

The Miami Herald

August 5, 2002

Section: Business Monday

Edition: Final

Page: 14G

Memo: PERSONAL FINANCE

## 'CERTIFIED DIVORCE PLANNERS' ENSURE FAIRER SETTLEMENTS

*JIM MACKINNON, Knight Ridder News Service*

She's 51 and gets the house.

He's 53 and gets most of the money.

At the time of their divorce, the home and the investments are valued at the same amount - say, \$200,000 apiece.

But less than 10 years later, the ex-wife is struggling mightily to make ends meet, while the ex-husband's net worth has shot up.

That's a typical example demonstrating where an initial 50-50 split of marriage assets isn't equitable in the long run, say a special breed of financial consultants called **certified divorce planners**.

To help ensure a fairer settlement agreeable to both parties, these planners - about 550 nationwide - say they offer specialized knowledge and skills many divorce lawyers don't have. While high-net-worth couples may have more complicated financial issues, the planners say less-well-off couples who have been married several years also need to think about post-divorce finances. And with more than 1 million divorces taking place annually in the United States, they say there's plenty of opportunity for their services to be used.

"Marriage is about love. Divorce is about money," said Ruth Samuels, a certified financial planner in Brunswick, Ohio, who took specialized courses to become a **certified divorce planner**. "Equitable disbursement does not mean even disbursement. . . . You hear 'I got screwed.' Ninety percent of the time they're talking about the money." After living together for many years, couples may not understand what it takes to live apart.

### INEQUITABLE BACKGROUNDS

Typically, but not always, if a couple in which both partners are more than 50 years of age gets divorced, the wife spent the years of the relationship at home raising children and does not have a high-paying job to pay the bills after the marriage is dissolved, Samuels said.

"You say to that spouse, 'What do you need to live on?' Usually, they have no idea," she said. The planners say their goal is to show various financial projections, based on different scenarios, that both spouses, as well as the lawyers and judge, examine during divorce proceedings to determine how to divide assets. They review such things as retirement accounts, pensions, stock options, deferred compensation, investments, alimony, child support, living expenses and tax consequences in making the post-divorce income projections. And the planners emphasize that they're not a replacement for a lawyer.

Patricia Hornak, a financial planner with Oda & Co. in Richfield, Ohio, said a lot of people chuckle when they first hear the title of "**Certified Divorce Planner**." Hornak and Samuels both got their

certification through the Institute for **Certified Divorce Planners**, which is based in Michigan. "We have to have a good understanding of living expenses" for both sides, said Hornak, who also teaches a course on the financial aspects of divorce for couples who are splitting. "We're trying to get the court to look at the future, at least a few years down the road. I can do a lot of 'what-if' scenarios, and that's very helpful." Cleveland-area lawyer Carol Rogers Hilliard makes use of Hornak's services.

"I hear all the time, 'I have to have the house,'" Hilliard said. This is where the financial person can be extremely helpful: in showing them different options.

Once they see those options, the couple may decide it's best to sell their home and split the money. Each may then decide to buy two smaller homes, maybe near each other so children can go back and forth easily, Hilliard said.

"Traditionally, the person who keeps the home is the woman because she wants to keep the kids in the home. Dad tends to keep more of the 401(k) and investments," she said. But Dad's investments tend to increase in value more rapidly than Mom's real estate, she said. And the investments are more liquid.

"She can't take the wallpaper off the walls and go buy groceries," Hilliard said. So, years later, the ex-husband's net worth may be taking off, while the ex-wife could be living on food stamps, she said.

The **certified divorce planner** can find ways to ensure that both fare well after they split up, Hilliard said.

#### IRREVOCABLE DECISION

"You can't go back to court and change the property division [after the divorce is final], like you can with child support. You're stuck," Hilliard said.

Still, **certified divorce planners** are not needed in every case, said Anita Ventrelli, a partner in the Chicago law firm of Schiller, DuCanto and Fleck, which calls itself the largest law firm in the nation specializing in matrimonial law. One of the firm's partners is a **certified divorce planner**, she said.

But if someone getting a divorce wants the services of a **certified divorce planner** or another financial advisor, he or she needs to research the planner's credentials and get references before making a hiring decision, Ventrelli said.

Carol Ann Wilson founded the Institute for **Certified Divorce Planners**, although she's no longer affiliated with the organization. "People need help with financial issues in divorce," the Boulder, Colo.-based certified financial planner said.

Early in her career, she began getting clients after they went through divorces and, based on their experiences, decided to offer pre-divorce financial consulting. She created the institute nine years ago to teach others what she had learned and developed a software program that allows planners to make divorce-related financial projections.

"I was the only one doing it," she said. "I thought it should be a profession, so people would respect what we were saying."

While there are more than 500 **certified divorce planners** now, another 800 people are taking courses to get the certification, said Fadi Baradihi, president of the Institute for **Certified Divorce Planners**. The courses take about six months to complete, he said, and to maintain certification the planners are required to take 20 hours of continuing education credits every two years. Lawyers are good at dealing with the legal and emotional aspects of divorce, but many aren't

good at dealing with client's tax implications, investments or dividing up such things as pension benefits, Baradihi said.

#### STANDARD RATE

**Certified divorce planners** usually charge between \$100 and \$200 an hour for their services, and typically do about 15 hours of work for their clients, he said.

“Once an attorney uses a divorce planner, more often than not they get hooked,” Baradihi said. The planners collect financial statements, figure out the assets, and then project what each person will have financially over five, 10, 15 or more years using different scenarios, he said. Medina, Ohio, resident Gwenn Stefancin said she and her husband are divorcing after 13 years of marriage and turned to Hornak to help sort out their finances.

“We wanted to keep it as friendly as possible,” Gwenn Stefancin said. To seek help in dividing their assets, they attended the divorce course Hornak teaches, and then hired her. Hornak asked them to fill out a form listing their expenses, and also come back with work and income-tax forms, she said.

“Then she goes through it,” Stefancin said. “She’s shown us all the different directions you can go in. We came up with one we could be happy with.” As a result of Hornak’s suggestions, the couple has sold their home, although they each had the option of keeping it, she said. They haven’t involved lawyers yet, but plan to do so shortly, Stefancin said. “The bottom line is, she’s breaking it down so you’re equal.” An amicable divorce certainly isn’t always typical, Hornak and Samuels said.

Hornak said she’s usually hired by one spouse, but has to sit down with the other spouse and his or her attorney as well to go over the financial projections.

“The couples are in such a state of mind. They’re going through all the emotional aspects,” said Hornak, who has been divorced and since remarried. “I’m here to help them set the emotions aside and get a fair and equitable settlement.”