

SEMINAR

Trying Divorce Cases

Gain valuable insight into how to prepare and try a divorce case

Although only a small percentage of divorce cases are actually tried to conclusion, the successful domestic relations practitioner must be prepared to try cases or to successfully negotiate a settlement. This program helps you improve your trial technique by giving you the unique opportunity to observe seasoned domestic relations practitioners in action. Throughout the program, experienced domestic relations trial practitioners try a mock divorce case from start to finish. A real estate broker and forensic accountant testify about the value of a marital home and how to locate and value assets and small business income. A vocational expert explains attribution of income. A Probate and Family Court judge presides over the trial and critiques each segment as it is presented. Don't miss this opportunity to spend a day with litigation experts to gain valuable insight into how to prepare and try a divorce case!

Agenda and written materials

- What to Expect and How to Utilize Pretrial Hearings
- Improving Your Witness and Case Preparation Skills
- Trial Preparation and Planning—The Last Thirty Days
- Analyzing the Value of Your Client's Marital Home
- Locating Hidden Assets and Inconsistencies in Lifestyle and Reported Income
- Direct and Cross-Examination of Experts on the Value of the Marital Home and Business
- Depositions at Trial and Use of Financial Statements During Witness Examination
- Use of the Child Support Guidelines and Alimony Considerations in Preparing Your Case
- Negotiation Strategies and Techniques
- When, Why, and How to Use Dispute Resolution Options as a Trial Alternative
- Input and Commentary from a Probate and Family Court Judge: Demonstrations
- "Ask the Experts" Q&A Session

Faculty

Donald G. Tye, Esq., *Prince Lobel Tye LLP, Boston*, Chair; Marc D. Bello, CPA/ABV, CVA, MAFF, *Edelstein & Company LLP, Boston*; Barbra I. Black, Esq., *Managing Partner, The Black Law Group LLC, Woburn*; Elaine M. Epstein, Esq., *Todd & Weld LLP, Boston*; Morgan Fennell, MRA, *The Appraisers Group, Belmont*; Steven E. Gurdin, Esq., *Fitch Law Partners LLP, Boston*; Linda A. Ouellette, Esq., *Lawson Weitzen & Bankert LLP, Boston*; Hon. Abbe L. Ross, *Suffolk Probate and Family Court, Commonwealth of Massachusetts*; Robert J. Rutecki, Esq., *Rutecki Law Office LLC, Milton*; Vicki L. Shemin, Esq., J.D., LICSW, ACSW, *Fields & Dennis LLP, Wellesley Hills*; Gary Owen Todd, Esq., *Todd & Weld LLP, Boston*; Laurie R. Tunick, CPA, ABV, CFF, *Tunick Financial Services, Danvers*; Amanda Vanderhorst, Esq., *Kates & Barlow, PC, Boston*; Mark J. Warner, Esq., *Witmer, Karp, Warner & Ryan LLP, Boston*

Materials

In addition to faculty-prepared submissions that supplement the agenda, the materials for this program include *MCLE's Trying Divorce Cases*, a practical reference prepared by experts in the field that provides comprehensive coverage of the topic as well as helpful exhibits, checklists and forms. With MCLE's supplementation service, new supplements are mailed automatically with an invoice. If you do not wish to subscribe, please note on order form.

Also, there is no need to take extensive notes. Two weeks after the live seminar, all registrants will receive a link to a written verbatim transcript of this program.



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Dates & Locations

BOSTON

Friday, October 19, 2018
9:00 am–5:00 pm

MCLE Conference Center,
10 Winter Place, via Winter Street
Program Number: 2190035P01

LIVE WEBCAST

Friday, October 19, 2018
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2190035WBC

RECORDED WEBCAST

Friday, November 2, 2018
9:00 am–5:00 pm

Register at www.mcle.org
Program Number: 2190035RBC

Tuition *(includes written materials)*

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Available after Friday, November 2

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Trying Divorce Cases in Massachusetts
Friday, October 19, 2018 (Boston)
9:00 a.m., to 5:00 p.m.
MCLE Conference Center
10 Winter Place, via Winter Street
Boston, MA
Program No. 2190035P01
Live Webcast October 19, 2018 (9-5pm)
Recorded Webcast: November 2, 2018 (9-5pm)
Register at: www.mcle.org
Program No. 2190035P01

AGENDA

- 9:00 a.m. – 9:10 a.m. **Welcome and Introduction**
DONALD G. TYE, ESQ., MSW, CHAIR
Prince Lobel Tye LLP, Boston
- 9:10 a.m. – 9:35 a.m. **Negotiation Strategies/and effective use of Pre-Trial Hearings,**
Status Conference and Case Management Conference (Rule
409), “Four-way Meetings”, Time Standards, and
Use of Alternative Dispute Resolution
BARBRA I. BLACK, ESQ
Black, Vitelli & Pennock, LLC, Woburn (and Nashua, NH)
- A Trial Lawyer’s Perspective**
- 9:35 a.m. – 9:50 a.m. **Arbitration, Mediation, Collaboration and other ADR**
alternatives: Working with Lawyers to “Win” for Clients
VICKI L. SHEMIN, ESQ., LICSW, ACSW
Family Lawyer and Mediator
Fields & Dennis, LLP, Wellesley
- 9:50 a.m. – 10:10 a.m. **Judge’s Comments on What Is Expected at Pre-Trial**
Hearings, Time Standards, and Other Practice Suggestions
HON. ABBE L. ROSS
Suffolk Probate and Family Court, Boston (sitting in Essex)
- 10:10 a.m. – 10:30 a.m. **Case Evaluation, Discovery, Trial Planning and Preparation**
(including checklist for “Thirty Days before Trial”)/Requesting
an Allowance of Legal
Fees, Pendente Lite
DONALD G. TYE, ESQ. CHAIR
Prince Lobel Tye LLP, Boston
- 10:30 a.m. – 10:50 a.m. **Overview of Business Valuation and Methodology**
MARC BELLO, CPA/ABV, CVA, MAFF, MST
Edelstein & Company, Boston

