

ARTICLE REPRINTED FROM

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**YOU** SIGNED ON TILL DEATH DO YOU PART.  
BUT WHEN THAT GOES WRONG  
(AND IT DOES ABOUT HALF THE TIME),  
THINGS CAN GET MESSY — AND MEAN.  
**WANT YOUR HALF? WANT YOUR SANITY?**  
**WANT TO KEEP THE WHOLE**  
**BASKET OF DIRTY LAUNDRY**  
**OUT OF COURT?**

YOU WANT **ANDREW ZASHIN**,  
AN ATTORNEY WHO'S EARNED THE  
REPUTATION AS . . .

# The Divorcing Woman's Best Friend

BY COLLEEN MYTNICK

PHOTOGRAPHY BY IZABELA VIKTORIA

Say you're a woman who's been married 30 years. In the early days, you and your husband — we'll call him Bob — struggled financially, but now you're worth millions. You've got the house in Hunting Valley, grown children with respectable degrees and your place on the social circuit. Then, one day, your husband comes home and tells you he wants a divorce.

As the life you've built crumbles around you, the minimum you want is your fair share of the money. But you know your husband. You've seen him at his cutthroat worst. And you have reason to worry.

You ask around and one name keeps popping up: Andrew Zashin.

Vengeance is his. And it's monetary.

Zashin, a divorce attorney, has made a name for himself as the guy who'll find the money your husband is hiding — whether it's in the Cayman Islands or in a gym bag in Bob's closet at work — and then make sure you get your half. He's the divorcing woman's best friend.

It is not what Zashin would call an honorable profession.

"You know when you're at an amusement park and some kid throws up and some guy comes to pick it up? That's me! That's what I do," he says. "I clean up people's puke. This is a terrible job. This is a terrible, terrible, terrible job. That's what I've become, the puke-picker-upper."

Women call Zashin at 2 a.m., screaming that their husband is trying to kill them. He must inform clients who think they're worth millions that they "don't have a pot to piss in." He must counsel women who blew thousands of dollars on the Home Shopping Network or eBay. "This is an area of law," he says, pounding the table, "where people go away unhappy. It's the legal equivalent of oncology."

So why does he do it? There's a rather large part of Zashin that enjoys the fight, embraces competition. One of his favorite books is Sun Tzu's "The Art of War." He compares himself to an intelligent warrior. "It's much better to kick ass," he says, "without having to draw your sword."

But when asked what motivates him, Zashin pauses for a moment to contemplate the question before pouncing on the answer. "This is what makes me different," he says, sitting up straight in his chair. "There are those people who do what they do because they are insane about winning. I'm much more motivated by the fear of losing. That's a practice philosophy. I really hate to lose. I love winning, but I hate to lose twice as much."

Zashin, at 36, still has a boyish air about him, thanks largely to his trim figure (he jogs), full head of dark brown hair and wild exuberance when talking about his passions, which range from the law to world affairs to Israeli wines (he writes a column on them for the *Cleveland Jewish News*). He recently stopped drinking Diet Pepsi because the caffeine got him too hyped up, but the herbal tea he replaced it with has left him far from subdued.

One example: While teaching his weekly domestic-relations class at Case Western Reserve University's School of Law, he keeps the attention of his 14 students by slamming his fist on the podium, raising and lowering his voice better than any Gospel preacher and gesturing theatrically, as if he just won the lottery. "It's *really* the bottom rung," he tells his students on the first day of class. "This is *really* the worst profession."

To enter it, he continues, you must have "some sort of disorder."

"So how did *you* get in it?" one student queries.

"Birth!" Zashin shouts. "I'm a huge fan of nepotism. It's worked for me."

Zashin's father, Robert, co-founded the firm — Zashin & Rich Co. — in 1981. Though Robert says he never pushed his son toward law and, in fact, thought Andrew might end up being a teacher or researcher of some sort, young Zashin was drawn to the profession. From the time he was 12 years old, he spent weekends and summers in the office, filing papers and doing other clerical work. "It's in my blood," he says.

But nepotism didn't mean an easy ride. "Andy pulled his own weight," remembers Carl Monastra, a former partner in the firm.

After graduating from Brown University with an American history major in 1990, Andrew received his law degree from Case in 1993. He joined his father's firm that same year.

"Andrew inherited all of Bob's enemies," says fellow attorney Jim Skirbunt, "but he had to make every one of his friends on his own. That really is no small feat in our arena."

