

FamilyLife Blended® Podcast

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Season 5, Episode 111: Court Battles and Child Custody

Guests: Scott & Vanessa Martindale

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Scott: Prepare, execute, and recover; those are the three most challenging parts of litigation. You need to prepare yourself. There is a way to execute a litigation and hopefully with the best interest of the child in mind and maybe most importantly, you have to take the steps to recover.

Ron: Welcome to the *FamilyLife Blended* podcast. I'm Ron Deal. We help blended families, and those who love them, to pursue the relationships that matter most.

Have you had to go to court over child custody, for example? Does the word litigation give you hives? [Laughter] Do you know anybody who's in court right now and man, is it stressful and they're telling you about it over lunch at work, and you're praying for them, and you're worried about them? This might be a podcast you want to share with them, or maybe it's for you. Hang on. We're going to talk about litigation, this difficult subject in just a few minutes.

You know we love hearing from our listeners. Chris posted a comment recently. Let me read this to you—says, “If you're struggling with the complexities of being in a blended family, this podcast is a great resource. I'm in a blended family and I lead a blended family life group. Every episode I listen to has at least a nugget that applies to my situation. Most of them have entire gold mines,” he says. Well, that's nice. “Knowing you're not the only one with a complex situation and understanding why things are the way they are that is the first step to moving your family to more healthy family relationships with each other.”

Well, we appreciate that comment very, very much, and that's what we're trying to do is help your family have healthier relationships. And if you haven't subscribed to our podcast yet, maybe this is the first time you've ever listened, hey, hit that subscribe button. We would love for you to not have to miss anything because yes, we like to believe that there are some nuggets that meet every family, every single time.

And by the way, if you're not familiar with FamilyLife Blended or The Smart Stepfamily series of resources that we have, our video resources, curriculum, YouTube videos, virtual and live events, hey, look at the show notes. It'll get you tied into all of that. And just like our little comment from Chris reminds everybody listening that there's

something in this podcast for everyone, not every podcast is specifically designed for your family and everything about your family; but I think you can find something.

So, if you're a newly formed blended family or you've been together for 20 years or more, or if you've got young kids, or if when you got together, the kids were all adults and you got grandkids and stepgrandkids, if you were formed following divorce or death of a spouse or some combination of that, there's something in every podcast for you. So just look for that, listen for that, grab that little nugget, grab it and go.

My guests today, Scott and Vanessa Martindale, they founded Blended Kingdom Families in 2020 and they have a passionate desire to equip and encourage blended families and married couples, as well as help the local church cultivate community for blended family. Scott is a licensed professional counselor. Vanessa is a registered nurse. She's pursuing a master's degree in marriage and family therapy. They've spoken for us at our FamilyLife Blended *Summit on Stepfamily Ministry*. I interviewed them for podcast episode number 49. If you haven't heard that, go back and check that out.

And they've most recently put out a book. It's called *Blended and Redeemed*, great book. We're going to be talking about that a little bit today. Their podcast is called Blended Kingdom Families. They live in Dallas with their four sons and four golden retrievers. We love golden retrievers in the Deal household. Well done. Scott and Vanessa, thanks for being with me today.

Scott: Such a pleasure to be here with you, Ron. Thanks for having us.

Vanessa: Yes, thank you so much.

Ron: I love what you're doing. Love the mission of Blended Kingdom Families, so keep that up. I want to encourage our listeners to check out your podcast as well and all the stuff that you guys are doing.

Let me ask you an obvious question. I'm going to be Captain Obvious for a second here. I know people sometimes want to go to court, and what I mean by that is they feel the need to go to court, but does anybody ever enjoy going to court?

Scott: I don't think the word enjoy is part of the litigation sentence. [Laughter] I think a lot of times we feel like, you know you may be in a position where it's necessary, you may be put in that position unbeknownst to you, and it may just be required of you to enter the litigation process. But enjoy is probably not the word that I would use.

Vanessa: That was not our experience whatsoever. [Laughter] But going through that process, Ron, it is a very trying time and litigation is, it's a very arduous process. I know you as well as us, we love to help equip people who are unfortunately do have to go through that, you know to go through it with as many tools and resources that they can

to come out successfully and whole in that process because it can really fracture relationships and the family unit.

Ron: You guys say in your book—I'm going to read a little quote—"We've been through one major family litigation, and it was the worst experience of our lives. There were days when it felt like it would drag on forever. We felt helpless. There were days when we felt terrified that we'd lose our son, or at least perhaps his love, if not custody of him." Take us into your experience. What happened? Can you tell us a little bit about that. Let's talk about that agony that the whole experience was for you guys.

