

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

The following is a conversation with James Sexton, divorce attorney and author of How to Stay in Love, a divorce lawyer's guide to staying together. As a trial lawyer, James, for over two decades, has negotiated and litigated a huge number of high-conflict divorces. This has given him a deep understanding of how relationships fail and how they can succeed. And bigger than that, the role of love and pain and this whole messy rollercoaster ride we call life. And now, a quick few second mention of each sponsor. Check them out in the description. It's the best way to support this podcast. We got eight sleep naps, inside tracker for biological data, house of macadamias for delicious and healthy snacks, masterclass for learning and AG1 that I'm drinking right now for gut health. She's wise than my friends. Also, if you want to work with our amazing team where I was hiring, go to lexfreedom.com slash hiring. And now, onto the full ad reads. As always, no ads in the middle. I try to make these interesting. I really do try, but if you must skip them, I will forgive you, but please still check out the sponsors. I enjoy their stuff. Maybe you will too. This episode is brought to you by Eight Sleep and their pod three mattress. I cool my body under one blanket with Eight Sleep, pod three, and my smartphone. You can control each side of the bed separately to I think down to 55 degrees and as hot as one time. I've never done that. I think it would be insane to do that, but some of the greatest experiences in my life include some insanity. So maybe you should try. Try and report back to me how that goes for you. I like the bed cold when I sleep. And a warm blanket just creates

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

a whole beautiful feeling of comfort.
I think James in this conversation calls it a cocoon,
like a relationship is when you're just in this
private place together and you share
this wonderful intimacy.
So that's how I feel about this Eight Sleep cover.
And there's a lot of other nice things I could say,
but it's just a happy place.
A good nap can solve so many things in life.
So if you believe in a good nap, in the best nap,
check it out and get special savings
when you go to [eightsleep.com slash lex](https://eightsleep.com/slash/lex).
This show is also brought to you by Inside Tracker,
a service I use to track biological data,
data that comes from my body.
My body, as John Mayer says, is Wonderland.
And it sends a bunch of signals.
A rich, complex set of signals.
And it's nice to be able to track them, to collect them
through whatever ways we currently have
and to make lifestyle and diet decisions based on that.
That's the future, it's obvious.
I can't wait till the day when we can
get the full richness of signals
that the human body provides.
I mean, just the incredible variety of organisms,
the multi-hierarchical system that is the biological
organism that each human, each of us are,
to get the signal, to get like the detailed
chemical, mechanical, electrical signals
from this multi-hierarchical organism
and use those signals to get an understanding
of what's going on inside.
The full temporal picture, just from second to second,
how all of that changes.
I think, I mean, that's so, so exciting to me.
And so obviously first steps towards that
is to collect blood tests that give you
all kinds of information, but if there's a way
to get like richer and richer signal,
both in terms of the set of signals
and the temporal resolution of those signals.
Anyway, get special savings for a limited time

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

when you go to insidetracker.com slash Lex.
This show is also brought to you by the delicious,
the amazing, the high quality, the healthy,
what else can I say?
How some academia's.
I have all of their snacks.
Two things I wanna tell you.
One, I know I'm an adult because I now have purchased
and own a couch.
This is a big accomplishment for me.
Number two is I know I have made it in life
as far as material possessions go.
Is I have a small closet in my kitchen.
I don't know why I said small,
like I'm trying to be humble.
It doesn't matter the size.
It's a damn closet in my kitchen.
And I guess you can call it a food pantry.
And I know what you're saying.
I have a food pantry too.
This is not a thing I thought you could possibly have.
And I have it.
I have made it.
So anyway, my food pantry is mostly filled with nuts.
Macadamia nuts and macadamia nut based snacks
because I love it so much
and I love sharing that joy with others
when they come over and they're perfectly portion snacks.
You too can take part in the joy
when you go to houseofmacadamias.com slash lex
to get a free box of their best seller
Namibian sea salted macadamia nuts
plus 20% off your entire order.
That's houseofmacadamias.com slash lex.
This show is also brought to you by Masterclass.
\$10 a month gets you an all access pass
to watch courses from the best people in the world
at a particular thing, whatever that thing is,
whatever a cool thing you can imagine.
Masterclass probably has a course
from a person that does that thing
better than anyone else in the world.
We're talking Garrick Esparov.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

We're talking Daniel Negrano, Neil Gaiman, Martin Scorsese, Tony, it just goes on and on. We'll write.

I should talk to we'll write at some point. Like video games bring so much happiness to me. And to understand the creative art that is the design, the implementation, the deployment, the whole shebang of it of creating great video games.

I can't wait.

I can't wait to talk to Todd Howard again many, many more times.

My dream is to somehow be part of the next Elder Scrolls in some way.

I hope one day you shall find me in a cave somewhere in an Elder Scrolls game.

If you want to learn about the process of creating such a game, you should listen to a game designer.

One of the greatest ever, we'll write.

If you want to learn about directing, Martin Scorsese, there's the masterclass for that.

One of my favorite.

Daniel Negrano on poker, by the way, this is one of the greatest masterclasses you'll ever see. There's a whole lot of them.

And you can get unlimited access to every masterclass and get 50% off an annual membership at [masterclass.com slash lexpod](https://www.masterclass.com/slaxlexpod).

That's [masterclass.com slash lexpod](https://www.masterclass.com/slaxlexpod).

This show is also brought to you by AG1.

This delicious drink that I drink twice a day.

Some people drink once a day.

It's an all-in-one daily drink

to support better health and peak performance.

It's green.

It's delicious.

It has 75 vitamins and minerals.

You know, a long time ago when I was growing up,

I would watch Popeye cartoon

and he would drink spinach or eat spinach,

whatever it was,

and he would get really strong and beat everybody up.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

That's what AG1 is.
It kind of looks like whatever the substance
that Popeye was consuming.
I kind of like to think he was drinking AG1.
And I kind of like to think of myself as a Popeye.
Anyway, it gives me a nutritional foundation
to whatever crazy thing I do in terms of eating,
in terms of exercise,
in terms of physical and mental stress
and all the things I do in life.
AG1 is just the place where I go to be grounded.
It reminds me of home.
It reminds me of a ritual.
It centers me.
And I just sit there drinking a gold AG1,
meditating, relaxing,
just having no thoughts in my mind.
Just watching my breath.
Anyway, they'll give you a one-month supply of fish oil
when you sign up at drinkag1.com slash Lex.
This is the Lex Friedman podcast.
To support it, please check out our sponsors
in the description.
And now, dear friends, here's James Sexton.
What is the most common reason that marriages fail?
That's a great question,
but it's a question that everybody wants there
to be a simple answer.
Like, they want me to say cheating, or money,
or, you know, the internet.
But I don't know, I don't know.
I don't know.
I don't know.
I don't know.
I don't know.
I don't know.
I don't know.
I don't know.
I don't know.
The internet.
But the reality is I think it's a lot of little things.
It's disconnection.
That would be my answer.
The reason marriages fail is disconnection.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

What causes disconnection?

That's the bigger and I think more important question, because like Tom Wolf said about bankruptcy, it happens very slowly and then all at once. Disconnection happens very slowly and then all at once. So most of the time what I think people want is an answer like cheating.

But cheating is the big all at once thing. How did we get to the place where cheating was even something you were thinking about doing or that you would think about and then cross the line from thought into action?

And that's I think the big question.

So disconnection would be my answer. Do you think it's possible to introspect, like looking backwards for every individual case where the disconnection began and how it evolved?

Sure.

Yeah.

This is such a multivariate equation.

It's a dance.

It's a chemistry.

What did you do and what did the other person do?

And see the interesting thing about being a divorce lawyer is I'm weaponizing intimacy in a courtroom.

So I'm telling, it's full contact storytelling what I do for a living.

So what I do is I take my client's story and I have to present it to a judge and make my client the hero in every way and the other side, the villain in every way.

Now I have to be careful not to do that in a manner that loses credibility because even a judge would know.

Even a judge is smart enough to know that no one's all good or all bad.

But only if you were reverse engineering a relationship and saying, how did this break?

You really have to look at both people, the good and the bad, you know, what each of them did that moved the dial in these different directions.

And I think that that's very hard for anyone going through a divorce to do about their own relationship.

You know, we don't know who discovered water,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

but it wasn't a fish.

Like if you're in it, I don't think you see it clearly.

I think as a divorce lawyer,
whose job is to really drill down on the facts
and figure out what's going on in this story,
I have to look at both sides.

So I have to think a lot about my own arguments,
think about what's the other lawyer's argument going to be,
especially in custody cases.

So I really have been forced to look at both sides
for so many years, so deeply in relationships
that once you do that, it's very...

You realize that the good guy, bad guy thing just doesn't apply.

I wonder if it's the little things or a few big things
that cause this connection.

Whether it's...

I mean, you've talked about granola and blowjobs.

But those seem to be stories that you can tell to yourself,
like maybe that story should be explained.

Or maybe not.

You don't think granola and blowjobs is self-explanatory?

Almost.

I think people can construct a good...

Like if you ask GPT, what do they mean?

I think the story that would come up is a pretty good one.

But that's a story you tell about when you first knew
the disconnection has begun.

Is when he stopped buying my favorite granola
or when she stopped giving blowjobs.

I would say when it's reached like a critical mass.

Yeah, phase shift.

Because I think it started before that.

When she said, yeah, I used to give him blowjobs.

And you know, when we were in our early relationship
and then one day, like I just was like,

oh, well, you know, we don't have much time.

Like we'll wait until later and we'll have sex
and then we both enjoy it.

Blowjobs are inefficient.

Yeah, exactly correct.

You batch it all together.

Yeah.

So she said, well, exactly.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And they had kids at that point.

So I think she really was like, hey,
we've gotten certain window.

Yeah.

So let's have something we both enjoy.

So I don't think she had any negative intentions there.

I think that she was working in good faith
towards the betterment of the relationship.

But it was having this second order effect.

And so I really do think that, yeah, the blowjobs granola.

And there anyone who's been in a long-term relationship,

I guess it's just worth asking the question,

what does this person do that makes me feel loved?

Because I think it's very interesting in my own experience
in life.

I remember I had a difficult chapter with one of my sons,
my younger son when he was in his early 20s.

And we were having a heartfelt conversation.

I said to him, do you know I love you?

And he said, well, yeah, of course I do.

I said, but do you feel my love?

Do you feel it?

Not just do you know it intellectually, do you feel it?

And I remember thinking to myself, when do we feel someone's love?

What is it that they do?

And sometimes it's the weirdest, silliest things
that they would never know.

They are the person who's showing us that they love us
and that we're feeling their love.

They would never show us.

If you said why does this person love you,
they wouldn't say, oh, because I always make sure
that when the paper comes, I bring it from the bottom
of the driveway to the door so they don't have to go out
and get it.

Or I always hold the door for them.

Or I, you know, oh, I always, like again,

I buy the granola that I know this person likes.

I remembered that they don't like it when I put
on this particular record so I don't put it on.

Like, and those are these, yes, they're small things,
but they're not small.

They're kind of everything.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Do you think it's good to communicate that stuff?

What?

A hundred percent.

It takes away some of the power of it, right?

When you point it out, then the person realizes,

oh, okay, he likes this or dislikes this.

So yes, there becomes a deliberateness to it.

You know, a conscious.

So I understand not pointing that out when it's a good thing.

I think when it's a negative thing, like,

I think in the granola situation, if she had said to him,

hey, you used to do this and you've stopped.

That feels like something to me.

Like she said, she didn't say anything about that.

Just like he probably didn't say anything about the blowjobs.

Like, I think if there had been a moment of this is starting,

let's talk about it while it's starting,

but people wait from what I can see.

People wait until the big thing happens,

the financial impropriety, the substance use disorder, the cheating.

They wait for that to happen.

And then they go, where did we go wrong?

And the answer is quite a while ago with the granola.

Yeah.

Yeah.

Yeah.

So when you notice something like,

you notice that little something talk about it

because that little something is probably a kernel of a deeper truth.

Of course, there's also moods.

We're all like a rollercoaster of emotion.

So you can not bring a granola one day just because you're in this place

where just nothing is just cynicism everywhere, just anger and so on.

But it's a temporary feeling.

But maybe that temporary feeling is grounded in some other deeper current

that's actually building up.

Yeah.

And I think a good partner wants to understand the currents of their partner.

They want to understand like, hey, are you going through something?

And look, if I'm the one you need to take it out on, it's okay.

I'm a big boy.

I can take it.

If you're hormonal, if you're frustrated at work, if you're whatever,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

we should be able to have a little bit of that interaction and a relationship.
But I do think it's so easy to just say to people, oh, communication is the key.
But it really is about fearless kinds of communication.
It's about really honestly saying to somebody, this feels like something to me.
Am I wrong?
Like this just feels like something to me.
And also how that's presented.
I mean, one of the things I'm very caught up on or feel very strongly about is that we have been encouraged culturally to criticize people we're in long-term relationships with.
Not new relationships.
New relationships.
You put the person on a pedestal.
You're allowed to just, oh, they're wonderful.
But every trope out there and every form of popular media is like the wife rolling her eyes at the husband and the husband being like, oh, there's loathsome harpy that castrated me.
As if people are just passive players in their lives.
And I think that is an incredibly toxic message to send to people.
That this is how we should be relating to our partner.
Like we should not, you don't take the piss out of your partner in front of people.
Like the successful relationships I've seen are where people are just cheering for their partner, where they are thickest thieves, where there is just this feeling of like, man, they like each other.
Like they are, they got each other's back like you wouldn't believe.
Like, man, you could take sides against anybody, but take sides against their partner, you're going down.
Like, and that when you see a couple that has that, you just, you know, it's, that's so hard to break.
But, but I think that comes from having like a steadfast, yeah, no, I don't do that.
Like I don't shit talk my partner.
Like, and you don't shit talk my partner to me, you know, like, and that to me is when, because I think we're just so criticized by the world, the world is so full of criticism.
We criticize ourselves so harshly that having a partner who no matter what is like, you've got this.
I'm with you.
Like you fuck.
Okay. Yeah.
You screwed up.
I see it.
Look, I'm not going to lie to you about your blind spots.
You screwed up.
But you know what?
People screw up sometimes.
You've got to write to screw up.
A lot of people screw up.
Come on.
Get up.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Let's go.

I know you have it in you.

If you have that person like that, I feel like that's a, that's a superpower to have that effect on another person.

Yeah.

One of the things I love seeing when you look at a couple and one is talking like in an interview.

Yeah.

And then a question, especially like intellectual questions, like what do you think about the war in Ukraine or something?

And then the partner is talking and the other, the other person is looking at them as if they're hearing the wisest thing ever.

Yeah.

Like they're still looking at them, not waiting for their turn to speak, not thinking about how's the audience going to take that.

But they're looking at them like, God damn, I'm so lucky to be with this smart motherfucker.

Isn't that?

But there's a scene.

And they could be seeing the dumb shit.

There's a scene in the movie True Romance.

Yeah.

I love the great movie.

Yeah.

Gary Oldman scene is like the greatest scene ever done in film, you know, with Christian Slater and he, but there's a scene in it where she holds up a sign to Christian Slater and it says you're so cool.

So cool.

And I, I like, man, like that's it.

Yeah.

That's it.

Like I, I've always, I think I say it somewhere in the book that, you know, you go to weddings and like when the bride walks in, you know.

Everybody's looking at the bride.

It's her show.

You know, everybody turns around.

It's the first glimpse.

Everybody gets to the bride.

And I never look at the bride.

I always look at the groom looking at the bride because there's this, like to me, that's every, like he has this look like this.

Because this is the first time he's seeing her in the dress most of the time.

And also he's seeing her like, holy shit, she's coming down the aisle.

We're getting married.

Like, but this is it.

And everyone's looking at her.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And, and I always look at him because I always think to myself, like, like, like the look on his face is like, that's like this feeling of like, holy, yeah.

Wow.

Okay.

Like that's everyone's looking at her and she's mine and she's coming up here and we're getting married.

And I feel like, yeah, like that, that kind of adoration, like I think that's the look we're describing is like adoration, like that the words coming out of their mouth that they're like, yeah, that's mine.

That one's mine.

You know, that's such a great thing.

Like it's such a great feeling.

Seeing the good stuff, like with, with true romance.

I mean, you could make fun of the guys totally cringe wearing Elvis, like essentially being a fake Elvis with shades and like, what, what is he doing?

Like watching these kung fu movies.

But from her perspective and from any perspective you could take on him is this is the, the baddest motherfucker who's ever lived.

Like he's willing to do those things for me.

But not like, it's almost like an epic heroic figure.

Yeah.

And we're living in this epic hero story.

And what does that do to him though?

Yeah.

That's what, see that, that's the point.

Like if there's a point to this, to this whole thing, this whole couple thing.

Yeah.

Isn't that it?

Yeah.

Like I don't, I don't understand this idea of, you know, we had a successful marriage.

We were married for 50 something years.

We were miserable for 47 of them, but we hung in there.

Like it, this is an endurance event.

Like the primary relationship of your life, you've decided you're going to turn into the, the, like a 50 mile trail race.

Like why, why would you do that?

Like congratulations.

You, you took the concept of monogamy and made it something that two people are absolutely not going to enjoy, but you hung in there.

Like congratulations.

And I understand there's religious perspectives that say, well, it's a sacred covenant, but I have a real chicken or the egg problem with that.

Yeah.

Because I think it was like, well, how do we sell this incredibly stupid concept that isn't working to

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

people?

I know we'll tell them God says you have to.

And we'll sign on for that.

I don't buy it.

I don't buy it anymore.

I really, because when you see a successful marriage or you see two, but even without a marriage, you see a pair bond.

You see a couple that really love each other and cheer for each other in that way.

And like hang on each other's words that way and like, or just in each other's corner that way.

You see the fake shit instantly.

Yeah.

Like you, you see the difference right away.

It's like, if you, you know, the first time I've, this is the first time I've come to Austin.

I've, I've thought I'd eaten a lot of barbecue in my life.

I've never had Texas barbecue.

I landed.

I went and had barbecue.

Yeah.

I was like, okay, I've never had barbecue before apparently.

This is, this is a whole different thing.

I think it's the same thing.

I think it's like, once you see real love, like real love and, and I mean romantic love, like real love like that, real bond, real, you go, oh yeah, this other thing's not going to do it.

Do you think that's a daily deliberate choice that, that a couple like that makes?

Because it feels like a very easy to do deliberate step.

Like choose to see the brilliant in it, the beautiful in it.

And almost immediately everything shifts and it becomes this momentum where all you see is the beautiful and all you see is the brilliant.

That is a conscious choice.

I think approaching life that way is a conscious choice.

Approaching any relationship that way is a conscious choice.

I mean, looking at someone who hurts you or does something hurtful to you and thinking about what's going on in their life that they're doing that or what's happening with them.

Yeah, that's a very conscious choice.

And I think a better one, a better one than seething and animosity and letting that eat you alive.

But, but I, I don't know that it's, I don't think it should be so difficult.

Like with our children, with our pets, we don't have this problem.

Like you never have someone look at their dog who they've had for eight years and go, I gotta get a new dog.

Like I've had this one for eight years.

Like I gotta get, like puppies are so cute.

What am I doing with this old dog?

Like it's the total opposite.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

They're like, oh my God, this is like my dog.
This is my dog.
Like the smell of the dog is like, this is my dog's smell.
The bad habits of the dog.
You're like, that's my stupid dog.
That's stupid things.
And it's not like that has to be a conscious.
Like they wake up every day and go, I should be grateful for the dog.
Like that's just visceral.
It's in them.
You know, and so, and your children, like people's children, you know, it's why people are like not aware of how annoying their children are because they're not annoying to them.
Like I get it.
Like to you, the sound of your kids shrieking is like, oh, my kids having a good time.
And you don't get that.
And see, when I try to, when I hear that, I try to hear it with those ears.
Like, oh, that, like I'm a parent.
I get it.
My kids are adults now, but like, I get it.
Like, so when I hear a kid shrieking, I just am like, ah, like to that parent, that's the sound of that kid having a great time and good.
Like it's so nice that that's in the world.
But it, so for me, it has to be conscious.
For that parent, I don't think it has to be conscious.
So I think it would be great if it didn't have to be a conscious practice, but I wonder if like anything in meditation or mindfulness, it's a matter of exercising that way of seeing.
And then once you've come to that, it does itself, right?
It really does.
Like you're, I think it's, it initially has to be a conscious practice.
And, and by the way, it's easier to make it a conscious practice before it started to fade, right?
Like the, I mean, that's what's so amazing about marriage is there's like almost eight billion people in the world and you're picking this one.
So when you marry in theory, like the stock said it's highest, like you're as crazy about each other as you could possibly be.
So that's the time to get into this mindfulness, to get into this practice.
Not once it's like the wheels are starting to come off.
It's much harder.
It's like gaining a bunch of weight and saying, okay, how am I going to lose the weight now?
Well, I think that even before marriage, like right away, just see everything is beautiful.
Let me quote Bojack Horseman on this.
When you look at someone through rose-colored glasses, all the red flags just look like flags.
That's great.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

There's a, there's a certain sense where if you from the very beginning, of course you could end up in toxic relationships that way, but you know, life is short.
You're going to die eventually.
Might as well really go all in on relationships.
There's a line in the drugstore cowboy.
It's a great film where he says, we played a game you couldn't win to the utmost.
And I think everything, I think life is a game you can't win.
And so you play it to the utmost.
Like to love anything is insane because you are accepting that you're going to lose it.
Like I'm a dog person and I, and you, you get a dog and you're,
you've just resigned yourself to unbelievable pain because this thing's going to die in like 10 years, maybe 15 if you're lucky.
And why would you open your heart to that?
Why would you let, because the joy is just so wonderful of it, of the, of the ride up until it.
Same thing with us.
I mean, every marriage, every relationship, every love is going to end.
It's going to end in death or divorce.
So why not like just go in, like go in, like go in and just get, get weird, you know, like don't define it the way that's, I mean, look at, you know, again, we keep going back to romance, but just get weird.
Like, yeah, I love this Elvis pretending to be weirdo.
I love this like, you know, like former sex worker who's like, you know, like whatever, like just go in, like love this person, have them love you.
Don't worry about what everybody else is doing in their relationship.
Like we're in such, I mean, it's not to me surprising that, that as the performative aspects of life on social media increases, people's satisfaction with their relationships and the divorce rate, you know, is, is following the same trend because I think everyone's going, well, what's everybody else doing?
You know, well, how much sex is everyone else having?
The only two people that should worry about how much sex you're having with the two people.
If the two people are happy in the relationship, great.
Then what does it matter?
What does it matter what everybody else is doing?
Yeah, there should be an element to great relationships and great friendships of like, fuck the world.
It's us versus the world.
It's us.
It's us.
And that's what I mean when I say that, that thick is thieves.
Like when they're, when they're like a unit like that, because it's, look, it's just us.
It's just what we want.
It's what we like.
And that's why I said, like, you know, even when it comes to sex or things like that,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

like if you can't be candid with your partner about whatever weird shit you're into or what fantasy you had and any particular, well, who the hell can you be candid with?

