

## FAMILY LAW AND FIDUCIARY LITIGATION GROUP

Preeminent attorneys with decades of experience make up the Shulman Rogers Family and Fiduciary Law Practice Group and work in a large variety of complex family situations. These attorneys serve clients in two main practice areas: traditional Family Law cases, and Fiduciary and Elder Law matters. Attorneys in our Family and Fiduciary Law Practice Group appear regularly in courts throughout Maryland, Virginia, and the District of Columbia. They also are adept at multiple forms of dispute resolution outside of courts. And they can rely on any of the many other Shulman Rogers attorneys to help clients in other practice areas when needed. This singularly positions the Family and Fiduciary Law Practice Group to partner with our clients in resolving all manner of family disputes in a comprehensive, creative, and customized fashion.

Our attorneys resolve sophisticated family-related legal issues in many contexts. These include:

- Separation
- Divorce
- Adoption
- Guardianship
- Trust administration
- Protective Orders and Domestic Violence
- Custody
- Child Support
- Contempt and enforcement

### PRACTICE CHAIR

Kim Viti Fiorentino  
Scott M. Strickler

### ATTORNEYS

Sandy David Baron  
Christina J. Bostick  
Molly Cooper Milam  
Kelly E. Davis  
Morton A. Faller  
Hadrian N. Hatfield  
Jessica Hepburn Sadler  
Michelle Hunter Green  
Heather L. Mehigan  
(formerly Howard)  
Stephen A. Metz  
Geoffrey S. Platnick

FAMILY LAW AND FIDUCIARY LITIGATION GROUP (Continued)

- Modification actions
- Relocation issues
- Interstate and international legal issues
- Pre-nuptial Agreements
- Marital Settlement Agreements
- Domestic Partnership agreements and dissolutions
- Will contests and probate litigation

Our attorneys are proficient in all aspects of dispute resolution, including:

- Tactical planning (both before and after separation)
- Agreement drafting
- Mediation
- Collaborative Divorce
- Negotiation
- Arbitration
- Litigation
- Appeals

In addition, the lawyers in our Family and Fiduciary Law Practice Group work closely with the other practice groups and attorneys within our firm. This gives clients a comprehensive approach to their individual situations. Some other areas where Shulman Rogers has practice groups to help our clients include:

- Trusts and estate planning
- Elder law planning
- Asset protection, bankruptcy, and creditors' rights

FAMILY LAW AND FIDUCIARY LITIGATION GROUP (Continued)

- Business and financial services
- Real estate law
- Foreclosure issues
- Employment and labor law
- Immigration, nationality & consular affairs
- Tax

Our family and fiduciary law attorneys also maintain close working relationships with other professionals in related fields, including:

- Accounting
- Asset Valuation
- Mental Health
- Private Investigation
- Dispute Resolution

This allows our attorneys to tailor a dynamic approach for each individual client's case.

The Shulman Rogers Family and Fiduciary Law Practice Group thus is uniquely qualified to address all the legal needs that can arise in our clients' family relationships.

**Family Law**

Our attorneys are widely recognized as premier family law practitioners in the trial and appellate courts throughout Maryland, Washington, D.C. and Virginia. They often lecture, write, and present family law issues throughout the region to members of the public and to other lawyers, professionals, and judges. Our lawyers repeatedly have been singled out as leaders in their fields by such publications as Washingtonian Magazine, Bethesda Magazine, Super Lawyers, and Worth Magazine.

Our experienced attorneys advocate for our clients' interests while also managing their financial and emotional issues. We realize that each case has its own specific and unique needs, so we work to craft a client-centered approach to each individual matter. Our attorneys recognize the intimate nature of

## FAMILY LAW AND FIDUCIARY LITIGATION GROUP (Continued)

family-law cases, and are committed to preserving each client's confidentiality and privacy.

**Fiduciary and Elder Law**

Our practice group has unparalleled experience assisting families with issues related to the legal rights of minor children and of adults who are disabled or who suffer from mental health issues. Our attorneys also are adept at handling a wide variety of elder law issues. Our attorneys often serve as fiduciaries for individuals who are unable to make financial decisions. The courts regularly appoint our attorneys as representatives for individuals in guardianship matters.

