

PRACTICE

Family Law & Divorce

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OVERVIEW

FAMILY LAW & DIVORCE

Divorce is one of the most difficult and stressful periods in our clients' lives and significantly impacts everyone involved. The division of marital assets, child custody and parenting time, child support, and alimony are matters that are often emotional and difficult. Our experienced team helps clients through these challenging times by resolving key issues to reach an equitable resolution or litigating those matters that cannot be resolved. We are also skilled and adept at helping unmarried parents navigate child custody, parenting time, and child support issues.

Our Approach to Family Law & Divorce

Clients rely on us to help them navigate all aspects of divorce and family law issues. We provide a compassionate and personalized approach to every matter and advocate zealously for our clients' interests. Our family law attorneys are exceptional trailblazers who have handled cases that have shaped the law in Massachusetts. Using our deep knowledge of the law, skillful advocacy, and well-honed negotiation skills, our objective is to advance and achieve each client's goals.

Our tailored approach includes meeting with each client to conduct a thorough analysis of the issues, identifying the unique aspects of each case, and ascertaining our client's goals. Using this information, we determine whether a swift, amicable resolution is possible, or whether court intervention is necessary. If an amicable resolution is possible, we can help clients reach an agreement, skillfully negotiate and craft detailed settlements, and provide an alternative to adversarial proceedings.

When agreement is simply not possible, we aggressively pursue our clients' interests in the courtroom. Our team has the experience and resources to thoroughly and zealously represent each client's interests during a trial. We have a vast network of professionals to assist us in the evaluation, preparation and trial of both economic and non-economic issues, including access to the firm's business, real estate, tax, estate, and appellate lawyers.

Expertise in High Net Worth, High-Conflict Divorces

Our divorce lawyers are well-versed in handling high net worth and highly contested divorces that involve emotional custody disputes and complicated financial matters, including representing clients

with complex financial holdings such as business interests, stock options, restricted stock units, myriad investments, real estate, trusts and other substantial assets. We have relationships with third-party experts, including business valuers, commercial and residential real estate appraisers, tax professionals, trust experts and financial planners, and seek consultations when necessary. In addition to resolving the division of assets, we make sure our clients have a thorough understanding of the tax implications involved.

How our Family Law & Divorce Attorneys Can Help

Our attorneys represent clients in all family law and divorce matters including:

- Drafting, negotiating and litigating prenuptial and postnuptial agreements
- Drafting separation agreements
- Division of marital assets such as real estate, investments, business, inheritance and retirement accounts, as well as the division of debt
- Child custody, parenting time, and relocation of children outside of Massachusetts
- Child support and alimony
- Contempt and modification proceedings
- Parentage actions
- Abuse prevention orders and harassment prevention orders
- Advice for clients involved in mediation or arbitration

EXPERIENCE

CHILD SUPPORT & CHILD CUSTODY

- Represented a client, a physician, post-trial in his appeal of a probate court's decision that removed custody of his young child from the client following his move out of state to start a new job, awarding custody to the other parent. Client previously had sole legal and physical custody by agreement of the parties. Prevailed on the appeal, and the Appeals Court vacated the Probate and Family Court judge's decision, finding the change in custody erroneous and remanding to a different judge in the Probate and Family Court for further proceedings. After a four-day trial, prevailed in securing a custody and parenting plan that returned the minor child to the client's home and allowed the child to attend school in the client's town, to which opposing parent had vehemently objected.
- Not long after judgment entered on a Complaint for Custody, Support, & Parenting Time, the Department of Children & Families (DCF) supported a finding of neglect against the father. We represented the mother at trial on the subsequent Complaint for Modification. After a Court-ordered Guardian ad Litem investigation and two-day trial, the Court modified the prior judgment of shared physical custody and equal parenting time, giving our client physical custody and reducing the father's parenting time.
- When the Massachusetts Department of Children & Families (DCF) was called on a client, the timing was suspect: efforts to amicably reach a separation agreement had just fallen apart, and the spouse had filed for divorce. Nevertheless, DCF opened an investigation and issued a finding of abuse relating to an incident that had allegedly occurred some eight years prior. We represented the client at the Fair Hearing, following which DCF reversed its decision. We were a zealous advocate for the client, pointing out where the findings did not conform with the Department's regulations and policies.

