

**Testimony before the House Standing Committee on Federal and State Affairs
February 12, 2015**

**The Role of Marriage Counseling in Supporting Couples' Desires to Reconcile an Ailing Marriage
Jared R. Anderson, PhD**

The Necessity of Divorce

Not all marriages can or should be saved. Marital violence, chronic substance abuse, emotional abuse, infidelity and ongoing, entrenched levels of high conflict, can irreparably damage a marriage. In these families, the health and well-being of both the adults and children are compromised and both are better off upon dissolution of the relationship (Amato, 2001; Amato, & Hohmann-Marriott, 2007). Given these findings, Paul Amato, one of the leading researchers on the effects of divorce on children states, "...it would seem prudent not to put barriers in the way of these couples when they seek divorce, and to allow these dissolutions to occur as expeditiously as possible." No fault divorce, therefore, is an important protection for these adults and children.

Research Supports the View that some Marriages are Good Candidates for Reconciliation

On the other hand, the United States has the highest divorce rate in the world (Cherlin, 2009), with strong indications that both adult and child well-being is better, on average, in the context of long-term, healthy marriages (Amato, 2010) even when taking into consideration factors such as gender, education, and socioeconomic status. Contrary to popular assumption, research suggests that nearly two-thirds of divorces are "*NOT* preceded by severe, chronic, destructive levels of conflict" (Amato, 2001, pg. 10). These marriages are not perfect, but they do have a relatively high degree of love, happiness, and engagement in shared activities as reported by the spouses. The children of these low-to-moderate conflict divorces tend to do worse, on average, after divorce. Amato concludes that there is much to build on in these marriages and that reconciliation may be possible (Amato, 2001). Are married individuals on a path towards divorce interested in reconciliation services or is it too late?

Some Spouses Headed for Divorce are Interested in Reconciliation

A recent study of 2,484 individual spouses *currently in the divorce process* found that approximately 30% of these individuals responded "yes" or "maybe" when asked if they would seriously consider a reconciliation service if the court offered one (Doherty, Willoughby, & Peterson, 2011). When a subsample of these individual spouses were matched into couple pairs, in approximately 1 in 3 couples one partner was interested in reconciliation services, but not the other, and 1 in 10 couples had both partners interested in reconciliation services (Doherty et al., 2011). These numbers are similar to previous research showing that approximately 10-15% of

couples who separated later reconcile (Bloom et al., 1977; Kitson & Langlie, 1984; Morgan, 1988; Wineberg, 1994, 1995). Kansas had 9,085 divorces in 2013, if the reconciliation numbers provided above generalize to the state of Kansas, it is possible that at least 2,700 of these divorces had at least one partner who might have been interested in reconciliation services and in nearly 1,000 divorcing couples both partners might have been interested in reconciliation services.

Discernment Counseling: One Approach to Working with Couples on the Brink of Divorce

As the research just discussed points out, mixed agendas are likely to be found among couples heading towards divorce, with one partner who wants to try and save the marriage and the other partner leaning towards divorce. This dynamic is also present among approximately 30% of couples who attend marital therapy (Doss, Simpson, & Christensen, 2004; Owen, Duncan, Anker, & Sparks, 2012; Tremblay, Wright, Mamodhouseen, McDuff, & Sabourin, 2008). Rather than being ready to work on improving their relationship, the first challenge for this relatively high percentage of couples' who seek marital therapy is to clarify whether the relationship should continue. Traditional couples therapy for these mixed agenda couples typically is less effective (Owen et al., 2012).

William J. Doherty, PhD, a professor and former program director of the University of Minnesota family therapy program and director of the Minnesota Couples on the Brink Project (<http://www.cehd.umn.edu/fsos/projects/mcb/>) has developed a protocol specifically to work with mixed agenda couples on the brink of divorce. He calls his approach *Discernment Counseling*, a short-term approach (1-5 sessions) that:

“helps couples have greater clarity and confidence about the direction for their relationship, based on a deeper understanding of their relationship and each person’s contributions to the problems.....a core feature is framing the immediate decision in terms of three paths rather than a dichotomous decision between staying together or divorcing.....path one is to stay the course, stay married as things have been and not do therapy....path two is separation or divorce....path three is a commitment to six months of couples therapy (and sometimes other services) with divorce off the table, in order to see if they can create a healthier, more mutually satisfying relationship.... after six months, they can evaluate whether to make a permanent commitment to the relationship or end it, either way based on having made a full and sincere effort to reconcile.....discernment counseling is appropriate for couples who are married or in a long term committed relationship where break up is a real possibility but where the leaning-out partner has not made a final decision.....and where coercion and intimate partner violence are not present in the relationship” (Doherty, Harris, & Wilde, under review).

