

GIVEN THE LENGTH OF TIME GETTING A CIVIL CASE TO TRIAL IS THE BEST OPTION TO SETTLE?

We usually follow a two-tracked course with our cases. We are always prepared to litigate; however, at the same time we are trying to obtain an advantageous settlement on behalf of our clients. It is uncommon in family law for matters to go all the way to trial. Usually, clients will ultimately explore settlement options, but only under the right circumstances.

HOW OFTEN IS AN OPPOSING ATTORNEY A GREATER PROBLEM THAN AN OPPOSING SPOUSE?

We have a good relationship with most of the Family Law Bar, although conflict with counsel can happen when an attorney is deeply involved in a Family Law Case.

With over 220,000 attorneys in California, Schaffer is one of the few, numbering 178 within San Diego to hold the distinction of Certified Family Law Specialist.

HOW DOES BEING A CERTIFIED FAMILY LAW SPECIALIST SET YOU APART?

Being a Certified Specialist gives me a greater understanding of the complexities of family law matters and because of the educational requirements, I am constantly attending seminars to ensure that I am up to date on all pending matters and new law. Family law is a practice area that encompasses so many other areas of law, and it's one of the few areas that has its own set of laws and statutes. That's why it's important to hire an attorney who focuses his/her practice on family law rather than a general practitioner who might simply dabble in family law.

DO YOU FIND THAT BEING A SPECIALIST CARRIES WEIGHT WITH JUDGES AND MEMBERS OF THE BAR?

It certainly does. I believe it helps because the preparation for the exam is quite extensive and Specialists are required to re-certify every five years.

DO YOU OFTEN FIND YOURSELF IN TRIAL?

Last year, I had four multi-day trials. However, the majority of family law cases do ultimately settle.

HAS YOUR EXPERIENCE AS A JUDGE PRO TEM FOR THE SAN DIEGO SUPERIOR COURT PROVIDED SOME UNIQUE INSIGHTS ABOUT LITIGATING?

It certainly has shown me both sides of the process. As a Judge Pro Tem, I try to assist the parties and counsel to reach a resolution. Acting as a neutral party gives me excellent perspective on family law issues that help me in my own practice.

IN COMPLEX CASES, DO YOU FIND IT'S THE MONEY, THE CHILDREN, PERHAPS EVEN THE PETS THAT COMPLICATE THE RESOLUTION MOST OF ALL?

Family law is very personal, and it is rarely ever one specific singular thing that complicates the resolution. The emotional challenges that come with every case can cause bumps in the road to resolution. However, we are here to support our clients during this difficult time in their lives.

HAVING OPENED A MEDIATION PRACTICE, ALLOWING THOSE SEEKING TO DIVORCE AN ALTERNATIVE PATH, AVOIDING THE PUBLIC COURTROOM, HAS IT MET WITH SUCCESS?

It truly has had some very positive results, and we have four attorneys in the office who all practice mediation. Mediation allows the clients to have more control over the process and the end result. In addition, mediation allows for privacy and timing dictated by the parties as opposed to the Court. My mediation practice seeks to provide another conflict resolution option for clients and it helps me to see pathways to settlement that litigation-only attorneys may miss.

IS YOUR APPROACH TO SPEAK SOFTLY AND NEGOTIATE CALMLY, KNOWING FULL WELL THAT YOU ARE CAPABLE OF DRAWING ON SOME FIREPOWER IF NEEDED?

We find that the Court responds to calm and well-reasoned arguments. Professionalism is an important tenet of my practice. Parties need a fierce advocate during this process, which we present in a well-researched, powerfully worded presentation in court.

HAVING SEEN HOW TRAUMATIC DIVORCE CAN BE FOR CHILDREN, DO YOU HAVE OUTSIDE INTERESTS THAT HAVE LED YOU TO SUPPORT THEIR CAUSE?

We are very involved with Kids Turn and are part of their Leadership Circle. Kids Turn provides a safe place in offering counseling services and workshops for children and their families that are going through a tough family situation such as divorce. In addition, we work with Casa Cornelia, whose mission is to provide quality legal services to victims of human and civil rights violations.

WERE YOU NOT RESOLVING CASES IN FAMILY LAW, WHICH PATH WOULD YOU HAVE FOLLOWED?

I really enjoyed working as a tax consultant and would probably be working in that field. If I did not have my business, I would continue to utilize my skills as a judge advocate. Service has always been an important part of my life, whether that has been through the Marine Corps or as an attorney.



Attorney Schaffer will share her expertise on Family Law in forthcoming issues of Discover Magazines. 858.509.7907 sandiegofamilyattorneys.com