

Family Law Practice in a Values-Based Culture

By Mitchell Reichman

Once most non-family law attorneys find out my specialty, they say “I would never do what you do!” Given that they’re on the outside looking in, it is easy to understand why so many lawyers feel that way. For those of us who have found our calling in helping people achieve sufficiently successful outcomes to thrive after the end of an important relationship – their marriage – it is hard to imagine doing anything else. My level of satisfaction in family law practice is directly tied to one of our most important components, the core values that guide not only me and but also our family law team.

Perhaps the most important value is integrity. “Acting with integrity” means a lot of things. It means doing the right thing when no one is looking, even when you could get away with doing something less. In my 34 years of practice, the most successful people I have represented share the core characteristic of possessing the highest level of integrity. I cannot recall an occasion when, after reflection, a client has complained when I’ve insisted that they act honestly and maintain the high road in the process of divorce, especially when children are involved. To the contrary, there have been countless occasions where clients have expressed their gratitude for my encouraging, indeed insisting, they maintain their integrity. As a result, they also maintained their dignity, had a higher sense of self-esteem and healed more quickly at the conclusion of the process.

“Listening fully” and “communicating to be understood” are also critical values that are particularly applicable to the practice of family law. Clients appreciate and deserve undivided attention. We work hard to understand and address the concerns of every individual and in order to do so, listening to them with focus is absolutely necessary.

Communicating to be understood requires being cognizant of your audience. We explore our client’s life experiences, educational background, and the level of their financial sophistication in order to communicate information to them relating to their divorce in a way that they can understand. It is also critical to explain the process step by step, the amount of time it may take, as well how the judicial system applies to their situation.

This is also an important value to maintain when presenting to the court, both orally and in writing. Particularly in Maricopa County, many judges’ first assignments are on the family law bench and they are relatively unfamiliar with the more complex issues such as apportionment and business valuation issues. Invest in the judge by educating them about family law, engaging and encouraging them to ask questions, providing them with – pre-hearing memorandum of law, detailed pre-trial statements, proposed findings of fact, conclusions of law, and concise and focused opening statements. This investment increases the likelihood of a client’s positions being adopted by the court and their desired outcome more likely to be achieved.

While there are many other fundamental values that are the underpinnings for our practice, an essential value is the need to demonstrate respect to everyone. We show respect for others by being a good listener. We respect adverse counsel even when we are frustrated by them or the positions they are taking on behalf of their clients. We demonstrate respect to judges when they are new to the practice of family law even though my group has collectively been practicing more than 100 years. We respect and acknowledge that the process is expensive – both financially and emotionally. It can be all encompassing of the client’s time. We do our best to take problem-solving approaches and

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find the smartest, most efficient solutions for clients to achieve their objectives.

I encourage all lawyers and particularly those who practice family law to establish your own core values and make them part of your practice and guide your behavior. You can practice in what others may perceive as an area of the law that they cannot imagine doing in the way that leads to the greatest amount of personal satisfaction, a sense of fulfillment and appreciative clients.

Mitchell Reichman is an Arizona State Bar board certified family law specialist and attorney at the Phoenix law firm of Jaburg Wilk. He is a board member of the executive council of the Arizona State Bar family law section and rated AV Preeminent by Martindale-Hubbell. Mitch has been named a Best Lawyer in America by Best Lawyers continuously since 2013, Arizona Top 10 Family Law Lawyer by Arizona Business Magazine and a Southwest Super Lawyer continuously since 2009. For more information, visit www.jaburgwilk.com.