Today, the firm employs 25 people, including Zashin's brother Stephen, who specializes in labor relations. But it's Andrew who's taking over the reins of family law from his father, who built a reputation as a woman's attorney.

While Zashin says his clients are now pretty much an equal mix of women and men, the firm's heftiest cases are still wealthy women. "I think a lot of the big-money cases that we get are women really looking to be taken care of," Zashin observes. "Those are the types of people who find us."

**B**ack to your (hypothetical) situation: You're about to file, after 30 years with Bob, your CEO husband. You know exactly the type of attorney Bob's going to be looking for: older, distinguished, perhaps a bit grizzled, someone who'd fit right in at the Union Club.

You've had enough of that type of man.

So you quietly begin asking around. You need an attorney who'll be cutthroat with the other side, but willing to take your calls at all hours. More importantly, you want someone who'll make sure you get your share. Bob may have spent weekends at the office during the early years, but you spent those same Saturdays alone with three young kids. And what about all the parties you orchestrated for Bob's colleagues? The business trips where you were quarantined with the other wives during the days? You'd certainly call that work.

You need an attorney who understands all that. Andrew Zashin is said to be that man. He's an opinionated fellow whose wild gestures and boundless energy would likely make him a bust in corporate Cleveland, where you're supposed to climb the ladder in predictable steps, not scurry up it like a monkey



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that just drank a gallon of espresso.

Bob, you know, would never hire *him*.

This is how one of Zashin's former clients puts it: “I don't think my husband expected my representation to be so good. I just think that my husband didn't expect that this divorce would be as thorough as it was.”

Won't Bob be surprised?

**Z**ashin is worried that our interviews aren't going well. “Am I boring you?” he asks frequently. As in the rest of his life, Zashin doesn't want to “lose” here by being a dull feature subject.

While we do risk boring the reader by going on about Zashin's legal achievements, one is worth pointing out: He is one of only 79 attorneys in the state to be certified as a specialist in family-relations law by the Ohio State Bar Association.

More interesting is what Zashin does while “off-duty,” a state that actually doesn't exist since it's common for him to call an anxious client in the middle of the night after checking his e-mail and seeing that he or she just sent him a message.

He's an aficionado of kosher wine who used to frequent Sotheby's auction house in New York City on the hunt for a rare vintage before having children (two daughters and son, ranging in age from 2 to 7). This summer, he came in second place in a kosher rib burn-off. He attended the Loretta Paganini School of Cooking at night for two years (his favorite cuisine is North African).

Zashin is also a newshound, reading four newspapers a day and getting constant world-event bulletins on his cell phone, which he checks in elevators, while walking to his car or any other time he gets a free second. “The kind of data he has in his mind,” marvels Eliav Sharvit, a fellow attorney and friend of the family. After he and Zashin have a discussion about something on Saturday night, Sharvit reports that Andrew will send him a fax on Monday morning with articles from three different obscure journals further examining the topic. “He does that on a regular basis,” Sharvit adds.

Larry Friedman, a friend of Zashin's since the seventh grade, says he admires his “intellectual curiosity” and the enthusiasm with which he tackles life. He remembers that, as a teen, Zashin became interested in making chocolate. To help Friedman out with a girl he was courting, Zashin crafted her name in chocolate and allowed Friedman to pass the gift off as his own.

That same intensity imbues his faith, as well. Partially in response to the ruined families they've observed, Zashin and his wife opted to raise their children as Orthodox Jews (their two school-age kids attend the Fuchs Mizrahi School of Cleveland in University Heights). “One of the things that has motivated us has been what I see in my work all the time,” he says. “Orthodox Jewish values are a very good default in a very chaotic world, where the greatest values are fancy cars, clothes and jewelry. That is not the pinnacle of life.”

In Zashin's house, weekends are about faith, friends and family. He and Lisa (who move this month from Pepper Pike to a new 5,000-square-foot house in Shaker Heights) have people over every weekend, with Andrew wearing an apron and opening “one bottle after another to make sure everybody gets the

flavor they're looking for,” notes Sharvit. If there's a new couple in the Jewish community, it only takes one lunch at Zashin's for them to be hooked into a network of friends.

Where does he get the time? While many of us burn an hour or two every night in front of the tube, Zashin can't sit still long enough to know anything of pop culture.

