

### Curling Street

— Jack Emmott



Curling Street. As a young healthy boy, I traveled by car up and down Bingle Road in Spring Branch with my mother, Lucile. As she drove me past where Curling Street is, I did not notice its name, nor would the name have held any importance for me. Then, life was good. God was great. All the pieces fit perfectly. My life and health held a promise which would surely be fulfilled and unbroken. Unbroken like the promise of marriage and everlasting love sealed by a couples' wedding kiss. To the east of our car were the tall straight buildings of Houston, a strong modern city fueled by energy giants. In Spring Branch and to the west were the fertile fields of nature producing corn, watermelon and cotton for market.

I did not notice Curling Street just as I had no idea, at age 6, that polio, paralysis and the iron lung were down the road ahead of me. Just as a newly married couple has no idea a turn down a road to divorce lies ahead of them.

Driving past Curling Street Mother took me to Dr. Gray, the dentist. To get shots and checkups at Dr. Earlywine's office.

To buy my first BanLon shirts at Bilao's. To wind our way to St. Francis Episcopal Church on Piney Point Road for Sunday services. Later, after being stricken by polio, to be on stage at the Dad's Club in my wheelchair with Roy Rogers, Dale Evans and Trigger. Unlike the city to the east and the farms to the west, on stage that day my spine was no longer straight. My muscles were no longer strong. What was left of me seemed hardly fertile ground to grow or transition to a new productive and joyful life. Like those divorcing husbands and wives I now serve as a collaborative lawyer, things which had been planned for me were forever changed. How many of us travel down such familiar roads and do not notice the names of the streets we pass, the sights unseen?

Recently, on the way to the five dollar car wash, I passed Curling Street, again. I had taken note of the street named Curling during the last few years, but had not taken the time to turn off Bingle Road to see what was down Curling Street. As I contemplated the name of Curling Street, I remembered sitting in a basic training in 2001 and listening to Chip Rose use curling as a metaphor for the collaborative law process. Chip related that the sport of curling is a winter sport in which the contestants push a stone to a goal. In contrast Chip's metaphor for divorce litigation was bowling. All games of sport as well as adversarial litigation have a common goal, to win. Yet, like my recovery process following polio, the divorce process is no game, either. What does it really mean to win? How are the pieces of a broken marriage and a family best restructured or healed?

Chip said, in the collaborative process, the broomers, the professionals, the ones on the team who brush the ice with the brooms, are there for a purpose. Their job is to make the journey toward resolution for the couple easier, smoother, and less conflicted. My parents did not leave me alone like a penguin on an iceberg, nor do we collaborative professionals abandon those we serve on the ice. My mother

and father were naturally, wonderful loving collaborators. Their recovery process for me was unselfishly and totally

focused on assembling the best team of doctors, surgeons, physical therapists, educators, orthopedic brace and shoe makers, and occupational therapists. Like the marriages of divorcing couples we serve, my body was irretrievably broken. Yet, my parents like you and me for our clients, sought the best possible outcome for what remained of me. Assembly of the best team of broomers in the collaborative process creates the greatest opportunity for the parties to both win.

On the way back from the car wash, I turned left onto Curling Street. On my right I noticed a patch of weeds in need of mowing. In failed relationships, there are weeds which have not been mowed for

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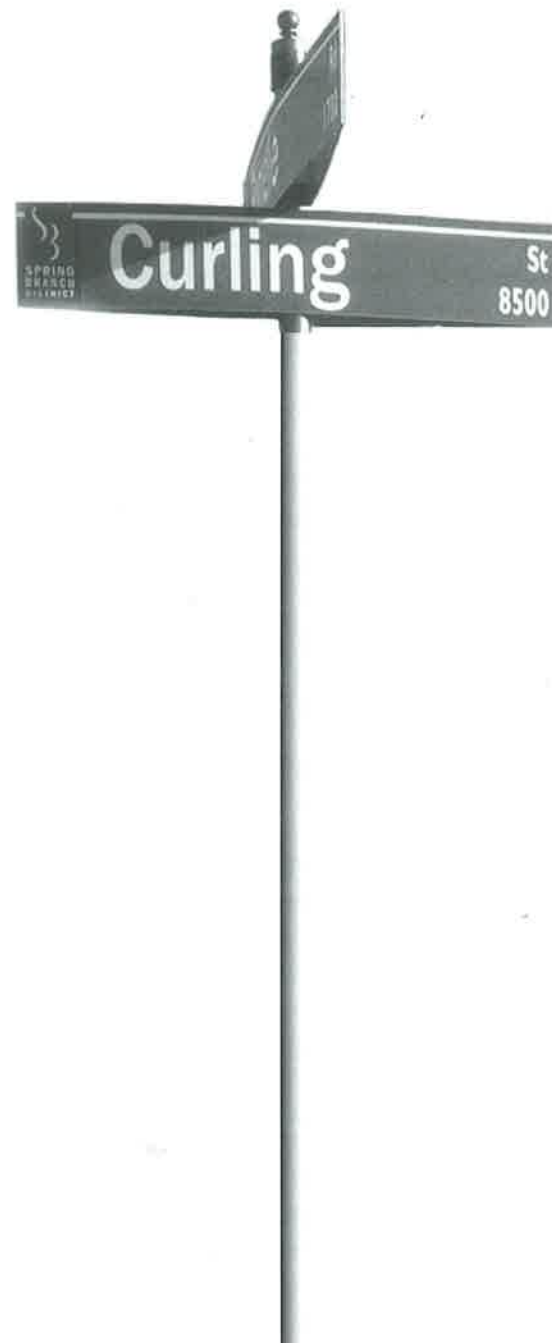
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a long time. They are overgrown. They cover up fertile ground which could become a garden. A place where seeds of hope and joy take root and grow. The collaborative team helps couples weed their gardens, too. The neutral mental healthcare professional or communication coach assists the couple in not getting hung up in the emotional weeds. As broomers they smooth the surface to reduce conflict, the friction between the parties as they move toward a common goal – to resolve their differences in a way that suits their unique needs.

