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Born 21 days too early to be a baby boomer, but identifies with them.

Raised in South Bend, Indiana, during the late Truman and entire Eisenhower years. Graduated high school there. But due to a town gown situation, absolutely not a Notre Dame fan.

Attended Loyola Univ. of Chicago because it won the NCAA basketball championship his senior year of high school.

Attended Northwestern Univ. School of Law, now known as Northwestern Pritzker School of Law, because he wanted to exit the el station and turn east for the next three years rather than west as he had done for the previous few years.

Helped start the legal clinic at Northwestern in 1968-9, which is now the Bluhm legal clinic because Neil Bluhm donated way more money to it than Gary did. So did the Pritzker family.

Spent almost three years at the predecessor to Prairie State Legal Services in Waukegan, Illinois, before going into private practice in Libertyville where he has lived since 1970 and officed since 1974.

Member of the American Academy of Matrimonial Lawyers since October, 1978.

Former member of the ISBA Family Law Section Council.

Current member of the ISBA Assembly, the ISBA Civil Practice Section Council (the only non personal injury lawyer of the group), and member of the ISBA Committee that is the liaison to the Attorney Registration and Disciplinary Commission. Jerry Larkin knows him by his first name.

Eleven years a Super Lawyer. A-V rated since 1992, the week of his daughter's Bat Mitzvah.

Frequent writer and speaker at Lake County Bar Association seminars, AAML seminars, and ISBA seminars. Active member of the ISBA family law list serve. Most notorious for saying, repeatedly, read the statute.

I had the idea for this segment when I realized that many divorce lawyers are not divorced and currently none of the judges are. It brings another perspective to this work to have gone thru it oneself.

The others on this panel can tell you about their experiences as parents or children of divorce and how it affected their work.

Below are some of the experiences of one husband/father and his divorce—mine.

Nov. 4, 1989. For three weeks you have creating a pile of your belongings in the living room of the 4 bedroom house in which you and wife and two children have lived for ten years.

Nov 4 is your moving out day.

That morning, while waiting for the moving truck, your ten year old daughter walks by the pile, out the front door to school and says: well, good bye dad.

This is what happens to our clients. From then on, except for the parenting time, then called visits, that dad has with his own children, he does not live with them every day. He does not know when they go to bed, if they did their homework, if they practiced the trombone, very little.

This is why most parents in that situation want a daily phone call. Preferably by skype or face time which were not available then.

On to one's own apartment. Sparsely furnished. Purchasing new furniture is expensive now with two households to support and taking some from the big house is frowned upon as depriving the children. As if they need three couches and multiple tvs in the one house while the other has none.

Then there is the financial disclosure. When the dad moved out, he left in the house all the back tax returns, estate plan, life, car, home insurance

polices, the ten years of ira statements all the back bank statements.

Yet, her lawyer writes a letter before filing suit requesting all the financial info. The dad retorts that it is all in the house, have her get it for you. He retorts, no, she wants you to produce it. But I do not have it. Well, then get it from the investment co. etc. and do not forget the house purchase papers and the refi papers. But they are all in the file cabinet in the office in the house. She has them. I do not.

Well, under rule 214, you can go to the bank and the title co and the insurance agent and get all that since it is in your control. Ok, but this will take hours that I cannot bill to clients. Sorry, we need this.

So dad spends the time and some money doing all this.

He also goes to therapy to deal with the separation from the children and the ending of a 20 year marriage.

Doing all this means he devotes less time to lawyering and thus his income goes down. Yet no one believes that. He is just malingering to make his income less to make his support less. The sarcastic ones call this raids—recently acquired income deficiency syndrome. It exists.

Then there is the financial affidavit. Remember that all the financial information is in the house that dad is no longer in. Remember that while he lived in the house, mom paid all the bills. Dad filled the check book. Mom took care of the bookkeeping and the bill paying. Division of labor. Dad has no idea what the electric bill is for the last year. Nor the food bill since he never did the grocery shopping. Yet he has to fill out the form. If he says he does not have the info to do so, wife's lawyer or some judge tells him to get the info. Can I get into the house to get it? No. Go back to the gas co, the electric co, the insurance agent. How do I find the food bills? Check the credit card companies.