Families with issues related to trustees or legal guardians often have no idea where to turn for legal advice. The lawyers in our Family and Fiduciary Law Practice Group have a wide breadth of experience advising and litigating these issues, including capacity, guardianship, estate planning, special needs trusts, Medical Assistance planning, involuntary commitment, will contests, and neglect and financial exploitation.

**Litigation**

When alternative dispute resolution is inappropriate or unsuccessful, litigation may be needed to resolve family law disputes. Even though cases often settle before trial, litigation starts with the filing of a lawsuit and typically involves formal written discovery, depositions, and other court procedures. The lawyers in our Family and Fiduciary Law Practice Group always help clients avoid the cost (financial and emotional) of litigation. In some cases, though, litigation is appropriate or inevitable.

When this happens smart clients want lawyers with decades of trial and appellate experience, and a straightforward results-oriented approach. Many law firms take a technical approach to litigation. Our attorneys also take a tactical approach. No single game plan is appropriate for every court case, and the lawyers in our Family and Fiduciary Law Practice Group are particularly adept at developing a strategy uniquely suited to each individual client.

**Alternatives to Litigation:**

Lawsuits and trials have long been used to resolve family disputes. Many concerns exist about this method of solving family problems, however. These include concerns about delays, rising litigation costs, and the negative psychological and emotional effect of litigation on families. These concerns have led to increased use of alternative dispute resolution methods in domestic cases.

## FAMILY LAW AND FIDUCIARY LITIGATION GROUP (Continued)

Alternative Dispute Resolution (“ADR”) methods generally are classified into four (4) types: **negotiation, mediation, collaborative practice, and arbitration**. While differences exist between each process, conflict resolution is the shared goal of all the ADR methods.

Two of the more familiar alternatives to litigation are **mediation** and **arbitration**. Mediation is essentially voluntary and confidential negotiation facilitated by a neutral third party who helps the parties reach an agreement the parties consider to be fair. Arbitration is a resolution process similar to trial, but with fewer technical rules and requirements.

Some basic features of each process are as follows:

1. **Negotiation** – Parties or their attorneys communicate directly with one another and attempt to arrive at agreement. The process is voluntary and no third party imposes a solution. Attorneys generally help the parties know their rights and options, develop a position and strategy, and implement a plan of action. Attorneys also can explain proposed settlement terms and their consequences. Attorneys can help suggest options and solutions, ensure that all issues are included and can formalize any understanding or agreement that results.
2. **Mediation** –A trained, neutral mediator facilitates the conversation in a voluntary and confidential process without imposing a solution or representing the parties. The mediator guides the parties to their own solution that they consider fair. The process is informal, flexible, and comprehensive. It allows for creativity and lets the clients control the outcome. Attorneys can advise clients about the process, propose solutions, and help the clients understand various proposals. Attorneys may even participate in the mediation sessions, if appropriate. And typically attorneys formalize any agreement that results and present it to the court.
3. **Collaborative Practice** – The clients and attorneys agree to use a specific consensus building and negotiation structure and to forswear the threat or use of litigation. They further commit to a completely open exchange of relevant information. No one imposes a resolution upon the parties; however, the process is formalized and structured. Each party must have an attorney specially trained in the collaborative process, and who works within specifically contracted terms. In this process the parties share the express goal of reaching agreement without litigation and with the support of attorneys and mutually-agreed upon experts, coaches or other neutral professionals. *All our family law attorneys are trained in the collaborative process.*

FAMILY LAW AND FIDUCIARY LITIGATION GROUP (Continued)

4. **Arbitration** – A neutral third party chosen by the clients or their lawyers serves as a private decision-maker and imposes a resolution. Arbitration is often binding (except for issues involving children). An arbitrator's decision may be subject to judicial review, but such appeals typically face an exacting standard of review. It is a less formal and rigid process than litigation, but many procedural rules and structures still apply.

**PUBLICATIONS**

Growth Spurt Hits International Law Related to Children

Maryland's New Child Support Law

Modern Family Law Views

International Aspects of Divorce

Private International Law Concepts in Divorce

Modern Family Law Views

Modern Family Law Views

Modern Family Law Views

Modern Family Law Views

**EVENTS**

Hot Tips/Topics in Family Law

French American Legal Forum

International Abduction/Relocation

Rita Rosenkrantz Basic Family Law Training

**CASE STUDIES**

Working Together for the Client