

FAMILY LAW

Divorce is seldom an option that is considered when you first step foot into the union of marriage, however, 'till death do us part' may not be applicable in all cases, which allows divorce to free you from the bounds of the relationship. It may not be the most pleasant of processes to undergo, so we speak with Stacy Phillips, an expert in family law, who shares what could be done to ease families through the difficult circumstances, her work with celebrities and how the Courts in California have addressed family legislation.

How have you seen legislation change since you began your career in family law?

The first major change is that in 1992, the California State Legislature enacted the Family Law Codes as part of the general statutory law of California. Until then, we practiced under the state's Civil Codes. Another important change is that we now have Mandatory Disclosure laws in California. Now, all assets, liabilities, income, and expenses must – under penalty of perjury—be fully disclosed in writing. Failure to do so can trigger punitive damages; for example, concealed assets can be awarded to the other party. We also now have legislation mandating evidentiary hearings in Family Law cases. This used to apply only to custody and domestic violence cases, but now applies to dissolution as well. Now, we have to provide written declarations as well as attending evidentiary hearings. This was designed so that everyone has their "day in court". Finally, it used to be in California that if one party petitioned for personal contact restraining orders, the court would order that it applied to both parties. That is no longer the case.

What further progress would you like to see made in family law in terms of US divorce cases and marriage law?

Our court system in California

needs more funding. I have practiced through numerous budget crises and the negative impact has been felt by families as well as attorneys. When cases cannot be processed through the system, peoples' everyday lives, feelings, and financial realities hang in the balance. In Los Angeles in particular, I would like to see reorganization of how our family law system is set up.

What special considerations must you make in dealing with high profile/celebrity divorce cases?

My first consideration is to protect the privacy of my clients and their children from the media. In addition, in order to provide excellent counsel to my clients, I must have direct access to them and have the cooperation of all of the professionals who work with my client in other capacities (such as managers, agents, publicists, other attorneys).

What is the primary scope of your book, *Divorce: It's All About Control*?

My wish as a family law attorney is to make a positive difference in my clients' lives, helping them get through an incredibly difficult time, and also helping them reshape their lives to move forward. My goal in writing this book (and the updates to each

edition, now 7 in total), was to offer an objective view of how destructive the divorce wars can truly be, and to offer the reader viable suggestions on how to deal with – and even avoid—them. My book is meant to give readers insights into how to regain their personal power and how to assume and maintain control in their lives and relationships. The chapters include characters and scenarios (a combination of real people I have encountered in my 35 years of practice, and hypothetical/ fictional situations), plus worksheets for personal reflection, together intended to raise readers' awareness about what causes relationships to disintegrate, what keeps people stuck in their battles, and the pain and suffering that can occur in the throes of divorce and its aftermath. The impact of divorce on children cannot be overstated. Every chapter in my book contains observations and advice about how to mitigate the effect on their delicate psyches. While I am not a psychologist and do not pretend to be, this is just the nature of the work I do. Through my book, I hope to help others find strength, make peace, and move forward productively with their lives. **LM**



About Stacy D. Phillips

Stacy D. Phillips is a Certified Family Law Specialist and one of the country's most well-known and respected family law practitioners, having achieved virtually every honor available to a lawyer for her work. Whether representing clients in litigation, mediation or collaborative divorce, Ms. Phillips is known for her skilled persuasion, negotiation, aggressive advocacy, and compassion. She is also an author (including *Divorce: It's All About Control – How to Win the Emotional, Psychological and Legal Wars*, ExecuProv Press), sought-after commentator, speaker and writer, and philanthropist. Throughout her career, she has given back through active involvement as a leader and volunteer in community and nonprofit organizations, as well as multiple professional associations.

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