Back to the children. Two girls, ages 10 and 15. The 15 year old is furious with dad for moving out and refuses to see him for about six months. Mom is not the one telling the 15 year old not to see dad.

The ten year old is in a daze and spends time with dad, without sister, almost catatonic and cannot talk about what is wrong.

So more therapy for dad and daughter one and daughter two alone. More cost.

Ultimately things work out with the 15 year old but it takes 11 years for a catharsis with the then 10 year old.

Why should one parent have such limited time with his children? One parent doles out hours as if they were gold pieces and were hers to give. It is so demeaning to be told that I will not give him any more time with the children. Why is it hers to give?

Imagine the dad who goes from Wednesday night to Wednesday night with mom's weekend in the middle without seeing his children. What does that do to dad? To the children? Why is his weekend 5 pm Friday to 5 pm Sunday and hers is after school Friday to Monday morning at the start of school? Thankfully, the 1989 version of visit is not so common today.

So dad volunteers to drive the Tuesday night Hebrew school car pool to spend about 45 minutes with one child and some other children in addition to the limited parenting time he has. He continues in Indian princesses with the younger one to get some Monday nights twice a month and three weekend campouts a school year. Some dads become the soccer coach.

Then there is the argument that he was not the primary care giver so she should have more time. Remember the division of labor? Both parents need not be the primary nor equal care givers when all live together. His job was to build a law practice and fill the check book. Hers was to take care of the house and kids. They both worked about ten hours a day but doing different things.

Dads can learn to cook. To clean, to do laundry, to sew on buttons, to drive to the orthodontist, to the shoe store, to buy school supplies, same as mom if they have need to. Give them more time with children and then they will do so.

Also, after the divorce, she may have to go to work full time. The children are in school full time. How

much care giving is required then and of what does it consist?

Folks, all the above is real. All above is my life. All above is the lives of our clients. We are not trained as psychologists. We are trained as lawyers and are really not qualified to fix this. So we turn to the courts, which have fewer tools to fix this.

Can we bring some sanity to this?

If all the financial records are in the house, why make the person out of the house jump thru hoops to get them from the investment co. etc? What is the point of spending time and money to do that? Why not tell the client in the house to do it and get the info for both lawyers and clients?

Multiple court appearances play havoc with employers and some employees lose their jobs over too many absences.

Equal time should be the presumption and let the objecting parent say how the children will be hurt by that. Not everyone wants equal time; but for those that do, why not? Assuming the geography and the work hours and lack of violence are not

deterrents. Help break the mind set that parenting is to be given by one parent to the other.

Walk a mile in the shoes of each parent. Look at it from the perspective of both clients and of the children. Equal time could be every other day. For the dad, that may be fabulous. Would the child like it? Probably not.

SAMPLE SCHEDULE: RELOCATION PARENTING TIME

- I. Relocation Parenting Time Goals:** The parties acknowledge that time for the minor child to spend with each party must be worked out flexibly, so as to take into account the child's current interests, activities, and other commitments; and, subject to the requirement that each party shall give the other reasonable notice, they agree that from time-to-time they shall make reasonable changes and adjustments to their pre-established schedule so as to accommodate changing circumstances. The parties' goal is for the child to see his Father every 4-6 weeks for extended periods, including but not limited to: Summer Recess, Fall Break, Thanksgiving, Winter Break, February Weekend, Spring Break and an additional weekend each year.
- II. Parenting Time Schedule.** The parties agree to the following parenting schedule based upon the Mother residing in California and the Father continuing to reside in Illinois. The parties understand that times are approximate based on the child's school calendar and/or flight times. The parties also agree that and understand that in order to maximize the child's time in Illinois, it may be necessary for the child to miss up to two (2) days of school per visit, based on the child's school commitments, grades, etc.
- A. Summer Parenting Time Schedule:** Father shall have a minimum of seven (7) consecutive weeks of summer parenting time each and every summer. To determine Father's summer parenting time, in even years the child shall return to Illinois within ten (10) days of the last day of school (always prior to Father's Day) and shall return to California approximately ten (10) days prior to school resuming. In odd years, the child shall return to Illinois within five (5) days of

the last day of school (always prior to Father's Day) and shall return to California approximately seventeen (17) days prior to school resuming.