I mean, because you're going to either go without or go elsewhere.

And neither of those is a particularly healthy option or helpful option.

It's, it's the start of that decline.

So why, why open yourself to that decline, which invariably is just the path to the chair in front of me in my office.

Yeah.

You have a full section in your book on, on foot fetishes.

I do.

I do.

Yeah.

Which is funny because I don't know anything about foot fetishes.

Me neither.

Yeah.

Like I can't, I'm not king shaming anybody, but like there's nothing sexual about feet to me at all.

Like I just don't get it.

I don't.

But I mean, listen to people like things.

It's good, you know, but yeah, I, I, I have had clients that have odd fetishes or sexual proclivities or things they want to do and they don't share it with their partner at all.

And then they find an outlet for it because they try to go without it and that doesn't work.

So they try to find some other outlet for it and then that's interpreted as a betrayal and it creates distance and people split up.

And of course, everybody likes to have like a, you know, a bad guy to blame it on.

So when you say, well, why'd you guys get divorced?

Oh, cause he secretly had a foot fetish and he was on these message boards like meeting people about, well, it gives you an easy answer as to why the two of you split up.

But I don't think, you know, most divorces have such simple answers as it was a foot thing.

But I also think too, like, listen, if you got a partner and we all do stuff that we're not super into because we're in a relationship and that's what part of it is.

Like, do you really want to go see that chick flick?

Do you really want to eat at this restaurant?

Do you really want to go to her cousin's wedding?

No, but, you know, part of being a relationship is, okay, if you're into this, I'm going to pretend this song is a good song, you know, even though it's not my favorite song.

And I think, I just don't know, we've turned sex.

I mean, sex has been so politicized in recent years.

Maybe it always was.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

But I think we've made it into something where we can't just, I don't know, I'm not in defeat.

But if the woman I love was like, you know, I'm really in defeat.

Like I really want to do stuff with your feet.

I feel like, all right, I can pretend that I'm into that.

Like for, it's not going to kill me.

Yeah.

I'm not going to be able to make it a centerpiece of our coupling, but, you know, like, yeah,

I can pretend I'm in defeat if you want.

I don't personally have any fetishes that are outside of the normal discourse.

As a divorce lawyer, I get to experience the whole spectrum.

But if I, like, if I was into, like, furies, for example, I don't know how I would initiate the conversation with my partner about that.

But frame the question the other direction.

If you were into furies, how do you prevent your partner from knowing anything about that?

That feels like a real, you'd have to make a conscious choice to not let your partner know.

Sure.

Sure.

So I don't think either of those is a particularly palatable or easy proposition.

But a lot of people live life hiding some part of themselves.

Yeah.

Quite unsuccessfully.

Like, the second order effects of that are very rarely positive.

Sure.

I don't think I've ever met someone who went, yeah, I really hid this huge part of myself for an extended period of time.

And worked out great.

And that's the best thing that happened.

I'm really glad.

I'm really glad I stayed in the closet as long as I did.

You know, it really worked out.

Like, it rarely does.

It's a question of how long can you hold it off?

Yeah.

You know, gay men who stayed in the closet for 40 years, 50 years of their lives.

And then they had a successful second chapter as a gay man.

I've had clients like that.

Do they regret that they were in the closet?

No, because they were married.

They had kids.

Like, they had experiences they're glad they had.

But would their advice to a young person in their 20s and 30s who's gay be stay in the closet because then you can have a wife and some kids and then you can come out when you're 60 and have a second chapter.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

No.

They would say, you know, be who you are.

Don't be afraid.

You know,

As you were talking, I'm trying to think of because I, I'm publicly and privately in the exact same part or try to be the exact same person.

So I usually try to make sure there's nothing to hide.

But I was trying to come up with a common example for you for if there's good things.

Well, I mean, there could be like past relationships.

Like, if I, you know, slept with thousands of women or something like this.

Maybe you want to put that to the side.

Well, you don't want to be in, there's a difference between being honest about something and being indelicate about it.

Right.

You know, like I, I think we all do this with lovers.

Like any of us who've been in more than one relationship, you would not, you know, at the end of sex be like, that was the third best sex I've ever had.

You know, like you, that's, it's just indelicate.

It's rude, you know.

So, so I don't think it's a matter of like total candor at all times.

But I think if you were, we're using the furry example and I'm not picking on furries.

I just think if that is a proclivity that is anything other than a passing thought, like it's something that you just keep coming back to, then you're making a conscious decision to withhold it from your partner.

And what is that out of?

I mean, I would say it's probably out of fear.

I'm not a psychologist, but probably out of fear, fear that they would reject you.

Okay.

Well, now, see, I genuinely believe that, that this, you know, I'm, I'm, I'm very conflicted in my religious faith, but I, I don't know that I believe in the devil.

But if there was a devil, I think his principal function would be to convince us that we are so bestial that God couldn't love us.

It would be to convince us that we're awful and that we should just lean into the awfulness.

And I know the greatest low points of my life came whenever I just went, you know what, I'm just, I'm just awful.

I might as well just behave awfully.

And I really believe that when you don't, when you push down parts of yourself, like your sexuality, like your insecurities, your true feelings from your romantic partner, the person who's supposed to be your, you know, your number one, you are making sure you will never feel their love because they don't love you.

They love the you you've presented to them, which you know in your heart is not the authentic, honest, real you.

And so if you know, you're super into furries and you don't tell your partner about that

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

and your partner says, I love you so much.

And you know what I love?

One of the things I love about us is we have such great sexual chemistry.

You will never feel that love because you know, yeah, that's not true though.

She doesn't know.

She doesn't know that actually I'm not really satisfied and there is this thing that I want that I know I can't even tell her because I'm so ashamed.

Like that doesn't feel like a good option to me.

Yeah.

Yeah.

So that kind of vulnerability is essential to intimacy.

You know, I'm prone to jujitsu metaphors and this is one of the first conversations where I can actually use them because the person I'm talking to is a jujitsu person.

And people should know that you are a quote unquote jujitsu person.

You have been afflicted with the jujitsu.

I am a brown belt under Marcella Garcia and I am like a seven year brown belt now.

Which is the right way to be a brown belt.

Well, and also I am, you know, late middle aged, middle weight and moderately talented.

So I'm, and training at that academy with so many incredibly talented people and training in New York City where there's so many unbelievably talented people.

You're constantly humble and feeling like you should just be wearing a blue belt all the time.

But a lot of, I think as you know, and as most people who practice jujitsu know, you start to sort of see jujitsu and everything.

I genuinely believe that in love, you have to give something to get something.

You have to, everything you do creates a vulnerability.

You know, every move you make in jujitsu creates opportunity and creates vulnerability.

And so you have to be willing to create vulnerabilities in order to get any leverage, in order to get any progress in any way to move the position.

You know, you don't want a marriage that's just two people both in 50-50.

You know, like you're just sitting in that guard doing nothing.

You know, you want to, you want it to actually move along.

Yeah, I mean, that's the way I see love and relationships is you should take that leap of vulnerability.

Give the other person the option to destroy you.

Well, you have to expose.

And that's the part that I think is hard for everyone, you know, is to expose yourself in that way.

But that's what I mean even when I said about getting a dog or having a child.

Like loving anything is tremendously courageous because it's terrifying.

And it's only brave if you're scared.

If you're not scared, you know, it's not brave.

It's just stupidity.

It's just, you know, it's bravery when you're afraid and you do the thing anyway.

And so love is like, yeah, it's scary.

Like I don't care who you are.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like, you know, being, you know, in the jujitsu community, like I'm around, you know, as you are like incredibly tough people, like physically tough people, mentally tough people. But, you know, I've seen some of those people taken down by a 120 pound woman, you know, not from a grappling perspective, but they are taken apart by a woman in their life.

And vice versa.

I've seen men, you know, like it really is shocking how much leverage we give to our romantic partners

and how little discussion we really, genuine discussion we really have about it.

How much we really are ever trained to think about it.

You know, there's nothing in school that teaches us about it.

So much of literature and art is an idealized version of it.

So little of it is real.

And no matter how it evolves, even when it ends in tragedy or drama,

I feel like what people don't do enough is appreciate the good times.

Like appreciate how beautiful it is to having taken the risk

and to having experienced that kind of love.

I mean, when you look at people that are divorcing each other, there's a Edgar Allan Poe quote, the years of love have been forgot in the hatred of a minute.

I always kind of am saddened, like deeply saddened how people seem to forget how many beautiful moments have been shared

when some reason, some drama, some breakup leads them to part ways.

Yeah, yeah.

It's interesting that you came to that not being a divorce lawyer

because I felt that way for a long time and I really try to say to my clients,

like in the courtroom at the negotiating table, I have a role to play

where I have to be sort of like a pit bull or, you know, some kind of like a courtroom sociopath.

But behind closed doors, like I'm very candid with people.

I'm trying to be much more emotionally attuned with them.

So you're an empath in the sheets and sociopath in the streets.

Exactly, correct.

That's well said.

I get a new tattoo idea.

That's good.

I like that.

But I do believe when I'm behind closed doors with people, I say to them,

how you end things is going to be how you're going to remember the whole thing.

And that's unfortunate because, you know, you watch like a two hour movie

and if the last 15 minutes of it sucked, you go, well, that movie sucked.

Like, well, the first hour in 45 was great, you know,

but you walk out with this bad taste in your mouth.

I'm genuinely in awe of how easily people forget that they loved each other.

And I'm amazed because by the time I meet them

and by the time they hire me to be a weapon against the person they were in love with,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

there's nothing but animosity there.

And so I have to try to imagine what these two people looked like when they were in love with each other and how that even existed.

But I have to tell you, like, I, you know, I don't function that way.

Like I, every woman I ever had a relationship with,

like when I think of them, I don't think of the ending necessarily.

I think of, I try to think about the greatest hits.

I try to think about the moments that were wonderful where I loved them and they loved me and like there was joy and there was connection.

And I don't know why you'd choose not to.

You know, there's that old axiom.

I don't know who said it that if you don't learn to find joy in the snow, you'll have less joy in your life and precisely the same amount of snow.

And I genuinely believe like, okay, the relationship ends.

This is where it ends.

We're done now.

I am making a choice as to how I will remember you.

And we do it in relationships.

Like I always tell people, you know, if you ever want to see a couple light up,

if they're ever like the couple at the table that's, you know,

it seems like they got in a fight or something, ask them how they met.

And most people, when they talk about how they met, like their face softens, they both in the other person looking at them telling the story

gets that look you were talking about before.

And because they remember that thing and how they felt at that moment.

And when this person was a choice, not a default, not their automatic plus one, but the person they asked to the wedding, not the, of course you're bringing her, it's your wife, you bring your fucking wife places.

Like it was still, hey, there's like, you know, three and a half billion women and I'm picking you, you know, like that feeling.

And I don't know why, when a relationship ends, you can't do that.

A lesson I learned when my mother passed away of a very, she had a two year terrible battle with cancer and was on hospice and was very, very sick. And it was a very slow and awful end.

And I remember one of my worst fears was that this is how I would remember my mother for the rest of my life, that I would never be able to think of her, that I didn't think of what she had become in the last months, where she was withered away to nothing in this bed, you know.

And I learned over time that memory is very kind, that like that faded somehow.

And that now like when I remember her, I remember her healthy and vibrant.

I remember her laughter.

I remember positive things.

Some of that is I like to look at photos of that or,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

but some of it is just how I think memory works.
And I don't know why we don't apply that to relationships.
And I think part of it is because we have this binary view of relationships, that it's either success, which means you live happily ever after for the rest of your lives and die together or like in short succession or it was wrong.
It was awful.
And I don't understand why that would have to be how we do it.
I think we could look at relationships like what they are, which is chapters in a book.
And that book is our life.
And those chapters all have significance.
And none of them would have the later chapters, none of them would happen without the prior ones.
So there's this beauty to me of that.
And it's, I don't know if that it's a choice or if that is how it is.
And the rest is just narrative that we've put on top of it culturally for some reason.
Well, I think to push back a little bit, I think memory can also, I think it is a deliberate choice because I think memory can basically, that's how trauma works.
It can surface the negative stuff.
And the negative stuff completely drowns out all the positives.
So I think it's a deliberate choice to make your memory probably work that way.
You know, in relationships, betrayal can do that, right?
Sort of cheating and fidelity.
Like one event can almost erase the entirety of your understanding of the past and all the memories are sort of shrouded in this darkness of, okay, what I believed was true is totally untrue.
And sort of to overcome that and still appreciate the beautiful moments.
I'm continually astounded by how long the hurt and anger of betrayal can reverberate.
I have clients who were four years, five years past when the divorce ended, the cheating was discovered.
And they're as angry as they were the day they found out.
And I don't know what that's about because I also have clients that they look back on it and they go, you know, we screwed up.
We didn't do the best, but we did the best we could do at the time.
And there should be stars for wars like ours.
There should be champagne for the survivors.
Yeah, that's beautiful.
We made it through.
You know, like we survived it and we were fools and we were fools for love and there are worse things in the world to be fools for.
But I also do think that most relationships where there was infidelity and it's not a popular thing to say and I'll get pilloried for it.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Great.

You know, I just don't know and I don't want to blame the victim of infidelity but was the relationship really where it needed to be?

Like, were you truly the most just dutiful spouse who was seeing this person's needs be met?

Again, we've established in the granola story that people can sometimes with good intentions not be meeting their partner's needs or perceiving their partner's needs or their partner isn't communicating them the right way or all of the above.

But I've rarely seen very happy content couples that cheat on each other.

And so I understand there's a shame in saying this person cheated on me or I cheated on this person.

Because I represent, you know, I represent the cheater and I represent the cheated.

I represent the victim of domestic violence.

I represent perpetrator of domestic violence.

I represent the person with the substance use disorder, the person married to the person.

So I don't get to choose the white or the black hat.

Like, I have my client and that's my client.

And it forces me to put myself into their story from their point of view.

And I think that kind of radical empathy that you need to engage in on a daily basis to represent people in those kinds of proceedings.

It just, I don't know, it just doesn't seem like there's good guys and bad guys.

It just seems like it's complicated and people's intentions and where they actually end up are different.

Yeah, I think there's some sense in still remembering the betrayal as it being a symptom of taking life a little too seriously.

Too seriously where you don't, life shouldn't be taken that seriously.

You should be able to laugh at it all.

I like the story you say, you know, be able to appreciate the battle that should give stars for those kind of wars that we fought

and just kind of be able to laugh at it all.

Especially with love.

Like, that's just so absurd.

Yeah.

Like, it's so.

It's just crazy.

It's so crazy.

I mean, like, I don't, you know, I think it's funny.

I think this is real candor, but, you know, as a man, like, there's nothing funnier than when you finish masturbating.

You know, there's no more humbling moment.

And I like to think about the fact that, like, the richest, famous, most powerful person in the world, they jerk off.

You know, the most powerful man in the world jerks off, I'm sure.

You know, all of them do.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

I mean, you probably know them, so you could ask.

But in that moment where you just, you come and you go, what am I doing?

Like, what the, now I got to wipe that, like, oh, good lord.

And there's this feeling of, but a second ago, this seemed like a great idea.

And it was, by the way, it was a great idea.

But there's this moment, this satori, you know, where you just go, oh, like, this is so silly.

Well, like, that's love.

That's sex.

Like, it's great.

Like, when you read other people's infidelity, the text messages, the emails, because I have to do that all the time.

And I'll tell you how we make the sausage.

In a divorce lawyer's office, some of the most entertaining moments is dramatic readings allowed of people's infidelity exchanges.

There are lovers.

The sex.

Yeah, the sex and the, like, you know, like, it's just so ridiculous because people have to go through, like, all kinds of gymnastics to be able to meet and have sex in weird places.

And, you know, and you're reading this and you're reading these texts and you kind of go like, oh my God, these people.

And by the way, like, I represented some very powerful people and you read their texts with their lover or even their spouse, like, even their spouse, you know.

And they're just pathetic.

I mean, they're just, like, so not powerful.

They're so like, hey, babe, you know, I have a, I have a totally nameless, I have a very powerful, wealthy, famous, former client where there's a whole series of texts about is my dick weird.

Which, by the way, I think the answer is, if you have to ask if you have a weird dick, the answer is probably yes, because I own one and I've never thought it's this weird.

But, but I, the fact that you're having this discussion, like, it's absurd.

It's hilarious.

Like, love is hilarious.

It's bizarre.

It's such a weird vulnerability.

It's such a basic visceral human need.

You know, it really is something that we just, you know, it's mysterious.

But it doesn't have to be that complicated.

I don't think that even betrayal, like I said, it doesn't have to be that complicated.

I think we can frame it differently.

Yeah, you can laugh at the whole thing.

I mean, I, I think what we don't often do with ourselves is look back at texts or look back at emails or look back at Google search.

I did that recently.

Just looking at what I searched for, like 10 years ago, 15, it's like, forget last week, just look at your

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Google searches last week.

And you're like, wait a minute.

What?

Why did you just search for this?

Right.

Right.

50 times.

Right.

Like.

Why did the karate kid three pop in my head?

Yeah, exactly.

What?

Why?

And like, you're like.

Where's Ralph Macchio now?

And where did?

The cuisine dating.

Yeah, yeah.

And then another and then you're like.

And then a restaurant nearby.

Yeah.

Like how did I go from this to that?

But, but it made sense at the time.

So, so when you ask someone, how did our relationship fall apart?

Like looking at the Google search history of yourself from 10 years, you don't even know why you were thinking about those things.

Yeah.

And now you want to understand why you did what you did, felt what you felt.

She felt what she felt.

She did what she did.

And why the two of you, how you impacted each other and interacted with each other.

Really?

You think that's doable?

But you've, so you've in the courtroom, does that come up like text messages with that resulted in with whoever you're cheating with?

Yeah, I mean, you know, cheating doesn't come up as much because most states are no fault states now.

So why someone's getting divorced, whether it's infidelity or, you know, it doesn't matter.

There's no good spouse bonus or bad spouse penalty.

But there isn't.

I mean, you know, like that's.

Well, you can have, we've had times where we have to prove infidelity because we want to prove what's called

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

wasteful dissipation of marital assets, which means that you were spending money that was marital money on a paramour.

That's what the legal name for a ex, you know, for a boyfriend or girlfriend in the marriage.

And usually the person calls it, you know, that whore or that piece of shit, but we call the paramour.

Yeah, the paramour.

And the, the, you know, sometimes we have to prove inclination and opportunity.

We have to prove that this person had the inclination to cheat and that they had the opportunity to cheat.

And then we want to show that, okay, so when they went away, that should be considered dissipation of marital assets.

So if you go out to dinner with your brother, you didn't dissipate the marital estate.

But if you bought your paramour, a Tiffany bracelet, that would be a dissipation of marital assets.

And the person's entitled to a credit back for that from what was taken out of the marital estate.

So we do sometimes have to authenticate text messages on the witness stand or in depositions, you know.

And what's interesting about that is the way people approach it.

Like people sometimes try to pretend, oh no, this is just my good friend, you know.

And which is just like you kill your credibility, you know, if you, oh no, she's just my very good friend.

She's not, she's not.

That makes no sense whatsoever.

For no, we were just friends at that point.

And then several months later is when we, once this marriage was over, that's when we got together as partner.

That's ridiculous.

But sometimes people just own it.

Just own it.

Like I did a deposition of an executive once and, you know, opposing counsel like thought they were going to really hit them.

They were like, and looking at this credit card receipt, what was this charge for for this hotel?

He was like, oh, that was for a hotel room that I got with my girlfriend.

And you were married?

Yes.

Yes.

Where did you stay at the hotel?

It was, we didn't even stay.

We actually just did like an afternoon delight, rolled around in bed for the day.

Yeah.

And it was like, well, now, you know, took all the thunder out of that.

What's the downside of doing that?

There wasn't.

It actually, I think, helped his credibility.

He was my client, so I thought it was the right move.

We hadn't really discussed it in advance, but he was naturally intelligent enough to go, yeah, my

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

credibility, like I'm not going to lie under oath.

I'll admit what it was.

But I'll do it in such an, you know, we did it like at the end, like M&M at the end of eight mile.

Like it was very like, yeah, I cheated on her with this person.

Now tell these people something they don't know about me, you know?

And that's kind of how I try to, as a trial lawyer, we actually, in my firm refer to it as the eight mile strategy, which is like, we will, if I know there was a text message sent, you know, you piece of shit, I hope you die.

My client sent that text message to his co-parent.

I, on my examination of my client, I will say, I'd like to have this mark for identification shown to the witness.

What is that?

It's a text message.

Who's it to?

Plaintiff.

You sent it?

Yeah.

Read it out loud for the court.

Oh, do I have to?

I think you should.

You're a piece of S.

Does it say S?

No.

What does it say?

Well, it's a profanity.

Say it's a piece of shit.

I hope that she died.

You sent that to her?

Yes.

Why?

I was really mad.

Do you think that was good?

No.

Do you think it was helpful for your co-parenting relationship with her?