Vanessa: I was married previously and obviously that ended a divorce and I have/we now have a 17-year-old son from that divorce. It was about six, seven years ago that we got a knock at the door one day and twelve years of disunity with my ex-spouse hit the legal system and it hit really hard. We were served papers that were taking us back to court for full custody of our son. Unfortunately, it was under the pretenses that Scott and I were abusing our son, which was a lie. We were also dealing with that aspect and CPS and all of that. It was a lot at one time. It was unexpected.

You know going into that process, Ron, we knew that it was a spiritual thing. We knew that the fight for our family and what affected our marriage as well was spiritual. We really, through that season, just tried to ground ourselves in our faith, tried to ground ourselves in our church and in our community, but it was a very lonely process. We reached out to our local church at that time, and we didn't have any resources or biblically based resources for what our family needed in that season, as far as the litigation process. It was long days, long nights, depositions, the toll that it took on our son.

You know, that quote from the book, I think we were more concerned with losing who he was and who God created him to be and how we saw the enemy just trying to attack his identity, his worth, and those things. And so, we were really just in prayer a lot. We were seeking godly counsel and wise counsel, seeing a therapist together as a family, and it was a really hard process.

Ron: Scott, there's a couple things in what Vanessa just said I'd love to follow up with. Tell me about having a CPS investigator, Child Protective Services investigator, look you in the face with accusation suggesting that you've done something wrong. How does that feel?

Scott: Well, it didn't get to the point where CPS was involved; it was the threat. I try to look back and kind of look at the overall picture of what that looked like and maybe why that was going on. We knew that there was nothing going on that was anything other than good, but we also knew we were fighting against a situation where there was a lot of fear involved. There was a lot of fear that was injected. You know when lies come at you, they come from a place of they want something/they want a result, but the process to get them through false accusations or through lies is just/it's very demeaning.

I think for me, it was looking at it as, “Hey, I know these are not accurate statements. I know that these things that are being said are not true so it's really just a matter of figuring out the source and figuring out how to move forward through that while keeping your relationships intact.” Because there's an easy way to separate and go, “Okay, well that relationship is fractured, and it will never be whole” and so I can just move forward with my actions of “This is not a relationship that will maintain.”

There's another way to look at it and say, “No, my relationship needs to stay intact, and I need to understand that I'm fighting against a very spiritual battle of what's, you know, good and whole for my family versus what somebody else may see as good and whole.” I think in those cases, I think we leaned in together really hard to say, “Okay, we know what's right and we know that we need to just go through a process here so that the truth can be told that—you know fears can be squashed, that an agreement can be reached,” and that's ultimately what we did.

Ron: It must be so difficult, guys, to have/to get that in the mail. Now you're confronted with this. Here we go. “He's saying *what* about us?” And somewhere in the midst of all of that to sort of have a thought that “We've still got to figure out a way to work with him/to co-parent with him. When this is all said and done, we still have to have as much peace as we possibly can. How do you not harbor bitterness, resentment against the co-parent and the other household?”

Vanessa: Yes, I mean, there was bitterness, Ron.

Ron: Yes. Yes.

Vanessa: I'm just going to be completely transparent. There was bitterness; there was anger. I had hate towards both of them. And you know in that season, God just did a refining in our hearts. I mean, He took us to a place where we were in full submission to God. There was no other place that we could go was to our knees. I think that that's the safest place that we could have/we could ever be/anyone could ever be. And God took us there and there was a refining in our hearts.

I just remember one day I would always ask God the same question—you know, what do you want me to do? What do you want me to do? I would just hear him say, “I want you to love them. I just want you to love them. That's what you're called to do.” We're called to love the Lord, and we're called to love our neighbor. In that process, and when God did this refining in our hearts, He gave us the eyes to see them the way that He sees them as His son and His daughter. I would say through that process that gave us a glimmer of hope in the co-parenting situation.

We also had to realize we're not fighting flesh and blood. We're fighting, like scripture tells us, the evil forces and powers and darkness. Once we wrapped our minds around that, that “Hey, this is not really a physical thing. There's something behind this,” which

again, was the spiritual for us. We knew that we were—our enemy was not them. Our enemy was the enemy. And so, when we had the spiritual eyes to look at it through that perspective, it really changed everything.

On the more practical side, during that season, Scott had to do the communication between my ex-spouse and I, just because there was a lot of just verbal disagreement. I could not pick up the phone without the hives and the high blood pressure and just the anxiety of it; and so really in that season, Scott had to be that mouthpiece for me and for the communication. He and my ex-spouse surprisingly as heated as the season was, and as hard as it was, Scott and him were able to communicate well. They actually coached baseball together during this time. We would literally be in a deposition on Monday, but then they would be coaching baseball together on Friday trying to pull it all together in front of our son—

Ron: Wow.

