

GREGG M. HERMAN
Loeb & Herman, S.C.
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Education

B.A., University of Wisconsin, 1974
J.D., University of Wisconsin, 1977

Employment

1977 - 1984 Assistant District Attorney, Milwaukee County,
Head of Consumer Fraud Unit (1978 - 1979).
Felony Trial Attorney (1980 - 1984)
1984 - 1990 Senior Associate, Leonard L. Loeb, S.C.
1991 - Present Shareholder, Loeb, Herman & Drew, nka, Loeb &
Herman, S.C.

Current Activities

Immediate Past Chair, ABA Family Section, 2008-09
Retained Counsel, Office of Lawyer Regulation
Fellow, American Bar Foundation
Fellow, Wisconsin Law Foundation
Contributing Editor, American Journal of Family Law
Co-Editor, System Book of Family Law, State Bar of Wisconsin

Former Positions

Founder and first Chair, Cooperative Divorce Institute, Inc., 2003-5
Founder and First Chair, Collaborative Family Law Council of
Wisconsin, Inc.
Secretary, ABA Family Law Section, 2004-5, Vice-chair, 2005-06,
Chair-elect, 2006-7; Chair, 2008-09
Council, American Bar Association Family Law Section, 1996-2003
Board of Governors, State Bar of Wisconsin, 1999-03, 2004-06
Wisconsin Chapter, American Academy of Matrimonial Lawyers,
Treasurer, 1996, Secretary, 1997, President-elect, 1998,
President, 1999
Family Law Section, State Bar of Wisconsin: Chair, 1996-97; Chair-
elect, 1995-96; Vice-chair, 1994-95; Secretary, 1993-94
Editor-in-Chief, Wisconsin Journal of Family Law, 2003-2004
Milwaukee Bar Association, Board of Directors, 1993-96; Vice-
President, 1996-97; President-elect, 1997-98, President, 1998-99
Chair, State Bar of Wisconsin Section Leader's Advisory Council,
1995-96, 1997-04
Board of Directors, Milwaukee Bar Foundation, 1995-98
Member, State Bar of Wisconsin Communications Committee, 1995-01,
Chair of Pamphlet Series Subcommittee
Member, State Bar of Wisconsin Public Affairs Advisory
Committee, 1996-99

Member, State Bar Commission on Violence and the Justice System,
Chair of Family Courts Subcommittee
Chair, Committee on Guardian ad Litem Rules and Requirements, State
Bar of Wisconsin, Family Law Section, 1987-98
Member, State Bar of Wisconsin Bench Bar Committee, 1992-96
Chair, Product Development Committee, ABA Family Law Section, 2000-04
Chair, Membership Committee, American Bar Association, Family Law
Section, 1993 - 1996
Co-Chair, ABA Family Law Section Law in the Fifty States Committee,
1993-94
Executive Member, Interdisciplinary Project to Promote the Best
Interest of the Child Committee, ABA Family Law Section (1992-
94)
Board of Directors, State Bar of Wisconsin, Family Law
Section, 1989-93
Co-Chair, Committee on Marriage and Cohabitation, American Bar
Association Family Law Section, 1991-1992; Chair, Committee on
Cohabitation, 1992 - 1993
Editor, "Family Law Corner," Milwaukee Lawyer, 1985 - 1992
Chair, Family Law Section, Milwaukee Bar Association, 1988-89
Chair, Society of Family Lawyers, 1989 - 1990
Chair, Milwaukee Bar Association, Family Law Section, Bench-Bar
Committee, 1987 -1989
Executive Member, ABA Family Law Section Law in the Fifty States
Committee, 1989 - 1992
Instructor, Marquette University Law School, Trial Practice Course
1987-1994
Instructor, Legal Assistants Course, Family Law, Concordia
University, Spring, 1990
Coordinator and Moderator, MBA Special Task Force Program: "The New
Joint Custody Law: An In-Depth Examination", May 8, 1989
Coordinator and Moderator, Guardian ad Litem Seminar for Milwaukee
Bar Association, Sept. - Oct., 1988

