



# Debbie Lerner

## A Family Advocate Striving for Peace

by Dustin J. Seibert

To visit Debbie K. Lerner's home and be greeted by her rescue cats and dogs is to learn, very quickly, that she's passionate about animals.

She rescued her first puppy Wendall, a black Labrador/Springer Spaniel mix, after high school graduation. Since then, Lerner has rescued many more pets and raised and donated money for numerous Chicago-area animal shelters.

The compassion Lerner has for rescuing four-legged animals reflects the professional compassion she shows for people experiencing difficult times. That is why she focused her professional practice in family law and is now a partner with the law firm of **Berger Schatz**.

Considering her decades of career successes and her reputation as a tough-yet-compassionate advocate for her clients, it might surprise her clients and colleagues that she contemplated selling women's clothes instead of practicing law.

Born in New York City and raised as an only child in a New Jersey suburb, Lerner was the would-be heir to a ready-to-wear women's retail clothing business. Helping her parents with store operations gave Lerner business experience, which she says has been invaluable in her law practice.

"It was so interesting. I was involved in all aspects of the business and had the opportunity to travel abroad buying clothes in foreign markets as well as attending the markets in the United States," she says.

Lerner graduated *cum laude* with a bachelor's degree in history from San Diego State University. Thanks to time spent abroad with her parents in Belgium and France, she was bilingual from a very early age.

With her history degree in hand, Lerner continued to work in the family business. That changed sometime in the late 1980s, when her parents decided to retire and offered to sell the business to her. Lerner was confronted with what her future would look like.

"Though I had the opportunity to stay in the business, I'd decided it was time to go back to school, and I wanted to be a lawyer," she says. "I knew from my business experience that I enjoyed working with people and problem solving, and I decided that law school was for me."

Lerner attended Marquette University School of Law armed with an “abstract” interest in law. She graduated with honors and was a member of the *Marquette Law Review*. She also left with the certainty that her focus would be civil litigation.

“I chose civil litigation because it encompasses a broad range of practice areas,” she says. “It gives you a set of tools and skills that can be applied in many legal contexts.”

Upon graduation, Lerner was admitted to the bar in Wisconsin. Having lived in California for so many years, she also took and passed the California bar examination.

Lerner ultimately accepted a position with O’Connor & Willems, in Kenosha, Wis., where she practiced personal injury and commercial litigation. She is still licensed to practice in Illinois, Wisconsin and California.

## Maximizing the Big Opportunities

In 1994, Lerner interviewed for a clerkship with Hon. Nathan S. Heffernan, then the Chief Justice of the Wisconsin Supreme Court. Heffernan hired her on the spot.

“The most significant take-aways from that experience were not only appellate law and oral argument learned, but the benefit in viewing the facts and the law from both sides of the equation,” she says. “As a young lawyer, your focus tends to be only on your side of the argument. As a clerk for a Supreme Court justice, you prepare memoranda and opinions for both sides of the argument.

“I brought that experience to my civil litigation practice, and it has been invaluable.”

After completing her clerkship in 1995, Lerner joined the Madison, Wis., law firm of LaFollette & Sinykin, where she practiced First Amendment law for the firm’s media clients and reorganizational bankruptcy for the firm’s business clients.

“The people I worked with at LaFollette were top-notch mentors and practitioners,” she says.

The highlight of her time at LaFollette was working on an amicus brief that was ultimately submitted to the U.S. Supreme Court. The firm flew her to Washington, D.C., to hear the oral argument on the issues she assisted in briefing.

“As a young lawyer, working on a brief that would be read by the nine justices of the U.S. Supreme Court was an awesome experience,” she says.

## Practicing in Chicagoland

After several years with LaFollette, family issues brought Lerner to the Chicago area. She was admitted to the Illinois bar on motion as an attorney in good standing practicing in a state contiguous to Illinois for five years or more.

She interviewed with several prominent

Chicago law firms, accepting a position with Berger Schatz, where she has practiced family law exclusively since 1996.

“Berger Schatz was a midsize firm with an excellent reputation and senior partners with substantial experience,” Lerner says. “I chose a midsize firm believing it would encourage collaboration and mentor young lawyers. Both proved to be true.”

Lerner admits she was also enticed by the prospect of working with firm principal Michael J. Berger.

“He is one of the preeminent family law practitioners in the state, and the opportunity to work with him directly was very appealing,” she says.

In her 16 years with the firm, Lerner has represented a wide range of family law clients, approximately an equal number of men and women, ranging from homemakers and stay-at-home parents to doctors, lawyers and CEOs.

“The goal of each representation is to obtain the client’s objectives without litigation in a way that is acceptable to the other side so the commitments made are later kept,” Lerner says.

“Client goals are achieved through effective communication based on clear, realistic and operational solutions that are adapted on a case by case basis to the needs of the particular client.”

