

All's Fair In Love And Law: Divorce Attys' Relationship Advice

By **Emily Lever**

Law360 (February 14, 2023, 4:42 PM EST) -- Val Kleyman, a divorce attorney at Kleyman Law Firm in New York, was once headed to the courtroom to finalize a divorce when he saw his client and the woman he had intended to divorce "making out" in the hallway.

Kleyman's client had gotten disheartened by how "very technical and methodical" the divorce process had become and wanted to speak with his soon-to-be ex-spouse.

"They [had] stopped talking to each other like people, it became about who wins and who loses," Kleyman said. "They wanted to go have a heart-to-heart, and they were all over each other. They reconciled on the first day of trial. That's why I love this area."

But not all marital troubles end this way — and not all marriages should be saved, divorce attorneys who spoke to Law360 agree.

Matrimonial or divorce attorneys deal with unraveling relationships all day long; they come away from their work with insights about why relationships do or don't work.

Four family law attorneys spoke to Law360 Pulse about what divorce has taught them about love.

Untangling Work and Life

For Kleyman, his work has bled into his life in a positive way, teaching him conflict resolution skills that helped make his marriage better. When he and his wife disagree, he's become practiced at looking at the situation through the eyes of a divorce lawyer.

"I had to teach myself how to listen to women and understand what women say and why they say it," he told Law360 Pulse. "I now take a step back and say, 'All right. What if she was a client?' I would then totally understand why she's angry."

One thing that doesn't transfer from the courtroom to marriage is that in matters of the heart, winning isn't necessarily the most important thing, according to Juan Luciano, the managing partner of Juan Luciano, Divorce Lawyer in New York.

Luciano, who's been married 22 years, said he's seen time and again that arguments in a marriage are better resolved by compromise than simply reasoning about who is "right."

"Making that person happy is more important than being right. So if you're having an argument about something, you might be absolutely right. You might win the argument," Luciano said. "But the person is still going to feel bad later. They're not going to be happy."

For Stacey Warren, the co-managing partner of Cashatt Warren Family Law in Des Moines, Iowa, practicing divorce law has taught her to leave her work at home, even though she comes home to her business partner, Brent Cashatt, with whom she co-runs the firm. They have been working together since 1995 and married since 1998 — and they've managed to remain partners in and out of the office by leaving their work behind at the door.

"What we do is really hard work because it does involve a lot of emotions," Warren told Law360. "As

an attorney who practices in a high-conflict area with a lot of emotions, you have to be aware that you are a sponge. These are our clients' issues, they're not ours."

Love and the law, however, don't always mix. Tanya Freeman, a divorce attorney at Offit Kurman in New Jersey, started out in the same boat as Cashatt and Warren — running a law firm together with her husband — and ended up dissolving the business partnership, but not the marriage.

As a former auditor who switched careers and passed the bar in her 40s, Freeman joined her husband's law firm after law school but found herself in his shadow. She would show up to court for a motion and be questioned by other lawyers about whether she had a law license, or asked where her husband was. She and her husband also had different approaches to business.

"I realized if I was ever going to come into my own space as Tanya Freeman, I just needed to break off, and we didn't need to work together [as well as] live together," she told Law360 Pulse.

Freeman struck out on her own as a sole practitioner in 2015 before joining Offit Kurman in 2022. The two Freemans practice in different counties and their respective careers have never been better, according to Freeman.

"From a financial perspective, we realized we did exponentially better apart than we did together because we each found our own space," Freeman said.

Ironically, the Freemans' professional split had them fielding questions about whether they were getting divorced.

"I would say, no! We're still a couple — we just don't have a law practice together," she said. "We expanded our business without being together."

Unpacking Emotions

Clients often vent to their divorce attorneys and use them as a sounding board, but they often need more emotional support than a lawyer can provide. Everyone who is going through a divorce would be well-advised to seek out the expertise of a therapist, all the attorneys agreed.

"We often tell our clients, you pay us a pretty hefty hourly rate when you should really be seeing a professional," Cashatt told Law360 Pulse.

Taking a drastic step like divorce requires courage and coming face to face with one's own emotions, and at a minimum starting to process those emotions before a legal battle ensues will help make for a less painful and acrimonious divorce, according to Luciano.

"There is a wound, and if you rush to get divorced while the wound is fresh, you're going to be very emotional and it's going to be hurtful to you, to your children," Luciano said. "To the extent that you can give yourself space to feel, even a little bit, before you pull the trigger and file for divorce, that would be helpful to everyone that will be affected by it."

It's partly because of the deep emotions brought up by a divorce that Warren, Cashatt and Freeman all caution their clients to stay off social media. The urge to keep up appearances on these platforms is one of the biggest obstacles to truly working through the emotions of a divorce, according to Warren.

"People want to lie according to others' standards because processing that stuff is hard, it's raw, it's real. People spend a lot of time avoiding inner conflict," Warren said. "People think they can compartmentalize it, they tell themselves they can wait until the children have graduated."

Knowing when to set aside emotions can be just as important as knowing when to feel them, the attorneys said.

People spend months of research and reflection before getting divorced, but they should be just as reflective when things are good and they're on the brink of marriage, according to Freeman. The problems that bring clients to Freeman to initiate a divorce, like different relationships to money or

other deep-seated differences in values, have typically been present in the relationship since the beginning.

"They don't do that same amount of homework when they feel that intense gushy kind of feeling of love in the beginning of the relationship," Freeman said. "When you're taking apart the marriage, it's extremely analytical, and they're focused on the process of getting divorced, but when they're falling in love it's often about emotion and what feels right in the moment."

Finally, one thing that every divorce lawyer knows intimately is the importance of letting go. That's true of toxic relationships, which may see the partners repeatedly break up and get back together, but it can also be true of attorney-client relationships that aren't productive.

Just as it's impossible to rationally argue someone out of an unhealthy relationship dynamic, according to Warren, it's impossible to force a client to take advice to heart.

"If the person wants to believe the sky is red, there's nothing you can do," Warren said. "Sometimes people won't follow your advice, and then I can't help you. I can't care about it more than you do."

--Editing by Marygrace Anderson.