Other Achievements

Recipient of "Leaders in the Law" award from Wisconsin Law Journal,
2007
President, Northshore Rotary Club, 2008-09
Rotarian of the Year, North Shore Rotary, 2006
Court Commissioner, Branch 46, Milwaukee County Circuit Courts,
Appointed by Judge Bonnie Gordon on October 10, 1994
Board Certified Family Law Trial Attorney by The National Board of
Trial Advocacy
Recipient of 2003 Chair's award from the ABA Family Law Section for
"meritorious service exceeding what is expected of our
leadership"
Instructor and Lecturer at University of Wisconsin Law School and
Marquette University Law School
Cited in "Best Lawyers in America", 1994-06 editions
Cited in five most recent Milwaukee Magazine surveys of Best Divorce
Lawyers in Milwaukee

Primary author of 1993 Wis. Act 78, creating an automatic stay in family law actions, and co-author of 1995 Wis. Act 70, amending Wisconsin's removal laws.

Reporter for Conference on Ethical Issues in the Legal Representation of Children, Fordham Law School, December 1 - 3, 1995.

Articles cited by Wisconsin Court of Appeals, Texas Tech Law Review, Connecticut Law Review and other publications

Partial List of Publications

- "ADR and Family Law", *Dispute Resolution Magazine*, Spring and Summer, 2008
- "Lawyers for Children in a Perfect World", *American Journal of Family Law*, Vol. 21, No. 4 (Winter, 2008)
- "Dishonoring Honore", *Wisconsin Journal of Family Law*, July, 2007
- "Representing Children in Family Law Cases", *Wisconsin Law Journal* (4 article series, July - August, 2007)
- "Dissipation and Financial Fault", *Wisconsin Journal of Family Law*, Vol. 26, No. 4 (October, 2006)
- "Cooperative Divorce", 19 *Am.J.Fam.L.* 3 (Fall, 2005)
- "Fitting the Forum to the Family Fuss: Choosing Mediation, Collaborative Law, or Cooperative Law for Negotiating Divorce Cases", 42 *FAM. CT. REV.* 280 (2004) (co-written with Prof. John Lande)
- "Family Law Urban Legends", *American Journal of Family Law*, Vol. 18, No. 2, Summer, 2004
- "Are Divorce Settlement Negotiations Like Games?", *American Journal of Family Law*, Vol. 18, No. 1, Spring, 2004
- "Who Represents Your Child", *Family Advocate*, Vol. 26, No. 1, Summer, 2003
- "Divorce and Suicide Bombers", *American Journal of Family Law*, Vol. 17, No. 2, Summer, 2003
- 101+ Practical Solutions For the Family Lawyer, Editor, ABA Family Law Section Publications (1996); Second Edition (2003)
- "Math Games and Collaborative Law", *The Collaborative Review*, Vol. 4, No. 2, October, 2002
- "Dividing Children", *Wisconsin Journal of Family Law*, Vol. 22, No. 2, April, 2002
- "Appreciating the Appreciation of Separate Property", *Wisconsin Journal of Family Law*, Vol. 22, No. 1, January, 2002
- "Collaborating Can Mitigate Divorce Damage", *The Third Branch*, Spring, 2001
- "Collaborative Divorce: A Short Overview", *Divorce Litigation*, April, 2001
- "Third Party Visitation in Wisconsin", *Wisconsin Lawyer*, Vol. 74, No. 3, March, 2001 (co-written with Lucy Cooper)
- "Divorce Settlement Negotiations", *GP Solo*, Vol. 17, No. 7, October/November, 2000
- "Discovery in Family Law Cases", *American Journal of Family Law*, Vol. 14, No. 3, Fall, 2000
- "Dividing the Miles", *Wisconsin Journal of Family Law*, July, 2000

"Informal Discovery Proper for Divorce". Wisconsin Opinions, June 7, 2000.

"Clinton v. Clinton: The Divorce Scenario", Divorce Litigation, April, 2000

"Useful Family Law Websites", MBA Messenger, April, 2000

"Removal After Kerkvliet", Wisconsin Journal of Family Law, April, 2000 (Co-written with Atty. Judith Hartig-Osanka)

"Equity and Professional Degrees", Wisconsin Opinions, April 5, 2000

"Stock Options and Child Support", Fairshare, Vol. 19, No. 11, November, 1999

"Court's Approval Key for Predivorce Agreements", Wisconsin Opinions, October 13, 1999 .