No.

Why did you send it then?

You know, she sent me like 50 texts exactly like that, and I never responded and I pushed it down every time.

And then finally, I just blew up at her.

If you had it to do over again, would you do it differently?

You know, I wish I could say I would, but the truth is I'm human and I was at my limits.

And I'm watching opposing counsel cross out entire sheets of their cross examination because it's gone now.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

They thought that they had their like Perry Mason moment.

They had their like, did you order the code red moment?

And it's gone now.

Because if you just own and accept your fault or your issues in the relationship, you can take a lot of the power out of that.

And I wish we wouldn't take texts seriously.

I don't think we should have substantive discussions via text.

I think text was designed for are you here?

Yes.

15 minutes away.

Or I got here safely.

Love you.

Like that substantive discussions are people love having arguments via text.

And I have to say, when you read other people's text messages as I am often forced to do, it is amazing.

Because just like that Google history you were talking about, I don't know how the hell you got from one thing to another.

Like I was just reading on actually on the way here in the car.

I was reading through a text exchange between two co-parents in the middle of a custody thing that I'm involved in.

And it's like you piece of shit.

You never cared about anything.

And I'm going to do you have no right to take the kids from it.

Yeah.

And then the next day, nothing in between the next day.

Maddie got a, you know, a good grade on her science thing.

Oh, that's great.

She's doing so well.

It makes me so happy.

Yeah.

Her teacher said she's doing really well.

Yeah.

That's really great to see.

I'll be there about 15 minutes late.

No problem.

See you there.

Wait.

Like it was a day ago.

Was there some, I want to know, was there a phone conversation in between where one of you went, hey man, listen, I'm really sorry about that.

Oh, no, look, we were both pissed, whatever.

Or is it just like you did that and then we're supposed to pretend that didn't happen.

And now we're just going to talk about what Maddie got on her test.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Yeah.

So sometimes a good nap or a good night's sleep can solve a lot of emotional issues.

I totally get it.

But is there some, if you're looking just at the texts, like it begs the question, wouldn't you take the nap and then go, hey, listen, I just woke up from the nap.

It turns out I was really tired.

Like, is that not happened by text?

No, that's, because sometimes it's hard to probably apologize for being an asshole, right?

So I think we use just text.

We humans use all kinds of forms of communication to kind of vent.

I think it's the wrong thing to do, but people do do that.

Text has a permanence though.

It's writing.

I mean, it's writing.

You think like a lawyer.

I like it.

Do you think like a lawyer?

But lawyers think like detail, you know?

And why would you write that down?

Like, you know, writing it down, like would you write it down and would you put it on a billboard in Times Square?

Cause like that's, everything you say on Facebook or Instagram, Canon will be used against you in a court of law.

Like every photo you post, I mean, that's going on with a, what's his name?

Jake Paul or whatever Paul and Dylan Danis right now.

That guy's girlfriend, every picture has ever been put on the internet of her by her is being weaponized right now.

To reference an earlier part of our discussion that's love, you take a big risk, big risk putting it out there.

Putting out there on text, putting out there on social media.

But is the reward of doing it via text worthwhile?

Listen, the reward of love I think is worth the risks of love.

But the benefit of communicating by text, does it merit that risk of that being in writing that the person can reflect on and review and scroll back and get heated up again about?

I don't know, we just take risks and we're vulnerable with each other.

There may be something about text that for whatever reasons inspires a kind of candor because I think it is a new way to communicate, right?

In the scheme of things.

And so sometimes, you know, we don't know the thing until it's really come into existence.

So I don't know, I think it started as something that we just communicated in a very extemporaneous unplanned way.

Like texts were meant to be, I'm here, I'm outside, whatever it might be.

And so what happens when you start to talk about more emotional, deeper, bigger things or visceral

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

things or more emphatic, passionate things using a technology that was originally just being used for the other purpose?

I don't know the answer to that.

What I do know is, yeah, as a lawyer, A, from an evidentiary perspective, and B, I just know what it looks like on the outside.

Like I know when I read it, what it looks like.

And that's not always accurate.

Like to just see the, it's like when you watch, you know, a video of someone at just their worst moment, you know, and the person tries to say, but wait, that's not me.

Like that was just me in that moment.

That was me at this incredible low point.

And I think as a lawyer, my job is to weaponize that and to try to say, okay, this low point is indicative of who they actually are.

And when I'm defending someone, I'm supposed to say, you know, well, this is their low point and we've all been to a low point.

And this is just a moment in this person.

And to judge them by that moment, would you want to be judged by your worst moment?

So I have to be able to look at that both directions.

Yeah, I mean, I don't think anyone looks great on text.

I mean, there's so much of our communication that is missing, you know, your expression.

Like my sense of humor does not do well via text.

Like I, because I have like sometimes a sarcastic sense of humor or I have a dry sense of humor.

And it does not always translate well to text.

The nuance of things is lost sometimes, you know.

Yeah, but that's what makes the risk of it hilarious.

I mean, the emojis, the memes, all that, taking a risk.

There's a risk with the text if you do some like dark, dry statement, right?

That's a joke.

And then the pause and then there's no response for a couple of hours.

I mean, that's beautiful.

I don't know.

It's like, you know, it's the gap between the two trapezes, you know, like once you've hit send and you're like, well, see where this goes.

Like this is coming back now, you know, and you're waiting and waiting.

It's like that moment of just hang is, yeah, that's a rush.

I mean, that's a rush.

That's a beautiful thing.

Well, I have my friend Michael Malis living close by.

And if the courtroom were ever to see the text between us, we would be both in jail for many years.

This finally comes out when I have my Johnny Depp Amber Heard moment.

The subpoena is ready.

We'll get Michael Malis.

Well, but that was one of, you know, the Johnny Depp Amber Heard thing was a great example of in

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

a gunfight between those two.

Everyone was cheering for the bullets.

I mean, no one was, I don't think anybody looked like a hero.

They both looked like what they are, which is humans, really flawed humans who had, you know, it really is like that, that people magazine thing stars.

They're just like us, you know, like we watched that and went like, oh, yeah, they're just like us.

Like they cannot keep it together.

They cannot have like they just have these ridiculous toxic moments where both of them looked awful in that trial.

Well, what do you take away from that trial?

Just just given given all the work you've done.

I mean, for me, I don't know if you can speak to that.

It's probably the first time I've seen that kind of a complicated relationship, even just to say a relationship laid out in this raw form, like the fights of a relationship.

Yeah.

My feeling about that trial is there is no amount of money that would be worth laying that kind of stuff bare publicly.

For you, if you were giant.

For me, yeah.

There's no amount of money because they both look awful.

They both look awful.

And I don't think I don't think I'm qualified to say if one or both of them are awful, but they both had moments in that courtroom where their behavior and words looked awful.

And I just don't know that exposing that to the world.

I just don't know.

I mean, I understand the point of view that by bringing that suit, Johnny Depp was saying, look, yeah, I have to show these awful things to the world about myself, but it's not as bad as what she's claimed I've done.

So I get it.

I'm not saying that's incorrect.

And for Amber Heard, I think her response is, well, for him to say I'm lying, I have to prove my...

But my God, what an awful thing to watch.

All it really is is just another couple.

You know how banal that is?

You know how many of those...

So this kind of stuff happens a lot?

A lot?

It's the norm.

It's not the exception.

They just happen to have a grand scale because they have lots of people around them and lots of money.

But yeah, it's all this...

That kind of dysfunction, that kind of chaos, that kind of...

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

He said, she said to people with completely differing histories of what happened in the marriage, false allegations of domestic violence or true allegations of domestic violence that are completely denied by the person.

And you have witnesses that'll say, oh my God, they never engaged in any kind of...

Because again, no one engages in domestic violence with company over.

You know, you don't invite friends.

People always say, oh no, I saw them.

They seem so happy.

People always do this to me as a divorce lawyer.

They come in and they go, well, here's photos of the kids, you know, smiling with me.

So that's proof that like I'm a good dad.

I'm like, there's photos of Jeffrey Dahmer smiling with people he ate later.

And you think these photos prove something?

Like I don't...

The lack of...

I'm in the middle of a very complex domestic violence trial.

And the entire defense on the other side is, well, we have photos of them on vacation where they look very happy and she never called the cops.

That's no defense at all.

Like most victims of intimate partner abuse don't call the cops.

They don't identify, self-identify as victims of domestic violence.

And they probably have many stretches of time of intense happiness or happiness?

Of course.

And by the way, perpetrators of domestic violence are charismatic.

How else would they get victims?

You know, it's not like if they were ogreish, no one would sign on for that relationship.

When they're good, they're so good.

That when they're bad, you go, but wait, no, that's not him.

The really good person is him or her.

You know, we saw that in the public testimony of that, you know, depth hurt thing is there were moments where you look at her and go, oh my God, like I want one just like that.

And there are moments where you listen to the testimony and go, oh my God, she's awful.

Like what?

That's just evil.

Yeah.

And the same for him.

So I really, this should teach us something about how not only are there two sides to every story, like that there's just so much complexity and nuance.

But I think everyone was asking the question, whether you were team depth, team herd or team, I could care less about either of these people.

Everybody's looking at it going, why?

Like why eight billion people in the world?

Why did you stay together?

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Just break up.

You're miserable.

It's obvious you're not.

This can't be worth it.

I've actually become friendly with Camila Vasquez, who's the lawyer on the depth side.

She's an incredible woman.

Great lawyer.

And just a great human being.

Just how passionate she's about to work.

I mean, you radiate this kind of same passion.

Like she's just truly happy doing what she does.

And but also where the stress of a case is like takes on, like it becomes her.

She's, you can't sleep, all this kind of stuff, which is fascinating.

I think that's a function of our professions.

We, even after 20 plus years of doing this, like the night before a trial, I can hardly sleep.

Excitement, fear.

Yes.

Yes.

All of that.

All of that.

And I even have moments as I pull up to the courthouse and I listen, I wear certain cuff links that are like my lucky cuff links or something.

And I pull up to the courthouse.

I walk into the courtroom and I have this feeling in the pit of my stomach and then it starts.

And the moment it starts, something in me goes, oh yeah, I know how to do this.

Yeah.

And it's instantly like I just own it.

I love it.

And it's, yeah, it's the people that love this job, you know, being a trial lawyer, being a particularly a divorce trial lawyer, family law trial lawyer.

It's, I love it.

I love it more than I loved it when I started doing it.

I still, you know, I can't imagine spending five days a week looking forward to two.

You know, I love what I do.

I don't know that I'll ever love anyone or anything more than I love the work.

So I saw you on talk with Steve Harvey a bunch of times and it was, I always loved it.

One thing just sticks in my head from something he said as a device that if you and your partner, your spouse are, you know, if there's a fight, there's a difficult thing you have to deal with.

Keep that to yourself.

Don't talk to anyone else.

Like that's a little, like, what does he say, like a two-armed circle or something, whatever the expression is.

But basically resolve it all internally.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Don't.

Like when you face the world, you have a front of like rock solid.

Don't take sides against the family.

Yeah.

Yes.

Make it all boils down to Godfather.

Everything boils down to Godfather references.

It really does.

And true romance.

Yeah.

You don't take sides against the family.

You don't show that weakness to the world.

I mean, again, I don't know that Steve in candor would say you shouldn't discuss it with your own therapist, you know.

But I think what he's saying is don't project it out to the world.

Don't share that because I think, you know, it can change the way people view your relationship, which then will change the way you view your relationship, you know.

Yeah.

So I think don't run reckless when it comes to your, that primary relationship.

Don't run your mouth recklessly.

Yeah.

It's one of the things I mentioned to you offline that, you know, my now close friend Joe Rogan, I've never heard him ever speak negatively of his wife.

It's always like super positive, how awesome a person she is.

And that to me has always been an inspiration to do the same for everybody in my life to always speak positively about them.

So that has a probably a virtuous spiral effect.

I'm sure.

That's probably because he has a great wife and he has a great wife in part because of that.

Yeah.

Like I think it's clear that he's in her corner and cheering for her.

It's clear she's cheering for him.

Like they have, it's not like Joe Rogan is not a man who has opportunity.

I mean, he's surrounded by UFC ring girls for God's sakes.

Like this is a guy who has all the opportunity in the world and he seems to be quite a fan of his wife.

And that is, you know, that's a superpower.

Like that's a real thing.

Now the question is, is, you know, he doesn't seem to talk about it.

Like, oh, I gotta really work at that.

Yeah.

You know, and that's not a man who's afraid to talk about what he works at.

You know, he's pretty honest about man.

You gotta work really hard to stay in show.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

You gotta work really hard to be able to do this.

Like, yeah, I'm not good at memorizing that.

It takes time.

Yeah.

But I've never heard him say like, oh, marriage is a lot of work.

Like, and I think that's his credit because it seems like they're enjoying that.

Yeah.

And it's also not incredibly public.

Like it's not something most people couldn't pick her out of a lineup.

He kept the private for many years and just because it's a private joy, it's a private, like deep, meaningful intimate partnership.

That's interesting.

That's also an inspiration.

It doesn't, not everything about your life has to be this like, like, look at me.

I'm happy.

Like, I'm in a happy relationship.

Everything is wonderful.

Especially that.

I think there is something about the womb-like cocoon-like joy, you know, of like love, you know, when you're just tucked in, snuggled in, like just pressed against each other with that, like that, that's such a, you know, like a, it's just the two of you.

Yeah.

And that's lovely, you know, and that's such a, a good thing.

And I, like, we were just dying for connection, you know, and that connection is so big.

It's so everything, you know, one of my earliest psychedelic experiences, probably when I was a teenager, but a theme that's been persistent in every psychedelic experience I've ever had is this idea of like everything is connection.

Everything is being pressed to someone and with them, you know, like the warmth of human connection.

Like I, one of the reasons I, I enjoy listening to your work and your perspective has always been that I, I think at the core, you see connection and love.

And I think for me, from my earliest experiences with psychedelics at, you know, 16, 17, I was very attuned to that.

I was very much, that was put on my radar by psychedelics and just stayed part of my consciousness forever.

And I, I think I had a 30-something year break from psychedelics, but it was like when I came back to it, I went, oh yeah, it's still there.

It's still the core of everything is connection.

I mean, it's fascinating how deeply you value connection, how empathic you are that you would be doing what you're doing, which is, or, or is it not, is it not counterintuitive?

No, I think it's, it's actually why I'm well suited for what I do.

I think what I do is I have to learn the story of my client and know it and feel it very deeply.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And I have to feel it in a very human way that's very compassionate to this person.

And then I have to feel it and understand it in a way that's incredibly antagonistic to it so I can shore up defenses.

So I have to, I have to feel this person's story and feelings from every possible angle because every one of them is a vulnerability and every one of them is a potential strength and a potential defense.

And so I actually think it's my number one, other than extemporaneous speaking ability, it is my number one job tool is the ability to radically empathize and to put myself in the emotional state of someone in its best possible light and its worst possible light so that I can see again, the defense and I can see the vulnerability.

I mean, so that's beautifully put, but also just to bear witness to this connection broken in the, in those dramatic way over and over and over and over.

That part is hard, but I was a hospice volunteer for many, many years when I first got out of college and it really showed me a lot about, you know, what is, what is sadness?

What is tragic?

And what is just inevitable decay?

What is pain and decay?

Like we all die.

Like we play a game you can't win to the utmost.

And so if we know the answer to all of this is you're going to die, then what do we do with the rest of that time?

If all your stuff is just stuff, it's just going to go to the, you know, the money is going to go like everything's, your looks is going to go, you're, everything's going to go.

Love's going to end one way.

Then what are we doing?

You know, and I, again, I think it's love and connection, but what I'm doing for a living is helping and I don't look at it as what I'm doing is helping people beat the crap out of each other.

I look at it as I'm, I'm trying to help a client build their post divorce life to sort of rise from the ashes of that, which has fallen apart and move on to the next chapter and refocus and have the things they need financially, emotionally, whatever it might be, interpersonally in terms of their kids.

And so for me, it's actually a job that is very consistent with my desire to build connection and to be empathetic.

And witnessing the ashes doesn't make you cynical about the whole thing of love?

No, because again, you know, 56% of marriages end in divorce, but 84% are remarried within five years.

Like we keep doing it over and over again.

That's a good thing.

I think it is a good thing.

The mess of it, the absurdity of it, the hypocrisy of it, that's something, that's something beautiful about that.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Well, it's just the return is so great on the investment, you know?

Like the, listen, man, I've had more than one dog.

Yeah.

So when my, when my dog died, the first dog I had died, I remember when I'm never going to love again.

I'm done.

I'm done with this.

I will never expose myself to this kind of pain again.

I'll never have to take the dog bed and put it in the closet and it like, ugh.

And then some friend called me and said, we have an adoption event.

Can you just watch this dog for 24 hours and then we'll take him?

You know, we just need to, you know, and I went, yeah.

All right.

I'll watch a dog for the night.

You know, and this dog coming, they said, oh, he has mange.

He's not going, fuck, I got another dog.

He walked in and my heart went, yeah, I got a dog.

And now that dog is 13 years old and his eyes are cloudy and he doesn't go up the stairs real well and he's going to break my heart.

And I wouldn't change that for the world.

I'm still there.

I'm still struggling for the second one.

I have, I lost a dog and broke my heart and yeah, but and you'll, and you'll never, you'll never lose that pain.

But I promise you your heart has an infinite capacity for the kind of love you felt with that dog.

And you'll never feel a love that replaces the whole.

Like there will never be another buster for me.

But there was Kaba and like, you know what, like, and when he's gone, there will never be another one of him.

But you know what, like when, when that stupid puppy that was five months old stumbled in, I went, I guess I'm going to do this again.

And you know what?

I'm so glad.

I'm so glad.

And I know, by the way, I know now because, and that's where I've said, like, you know, it's that Joseph Brodsky poem, you know, a song, like I wish I knew no astronomy when stars appear.

Like, I wish I didn't know the pain, but you know what, like, I don't care.

I don't care.

And I believe we don't care.

I, again, I think there's something to that if something hurts so badly and you go, I'm going to do it again.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

I'm going to do it.

But it must be of value.

It must be of real value.

There's also a different perspective on it, that pain.

So there's that from Louis, the show of this interaction with an old man with Lucy K. And he says that, because Louis is mourning the loss of, got split up, he got dumped or whatever.

And he's mourning the loss of that partner of love.

And the old man says that that is the best part, like missing the love is still love.

The real bad part is when you forget it, when the pain fades, it's all gone.

But the pain is actually a kind of celebration of the love you had.

Of course.

Well, the opposite of love isn't hate.

The opposite of love is indifference.

There's no question about that.

I mean, hate is a passionate emotion.

Love is a passionate emotion.

But and there is a school of thought that says that only unfulfilled love can be truly romantic.

But I believe that it's what I think I learned from hospice is that I think for me, knowing the impermanence is the thing, you know, it's the key.

Yeah, it's finite.

And eventually it's going to be over.

And so like that intensifies the feeling that that's when you can have pure love without the drama.

Dogs are, for me, a great example.

And again, I don't know what it all means, right, existentially.

But I just feel like they have that that kind of love has to be here to teach us something.

And I feel like the fact that they're so amazing and just so loving and so wonderful and the bond we feel is so amazing and deep and doesn't require a lot of maintenance.

And yet it's so finite, like it's just this short little lifespan.

And I feel like there's just such a lesson there, you know, there's so much there to unpack about the nature of connection and loss and, you know, that your heart has this infinite capacity.

Like when you're, I'm telling you, when my dog died, when Buster died, I remember I thinking with certainty, I will never do this again, because I'll never love that way again.

I'll never love a dog the way I love this dog.

And it's just not true.

That's just not true.

Like you have this infinite capacity and that makes it scary, actually, because like right now there's so many people you could love, there's so many dogs you could love, like there's so much out there and it requires a certain bravery and tremendous amount of risk to do it, you know.

And a commitment, because I think to really experience love is you just dive in, because

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

there is a huge number of people, but to really like, I mean, you have to like really dive into the full complexity, the full range of another human being.

Yeah, which is hard, because we don't even, I don't know that we even feel comfortable diving into the full range of ourselves.

You know, there's pieces of ourselves we try to push away or not think about, or...

Okay, so speaking of the whole sociopath slash empath that is all embodied in one human being that is you, let's go back to some cases perhaps that you've worked on, just something that stands out to you.

What's maybe the craziest, most complicated thing you've worked on?

Is there something that pops to mind?

Craziest would be different than most complicated.

Let's go craziest.

Yeah, so craziest?

Ah, gosh, that's a great question.

So from a chaos standpoint, I mean, I see so many bizarre fact patterns and so many variations of people cheating with people, people sleeping with the nanny, people sleeping with someone's a relative of their spouse, people having same sex or polyamorous relationships and the other person doesn't even know they're not monogamous.

I get so much craziness that you could fill 15 books.

In terms of complexity, I mean, emotionally complex is any custody case is emotionally complex because you're dealing with parenting issues and what makes a good parent I think is a very tricky question because I'm trying to convince a judge who's a better parent and that is so loaded with subjective value judgments.

Is there just a link on the maternal presumption, is that a thing you come face to face with often?

Well, there was.

I mean, it was real.

It was the law.

There was something in the law called the maternal presumption.

It was also known as the tender years doctrine, which meant that a child under the age of seven was presumed to be in the custody of the mother unless you could show she was an unfit mother.

So that's where the idea of like someone has to be proven an unfit mother came from.

Now in the 80s, 1980s, that was changed, but under my skin is under my sovereignty.

You can't suggest that there isn't in the world a suggestion that a mother who births a child and feeds a child with her body doesn't have a particular bond with a child that's different than a father's bond with a child.

So where do we put that?

How much importance do we put on it?

Now that there's better and more research in the mental health field about attachment theory and infants, there's also a lot of research on how is attachment formed?

How should parenting schedules be put together based on attachment theory?

There's conflicting perspectives on that.

And so as judge to judge, you see like, is there a lot of variation?

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Yeah, there is because there's lots of kinds of judges.

