

MARITAL DISSOLUTION



Marital Dissolution Practice Group

Marital Dissolution is a focal point of the firm's forensic practice. The Marital Dissolution Team at Marcum LLP, works with high-profile cases that involve parties across a wide range of industries, and are skilled at assisting during the discovery process, preparing counsel for trial, and providing qualified expert testimony. Many of our senior team members are accredited in business valuations, are Certified Fraud Examiners, Certified Public Accountants, and/or Personal Financial Specialists, and have extensive experience in seeking out undisclosed assets.

Marcum's extensive marital dissolution experience enables us to quickly focus on the strategic elements of a case. We have a proven system for dealing with case mechanics as well as a solid understanding of the requirements for cases going to trial or mediation. Consequently, our engagement team leaders are able to focus on strategy, working closely with the attorney his or her client to determine whether a case would be settled or taken to trial. That's because we assist in asking the right questions and finding out what's important to the parties involved.

Our Marital Dissolution Services include:

- Assessing the validity of prenuptial agreements
- Financial affidavit preparation
- Property distribution analysis
 - Evaluation of assets
 - Asset tracing
 - Business and business, interest valuations
 - Forensic accounting services, such as locating hidden or undisclosed assets
 - Identifying separate vs. marital property in light of prenuptial agreements and other factors
- Alimony and child support calculations
 - Income and expense analysis
 - Lifestyle analysis
- Attendance at Mediations and Depositions
- Court Testimony at temporary support and final hearings

With years of experience and countless cases completed, our CPAs and associates have developed the balance between being financial experts and compassionate professionals.

When faced by such financially complex issues as the tax ramifications of a divorce settlement, hidden income and asset protection, dividing up

a family owned business, and many other uncomfortable and intense decisions that must be made, it is critical that you have a competent team to look out for your best interests and to help get through your divorce as quickly and professionally as possible. Our Matrimonial Litigation group will work closely with your attorney to ensure all these needs are met.

THE FINANCIAL ASPECTS OF DIVORCE

The financial aspects of divorce cases are often as complicated and complex as the emotional ones. In theory, each spouse should provide complete and accurate disclosure of all income and property and the representation of each spouse should be identical. Divorcing spouses may sometimes overlook certain income and/or property matters in disclosing information to the other side (intentionally or unintentionally).

Divorce can significantly alter the financial positions of all parties involved. Only careful planning and the assistance of experienced tax advisors can minimize the emotional and financial costs of this life-altering event.

Strategic Planning – We work closely with your attorney to strategize your case. We will facilitate discovery by determining the documents or records to be obtained and the analysis necessary to achieve the most cost effective fair results.

Business Investigations & Valuations – We review financial statements, accounting records and tax returns, determine the true income and cash flow generated by the business and the standard of living generated by that business. We provide reliable estimates as to the value of closely held business interests through careful consideration of all internal and external variables impacting the business.

Alimony and Lifestyle Analysis – We render invaluable assistance in tracing the flow of funds between bank accounts, the disposition of money, identify hidden assets and help to substantiate your standard of living. We evaluate all the requirements and tax ramifications that must be met for payments to be considered alimony.

Taxes – Careful consideration of complex tax issues can save divorcing parties hundreds of thousands of dollars. Whether for sophisticated or for less complex issues, we will be able to suggest various alternatives that will minimize the taxes you may be required to pay.

Negotiations – You are best represented by your attorney and our professionals to assist in the negotiation process. Often our familiarity with finances and taxes can help settle a case creatively by suggesting alternative approaches or vantage points where there might otherwise have been a deadlock.

Prenuptial Agreements – We help to ensure that there is adequate and appropriate disclosure of financial issues so that the pre-nuptial agreement will withstand a court challenge.

Expert Witnesses – Depositions, critiquing opponent's report or testifying in court, our extensive experience and widely recognized reputation as expert witnesses has given us the ability to best build and "win" your case.

Strategic Financial Planning – We offer ongoing tax and financial service to our divorce clients prior to and well after the divorce is final. We provide financial planning services and monitor investment decisions and performance on behalf of many of our clients.

Depending on the needs of a particular case, the Marital Dissolution Team works with other Marcum professionals, leveraging our Firm's expertise to offer clients more comprehensive services. Marcum professionals dedicated to this practice area understand the complexities and sophistication of dissolution of marriage matters. We specialize in identifying and resolving IRS issues and can assist in amending past returns or facilitate a voluntary disclosure. Another team specializes in computer forensics, tracing email, documents and deleted information that may be stored in unexpected locations. Finally, we also offer tax advice and financial planning services during the dissolution, and after it has been finalized.

Together, these groups, as well as others across the firm, provide the assistance the marital dissolution team needs for successful mediation and trial support-which may have a significant influence on the outcome of a case.

COLLABORATIVE LAW ASSISTANCE IN MARITAL DISSOLUTIONS

The Collaborative Law for Marital Dissolutions is a fairly new process that has developed within the past thirty years in the legal, financial, and mental health professional communities. Collaborative Law is an alternative to a litigation process for marital dissolutions' a Husband and Wife and their attorneys

agree in writing to resolve all matters arising from a marital dissolution outside of court. In the case that the parties and attorneys are unable to do so, the attorneys agree to resign and the parties can pursue their dissolution through the legal system.

In the Collaborative Marital Dissolution Cases, the role of the neutral financial professional can be filled Certified Public Accountant who has also been trained in the Collaborative Law process. This individual provides assistance in the collection of financial information and the resolution of financial issues identified by the parties and the neutral financial professional.

These services can include:

- Collection of financial affidavit information
- Property distribution analysis
 - Evaluation of assets
 - Asset tracing
 - Business and business, interest valuations
 - Identifying undisclosed assets
 - Identifying separate vs. marital property in light of prenuptial agreements and other factors
- Alimony and child support calculations
 - Income and expense analysis
 - Lifestyle analysis

The Firm has a neutral financial professional that is trained in the Collaborative Law process. We have a proven system for dealing with case mechanics which enables the neutral financial professional to work with the attorneys and the parties to achieve resolution of issues expeditiously and minimizing conflict. We have experienced and credentialed professionals to assist in resolving the complex issues. Many of our senior team members are accredited in business valuations, are Certified Fraud Examiners, Certified Public Accountants, and/or are Personal Financial Specialists.

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