My parents did not focus on the past or on what or how I used to be or what I and they had lost. They accepted me as I was. Their question was a simple one, "How can we help our son find his way to a successful, functional happy life?" Mom and Dad said, "Son, you can do this yourself. You only need a special team of others to guide and help you find your own way."

Next to the overgrown lot of weeds on Curling Street I saw a fenced-in waste treatment plant. People are messy. Following polio as I was quarantined and confined to my room, there were plenty of bedpans to go around at Hedgecroft Hospital. Dealing with the daily mess was an essential part of the process of recovery and healing from paralysis. In most divorces there are more than enough messes to go around, too. The messes people deal with in divorce are heart breaking. Adultery. Anger. Resentment. Verbal abuse. Addiction. Breaches of trust. A well-trained collaborative team assists the parties in getting those messes out on the table and sweeping them to a safer place to be addressed with less conflict. Collaborative couples appreciate their messes being kept private and confidential. They are more able to face their messes when collaborative broomers are with them to help them clean up the messes, too.

Next to the waste treatment plant I saw a children's playground. Most couples with children will move mountains to accomplish what is in their children's best interests. They will spend everything they have to protect the children from harm in adversarial divorce. They will place their personal needs last and their children's welfare first. Just as the broomers on ice strategically sweep the ice in an



insightful way for success, the neutral parenting facilitator assists the parties as co-parents to develop a parenting plan that most fits the needs, interests and goals of the couple and each of their children. The term "custody" takes a backseat to the more important and real questions which need to be answered. What are the times the children will be with me? What are my responsibilities to support the children, to educate them, and to give them spiritual guidance? What is my role in

making medical and psychological decisions for the children? What of my parental rights, powers and duties are best shared with my spouse, the other parent, of the children we had and raised together? What will our child's future weddings, birthdays, extracurricular activities, holiday gatherings, and anniversaries look like? Can I do my divorce in a way that I and my former spouse can be in the same room or be at the same activities with our children? Can I love our children more than I need to be right or correct or have my way? What legacy can I leave for our children to serve as a model for them if they should ever get a divorce?

Across from the playground on Curling Street is a church. We professionals are aware that underneath the fabric of the divorce process is a spiritual undercurrent. The spiritual journey is one that is often the byproduct of a great challenge, disaster, an illness like polio and paralysis, or divorce.

As I drive down Curling Street I avoid the pot holes and the soft shoulders of the road. We help our clients steer around the traps and topics which will take them off the collaborative road. The collaborative broomers brush the surface of the resolution process to steer or guide couples in safer, more protective directions. The weight and inertia of the stone or the couples' problems are overcome by taking an easier path the boomers have created for the parties to follow.

I turn off Curling Street onto Bingle Road and head south toward Starbucks. I yield to my own addiction at Starbucks. Tazo iced green tea. I drink that Tazo green tea as I hold the pen in my hand to begin writing this article. All around Spring Branch and Spring Valley Village construction is booming. The economic bust of 2008 is fading. Our neighborhood is in transition like the broken families we serve. From old to new. Moving from smaller to larger and more beautiful homes. More functional floor plans. I am certain divorcing couples are in transition too like in my Spring Valley Village neighborhood or the one you live in. From one home to two separate loving homes.

In the years following paralysis in 1954, I, as a polio survivor, collaborative lawyer, husband, father, and grandfather, have had to weed my garden,

too. I have left my childhood neighborhood called Emmottville in old Fairbanks, Texas, which I treasured, then and now. The home I built in 1976 with my wife, Dorothy, which was to be our dream home, a place to raise kids and live there forever, has been bulldozed by FEMA in the aftermath of three floods in five years. In our transition plan, Dorothy and I have found ourselves living on Cedardale Drive in Spring Valley Village just a stone's throw from Curling Street, and the Dad's Club on old Voss Road where Dale Evans kissed my left cheek as I sat motionless in my wheelchair. Old homes on Cedardale Drive are being torn down and new homes are being built in their places. The pot holes are being filled. The streets are being repaired. The weeds which keep growing keep being removed. The daily mess of trash and recyclables are picked up on the street by public works.

As I finish writing this piece at the office I reflect on the benefits of using the transition planning skills which I learned from my mother and father in recovering from polio and later in my collaborative practice. With those skills I, like you, help guide others caught up in the underbrush of divorce to find their way on the road to resolution in a safer, less conflicted, more private, user-friendly and child-protecting process.

As I age I have gained a new appreciation of roads like Bingle and a street named Curling that I passed as a young boy; a new perspective on old things. To those of us committed professionals who specialize in collaborative law, Curling Street is in many ways the road we are all on. Fortunately for me I have learned a deeper truth that life does not end with polio, paralysis or even divorce. It begins. On Curling Street. Curling Street. Yes. Curling Street.

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