating.

The person who makes the decision to divorce often incorrectly assumes (and believes) that their reasons are known to the other—after all, they have argued about those very items, maybe discussed them in marital counseling, and perhaps even hinted at divorce previously. In reality, the reasons are often muddled or poorly understood by the other. Because the person who made the decision to divorce believes that their reasons are understood, they likely have not checked whether the other understands the actual experiences and thinking that led to the decision—including the impacts of what was said, was left unspoken, or was done. The experience of the other is the converse; they are kept guessing about the thinking, which leads to upset and acrimony.

A declaration to the effect of “We’re getting a divorce” is not an adequate goodbye. A declaration alone is insufficient for the emotional processing that needs to occur. Even if both parties have entertained the idea of divorce for years, and even if the “D-word” was repeatedly used, that spouse has not provided an adequate goodbye, with the clarity and specificity needed at a time it can be heard. When properly delivered, the other can start to make sense of the message so both can recalibrate their relationship to be able to work together towards the divorce.

As noted, commonly the decision to divorce does not really make sense to the spouse who has not made the decision; in fact, a good understanding of the reasoning is the exception. False beliefs, misunderstandings, incorrect assumptions, and wrong attributions of intentions of the other are common, all accompanied by deep-seated doubts whether they are guessing right.

René recently mediated a case where the wife moved out of the family home on a Saturday morning while her husband was away. She left a note with the message: “I'm leaving. You’ll get a letter from my lawyer and then you’ll understand.” The husband knew they had marital problems but had no idea they were facing divorce. The parties started mediation soon after the lawyer’s letter arrived. René asked the wife to explain her decision to leave. She shared that she loved her husband but was frightened about their financial well-being after years of constant requests for money from, and her husband’s gifts to, the son from her husband’s first marriage. Their inability to discuss her fear had driven the parties apart. The Goodbye Process allowed the wife to express her sadness about losing their relationship and her fear of financial ruin if she continued in it. For the first time, the husband realized that his response to his son’s requests for money was resulting in the death of his marriage, which neither he nor his wife really wanted. As a result of this realization, they were able to make agreements about how he would respond to such requests in the future, and the couple reconciled. The explicit statements describing the reasons for and emotions about the decision to divorce created understanding. Sometimes a letter on a kitchen table is nothing more than a wakeup call: “Help, I'm unable to continue in this relationship; something needs to change, or divorce is inevitable.”

*What is the Goodbye Process?*

The Goodbye Process is a structured set of questions to help the parties understand the reasons that gave rise to the decision to divorce. These questions can be asked when starting a mediation or Collaborative Divorce. It is critical that the discussion occurs when both parties are present in person and can devote their full attention to the discussion. They must hear the answers directly from each other; hearing answers through an intermediary is the mirror image of receiving a marriage proposal through an intermediary. The Goodbye Process is effectively the reversal of the marriage proposal. Instead of proposing marriage, it is a declaration of why the marriage no longer works for one party. The Goodbye Process becomes a ritual to emotionally process the reversal of the proposal and acceptance of marriage. This can only be achieved in person and directly between the parties using express words, similar to the marriage proposal when the parties decided to marry.

When divorcing, more words and attention are needed than in a marriage proposal, because space is needed to express everyone’s feelings of sadness, vulnerability, fear, anger, and disappointment. People often lose a sense of self in a relationship; they can make an abrupt decision to divorce as part of trying to reclaim a sense of self that is not understandable to their spouse. By inviting the person who took the initiative to describe clearly in their own words the reasons to end the marriage provides the opportunity to hear and understand what truly led to the decision. By doing so, the divorce no longer feels like crazy-making to the other spouse, who has been trying to supply a reason for something they do not really understand. When the divorce no longer seems like crazy-making to either party, both parties are afforded some space to shift.

Divorcing parties with excellent communications skills may be able to have this discussion without professional assistance, and a few may even do so organically. However, for most, time for the Goodbye Process will need to be set aside by the mediator or Collaborative professionals, who can pose targeted questions designed to elicit clear and specific information about the reasons and thinking that went into the decision to divorce, about the feelings that accompany that decision, and to verify that each has a good understanding. Carefully constructed questions can help the parties communicate information they may otherwise be reluctant to provide or be tempted to finesse or sugar-coat. Clear and specific communication without sugar-coating is essential to forming the shared understanding necessary to fulfill the goodbye. Only when the parties are physically present with each other can it become possible to verify whether the message was clearly given and understood, and has started to sink in.

*René notes: In my mediations I often start by asking who took the initiative for the divorce. Then I ask that person if they could explain what motivated them to make that decision. Then, I ask whether they believe that the other understands their reasons and to check in with the other. If the motivations are not well understood, we start a more formal Goodbye Process in the mediation. Even partners who made the decision to divorce during couples counseling often need a more direct Goodbye Process to achieve the closure needed to focus on the tasks of divorce. For most divorces, it is important to conduct a Goodbye Process as soon as possible.*

The parties should be asked to communicate their feelings and experiences clearly, giving specifics and using the “I” form, and to speak from their individual experience. Using the “I” form not only feels less confrontational to the listener, but also provides greater insight as to how the speaker made the decision to divorce. Once understood, the listener frequently reacts with statements to the effect of: “I had no idea how important this was to you.” Then, questions may pop up whether there is the possibility to give the relationship a second chance. Assuming the couple still decides to divorce, a properly completed Goodbye Process serves as a catalyst to bring closure to the relationship by giving the parties the opportunity to let go, and perhaps even co-own some of the reasons.