Vanessa: —and make it work. Scott did such an amazing job with that. I could not thank the Lord for a more patient and a gracious spouse. But yes, that's what we had to do in that season just because he and I could not communicate during that time.

Ron: Well, it's totally understandable that you had a lot of pain and a lot of bitterness and resentment, of course. If there's one message I want people to hear repeatedly on this podcast, it's that those kinds of reactions and responses are just within us. They are part of how we're wired, part of our flesh, if you will. It's an old self. We don't have to be victims of those feelings, though. Moving out of that, putting on a new self and responding in a different way, as you said, of trying to move towards love as best you can.

In other words, the triggers and the painful things are going to persist even for mature Christian people. They still experience all that. The question then becomes: well, what do I do with this? And that's really where maturity steps in and the Holy Spirit steps in and helps to make us different. And thank goodness that you could compartmentalize it. You guys said, "Alright, Scott's running point because it's not a good idea for Vanessa." Yes. I mean, that's a wise decision to make. Scott, so compartmentalizing Monday deposition, Friday coaching baseball together, how did you pull that off?

Scott: I think it was a couple of things. I think one, you have to think logically in terms of saying, "Hey, we're still moving forward." A lawsuit is a long time. You know lawsuits don't happen in weeks; they happen in years.

Ron: You mean Law and Order doesn't really capture—

Scott: No, no.

Ron: —play the little ding, ding. No, that didn't do it.

Scott: Those trials and things, they span out over a long period of time. And what I found in that season of litigation is there were moments throughout that course of time, which ours was about a year, where there were a lot of heightened emotions and people were really, really on point. You look at it and you say those moments when you file the lawsuit, when it/when you're getting served, or you know when that first initial wave is coming through—your first meetings with lawyers, your depositions—and then up until like—you know in our situation it kind of ended at mediation. We didn't actually go to court.

So in those trigger moments, those four or five peaks, a lot of emotions were present and him and I had a lot of conversations throughout the process. I think through the time I understood a little bit more of his motivation. I think we got down to a core of like what he really desired. Now, maybe the motives to get there were incorrect.

Ron: Right.

Scott: But I knew/I at least had an understanding of his father's heart of why he wanted to change things. That's kind of why I kept it really a civil conversation, knowing that we needed that for our family. We needed some civility and in the same breath, coaching together and spending time together, that was also an opportunity to get to know each other a little bit better. That was an opportunity to spend good combination quality time with our son.

These were all things that I think were needed in that environment so that we could come to a resolution because if it's emotion high all the time, you're going to find yourself square deep, you know, through all the negativity that comes with a lawsuit, and then you're going to end up in a situation where you ultimately give up control of the decision to the courts. That's the end result of a litigation process, and I think we just desired something different.

Ron: I think the big takeaway as I'm listening to you guys, for our listeners is: decide if you want to be a victim of all the negative emotions and feelings and stuff going back and forth between you, or if you're going to bring some peace to that equation and try to bring decency and kindness and some basic respect to it so that you help influence the overall direction. I mean, that old adage, keep your friends close and your enemies closer, I think has so many good applications in a situation like this. You can feel like the other person is the enemy, as to Vanessa's point earlier. Absolutely. No, they're really not the enemy. The enemy is the enemy. The enemy is influencing them in some ways that are really hard for you, but keeping in mind that you don't have to be an enemy in return.

Vanessa: Yes.

Ron: You can change the way you respond and that can influence the overall flow of the whole thing. Bringing somebody closer, so to speak, keeping them close in other ways might open the door back towards peace, towards negotiation, towards some resolution that everybody can agree to.

Scott: One of the things, Ron, that I would point out that a lot of people don't consider, you know in my position when that litigation happened. The one thing about litigation is it is an avalanche of everything from the past. It's an avalanche from the conception of that first marriage to present. Well understand that I was not involved before. I don't have that emotion that that was present for Vanessa and her ex-husband of the past. Stepparents, if you're in that situation, you have an opportunity to bring a new breath of thought, and what does the future look like without the discerning of the past, and that's a very different way to experience litigation. I think people who are in that stepparent facility had that unique opportunity to bring that to, you know kind of reality.

Ron: I can kind of see that cutting both ways. The advantage of having the stepparent who is not emotionally tied to the pain of the past gives them an objectivity and they're sort of neutral about certain events perhaps. And so yes, they can bring some rational thought perhaps to highly emoted situations.

I can also see how that might cut for some of our listeners the opposite direction, where all of a sudden, the stepparents going “No, I kind of see the other household's point of view,” and their spouses going, “Wait a minute, whose side are you on? You're supposed to be as angry as I am. If you loved me enough, you'd be as angry and hurt as I am about this whole thing.” I'm curious, did any of those dynamics come to play for you guys or anybody/other couples that you've talked to?

