

## **FAQs FOR EDWARD L. WINER**

### **What were the best recommendations you made to clients in past 12 months?**

In divorce cases, some of the best advice is to focus the client on settling the matter expeditiously and equitably, rather than attempting to redress every real and imagined wrong which occurred during the marriage. I focus my client on resolution of the case as a business transaction and try to minimize the emotional issues as much as possible. One example is advising divorce clients not to pass on or delay favorable financial transactions while a case is pending simply because they do not want to share the gains with the spouse. I counsel that it is better to obtain the gain (although a portion may be shared with the spouse) rather than harm oneself and the spouse.

I have recommended the use of a postnuptial agreement so the entrepreneur could devote substantial resources, time and labor to a new endeavor without risking that 50% would be awarded to his or her spouse if divorce occurs. The agreement provides some compensation in the event of a divorce, but recognizes the entrepreneur's substantial efforts by awarding substantially more than 50% to him/her in the event of a subsequent divorce. Postnuptial agreements are appropriate for married couples having marital difficulties, which may result in a divorce. Such agreements may allow financial decisions to be made with some assurance that a subsequent divorce will not result in an unfair resolution of the new financial situation.

### **What should clients expect from you?**

A client should expect that I will devote my attention, loyalty, knowledge and experience to appropriately advancing the client's interests, always within the bounds of ethical, honest and professional behavior. I call on my 40 years of experience to help strategically plan and work with the client to determine the best course of action to achieve a successful resolution, keeping in mind the interests of my client, business or professional colleagues and, of course, any children who may be involved. While a client should expect that I am understanding of and knowledgeable concerning the challenging emotional issues faced by divorcing persons, I will try to help the client avoid the emotions that interfere with proper decision making. The client can also expect from the first day of my representation that we will be working jointly to seek the road to resolution of the legal problem.

In addition to financial benchmarks, my performance should also be judged by the help my clients get in going through one of life's most difficult and emotional events. Divorce impacts almost every relationship and facet of a person's life. I want to be evaluated on how I assist my client through this difficult transition, focusing on the most responsible and effective paths to follow to reach the client's objectives and the best resolution.

My job is to help my clients take the high road. I want my clients to look back and know they did not act vindictively or destructively in dealing with the matter.

### **What should clients not expect from their relationship with you?**

Most importantly, where children are involved, the client should not expect I will place the interest of the children second or use them as a weapon to punish the other party because of the breakup of the marriage.

The client should not expect I will become a weapon to punish or harm the opposing party. The client should not expect I will exploit for financial benefit the inevitable, strong emotions involved in a dissolution proceeding (or in drafting, negotiating and finalizing antenuptial or postnuptial agreements).

### **What personal qualities help make you a successful lawyer?**

I am extremely loyal and committed to my clients. When I am retained to represent someone, I devote 100% of myself and my experienced team to properly assist my client through the matter, relying on many years of experience, my professional and personal skills, and knowledge.

Perhaps the qualities that help make me a successful lawyer are best summarized in my belief that if I undertake representation -- the client will have the best I can offer for the duration of that representation.