Like there's judges that are thoughtful, enlightened, interested in the mental health research. And there's judges that just want, were unsuccessful lawyers that were good politically and got elected and they just want a job where like they show up at nine o'clock, they have a lunch break from 12th until two o'clock and that they leave at 4.30 and they get a certain number of weeks vacation and a pension after 20 years.

So what is in general the process of these custody battles?

Like what's the landscape here?

Well, most the overwhelming majority of custody cases don't end up in my office.

They are a negotiation between two people that love their children more than they dislike their soon-to-be ex.

So the overwhelming majority of cases are just two people going, okay, how are we going to make decisions together?

Because there are decisions that have to be made about kids.

Will it go to public or private school?

Can they go on medication if they need it or not?

Should we change pediatricians?

You know, all those kinds of things.

How do we make decisions?

And when will we each spend time with the kids?

And so most custody cases are just that.

Most custody cases are just a discussion, a negotiation between counsel about those issues and they're not ugly and they're not anything.

They're just people.

Again, sometimes people have differing perspectives, you know, but sometimes people haven't thought

through their perspective.

So as a divorce lawyer, a lot of what I'm doing is counseling a person because they come in and say, well, I've been the person who handles all of the homework and all of the everything.

So he should only see the kids on weekends.

And there's a logic to that.

Like I've always done the homework with the kids.

So I'm the parent who's in charge of the homework and he's obviously not done that before.

But there's also a logic that you can then say, right, but then you're doing all the heavy lifting of parenting and he's doing none of that.

And you were a married couple and living together.

So he was trusting you to do that because you're good at it and you seem to like it.

So maybe now we want him to have to do some of the heavy lifting of parenting because we don't want the child when they're 13 to say, I love dad, we have nothing but a good time together.

Whereas you make me do my homework and eat my broccoli.

Dad's the grass on the other side of the fence that's greener.

So sometimes it's about educating a client to like change their frame, you know, to look

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

at this differently.

Yeah.

Okay.

We always go to my mother's for Thanksgiving.

So I need everything's giving.

Okay.

Well, you were married.

So you went to, now you're going to have new traditions.

Things are changing for your children.

Things are changing for your family.

You're both going to have new traditions.

So a lot of times it's just educating people on looking at things in a different way, looking at their parenting in a different way.

We're not going to live in the same house anymore, but we're still going to parent these child, you know, this childhood, these children together.

What's much more interesting, because like, you know, I don't get invited to a lot of parties, but when I get invited to parties, if somebody says, what do you do for a living?

And I say, I'm a divorce lawyer.

Yeah.

Oh my God, you must have stories.

That's the way everybody says, oh my God, you must have so many stories.

And if I said, yeah, there was this couple and they, you know, slowly grew apart and then they decided that it would be good for them to end their relationship as a married couple, but they wanted to continue to have an amicable, co-parenting relationship.

So they divided their assets and, and they figured out a good parenting access schedule that made sure that they both had both leisure time and responsibilities with the children.

People would be like, that's the worst fucking story.

That's so boring.

Yeah.

So what they really want is the like, and then he was sleeping with the nanny and then she caught him.

So you know, the truth is like people want to hear about those flameouts.

And by the way, those are super interesting as a lawyer.

Like it's super interesting.

It's usually going to be what infidelity.

You do have a chapter called everybody fucks the nanny.

Everybody's fucking the nanny.

Yeah.

Everybody's fucking the nanny.

There's a nanny fascination out there.

I try to explain it in the book, but yeah, I mean, I've had some great nanny stories.

I mean, people run off with the nanny, people end up getting married to the nanny.

I had one where the, the, he convinced her that they should have a threesome with the

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

nanny.

They got the nanny drunk.

They had a bunch of threesomes with the nanny and then the nanny and the wife paired up and left him.

Oh, nice.

And they're still quite happy.

It seems like a happy ending to the whole thing.

For everyone but him.

But it was his idea.

Well, he's really going to have a nanny fascination now.

Now he's, yeah.

And now he's got to see the nanny who's now the like step-parents to the kids.

And it was his bright idea of let's have a threesome with the nanny.

You know?

Yeah.

I mean, the nanny thing I think is a function of in many circumstances is the characteristics of the wife that he remembers fondly and that have been extinguished by the presence of children.

So my words of wisdom is not don't get a nanny or make sure you get an ugly nanny.

My thought on it is that a woman should remember, even when she's a mother, that she's also a woman who a man, you know, they fell in love with each other.

And she should take time to be in touch with the part of herself that is an independent woman that's interesting and interested.

And you know, like there's a lot to be learned from divorced couples because like divorced couples, if you do it right, it's awesome.

Like I had a wonderful experience parenting and being divorced because I divorced when my kids were quite young.

My co-parent, you know, my ex-wife is awesome, she's a great mom.

Nice person.

We're good friends.

And it was great.

I had half the time I had my kids and I could focus on them and the other half of the time they were with the other person who loves them as much as I do.

And I didn't have any of the responsibilities of kids and I could just have, you know, all of the wonderful fun that you can have when you don't have, you know, the responsibilities that come with full time caring for children.

So what would you say now on the flip positive side, we've been talking about the collapse of things.

What about success?

What's the secret to a successful romantic relationship?

My mom used to say that it's hard to define intelligence, but you could spot stupid a mile away.

So I'm much better at pointing out where people fall apart because I spend a lot of time with

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

people who have fallen apart in their relationship.
So it's easy to then say, well, just don't do what they do.
But I don't know that that's not an oversimplification.
So again, I think the answer is connection.
I think the answer is affection, presence, you know, mindfulness and presence.
I do think in my personal and professional experience that most people want you fully more than they just want you in a disconnected way.
So if you were to say to your romantic partner, you can have me for two hours where I'm giving you my undivided attention and I'm really joyful to be with you, or you can have me for eight hours where I'm sort of half paying attention and I kind of want to be someplace else for part of the time.
There's just no choice there.
It's so obvious.
So I think presence is a big piece.
And I think that the you, the me and the we, I think is important because I think in relationships, there's you and there's me and we meet and something magical happens, you know?
And we become we.
And now there's you and there's me and there's we.
And then the we gets bigger and bigger and bigger.
And isn't it great?
Because it's such a nice, warm place.
It gets so big.
But it gets so big that you get small and me get small because we.
And if any of us dares to ask, well, what about you?
What about me?
No, no, no, the we.
What?
You don't like the we?
You don't want to be with the we?
Like, well, no, it's not that.
But the we only exists because there was you and there was me.
And I really liked you and you really liked me.
And so we picked each other out of lots of choices.
And now this we is so fucking big, like it threatens to just consume all of it, you know?
And I really think that there's something there we have to look at more honestly.
So we should not consume everything, but at the same time, not be small.
So the we is the you and the me.
And if you mix it so much that you and me loses its components, that all that's left is we, like I don't think that that's the way to do it.
I just think there's a, the world pulls us in that direction.
Like we get told culturally that, well, why aren't you going with this person to that?
Why would you do that by yourself?
And why?

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Why?

What we know is that there's joy in being away from each other and there's joy being reunited together.

So why, why don't we speak very honestly about that?

You know, it's very, and I think some of that's our own insecurity.

You know, well, why don't you want to be with me 24 hours a day?

Aren't I wonderful?

Aren't I delightful?

It's like, wait, what?

You know?

Well, but also probably people are either afraid or lazy in developing their individual selves.

So it's slowly going out there in the world by yourself and it's comforting in that little cocoon of we.

I mean, it can also be incredibly adventurous going out into the world by yourself and then coming back to the we with a full report.

You know, coming back and saying like, oh my God, guess what I saw?

Guess what I did?

Oh my God, we have to go there together now because all I could think about was you.

You know, while I was there, I was like, oh my God, she would love this.

You know?

Like that's magical.

That's amazing.

Like, like I, look what I brought you back.

You know, I went into this and then I got you this present from there.

Like there's something, you know, and we know this, you know, I always thought it was, you know, like when you watch the old Westerns, you know, or like the, you know, the heroes leaving, you know, and he's walking away from the cabin because he's going to go fight the gunfight and she runs up and she goes, please don't go, don't go, stay here with me.

And he like kisses her and then he goes, you know, if he goes like, yeah, you're right.

I'll just stay here.

It's cool.

You know, like this is, I didn't want to deal with that anyway.

I think he's not the hero anymore, though.

Yeah.

Yeah.

It's deep truth to that.

And then probably, like you mentioned sex, sexes, probably a big part of it, friendship.

That seems to me like a really important one.

Depends on how you define friend.

Like I, you know, if, if being a friend means we have some connection to each other and we have each other's cell phone numbers, okay, then we're friends.

But if it's a bigger definition than that, if it's like you've picked me up at the airport,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

you know, or like, you know, you're someone I could call and it's like, dude, I got to hide a body.

Like you get shoveled in a line.

I like how you escalated from airport pickup to murder.

Yeah.

I try to go the direction.

Well, I have to tell you, I define, you know, the Ben Affleck movie, the town, you know, that scene, that's friendship to me.

I mean, to me, the ideal male friendship is the scene where he says, I need you to come with me.

We're going to hurt some people and you never have to ask me about it again.

And he says, who's car are we taking?

And that's sort of like, to me, that's friendship.

So it's a high bar, you know, to be like a friend.

So when you say like, friendship, I think that's the kind of friendship you should ideally have with your romantic partner.

If you're getting married, it should be the like, who's car are we taking?

Like it should be that, it's you and me.

To be fair, that bar has reached with me with, with a lot of people, like if you call me tomorrow, there's a body.

But you're a big open, your big open heart.

But it's true.

Like I wonder how many people out there are like that in terms of hiding the body.

I mean, my theory on this, because I think I'm like you in that way.

I think, I think I, I'm very sensitive.

I feel things really deeply, you know, and I think it's, it's, that's a tariff.

The world is terrifying when you feel things very deeply because there's so much pain.

There's so much betrayal.

There's so many opportunities to be hurt, you know, and I think when you are that kind of person, you go through like stages and one of them is that I don't care.

I don't feel anything.

It doesn't matter.

I don't feel anything.

I don't feel anything.

I don't feel anything.

Well, you try to convince yourself, I don't feel anything.

It's fine.

I don't feel anything.

And then at some point, like, you know, you, you do feel all of it.

And then it's like, oh my God, the weight of this is, I mean, I think it's the whole arc of Pink Floyd the wall.

It's literally the entire arc of Pink Floyd the wall, you know, and, and the song stop, you know, I want to go home, take off this uniform and leave the show.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like you just, when you feel all of it, the army of hammers coming at you, the slings and arrows about rage is fortune, you know, the thousand natural shocks the flesh is there to when you feel all of that deeply, you know, it's very hard.

But it can also be a superpower because I think when you can bring that to a relationship, when you can bring that to a profession like you've done and I've done, then you, there's something very magical about that.

The ability to, to, to bring it out in someone, to feel it in yourself, to understand it, you know, is, is a gift.

It's a wonderful, wonderful, I'm humbled by what it brought me professionally.

And I'd like to think that you and I have both found professions that enable us to use that sensitivity, that empathy in a, in a productive and good way and in a fulfilling, a personally fulfilling way and ideally in a way that does, does good for other people.

You yourself are incredibly successful and high performer.

You've dealt with a lot of CEOs and just high performers in all walks of life.

What can you say about success relationships with those kinds of folks?

That's a good question.

I think, is it all the same stuff or there's something special when they're busier?

Well, you know, I think when you represent high net worth individuals, but also high performing, I would make a distinction between high net worth and high performing.

So I, I've done high net worth divorces where the person's like a trust fund kid.

Even though they're an adult, you know, but they're like, they're, what they did to achieve their high net worth status is their great grandfather died.

You know, so that is different than someone who is self made, who through discipline, focus, entrepreneurship, you know, whatever it might be that, that they have found success.

And there's also a difference between financial success and fame because I've represented famous people that actually did not have that much money in the scheme of things or much liquidity.

I mean, I've represented people that, that were not in any way famous and were very high performing in their field.

Like in New York, we have a lot of finance people.

So, and what I find is their divorces are challenging one on a technical level because figuring out what they have and how to divide it is tricky.

Sure.

Yeah, because when something was moving that quickly, like when your, when your portfolio's movement, you know, affects a market, you know, that's, that's challenging.

You know, Jeff Bezos divorce for a time when it was in its early stages could affect Amazon stock. It did, you know, so that's a, that's a real thing.

You know, there are, there are businesses that are affected by a divorce.

But in terms of, of being in a relationship with someone who, who is a high performing person, you know, most of the high performing people I know are creatures of discipline and routine, you know, from, from a Joe Rogan, you know, we've talked about, you know, any of these people, like they have a routine, they have a discipline, they have a focus, they have a way they like to do things.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

They have a type of coffee they like to drink.

They have a way that they like to do and, and divorce is a tremendous disruption.

I mean, divorce is fundamental things in your life or shifted out of your control.

Like your spouse may be the one who has decided you are no longer going to live in that house. You will no longer see your children on these days.

So to take that control away from someone is very, very hard.

I mean, when someone is a high performing, high net worth person, they are used to being told, yes, they are used to being able to buy their way out of a problem.

But just like illness, you know, I, you can get, you can hire the best doctor, but you can't cure cancer because you have a lot of money.

Like you can hire the best lawyer, but you can't cure a custody case, you know, and that's, I mean, Angelina Jolie and Brad Pitt's seemingly endless custody disputes that have been going on for years now with the best lawyers in California working on them is proof of the fact that you can't just buy a resolution to those things, you know, that you have to go through it just like everyone else.

So that lets me ask the question of how much does a divorce usually cost?

It's a great question.

Average divorce?

I mean, it's sort of like a, what I always tell clients in the first consultation is I tell them the most reasonable question a person could ask me sitting in that chair across from me is two, how long is this going to take and how much is it going to cost? And those are the two questions I can't answer.

And then the next thing they say is give me a range, which is a bit like calling your doctor and saying, I have a headache.

What is it?

Well, I can't tell you, I'd have to do tests.

Give me a range.

Okay.

It's a reaction to the barometric pressure and it'll be gone in 15 minutes or it's a brain aneurysm and you'll be dead in five minutes.

There's your range.

And so it didn't really help, right?

So I, I, I have the least expensive divorce I've ever seen is two people who one of whom comes into my office and says, we've written down on a yellow pad, what we figured out at the kitchen table.

She's going to keep the house.

I'm going to keep the 401k.

We have a bank account at this bank.

We're going to split that 50-50.

I'm going to pay her this much in child support each month and we're going to agree from time to time on what we're going to do in terms of the schedule with the kids, but they're primarily going to live with her.

Can you write this up and make it legally binding?

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Yes.

3500 bucks.

Just as a side note, I have a friend who went through a divorce and handled it just masterfully by giving more than he's supposed to and having nothing but love in his heart and happiness with the kids and just like, I don't know.

That to me is just an inspiration.

Like, no, like his whole view was like, who cares about money?

And also, he refused with every ounce of his being to have anything but complete love for the other person.

Yeah.

I've had clients who with a straight face will say to me, well, I'm not going to quibble over a few million dollars and they mean it because to them, it's numbers on a page. So I'll personalize this a bit.

So I have a friendly relationship with my ex-wife, who's the mother of my sons who are adults.

And we have maintained a very good relationship.

And so now it's many years divorced later, 17, 18 years later.

And we were able to sort of post game that relationship, even our co-parenting relationship, you know, we kind of post game it when we chat with each other.

And I remember once saying to her, you know, yeah, you never, you know, you never like screwed around with me when it came to the kids.

Like you were always so like cool, you know, like, like if I called you, like if I was having a really bad day at work and I like seeing just an ugly custody case and like, I just felt like I would call her and say, like, Hey, can I just pick the boys up and like take them out for ice cream or something tonight?

I know it's not my night, but would you mind if I just like took them out for a couple of hours?

She'd be like, yeah, sure.

Come on by, you know, she was always flexible like that.

And I said to her, like, was that just goodwill?

Like you're just a good person.

Or like, what was that about?

And she was like, yeah, it was partly that, but she was like, it was partly that like you never screwed around with me when it came to money.

Like if the kids needed something or if I needed something as the mother of the kids, like you were always like, yeah, sure, of course.

Like her conditioning kicked out and she needed to replace it.

And she didn't have like liquidity at the time.

And I didn't have a lot of money at the time because it was a long time ago.

And I was like, all right, no, because I don't want you hot and upset and I don't want the boys, you know, to be in like, of course.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And so I think, yeah, when you, when you approach a conflict with like, it's very hard to argue with someone who won't argue with you.

If the person approaches the argument from the point of view of like, I'm not going to argue with you, like I'm going to absorb your aggression.

I'm going to, I'm going to just not meet it with that.

I'm going to meet it with love.

I'm going to meet it with positive.

It doesn't always work because I'm just, people are so angry that they just are, they're relentless.

Yeah.

But I have to tell you, like the louder you get, the quieter I get, the more you seem irrational, you know?

And, and that's what I always try to bring that to court proceedings.

Like I always try to bring to court.

Like if I know my adversary is coming in hard, I'll come in quiet and slow and deliberate because I want the volume to be turned up way too high over there.

And then it looks like, what it, your honor, what's their problem over there?

You know?

And I think that I say this to clients.

They got a four year old.

They're getting divorced, let's say.

There's going to be a wedding in like 20 something years.

There's going to be a wedding.

And it's either going to be the wedding where they got to put these people on opposite sides of the room.

Cause if they pass each other by the shrimp boat, they're going to kill each other.

Or it's the wedding where like you stand there, you take some pictures, you kind of go like, yeah, we fucked up this whole marriage thing.

But man, we did a good job with this kid, didn't we?

You know?

And the decisions you make right now, there's a straight line to that wedding.

And so even if you don't like this person, even if you're mad at them, even if you're mad at yourself for the choices you made in choosing them as a co-parent, like, like every single mother's day for 27 years, I have told my now long time ex wife, happy mother's day, I'm so glad that we had kids together.

I'm so glad you're the mother of my kids because they wouldn't be who they are.

If it wasn't that they were part me and part you, and I'm so grateful for you.

And you know, I'm always cheering for you.

Like, how hard is that?

How hard is that?

Oh, it's really hard for some people.

But I don't understand why it's so hard for some people.

I'll tell you, I do find that hard.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

There's not a lot of things that I kind of don't understand, but that's one that I kind of don't understand.

Like I put in one of the one of the weird things I did as a divorce lawyer that caused like a little stir among my colleagues for a few years.

Was some years ago, like we all steal from each other's work.

Divorce lawyers, like we were like the matrimonial mafia.

Like we all know each other.

We all deal with each other over and over again, but we all have the same job.

And so we we're the only people that really know the unique stresses of that job.

So even though we try to kill each other, it's like boxer, like professional fighters, like, yeah, your job is to take each other's head off.

But like, nobody knows what the two of you went through like the two of you.

You know, that's why like, I always get like, I go like all kinds of rubbery when I see after the fight, like the two people hug each other because I'm always like, like, yeah, because you know what?

They they relate to each other better than anybody.

They suffered, they bled, you know, the competitors, they bled, you know?

So I I really think divorce lawyers, we have that same kind of relationship.

Like we went through this stress, you know, on opposite sides, trying to take each other apart. And I I find that, you know, we we all steal from each other's material when it comes to separation agreements, provisions that we use for agreements, like all the agreements are like these Frankenstein monsters of, oh, I like his estate planning provisions.

Oh, I like her, you know, provisions related to maintaining a life insurance policy to secure the Alamone Award.

And I wrote this paragraph for this select this section, because what what occurred to me is that when you have a child with someone, and let's say they're three or four or five, they're old enough to know what Christmas is, but they're not old enough to go buy a Christmas present.

But they're old enough to know that you get presents on Christmas and you give presents on Christmas, but they're not old enough to buy one for the parent.

So someone has to do that for them.

So I thought I'm going to put in a provision that says that as long as the children are so young that they can't independently purchase a mother's day or a birthday present for the co-parent, that you'll take the children either to buy a small gift or to make a card, something like that.

This struck me as a no-brainer.

Who could disagree with this?

Like, it's not for the person, it's for the kid.

It's so the kid, happy birthday, mom.

I don't have a present for you.

I don't have a card for you because I'm fucking five.

Like, I'm five.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like, you can't go do that.

So wouldn't you want your child, not your co-parent, who cares?

Maybe you want them to have the worst birthday ever.

Fine, but you don't want your child to be embarrassed.

And I even put in the provision.

The parties acknowledge that it is the intention of this provision to ensure that the child is not embarrassed and feels, you know, that they were able to

I cannot tell you how many people refuse to sign that.

How many lawyers said to me, we're taking that out.

And I went, wait, why?

Well, why does my client have to buy a present for your client?

I said, they're not buying a present for my client.

They're buying a present for the child to give to my client.

It could be one of those little three dollar boxes of chocolates.

They sell it at the drug store.

Like, it's a kid.

They don't know.

They don't know what anything is.

And people, nope.

And I have to tell you, of the conundrums of the puzzles that I can't figure out in existence, that's one I can't figure.

I do not understand why that's so hard.

That's basically just an illustration of their complete inability to do anything nice for the other person.

Right.

The level of hatred, the level of vitriol that they like, maybe this is me.

I'm, if you apologize, there's not a lot I won't forgive.

Like, I'm not saying I'll forget it.

I'm not saying, oh, we're totally good like it never happened.

I understand that.

But if someone says what I call a non-bullshit apology, right?

A bullshit apology is, oh, I'm sorry you got so upset when I did that.

Like, that's a bullshit apology.

You know, I'm sorry that you were offended.

That's a bullshit apology.

Or I'm sorry for what I did.

Because what are we talking about?

We might not be talking about the same thing.

Or you might be saying, I'm sorry that you found out about that, not that you did it.

So a real apology is I lied to you and I realized that that hurt you.

And I'm really sorry.

I shouldn't have done that.

I regret that I did that.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And I know that it hurt you and I'm really sorry.

That's a real apology.

Okay.

So someone's willing to give you that and you still want to walk around with like the level of vitriol that you will harm your child rather than do something nice for them.