Vanessa: Yes, I mean, I think there were definitely some moments and just speaking from the person that the lawsuit was filed against. You know, Ron, I think when you're in it, there's sometimes deception. You're going to do things and you're going to see things. You're going to say things that are not necessarily a reality to other people. I think that's why it's so good and where that stepparent maybe has the advantage, or if you're seeking biblical counseling or a licensed professional counselor where people can say, “Hey, I hear you saying this,” “You're telling me this.” And there were certain times when Scott was like, “Hey, you're really being unreasonable here” and I had to trust that my husband was coming to me with that in a pure heart and that he was being honest with that because I was/you are overruled by emotion sometimes. It just takes over, like you said earlier, Ron, like you're flesh.

Ron: Yes.

It was good to have that perspective and be like, “Okay, I'm trusting if you're saying”—you know I would hand him my phone before I sent a text message or before I sent an email and he'd be like, “You—don't send that.” I'm like, “Okay,” you know, [Laughter] after you put all this emotion and thought into it. And I needed that in that season and

I'm sure that there are a lot of other people out there and so I would say "If you're in that, just trust that your spouse has your best interests at heart. It can also prevent the relationship from just becoming even more toxic or putting it into a situation where it becomes even more dysfunctional.

Ron: Okay. Another quote from the book, you guys say, "The goal of litigation is a resolution you can live with and that is good for the child." You mind talking around that for a minute.

Scott: The pain that it takes to get to that realization is litigation.

Ron: So you're saying you came to that understanding through the pain of litigation?

Scott: I think everybody does. I think the goal in co-parenting is to both have a situation that you can live with that is the best for the child. Every parent has a "This is right" process. Every biological parent says, "This is what exactly should happen." And when a divorce occurs and there's a separation, and now those two opinions sometimes compete against each other, one may always think they're right. The true co-parenting relationship is both doing what's best in the best interest of the child. The start of a litigation is the conflict of those two ideas. It's like, "No, I think it's this way. You think it's this way?"

Well, the end of litigation is exactly what we just said. It is what you can live with that is in the best interest of that child, and sometimes the two parents can come to that agreement, usually through a lot of pain of litigation. That's why the litigation process has Exit ramps per se. That may be through a parent facilitator; that may be through a mediator; and the end exit ramp is a judge. Eventually you get to that point where if you can't make that decision, the judge is going to make that decision and say, "Here's what you guys can live with or you're going to live with, and this is what's in the best interest of that child."

The opposite side of that, and this is why people enter litigation, is so they can prove they're right and you're wrong. So as much as I want to be right, I want you to be wrong. That's a very competing conflict style, and it's really the opposite result of family law litigation.

Ron: I've counseled people who say—they tie those things together, and this is so difficult, Scott, because somebody says, "But what I'm saying *is* best for my child. And yes, it makes me right and them wrong, but that's secondary to the fact that I know what's best for my kid and it has to be this." And man, is that hard to untangle to say, "What part of that is my bitter heart that just really wants to make you pay?" and "What part of that is objectively on behalf of my child?"

I'll give you a "for example," not that we have to figure out best custody situations with this conversation, but just as an illustration. I've had in the last three or four months a

couple of conversations with biological fathers who have said, “Look, 50/50. That's what's best. We've got to have 50/50. Somehow, we came out of our divorce with something different than that, but I'm not getting my time and so I'm going back for more time. I want it to be 50/50 because that's what's right. Everybody should get their time and it should be equal.”

Pause. Okay, who's that in favor of? I think sometimes that is really mindful of a child, but sometimes it's not. Because if your child is two, having a one secure emotional attachment is better for the child developmentally—to have more time with mom, for example, and time with dad, but not necessarily 50/50 time. It might be 60/40, might be 70/30, and that's still okay from a child development standpoint.

That's the kind of thing that ultimately, I think I hear you guys saying. Ultimately, what's best for the child needs to trump whatever preconceived notions you would have for what's best for you.

Vanessa: I know for us in that season, Ron, it was “Okay, I think this is what's best for our son.” They were thinking what they thought was best for our son, and I had to ask God, “God, what is Your best for our son? Give me your eyes to see what this resolution could be.”

Going back to what Scott said about the exit ramp—and our lawyer was great. It was important for us to have a lawyer that was a believer. He was also a blended family, so he got us very well. He gave us this analogy. He said, “Litigation is like a highway,” and he said, “You're going to have exit ramps along the way.” And he said, “You may not get to the destination that you wanted, or what you thought was the best thing.” He was like, “But when you can take an exit ramp to get to a destination, it's a good place to go.”

