



Let Go To Win – Child Custody Disputes

Monkey hunters have an ingenious way to trap their prey. They carve a small hole into a gourd and then hollow it out. Into the gourd they place a small piece of fruit or some nuts. They strap the gourd to a tree and then wait. In a little while a monkey shows up and sniffs at the bait. The monkey then squeezes its hand into the gourd and grasps the bait. With its hand clasp the bait in a fist, it cannot remove its hand from the gourd. Trapped. Along come the hunter and cuts off the monkey's head.

Parents in custody or access disputes are advised to remember that story. It is true and reflects what can happen when parents engage in battle over the kids.

As each parent grabs hold of their prized position, both can lose control of their destiny to the will of the Courts and the influence of the assessor. Not only can both parents lose control of the outcome, but when children become the battlefield, they then often become the casualties too. Children subject to bitter and ongoing parenting disputes are at risk of anxiety, depression, school failure, poor self-esteem and behavioural problems. Many of these problems can persist through childhood and into adulthood thus affecting adult relationship and vocational performance. This is quite the legacy of parents unwilling to ease their position.

Parents in bitter custody or access disputes should consider that the prize is not necessarily half the time with their kids or even half a say in matters affecting their lives. The true prize is a 100% relationship with one's children. This is achieved not by fighting tooth and nail for one's perceived rights, as the right to fight is not necessarily what is right for the child. Rather, parents are advised to concentrate on their relationship with their kids.

A parent can win a disproportionate amount of time with their child, but if the relationship is poor, it really just means more time to ruin the relationship and hurt the child. Further, not enough time with the other parent may only create resentment towards the parent who limited the child's time. Rather than focusing on amount of time then, parents can

strategize how they will spend the time they have. Thus when concentrating on quality of time, parents can direct their attention to taking their kids to extra-curricular activities, helping with homework, joining in with hobbies and volunteering on school outings. Therefore parents can negotiate the activities in which they participate with their children instead of the amount of time a child is necessarily in their care. Further and even if not a custodial parent, parents can still negotiate to attend parent-teacher conferences and demonstrate an interest in their child's schooling. Thus the parent demonstrates a keen interest in the life of their child, which enhances the relationship and contributes to the child's self-esteem.

Assuming that neither parent is abusive or otherwise harmful, children tend to develop best given enough time with both parents to have a meaningful relationship. Meaningful though will be a function of parental participation in the child's life. Even if the history suggests a parent has been distant or less available, on a go forward basis a positive outcome to a failed marriage may mean better parental relationships with the children. Limiting the possibility of better parental relationships does a double disservice to the child. Not only will the child have lost the primary family structure, but also the possibility of these better parental relationships.

Hence, parents on both sides of the battle are advised to stop and think before clenching tight on their position. Both can let go a little to gain a lot.

Interestingly enough, monkeys who do let go their fruit or nuts get to live another day and parents who let go a little, often improve relationships.

Gary Direnfeld, MSW, RSW
(905) 628-4847
gary@yoursocialworker.com
www.yoursocialworker.com

Gary Direnfeld is a social worker. Courts in Ontario, Canada, consider him an expert on child development, parent-child relations, marital and family therapy, custody and access recommendations, social work and an expert for the purpose of giving a critique on a Section 112 (social work) report. Call him for your next conference and for expert opinion on family matters. Services include counselling, mediation, assessment, assessment critiques and workshops.