I don't have a solution.

And I'd say I see that all the time.

Like parental alienation is a thing.

It is a thing.

Like children can be weaponized.

Like I always tell people, if you want to get married, get married.

Get a prenup ideally.

But if you don't have a prenup, okay, you're just risking money.

Don't worry, you're just risking money.

Money and hassle, you know, of paperwork and of time and of going through an ugly financial divorce.

But you have a kid with somebody.

You have, you have, that is a missile.

Like that person has a power over you for a long time, if not forever.

So the child could be used as part of a manipulation.

Routinely.

People weaponize children all the time and they do it.

They do it with the permission of their own conscience because they, they genuinely believe I'm going to, I'm going to protect this person, this child from this person who, by the way, is a bad spouse.

But that doesn't mean they were a bad father or bad mother.

You can be bad at being a spouse.

But the skill set of a spouse and of a parent, it's not necessarily the same.

And I've seen, you know, people.

People alienate children from a parent in such subtle ways, but they're so powerful.

And as a lawyer, you know, it doesn't matter what I know, it matters what I can prove.

And, and it's very hard to prove alienation because it's usually a very subtle process.

And the example I always give to people is it's a rare kind of crazy person that will say to a seven year old, your dad is a bad person.

But this, hello, here it's your dad.

You just said your dad's a bad person.

You just did it with your eyes.

You did it with your, the expression on your face when you handed the phone to the kid.

You told that kid your dad's a bad person.

You didn't have to say it out loud.

And that, that is something people are guilty of all the time.

You know, when, when the kid comes home and says, you know, there's a divorced couple,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

kid comes home and says, oh, I met mom's new boyfriend.
And you go, oh, yeah, that's nice.
Remember, he's not your dad.
You know, like, well, whoa, like you just told that kid a whole bunch of information about how he's supposed to feel about this person.
Whereas if you go, that's nice.
Oh, that's great.
I heard nice things.
Yeah, I heard he's really, he likes bicycles.
That's cool.
That's really neat.
Like you just told this kid, okay, it's okay.
You can like this person.
It's okay to like this person.
It's okay that your mom is with this person.
Like, and again, whatever you feel about your ex, your co-parent, usually you love your kid more than you hate your ex, ideally.
Also, I wish people would, even without an apology, forgive each other.
Cause I, it goes back to the earlier discussion we had, like I, I usually forgive people if there's something in them, especially if we shared something, but even just if there's something about them that's beautiful, like it's great that they exist in the world.
So I'm just grateful for that.
And I use that as the, the fuel of forgiveness.
I don't know.
To me, like forgiveness is very often, it's for me, you know, like when I let go of anger, I feel lighter, you know, I, I, I think my heart enjoys peace.
I mean, partly it's cause I fight for a living, you know, I work in the world of conflict.
Like I, I jokingly used to say to my sons when they were teenagers, you know, like I can only argue if you've paid.
Like it's not fair to the paying customers.
If I argue with you for free, that's not fair, you know.
But I think we were talking about the, the incredibly wide range that a divorce can cost.
Yeah.
So, so.
And you were saying the cheapest one was the yellow.
Yeah.
Yeah.
Yellow pad, two people came to an agreement, write it up, make it legally binding, five grand, maybe, you know, tops, but usually 3,500, five grand, that kind of vibe.
Most expensive millions, millions of in-council fees.
And that's because of the duration and the complexity.
Yeah.
The duration, the complexity of issues.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like I have clients who've paid two, three million in-council fees to me.

So it's like acid and custody or like what?

Well, it can be complex custody that requires a hearing that requires expert testimony, dueling mental health professionals, opining on the parenting.

It can be a situation where emergency circumstances occur, like where an individual tries to abscond

to another country with the children and you have to bring them back under the Hague convention.

Oh, wow.

On international child abduction.

Oh, wow.

Yeah, we've done some Hague cases.

You know, there are cases where people have very different facts.

Like before I came here today, a client of mine's soon-to-be ex-husband who she's in the middle of a door, he tested positive for cocaine on a hair follicle test where it was said he was definitely not going to test positive and he tested positive.

So it was like we were scurrying now with, okay, we got to get a motion filed, we got to suspend access, we got to protect the kids, we got to get in front of a judge, we got to think about what are the implications of this because he was about to transition to an unsupervised parenting.

Like this is the kind of stuff that can amp up the amount of work the lawyer has to do, which then translates to money.

I mean, I get paid for my time and the time of my team.

I have attorneys and paralegals who work for me.

So when you have a team of lawyers working on a case, you can burn tens of thousands of dollars a day if it's a big enough case.

There are also very complex financial cases.

People move and hide money.

The high net worth space is a different world.

Like if an average person owns a home, they own a home in their name or their name with their spouse.

The high net worth person owns an LLC that owns that home.

That LLC is owned by a trust.

They are a beneficial interested party in that trust.

Like this is how some of my clients who make tens, if not hundreds of millions of dollars a year pay less in taxes than a cop or a firefighter because they have structures and the structures that were designed for tax planning purposes then in a divorce become very tricky to unwind and to figure out, wait, no, what is mine and what is not?

Well, then that takes us to the question of prenups.

What's your view on prenups?

Prenuptual agreements.

It's not popular to quote Kanye West, but if you ain't no chump, Paula, we want prenup.

We want prenup.

I mean, that's what he had to say.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Meaning, prenup is a good idea.

Prenup is an excellent idea.

A prenup is a contract between two people that binds their respective rights and obligations in the event of a divorce when it comes to financial issues.

That's all it is.

There's a lot of reasons to have them and there really aren't any reasons not to have them other than the fact

that requires an uncomfortable conversation.

There's a few questions here.

First, do they work legally in general?

Yes.

If they are crafted correctly, which is not that hard to do for a lawyer to do.

I'm saying for a lawyer to do because with the internet, everybody thinks, why would I spend \$1,000?

I can just Google prenup agreement and I can get one and then that is a bad idea.

It is like a will.

If you're going to have a document that binds your rights at that level, it's worth ...

The most expensive prenup I've ever done was like \$3,000.

That's ridiculous.

That's not a lot of money.

There's no reason you wouldn't do it, but people will still.

I've had clients that have hundreds of thousands of dollars and they did their prenup, downloading something from the internet and because of some imperfection, it doesn't have the right what's called acknowledgement, which is the section where the notary signs.

It has to say that it was duly sworn before this person on this date.

If it doesn't have that, it's invalid.

It's not binding.

There are weird technicalities, but prenups are binding.

As long as there's been some minimal asset disclosure, which is easily done in a prenup, and as long as there's not a language deficiency,

meaning that the person who is reading it understands English to the level that they understand what they're signing.

If they don't, that at least they've acknowledged in their native language that there is some opportunity for this to be translated for them.

They're binding.

They're presumptively binding.

We live thankfully in a culture where people are allowed to enter into contracts about money.

What are some prenups that you've seen that can be effective or that people converge towards in terms of what does that agreement look like?

Because the popular conception is when there's no prenup, both sides get half.

That's generally true that both sides get half.

Equitable distribution, which is what the law is called.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

It's the law of equitable distribution.

It's not called the law of equal distribution for a reason, because it's equitable, not equal.

Equitable is presumed to be equal, but there are exceptions to that presumption.

That's where lawyers can get into fun and or trouble, depending on how you view it.

It's where we make our money.

We make our money arguing that the fair result will not be just a 50-50 split.

There's the very generic standard prenup, which is easy.

I call that yours, mine, and ours.

If it's in your name, it's yours, whether it's an asset or a liability.

My name, it's mine. Joint names, we split it 50-50.

Simple, clean.

You go in to the marriage now, knowing what the rules are.

If you get a bonus at work and you put it in your sole name, then it's your separate property in the event you divorce.

You go out and buy a boat, and she doesn't support you buying the boat, but you got a big loan on this boat.

You're responsible for that loan.

I like that because I like people having some control.

I also like people having to have discussions.

Why are we putting that bonus just in your bank account?

Why wouldn't we put it in the joint bank account?

We should have that discussion while we're married, not when we're in a divorce lawyer's office 10 years later, because we should be able to talk about those kinds of things.

What's interesting about prenups is that somehow people think it takes away from the romance of a marriage.

I've said it before, and I'll say it again, all marriages end.

They end in death or divorce.

Having life insurance or having a will, it doesn't mean you can't wait to die.

It doesn't mean you're looking forward to death.

It doesn't mean that you're predicting your demise sometime imminently.

It just means that you're being realistic and honest.

When you marry, and I don't mean spiritually marrying, having a marriage ceremony, I mean legally marrying, you're making changes to your rights and obligations under law.

That's what you're doing.

Marriage from a legal standpoint, what we mean when we say I got married, is a state agency.

It's been created by the state.

This is a legal status that most people who are in it know nothing about.

They just did the most legally significant thing they're ever going to do other than dying, and they have no idea what rights and obligations it created in them.

The first time they're going to get an education about it is in my office.

That's crazy.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

When they get divorced.

That's crazy.

So prenup is an opportunity to learn something about it at the start.

First of all, whenever someone approaches me about prenups, and that's like four or five times a week probably, depending on the season.

Right before wedding season, we get a lot.

When's wedding season?

Well, it used to just be the summer.

They say when you marry in June, you're a bride all your life.

That's from some Rodgers and Hammerstein musical.

Now the fall is very big too.

People love fall content, fall weddings, pretty pictures and things.

That's good on the gram.

That's a hashtag.

Weddings is for the gram.

I have to tell you, weddings is performative, man.

See, the problem is though, it's curated.

So here's us picking the cake.

It's not here's us doing the prenup.

You know how many people I've done prenups for that I've watched on their social media or them being interviewed by Andy Cohen on Bravo and saying,

well, no, we don't have a prenup.

Yeah, you do.

Yeah, you do.

You do.

It's in my office.

It's in a folder.

They don't even know.

That's beautiful.

But prenups are not published any place.

They're not filed with a court.

They're maintained by the two people that signed it and their lawyers.

That's it.

So nobody has to admit that they have a prenup.

Beautiful.

Yes, but there's a certain problem with that in so far as a lot of people have prenups and we need to normalize prenups.

There's no reason not to normalize prenups.

There's no reason not for until some famous people say, yeah, we have a prenup.

We're crazy about each other.

That's why we're getting married.

You know, but yeah, look, we're getting, you know, I don't want to get a car accident, but I got a seatbelt, you know, like you have it just in case.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And I mean, what do you do if you're running a company?

What does that have to do with the prenup?

You know, you're running a hundred billion dollar or a trillion dollar company, Jeff Bezos, I suppose his marriage was before Amazon.

Yeah, his was before it was anything.

But like, how does that work in a prenup?

Well, no, actually, it's the same.

I mean, what you're, what you're doing with a prenup is you're identifying, you're identifying how things will be classified in advance.

So you're creating a set of rules and then you both can function under those rules during the marriage.

So like I, for a brief time, I taught a family law drafting class at a law school.

And when we would do separation agreements and we would do pleadings, you know, it was lots of fun.

When we would do prenups, I would say to the students, you know, what's the main thing you need when you're doing a prenup?

And they would say, well, you know, you need asset disclosure and say, well, that's not the main thing.

And they'd say, well, you need, you know, technical language.

I said, nope.

The main thing you need is a crystal ball.

The main thing you need is the ability to see what's going to happen in the future.

Who's going to have money?

Who's not?

Who's going to be successful?

Who isn't?

What people will inherit?

Problem is, we don't have that.

We don't have that.

So what can we do?

We can create tranches.

We can create structures.

We can create systems.

And then people can live with those in mind.

You enter the game knowing the rules, right?

So you know if this is going to be a submission-only event.

You know if this is going to be no time limit.

You know if we're after a certain number of minutes, we're going into points now.

Okay.

So I can work with that rule set and I'm going to amend my game based on that rule set.

Same thing.

Same thing.

So I'm just going to say, look, what's the rule set?

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Let's agree on the rule set.

And then let's conduct ourselves with the rule set in mind.

Let's plan the rule set in mind.

And I think that, you know, by the way, and if you're going to cheat, you cheat with the rule set in mind.

You know you're cheating, right?

You know you're trying to get around the rule set.

So prenups are, when I do a consult for a prenup, the first thing I do is here's what's going to happen legally if you marry without a prenup.

Here's what happens to your rights and obligations.

Then what we can change with that, there's almost no limit.

You can amend anything you want to.

The example I always give is there was a case that went up to the appellate court where high net worth guy married a very beautiful woman and there was a provision in the prenuptial agreement that said for every 10 pounds she gained during the marriage, she would lose \$10,000 a month in alimony if they divorced.

And there was, here's her baseline weight as of the time of execution of this agreement.

And I wondered if she was like, did like what a wrestler does?

Like did she like, you know, did she like bulk up right before and then cut when she eventually got divorced?

Like is she in there with sauna, you know, with the suit on?

But the appellate court essentially said, I don't know why you married this person, having to have them make you sign this, but it's binding.

But it's binding.

I wish somebody would do a contract like that.

Like the rent for this place would be more expensive if I was fatter and cheaper if I was skinnier.

And that way I would have to weigh in and be motivated.

Well, it could be like some motivation on you.

Yeah, exactly.

That kind of prenup is motivating.

Well, what is it?

I think Tim Ferriss says that about how he does like, he said you should make bets with people.

If you gain this much, I got to give you this amount of money, you know?

He says that in one of his early books.

And try to make it binding somehow, which is tough.

Yeah.

I think when we create incentives of that kind, you know, that's why like there was like the no nut November, no shave November, you know, sober, like all those.

Yeah.

It was a competition.

When people make a competition of something, they gamify something, you know, makes it

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

something

that people are more likely to stick with.

So, I mean, I guess a prenup be interesting.

There, you know, the problem is there, there's also people put in prenups.

What's called fidelity clauses.

Oh, yeah.

Yeah.

Fidelity clauses.

People still do these.

I discourage people from doing them.

The two things that people put in prenups that I discourage people from putting in prenups, but very often people still put in prenups, even with my caveat is fidelity clauses and sunset clauses.

So fidelity clauses is I'm waving alimony.

I'm waving this and waving that.

But if you cheat, I get a million bucks or I get this much alimony or I get this amount.

And I know the intention is to disincentivize the person from cheating.

It's a deterrent to have them cheat.

But all it really does is just creates like an interesting legal battle for lawyers.

Like how did you prove that they cheated or not?

All right.

Because what, yeah, will constitute cheating also.

Right.

Right.

But what's a deterrent affair is oral sex, cheating is like what is, and by the way, how do you prove it?

Yeah.

Like, well, I was in a hotel with her, but how do you prove that I had sex with her?

And it's very, very, you're opening a can of worms with that kind of a thing, but people sometimes still put them in.

And sunset clauses.

Sunset clauses is if we're married X period of time, this goes away as if it never existed.

And why is that a bad idea?

The same reason the community property law in California is a bad idea.

So the community property law is after a certain number of years, I think it's seven, everything, including your premarital property, all becomes marital property.

And the idea of that was supposed to be that if you've been married that number of years, like you're in enough of a serious relationship now that everything is one unit, you're one person.

And what it actually does is creates a very uncomfortable thought experiment that people have to have at the six year mark because you have to, now the honeymoon's kind of over, you might have a kid or two and you go, okay, wait a minute, am I so happy in this relationship that I'm willing to take all of my premarital assets and throw them in the pot right now

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

because if not, I got six months to get divorced.

Yeah.

And that's not, so like if you say to someone, like if you got married tomorrow and then you found a company that's worth \$100 million and under your prenup, that's your separate property, but there's a sunset clause that says that your prenup goes out the window in 15 years.

Man, at year 14 and six months, you got to ask yourself some serious questions about where's this relationship going to be in five, 10 years.

Right?

And that's why kids, you pay for a lawyer.

That's it.

We get paid to see around coroners, you know?

I get paid to be paranoid.

I tell people that all the time.

Okay.

So you mentioned infidelity.

You write in the book, which everybody should get.

It's a great book.

It's a great read.

It's a window into your soul.

You in this book write that there's five kinds of infidelity.

Do you remember?

Can you explain?

Yeah.

I mean, what I wanted to say is that all infidelity is not the same, that there's different kinds. And some of them are more obvious than others.

Like there's the soulmate, you know?

That's the one I think I see most often, which is a person meets another person or rekindles on social media or elsewhere, a reconnection with another person in their life.

And they go, oh my God, this is the person I'm supposed to be with.

I'm in love.

The heart wants what the heart wants.

Like I'm leaving you for this person because I have found my true love.

That's one type.

And it's an incredibly common type.

And there's a, you know, there are plenty of cautionary tales associated with that where people thought that they found there's someone and then it turns out it was, you know, no, it was just unfair, you know?

And you know, a man who leaves his wife for his mistress just leaves a new job opportunity open.

And we should also mention that you, you know, talk about Facebook and Instagram.

Oh, yes.

If we were going to invent an infidelity generating machine, it would be called Facebook, which

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

by the way is a function of the fact that the book was written in 2019.

I would now change it to Instagram.

Oh, because you said just Facebook.

Yes.

But now if I had to rewrite it, it would be if we were going to invent an infidelity generating machine, it would be called Meta.

That would be what happens.

Yeah, there you go.

Yeah.

Very tech forward.

It was a function of what Facebook and I think Instagram also are, which is it is a communication tool that has people looking into windows that I think are antagonistic to marriage.

You're looking into the lives of other people.

You're looking into the social lives of people that you meet casually.

So there was a time where you would be at your son's soccer practice and see the attractive mom across the way.

And you wouldn't really talk to her, interact with her.

If you did, it would just be at practice.

But now we add on social media those people because for legitimate reasons, we need to maybe communicate about when practices or we want to message the person.

But now it's sort of an invitation to a connection.

And then it's, you know, there's a picture of her on vacation in a bikini.

That's very intriguing.

And then you have a benign, oh, I saw you guys want a vacation.

Where did you stay?

You know, oh, was that good?

Did you like that?

Oh, that's nice.

And now we're talking.

And now we're having an interaction.

And now this is how the spark of affairs begins.

It's usually, people don't usually meet and go, would you like to potentially wreck your marriage?

Yes, would you?

Oh my God, let's do this.

Yeah.

Like it's much more, you know, it's slowly happened.

So when I talk about types of infidelity, the soulmate, the unexpected soulmate, you know, this connection that you didn't expect.

I didn't expect to fall in love with this person, but I did and the heart wants with the heart wants and I'm sorry.

That one's tough.

That one's tough because, you know, it's an interesting distinction between men and women

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

to some degree that when a man finds out his wife was cheating, the question is, did you fuck him?

And when a woman finds out that a man cheated, the question is, do you love her?

You know, and those are, those are different things, you know.

I feel like there could be many and have been many books written on that distinction.

Yeah, they're happened by much smarter people than me.

Yeah.

But, but I think that the soulmate thing is very, very painful for a lot of my female clients.

When a man says, listen, I found the one, I found the one and it's not you.

That is really, really hard to get past.

Even when it turned out to be true, I mean, I've seen some people that, you know, it was an affair that turned into 20 plus year marriages, you know.

So I, an unhappy marriage and then a happy affair that turned into a very happy marriage.

Like I don't, I've not seen, there's not a formula, you know, like I've, I've been doing it long enough now that I've seen permutations I never would have expected.

So that's one, one type of infidelity.

The other is what I call the push out of the closet, which is, is, and that I think happened more often earlier in my career.

There have been tremendous strides, I think in, in the, the, the lesbian and gay community, where including marriage equality, obviously, where there's a lot of change as to people accepting people as being gay or lesbian.

And I think that there was a time where, you know, people were having, being in the closet was much more important.

You were subject to professional scorn and, you know, all kinds of things if you were gay or lesbian.

So people were sneaking around and having affairs with their same sex partners and then they get caught.

And then, you know, it really was a function of the, of the, of the, the fact that they were closeted.

And again, that's another kind of complicated dynamic because, you know, I, I haven't had that happen to me where a woman left me for a woman.

But I'd like to think it would be easier for me because if you left me for a man, you're saying I want one like you, but better than you.

Whereas if you leave me for a woman, well, that's a whole different set of equipment.

I don't have that.

So like, I can't like, okay, like it's not me.

It's you.

It's something you want that I can't offer.

It's, I don't, we don't serve that at this restaurant.

So, you know, it's okay.

Like, I get it.

I mean, there's a betrayal.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

There's a sadness, whatever, but, you know, this is a different thing.
The saddest type of infidelity, in my opinion, is the mistake, which is someone just makes a mistake.
They, they, they just, people do dumb shit when it comes to sex.
Like people just, in a moment, you know, they sub, they follow temptation.
Their impulse control is poor, you know, and they, they do something that they, that doesn't reflect their morality or doesn't reflect the depth of their feelings.
Like, if you spend enough time in a room with people who've cheated in a relationship and are speaking candidly to you about it because you're their lawyer, they'll say to you very openly, like, no, I really love my wife.
I really love my wife.
Like, I just, I don't know.
I was just an idiot.
Like, I just, you know, I saw this bright, shiny object and I went for it.
I really wanted to sleep with that woman.
Like, I, I wanted to, I wanted to fuck her.
I love my wife.
I make love to my wife.
I love my wife, but I just want to sleep with this one, you know?
And we created a culture where one of those eradicates the other.
I don't, that's a whole nother discussion is, you know, or is there ethical non-monogamy?
Like, should we, is marriage about who I have sex with or is marriage a different kind of a partnership?
Is it a, is it a pair bond that's about building a life together?
You know, and where does monogamy fit into that?
And people like Esther Perel and they're, they're, those are people who are making very intelligent discussions about that.
You know, yeah, that's a complicated one.
Just to actually just linger on that, have you, how often have people with open marriages have been in your office?
Well, let's see.
And this is one of those like, from a research perspective, this would be flawed because I see the, they're in my office because their marriage is falling apart.
So there may be lots of people having open relationships that don't end up in a divorce lawyer's office, so I'd never meet them.
But I meet a lot of people that that was the Hail Mary pass.
Sure.
Like I meet a lot of people that they tried that, but in retrospect, it was a Hail Mary pass.
It was like, look, we've just figured, let's try this.
You're like, maybe it's, maybe this'll, this'll keep the glue together on this thing, you know.
And, and, and I've also seen open, open relationships go wrong.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

You know, where we agree, we're just going to have sexual connections with other people, or we're going to bring other people into the bedroom. But together, like we're going to be together with other people or with another person.