Discernment counseling is one option that assists couples gain clarity and confidence about what path to choose as they consider their future together. Preliminary data related to this approach found that 12% of couples chose path 1 (status quo), 41% of couples chose path 2 (separation or divorce), and 47% of couples chose path 3 (working towards reconciliation in couples therapy). What became of the couples who chose to work on their relationship to determine if reconciliation was possible? Approximately 28 months after the discernment counseling process, 42% of these couples had reconciled, 45% had divorced, and the remainder were on hold (Doherty et al., under review). What's striking about these findings is that these couples were highly distressed and all of them were on a path toward divorce.

These, and other results, provide evidence that reconciliation is possible for some couples headed towards divorce (about 2 in 10). Those couples who engage the discernment counseling process and choose divorce are provided the peace of mind that they made a sincere effort to make the relationship work and gained more clarity and confidence about their decision to divorce. This may lead to better, more cooperative co-parenting post-divorce—a key factor in children's adjustment.

The Minnesota Couples on the Brink Project is working in collaboration with family court judges, divorce lawyers, clergy, and mental health professionals to enhance the services provided to couples who are interested in reconciliation services. Two examples: a referral system has been developed between the MN Couples on the Brink Project and a group of collaborative divorce lawyers, where the divorce lawyers refer couples who indicate on a screener that they may be interested in reconciliation services to the MN Couples on the Brink Project. Likewise, the MN Couples on the Brink Project refer couples to this group of collaborative divorce lawyers when the couples decide the path they want to pursue is divorce. As a second example, the state of Minnesota requires all divorcing parents with minor children to complete an evidenced based co-parenting program, *Children in the Middle* from the Center for Divorce Education, (offered both on-line and in-person) that includes a brief reconciliation module. Couples who are interested in exploring reconciliation are then provided referrals to pursue this option.

Summary

To summarize, divorce is an important and vital option to maintain the health and well-being of some adults and children. Research also supports the view that many marriages headed for divorce have the potential to get back to a healthier place and that their children would benefit if these marriages stayed intact. A significant minority of couples already in the divorce process have one or both partners who may be open to reconciliation services. Greater collaboration between family courts, divorce attorneys, clergy, and marriage counselors has the potential to increase the number of couples who seek reconciliation services, to reduce the number of premature divorces, and to restore the relational health of many marriages once thought lost.

References

- Amato, P. R. (2001). Good enough marriages: Parental discord, divorce, and children's well-being. *Virginia Journal of Social Policy & the Law*, 9, 71-94.
- Amato, P. R. (2010). Research on divorce: Continuing trends and new developments. *Journal of Marriage and Family*, 72, 650-666.
- Amato, P. R., & Hohmann-Marriott, B. (2007). A comparison of high- and low-distress marriages that end in divorce. *Journal of Marriage and Family*, 69, 621-638.
- Bloom, B. L., Hodges, W. F., Caldwell, R. A., Systra, L., & Cedrone, A. R. (1977). Marital separation: A community survey. *Journal of Divorce*, 1, 17-19.
- Cherlin, A. J. (2009). *The marriage go round: The state of marriage and the family in America today*. New York: Knopf.
- Doherty, W. J., Willoughby, B. J., & Peterson, B. (2011). Interest in marital reconciliation among divorcing parents. *Family Court Review*, 49, 313-321.
- Doherty, W. J., Harris, S. M., & Wilde, J. L. (under review). Discernment counseling for "mixed agenda" couples.
- Doss, B. D., S., Simpson, L. E., & Christensen, A. (2004). Why do couples seek marital therapy? *Professional Psychology: Research and Practice*, 35, 608-614.
- Kitson, G. C., & Langlie, J. K. (1984). Couples who file for divorce but change their minds. *American Journal of Orthopsychiatry*, 54, 469-489.
- Morgan, L. A. (1988). Outcomes of marital separation: A longitudinal test of predictors. *Journal of Marriage and the Family*, 50, 493-498.
- Owen, J., Duncan, B., Anker, M., & Sparks, J. (2012). Initial relationship goal and couple therapy outcomes at post and six-month follow-up. *Journal of Family Psychology*, 26, 179-186.
- Tremblay, N., Wright, J., Mamodhouseen, S., McDuff, P., & Sabourin, S. (2008). Refining therapeutic mandates in couple therapy outcome research: A feasibility study. *American Journal of Family Therapy*, 36, 137-148.
- Wineberg, H. (1994). Marital reconciliation in the United States: Which couples are successful? *Journal of Marriage and the Family*, 56, 80-88.
- Wineberg, H. (1995). An examination of ever-divorced women who attempted a marital reconciliation before becoming divorced. *Journal of Divorce and Remarriage*, 23, 129-146.