

Peaceful Partnership

Lowenstein Brown APLC takes a collaborative approach to settling family law cases peacefully and when possible, without litigation.

By Pat Broderick
Daily Journal Staff Writer

SAN DIEGO — After receiving her degree from California Western School of Law in 1999, Elizabeth M. Brown joined the Peace Corps and spent close to three years in the Kingdom of Tonga working with rural youth.

When she returned home, Brown was eager to find work as a lawyer but not at a big law firm.

"After the Peace Corps, I knew that wasn't the lifestyle for me," she said. One employment opportunity stood out: an advertisement placed by Michele Sacks Lowenstein.

"It was the only one that said, 'Willing to train,'" Brown recalled. "Everybody else required one to two years of experience. I had lots of years of worldly experience."

That suited Lowenstein just fine. A sole practitioner at the time, specializing in family law, Lowenstein took Brown on as an associate in 2004, and five years later they formed a partnership.

"I was looking for someone who had a similar philosophy in practicing the law," Lowenstein said of Brown.

Their family law practice covers divorce, child custody and spousal support, grandparents' rights, prenuptial agreements and paternity issues.

The firm's focus is "helping people to continue to deal with each other," Lowenstein said — preferably through a cooperative approach rather than litigation.

The goal is to encourage clients, Brown said, "to do what they can to control their own destiny instead of relying on a black robe who has 30 minutes, maybe, to make a decision that's going to affect where their kids go."

If the case needs to go to court, "We litigate it," said Lowenstein, who also is a trained mediator. "But we prefer to have people resolve their conflicts with each other."

Lowenstein is a member of the Collaborative Family Law Group of San Diego, an association of attorneys, mental health professionals and financial advisers who work together for "the peaceful resolution of family law issues" — financially and emotionally, according to the mission statement.

"We have a lot of trial work," Brown said. "But that's not really where we think people should be to resolve family law issues. We think it should be the mediation, the collaborative law, the conference room."

Shawn Weber, a partner with Brave, Weber & Mack APLC in Solana Beach and a past president of the Collaborative Family Law Group, said he "has crossed swords" with them on a number of cases.

While they are staunch advocates for their clients, he said, "They try to put the family ahead of the litigation."

Weber recalled a particularly difficult custody case he had with Lowenstein that was resolved outside of the courtroom.

"I appreciated that she took the time to do it, when most attorneys would have litigated," Weber said. "The legal community has a lot of old-



Elizabeth M. Brown, left, and Michele Sacks Lowenstein

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school litigators, and they don't want to give up the adversarial model, because it's made them a lot of money."

A more collaborative approach not only helps the family, he said, but takes the pressure off overburdened judges.

"Michele gets that, and so does Elizabeth," Weber said.

Cinda L. Jones, a certified financial planner and certified divorce financial analyst in San Diego, is a founding member of the Collaborative Family Law Group. She has worked with Lowenstein on cases for the past decade.

"They use the appropriate expertise and knowledge that fits each case," she said. "I have such a tremendous amount of respect for them in the way they manage their clients. They have a really coordinated team there."

With the two partners, an associate and a second associate due to come on board, along with support staff, it's all for one and one for all, Brown said, adding, "We work as a group. Everybody helps on every case, and everybody knows what is going on in every case."

It's what sets them apart, said Ginita Wall, a certified public accountant, certified financial planner and author who provides forensic accounting and financial guidance to divorcing couples and their attorneys.

"If somebody is not in, there is somebody else who knows what is going on," Wall said. "You don't fall into a crack."

Lowenstein Brown APLC

San Diego

Number of lawyers: three

Founded: 2009

Specialty: Family law

Business Tips:

- Return clients' calls on the same day
- Educate your clients on the laws that will affect them
- Create a professional environment where all staff members are knowledgeable about all cases

Another credo of Lowenstein Brown: Client calls are returned on the same day, and clients are kept apprised of pertinent documents sent out on their behalf.

"We find that we probably over-inundate our clients," Brown said. "But it makes it run smoother."

The firm's website also is designed as a prime resource for people needing family law information, providing videos, information and links to help educate them.

Wall, who has worked on cases with the firm over the years, created the Second Saturday program in San Diego — "What Women Need to Know About Divorce" — for which Lowenstein has been a lecturer for almost two decades.

Wall said she considers Lowenstein a mentor, first meeting her in 1988 after moving from New Mexico to establish her practice in San Diego.

"I was interested in finding out as much as possible about family law," Wall said. "She took me under her wing. Michele is very enthusiastic. She loves what she does and does it thoroughly."

While the firm has managed to hold "a steady rudder," with revenue growing by 5 percent to 10 percent a year, the sour economy has affected many of the people who come its their door.

"The house is no longer one of the largest assets," Lowenstein said. "It's frequently one of the larger liabilities. People are so upside down on their homes."

While nobody can predict the future of a rela-

tionship, Lowenstein said she believes couples should go into a marriage with their eyes wide open. A proponent of prenuptial agreements, she considers them as important for regular folks as they are for celebrities.

"You have to understand that your relationship with your spouse is going to end, one way or another," she said. "Somebody is going to die, or you're going to get a divorce. So one of the D's is going to get you."

But, as with the rest of her practice, Lowenstein said that she prefers a cooperative approach to crafting prenups, rather than just leaving it up to the attorneys.

"That's not really a good way to negotiate something at the beginning of a marriage," Lowenstein said. "The best way to do a prenup is to get everyone in the conference room to talk about it, just like you do when you settle a case."

Still, not many couples are rushing to do them.

"It doesn't come with the wedding services when you book the wedding," Lowenstein said. "It should."

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