And then the, that connection of those two people, like, do you think it's a soulmate all of a sudden now?

And it goes in this other, because, and again, is that novelty, is that, like, it's the reason why I don't understand why people have threesomes.

It's kind of like, you know, when someone sings to you, I don't know where to look, like I don't know where to look.

Like if someone's singing to me, I don't know where to look.

Like it feels weird, right?

Like if this is a conundrum, I, this is, no, this, I'll say this to you, this will never, but I, it's the reason I can't go to strip clubs.

Yeah.

I don't know where to look.

Like if I go to strip club, you know, like you go to strip club and, and there's, you know, the part where they, the woman's on the stage and she walks past each person who does a little thing and then next person and then there's a little thing.

So when she's right in front of you.

I like a woman's face and I like a woman's body.

I like both of them.

So I'm looking at the woman's face and she's very beautiful, but she's naked.

And I think, Oh, she's naked.

I should be looking at her naked body because obviously that's like, it's almost rude not to because she's naked in front of me.

Of course.

So then I'm looking at her naked body, which is lovely to look at, but then I find myself going, Oh my God, you're just stale.

You should look at her face for God's sake.

And then I'm looking at her face and find myself having this whole thing in my head where I'm going like, Oh my God, where am I supposed to look?

So I think a threesome with two women you don't hardly know or you're not.

That's different, but a threesome with a long-term partner who you're in a relationship with and a new person seems to me a very dangerous ground because you're going to want to enjoy the novelty of this new person, but you're going to have to spend time with this person after.

So how much attention do you spend to the new novel exciting thing without creating the impression that you don't, you're not interested in this because you want, you're my favorite person, but this is fun.

So I want to just try this for a few, but then also I don't want to forget about that like it, it just seems tricky.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

That analogy, by the way, is brilliant.

And also, I guess it's tricky because the consequences of mistakes are quite high because you're going to have to talk about it.

Right.

And there's an easy way to misinterpret the data, right?

Like, so if I'm, if I really liked sleeping with my partner, but I get one chance to sleep with this other person, like, well, of course I should indulge in that because I can do this anytime.

Like what did, you know, but this person, my partner might interpret that as, oh, so you're more interested in her than me because that voice in my partner that would be, you know, insecure might hear that.

You know, so I just, why would you even, why would you open yourself up to that level of chaos?

You seem to love chess in the courtroom.

It's the kind of intimate human chess of sorts.

Yeah.

No, that's, that's too high risk.

How do we get on threesomes?

Oh, open, open marriages.

Well, we got, we got on threesomes.

I don't know.

I was wondering how people get on threesomes.

Um, I figure if they like, if one is fun, two must be better.

If two is better, three must be better.

Um, yeah, I, I think we, the way that, that this becomes an issue is why would you have a non-monogamous relationship?

It, what is it about your sex life with this person that's not satisfying?

And I think that that is the question that's harder to ask yourself and to try to answer with your partner.

I mean, you've said that this idea of soulmates is, is great for your business, but it's like a human being and a partnership can't be everything.

Is that true?

I think it's unrealistic.

True romance, right?

The, uh, the document of that we keep referencing here.

I think it's wonderful to do.

Cause sometimes now people don't get that reference anymore.

Like I, I talk to people and when I try to teach negotiation to young lawyers who come work for me, I tell them to watch the Gary Oldman scene.

Where he offers him the Chinese food.

Yeah.

Well, why is that scene the one that really?

Because it's the best negotiating lesson I've ever heard in my life where,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

where, where he comes in, he's just for the record.

Yeah.

Gary Oldman plays a pimp and he owns his girl is Patricia Arquette, right?

And Christian Slater's character, the protagonist is coming in to tell Gary Oldman that he no longer owns this girl.

Alabama is Alabama is going to be with him now.

And Gary Oldman is a, a amazing performance.

And he's sitting in a living room with a shotgun next to him with armed guys around him, watching television and eating Chinese food.

And he's got Chinese food laid out in front of him.

And Christian Slater comes in and he says, I need to talk to you.

About Alabama.

And Chris, and Gary Oldman says, do you want some Chinese food?

And Christian Slater sort of taken it back by the question.

He says, no, I came to talk about Alabama.

She's with me now.

She's, and he proceeds to tell him what his offer essentially is.

And Gary Oldman says, you know, you fucked up, right?

In some, in substance, he says, you know, if you'd sat down and started eating my Chinese food, I would have thought, who's this guy?

He didn't have a care in the world, just sitting down, eating my egg-foo young.

But instead you tried to be hard and now I know you're full of shit.

And so I think that scene summarizes how in negotiation, the more you enter into it with that, like anytime I deal with another lawyer and they're like, well, we'll see you in court.

Okay, see you in court.

Like empty barrels make the most noise.

Like you and I as people who've been in the jujitsu community have been, I know some dangerous people.

I know FBI SWAT people.

I know, you know, I know people that are, they know how to do things to people.

And they're the calmest guys you ever meet in your life.

You scuff their sneaker.

They're like, oh, you don't worry about it, it's okay.

Like they're quick to apology.

Like they're just chill.

What, what were we talking about?

We were talking about.

Oh, wait, true romance.

Oh, the soulmate.

Yeah, soulmate.

Yeah, well, you're saying that this idea, like with that film underlying, there's this current of like they were made for each other.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Yeah.

I think there's a distinction between the feeling that someone is your missing puzzle piece, that you're made for this person.

I think what that just means is there's a lot of overlapping, beautiful connections.

I love them intellectually.

I love them sexually.

I love them interpersonally.

We have some shared history.

We have some shared commonalities.

We were raised in the same culture, raised in the same religion.

Like we view, we have politically similar ideas.

Like these are all, or we have totally opposite ones, but they're complementary.

Like I've always joked that like finding someone with complementary pathologies.

You know, like I'm obsessively disciplined.

So having a partner who's like flexible and like spontaneous is really good for me.

And, and also me being like, no, no, no, come on, come back.

We're going to do this now.

No, no, it's time to actually do this now.

Like we're good for each other.

It's barefoot in the park.

You know, it's this idea of like, you know, the yin and the yang.

So what I have an issue with is that the definition of soulmate that I think is sold to so many people now is this idea that if your partner is disappointing to you in any way, meaning they're not the perfect travel companion.

They're not the perfect vocabulary companion.

They're not the perfect roommate.

They're not the perfect lover.

They're not like the odds of someone being all of those seems crazy to me.

Like it's infinitesimally small and they don't have to be everything.

Like I, if I go to a restaurant and eat 10 courses and one of them is kind of subpar and the other nine are the most amazing culinary experience I've ever had.

How dare I say, well, that wasn't, that wasn't the right restaurant.

Like, no, what do you mean?

Like that's a great restaurant.

What are you talking about?

Like, of course, there was one little thing.

So I think it's impossible to have someone never disappoint you.

It's impossible to have someone who never lets you down or doesn't say and do the exact right thing at the exact right time.

And to create the idea or expectation in anyone that your partner should never let you down, never disappoint you, never not know what to say is, I think crazy.

I mean, I, I, I find for myself, when someone, for example, loses someone, when someone loses a family member, a pet, I often say the same thing to the person.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

I'll either talk to them or send them a text or call them.

And I'll say, if I wish I knew the perfect thing to say, because I would say it right now.

Like, but, but I know there isn't like, I know that, you know, I don't say that part, but like, I know there isn't like, there isn't a perfect thing to say.

Like, but if there was a perfect thing to say, I would say it right now.

Like love to me is not that you never let this person down.

It's that you never want to let this person down.

You know, it's love is a verb, you know, like it's this feeling of I, I never want to disappoint you.

I will disappoint you, but I never want to disappoint you.

I, I will hurt you, but I never want to hurt you.

When I hurt you, it will be my insecurity, my stupidity, my humanity that causes me to hurt you, but I will never intentionally hurt you.

You know, I will betray your trust.

I'll never intentionally betray your trust.

Like I will buy my stupidity, say the wrong thing or loose lip say something to someone that you didn't want me to, but it won't be intentional.

I will always try to be on your team.

That feels to me like a realistic thing.

Yeah, the intention leaves the way, but there's some aspect of like, you know, just like the time course meal that over time, there's a kind of a convergence towards perfection.

And along the way, there's the rose-colored glasses where you see the beauty and everything.

So it just, it feels

it's probably destructive just to really internalize the idea of soulmate

because then any imperfections can, can make you doubt, can make you step away, can make you lose the connection.

But it just feels like, I don't know.

It's too heavy.

It just feels, I feel like when you see a couple that's 90 years old

and they've been together for 60 years, 70 years, there is, of course,

a temptation to think about all the beauty that they've seen on that journey

together, the children, the grandchildren, maybe the great grandchildren,

all the joy that they've seen, all the pain they've endured and struggled together, you know.

But they've also disappointed each other a whole bunch of times,

probably let each other down, they probably lie to each other a bunch.

And yet, and to me, that is a beautiful thing.

Like, that's what, that is not it's great in spite of that.

It's great because of that.

They still love each other, even though they've been so flawed and imperfect.

And, and they're human and they still love each other.

They still rode that thing together because the reasons to do so were

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

greater than the reasons to not.

We've mentioned some of this, but I'd love to get your opinion on having seen things gone wrong.

How much, and having mentioned Emma Hurd and Johnny Depp, how much fighting.

Do you think is okay in a relationship and how to resolve the fights such that they don't escalate to that disconnection?

Is there some wisdom you have for that?

I imagine you've seen some epic fights.

Yeah, I, you know, it's very, I've seen some crazy fights.

I have, even on my phone, I have some recordings.

Because now there's, you know, cameras everywhere.

It's like nest cams and, you know, ring cams.

And so a lot of this gets recorded and, and people, you know, have phones so readily available that they can record the other person and know it.

And I listen to the way people speak to their, first of all, I listen to the way people speak to each other and I'm shocked.

I listen to the way people speak to their romantic partner, to their spouse.

And I'm, I'm blown away.

I'm blown away.

Disrespect away.

Just disrespect, insults, profanity, just degradation, just brutality.

Just, just, and then like to then kind of go on like the next day, you kind of go on like nothing happened.

I don't, I'm shocked by it.

I mean, I, I listen to it and I think like, I, if someone ever spoke to me that way, I don't know that I could ever really feel deep connection to them.

Like freely, I would feel so betrayed, like that they just so brutal.

Like I can't imagine speaking to someone that way.

Like it's saying you, you just, such vicious insults to someone, you know?

Like I, but I, I understand that's how some people communicate, perhaps.

I guess the question of how much fighting is too much fighting in the relationship is for me a bit like the question, how much sex is enough sex in the relationship.

Yeah.

It, it depends on the two people and their individual tastes.

But what's problematic is when there is a disconnect between the two people.

Like, so if, you know, there's a, I think it's Annie Hall.

It's one of the Woody Allen films where Diane Keaton and Woody Allen are both talking to their respective therapists about the relationship, you know, but it's like a split screen.

Yeah.

And she says, I mean, we have sex all the time.

We have sex like once a week.

Yeah.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And he goes, we never have sex.

We have sex like once a week.

Yeah.

And, you know, it's funny because it's true.

It really is this, you know, they both know the same data, but they're interpreting that data set completely differently.

And I think it, you know, the question you have to start asking is like, what is, you know, Steve Harvey actually once said something funny to me.

He said that success is not where you are.

Success is where you are in relation to where you started.

Yeah.

He says, because if success is where you are, Oprah's got us all beat.

Yeah.

Or maybe Elon's got us all beat.

I don't know.

But if it's where you are versus where you started, because there's a lot of people that started on second and, you know, started on third act, like they hit a double, you know, like, well, I was given 10 million, but then I turned it into a hundred million.

Well, the first million is the hardest.

So, you know, come on.

But I think the question of like how much sex were we having at the beginning of the relationship, that might be the wrong gauge, because that's like we couldn't keep our hands off each other and we just, it's novelty.

But, you know, like how far, well, how much sex we're having post-children versus before the children, that might be worth looking at, you know, like, how do we compare it, you know, like, am I overweight compared to what?

When I was 20 and running marathons or most 50 year old men, I don't know.

I got a, I got a, like, what do you compare it to?

So I think fighting, there are some people that I think they enjoy fighting.

Like they enjoy argument.

You know, I know people that enjoy political debate.

I don't particularly enjoy political debate.

Not that I'm not very interested in political concepts, economic concepts.

I just, I argue for a living.

So in my free time, I don't find argument that enjoyable when it's intense.

I find discussion more interesting.

That's so interesting.

They use, you just keep the battle to that particular, to your main profession.

And everywhere else, you want peace.

Well, did you ever, you know, Bob, Bob Goldthwaite, Bobcat Goldthwaite, the comedian, very, very funny.

And he had a whole second chapter as like a director and a writer.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

But he has this, you know, I saw an interview with him once where he said, you know, yeah, he says, like, I'm a comedian.

I've been a comedian a long time.

People always come up to me and they're like, oh, you're a comedian.

Do you want to hear a joke?

He's like, and all I can think is, oh, yeah, that'd be a real fucking treat.

Yeah.

Like I haven't heard jokes all day, all night for years.

That would be a real special occasion.

Yes.

Like I, I get it, you know.

Yeah.

And I mean, a sadder story, I've been reading quite a bit about Robin Williams and his wife would talk about how quiet and introspective and thoughtful and intellectual he was and not really that humorous in his private life.

But that may be a function of, you know, that it is enjoyable to be the other thing.

Yeah.

You know, one of the things I've always thought was very funny in relationships, my own relationships, is most women I know who have a husband who doesn't wear a suit every day for a living, when their husband gets dressed up, like they're going to a wedding or something, they get like, oh, my God, look at it, like, look at him, you know.

And I wear a suit every day, you know, on the weekends, I don't.

I wear like jeans and a black t-shirt, but the rest of the time I wear a suit.

And I remember, I think this has been true in every relationship I've been in since I was a lawyer, including my ex-wife.

It was always like if I had on jeans and I wasn't shaving, it was like, look at you.

You know, it's like, are you kidding me?

Like, like, I'm like, really?

Like, whereas the suit, they wouldn't even notice.

What do you notice the suit?

Sometimes the other thing.

Well, that's what it is.

It's the novelty of the other thing.

So I think that if you're Robin Williams and you're like being shot out of a cannon in terms of your performative style and your energy and explosive, yeah, being quiet must be very refreshing.

Like, I imagine, you know, incredibly intelligent people must love just watching stupid humor or having a dumb.

It's why some of the smartest people I know like really dumb shit.

You know, it's why like Rick and Morty, I think is brilliant because it's both smart and dumb.

Yeah, it's a perfect combination.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

It really is. Yeah.

I think it's possibly the perfect show.

Is there advice you can give to somebody like me on how to interview?

Well, how to do conversations?

Well, is there do you think there's something transferable from the courtroom to this setting with complicated people?

Yeah, I think so.

I think what can be learned about interviewing is.

The distillation, like what what what is most important?

When I hear a story that I have to present to a judge, the totality of someone's parenting, the good of their parenting, the bad of their parenting, the good of the other parent, the bad of the other parent, I have to sort of boil down what are the best examples because I can't lay it all out.

And then what what greater principle do they speak to?

You know, the best jujitsu teacher that I think I've had is Paul Schreiner and Paul doesn't teach just teach you techniques.

He's teaching you ways of thinking about concepts in jujitsu.

And then here are some techniques that illustrate that.

John Donahue, from what I can see, does a lot of that as well.

I think they're like soulmates in the jujitsu world.

Yeah. And then there's that element that you spoke to, which is maybe considering the other side.

Well, always.

Devil's advocate kind of thing.

Yeah, I mean, straw man, steel man stuff.

You do you do a lot of that.

And I think all the best interviewers do.

But yeah, I think it's really, really important to think about.

You I have to know the other side's case much better than my own.

You know, I have to know what are their defenses?

What are their strengths?

I have to to map out a strategy that keeps those in mind.

And that's hard because early in my career.

I would attribute.

To the other side.

And intelligence and strategy that sometimes wasn't applicable.

Like I've I've learned like, you know,

there's like the simplest explanation is the accurate one, you know, the Occam's razor, I think like sextons, you know, would be never a tribute to strategy that which could be attributed to stupidity for laziness.

Because I have lots of adversaries that like they'll not file a motion.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

I thought they were going to file and I'll go, wait, why didn't they file that?

Like tactically, what are they thinking I'm going to do?

And what what is that about?

You know, and I would go, well, I didn't file it.

Why wouldn't I?

And the answer is like, they just didn't think to file it.

Or like they were too lazy to draft it or they went on vacation last week.

So that's why they didn't.

And I'm, you know, driving myself crazy going, there's some tactical read.

There must be.

So I think you have to look honestly and don't attribute to the other side your constitution.

You know, if I said that, I'd be saying it sarcastically.

If you said it, maybe you weren't saying it sarcastically.

Like you have to think about the fact that we're unique human beings who express themselves differently.

And for you, the audience is usually the judge.

Do you judge?

No, we don't do jury trials.

That's the interesting thing about family law attorneys.

Family law attorneys don't do jury trials.

We do bench trials.

We just persuade there's a person in a black robe.

That's the only person I have to convince.

Does the person in the black robe, do they have emotions?

Are they human or are they very?

They are human.

They are all too human.

Do they impose that humanity on you?

Like, do you feel it?

Oh yeah.

Oh yeah.

Oh no, they, do you feel it?

Like they're human.

They're working their shit out.

Okay.

They're parents.

Yeah.

They're husbands and wives.

Yeah.

And you're talking about stuff they deal with.

I had a woman on the stand, an expert witness on the stand, who was talking about the emotional and physical abuse

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

that was perpetrated on a seven-year-old.
And this person had written a bunch of reports
that were in evidence in this trial,
where I'm like day six or seven in the trial.
And there's all of this information in the record
about this verbal abuse and mental abuse
and like gaslighting and like really intense stuff
that this woman was doing at this seven-year-old.
And the judge was like vaguely paying attention
for most of the time.
And at some point, the person says,
well, when a parent is abusing a child,
and the judge just interrupts, she goes, well, you know,
do you think like if a person spans a child,
that that's abuse?
She's like, well, like a person in general?
By the way, if my adversary asked that question,
I could object.
But I can't object when the judge asks a question.
They get to rule on that objection.
So I'm like, where's this going?
She's like, well, no, I mean, spanking
can be a form of abuse.
She's like, right, but like, you know,
are you saying like everybody who spans a child?
And I'm saying, you're going, what is going on in your house?
Yeah.
What went on with your parents?
Like because you're bringing some stuff here that's not,
this is not what you're supposed to be.
This is not your role, you know?
But there are good judges and bad judges.
And that's a big, big deal.
Well, I've noticed that I don't have kids.
So I have a certain perspective on the world.
I really want to have a family and have kids.
But I've noticed when I talk to people that have kids,
and gender matters also, like fathers are like,
with daughters and so on.
Like it changes the landscape of the conversation.
Sure does.
It's like, you're no longer this intellectual
that's like, wow, there's this and there's this.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

It's more like, like go fuck yourself.
Anything that fucks with kids can like burn it to the ground.
I don't care.
I don't care what the nuance is
of the little intellectual thing.
Oh, you want to learn about this.
Represent someone is accused of child sexual abuse.
I've had about a dozen of those cases
where I've represented someone
who's alleged to have perpetrated sexual abuse of a child.
You are guilty until proven innocent.
And let me tell you, as a lawyer,
that is the toughest cases
because you put sex and kids together
and everyone loses their goddamn mind immediately.
There's a rush to judgment.
There is a disregard for procedure.
There is a confirmation bias.
There's a desire to be a protector.
And again, all motivated and informed
by really good things, the desire to protect the innocent,
the desire to protect the vulnerable.
But gang, no, like we have these,
I like living in a world that has due process.
I like these rules.
I like the rules of evidence.
I like innocent until proven guilty.
I like that.
I'm not saying it's perfect, but...
It's such a, I'm so torn on it
because I also like living in a world
where people are so emotionally invested
in connection to other like humans.
Those two things aren't mutually exclusive.
It shouldn't be.
I know, but if you dedicate yourself fully to the law,
you might lose some of the humanity.
I don't think you have to.
I have to tell you, I once actually went off
on a DA, on a district attorney,
who was very vehemently prosecuting
a child sex abuse case that I was involved in.
And I remember it was, I came in, thankfully,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

I came in very early in the case.
So the accusation was made and I came in right away.
Because very often you get this case.
There've been 15 interviews.
This person's been interviewed by police,
by child protective services.
And it's like they've already,
they're already so far down a hole.
They didn't even know they dug themselves into, you know?
So I got in very early on and I just kept saying,
she's like, well, we're gonna do this,
we're gonna do this, we're gonna do this.
I was like, wait, wait, wait, wait, wait, don't,
we should both want this to be fair done properly.
Like there's an expert, a well-respected expert
who's a clinical psychologist
who their job is, they're a validation expert.
So their job is to interview a child.
They record the interviews with a hidden camera
so that everyone can see they didn't
have suggestive questioning.
They're very stringent standards that they follow
to prevent like suggestive questioning
or any of those kinds of things.
And I was saying, listen, no,
no one should be interviewing this child
other than this person who's a neutral, qualified person.
And I kept saying to the other side like, wait, you know,
see this is the problem, like you wanna win,
you're a lawyer, you wanna win, I wanna win too, right?
But we wanna win fair, like that's like saying,
I'm going into a boxing match, I wanna win.
So if the referee's looking to the side,
I'm gonna kick the guy in the nuts.
Like, okay, then you might've won,
but you didn't win boxing.
You won some other thing, you know?
Like I wanna win a fair fight.
Like I want to go in with the rules set,
the law, the rules of evidence.
I don't want a judge who doesn't understand evidence.
I don't want an adversary who plays it fast
and lose with the rules.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

