

Consider Carefully Before Choosing Divorce in January.

January is usually the busiest time for divorce filings due to the fact that many couples postpone their divorce plans until after the holidays. Others see the new year as an opportunity to get a new start in life. For these and many other reasons, a surge in divorce filings early in the new year is a common occurrence.

Those spouses initiating the divorce during the holiday season are often filled with feelings of guilt. Disrupting a time that is typically seen as happy and filled with good cheer is not a burden many people want to take on. Breaking the news to family and friends during the holidays is not an appealing choice either. Letting the holiday period slide by and putting a brave face on is quite a common strategy.

For many, the stress of buying presents, preparing meals and entertaining guests during the holidays can add to existing problems and can result in even greater stress on the marriage. By the time the holidays are over, the prospect of divorce is often a welcome option.

A new year is often seen as a time of renewal and re-invigoration. We make new year resolutions and are determined that everything will be better the coming year. Initiating divorce proceedings in a new year can be seen as pushing forward for a fresh start in life and the closing of the previous chapter in the person's life.

Regardless of your reasons for considering a divorce, the attorneys at Dworken & Bernstein encourage you to pursue all possibilities for mending your marriage. However, if divorce becomes inevitable, we invite you to contact one of our family law attorneys for an initial free consultation. Gary Okin, Ken Cahill, Anna Parise and Laurie Koerner are ready to speak with you about your situation.



Barbara Marlowe, staffer with firm, named as Red Cross Hero

When many of us hear about the needs of children around the world, we often feel the need to open our wallets to lend a hand. But that was not enough for Barbara Marlowe, marketing specialist at Dworken & Bernstein. When she read an article about a young girl named Teeba Furat Fadhil who was injured in a car bombing in Iraq, she was compelled to do more than just answer a plea for someone to provide the child a wig. Teeba's injuries left her severely burned on her face, head and hands and terribly disfigured. Barbara spent months pleading with government officials to bring Teeba to the U.S. for treatment.

It took the diligence of a full year of waiting before Teeba was able to travel to the U.S. with her grandmother to begin surgery. When it was apparent that Teeba would need multiple operations, Barbara opened her home and has taken care of the child ever since. For her effort, Barbara was recently honored with the Red Cross Hero Award by the Cleveland Chapter of The American Red Cross with 24 others for their acts of heroism and selflessness.

After just completing her fourteenth surgery, Teeba is flourishing, attends school, and is no longer embarrassed to speak about her injuries. In fact, she now enjoys educating others on her country and the circumstances that so dramatically changed her life.

Teeba's grandmother has since returned to Iraq, but for now, Teeba remains in the U.S. with Barbara and her husband, Tim. While most would be content to open a wallet, Barbara has opened her heart and her home to a young girl from a different country, culture and world.



Patrick Perotti named to "Top 75 Trial Lawyers in United States"

Partner Patrick Perotti was named to the exclusive ranks of the top 75 plaintiff trial lawyers in the United States. The group of 75 attorneys called "Trial Lawyer Kingpins", was chosen in a survey of defense attorneys throughout the country to identify 'the best plaintiff trial attorneys in terms of experience and influence.' The recent survey was conducted by the 1,500 attorney worldwide defense firm, Shook, Hardy & Bacon.

Mr. Perotti offers, "Dworken & Bernstein and I were not chosen for this honor because of the amount of money we recover in our cases for a single, class member. That is often small. It's the amount of money we force the wrongdoing company to give-back at the end of the lawsuit." Mr. Perotti has over \$100 million in class action settlements or judgments.

Mr. Perotti practices in the areas of class actions, litigation, commercial law, employment discrimination, wage and hour, and sexual harassment.

Jodi Littman Tomaszewski Wins Ohio State Bar Foundation's Award For Community Service by Lawyers Forty and Under

Partner Jodi Littman Tomaszewski received the Ohio State Bar Foundation's District 18 Award for Community Service by Lawyers Forty and Under. Mrs. Tomaszewski is a volunteer for the United Way of Lake County where she serves as co-chairperson of the Campaign Cabinet for the Attorney Division. She is active with the Lake County

Bar Association, serving on the Golf Outing Committee and co-chairing the Law Day Committee. She is also active with Dworken & Bernstein's nonprofit initiative, Ohio Lawyers Give Back. When money goes unclaimed from class action settlements, it often reverts back to the wrong doers. Mrs. Tomaszewski advocates for the monies to instead be distributed to charities.

Mrs. Tomaszewski practices in the areas of general business, mergers and acquisitions, real estate and commercial litigation.

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Family Law
by Laurie Koerner

Q&A

Q: What is the difference between a divorce and a dissolution?

A: Both a divorce and a dissolution will result in a termination of your marriage, but there are many differences between the two proceedings. In a dissolution, the parties work out all of their differences regarding division of property, parenting and support prior to filing any documents with the court. The agreement is set forth in a document called a separation and property settlement agreement. A dissolution is often the fastest and most cost-effective way to terminate a marriage.

A divorce is generally a more adversarial proceeding. In a divorce, one spouse files a complaint for divorce against the other party, seeking a termination of the marriage and asking the court to resolve the issues regarding division of property, parenting and support. A divorce is generally a more lengthy and expensive process than a dissolution, and requires more court involvement. However, a divorce offers protections not available through a dissolution, including temporary restraining orders and temporary child and spousal support orders.

Q: What factors does the court consider in determining spousal support?

A: The court will consider a number of factors, including the age of the parties, their respective incomes, the duration of the marriage, the standard of living enjoyed during the marriage, the relative earning abilities of the parties, and any other facts the court determines to be relevant.

Q: How is child support determined?

A: In the state of Ohio, the court is required to calculate the amount of support to be paid by the non-residential parent in accordance with guidelines established by the Ohio Supreme Court. The guidelines take into consideration, among other factors, the income of both parents; work and education related child-care expenses incurred by either parent; and the cost of medical care, including the cost of health insurance.

Q: How is property divided in a divorce in Ohio?

A: Ohio is an "equitable division" state. When the parties are unable to reach a settlement, the court will divide the marital property in a manner it considers to be fair – but this does not always result in an equal division. The court considers a number of factors when making a division of property, including the duration of the marriage, the assets and liabilities of the parties, the desirability of keeping an asset intact, and any other factors the court deems relevant and equitable.

To contact Dworken & Bernstein, call 866-211-0503, or visit www.dworkenlaw.com
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