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MTM's divorce lessons still resonate today

Maya Shulman is founder of the Shulman Family Law Group of Calabasas.



"During the first year of The Dick Van Dyke Show, as thrilled and bursting with excitement over my work as I was, I was equally without emotion at home," Mary Tyler Moore wrote in her autobiography, "After All," of the failure of her marriage at the time to Richard Meeker.

Their 5-year-old son, Richie, was not so unaffected. He was soon having trouble in school and spending more time with his maternal grandmother than with the brilliant, trail-blazing actress we lost last month.

Moore wrote, "There is no question about it. By the time Richie was 5, I had already let him down. When he needed me the most, I was busier and even more self-concerned than I had been when he was an impressionable infant."

Her son later struggled with drug problems and tragically died at age 24 from a self-inflicted gunshot wound.

Although this happened decades ago, the lessons still resonate today, as I can attest from my many years of working with divorcing moms as a family law attorney in the Divorce Capitol of the World.

The marriage dropout rate, a staggering 75 percent, is shocking even by California standards, and the rate is skyrocketing among the younger and the older populations just the same. Yes, senior citizens are divorcing after decades of marriage; couples that built successful businesses together are throwing in the towel. Young couples divorce after just a few years of marital bliss.

Many of the 1.5 million children in the U.S. whose parents divorce every year feel as if their worlds are falling apart. The parents worry about the welfare of their children during this troublesome process. Some are so worried that they remain in unhappy marriages to protect their offspring from the trauma of divorce.

Yet parents who split have reasons for hope. Researchers found that only a relatively small percentage of children experience serious problems in the wake of divorce or, later, as adults. However, for this to work, divorcing parents and the family courts must be keenly aware of the children's emotional needs and developmental issues, especially in the context of a divorce.

Behind all these, there is science and research that's proven time and time again that attachment between children and their caretakers is the core foundation upon which child development builds.

Moore seemed to understand the importance of having a new husband who was good for Richie. "Grant (Tinker) was happy to have Richie in his life, and Richie was open as best he could be," she wrote. "Grant had the same expectations of children that he had for himself, leaving little room for failure. Richie was almost always falling short. Still, he loved Grant and saw him as a fair and kind person who loved him back."

Wednesday, February 1, 2017

Weekly Appellate Report Podcast

Donald Verrilli reflects on his time as U.S. Solicitor General under Barack Obama, revisiting salient victories for marriage equality and healthcare, and a defeat on voter protections. He also shares thoughts on Merrick Garland's neglected nomination, present political hostility, the future of healthcare, and his new role as founding partner of Munger, Tolles & Olson's Washington, DC, office



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Litigation

Securities class action filings spike in 2016, driven by M&A cases

A boom in litigation driven by mergers and acquisitions and cases against foreign issuers, financial firms, and biotechnology companies produced a record number of securities class action filings last year. But securities experts caution that the spike in cases in 2016 may not be a long-term trend.

State Bar & Bar Associations

State Bar president faces questions over his role in Dunn firing

Discovery has revealed that James Fox helped prepare a whistleblower letter that was critical of bar executive director Joseph L. Dunn and later voted to fire him.

Litigation

San Francisco challenges sanctuary city executive order

City Attorney Dennis Herrera contends the executive order violates the Tenth Amendment.

First California trial set in talcum powder litigation

A Los Angeles County Superior Court judge has granted a preference trial to a woman who said she developed cancer from talcum powder sold by Johnson & Johnson Services Inc., the first case of many to go to trial in the state.

UC to pay over \$1M to former student over alleged sexual assault

The Regents of the University of California have agreed to pay \$1.15 million to a former UC Santa Cruz student over an alleged sexual assault by her professor.

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Aside from her choice in a second husband, Moore was too wrapped in her own needs and emotions and career. There was an affair or two, drinking, a plastic surgery. By her own admission, she was not emotionally available to her son and, in contrast to her TV persona, was a self-absorbed egoist.

In family law, we see this dilemma every day. Parents try to balance their own post-divorce lives in the "new territory," often at the expense of the children who are then left without an emotional lifejacket to adjust to their new life.

It is important for the overall development of the children that the parents be around enough to support the children and foster growth in all areas. Sometimes, just being physically present is not enough. Parents that may be nearby but that are not emotionally invested or responsive tend to raise children that are more distressed and less engaged with their play or activities.

It follows, and the cases I handled demonstrate, that it is not necessarily the quantity but the quality of time parents spend with their children; it is the parents' involvement in the children's lives that makes a real difference in the emotional development of the children.

In California, also, child support and child custody are intertwined. I've often seen the parents fight for more custody when they simply don't want to pay higher or receive lower child support. Also, one of the parents is often artificially excised from the children's life either because of false allegations of abuse either of the other parent or the children themselves; or because the less educated in child development judges make orders that are in fact not in the best interest of the children. I am of course not talking about the cases where actual abuse does take place. I am referring to the cases where the allegations are made for the sole purpose to exclude the other parent from the children's life.

The result? Children often blame themselves for not having the other parent around, and develop a sense of guilt, unworthiness and abandonment that can manifest in problems for many years.

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September 22, 2016

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September 9, 2016

It is long overdue that the court recognize that emerging family patterns include complex blended families in various forms. By **Maya Shulman**

New law jettisons controversial divorce ruling

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OCBA president formally apologizes for anti-immigrant comments

The Orange County Bar Association's new president apologized late Monday for comments he made about immigrants and law enforcement.

Obituaries

Firm founder was known for mentoring lawyers

James B. Werson, president of Severson & Werson PC, died on Jan. 11, thirteen days after turning 100 years old.

Litigation

What happens in Vegas might be resolved by a California court

A tour bus is manufactured in Indiana, and delivered to a buyer in Las Vegas. While driving from Las Vegas to the Grand Canyon, the bus rolls over, killing or injuring passengers. The injured and dead are all Chinese nationals. Whose law applies? By **Don Willenburg**

Administrative/Regulatory

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Labor/Employment

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A recent 9th Circuit case admonishes employers to heed the Fair Credit Reporting Act's stringent authorization requirements before they ask prospective employees for a background check. By **Hunter Pyle**

Administrative/Regulatory

2017 is packed with new California employment laws

From an all-gender bathroom bill to prohibitions on differing pay scales, 2017 is an action-packed year for employers trying to keep abreast of new labor and employment laws. By **Amanda E. Beckwith and John-Paul S. Deol**

Insurance

Qui tam plaintiffs can't just wait in the wings

A federal court of appeal recently noted that plaintiffs may not, having the needed information, deliberately wait in the wings with another amendment to a complaint should the court hold the first amended complaint was insufficient. By **Barry Zalma**

Litigation

The evolution of abstract idea treatment after Alice

Starting with Section 101, rising to prominence in the Supreme Court ruling in *Alice v. CLS Bank*, and on through guidelines and memos released by the USPTO, the treatment of abstract ideas has evolved and will continue to change. By **Christopher M. Hall**

Family

MTM's divorce lessons still resonate today

The late Mary Tyler Moore's autobiography echoes what California family law attorneys have known for decades: kids from divorced hon

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