I wanna go in and win a fair fight.
And that's where when it comes,
our passion to protect the innocent,
to emotionally connect,
to feel deeply about children and protecting them.
I don't think that that's antagonistic to,
like we always treat danger with decapitation
in this culture and I don't understand it.
And that's what I like about the law.
There's rules and there's rules about procedure.
And so that's our job,
is to bring out the truth using the rules and the procedure.
And I love that job.
But still there's a human being and the judge, right?
That's the problem.
It seems like a really hard job.
It's a real problem.
Because you have to pay attention to the whole thing.
You have to pay attention to the whole thing
and everyone is trying to persuade you and lie to you.
Yeah.
And everyone can keep their shit together
in a court appearance most of the time.
Like it takes a rare kind of crazy to blow up in a courtroom.
So most of the time everybody looks really put together
and like, yeah, you gotta have an amazing bullshit detector.
I'm not saying they don't have a really hard job.
They have a really hard job.
They have way harder job than I have.
What's their source of ground truth?
Like how do they sharpen the radar for bullshit?
I think that they're assessing credibility,
which is what you call it in the law,
is something that, you know,
I think you're supposed to develop it on the job, you know?
Do you have the data of who was lying in the end or not?
No, not really.
Not really.
I mean, you can try to demonstrate a lot.
What I always sell clients,
and this is the art of advocacy, right?
Is I want to use examples of misrepresentations
to show that this person's a liar.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like I'm trying to extrapolate from the small, the large.
Like I'm trying to say, here's three times he lied,
therefore he's a liar.
When in fact, you know,
we know human beings don't really work that way.
But I've seen people, submarine,
they're just torpedo their entire case
because they lied about some dumb shit,
some dumb little thing.
And I said, and why would you lie?
Why did you lie about that?
Like I had a case where a person was accused
of child sexual abuse.
And on cross examination, they were asked,
did you have an affair with this babysitter?
And they were like, no, no, no, no, no.
And then it was shown through text messages and things.
They clearly had an affair with the babysitter.
And I said, why did you lie?
And they said, well, I didn't want that to come out.
And I said, right, but now you're a liar.
Like, did you molest your child?
Because if the answer to that is no,
and now you destroyed your credibility
because you didn't want to admit
that you slept with an adult woman.
By the way, it would have been good for your case.
Would have been good for your case for you to say,
yeah, I slept with her
because I like sleeping with adult women.
That's how I am.
I don't sleep with children, much less my own, you know?
So why would you lie?
And so that concept is incredibly important.
And judges theoretically, they have to make very tough calls.
I feel like it's the most impotent place
to just sit there and dispassionately sort of listen
and rule on objections.
Like, I just would be so frustrated
because I'd want to get up and,
you know, I had to do jury duty once.
And it was like a horrific experience for me
because I'm sitting there and I'm-

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Give no power.
Yeah, I'm just watching these two lawyers.
I'm like, why did you ask that question though?
I would never have asked it that way.
Why would you object like, when you object,
you bring more attention to what are you doing?
Like, I'm watching both of them.
It's like watching like a jiu-jitsu,
probably what it feel like for like John Donahur
to watch two white belts spar.
Like, why are you doing it?
Wow, my God, what are you doing?
Why would you grab that?
What are you thinking?
Like, and you know, it's frustrating.
It's frustrating to watch.
And as a judge, it must just be unbelievable.
So divorce lawyers sometimes get a bad rap.
Is there a reason for this?
I mean, no one's ever happy to be spending time
with a divorce lawyer.
Like, if you have a criminal lawyer,
they're defending you against the maelstrom of injustice
and false allegations.
They're protecting your freedom.
And maybe you're acquitted and then you're like,
oh, that person saved me, you know?
You buy a house, you know,
that lawyer helps you get the house.
You know, you're happy about that, sign the paperwork.
You do a will, like you help them make you feel secure.
Like, at best, I'm a representative of a chapter
in someone's life that was very unpleasant.
I have a friend who's a Juilliard trained classical pianist.
He was having a humidification system installed in his home
because his piano required a certain level of humidity.
And it was very expensive
to install this humidification system.
And we went out to dinner
and then we came back to his place and he said,
man, this is the most depressing \$15,000 I've ever spent.
And I said, why?
And he said, because there's nothing different.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like I spent \$15,000 and I feel absolutely nothing different.
My piano does, but I don't.
Like I don't have anything to show for it.
Like you finish getting divorced,
you don't really have anything to show for it, you know?
At best, at best it's the same.
It's one of the things I think that's interesting
about divorce is in our increasingly performative society,
you can't pretend you meant to get divorced.
You can't.
Like everything everybody does,
like, well, I wrote that album for me.
It didn't matter that it was not gonna be popular.
No, you wanted that album to be popular.
Like, come on, like you're lying.
And that's fine, but you're lying.
Oh, I think my haircut came out great.
I wanted it to look this fucked up.
No, you didn't.
You didn't, you're lying.
And that's fine because we live in a society now
where everybody's just, oh yes, I meant to do that.
Okay, divorce?
Nope, you got married.
You wouldn't, you wouldn't,
you break up in a relationship, not a marriage.
Okay, well, we were only gonna be together
for a little while.
It was never serious.
We were just like, you know, we were having fun.
That's all it was.
It wasn't, we were never gonna be a happily ever after.
No, you got married.
You got married, guys.
You got up there and you said forever.
And it didn't go forever.
So you can't bullshit anybody anymore.
Like, you, no, it didn't go the way you thought it was
gonna go.
It didn't go the way you signed on for it.
So now that that's undeniable,
like, what can we make it?
What can we make it into?

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like, it can be, you know, the barn's burned down.

Now I can see the moon, you know?

Like, let's make it something.

And so for me, I think people look at a divorce lawyer and they just go, yeah, like, this is this horrible chapter and I associate you with it.

Also too, listen, some of the things we do, it's difficult to simultaneously prevent and prepare for war.

Yeah.

The things you do to protect your clients sometimes look like acts of aggression.

But really they're just trying to shore up a defense.

And so I get paid to be paranoid.

And I have to say to clients sometimes like,

well, are you sure that they're not doing this?

And then they go, well, I don't know.

And I go, well, let me inquire, did she accuse me of that?

No, no, I'm not accusing you.

I'm just trying.

Like, we get a reputation divorce lawyers as amping up conflict because we get paid for the conflict, right?

So like, if you get paid by the bullet, you're gonna start a lot of gunfights, right?

It doesn't really work that way with most good divorce lawyers.

Like, there are plenty of people that are bad lawyers and they stoke up conflict because it jacks up fees.

They usually don't do well.

They don't build a successful career because you live and die by your reputation.

Yes, reputation and everything.

But good lawyers, like good experienced divorce lawyers, we do the whole, you know, hey, listen, you're gonna say this, I'm gonna say this, you're gonna do this, I'm gonna do this, this way.

Let's skip it.

We're gonna end up here.

You know, we got Judge Bluff of Law and you know what he's gonna do, he's gonna go right here.

So why don't we just agree right now to X, Y, Z, sounds good, we're done, we're good.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

So you wanna minimize number of bullets?
It's like the two, it's like Moyamata Mishashi, you know,
it's like the two swordsmen who see each other
and they just stand there at the edge
and they see the whole fight in their minds
and they know who won and who lost and they walk away.
Like it's, we do a lot of that.
We do a lot of, okay, you know, it's like
when you watch high level chess and someone resigns
and you go, wait, what happened?
He didn't win and you go, no, no, the other guy won.
It's 15 moves from now, but he won
and the other guy sees it.
So now we're done.
Can you speak to some recent high profile divorces?
Like the most recent I saw is Kevin Costner.
Yeah, Kevin Costner's a great,
I mean, I don't know him, I'm not involved in the case.
By the way, Yellowstone's just so great.
Oh, it's so good, right?
And I hope Matthew McConaughey who I've gotten to know,
I hope he does one of these shows.
He's Yellowstone or anything else.
He's just born for the role, frankly, but anyway.
He'd be amazing in that, yeah.
Your conversation with him was a great one.
The Kevin Costner divorce is interesting
because Kevin Costner had one of the most expensive
from a distributive award perspective.
Like he gave a huge payout to his first wife.
And then this time he had a prenup.
So it's actually, it's a very public showing
of the fact that one spit and twice shy.
Like he had a very public divorce
that cost him a lot of assets
in terms of the division of assets.
And now it appears by all acknowledged reports
that he had a prenuptial agreement
that was well-crafted and enforceable.
And, you know, he's, the argument now is over
what is child support, what is spousal support,
what's covered in the prenup and what isn't.
So it seems like the prenup worked actually.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

The prenup worked and, you know,
in Kevin Costner's career,
which has always been a steady career,
I don't know that in the like Hollywood stock market
that people would have bet on Yellowstone.
Like I don't, I think you would have said,
hey, the best years of that guy's career are behind him.
You know, how do you get better than dances with wolves
and Robin Hood and like all these big, big,
the bodyguard and then Yellowstone.
And it's like, holy cow, did he knock that out of the park?
And he's central to it.
I mean, he knocked the skin off the ball.
So I think that's why prenups are important.
You don't know what your career is gonna do.
You don't know where it's gonna go.
And so he saved himself a lot of money.
He also has a great lawyer.
He has Laura Wasser.
Laura Wasser is, you know, LA, you know,
just a top professional, brilliant lawyer,
even tempered but intense in the courtroom
and just a smart, smart human being.
I think I liked just, you know,
I haven't been following it,
but I saw a few comments he's made
and he like refused to comment negatively
about his spouse and just smart.
But like the way he said it,
it wasn't lawyer advice.
It's good lawyer advice probably.
But he said it from the heart,
which I always like, I like seeing that.
Yeah.
Like where he refuses even the drama,
even the public nature of it
to throwing jazz or...
Well, Laura, his lawyer is actually notorious
for like not speaking to the press about cases
in an extended way.
And that's a smart move.
Like I don't speak about pending cases
I'm involved in publicly

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

and I discourage my clients from doing so.
I can't always stop them,
but I discourage them from doing so.
I don't think there's any good to come of it.
There are lawyers who try things
in the court of public opinion.
I think there is a...
To take it to the broader principle you just brought up,
I think there is a lot of value
in talking about your ex in a favorable way.
I have to say,
when I first got divorced many years ago,
I went on a date with a young woman.
It's one of my first dates as a divorced man.
And she was a divorced woman.
And she's a beautiful woman.
And we were having dinner and it was going quite well.
And it was one of those things where I was like,
I definitely want to see this girl again.
And I said something about,
oh, you know, there's going to be this thing at this museum.
We should go and she's like, oh, yeah, that'd be a lot of fun.
And I'm like, yeah, we should definitely,
you know, maybe the next thing we do together.
And she was like, yeah, we should go next weekend.
Like the kids are with the asshole so we can go.
And I just, it was like,
you can hear that record scratch like,
like, you know, I just went, oh, yeah, no, this isn't good.
Like I'm not, you're referring to the father of your kids
as the asshole.
Like we're already, I'm walking into something here
that I don't know that I want to be involved in.
Matthew McConaughey, before he was married,
you know, if you look at his history,
he dated some of the most beautiful women in Hollywood
in their prime.
And none of them ever talked bad about him in the press.
They all were like, oh my God, he's such a great guy.
He's such a great guy.
And I always wondered like, how do you,
he got out of all of those relationships
without a scratch on him.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And when you'd watch an interview with him,
they would say like, so you, you know,
you dated Penelope Cruz and he go, Penelope,
that's just, that's just a special lady.
That's just a, what a, what a special lady.
She just a wonderful, what a wonderful woman.
I'm just so blessed to have the time with her.
What a beautiful, wonderful woman.
And I would think to myself like, I'm like, you're a genius.
Like he's a genius because like it,
he'd never come off as petty, spiteful, bitter, any of that.
He just came off as like just dignified,
strong, smart, self-assured.
And like it left, you know, it left like,
it left the viewer with the impression that like,
when he was looking off and specifically,
he's probably like just thinking
about some wonderful time he had with her.
And you think to yourself like, God, that guy,
like he just became cooler and cooler.
Whereas if he got into like the whole, you know,
oh yeah, that was ugly.
And then, you know, this happened and that like,
nobody wants to hear it.
It's awful.
The funny thing about him,
just having interacted with him a bunch,
I don't think he's in the,
he's in the Rogan school of thought, I think,
that I don't see him ever having a fight.
Now his parents were, as he's spoken about a bunch,
non-stop fighting.
They got divorced and remarried and just insane.
And they were volatile.
Yeah, very.
He seems, maybe you kind of,
it's a pendulum swinging the other way.
He just seems cool as a cucumber, like always.
Just lets it roll off.
But you know, even if it's internally.
Yeah.
Not rolling off.
There is value in just rising above it in your discourse.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

That's true.
Like you lie to your children.
Like people say this to me all the time, clients.
They're like, you know,
why did you tell your child that dad had an affair?
Well, I'm not going to lie to my kids.
Fuck you.
Yes, you are.
You lie to your kids all the time.
Mommy, are you going to die someday?
Yes, babe.
I'm going to die and daddy's going to die.
And then someday the earth's going to hurl into the sun
and we're all going to die.
Sweet dreams.
Like that's not, you lie to your kids all the time.
You know, what's wrong with me?
We don't know what's wrong with you.
We're going to take you to the doctor
and hopefully it's nothing serious and you won't die.
Like you lie to your kids all the time.
You're telling them that Santa Claus exists
when he does whatever.
So to say, I'm not going to lie to my kids.
Like you lie to your kids all the time.
You don't like your husband.
That's okay.
You don't like your ex-husband, but it's their father.
So just grin, you know.
Oh, daddy took me to meet his new girlfriend, Kiki.
Oh, that's nice.
Did you guys have a good time?
Good, all that.
Yeah, and she helped me do my hair
and she did my makeup.
Listen, I'm sure that's burning you inside.
But you go, oh, that's great.
Because why?
You love your kids.
Well, that's what, I mean, again,
McConaughey has a way of bottom with that.
He's like, he basically says never lie,
but a little bullshit is okay.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Sure.

Sure.

Yeah.

I mean, I'm very, Tom Weitz has that song,
lie to me.

You got to lie to me, baby.

You know, honesty is a funny thing.

But Tom Weitz also believes that God's a way on business.

I think his words, man.

And who are the ones that we left in charge?

Killers, thieves and lawyers.

That's a Tom Weitz quote.

Well, it must be true then.

Yeah.

I don't know how many, I don't know how many limbs I have,
but I will give all of them to talk to Tom.

And he's a very private person.

I feel like he's the musical equivalent
of Cormac McCarthy.

Yeah.

Even if you get the interview, you're not,

I don't think gonna get in there.

No, I don't think you want, like honestly,

I don't think you want to.

I think, I've seen his public interviews
over the years with Letterman.

I think he just, he is the poetry.

I would put Tom Weitz, Cormac McCarthy,
Maynard James Keenan.

Like these are artists that like,

I think they want the art to speak for itself.

They would like to be lessened.

They don't want you to.

And I remember early, early days of Tool
that he, like this,

he could not have been less interested in the spotlight.

To the point where I think it was almost
to the detriment of the band early on, you know?

And that's, there's no surprise
that those are three artists that I think are unbelievable
and in a category of their own
and that you hear their performance.

Like you can give me a page of a Cormac McCarthy novel

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

and I'll know it's a Cormac McCarthy novel.
You can, a few notes of Maynard James Keenan
or Tom Weitz's voice, you know, that that's them.
Yeah, it's genius, genius highs from the spotlight.
But, you know, it doesn't stop me
from feeling sad about it, but anyway.
Yeah, that does, I would like to hear that in her.
She's the girl that got away.
Yeah.
Yeah, I'm just standing outside of that girl's house
with the bull box.
You just with the sign, yeah.
Just playing in your eyes with Peter Gabriel, yeah.
Yeah.
Anyway, what does it lie to me?
This whole idea of honesty in relationships is interesting.
I mean, clerics with the blowjobs.
Yeah.
I don't know how to phrase it eloquently,
but like there's stuff you should be honest about
and there's stuff maybe you don't need to be honest about.
So in the law, it is illegal to commit fraud.
Fraud is a material misrepresentation of fact,
but the law specifically says you're permitted to engage
in quote, mere puffery.
Nice.
Puffery.
Puffery.
And that's the term that was used for it.
Puffery, and puffery is when you are inflating something,
you're being like hyperbolic,
but people wouldn't necessarily think
you're telling the truth, you know, like it's not,
you know, like if I say to you,
this bottle of water, you know, was held by Elvis
and that's why you should pay me \$50 worth, that's fraud.
But if I say, this is the water that has been,
this water is drank by the finest people.
Presidents drink this water.
This is, now this is puffery, you know?
And so I advertising marketing is based on puffery.
It's not fraud, when it's fraud, it crosses the line.
So I think there's a difference between honesty and candor,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

right?

So in relationships, being honest is good.

Being totally candid is probably not a great idea.

Like it's indelicate to be totally candid about some things.

For a woman, you're in a romantic relationship with says to you, do I look good in this dress?

And they don't.

Or do I look fat in this?

That's a better way.

Any heterosexual man who's ever been in a relationship has had that question asked of him, do I look fat in this?

Does this make my butt look big?

Or does it, whatever, does this, do I look fat in this?

If you go, yes, that's indelicate.

It's honest, but it's indelicate.

And it's almost mean, right?

But there's a, and if you say no, but it's true, she doesn't look good in that.

Like the concern she sees is a legitimate concern.

Do you lie and go, no, no, you look great in that.

It's great.

That's not a good thing either.

So what do you say?

That blue dress you have really complements your body like in a way that one doesn't.

The cut of that dress is such that it doesn't flatter you.

I see what you're saying.

Now it's the dress, it's not you, babe.

But I'm telling you the truth.

Like I'm addressing your concern.

Like this is what, this is the distinction.

Don't material misrepresent the facts.

Like don't steer people down roads

that you know that that's not how it's gonna go, right?

But so it's like if the woman says, I love you,

and you don't love her, don't say I love you back.

You do the like, oh, I have very strong feelings for you as well.

Or like there has to be some middle ground.

You don't just pretend you didn't hear them.

Yeah, I mean, I guess all of it requires skill just like you described.

I think just being honest in quotes is not enough.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Well, it's not a specific enough instruction.
I mean, that's the problem.
Is he, when you write a relationship book,
which I never intended to do.
People come to you and say, you know, like what are some,
you know, what are the things I should do
to help my relationship?
Or what is the cause of divorce?
And you go, well, disconnection.
But like, what do you mean by that?
Or like, how do I improve my relationship?
Pay more attention.
Make small gestures.
Okay, what does that even mean?
Like, what do you mean?
Like acts of love.
You should show your partner that you love them more often.
What do you mean?
Like what I say, what I do, we should have more sex.
Like what are you saying?
Like people want measurable specific things.
So that's why I tried in my book to be like very specific
about like things you can do, things you shouldn't do,
you know, and their practical suggestions.
Like leaving a note.
I talk a lot about leaving a note.
Like if you're dating someone or you're living with them
or you're in a serious relationship, send a text,
leave a note, just little, every day,
just some little thing that just tells them
how much you like them.
Like this is a low cost, high value move,
doesn't take much, and it's a practical thing.
But when we speak in these sort of like broader axioms,
these broader concepts,
that people just don't have any idea
how to practically apply.
I can't wait to listen to the audiobook
where you talk about managing marital finances
as like anal sex, which your mastery of the metaphor
touches one's heart and soul.
You're Shakespeare of the 21st century, really.
I don't know that Shakespeare would have brought

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

anal up in that context, but I appreciate it.

Yeah, yeah.

My thesis there or my point there was, you know, proceed carefully and have discussion in advance.

And don't just spring it on someone.

Sure.

And realize that if this goes wrong, it will go catastrophically wrong.

So good communication is important.

And, you know, yeah, I don't think it's something you should just dive into unless you're prepared for that to have potentially very negative impact.

And, you know, finances is one of the sources of a huge amount of stress in relationships, which is tremendous.

Because it's about value, I think.

I mean, it's aside from having painful conversations about what you tried to do and were able to do or what your impulse control was in terms of what you spent money on.

Like there's, you know, there's the conversation and then there's what's underneath the conversation.

You know, there's gender stuff about men feeling they need to be a provider.

There's gender stuff of men or women thinking material goods will fill the void and buying things and then creating stress on their partner.

There's the very human desire to make things seem effortless.

So your spouse doesn't feel any stress when in fact it's causing tremendous financial stress.

And then when the dam breaks, it breaks hard.

So yeah, there's a lot.

Finance is tricky stuff.

And you could probably be wonderful, romantic and sexual partners and have very different styles of how you handle your finances.

And how you handle your finances is informed by, you know, not only your individual psychology, but also how you were raised and, you know, how your family taught you about finance and how you should conduct your finances.

So.

And there's interesting power dynamics in play.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Tremendously, yeah.

And those are, those are very tricky because the standard of living of a couple becomes important in a divorce, but sometimes the toxic standard of living that created toxic levels of stress is one of the causes of the divorce.

And so you're asked, they're asking the court to maintain a financial obligation on you that is the reason why the marriage fell apart. And that feels like a particularly insulting form of indignity.

Well, you're a fascinating human being on many levels, but you're also exceptionally productive and you've talked to me about waking up early.

For you, we've met today at 11 a.m.

And for you, that's what late afternoon, I suppose.

We had to negotiate, come to an agreement because I went to bed at 4 a.m.

And I was up at, I get up at four every day.

You woke up before you did.

Well, I woke, it's three o'clock local time.

So I woke up at three local time.

Nice.

Yeah, I wake up at four naturally then my body just wakes up.

Oh, wow.

That's fascinating.

And it wakes up full on this speed.

Wow.

Like my most productive writing and speaking is from 4 a.m. until noon or one.

So can you take me through a productive, like a perfectly productive day?

I wake up at 4 a.m. very naturally.

