

## GOALS AND INTERESTS

Collaborative law is an interest-based process. That means that it is a process that asks you to look at what your true interests, goals, and priorities may be, so you can discuss them and use them as the basis for your settlement. When you base your decisions on what is important to you, you honor yourself. Collaborative law allows you and your spouse to honor each of your goals, interests, and priorities as best as you can achieve.

Interests are different from positions. A position usually has only one possible answer – such as who will get the purple Cadillac. An interest has a myriad of possible answers: the interest behind the position of wanting the purple Cadillac might be the need to have appropriate and reliable transportation. Interests form the basis for truly satisfying your needs, and are often expansive.

As explained in your orientation session, we recommend that you base your investigation, inquiry, and negotiations based on your interests, goals and priorities – the things that are *truly* most important to you – rather than by taking positions that may not really address your interests, goals, and priorities.

To help you identify your goals and interests, this handout provides examples of some goals and interests expressed by other divorcing couples as examples only. Your goals, interests, and priorities are uniquely yours and do not need to be on the list below.

### EXAMPLES OF COMMON GOALS AND INTERESTS IN DIVORCE CASES

To help you distinguish interests or goals from positions, and to help you think about your own goals, here is a list of common goals or interests that clients have expressed in divorce cases.

#### **Examples of Goals And Interests Relating To Children**

Because children (particularly minor children) have a significant impact on the goals and interests in divorce, this section is separated into two categories, depending on whether the goals relate to the needs of the children.

If you have children, it may be relatively easy to think about some general things that you want for your children. Here are some examples to consider.

#### **General goals relating to the general well-being of your children**

- I want our children to be well-adjusted.
- I want our children to be happy.

- I want our children to feel good about themselves.

Goals relating to providing consistent parenting care

- I want my spouse and me to provide consistent care for our children
- I want my spouse and me to have consistent discipline, expectations, consequences, curfews, chores, bedtimes, etc.
- I want my spouse and me to have the same parenting rules in both houses.
- I want my spouse and me to support each other in our parenting decisions.

Goals relating to parenting skills

- I want to develop better parenting skills.
- I want my spouse to develop better parenting skills.
- I want to have a better understanding of what children need when going through a divorce.

Goals relating to the allocation of parenting time

- I want our children to have meaningful contact with both parents.
- I do not want to be away from the children for more than \_\_\_ days at a time.

Goals relating to decision making

- I want to participate in major decisions affecting the lives of our children.

Goals relating to keeping the children free from conflict

- I want our children to be free from the conflict in the divorce.
- I do not want our children to believe they have to report to one parent about the other parent.
- I want to avoid having financial issues spill over to our parenting.
- I do not want our children to feel that they have to do anything to reject either parent.
- I want our children to feel comfortable talking about whether they enjoyed their time at both parents' homes.

Goals relating to the relationship the children will have with other adults

- I want our children to have appropriate relationships with new partners or stepparents.
- I want to make sure new adults are not introduced into the lives of the children until the children are ready.

Goals relating to flexibility in scheduling

- I want to have enough flexibility in the parenting schedule so that we can adjust the schedule to meet the needs of our children.
- I want to be able to move the residence of the minor children.

Goals relating to stability

- I want the parenting schedule to provide stability for the children.
- I want the parenting schedule to be predictable.
- I want to make sure each parent honors the agreed-upon schedule.
- I want the children to live near both parents.
- I want the children to be able to stay in their current school district.

Goals relating to communication with the other parent

- I want to be able to communicate effectively with the other parent regarding changes in schedule, updates on health, school, activities, consistent parenting rules, etc.
- I want to develop better communication skills.
- I want both parents to have access to information relating to school, medical issues, etc.
- I want to have regularly scheduled communication.
- I want both parents to honor ground rules for respectful communication.

Goals relating to communication with the children

- I want both parents to be able to communicate regularly with each child by phone and e-mail.
- I want all communication around our children to be respectful.
- I do not want our children to hear negative things about one parent from the other parent.

Goals relating to child care

- I want to minimize outside child care.
- I want to maintain high-quality child care.
- I want both parents to share in child-care decisions.

Goals relating to religion or spirituality

- I want our children to be raised in their current religion.
- I want our children to regularly attend religious services.
- I want both parents involved in the religious activities of our children.
- I want our children to be exposed to different spiritual traditions

Goals relating to medical care/physical health

- I want our children to have a good diet.
- I want our children to get adequate exercise.
- I want our children to have access to good medical/dental care.
- I want both parents to be able to attend medical appointments.
- I want both parents to share care of our children when they are sick.

Goals relating to education

- I want our children to be able to continue with their current schooling.
- I want both parents to participate in their school conferences/activities.
- I want our children to attend \_\_\_\_\_ school/school district.

- I want our children to maintain their current grades.
- I want our children to attend college.
- I want both parents to support the same educational goals.
- I want both parents to participate in our children's homework.

