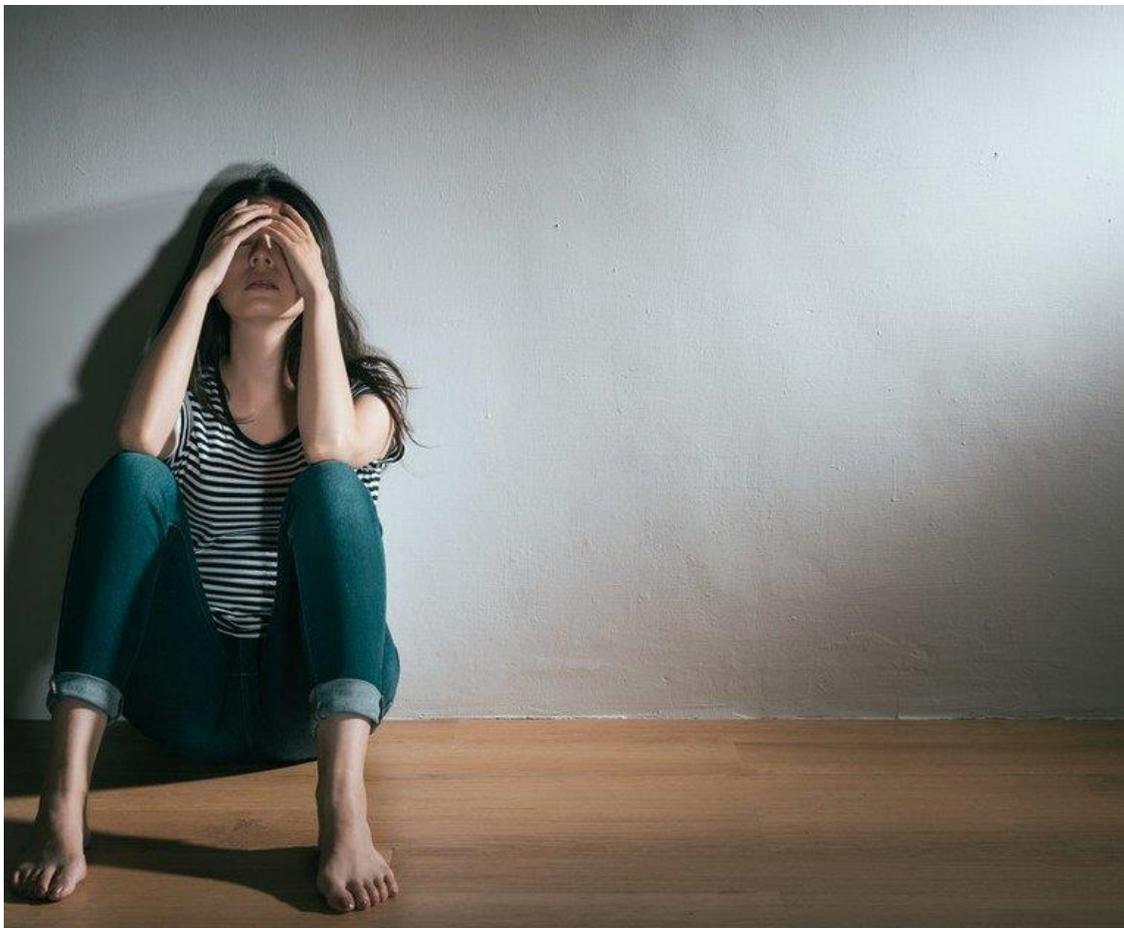


A victim of emotional abuse says, ‘I’m staying in the marriage for the kids’ sake.’ How do you respond?

Daniel Pollack | October 14, 2021



In 2020, according to the National Domestic Violence Hotline, 96% of contacts stated they were experiencing emotional abuse. Emotional abuse comes in many forms: Constant criticizing, humiliation, put-

downs, being dismissive, threatening, insulting, controlling, gaslighting—the list goes on. Often, there is no physical abuse, but the emotional abuse has been going on for years. When this is the case, and your client says she or he is staying in the marriage “for the kids’ sake,” what do you tell them? Here are the responses of some very experienced family law attorneys and mental health professionals.

Bari Weinberger, Esq., New Jersey. Domestic abuse relies on entrenched patterns of manipulation and control. In too many cases, emotional abuse has been going on for years or even decades and the survivor simply has no way of understanding how to escape these patterns. It’s not their fault. When I work with a client in this situation, it’s my duty to educate the client about real and practical ways to create a secure new life. Legal measures such as temporary alimony and temporary child support can provide economic stability for starting over. Because financial abuse often goes hand in hand with emotional abuse, a survivor understanding their rights to support can be a game changer. If the client makes the decision to divorce, we can also use their asset settlement as a tool for rebuilding. At the same time, we’ll look at custody options that prioritize children’s emotional health. Depending on the situation, pursuing a restraining order may also be applicable. Once survivors can say, “I can do this, I can get out and get my children out, and the abuse can end,” making the decision to take that first step suddenly becomes much easier.