Because at the end of the day, we, we didn't know what that judge was going to say, and we didn't want to get there. We didn't want him to determine the outcome from our son, and it was, “Hey, if we can come to an agreement in some way or work together to create a situation that we can live with and that is best for our son.” Ultimately, we thought that that would be in the best interest of Michael, and ultimately that's what God was telling us. He was, “Do everything that you can not to go,” and so we were just really adamant in that process of trying to come to a resolution with my ex and his wife.

Ron: Now you brought up lawyers, so I've got to follow up with that. [Laughter] Because it occurs to me that part of what the legal system is wired to do is push for the highest gain that you can get. In other words, lawyers sometimes push clients towards that. You're saying what's best for the child and something you can live with. That sounds like a low bar, something you can live with. But what if your attorney is saying, “No, we/there's a higher bar. We can push for more.” What do you do then?

Scott: I think that's a very good question, and we've talked about this at length. There's not a shortage of family lawyers that will sign you up if you're willing to pay them, and

choosing the right attorney is critical in this process. I'm trying to see delicately how I say this, but what I'm saying is when an attorney looks at you and says, "I know what you want," that may seem logical, depending upon the scenario. And Ron, you touched on that beautifully. A two-year-old, a ten-year-old, a twelve-year-old, a fourteen-year-old—there are so many different seasons of that, that need to make sense for the best interest of the child. But a lawyer is *receiving* your emotions; they're receiving, and they're employed to do what you tell them to do.

But they're also employed to be experts in litigation. And they should have the same goal, which is the best interest of the child. Not necessarily, because I know that lawyers deal with some clients who are obnoxiously—what's the word I'm looking for—just unrealistic. That it's just "I have to win" and in the same breath "I have to pound the other side to complete submission to my will." And that lawyer who would create that environment is probably not the lawyer that you want to pick. So choosing a lawyer that has that mentality of "There are exit ramps. There are ways that we can get in this and get out of this" are critical.

Vanessa: Yes, and our lawyer that we ended up having was our second lawyer. We went to the first one and it was just discernment too. We did not have peace after meeting with them a couple of times, and we were not impressed—is probably the wrong word, so to speak—with how the process was going and asking a lot of questions and how they would do this. And have they had any cases similar to this before? What was the outcome? Do they know the local court system? I mean, just there were so many questions and so much that we learned in that process.

I would say to anybody that's listening, do your research. And for us it was important to have somebody that was going to incorporate their wisdom and knowledge that they had learned throughout the years. Also, with a biblical foundation and so we were able to find that, and that was very important for us. I think anyone that's listening, you know it's a lot of homework, it's a lot of interviewing, it's a lot of asking questions, and it is important to find that right lawyer.

Ron: That last little bit there leads me to my next question, and that's the cost. Now, when you say the word cost, everybody immediately thinks financial cost. And yes, that is a consideration. But the time, the energy, the process, the continue—it's always on your mind, and you find yourself anxiously walking through your day, sort of distracted constantly by this whole legal thing that's hanging out there. There's a lot of cost in litigation. If somebody's listening to us right now and they've been pondering, considering going back to court, speak to the costs and what kind of thoughts do you have that would help them be discerning about whether those costs are worth it?

Scott: Litigation is a measure of attrition. I compare that to almost like running a marathon so there is an absolute cost that goes to that. First thing I would say is, a lot of success and failure is based upon "What is your financial budget for being in this process?" and "Are you picking an attorney who's in line with your financial budget?"

Because again, litigation is expensive and there are options out there that may sound really, really good to do because they cause a lot of pain to the other side, which is more costs for them, more time for them, more—you know when you look at depositions, when you look at interrogatories, when you look at requests for information. Those are great, but they cost a lot of *money* to actually execute.

So, “What is your financial budget?” is a great first question that you should be talking to your presumptive attorney about. If you have X amount of money to spend on this, that needs to be communicated because an attorney, a good one, can make sure that that is protected. Vanessa, do you want to talk about kind of the other cost?

Vanessa: Yes; I think the other cost is, like you said, Ron, it's your time, it's your—the emotional expense, the toll that it takes on your family, the toll that it will take on your marriage, the toll that it will take on your health. It will pull in every single area of your life and where you have nothing left to give to your husband or your family at the end of the day. I think people really underestimate the pressure and the stress that comes with that.

To anybody that's listening, if you are going through that process, one thing that we did is we found mentorship at the church. We had a licensed therapist that we were meeting with. We made sure that our marriage was intact.

We made sure that we were good and by God's grace, we were really strong through that season. But it was also our three little kids. We had three under three at that time, and so it was a lot. We were building a home. I was finishing nursing school. Scott was starting his business.

Ron: I'm getting tired just listening to you.

Vanessa: I know! [Laughter] There was so much going on and so we had to learn to take care of ourselves in every aspect because it does, it pulls at every single one of those things.