Goals relating to activities, music lessons, sports, etc.

- I want our children to remain in their current activities.
- I want both parents to agree on future activities for our children and to support those activities.

Goals relating to vacations

- I want both parents to be able to take vacations with our children.

Goals relating to cultural heritage

- I want to make sure our children are raised according to their cultural heritage.

Goals relating to children's general financial issues

- I want our children to maintain their pre-divorce lifestyle in both homes.
- I want our children to be financially responsible.
- I want to make sure we set aside money to provide for college.
- I want to have an agreement about how we will pay for college for our children.

Goals relating to child-expense sharing

- I want both parents to share in the children's expenses based on their incomes.
- I want to find a way of sharing expenses that is easy to manage.

**Examples of Goals And Interests That Do Not Involve Children**

Financial goals

- I want to be able to maintain my current or a reasonable lifestyle.
- I want to be able to own a home.
- I want to maintain a lifestyle that is equal to the lifestyle that my spouse will live.
- I want to be able to retire at age \_\_\_\_.
- I want to work in the home until \_\_\_\_\_.
- I want to work part-time until \_\_\_\_\_.
- I do not want to have to work outside the home at any time in the future.
- I want to be able to start a new career.
- I want to be able to pursue a career that I enjoy.
- I do not want to have to work overtime.
- I want to have more free time.
- I want to get out of debt.
- I want to learn how to live within my means.

- I want to learn how to manage money.
- I want to know how to budget.
- I want to understand investment.
- I want to learn skills for staying out of debt.
- I want my spouse to learn how to live within his/her means.
- I want my spouse to learn how to manage money.
- I want to keep the costs of the divorce down.
- I want to be able to restore my credit.
- I want to reduce our tax obligation.
- I want a financial settlement that will last (is durable).

#### Vocational goals

- I want to become more educated.
- I want to learn a new skill.
- I want to be able to choose the work I do.
- I want to be able to change careers at some point.

#### Personal/emotional goals

- I want to resolve the divorce issues with dignity.
- I want to keep our divorce issues private.
- I want to maintain a respectful relationship with my ex-spouse.
- I want to be treated respectfully.
- I want to treat my spouse respectfully.
- I want to become more stable emotionally.
- I want my spouse to become more stable emotionally.
- I want to know that I have a safety valve (*e.g.*, insurance).
- I want to maintain a good relationship with my in-laws.
- I want to maintain a good relationship with our mutual friends.
- I want to make up for the mistakes I have made.
- I want to atone for the harm I have caused.
- I want to be able to trust my ex-spouse more.
- I want my ex-spouse to be more trusting of me.
- I want to maintain sobriety (or recover from addiction).
- I want to develop a better way to handle my anger/sadness/fear.
- I want my spouse to develop a better way to handle his/her anger/sadness/fear.
- I want to save the marriage.
- I want to know that we made our best effort to save the marriage.
- I want him/her to know how much he/she hurt me.
- I want him/her to apologize for what he/she has done.
- I want to do the honorable thing.
- I want to settle this matter in a way that is consistent with my religious or spiritual values.
- I want a religious annulment/get to void the marriage.
- I don't want him/her to live with his/her new girlfriend/boyfriend.
- I want to listen better.

- I want to be less sad (depressed).
- I want to be less angry.
- I want to be less frightened.
- I want to be less compulsive.
- I want to work on an addiction issue.
- I want closure.
- I want to be able to start healing.
- I want to be generous.
- I want my spouse to acknowledge that I have been generous.

Goals relating to the pace of the process

- I want to be done soon.
- I want to slow down the process.

### **Prioritizing Your Goals**

You may not achieve every one of your goals, so it's essential to first try for the ones most important to you. Prioritizing will help you make decisions when it is time to make compromises in the process. The hope is that you both can compromise a less-important goal in order to achieve a more important one, reaching a resolution.

There are many ways to prioritize your goals. Examples include:

- List your goals in order of importance
- Review your list and determine which interests can easily be eliminated. Then make a second list of interests you could give up if you had to (knowing you'd rather have them).
- Continually update and refine your list by asking yourself:
  - Are my goals realistic?
  - Is this goal/interest so important to me that I would be willing to make a major sacrifice in order to achieve it?
  - Is this a goal that can be achieved during the divorce process?
  - Would I regard this goal as legitimate if my spouse had the same goal?
  - Is this really an interest or is it a position?
  - Will this goal really matter to me ten years from now? Twenty years from now?
  - Is this goal based partly on spite?
  - Is this goal consistent with my values?
  - Is this goal really as important as the other goals?
  - Would my spouse have to make an unreasonable sacrifice in order for me to achieve this goal?

By defining and prioritizing your goals and interests, you take a major step toward achieving a successful resolution of your divorce issues. Once you put your list together, keep a written copy in a place where you can refer to it regularly.

Adapted from Webb and Ousky, *The Collaborative Way to Divorce*