It is important to ensure that the partners have heard each other’s messages and have been able to ask questions and receive answers that they can understand. It is also important to watch for an emotional reaction by the recipient, which could be either quite subtle or expressive. An emotional reaction is a signal that the message was received. At the same time, the conversation needs to be managed so that it does not become a recitation of perceived injustices from the past only to reactivate patterned arguments. The focus must remain on the reasons for the divorce.

What matters in the Goodbye Process is not so much the words, but that what lies beneath them. Partners have usually assigned different meanings to experiences and arguments in their past. Frequently, their different emotional reactions and conclusions are not well understood by the other, and each creates their own truth, their own narrative. Once they have heard what meaning the other has made of what occurred can they make space for a new phase of their relationship, the conclusion to divorce.

This process ultimately leads to an acceptance that the divorce is inevitable. Once the Goodbye Process is fulfilled, with each party having been heard by the other and describing that they understand why the other wishes to divorce, and an emotional reaction, however subtle, has occurred, can there be the opportunity to move in the direction of acceptance. This acceptance helps in being be able to participate in a rational discussion about the tasks, including seeking good solutions, considering options, and making the decisions.

The person who decided to divorce may feel that the emotional investment for that conversation is excessive for a relationship they no longer want. But the Goodbye Process paradoxically makes the divorce real in a way that does not otherwise happen. The other party can no longer deny the fact that the relationship is truly over, that their situation will change, and that they cannot stop that. The other starts to realize that their world has immutably been turned upside down. Interestingly, in that moment, some weight is also lifted from each person’s shoulders: finally, there is clarity about where things stand.

The Goodbye Process starts a personal crisis. Prior to the Goodbye Process, a party may harbor thoughts that the decision to divorce is not serious, that they can bargain to save the marriage, or that there remain parts of the relationship that should carry forward. By speaking to the reasons and motivations that gave rise to the decision to divorce, the recipient of the message is confronted with the certainty that change is happening, and their future will be different.

The reaction to the Goodbye Process can be highly emotional and unpredictable. Denial and shock are not uncommon. Whatever they may be, the emotions that divorce brings up can only be adequately processed if they are directed towards the other partner. It is important that the professionals allow the clients to have their emotions.

After the formal Goodbye Process, it is best to let things sit for a few weeks. It takes the recipient time for the message sink in and to be able to start making sense of it all. Acceptance that the divorce is occurring can never happen in a single moment but takes days and weeks. During that time, it is normal for that person to experience a range of emotions at random, including appearing at times to be unreasonable or irrational. After a few weeks, this settles down and the parties can get to work.

A well-fulfilled Goodbye Process gives the partners not only the opportunity to achieve closure of their emotional relationship but gives them the opportunity to leave their negative experiences and feelings in the past. When they have children, they face the task of transitioning from partners to ex-partners who are now financially autonomous but good co-parents. This requires the parties to make new meanings about what “we” means, and to forge a new, different, form of cooperation than they had as intimate partners. It requires them to work together while parenting individually and taking on new responsibilities. The Goodbye Process helps them gain a new perspective for the future and create the foundation for a co-parenting relationship. A high-quality Goodbye Process provides not only information about ending the adult relationship, but also creates the ability to create new ways to work together as co-parents after the divorce, regardless of how difficult the transition may be.

The Goodbye Process is a paradoxical intervention. While poor communication between the parties is a common characteristic at the time of divorce, and may have contributed to the decision to divorce, it is crucial that the reasons for the divorce be crisply communicated at a time when both parties can give it their full attention. It is good communication during a period of poor communication. Because something important is being said that neither wishes to hear, it is important to hold the parties in a space so the message can be said and heard, and the benefits of the Goodbye Process can take hold.

*The Goodbye Process in Collaborative Divorce*

The Goodbye Process is effective both in mediation and in Collaborative Divorce in either a joint session or a coaching session. Any of these settings can provide the safety and structure needed for this important conversation.

In the Netherlands, it’s common practice for the parties to start with the coach prior to commencement of the Collaborative process. The Goodbye Process may occur with the coach prior to the first joint session. When done in a coaching session, the Goodbye Process may receive more attention than it would get with the lawyers.

Because Prof. Hoefnagels played an instrumental role in the development of mediation in The Netherlands, and all Dutch Collaborative lawyers must be trained as mediators, the Goodbye Process is a natural part of Collaborative divorce. From the outset, the lawyers take note whether the Goodbye Process has sufficiently occurred. If not, the lawyers place it on the agenda for the first joint session. If the parties need more time, or more clarification, the follow-up is usually with the coach. The routine focus on the Goodbye Process helps channel the emotions of the parties so they can be more ready to address the tasks in their Collaborative divorce.