And then it's the cost of your relationship. At the end of that litigation process I didn't know what my co-parenting relationship was going to look like. We didn't know what our relationship with my son was going to look like, and that was the scariest part for us. It was the fear “Is Michael going to hate God because of this? Is this going to turn him away from his faith?” And that was when we talk about in the book, losing Michael, that's where we were at—was, “Lord we, we want him to lean into you.

We want him to have a deep and intimate relationship with you.” We did not want the enemy to succeed in his plan to kill that relationship.

Ron: There's so many costs there. Why would somebody then choose to do this? What would move them over that hump to say, “It's worth the cost?” I think it has to come down to your child.

Scott: I think there's a few reasons. Now, and before we say anything on one side of the fence, I think there are actual reasons to look at litigation. If there's been a material change in the situation, whether that's a financial change or a geographic change, you know, those things are warranted. There are cases, in your example you mentioned before, where it made sense when they were two; it doesn't make sense when they're twelve. Sometimes going back to court is a good thing to get that material change.

And if there's ever an endangerment to that child, if the child is in physical danger, there needs to be immediate steps taken. So beyond that, you weigh these decisions based on—hopefully not pure emotion. I would love to think there's some practicality involved here. I think in most cases what we have seen, if it's not for those substantial reasons, it is because a lot of times pain of the past has not been dealt with and there's still a lot of resentment, anger, just frustration. And as life has changed, you looked at opportunity that maybe you could do this, and it would hurt the other person, or it would help you.

And then the last thing I would say is most people don't understand or even acknowledge what the cost is going to be. They don't know. They've watched too much Law and Order. They have watched too much Judge Judy, and they have an idea of what the litigation process is, and it's completely false. There's not enough material out there that explains what this actually involves. Everybody that I've talked to are, I think, vast majority, when they're in litigation, they wish they weren't even if they are the ones who initiated it because they're not prepared for that battle and how long and arduous it is.

Ron: Man, there's so many things I want to chase. Could you just say another word about those exit ramps?—mediation, parent coordinator, as opposed to finally getting down to a judge.

Vanessa: Yes, so in the process, we went to mediation, and most judges will make you go to mediation before you even step foot into a court. We went to mediation. We had tried to mediate five different times and finally got down to a point where everyone said, “Okay, let's mediate. We want to end this.” We had a mediator. They're usually ex therapists, licensed professional counselors or judges themselves and so they know the process very well.

During that mediation process was when we were working out what the new papers and orders were going to look like. We wanted to do everything that we could to prevent ever having to go back to court, Ron. Some of those things that we put into our new decree, and that people can do, like the exit ramp, so to speak, is we have to meet with a mediator. If for some reason we all don't agree, we have to meet with the mediator, but we have an assigned parent facilitator.

What a parent facilitator is, it's a neutral party so if myself and my ex-spouse aren't agreeing on a situation regarding our son, we can set up a time to meet with our parent

facilitator. They kind of guide us through coming to a compromise. All of this is documented so that if you ever do have to go back to court, you do have that. If you can't come to agreement, then you would go to a mediator. You can put steps in place where you know you can meet with that parent facilitator first. If that doesn't work out, you can go to a mediator.

You can also use technology. There's different apps and technology out there that can better help you and your co-parent communicate. But some of those exit ramps for us, were going through those things and understanding, "Oh, there are more resources out here that can help us, versus just having to go straight into court and do that."

Ron: Those exit ramps sound a whole lot better. I know that those people, coordinators and mediators, are really trained to sit with people who don't see eye to eye and to try and move them gently towards something they can agree to. I recommend those as well—you know exhaust all the options other than just going back to the judge.

I want to throw something else at you. You guys in your book—again, the book is *Blended and Redeemed*; great, great chapter on litigation. Something you talk about; you give five warnings to people who are actually in the process of litigation. You don't have to talk about all five. Let me just read these to/for our listeners and then you guys just grab one or two and come in on them if you would.

- You say, "Don't jump right into action.
- Number two; don't engage in social media.
- Three, don't try to go it alone.
- Four, don't unburden yourself to your child.
- And the last one was, don't let fear steal your parental authority. You mind commenting on one or two of those?

Scott: They're all good. [Laughter] Man, I'm telling you. I'll take the don't jump right in one.

Ron: Okay.

Scott: So normally, and it wasn't the case in ours as well, there usually is a ramp of like, you kind of sense litigation is coming. Maybe it's been threatened several times. Maybe you see a lot of times and in our situation the child is becoming of a certain age where another parent may step in, so a lot of people feel like that 12-year-old period of time is kind of that step.