Chip Mues, Esq., Ohio. Having been a practicing divorce lawyer for over 40 years, I have this conversation all too often with my clients. It can be a sticky subject! The client wants to be praised for being a warrior and continuing to put up with the abuse to simply make life better for the

kids. Of course, I want to be supportive of their notion of self-sacrifice. But I will share with them that the literature I have read (as well as feedback from former clients) indicates that such a “protect the kids” approach doesn’t usually benefit the kids’ in the long term. Nor does it usually last too long. Abusive relationships tend to escalate, not diminish with time. Having an “abuse free” loving nurturing environment is going to hugely benefit everyone much more than continuing living in a home with chronic emotional abuse. Don’t worry, kids are generally very resilient and they will adjust to moving out.

Often, I hear the client state as mitigation: “The abuse doesn’t usually occur in front of the kids. I believe that kids are surprisingly aware of how the parents are treating each other and getting along.” Such a statement is often part of the denial reaction to the abuse.

Children should be raised without emotional abuse in order to become healthy adults. Their self-esteem needs to be nourished not damaged. A bad role model (abuser) can taint the overall development and best interests of the children. My final advice is always for the client to see a psychologist/therapist to help work through all those issues, including a divorce transition plan.

Alisa Peskin-Shepherd, Esq., Michigan. When my client is subject to emotional abuse, as an attorney, I first validate that the abuse is real, because so often people think it’s only abuse if the perpetrator leaves a visible bruise. We talk about the bruises no one else can see. Then, I speak with the client about whether they feel their children are also being emotionally abused and whether the children are feeling the effects of the abuser because of how my client is being treated. Often, the

latter topic leads to a discussion about the kind of role model my client wants to be for their children.

We will also talk about what life might look like post-divorce, especially financially, in an effort to build up confidence that they and their children will be better off after the divorce.

If my client decides to stay in the marriage “for the sake of the children” they will at least walk out of my office with some resources (names of therapists or support groups) and ideas of how to build themselves up and protect themselves until the time comes when they are finally ready to leave the marriage.

Kendall Sykes, Esq., Oklahoma. It is tempting to advise a client who is the victim of emotional abuse to immediately leave the abusive spouse. We know children suffer trauma by mere exposure to domestic violence. When a client is meeting with me, they’ve likely already been thinking about leaving the relationship despite their spoken desire to stay in the marriage for the children. We also know that when the abusive spouse realizes they are losing control over the victim, there is greatest risk of physical violence, even when the abuse up to that point has been only emotional and not physical. For this reason, before we talk about filing divorce papers, we talk about a safety plan to mitigate risk factors for the victim and the children once the decision has been made to leave. Contingency planning is key.

Debbie Akerman, Ph.D., LCSW, New Jersey. Emotional abuse is one of the most damaging forms of abuse. Referred to as “the silent bruise,” victims can suffer for years with partners who appear successful and liked publicly, while suffering daily emotional battering. Emotional abuse

can render the victim questioning their own reality, sanity and perceptions.

In my clinical work with those that have endured emotional abuse, much of the beginning and middle phase of the work involves assuring the client that I do indeed believe them, and that they did not do anything to deserve this kind of abuse. Validation and empathy usually take months to begin to penetrate years of false accusations, manipulation, economic control, verbal barbs and humiliations.

Children see what we do not believe they see, feel what we feel we are hiding, and model behaviors that they observe. Witnessing emotional abuse for years leaves children with long lasting sequelae including unresolved rage, learned helplessness, and in some instances, traumatic bonding and Stockholm Syndrome.

Michelle Halle, LCSW, New Jersey. It's understandable that you believe staying in the marriage is best for the sake of the children. You want to protect them from growing up in what used to be called a "broken home." While you've been trying to shield them from knowing about your abuse, it's unlikely you have actually been successful at hiding it. Children are way more perceptive than we give them credit for. Here's a question for my client. What's worse than growing up in a broken home? Growing up believing that you are broken. That's exactly what happens to children who live in a toxic environment like the one you described. If you really want to do something for the kids' sake, give them a chance to grow up in a home where healthy relationships are modeled. If you haven't tried therapy yet, try it now. If you have and it's been unsuccessful, be bold. Leave and really do something for the kids' sake.

Conclusion

Emotional abuse breeds self-doubt. While attorneys are not therapists, we can still be supportive of what our clients are going through. That means, along with discussing legal strategies regarding whether a client ultimately leaves or stays in the marriage “for the kids’ sake,” let’s remember to truly help our clients feel heard and understood. It’s called validation.

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