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SIDEBAR 1

**The Goodbye Process as Part of Divorce Mediation and Collaborative Practice**

The Goodbye Conversation is deemed foundational to effective mediation and Collaborative Practice in The Netherlands. It forms part of a framework in which close attention is paid to the emotional transition of the parties, and where interventions to help the parties progress in the emotional restructuring of their relationship is expected from by mediators and Collaborative professionals of all disciplines. Following is an example of sequence of steps that a mediator or the Collaborative professionals might take with a couple prior to embarking on the substantive aspects of divorce.

Setting the tone and ground rules are important to keep the experience safe for all. For example, asking the clients to respect the rules for effective communication, such as: (1) no blaming and shaming, (2) no interrupting, (3) no justifying. Instead, ask clients to use “I” statements, to validate what happened, to show appreciation for sharing, and to ask questions only for the purpose of gaining understanding.

The first step is to assess by exploring whether an adequate Goodbye has occurred. Examples of questions for this exploration might include:

* What do you expect from the other in this process?
* Who initiated the separation?
* What does the separation/divorce mean for the other party?

Some education is often helpful to help clients identify and fix communication patterns. For example, it may be useful to educate clients about differences in communications between (romantic) partners, between parents and children, and about children.

This education can then lead to questions about their dominant conflict styles and communication patterns. Subsequently, the partners recognize and accept how their communications likely changed, became imbalanced, and contributed to the divorce. Their ability to have this conversation also provides the professionals with information whether the clients have the capacity to discuss their true feelings and disappointments, and their insights into their own patterns.

We may ask if they are able to share their true feelings with the other partner, focusing on the emotions of fear, sadness, anger, happiness, and embodied somatic emotions. The mediator or Collaborative professionals can help the clients with that communication.

There may be value in exploring how they found each other (“what happened at first sight?”) and how their relationship progressed such that they decided to commit to the other. That can lead to general questions about what each expected from the other and what the disappointments were, which can lead into the Goodbye Conversation.

Insight may also be gleaned from a few questions about families of origin and how each family “did” conflict. Examples might be: “Can you describe briefly the qualities of your parents.” “In which parent do you recognize yourself the most?” “How did you learn to quarrel: in a more confrontational style or a more silent style?” “Behaviorally, how do you show up most authentically when faced with conflict? Does it work?” “How do the conflict styles for each of you mesh together?”

What are your core qualities as they apply to your relationship? What happens if these qualities go to excess? How do you keep that in check? What happens when you overcompensate keeping that quality in check?

As part of the Goodbye Conversation, we may also use a ritual.

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SIDEBAR 2

**The Authorship of this Article: An Intercultural Experience**

By: René de Haas

While eating the smallest hamburger I ever had in the US at the last IACP Forum in Seattle, I talked with my colleague Mark Weiss from Seattle. Because he spent years as a child in The Netherlands and has Dutch ancestors, Mark speaks fluent Dutch. Since I was looking for a good English translation of the term “scheidingsmelding,” which is an important part of the divorce conversation with clients, I asked Mark. He had not previously heard of that term, and after I explained it, he was not familiar with the process even though the processes resonated with him. Mark asked several mental health professionals to help find the English term, but it did not exist. So, I left Seattle and headed home, still wondering what would make a good translation.

I conduct some of my mediations and Collaborative Divorces in The Netherlands in English, so I decided to write Mark and send him a chapter of the Dutch handbook on mediation that describes the meaning of the ‘scheidingsmelding.” I hoped that with this more thorough description, Mark would be able to get me a nice translation of this word. He responded with several ideas like divorce notification, divorce announcement, divorce report, and others. While there appears to be no good translation, I decided that perhaps the terms “Adieu” or “Goodbye Conversation/Goodbye Process” are the best translations for this part of mediation and Collaborative Divorce.

Mark explained me that in the training of mediators and Collaborative professionals in the U.S., this conversation is at best glossed over if not unknown as an important part of conflict resolution in divorce and suggested that I write an article to share this Dutch concept with our colleagues. I took Mark’s suggestion as an opportunity for a cross-border collaboration, and I invited him to write this article together. By doing so, we hope to contribute to more effective conflict resolution experience on both the emotional and legal aspects of our divorce cases.

1. Since its discovery, it was realized that versions of the concept of the Goodbye Process can apply to any consensual dispute resolution process that impacts human relations. For example, it is not uncommon for business disputes to have an important emotional or relational component. While these mediations may be thought of as being purely rational and business-like, the reality is that the mediation cannot effectively proceed until the more important emotions have been named and put in their place. A good understanding of the emotional facets is also important so the mediator or Collaborative professionals can more effectively understand and respond to the issues. [↑](#footnote-ref-1)
2. G. Peter Hoefnagels, Ph.D. was a Dutch psychologist and jurist. Hoefnagels was influential in developing consensual dispute resolution in The Netherlands. In 1974, he introduced divorce mediation to The Netherlands. He was a strong proponent of mediation, in addition to having spent time as a criminologist, a professor, a mediator, and an elected Senator. He discovered the Goodbye Process in 1985, and soon included it with the standard curriculum for mediation training in The Netherlands. [↑](#footnote-ref-2)