If you know litigation's coming and you get served your papers, so the really scary thing about getting served your papers is it has a date that says you have to respond by this date and so you're immediately like, you want to grab a lawyer as fast as you can so that you can prepare to respond.

That's where, and we talked about this a little bit earlier, you don't need to jump to conclusions before you start taking an inventory of kind of where you are today. Meaning, what is my budget for an attorney? Do I need to go out and look at some recommendations? Do I—can I talk to a few people? Can I interview a few attorneys? You know I want to make sure that I am preparing for a litigation season and not being so reactionary to just go out and find the nearest lawyer who will take your case and you don't ask these qualifying questions.

Prepare yourself for that litigation season. And that's the practical side, and I think Vanessa would speak to this as well but spiritually prepare yourself—get into prayer, surround yourself with some people who will pray for you—praying for discernment, praying for the right motives in the right frame of mind to carry out action. That's what we mean by don't jump right in. Don't be scared of that respond date because you, you have some time.

Vanessa: Yes. I love the parental authority one, Ron. I remember in that season just parenting out of fear. Oftentimes, what would come up in the depositions was, “Oh, well Michael said that you guys went and did this and did this, and it was really, things were turned around and so we lived in fear of: there's just stuff being made up and we don't know what's being said over there. And so, it was like, we just want to keep him happy and this, and this, this and that. After a few months of that, I was like, “I am done.”

I just remember one day just the Holy Spirit convicted me and if anybody has watched the movie War Room where Priscilla Shirer walks out of her home and she's telling the enemy to get out of her home and to leave her family alone. I don't know if y'all watched that, but it's one of my favorite movies.

Ron: Yes, I've seen it.

Vanessa: I literally did that in our home and in my son's room one day. I was like—I told the enemy. I said, “You have no authority over my son or over our family, or even his family.” I was just speaking on behalf of them or declaring that over their family as well. I'm like, “You're not going to torture us anymore” and “This is like—we're stopping this right now.” And so, then it was this exercising our authority and we started parenting like we would normally parent with the authority of Christ.

And ultimately, I believe there was more respect from our son when that happened. It really changed the narrative of things that went on in our home. There was no longer a response of fear. It was, there was more peace and I think just more of a boldness and a confidence in our parenting at that time.

Ron: It's got to be so difficult when you feel like there's a camera on you 24/7 and anything you do or say that might be construed as this or that or something less than loving all of a sudden. And the camera is your child's eyes because they are picking up

on it and, and especially if you feel like that's getting communicated to the other household. Yes, you're paranoid all the time.

Vanessa: Yes.

Ron: You're walking around anxious and that's the first filter that you're running your parenting decisions through rather than “What do I need to do here that's best for my child?” That's so debilitating.

I don't want to pretend to our listeners to say, “Yes, hey, just drop the fear and be the parent you are.” I mean, you do have to be informed by the conversation going on in the legal environment. That should inform some of your parenting, but you don't want to lose—what I hear you saying is you don't want to lose your authenticity. You don't want to lose your personhood. Now you feel like you have to pretend to be something that you're not, and you're paralyzed to make decisions to say “No” to a child for whatever the situation might be; that when you lose who you are, then your presence is gone and you're really not parenting anymore.

Scott: That's right.

Vanessa: I think when we're not in full submission to Christ, we can't expect our children to be. When we're parenting out of that fear and not—and parenting in who God has created us to be as the child's parent, then I think we're given the enemy a foothold over that situation. It's just a very slippery slope, and we learned that in that process.

Ron: Yes. So many good tips, just in this one chapter alone. Great book; *Blended and Redeemed*. I really appreciate you guys. Let me just ask you one last question. If you were to just pull back, you know, all the conversations you've had with people, the dialogue you've had about litigation, your own experience, what overall perspective would you want our listeners to carry with them as it relates to going to court?

Scott: Uniquely, and Ron, you encouraged me on this a while back, we are right in the middle of writing a book on this, a complete book on litigation.

Ron: Good.

Scott: And the subchapters of this is what I would want to answer your question with. The subchapter of this book is three parts: prepare, execute, and recover. Those are the three most challenging parts of litigation. You need to prepare yourself. There are things to prepare. There is a way to execute a litigation hopefully with these exit ramps in mind, and hopefully with the best interests of the child in mind. And maybe most importantly, you have to take the steps to recover.

Parenting and co-parenting does not end at the end of the litigation. It did not end in your first decree. It will not end when the child turns 18. You are a parent for life. You are a co-parent for life.

So figuring out how to mutually respect, how to mutually govern, how to come to decisions together, and ultimately—and this is the key part—understanding that forgiveness is a part of your co-parenting relationship. Healing and forgiveness and seeing your co-parent the exact way that Jesus sees them. We are not perfect people. We do not make perfect decisions. There is a history of pain that is associated, but Christ's love is enough. Jesus loves them the same way He loves you. And forgiveness is absolutely possible and wholeness is possible. Those are the three things that I would leave with.