"Is There Anything Funny About Divorce?" Fairshare, Vol. 19, No. 9, September, 1999

"Maintenance Isn't An Entitlement", Wisconsin Opinions Special Supplement, August 11, 1999

"Stock Options in Divorce", Wisconsin Journal of Family Law, July, 1999

"Guardians ad Litem Essential in Family Court", Wisconsin Opinions, April 28, 1999

"Ten Rules of Effective Domestic Negotiations", The Practical Litigator, Vol. 9, No. 3, May, 1998, reprinted in Writ of Assistants, October, 1998

"Do Settle - Don't Try - a Large Asset Divorce", Wisconsin Opinions, April 1, 1998

"Privilege and The Therapist", The Clinician, March, 1997

The Joy of Settlement, Editor, ABA Family Law Section Publications (1997)

"Representing Children in a Perfect Universe", Fairshare, Vol. 17, No. 1, January, 1997

Author, "Serving as a Guardian ad Litem in Family Court", State Bar of Wisconsin, Family Law Section, 1997

"Ten Divorce Tax Tips", The Compleat Lawyer, Summer, 1996 (co-written with Sharon Drew)

"Wisconsin's New Removal Law", Wisconsin Lawyer, Vol. 69, No. 4, April, 1996

"Representing The Best Interests of Children: The Wisconsin Experience", Journal of the American Academy of Matrimonial Lawyers, Vol. 13, No. 1, Summer, 1995 (co-written with Judge Patricia S. Curley)

"A Percentage of What?: Defining Income for Child Support in Light of Grohmann", Wisconsin Journal of Family Law, Vol 15, April, 1995

"Gross Income for Child Support", Milwaukee Messenger, Vol. 3, No. 8, March, 1995

"Protecting Children: The Critical Role of the Guardian ad Litem in Family Court", Wisconsin Journal of Family Law, Vol. 14, No. 1, January, 1994 (co-written with Atty. Grechen Viney)

"Fine-tuning Wisconsin's Marital Property Exclusions", Wisconsin Lawyer, Vol. 66, No. 12, December, 1993

"Without Intent: Developments in Defining Shirking", Wisconsin Journal of Family Law, Vol. 13, No. 4, October, 1993

- "Parenting Means Considering the Child's Best Interests", Wisconsin Lawyer, Vol. 66, No. 6, June, 1993
- "Parentage by Equitable Estoppel - Shield or Sword?", Wisconsin Journal of Family Law, Vol. 13, No. 1, January, 1993 (co-written with Hon. Andrew P. Bissonnette)
- "Lottery Prizes in Divorce Generate Property and Support Issues", American Journal of Family Law, Vol. 6, No. 4, Winter, 1992 (co-written with Attorney Sondra J. Harris)
- "Lottery Prizes in Divorce", Wisconsin Journal of Family Law, Vol. 12, No. 4, October, 1992
- "The Serial Family Killer", Wisconsin Journal of Family Law, Vol. 12, No. 1, January, 1992 (co-written with Hon. P. S. Curley)
- "Divorce Ethics: Unique Concept or Oxymoron?", Fairshare, Vol. 11, No. 10, October, 1991
- "Support After Death: How to Ensure Insurance", Committee Update, ABA General Practice Section, June, 1991

Partial List of Speeches and Programs

- "When the Trial Court Seems to Hate Your Client", Milwaukee Bar Association, September 19, 2008
- "It Doesn't Have to Be *War of the Roses*", ABA Connection Teleconference, June 18, 2008
- "A Family Lawyer's Search for the Truth", Oregon Family Law Section, Salishan Resort, Oregon, October 20, 2007
- "A Wish List for Trial Court Judges and Anyone Else Willing to Listen", Wisconsin Judicial Conference, Appleton, Wisconsin, April 19, 2007
- "Business Valuation in Divorce", Wisconsin Institute for Certified Public Accountants, Brookfield, Wisconsin, October 23, 2006
- "Cooperative Divorce", Milwaukee Bar Association, March 14, 2006
- "Tax Aspects of Divorce in Wisconsin", National Business Institute, Milwaukee, Wisconsin, June 2, 2005
- "Advanced Financial Divorce Issues" (Seminar Co-chair), Professional Education Systems Institute, Brookfield and Madison, Wisconsin, September 21 and 22, 2004
- "Settlement Paradigms and How Courts Can Help (Or Hurt)", 2004 Family Law Settlement, Office of Judicial Education, April 22, 2004
- "All in the Family: Handling Divorce Cases", Building for Success, State Bar of Wisconsin, January 14, 2004
- "The Joy of Settlement" Strategies, Tools and Games for Settling Family Law Cases", Anchorage, Alaska, November 12, 2003
- "Complex Issues in Divorce for the Wisconsin Practitioner", National Business Institute, Milwaukee, Wisconsin, September 19, 2003
- "New Family Relationships: A Reality in Search of the Law", ABA Annual Meeting, San Francisco, August 8, 2003
- "Tax Aspects of Divorce in Wisconsin", National Business Institute, Milwaukee, Wisconsin, June 6, 2003
- "Five Dangers to Avoid in Mediation", ABA FLS, Lake Las Vegas, NV, May 1, 2003