B. Winter Break Parenting Time Schedule: The parties shall share the first half of break each and every year.

1. In odd years, Mother shall have parenting time from the last day of school until the evening of the 23rd (or morning of the 24th, so long as the child is scheduled to arrive in Illinois by 4:00 p.m. on the 24th) and Father shall have parenting time from December 24th until the child is returned to California the day before school resumes (flight should be scheduled to arrive in California by 4:00 p.m. the day before school resumes).
2. In even years, Mother shall have parenting time from the last day of school until the evening of the 25th (or morning of the 26th, so long as the child is scheduled to arrive in Illinois by 4:00 p.m. on the 26th) and Father shall have parenting time from December 26th until the child is returned to California the day before school resumes from break by 4:00 p.m. the day before school resumes.

C. Spring Break Parenting Time Schedule: Father shall have parenting time during Spring Break each and every year. In odd years, Father shall have parenting time for at least five (5) days during break, these days shall include at least one full weekend and the child shall return to California at least the day before school resumes from break by 4:00 p.m. In even years, Father shall have parenting time for at least seven (7) days during break, these days shall include at

least one full weekend and the child shall return to California the day before school resumes from break by 4:00 p.m.

- D. **Thanksgiving Break:** Father shall have parenting time each year for approximately seven (7) days taking into consideration the school schedule. The child shall be scheduled to return by 4:00 p.m. the day before school resumes, unless otherwise agreed upon by the parties.
- E. **Long Weekend in February:** Father shall have parenting time each year for an extended weekend in February, either President's Day weekend or the following weekend, based upon the child's school calendar.
- F. **September/October Trip:** The child's school calendar currently only has one holiday break in the fall for Labor Day Weekend. The parties shall work together and determine if the child will travel to Illinois over Labor Day Weekend or travel another weekend when the child will likely miss school. The parties may also substitute a trip to Illinois for Father's trip to California to visit.
- G. **Floating Trip:** Parties shall review the school calendar each and every year and review the child's non-attendance days to schedule an additional long weekend, not specifically outlined above that shall last for at least four (4) overnights in Illinois. Parties understand that the child will likely miss school and ensure teachers are notified in advance.
- H. **By Agreement:** The parties may agree to any other visits by agreement. Moreover, due to the nature of their jobs, if Mother or Step-Father-to-be travel to Illinois, the parties will work together in hopes that the child may also accompany him/her back to Illinois to visit with Father.

- I. **In California:** In the event that the Father travels to California, so long as he provides at least fourteen (14) days notice, he shall have parenting time while he is there.
- J. **Virtual Parenting Time:** The parties shall work together to coordinate a time so that the child has an opportunity to Skype/Facetime with the other parent at least twice a week.

SAMPLE SCHEDULE: “NON-TRADITIONAL” PARENTING TIME

Parenting Time: MOTHER will have primary residential placement of "The Minor Children." FATHER will have parenting time alternating as follows: one week Monday from 8:00 a.m. until Tuesday at 3:30 p.m.; and the next week Sunday from 10:00 a.m. until Tuesday at 3:30 p.m. FATHER shall have the children on Wednesdays, Thursdays and Fridays from 8:00 a.m. until 3:30 p.m. FATHER shall arrive at MOTHER's home at 8:00 a.m. for the commencement of his parenting time on weekdays. FATHER shall be responsible for taking the children to and from school during his parenting time. The children shall be cared for by their nanny, or another agreed-upon child care provider on Tuesday, Wednesday, Thursday, and Friday from 3:30 p.m. until 6:00 p.m. The parties agree that if there is no school on a parties' scheduled day, the children shall be with the party with whom they are scheduled to spend the evening. The parties agree that if, due to illness or injury, any of the children are required to stay home from school, the parent who has possession of the child on that morning is responsible for taking time off work to stay home with the child.

