

## QUICK SUMMARY OF ATTORNEY DISCERNMENT COUNSELING

[Administer the assessment tool before the interview.]

1. “What do you want to get out of seeing me today?”
2. At an appropriate opening, refer to the intake form:
  - “I see that you checked the box indicating you are done with the marriage...have mixed feelings, etc. Could you tell me more about that?”
  - For couples, reflect back whether they are in the same or difference stances: “It seems like you are (in the same place...in different places) on wanting the divorce.” Follow up: “Is that a surprise to either of you?”
  - Paraphrase back what you are hearing from each person.
3. Ask about the reasons for considering divorce:
  - “Could you give me a brief snapshot of what has led you to the point of considering divorce?”
  - Show empathy for what they are saying.
4. Ask about what they’ve tried:
  - “Could you tell me about what you’ve tried to do so solve your problems so that so that you would not be faced with divorce? That might include counseling or other kinds of help.”
  - [If the clients say they’ve tried marriage counseling]. “Could you tell me how the counseling went?” [Listen for number of sessions and their sense of the counselor’s competence).
5. If either partner expresses ambivalence about the divorce or hope for the marriage, bring up discernment counseling as a resource.
  - Discernment counseling is for couples where one or both parties have some doubts or concerns about moving forward with the divorce.
  - It’s not marriage counseling intended to solve your marriage problems.
  - Instead it helps you look at your relationship and come to a decision with clarity and confidence about whether to move ahead with the divorce or make a final effort, with help, to restore their marriage to good health.
  - It’s especially designed for couples where one party wants to keep trying to work on the marriage, and the other person is leaning strongly towards divorce, but not 100% sure.
  - It’s brief—from 1 to 5 sessions (you decide each time whether to go back).
  - Basically, it helps couples come to a clearer place about where to go with the divorce process.
  - If you are interested, I can give you information where you can learn more about discernment counseling. Refer them to the website [www.mncouplesonthebrink.org](http://www.mncouplesonthebrink.org).