I wish I didn't, but I do check my phone first thing because I wanna see if any emergencies came in from a client overnight.

So work emergencies.

Yeah, work related emergencies.

And it is a divorce lawyer.

Our definition of emergency can be very serious.

It's people absconding with a child.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

It's a police being involved in a domestic violence.
And so they can be like time sensitive things.
And when someone is hiring a divorce lawyer,
I think they're hiring, they want someone responsive.
My clients have my cell phone number.
And I go to bed early because I get up early.
And so I go to sleep by 8 p.m. latest.
I don't think I've seen 9 p.m. even on New Year's Eve.
So I wake up at 4.
I check my phone, check my email,
usually even if there's something that's time sensitive,
it's usually not so time sensitive
that it needs to be responded to at 4 a.m.
because most other normal people are asleep.
I have espresso, black espresso, which I enjoy very much.
And then I work out.
And that someday is gonna be weights.
A lot of days it's just gonna be cardio.
I've changed my habits now that I'm in my early 50s.
It used to be much more intensive weight training
and deadlifts and stuff like that.
And then I herniated my L5S1.
So 485 was my max deadlift.
And now I don't hardly do deadlifts.
Well, you can still relive the past glory.
I do.
I still have some pictures of videos.
But you have pictures.
I have videos.
I have videos of me putting 485 for three.
But you can, in stories, when you talk about it,
you can exaggerate how much you've actually lifted.
That's true.
But then you can't pack it up.
See, I'm very evidence-based.
So if I don't have a photo or a video of it,
I'm gonna, it's just puffing,
mere puffery at that point.
But I work out.
And then I try to work out for a good hour.
And I do that partly because of stress.
I think when I don't work out, it's difficult.
I had a group of guys that I would do jiu-jitsu with

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

at 5 a.m.

They were mostly law enforcement.

They were cops who would either be starting a shift or coming off of a night shift.

And we would train together, just do an open mat.

And it was at 5 a.m. till 6.

And that was heaven.

I love training jiu-jitsu first thing in the morning, if I can.

And then I always do either a sauna or steam for 20 minutes, half an hour.

And then I do a cold plunge.

Or if I don't have access to a cold plunge, a cold shower.

And then I have breakfast.

And it's usually a very uncontroversial, simple breakfast.

I like to eat, you know, I eat like slow carb,

Tim Ferriss-type style.

And then I get right to work.

I try to do my drafting early in the day,

pre-nups, motions, things like that,

from, you know, let's say 6 or 7 until 9, 9.30,

which is when court begins.

So drafting is like writing up different documents.

Right, writing pre-nups, writing separation agreements, writing settlement proposals, writing motions for the court, pretrial memos, which is like research

that I want to present to a judge that supports my arguments.

I do drafting.

I review documents that the attorneys who work for me have drafted and refined them.

And then court is usually from 9 o'clock until noon.

And if we're on trial, then it's a whole different pace, because trials, the lunch break isn't really a lunch break.

You're preparing the afternoon's witnesses,

and you're trying to do damage control

on what happened in the morning.

But if it's just court conferences,

like most cases, there's conferences.

Conferences is you go in, you make oral argument,

but you don't have witnesses on the stand.

You're not taking testimony.

It's like everybody's just shouting allegations back and forth and making temporary arguments pre-trial.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

It's kind of the foreplay of the trial, right?
Is that exhausting, by the way?
It's exhausting when you're done with it.
Like while you're doing it, it's exhilarating.
I always say that I never sleep as poorly
as the night before a trial, and I never sleep as well
as the night I finished a trial.
Because when I am on trial, I am speaking, listening,
watching the judge closely to see what they're reacting to
and when they're paying attention or not paying attention,
watching opposing counsel and the opposing party,
like when is the opposing party writing a little note
to their lawyer to show it to them?
What is the opposing counsel objecting to?
My client is trying to pass me notes half the time
while I'm speaking and making my arguments.
I'm trying to adjust what I'm doing strategically
based on the objections that the judge is ruling on.
So I'm so hyper-stimulated on trial
that when you finish, you can't even talk.
You're gone, your brain is jello.
Conferences is harder because at least with a trial,
there's a singularity of focus.
Like with a trial, it's just one case
and they have all my attention.
The problem is, is then on the lunch break,
all the other cases that I've been ignoring
for the last several hours while I was on trial,
they all have stuff going on.
So it's like, hey, where's that settlement proposal on this?
Hey, she just did this, we need to file a motion.
So now it's like, okay, I have an hour to eat
and to answer all of this in some preliminary way
to delegate some responsibilities.
And then I gotta go back in and put 100%
of my focus on this other case again.
So you find yourself in a place,
that's why I'm very disciplined,
is you find yourself in a place where
I live my whole life in six minute increments,
10th of an hour, because we bill in 10th of an hour.
So everything I do, it's like 0.2, 0.4, 0.6.
And I'm logging time throughout the day.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And you find yourself at the end of the day,
my son is a lawyer, my older son.
He's a district attorney.
And I'm very proud of him, he gets to put bad guys in jail
and he's very smart, he's doing a great job.
He just, about a year ago.
And when he graduated from law school,
we were very close and we were talking,
and he said, we were just talking about like the career
in the law that he was about to embark on.
And I said to him, you know the feeling
at the end of the day, when like all your homework
or all your work is done, and you just go,
okay, it's all done now and I'm gonna go home,
you'll never have that feeling ever again, ever.
You're just gonna every day go, all right, it's enough.
It's enough, I gotta get out of here.
Because you could, with every one of these cases,
you could stay up 24 hours focusing just on it.
So you have to have the discipline to go, yeah, no, that's it.
Like I'm done for now, I've done what I could do today.
And now I'm going to sit and read for a half an hour.
I'm gonna watch this show for a half an hour.
I'm gonna have this meal because it's never done.
So that's challenging.
That's a hard part of this job.
But I think my discipline helps with that.
And then like I said, I finish my day around 5.30, 6 o'clock
and I have something to eat
and I try to wind down a little
and I'm usually in bed by 7.30 and I sleep by 8.
Yeah, you mentioned Jiu Jitsu.
What, you're a brown belt,
what role has Jiu Jitsu played in your life?
I loved Jiu Jitsu.
I trained martial arts from the time I was a little kid.
I think I was seven or eight.
I took a Bokeh now in Goju Karate
and I did Judo and it was always part of my life.
And then I got to college and grad school
and I didn't have time for it and I didn't do it so much.
And then I got divorced.
I was quite young still when I got divorced

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

and I had two young kids.
And I thought, well, I can like, you know,
grow a goatee and buy a convertible
and do like the thing you're supposed to do
when you're dude with kids close to middle age.
Or I can try to do something more productive.
And so I said, well, maybe I'll go back to martial arts.
So I took up Muay Thai kickboxing
and they had a Jiu Jitsu class
at the same school after the Muay Thai class.
And I had been around the orbit of Jiu Jitsu
having been, my kids took karate
and there was Jiu Jitsu there, it was a Gracie Academy.
And I stayed for a Jiu Jitsu class
and I had a 120 pound girl rag doll me
like, cause I just knew nothing about grappling
and I remember just going, well,
I gotta learn what this is.
And that was it.
I just dove into it.
My first professor was Lou Vintolaro
in New Jersey, he's a Heuler Gracie black belt,
great teacher, taught me amazing fundamentals,
took me all the way up to purple belt.
And then right after I got my purple belt,
I moved to the city, I moved to Manhattan.
I actually chose my apartment based on
its proximity to Marcella Garcia.
And I moved to West Chelsea
because it was a short walk to Marcella's Academy.
My core Jiu Jitsu was up to purple belt,
it was Lou Vintolaro and then it's been Marcella.
And Marcella, Paul Schreiner,
who's really phenomenal at his Academy
and all of the people at his Academy
I mean, are all phenomenal.
I mean, Bernardo was there for a period of time
that I was there and before he went to Boston.
Marcos Tenoko was like his lasso guard stuff.
He was at Marcella's for a long time
and what a teacher.
I mean, my lack of skill at Jiu Jitsu
is not based on a lack of quality instruction.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

Like it's based on an inability to retain the information for very long.

I mean, like for me, that's one of the most reliable place

I can go to humble myself.

I love Jiu Jitsu.

I love the progressive humility that it drives home constantly.

I love the impossibility of perfecting it.

Although Gordon Ryan's probably come close and Marcella's probably come close to perfecting it.

Let me ask you, since you mentioned Gordon Ryan, so apparently some close with Gordon and there's,

I'm sure you know in Austin, just this jujitsu scene.

This is incredible.

It's like Jiu Jitsu Mecca, yeah.

This is the Mecca.

I'm actually seeing John Donner here this evening.

So he's, I mean, yeah, this is like.

Yeah, this is amazing.

A truly special place.

But anyway, apparently long ago, you mentioned Jersey.

There's a bit of a conflict between you and Gordon and you mentioned to me offline that you love him and like just how much respect you have for him as an athlete and so on.

But can you explain why is this?

Yeah, I'm actually glad I have that.

It's funny that you bring it up.

And of all the, you know,

we're talking about all these heavy topics and this is probably the one that I find most, the most actually emotional.

But, you know, Gordon's a very,

I think a very young man still.

He's like probably in his 20s, early 30s.

And it's hard to imagine that

because he's accomplished so much as an athlete and as a business person.

But there was a time, you know, not that long ago.

I think it was eight or nine years ago

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

where he was just a young guy on his way up.
He's only, I think a couple of years older
than my oldest son.
And I, through a series of circumstances,
Jiu Jitsu wasn't, you know,
it's really exploded in the last 10 years,
but there were not as many people sponsoring
quote unquote superfights.
There really weren't like Jiu Jitsu superfights
being sponsored, even Jersey and New York in particular.
And I got involved in sponsoring some Jiu Jitsu superfights.
And I also got involved in sponsoring
some Jiu Jitsu athletes.
And Gordon was a young part of the Donner,
or death squad.
I was friends with Eddie Cummings.
I'm still friends with Eddie.
I was friends with John, I'm still friends with John.
But I didn't really know Gordon.
I actually don't know that I've still ever met.
I don't think I've ever met Gordon.
I've been in the same room as him.
But there was a fight that I had sponsored
some other fights with this particular promoter.
And they asked me to sponsor one.
And it didn't involve anyone from Marcellos,
but it involved Gordon.
He was one of the people.
And I liked John very much.
And I liked everybody in the Donner, her death squad.
I like watching them compete.
And I thought, I think John's just brilliant.
I mean, everyone at Marcellos has such respect
for John and for everyone.
And the stuff they were doing, like when
they were the early days of that Donner, her death squad,
like Eddie Cummings, like his leg locks,
like he just blew the whole game up.
It just was a whole other thing.
It was like insane what they did, such innovation.
And Gordon at the time, he was online.
And I'm much older than that.
I'm in my early 50s.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And that's not, I guess, chronologically that much older.
But generationally, I think it's quite a bit different.
And Gordon was smack talking with a guy who I,
about a guy who I was sponsor of, who I knew.
And who I knew was a very good athlete
and had been through difficult things in his life.
And Gordon just said some nasty things about him.
It falls into the category of totally appropriate smack
talking, looking at it now, and looking at what Gordon became,
which is he's someone who talks trash.
It's like part of his brand is to talk trash.
And I see now that that's like a Muhammad Ali thing.
At the time, I just didn't see it as what it was.
And although it doesn't excuse it, my mother was dying.
I was not at my best.
I was having a hard time.
And Gordon had spoken ill of this person.
And I got upset.
And I reached out to John and to Tom de Blas.
And I said to them, hey, like, could you
tell this guy to knock it off?
Like, don't talk about this person who I sponsor
if I'm sponsoring his fight.
I don't even know this Gordon Ryan kid.
And I'm sponsoring his fight.
And like, he should say thank you.
Don't talk bad about a person who I financially sponsor.
Like, that's not cool.
And I think on Facebook, he wrote some comments.
And then I wrote some comments back.
And I was incredibly obnoxious.
And very soon after, I felt really gross.
Because I was an adult.
And I was talking to a young person this way who's
on their way up, who's a little older than one of my kids.
And I just said these obnoxious things to him.
And I felt really like, that's gross.
And I never really thought much about it again.
I watched his star rise.
And I was very, I mean, who is not impressed by Gordon Ryan?
And everyone at our academy was always very thrilled
to see him rise.
And I've stayed friends with John.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

And every time Gordon would have a big victory,
I would always text John and be like, because Gordon's victories
are John's victories too.
They have such a great bond.
All the people in his orbit are all people
that I respect and like.
And I just would say, hey, listen, congratulations.
And please pass all my congratulations to Gordon.
But we don't know each other.
I don't have his number.
I have no way to contact him to apologize to him.
But if Gordon hears this, I am profoundly sorry.
I don't say that because I'm trying
to get in your good graces.
I don't know that we'll ever meet each other.
But that was an unbelievably wrong, stupid thing
to say to a young person.
Well, thank you for saying that.
This warms my heart in general.
See, they talk to a divorce lawyer and it warms your heart.
Look at that.
Well, speaking of which, so what,
you're romantic actually.
What role, you've seen love, you've seen love break down
completely.
What role does love play in the human condition?
I mean, I think it's kind of everything, right?
Like, it's love is romantic love.
Wars are fought for romantic love.
Empires fall because of romantic love.
Like, it takes down kings.
It takes down, you know, like, it's
we're all just struggling for it.
We're all just chasing it.
Like, we're all chasing the dragon, you know?
It's like the rush we all are.
So it's huge, you know, it's huge.
I mean, sex and love, which I like to believe
are some way connected.
And love and romance, which, again, I like to believe
are in some way connected.
I think it's huge.
I think it's a look.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

I've always thought most of what men do, including me, we do to get laid.

Like on some level, like you want to be successful.

Why?

So you can have money.

Why?

So you can have nice things so that you can attract attractive members of the opposite sex, you know?

Like a lot of things come down to that.

And even for like men, you know, like red pill, you know, men who are like, yeah, I don't care about women.

Well, you talk about them all the awful lot.

Like, for someone that's not interested in women, you sure are like in the orbit of women who you're telling how much you don't care about women, which kind of feels like you're doing that to attract a certain kind of woman, which I get, you know?

Like, more power to you.

But like, a person who worships an idol and a person who destroys an idol are both idolaters, you know?

So if all you're talking about is how you don't need women, you're talking about women an awful lot.

So it's just such a splinter in people's mind, you know, relationships, breakups.

And like, it's such a great equalizer.

I mean, you're spending some time in the rarefied air now of like big celebrity people.

And I remember when I started out as a lawyer, just doing like the regular, like the cop and the teacher with the 401K and they didn't have any assets.

I remember thinking like, well, someday if I represent celebrities or wealthy CEOs, like it'll be different.

They'll be like smarter, they'll be like different.

It's just the same weird petty shit, the same infidelity, the same...

The same kind of insecurities, the same kind of jealousy, the same kind of fights.

It all...

It's all the same.

But it is, it's like...

And it's all the same insecurity, sadness.

It's the same like desire to be validated,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

like mommy issues, daddy issues, like intimacy issues,
you know, and it's all the same stuff.
And just because you're really good at other things,
like I've represented professional athletes
who are phenomenal, world-class doctors, business people,
and they suck at relationships,
no better than like anybody else.
Like there's no, you know, there's no connection
between the skills that made you a good entrepreneur
and the skills that made you a good, you know, spouse or partner.
I'm sure there's some overlap,
like patience is good and thinking strategically
is probably good, but I'm just humbled
by how we're called to it still.
And even when we lose, and even when like our greatest pains
were caused by our desire to love and be loved
in a romantic sense,
we just keep putting the money on the table and playing.
Like we won't just quit, we just keep going, you know?
The whole mess of it is worth it.
I mean, I guess so.
Like it's calling us.
I don't know if it's worth it or not,
that's a value judgment, right?
But we don't stop.
I don't know a lot of people that they played the hand,
they lost and they went, well, no more of that game for me.
Like I'm not a good poker player,
I'm not playing poker anymore.
Like I know people who've done that.
I know people that are like, listen, I don't drink.
Like, you know, I'm allergic.
I break out in handcuffs and hospital bills.
Like I'm not drinking anymore.
But I don't know people that are like, man,
that relationship, I screwed that up
or I got screwed on that one.
I'm not doing that anymore.
You can say that, everybody says that.
I'm through with love.
You know, I'm done.
They're not.
They keep going.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

They'll go up again.
Never gonna fall in love again.
And then a few weeks later.
Yeah, I got job security, man.
I got job security.
People are not gonna stop walking down that aisle.
They are not gonna stop having kids with people
that they probably should have thought through
whether they would have kids with that person or not.
But I'm glad they are.
I'm glad they're taking that leap.
I'm glad they're taking that risk.
It's this whole beautiful mess that we're all a part of.
It's like taking that risk.
Taking that leap of vulnerabilities
of what this whole thing is about.
Man, what a danger if we didn't, you know?
Like every, you hear about people like Alexander Hamilton
or you hear about, you know, people who like
they were born of circumstances that like
these two people should never have had a kid.
And then they did.
And that kid changes the world, you know?
And like moves the dial forward.
And what a like, what a great mistake.
Like what a great, you can't ever say it's a mistake.
Like what an amazing thing that happened.
And I think that that's one of the things I like
about divorce as a practice
and as almost looking at it like a spiritual practice.
I think you just don't know
what is a blessing, right, in the world.
Like you just don't know.
Like I, my father, I've spoken about this before publicly
and he does frequently.
My father's an alcoholic.
My father's been in recovery now for seven years, I think.
Yeah.
But he was a bad alcoholic, Vietnam veteran my whole life
and only got sober, you know, when I was in my 40s.
And a lot of the personality characteristics I have
are consistent with those of adult children of alcoholics.
You know, desire for control and control issues.

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

You know, a lot of those things.
And I love my life.
Like I'm having a great time.
If I died tomorrow, man, I did more, learned more,
earned more, loved more than I ever dreamed.
And so I'm so glad my dad was an alcoholic.
And if you said to me, how do you raise kids?
Like I wouldn't say like, well,
you definitely want to be an alcoholic
because like your kid's gonna get a lot of really good
discipline lessons from that experience.
Like, no, like I wouldn't, you know, I wouldn't want that for,
but it's born, like all these wonderful things
were born of this awful situation.
So I think divorce is the same thing.
Like I, we make these mistakes, right?
But they're not really, you know,
I often have to say to my clients when they're like,
oh, I wish I'd never married this person.
I'm like, you love your kids, right?
Like your kids are half that person.
They would not be the organism they are
without that person's DNA.
So you can't regret being with that person
if you love your kids.
Like if you love your kids,
those kids don't exist without that person.
And I don't know how we refocus on that, you know?
I don't know, maybe we give anyone going through it.
I've actually had a theory,
which I've not said out loud, but I'll say it to you
because it's just us talking.
I think if we could figure out a way
to take a divorcing couple
that is interested in potentially mediating
and put them in a setting where we could give them
both psilocybin, like a good dose,
like two and a half, three grams,
and have them do individual sessions
with, you know, controlled setting with a guide, right?
And have them sort of do that inner work
and then have them do some kind of a session together
after they've had that experience,

that psychedelic experience.

I actually think you could do transformative divorce work because I have found myself and certainly the many people that I've talked to who've had psilocybin experiences and in particular, but any psychedelic experience, many of the empathogens, right?

Or even like MDMA, you know, like MDMA, which is, you know, is an empathogen.

If we brought that space and the divorce and conflict resolution space together, that sort of psychopharmacological intervention on empathy, one's empathy receptors or one's connectivity, I think that could be radically transforming.

It would be logistically an absolute nightmare.

It would never get done from a legal standpoint, but man, like, I think sometimes like that if, because I think the more that you can bring people to the awareness of connection

that comes from many people's psychedelic experiences,

I think they could then extrapolate that into their understanding of the conflict and disconnect they're having with their partner.

So really lean into the,

like use this brink of divorce as a kind of catalyst for doing a lot of soul searching, you know, a lot of growth together.

That was what appealed to me about it.

I mean, before I started doing it is it was this idea that this is a opportunity for radical reinvention.

Like it was an opportunity for people to say, okay, now what?

Like I didn't expect that, now what?

And it was to be part of the architecture of that.

Like I didn't look at it like I'm helping demolish the building.

It was like I'm tearing down the building

so we can build the new one,

which I hope is filled with joy and abundance and peace and love and real love, real satisfaction.

Like my ex-wife is married for over a decade now to a phenomenal guy who is perfect for her.

And he's nothing like me, by the way.

Like if you met him and you met both of us,

[Transcript] Lex Fridman Podcast / #396 - James Sexton: Divorce Lawyer on Marriage, Relationships, Sex, Lies & Love

you'd go, well, no one could love both of these guys.
Cause like if you like this flavor,
you wouldn't like this flavor.
Like I am impatient, fast talking, like skip to the end,
we got to land this plane, come on.
And he's like, he's therapist, he's chill,
he's sort of like patient and they're perfect together.
And I can say that as someone who loves her
and loved her, you know, and knows her or knew her.
Like, and I think if we can, you know,
if we can radically view honestly,
like without jealousy, without, you know,
without the sense of like, look at it and just go, yeah,
yeah, okay, like this, like this is the love
this person needed.
Like that doesn't mean my love sucks.
Just means it wasn't the right one for this person,
you know, like there's someone and there's a lid
for every pot, you know, like she found her lid.
I want her to find her lid, that's good, you know.
And there's billions of pots out there
and we just need to match it with the proper lid.
Yeah, and not hit each other over the head
with them all day long.
Yeah, man, this is such a romantic few hours
we've got to spend together.
And there's even a candle burning over there.
Oh, it's lovely.
All right, brother, thanks so much James.
Thank you, thanks for having me.
Thanks for listening to this conversation
with James Sexton.
To support this podcast, please check out our sponsors
in the description.
And now let me leave you with some words from Rumi.
Your task is not to seek for love,
but merely to seek and find all the barriers within yourself
that you have built against it.
Thank you for listening and hope to see you next time.