SAMPLE “TRADITIONAL” SCHEDULE

Parenting Time: FATHER shall have parenting time with the minor children on alternating weekends from Friday evening at 6:30p.m. to Sunday at 8:30p.m., and every week on Wednesday evening for dinner. If school is not in session on the Friday following FATHER’s parenting time, his parenting time shall be extended through Friday afternoon at 12:00 p.m.

SAMPLE SCHEDULE: SHARED PARENTING SCHEDULE

SCHOOL YEAR PARENTING SCHEDULE: The parties reserve the right to confer with each other and deviate from the following parenting time schedule by agreement; however, if the parties are unable to agree, then the parties shall exercise parenting time as follows:

- i. Mother should have parenting time the first, second and fourth weekend of every month.
The weekend shall run from Friday after school (Mother picking up from school) through Monday morning drop off at school. The Mother’s parenting time shall begin Thursday after school if school is not in session on the Friday of her parenting weekend and/or shall be extended to Monday evening at 4:30 p.m. if school is not in session on the Monday following her parenting weekend, and the parties shall meet to exchange the child at the Gurnee Warren Newport Library.
- ii. Once a month, the Mother shall also have parenting time on the Monday evening, following the Father’s parenting weekend, from Monday after school to Tuesday morning drop off at school.
- iii. Mother shall also have parenting time on the fifth weekend of a month if the fifth weekend falls in January-April or September – November.
- iv. If Mother drops the child off late for school once and it can be documented via school records, then immediately the Mother’s parenting time shall be modified to conclude on

Sunday evenings at 4:30 p.m., and the parties shall the parties shall meet to exchange the child at the Gurnee Warren Newport Library.

SUMMER PARENTING TIME SCHEDULE: Beginning the first full week of school recess until one full week prior to school resuming, the parents should share the summer equally, rotating one week on, one week off, from Sunday to Sunday. Therefore, every Sunday at 4:30p.m., the parties shall meet to exchange the child at the Gurnee Warren Township Library. During the summer, each parent is also entitled to take up to two (2) weeks of summer vacation parenting time that may be taken as 14 consecutive days at a time to accommodate travel, otherwise the parties shall limit this time to seven (7) consecutive days if they intend to stay local and continue their alternating week schedule. Parties shall exchange vacation dates by May 1st. If a conflict arises, the Mother has priority in even years and the Father has priority in odd years.

SPRING BREAK PARENTING TIME. The parents shall equally share the child's Spring Break. Mother shall have the first half of the break from Friday after school through Wednesday at 4:40 p.m. and Father shall have from Wednesday at 4:30 to Monday morning. The parties shall meet to exchange the child at the Gurnee Warren Township Library.

WINTER BREAK. The parties shall share the child's winter break with each party having approximately one week of winter break. Parties shall determine the halfway point of break by calculating from the first full day school is not in session to the last day before school resumes minus the Christmas holidays and dividing by two (2). In EVEN years, the Mother shall have the child the first half of break and the Father shall have the child the second half of break. In ODD years, the Father shall have the child the first half of break and the Mother shall have the child the second half of break.

SCHOOL IN-SERVICES/NON-ATTENDANCE DAYS: Mother shall have parenting time on School In-Service/Non-Attendance Days that are not previously allocated per the Holiday Schedule below that fall on Mondays and Tuesdays. If school's not in session on a Monday, Mother's parenting time shall be from Sunday at 4:30 p.m. to Monday at 4:30p.m. If school is not in session on Tuesday, parenting time shall be from afterschool on Monday until Tuesday at 4:30p.m. With the evening exchanges taking place at the Gurnee Warren Newport Library.