One Lake County case from 2014 reminds Lerner of why she loves practicing law. She successfully maintained her client’s right to receive permanent maintenance in a post-decree proceeding.

“At the end of a process like that — which took nearly 1½ years to unfold with discovery, depositions and trial — when your client is vindicated, the long hours put into the case are rewarded” she says.

Berger Schatz Partner Marcelle Kott, who started in the firm’s Chicago office about three years after Lerner joined, found Lerner to be an outstanding litigator when they worked together on a case a few years ago.

“She knows her way around courtroom well and is not afraid to advocate for her position,” Kott says. “If a judge recommends something she believes is the wrong position, she is not afraid to argue to persuade the judge otherwise.”

Solo practitioner Julia Carpenter agrees. A former partner with Berger Schatz who was with the firm when Lerner started, Carpenter now has the occasion to try cases against her former colleague.

“She works very hard and is exceptionally well prepared, which is necessary to get the best results for her client,” Carpenter says. “She understands the issues from all angles and is incredibly tenacious.”

## Some Necessary Progress

Lerner has seen a fundamental change in how women are viewed and treated in the legal profession. In one of Lerner’s first courtroom encounters after law school, arguing a motion for summary judgment, the judge inquired of her, “What is your name, honey?”

Recalling the surprise she felt at that moment, Lerner reflects, “There are many women on the bench today and many women lawyers. That kind of inappropriate comment would not likely happen today.”

Although Lerner has witnessed other examples of sexism during her career, she has made it a point to build her practice on the merits of the results she obtains for her clients. That has nothing at all to do with gender.

“The way the judiciary views women certainly has changed,” she says. “And the pathway to becoming a partner is more likely dependent on the culture within a particular firm. I was fortunate to join a firm where gender equality is the norm and is practiced.”

Lerner says Berger Schatz goes out of its way to provide ethnic and gender equality within its ranks, and she works to contribute to the firm’s diversity in any way she can.

“If you look down the roster of attorney names at our firm, you’ll see many women attorneys.”

Firm partner Sharon Mobley says Lerner, in addition to being a formidable attorney, works to be as helpful as possible for other members of the firm.

“Internally, she’s always willing to step in at any stage of the case,” Mobley says. “We help each other, and we collaborate on our cases. She’ll always make it her business to assist.”

## Mentoring New Attorneys

Cathy Belmonte Newman, owner of family law litigation financial support services firm F4 Financial, met Lerner while working on a Lake County case in which Lerner was a principal trial attorney. Newman says Lerner’s approach to a junior associate working with them resonates with her to this day.

During trial preparation, Lerner would take the time to explain and teach the associate, Newman says.

“Because I’m an experienced financial professional, we could have gone through meetings very quickly,” Newman says. “But it was amazing to watch a senior, professional divorce attorney use the meeting in part as teaching tool. She was constantly explaining and educating. That’s her style.”

Belmonte has encountered that same associate in other cases, and she attributes his development in part to mentoring received from Lerner.

“What a fine attorney he turned out to

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be,” Belmonte says. “I lay that at the feet of Debbie. She didn’t just teach him law. She taught him how to deal with professionals and how to behave in court.”

“Those things are invaluable, and I can tell the difference when I meet associates who have had positive mentoring.”

Indeed, mentoring is an aspect of her job that Lerner enjoys the most. The firm’s team concept allows partners to work with associates, mentoring and answering questions and encouraging an open door policy in a collaborative process.

“I remember well that the learning curve as a young lawyer out of law school was literally vertical,” Lerner says. “I take every opportunity I’m afforded to mentor the young attorneys in our firm.”

Lerner also participates in events that mentor law students outside of her firm, including the Cook County attorney facilitator program, which provides legal services to litigants who cannot afford counsel.

In November 2014, she served as a panel judge for the regional final competition of the American Bar Association’s Law Student Division Negotiation Competition at IIT Chicago-Kent College of Law.

“This competition gives students the opportunity to practice and improve their negotiating skills,” Lerner explains, “and it provides an opportunity for me to mentor and give something back to the legal community.”

### **Keys to Success**

There are three key principles Lerner believes are necessary to build a successful family law practice.

“First, you must know the law, top to bottom, inside and out,” she says. “Second, you must know the judge you’re before on a particular case to understand how that judge is likely to interpret the law in light of the facts and circumstances of your case. Third, you must listen carefully to your client in order to understand the client’s needs and objectives.

“With those three things and a lot of hard work, you are more likely than not to achieve the results your client is seeking.”

Apart from successfully serving her clients, Lerner has no great legacy she wishes to leave behind after her time with Berger Schatz.

“I simply want to be remembered as an experienced litigator and compassionate advocate who worked very hard and successfully for her clients,” she says. ■