

Conscious Uncoupling, Inc.

A SLEW OF STARTUPS SIGNALS THE END OF THE STIGMA OF DIVORCE. GOOD RIDDANCE.

BY WENDY PARIS

Marriage typically begins with a honeymoon. Why shouldn't it end at a luxury resort, too? At least, that's the thinking behind entrepreneur Jim Halfens' destination mediation company, DivorceHotel. The company, started in 2011, offers two- to three-day mediation retreats at plush hotels in Europe and Saratoga Springs, N.Y., where a breakup break starts at about \$7,500. The company's mission: help couples craft a settlement in a pleasant, neutral setting—ideally with ocean views or bucolic hiking trails—away from the well-meaning but often divisive input of friends and family. "Everyone is advising you because they...want the best for you, but they're blind to the fact that they're not impartial," said Mr. Halfens.

Clients report high satisfaction, and Mr. Halfens is looking into expanding to other locations, but only if he can find the right homey-feeling boutique hotel. "It can't be at a business Hilton. It's important that they have their own room, that the hotel has all the facilities and amenities needed."

He is not alone in the burgeoning divorce wellness trade. Former family attorney Michelle Crosby launched Wevorce.com in Boise, Idaho, at the end of 2012, then quickly relocated to the Bay Area, after being accepted into the coveted startup incubator Y Combinator. Wevorce.com raised \$1.7 million in seed funding from investors within its first year, according to *ABA Journal*, the magazine of the American Bar Association.

The company's algorithm identifies a couple's "divorce archetype" and then connects them to appropriate lawyers, accountants and other experts. The process intends to streamline divorce, saving clients turmoil and cash.

Meanwhile, in Basking Ridge, N.J., home stylist Jodi Topitz recently launched We2Me after her own divorce, to help the newly single downsize or reclaim their space in style. Ms. Topitz's website features a two-minute video about getting "your mojo back through color and design."

Manhattan-based DivorceForce.com, launched in November 2015, provides a supportive online community, lawyer reviews, and a co-parenting calendar. "There was really a gap in the marketplace for something like this," said the company's co-founder Gregory Frank.

An entire cottage industry is springing up around divorce, new ways to help people through the emotional, financial, logistical and

even décor-related challenges, to untie the knot without unraveling completely. Entrepreneurs have recently created co-parenting apps, lawyer referral companies and dating-after-divorce sites. You can even order supplies online for your divorce party, or mark the end of your union by mailing "Just Divorced!" announcement cards. "Technology creates opportunities, even in something as emotionally complex as divorce," said George Washington University law professor Naomi Cahn, co-author of *Marriage Markets: How Inequality is Remaking the American Family*.

The market is massive. Roughly a million couples divorce each year. A typical divorce costs about \$15,500, according to a survey by Nolo.com of its users. The price tag easily doubles in major metropolitan areas, and we've all heard stories of divorces dragging on for years and running well into six figures, or read about celebrities, such as *Gossip Girl*'s Kelly Rutherford, who reportedly spent \$1.5 million on legal fees in a protracted custody battle.

Entrepreneurs want to help you save money (and make money themselves while doing so). If you attended the Association of Family and Conciliation Courts' annual convention last year, and picked up the program, you'd see one advertisement after another for companies helping divorced and separating parents develop a shared parenting arrangement. The 2015 brochure for the AFCC conference has four pages of ads, taken up primarily by companies offering divorce education programs for parents. The 2005 brochure, in contrast, lists only two parenting programs for divorcing couples.

But aside from increasingly easy-to-use technology for entrepreneurs, why are everyone and his (ex) mother (in-law) entering the divorce wellness marketplace now?

Seeds of the industry were planted in 1970, when Ronald Reagan, then-governor of California and a divorcee himself, signed the nation's first no-fault divorce law. Hiring a lawyer to build a case against a spouse suddenly became gratuitously damaging because one spouse need not be deeply wrong for the divorce to be right. No-fault (slowly) led to the development of cooperative ways to un-marry, such as mediation, collaborative law and more recently, an assisted DIY approach. These cooperative methods shift the power away from lawyers and more toward the couple, take the focus off blame and on to

recuperation—and have helped pave the way for a slew of self-help services.

One big driver for the spate of startups is the rise of co-parenting, with its often complex, ever-shifting schedules. "The rise of a lot of these businesses is in response to the reality that parents need to work together after divorce and separation in a way that they didn't under that traditional sole-custody, every-other-weekend model," said University of Maryland legal scholar Jana Singer, co-author of *Divorced from Reality: Rethinking Family Dispute Resolution*.