Here's proof: He says he's “heard of” Donald Trump's hit reality show, “The Apprentice,” but doesn't know what it's about.

Who played Rachel on “Friends?”

“I have no idea.”

Zashin met Lisa on the school bus when she was 8 and he was 11, but they didn't seriously date until her brother was a prospective student at Brown University and stayed with Zashin. “He's very charming and engaging, enthusiastic and energetic,” she says.

After 10 years of marriage, Lisa can tell when her husband is working something over in his head. “I call it his cogs,” she says. “I can see when his mind is turning — if he's anxious about not finishing something or doing it to the best of his abilities. Whatever he does, he does in depth.”

When it comes to dealing with clients, Robert Zashin says this approach comes at a cost to his son. “He bleeds to death in these cases,” Robert says. “He lives and breathes it all night long, 24 hours a day. He can't shut it off at 5 o'clock at night.”

**T**hings have gotten nasty between you and Bob. The kids are grown, so this case is about cash, not custody. Money and power, Zashin explains to you, are opposite sides of the same coin. To men like Bob, control means holding the purse strings. Zashin tells you stories about women who “fought” back by buying thousands of dollars worth of “crap” from the Home Shopping Network or nursing an eBay addiction.

So what would Bob say about you? He's mad about the \$5,000 in debt you racked up at Saks and the 10 grand you spent on the decorator who suggested an Asian theme for his study. He says you're no fun anymore, that you watch too many police dramas and he's sick of being henpecked.

Can any of that compare with Bob spending \$5,000 on a bracelet for his *girlfriend*?

Part of you wants to keep the case out of court, where the whole mess would become public record and might even be picked up by the papers (on account of Bob's position). The other half of you wants to hammer Bob into the ground.

You are paying Zashin \$350 an hour. It would be easy to spend an entire week in court. That's \$14,000 right there. A child-custody case, Zashin tells you, can easily hit \$100,000 if it goes to court.

He counsels you to try to settle. “Getting divorced is like surgery,” he tells you. “You have a choice. You can have surgery with a meat cleaver, which is what going to trial is like. A better alternative is a scalpel. Will it leave scars? You betcha. But if you go in front of a judge, you're going to get meat-cleaver treatment.”

**I**n response to our request, Zashin provided a list of people who know him well, including other attorneys and former clients. As expected, they all have good things to say.



"When I filed for divorce, I was told to get the best attorney," reports one woman. "I wanted the best and I think he's the best." She says Zashin gave her his home and cell-phone numbers, which she used on a holiday when she was desperate.

Another former client admits to battling over the small stuff. "If it was a dollar, 50 cents was mine," she says. How confident is she that she ultimately got her fair share? "One hundred and 10 percent," she replies.

Yet another client says she most appreciates Zashin's attentiveness. He never takes more than a day to return a call, frequently exchanging three or more e-mails in a single day.

Dr. Mark Lovinger, a court-appointed psychologist who's worked with Zashin, calls the attorney "extremely psychologically astute." Zashin reads potential clients quickly and, if he can see they're not going to act in the best interest of their children, he often turns them down. "He's a gifted attorney because he's an incredibly good human being," Lovinger says.

But Zashin cautions that he's also earned adversaries, many of whom he claims are jealous of his firm's success and will resent that he is the subject of a magazine profile.

So we randomly place calls to a dozen local divorce attorneys. "He advocates in a way that makes the profession proud," says one, Joan Jacobs Thomas in Westlake.

Coincidentally, two of the attorneys we call once worked for Zashin's father. While both firmly state that Zashin is a good attorney, they offer criticisms, too. "My impression with Andrew Zashin is that he is a little different from his father, who was always quite aggressive with divorce cases," says Andrew Simon, a Broadview Heights attorney. "Andrew seems to be more interested with coming to amicable solutions to cases."

Zashin responds that he goes to trial "as often as the best lawyers do," which ends up being about 5 percent of his cases. His father, Robert, is more blunt about his son's skills. "He's a weapon," says the elder Zashin. "There's nobody better in the courtroom than him."

Another former colleague of Zashin's father, Carl Monastra, who now has his own Cleveland practice, has this to say of Andrew Zashin: "I think he's a formidable adversary. He knows the law. I know that if Andy's on the case ... any result that we work on is going to be a just result for the family, for the kids."

When asked what Zashin's biggest weakness is, Monastra reports that Zashin once had a client who would not take his advice. "The lawyer has to control the case," he says.