Vanessa: I think I would say, Ron, what I discovered in that process was that the battle is the Lord's and I just had to—you know I knew that he was going to do something through the process. And so, what I would say if anybody is going through this or has just come out of this or is getting ready to go into this, is that God doesn't waste anything. And for us, we saw how he took the situation and did something amazingly awesome and good with it. Our son actually came to know Jesus right out of mediation.

Ron: Wow.

Vanessa: And it was unfortunate that we went through that, but I'm so thankful because if it led to his salvation, then I'd do it again. Understand that in the process, God's going to give us a vision and you know we will learn something from it. We/He will teach us something through that. And so, I would just encourage anybody that's going through this that it's not wasted and that He can do anything with it.

Ron: Wow. Scott, Vanessa, thank you so much for being with me. I appreciate your candor, and this is an important subject. Thanks for addressing it.

Vanessa: Thank you so much for having us, Ron.

Scott: Thanks for having us, Ron.

Ron: To you, the listener, if you want to know more about the Martindale's ministry, Blended Kingdom Families, or their book *Blended and Redeemed*, look in the show notes. We'll get you connected to all of that.

You know I've got two just sort of random follow up thoughts here. I was listening to Vanessa talking about trusting the Lord in the midst of the battle and trusting the battle to Him instead of taking that on for yourself and it made me think about Scott's comment about forgiveness and how at the end of the day, you've still got to co-parent. And so how you carry yourself through the litigation process is going to have huge implications

for whether or not you can co-parent well, once decisions are made and decrees have been declared.

And so being able to forgive them in your heart to, again, posture yourself in a way where you can move toward them, where you can, that doesn't necessarily mean that you're going to trust them. It could be that they showed you some things through the litigation process and you now see them more clearly, and there's certain things about them you can't trust very well in your co-parenting. That's understandable.

Forgiveness can be something you still work towards so that you're at least letting go of the resentment, not harboring that against them, so that you can then position yourself in ways based on who they are, whether they're reliable or not. You continue to be reliable.

Forgiveness does not necessarily mean that you end up being silly or an easy target to the other person. You still have to work out how we work together, but at least it's setting aside the pain in your heart so that you're open to being able to connect with the co-parent in ways that are helpful and beneficial to your child.

Hey, if this podcast has been helpful to you, or if FamilyLife Blended as our ministry has been helpful to you in any way, let me ask you to think about doing a couple of things for us. Would you share this resource, perhaps even this episode, with a friend or a ministry leader, somebody who could benefit from this? Just text it to them or send them an email or something. Just let them know how they could benefit from this.

And then consider donating to *FamilyLife Blended*. FamilyLife® is a nonprofit ministry, and we would love to have you just reach out and share a little thank you from you and in the form of a financial gift. That'll help us continue to do this. We would appreciate you prayerfully, considering how you might contribute to our ministry.

I want to get a couple things on your calendar if they're not already. Our next *Summit on Stepfamily Ministry*, it's going to be a virtual event this year. Virtual meaning yes, convenient. Stay at home; be comfortable. Maybe get a friend or two, or a ministry leader from your church to join you as a part of that Summit.

Summit Virtual will be Thursday, October 12th. If you're not familiar with the Summit, it is a ministry equipping event. Yes, for pastors and elders and leaders in local congregations, but also for lay couples. So much of stepfamily ministry is done by husbands and wives who just open up their living room and let a few couples come in and they study some materials together, and everybody benefits from that. It's open to anybody and you can attend this year from the comfort of your own home, Thursday, October 12th.

I also want to get you thinking about the FamilyLife Love Like You Mean It® Marriage Cruise 2024. February of 2024 will be our next event. It's a credible opportunity to get

away, to refresh your relationship, gain some tools to grow your marriage and family, and it's a lot of fun.

We take over the entire ship and do all the programming from workshops on a variety of topics related to marriage, family, parenting to comedians, to concerts, worship experiences every evening, keynote addresses. It is a great, great event. Everybody on the boat is with us for that very specific thing. And yes, we always have blended family breakout material specifically for the stepcouples that are with us on the cruise, so look that up. We would love to have you join us.

Next time, on *FamilyLife Blended*, I'm going to be talking with Bill and Jen Rogers about Pro Tips for Stepmom's. That's next time on *FamilyLife Blended*.

I'm Ron Deal, thanks for listening.

FamilyLife Blended is produced by Marcus Holt and Josh Batson; mastering engineer is Jarrett Roskey. Our project coordinator is Ann Ancarrow. Theme music composed and performed by Braden Deal.

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