In the past, custody was usually awarded to one parent, generally the mother. Courts followed the "tender years doctrine," an idea that young children did best living with their mothers. California was the first state to establish joint custody by statute, in 1980. Today, according to the *Family Law Quarterly*, 16 states have a presumption of joint custody and every single state authorizes it.

Rebecca Kourlis, a former Colorado Supreme Court judge, and creator of the pilot program for the Center for Out-of-Court Divorce, Denver, the nation's first one-stop divorce and separation shop, believes Americans increasingly want to divorce "in a less adversarial manner that is better for their kids and for their own personal long-term health and well-being. They're looking for help doing that and the market is rising up to meet that demand." She sees a "tipping point of research that demonstrates the negative impact of highly contested divorce on your kids, [and on] your own long-term psychological health and finances."

While about 90 percent of divorces actually settle out of court, and joint physical custody remains the exception, not the norm, the expectation of most parents and the courts is that both parents will be involved in the lives of their children.

Shared parenting can lead to residential hopscotching—two nights with mom, two nights with dad. Every other weekend: Switch! Dads want to spend time with their children. Kids want to see their fathers. Do kids (or parents) know where the library book is if they're following a schedule of switching homes every other day, and also alternate weekends? Not necessarily.

Enter the co-parenting calendar and app. Some couples share information on Google calendar. But a co-parenting site such as TwoHappyHomes.com, launched in 2012, also

ONE BIG DRIVER FOR THE SPATE OF DIVORCE-RELATED STARTUPS IS THE RISE OF CO-PARENTING, WITH ITS OFTEN COMPLEX, EVER-SHIFTING SCHEDULES.



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offers a place for notes, photos, doctors’ numbers and more. Supportpay.com, launched in 2013, helps parents manage their ongoing child support interactions. The site reminds the payee when money is due, and enables both parents to record and share childcare expenses.

The national trend toward co-parenting has actually increased re-litigation, as couples estranged enough to divorce must make joint decisions about their children. Courts, and startups, are stepping in to reduce such conflicts. Some courts mandate high-conflict couples communicate through OurFamilyWizard.com, a co-parenting site with a “tone meter” that alerts users when a proposed message might inflame anger. Other jurisdictions offer, or mandate, co-parenting education as a standard part of the

divorce process. Forty-six states offer parenting classes for divorcing or separating couples, as of 2010. In 2001, only 28 states had established or mandated such programs. Of course, not everyone can get to the courthouse.

Solution? “What we’re beginning to see are businesses offering these classes online,” said Ms. Singer. Many courts accept outside, privately run parenting classes and online courses as fulfillment of court-mandated education, such as those offered through parentingclassonline.net. Run by licensed marriage and family therapist Kathy Garber, the site’s courses are priced by the number of hours the court requires you to take. For \$29.95, you get education that will cover up to a four-hour class requirement; a 12-hour class will run you \$49.95.

The national obsession with celebrity divorce has expanded the awareness of parenting classes, and the notion of the “good divorce.” As far back as 2006, for example, followers of celeb culture learned about parenting classes when a Los Angeles Superior Court judge ordered Britney Spears and Kevin Federline to attend one called Parenting Without Conflict. In 2014, Gwyneth Paltrow’s “conscious uncoupling” from Coldplay’s Chris Martin made headlines worldwide.

Despite the widespread snark surrounding Ms. Paltrow’s announcement—including Twitter users proclaiming their intentions to #consciouslyuncouple from fattening baked goods—conscious uncoupling points to another reason for the growth of split-up services: our attitude

HOOKING UP/BREAKING UP

toward the institution of divorce has changed. Before no-fault law, divorce was a punishment meted out for a moral transgression, such as adultery or abandonment, or a crime, though the permissible grounds varied state by state. No-fault divorce ended the legal pairing of divorce and blame, and began a broader conceptual shift.

"Today we view divorce as a reorganization, almost like a bankruptcy. The family unit needs to come out of bankruptcy to be reorganized because it still has to function as a unit," said Andrew Schepard, director of the Center for Children, Families and the Law at Hofstra University and author of *Children, Courts and Custody: Interdisciplinary Models for Divorcing Families*.