- 10:50 a.m. – 11:00 a.m. **Break**
- 11:00 a.m. – 11:20 a.m. **Direct Examination of an Expert on Forensic Analysis of Income and Business Valuation**
MARK J. WARNER, ESQ.
Witmer, Karp, Warner & Ryan, LLP, Boston
- Expert Witness:**
LAURIE R. TUNINK, CPA, ABV, CFF
Tunick Financial Services, Danvers
- 11:20 a.m. – 11:40 a.m. **Cross Examination of Business Valuation Expert on Present Value of a Business**
STEVEN E. GURDIN ESQ.
Sally & Fitch LLP, Boston
- 11:40 a.m. – 11:45 a.m. **Lecture: How and Why to Get an Opinion on the Value of the Marital Home from Your Client**
DONALD G. TYE, ESQ., CHAIR
Prince Lobel LLP, Boston
- 11:45 a.m. – Noon **Direct Examination of a Licensed Real Estate Appraiser on the Value of the Marital Home**
ROBERT J. RUTECKI, ESQ.
Rutecki aw Office, LLC, Boston
- Expert Witness (Licensed Appraiser):**
MORGAN FENNELL, MRA
The Appraisers Group, Watertown
- Noon. – 12:15 p.m. **Cross Examination of a Licensed Real Estate Appraiser on the Value of the Marital Home**
AMANDA L. VANDERHORST, ESQ.
Kates & Barlow, PC, Boston
- 12:15 p.m. – 12:25 p.m. **Direct Examination of a Real Estate Broker on The Value of a Marital Home**
- MARK J. WARNER, ESQ.**
Witmer, Karp, Warner & Ryan, LLP, Boston
- Expert Witness (Broker): MORGAN FENNELL, MRA**
The Appraisers Group, Watertown
- 12:25 p.m. – 12:40 p.m. **Cross Examination of a Real Estate Broker on the Value of a Marital Home**
LINDA A. OUELETTE, ESQ.
Lawson-Weitzen, LLP, Boston

- 12:40 p.m. – 1:30 p.m. **Lunch** (on your own)
- 1:30 p.m. – 1:45 p.m. **Lecture: Preparation and Use of Financial Statements**
ELAINE E. EPSTEIN, ESQ.
Todd & Weld, LLP, Boston
- 1:45 p.m. – 2:00 p.m. **Direct Examination of Husband on Financial Statement**
GARY O. TODD, ESQ.
Todd & Weld, LLP, Boston
- 2:00 p.m. – 2:15 p.m. **Cross Examination of Husband on Financial Statement**
(Use of Discovery and Demonstrative Evidence)
LINDA A. OUELETTE, ESQ.
Lawson-Weitzen, LLP, Boston
- Witness (Husband- “Lucky Jones”)**
HARLEY S. GORDEON, Esq.
Insurance Education Advisers, Inc., Newton
- 2:15 p.m. – 2:40 p.m. **Judge’s Comments on What is Expected at Trial**

HON. ABBE L. ROSS
Suffolk Probate and Family Court, Boston (sitting in Essex)
- 2:40 p.m. – 3:00 p.m. **Lecture: Tips on Preparation of Your Client as a**
Witness in a Divorce Trial
ROBERT J. RUTECKI, ESQ.
Rutecki Law Office, LLC, Boston
- 3:00 p.m. – 3:15 p.m. **Direct Examination of Party Witness on G.L. c. 208, §34**
Factors (Use of Demonstrative Aides)
Wife’s counsel (“Lucy Jones”)

AMANDA L. VANDERHORST, ESQ.
Kates & Barlow, PC, Boston
- Witness: Wife- “Lucy Jones”**
RACHEL MORANDI, ESQ.
Lawson-Weitzen, LLP, Boston
- 3:15 p.m. – 3:30 p.m. **Cross Examination of Party Witness (Lucy) on G.L.c. 208, §34**
Factors (Use of depositions, interrogatories and chalks)
LINDA M. OUELLETE, ESQ.
Lawson-Weitzen, LLP, Boston

3:30 p.m. – 4:00 p.m.

**Closing Arguments and Presentation of a Motion for
Attorney’s Fees and Costs (G.L. c. 208 §38)**

HON. ABBE L. ROSS, Presiding

Suffolk Probate and Family Court, Boston (sitting in Essex)

BARBRA I. BLACK, ESQ. for the Husband (“Lucky Jones”)

Black, Vitelli & Pennock, LLC, Woburn (and Nashua, NH)

STEVEN E. GURDIN, ESQ. for the Wife

Sally & Fitch, LLP, Boston

4:00p.m. – 4:30 p.m.

Judge’s Decision and Final Comments

HON. ABBE L. ROSS

Suffolk Probate and Family Court, Boston (sitting in Essex)

4:30 p.m. – 5:00 p.m.

Critique and Commentary

“Ask the Experts” Question and Answer Session