Of the other attorneys we contacted, a few said they didn't know Zashin well enough to comment, a few didn't return our calls and two tersely refused to offer an opinion. "I'm not going to comment about that particular attorney," we were told. "It will serve no purpose to have my name there."

You and Bob decide to try to settle out of court. "Trial has to be a last resort," Zashin tells you, though he warns that both you and he have to be prepared to battle before a judge if Bob and company are unreasonable.

Whether the case goes to court or not, Zashin explains that there are two things that give someone an advantage: making the most money and knowing where that money is. "Usually," he adds, "they go hand in hand."

Zashin calls such a person the "in" spouse. You call him Bob.

In most cases, the "in" spouse is the husband. "Even when women are working and earning money, men still, by and large, control the books," Zashin explains.

And they aren't always honest about the money. While Ohio law calls for the cash to be split down the middle, angry people in the midst of nasty divorces aren't always

so willing to share. So they hide assets.

"It's too common," Zashin says. The top hiding places: with their mother, brother or girlfriend or, for the self-employed, in their businesses. It's shockingly easy to do by finagling the books or arranging to have payments to the company postponed.

Some men aren't that clever. The stupidest place Zashin's seen money stashed is in the house. "It's really just amazingly moronic," he says. "Another stupid place is with their lawyer."

Zashin promises he'll find your half of the money, no matter where it's hidden. Not only does he work with a forensic accountant, but he also has an in-house support staff. "I have more good people doing this than anyone else," he says.

Zashin has found money deposited in a trust just prior to the start of a divorce. He's uncovered tax refunds applied to a future year. He's discovered cash in a gym bag (if money's been hidden for a long time, he explains, it can be almost impossible to recover). He's also come across money stashed in a foreign bank, where it's not subject to the court's jurisdiction. Zashin's client flew to the island, bankbook in hand, and withdrew all the money.

When you hear this, you start to feel just a bit giddy, imagining a halved cartoon Bob scrounging about for the money he's lost. But you, the better half, are long gone — with the cash you deserve.

Before your mind can complete the image, you remember what Zashin told you when you first came to him. "This is all bad," he warned. "It's like having cancer. You're not going to be happy. You're not going to leave here better. We're talking about survival. The objective is to get out alive."

Well, the case is settled and you're still breathing. Won't life be better post-Bob?

"You're liberated, you're in control of your life," Zashin replies. "I do believe there's such a thing as a good divorce. Oftentimes, a good divorce is better than a lousy marriage." ■

#### Andrew Zashin's Divorce Tips

Andrew Zashin, top divorce attorney shares his advice on surviving divorce.

1. Not all advice is good advice. Everyone thinks that they are a divorce expert because they themselves went through a divorce or they know someone who went through one. Keep in mind that every case is unique and follow the advice of your lawyer.
2. To find a reputable lawyer, check with reputable sources. Personal referrals are important, but because every case and client is different, objective credentials are helpful too.
3. Chemistry between the lawyer and client is important. Choose a lawyer that you respect. You will need to depend on that lawyer's advice and guidance with respect to the most important issues in your life.

4. Use common sense and beware of a lawyer who tells you those things he or she thinks you want to hear. There are no guarantees and promises a lawyer can honestly make about the outcome of a case.
5. Avoid the impulse to be unnecessarily punitive and vindictive towards your soon-to-be ex-spouse. You most probably will still have to deal with your former spouse long after the case and lawyers go away.
6. Consider alternative means of dispute resolution. Sometimes you have no choice but to fight. Often, however, trials represent the failures of the lawyers or the litigants. At the end of the day, you have to pay for the trial and are stuck with the results a judge thinks is best for you.
7. There is a difference between being 'optimistic' and 'realistic' with regard to expectations

- at the conclusions of one's case. Optimists consider the best case scenarios as likely outcomes too often, and frequently come away from the divorce process disappointed. Realists, usually those who accept that there is no "justice" upfront, are more likely to leave the divorce process feeling like they were treated fairly.
8. Be patient. It took a long time to make your mess; it will take a while to clean it up.
9. You are entitled to having your phone calls returned promptly, your questions answered honestly, and a billing statement provided regularly or upon demand.
10. A client must recognize that the consequences of some of their decisions are uncorrectable. A good lawyer will work hard to fix past mistakes, but he or she cannot always correct the consequences of bad decisions.