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In Sheridan Rd, Publisher's Picks

The Gentleman

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In the field of divorce law, it's hard to escape from name-calling. The amazing thing about Don Schiller is that even at the top of the divorce field, the name he's most regularly called is "gentleman."

Photograph by Jon Cancelino

There's nothing strange about a lawyer wanting to settle a case out of court. But it seems extremely unusual for a lawyer to hope their client can resolve matters without any legal fees exchanging hands.

"I've referred people to marriage counseling. I've told people, 'You really shouldn't be getting divorced. What's going on isn't as terrible as you think, try to work it out,'" says Don Schiller of Schiller DuCanto & Fleck LLP. "Ethical divorce lawyers do that."

Unfortunately, by the time a couple starts talking to lawyers, it's usually too late to turn back. The best you can hope for at that point is to work with a firm like Don's, which has assembled the largest and one of the most respected family law firms in the country, to take an inevitably painful chapter in your life and resolve it as quickly, quietly, and amicably as possible.

After learning of Don's reputation as the number-one matrimonial lawyer in the country according to *Leading Lawyers* magazine and of his place as a fixture on the list of top 10 lawyers in any field of practice in Illinois, I expected to meet a slick, fast-talking, wheeler and dealer. I couldn't have been more surprised to be greeted by Don's gentle demeanor and soft-spoken nature. But the more I heard about him, the more his personality made sense. Opposing lawyers refer to him as a gentleman. The most consistent adjective used when describing him is "honest." He's renowned for keeping personal attacks out of the resolution process. And, he's devised a series of stratagems for keeping the press away from his clients. For these reasons, Schiller DuCanto & Fleck LLP is the most sought-after matrimonial firm in Chicago for wealthy, high-profile clients in the business, professional, entertainment, and sports industries. If a Bull, a Blackhawk, a Bear, or a Cub has been through a divorce, they've probably been in a room with Don.

"You don't want to kill the goose that's laying the golden egg. That's not good for either client. So we generally try to manage the media and encourage the other side to be discreet," says Don. "You educate the other lawyer and the spouse that it's smart to keep things quiet. And we've been very successful at doing that. We also work confidentiality agreements into our settlements."

Divorce was the furthest thing from Don's mind when he graduated from DePaul Law School. He



Don Schiller of Schiller DuCanto & Fleck LLP

hoped to be a plaintiff lawyer in personal injury cases. While he was a law student, however, he penned an article for the *Law Review* in which he made a case for enacting mental cruelty as a grounds for divorce back when only physical cruelty was recognized. When the Illinois Legislature made the decision to recognize mental cruelty, Don's article was the only cited writing underneath the statute. It set him apart from other young lawyers in the field. Then, while interning for a divorce lawyer, Don found that he operated well within the field. "I found it very interesting. It's very rewarding to help people," he says. "You deal with people at the absolute worst times of their lives and help them end that misery and open up a new chapter."

Don has been instrumental in starting a lot of new chapters, not only in the lives of his clients, but also in the field itself. As the chairman of the Family Law Section of the Illinois Bar Association, he set out to reform divorce law. He was a key voice in creating Illinois' no-fault Dissolution of Marriage Act, and he worked tirelessly with state legislators in the '70s, promoting the creation of marital property rights for the spouses of wage earners.

Even the way he put his practice together with his partners was revolutionary. They were the first divorce firm to have an in-house mediation department. By bringing in a former Chief Judge of the Divorce Court, they're better equipped to help clients dissolve their marriage cordially, without ever seeing the inside of a courtroom. Another method of alternative dispute resolution they now offer is an in-house group for collaborative divorce, where both parties and their lawyers agree to negotiate instead of litigate. If a divorce is destined to go to court, however, they have teams of accomplished courtroom lawyers who focus solely on that. All in all, Schiller DuCanto & Fleck LLP has a team of 43 lawyers who specialize in helping their clients move on. They are the largest law firm in the field.

"Some cases are just doomed to trial," concedes Don. "There are people that want what they want. They're wounded or they feel that the other person is ridiculous. But if you can get out of the name-calling and away from the screaming and tit-for-tat kind of proceeding, it's so much better for the client. But that's not always possible. Even an amicable divorce is loaded with all kinds of emotion. It's very difficult."

During one of the most difficult times of your life, it's easy to lose perspective. Don Schiller has a reputation for delivering that integrity and taking control of a hard situation without ever having to raise his voice. The army of specialists he has built around him ensures that no matter the tack taken, a fair resolution will be reached. That may not always be the way of the law, but it is the way of the gentleman.

—Jake Jarvi

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