

Drafting & Litigating Prenups and Postnups

How you can choose the playing field

Negotiating and drafting agreements play a significant role in any domestic relations practice. Family Court practitioners are often tasked with the significant undertaking of drafting pre-nuptial and post-nuptial agreements for their clients. In many instances, the existence of a pre-nuptial or post-nuptial agreement dictates the litigation and ultimate resolution of a divorce case.

The art of skillfully negotiating a pre-nuptial or post-nuptial agreement for a client involves not only thorough knowledge of the law, but also a strong attorney-client relationship and an amicable relationship with the opposing counsel. The seminar begins with an overview of pre-nuptial and post-nuptial agreements, the tax considerations involved in drafting pre-nuptial and post-nuptial agreements, and factors to consider in addressing future inheritance and interests in trust.

The faculty then discuss what considerations an attorney should undertake when drafting pre-nuptial and post-nuptial agreements for their clients. What documents must an attorney have a thorough command of prior to entering into a negotiation for an agreement? What are the tax considerations a practitioner should be aware of as one negotiates these agreements? How can an attorney prepare a client for the inevitable compromise(s) required to reach an agreement? What dynamics occur when clients are present (either virtually or in person) in real time as a negotiation unfolds? What must an attorney consider when faced with the prospect of litigating a pre-nuptial or post-nuptial agreement in a divorce proceeding? What is the most important case law an attorney should know with respect to pre-nuptial and post-nuptial agreements? This program is a must-attend for attorneys who practice in domestic relations law in either a collaborative law or litigation setting.

Agenda

- Overview of Pre-Nuptial and Post-Nuptial Agreements
- Questions to Consider When Negotiating Pre-Nuptial and Post-Nuptial Agreements
- Tax Considerations of Pre-Nuptial and Post-Nuptial Agreements
- Documents Necessary from Your Client and the Opposing Party Prior to Commencing Negotiation
- Tactics for Conducting Pre-Negotiation Client Meetings, Tips for Drafting Agreements, and Negotiation Strategies
- Inheritance, Trusts, and Marital Property
- “Ask the Experts” Q&A Session

Faculty

Melissa A. Howitt, Esq., *Doherty, Dugan, Cannon, Raymond & Weil, PC, Franklin*

Jennifer C. Roman, Esq., *Tracey, Roman & Ramos, PC, Wellesley Hills*

Claire C. Tutwiler, Esq., *D'Amico Tutwiler, PC, Wellesley Hills*



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Dates & Location

Register at www.mcle.org

LIVE WEBCAST

Friday, April 5, 2024

1:00 pm–5:00 pm

Program # 2240239WBC

REBROADCAST

Monday, April 22, 2024

12:00 pm–4:00 pm

Program # 2240239RB1

REBROADCAST

Tuesday, April 30, 2024

10:00 am–2:00 pm

Program # 2240239RB2

ON DEMAND WEBCAST

View after Tuesday, April 30, 2024

Program # 2240239WBA

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Materials

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