While some people still view their own divorce as a failure, the courts, and most of society, accept it as just part of modern life. The growing number of unmarried couples who split after having kids has further shifted conversation among pro-family pundits away from divorce and on to co-parenting. Because we're not wracked with shame over the end of our marriages (or over much of anything else, it seems, if you watch reality TV), we're more open to taking steps to improve our situation. "On the one hand, maybe we're more willing to talk about things that are embarrassing, but on the other hand, I don't think divorce or parental separation are considered so unusual or embarrassing," said Ms. Singer of the University of Maryland. "There's been a normalization of divorce, which I think is a good thing. Forty percent of marriages end in divorce, and 40 percent of children are born to unmarried parents, so that's another parental market."

No wonder many organizations are getting into the divorce celebration business. Gillian Harris, an alternative minister in Malibu who runs a minister referral service called Bless and Clear, reports that requests for divorce ceremonies and conscious uncouplings are growing. If the pace from the first two months of 2016 holds steady, she'll do twice as many this year as last. "If I were to do a projection into the future, I'd say that within a year, conscious uncouplings will be the main thing we do," she said.

This might sound like some woo-woo West Coast froth of limited national relevance. But in North Carolina, licensed professional counselor Steven Rogat offers two-hour healing-style divorce ceremonies, called "soul-retrievals," based on shamanistic traditions. And the Montclair, N.J.-based Celebrant Foundation & Institute, a nonprofit school training lay people in the art of ceremony and ritual, reports an uptick in requests for their roughly 1,000 graduates to conduct divorce ceremonies in recent years. "Close to 100 percent of our celebrants do divorce ceremonies. In the past, some never did them," said Celebrant Foundation international director Charlotte Eulette.

The divorce wellness marketplace's closest cousin, the wedding industry, can turn an otherwise joyous occasion into a hype-driven exercise in rampant consumerism and stress. The products cropping up for divorce, on the other hand, really do minimize some of the sadness, anger and confusion of the un-wedding phase of life. With the exception of the nasty divorce cards—such as



Divorce Hotel in Saratoga Springs, N.Y., offers a breakup break for dissolving couples. Below, before and after shots of a bachelor pad redesigned by WE2ME.



one reading: "I divorced on religious grounds. He thought he was God, I didn't"—nearly all of these new products and services for divorce help couples and individuals gain control of their emotions and their finances, connect with others, become informed and/or improve communication with an ex.

Take divorce coaching, a subset of that other faddish career, life coaching. Many people find its action-oriented, forward focus a great aid in making progress. Lisa Coye, 53, turned to New Jersey-based divorce coach Amy Minkoff 10 years after her marriage had ended. Ms. Coye wanted a total life overhaul, not divorce coaching, per se. But unresolved issues from her marriage kept surfacing. "It's amazing the impact divorce has on you. You don't realize it until you take some time to think about it," she said. "You're trying to move forward, but you can't really do that until you get rid of what's pulling you backward. In many ways, Amy helped me to find who I am, and find joy."

Divorce coaching also transformed her relationship with her ex-husband, with whom she shares a now-grown child. "I detested my-ex-husband all those years. As a result of the divorce coaching, we're actually friends. I don't harbor bad feelings about him and it allowed me to free my soul from the ties I had with him."

This is the kind of post-marriage goodwill that family law reformers, good divorce advocates and many mental health professionals hope for.

Who doesn't benefit from today's more peaceful disunions? Divorce lawyers—at least, not the old-style, adversarial-focused ones who

view a marital breakdown as a chance to get rich. Or richer.

While adversarial law is necessary in some divorces, such as when one spouse is hiding assets, it's the wrong approach for the vast majority of divorces because fighting for the financial interests of one party against the other is not in the best interest of the family. The six- and seven-figure divorces we hear about only happen when a couple is too embittered to cooperate. And cooperation is what the majority of the new divorcepreneurs promote.

"People feel more empowered in this Internet age to try to figure things out themselves," said Ms. Kourlis, the former judge, "and not be as subject to the whims of the system. They actually have some choices and they're going to exercise those choices."

So is the DIY divorce and the cottage industry around it a bubble, or a lasting movement? "It's a trend," said professional futurist Faith Popcorn, whose firm advises Fortune 200 companies. "As the marketplace grows, there will be more and more business catering to that. We'll see nannies who are experienced in two households. Real estate companies will look for up-down arrangements, new configurations. The dog walker who knows which house to bring the dog to. Food delivery services. It's not two households exactly, and it's not one. It's something else."

It's also a new industry where the only real barrier to entry is, well, a failed marriage.

Wendy Paris is author of *Splitopia: Dispatches from Today's Good Divorce, and How to Part Well*, which will be published in March.