- Tried issues regarding where minor children should attend school after divorcing spouse relocated to a different school district and sought to transfer the children to a school in that district.
- Successfully changed legal custody from mother to father due to parental alienation after a multi-day trial.
- Succeeded in securing 50/50 parenting agreements for father in divorce and post-divorce matter.
- Represented a father in federal court to secure the return of his young daughter to Brazil after the child's mother abducted and brought her to the United States. The case was initiated with an application under the Hague Convention and successfully concluded after a three-day trial with a judgment securing the return of the child to her father in Brazil.
- Successfully litigated a high-conflict custody case that went to trial for multiple days over allegations that the father was viewing inappropriate adolescent content online. The case involved expert testimony from forensic experts in medicine and technology. The Court found in our client's favor, giving her primary physical custody with limited supervised parenting time for the father.
- Represented a mother in a contempt action against a father who had refused to financially contribute to the children for months and was successful in getting the terms of their judgment enforced and an award of attorneys' fees for the mother.
- Represented a client in a Rhode Island custody matter that resulted in the custody of a child being returned to the client after eight years.
- Prevailed after a three-day trial, successfully defending a client against the former spouse's attempt to relocate to Washington state with their two children.
- Successfully challenged the recommendations of court-appointment Guardian ad Litem (GAL), securing custody for our client after the GAL supported granting primary custody to the other parent.
- Argued an appeal of an international parental kidnapping case to the First Circuit.

PRE-NUPTIAL AGREEMENTS & POST-NUPTIAL AGREEMENTS

- Appellate counsel in *Ansin v. Craven-Ansin*, an Appeals Court case that involved a dispute over a post-nuptial agreement; the Appeals Court ruling set the standard for the enforcement of postnuptial agreements in Massachusetts.
- Successfully represented a client in a divorce involving a 30-year marriage and a prenuptial agreement executed prior to the marriage; achieved a favorable outcome by having the validity of the prenuptial agreement upheld at trial.

ABUSE & HARASSMENT

- Obtained enforcement of an out-of-state Order for Protection from Abuse.
- Successfully represented multiple clients in seeking or opposing abuse orders under Chapter 209A and Chapter 208, sec. 18, as well as harassment prevention orders under Chapter 258E.

ALIMONY

- Represented a client in a post-divorce alimony modification action and succeeded in securing a sizable six-figure settlement when the client's ex-spouse was initially seeking that the client receive nothing or be required to reimburse the ex-spouse for past alimony payments made.
- Secured ongoing alimony for an economically-dependent, disabled wife beyond statutory durational limits after a multi-day trial.

- Tried a case involving a 72-year-old client's request for modification of a divorce agreement wherein he was obligated to pay lifetime alimony to his ex-spouse. Successfully secured a judgment for our client to terminate his alimony obligation.

BUSINESS INTERESTS

- Represented the owner of a multiple multimillion-dollar businesses in divorce proceedings and succeeded in securing a settlement, resulting in the client retaining all business interests without the need for any liquidation or transfer of control.
- Represented a client in divorce proceedings and succeeded in securing a favorable settlement wherein the client's valuable multimillion-dollar family business interests and inheritance were excluded from division and remained their own post-divorce.
- Won a major appellate victory for a client whose ex-spouse filed suit in federal court seeking part of a \$20M bonus that the client received nearly two years after the parties' divorce. The result secured in the appeal overturned a nearly \$6M verdict, allowing the client to retain these funds.
- Represented a client in divorce proceedings with a multimillion-dollar marital estate and succeeded in securing a favorable settlement that included a buy-out of the ex-spouse's business and inclusion of their inherited wealth from early on in the marriage, which they sought to exclude.
- Represented a husband in a high-asset divorce in which the wife alleged he had retired prematurely and should be obligated to return to the workforce and pay alimony. It was proved during trial that the husband's retirement was a planned family decision, and he was not obligated to return to the workforce.
- Works with small business owners to address issues regarding valuation of the business and appropriate amount to be counted as income for purposes of calculating alimony and/or child support.

OTHER

- Handled an appeal involving a division of retirement accounts where the trial court misinterpreted the language in the parties' Separation Agreement and ruled that the wife receive a greater share of the husband's defined benefit plan. On appeal, the Appeals Court overturned the trial court's decision and ruled the retirement assets should be divided equally with no requirement to name the other party as beneficiary on death.
- Represented a client in a highly contested high-net-worth divorce where our client's ex-spouse claimed there were \$90M in marital assets. After trial, it was determined that the marital estate, including significant real estate holdings and artwork, was valued in excess of \$220M.
- Successfully negotiated protections for the intellectual property of inventors, writers, and musicians in family law matters.
- Strategically resolved the modification of a divorce agreement through mediation rather than litigation to best meet the client's goals and secure resolution on issues that were outside the Court's jurisdiction.
- Obtained a lucrative financial settlement for a Rhode Island divorce client who faced the possibility of serious financial complications.
- Skillfully negotiated a settlement agreement in multi-jurisdictional divorce matter involving complicated executive compensation and international assets and taxation.
- Counsel and advise clients regarding whether inherited assets should be treated as marital property or separate property.

- Defended contempt actions brought by former spouse arising out of client's obligation to remove him from the mortgage on the former marital home.
- Secured a 60/40 division of assets in favor of our client after an 11-day trial involving a 45-year marriage.
- Briefed appeal of contempt judgment successfully arguing that the Probate and Family Court did not err in ordering the opposing party to pay money to our client pursuant to the parties' separation agreement and winning an award of appellate attorneys' fees for our client.