

## Fox Rothschild Podcast

### Featuring New Jersey Family Law Attorneys Robert Epstein and Eliana Baer in Princeton

*We are talking today about “The Seven Deadly Sins of Divorce,” one of which is “Pride, the Narcissistic Divorce,” with Robert Epstein and Eliana Baer on Fox Rothschild Podcast. Robert and Eliana are attorneys with the firm’s New Jersey Family Law Group. They are frequent contributors to the firm’s New Jersey Family Legal Blog and helped to develop the firm’s New Jersey Divorce app for mobile devices. Robert, Eliana, good morning.*

**Robert Epstein and Eliana Baer:** Good morning. Thank you.

**Question:** *Eliana, you recently wrote a fascinating seven-part series for Fox Rothschild’s New Jersey Family Legal Blog titled “The Seven Deadly Sins of Divorce.” Our topic today is the seventh and final post, “Pride, the Narcissistic Divorce.” This is fascinating. Tell us more.*

**Eliana Baer:** It may sound funny, but sometimes I feel like a doctor. A patient comes in, of course that’s the client, describes symptoms to me, and I prescribe a course of treatment. Sometimes ailments are more complicated than others. An amicable divorce, for example, could be analogized to a common cold. A moderately contested divorce with relatively few issues to the flu. But then there are those that come in describing something more complicated.

**Question:** *Such as...*

**Eliana Baer:** Well, they’ll usually start with: “My spouse is too proud to ever even compromise.” “He/she is envious of everybody else’s success.” “My spouse is a master manipulator.” “My spouse always needs to be right.” “He has no conscience.” “She has a grandiose sense of self.” “My spouse hangs on to resentment.” “Nothing is ever their fault.”

**Robert Epstein:** In that case, we know we are dealing with a disease far more sinister than a cold, the flu or a run-of-the-mill virus. I might be dealing instead with a terminal illness, a malignancy or even a cancer. These are the narcissists. As we’ve always said, just anecdotally, divorcing a narcissist is extremely difficult. But research also suggests there is ample support to this belief. Narcissistic behavior is one of the character traps. In other words, a narcissist is completely self-serving and selfish.

**Question:** *Robert, what can one expect when divorcing a narcissist?*

**Robert Epstein:** A narcissist can completely dismiss your needs or the life you had built together over the years. Normal people remember the good from the past. Sometimes that can

give you a sense of balance and fairness during a divorce (even through the bad times). You may be getting the divorce, but that doesn't mean that you don't have a life story together. For the narcissist, it's all gone. It's like it never happened. The narcissist can undermine you with your friends, with your children, steal your money, etc., while seeming sincere among the community.

**Eliana Baer:** We know it's a problem. I know I've seen it firsthand. I've heard clients bemoan the narcissistic divorce time and time again.

*Question:* So, Eliana, are divorces involving such narcissists common?

**Eliana Baer:** Some sources actually estimate that between two and 16 percent of the population in clinical settings are diagnosed with Narcissistic Personality Disorder or NPD for short.

**Robert Epstein:** Not surprisingly, narcissistic behavior is also correlative with abusive behaviors. While the abuse is not necessarily physical, it can be emotional, financial and even verbal. These behaviors can even manifest themselves when dealing with custody, for example. As a result, there are some special considerations that should be taken into account when divorcing a narcissist.

*Question:* So, Robert, can you please elaborate?

**Robert Epstein:** It becomes extremely difficult in custody negotiations. But there can be some solutions. It should be obvious, but in custody cases the children's rights and protecting the children should be the central focus of the judges in the family court system. Determinations should not be based on the rights of a mother or father but instead exclusively on the children's best interests. This may involve the use of highly experienced investigators.

**Eliana Baer:** In custody cases involving a high level of conflict, even though the popular presumption is equal, 50/50 custody, some say it's fair to all, it's in fact a tragedy for the children, for their safety, stability and self-interest, which are often sometimes ignored. The 50/50 arrangement requires two healthy parents, and it can't work when one parent or both parents are obsessed with winning at all costs and eagerly lie in wait for the other spouse to sort of "mess up." And they'll lie, manipulate, alienate and abuse the child.

*Question:* Eliana, what suggestions would you offer to family courts and judges to identify narcissistic intentions?

**Eliana Baer:** We believe that courts should investigate deeper when words don't match up to actions. This would uncover manipulative tendencies. When un-investigated, it could begin to pervade the case. Courts should really give as little "wobble-room" as possible, which would, in turn, discourage manipulation. We're also advocates for harsher penalties for perjury. When individuals are caught lying, the offense should be taken more seriously. Presently, the offense is

rarely prosecuted, but mainly because there's a lot of "*he said, she said*" in family court, and truths are often greyed.

**Robert Epstein:** We also think there should be more education about personality disorders, which are becoming more and more prevalent. I believe it would be a disservice to both parties in a couple plagued by NPD, and indeed, to society as a whole, not to educate the custody evaluators, guardian *ad litem*s, commissioners, judges, social workers and attorneys within the Family Court system. And focus on the child's best interests versus only the parental rights.

*Question:* Robert, what other observations would you advise clients to take to heart?

**Robert Epstein:** When the immediate family breaks down, the first step is to create a network within the Family Court system that is educated on personality disorders, which are becoming increasingly prevalent in today's society.

**Eliana Baer:** We've personally observed that the best way to thwart your spouse's efforts to use children as pawns in a divorce is to keep your responses confined to email. Make your written messages concise and to the point. And most certainly do not engage the narcissist. Narcissists thrive on being vindictive and hurtful. Don't open this door.

*Question:* Eliana, from a financial standpoint, what special considerations can a spouse take in order to protect himself or herself while divorcing a narcissist?

**Eliana Baer:** It's really important to collect all your financial paperwork. This includes your spouse's paperwork also. It is essential to have this information at your fingertips, because once your case heats up, getting any documents from your spouse will likely be like pulling teeth. Put the documents somewhere safe until you can hand them off to your lawyer. Also, create a stockpile of money. Sadly, when divorcing a narcissist, you will need to prepare for a longer divorce process than is typical. This is because a narcissist may attempt to hoard money, deliberately disobey orders to pay you, or just fight for the sake of fighting. Money and good credit may be lifesavers.

**Robert Epstein:** Most importantly, retain a strong legal team. This includes someone who can navigate the court system and help you through the minefield of potential issues that may arise through the course of your divorce. Of course you should seek professional assistance, such as crisis intervention, if you believe that your spouse poses any risk to you or the kids. Divorcing a narcissist may be the most difficult thing you will ever have to do. But it also may be the most rewarding for you and your family in the long term. Understanding the issues is the first step.



*Narrator: Well, thank you, Robert and Eliana. Listeners, to confidentially discuss concerns you may have about proceeding in a divorce action against a narcissistic spouse, please contact Robert Epstein in Roseland, New Jersey at 973.994.7526 or Eliana Baer in Princeton at 609.895.3344.*

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