"A Bar Perspective of the Family Court Bench", Office of Judicial Education, Appleton, April 1, 2003

"Negotiation Techniques for Collaborative Lawyers", Wisconsin Association for Mediators, Madison, Wisconsin, November 13, 2002

"What are Protocols and Why Do We Need Them?" International Association of Collaborative Professionals, Galveston, TX, October, 2002

"Defining The Moment: Collaborative Law", Florida Bar Association, Midyear Meeting, Miami, Florida, January 10, 2002

"Collaborative Divorce", *Through the Eyes of a Child*" University of Wisconsin Extension, November 14, 2001, Wisconsin Dells

"Collaborative Lawyering", Florida Association of Family, Court and Community Professionals, November 9, 2001, Tampa, Florida

"Divorce Period, Not Divorce Comma: The Beauty of Section 71 Payments", October 22, 2001, Milwaukee Bar Association

"Collaborative Lawyering: Coming Together to Make a Difference", Lee County, Florida Bar Association, May, 2001, Fort Myers, Florida

"The Joy of Settlement, Part II" and "Creative Methods of Client Billing", Fourth Annual Family Law Seminar of the Kentucky AAML, May, 2001, Louisville, Kentucky

"Achieving Zero Accounts Receivable and Other Mythic Goals", panel at AAML Annual Meeting, Chicago, November 10, 2000

"The High Conflict Divorce", ABA Family Section Fall Meeting, October 19, 2000, Tampa Florida

"Collaborative Divorce: A New Concept in Wisconsin", State Bar CLE, October 4, 2000

"The New Custody Law", Wisconsin Family Court Commissioner's Association, Oshkosh, May 12, 2000

"The Joy of Settlement and Third Party Visitation", Kentucky Chapter of the AAML, Lexington, KY, April, 2000

"Competing Interests in Family Law", ABA Annual Meeting, Atlanta, August 7, 1999.

"Advanced GAL Issues in Family Law", State Bar of Wisconsin, Pewaukee, Wisconsin, May 21, 1999 (moderator)

"The Attorney for The Child: The Wisconsin Experience", The McHenry County Bar Association, Family Law Section, Woodstock, Illinois, May 14, 1999

"Resolved: Maintenance Should be Abolished", 1998 Family Court Judges Seminar, Lake Geneva, December 3, 1998

"The Joy of Settlement: An Interactive Program on Negotiating Divorce Settlements", ABA Family Law Section, Portland, Oregon, October 23, 1998

"Guardian ad Litem Immunity: Legal & Ethical Considerations", National Association of Counsel for Children, Milwaukee, October 11, 1998

"Clinton v. Clinton", Waukesha Bar Association, October 6, 1998

"Effects of Retirement on Maintenance", Milwaukee Bar Association Family Law Section, September 28, 1998

"Legislative Update", Milwaukee Bar Association Family Law Section, June 4, 1998

"The Ten Commandments of Domestic Negotiations", ABA General Practice Section, August 2, 1997, San Francisco

"Advanced Issues For Lawyers For Children", Association of Family and Conciliation Courts, June 3, 1997, San Francisco

"Section 71 Payments: Why They Make Sense to Both Parties", Wisconsin Chapter, American Academy of Matrimonial Lawyers, March 20, 1997, Milwaukee

"Serving Effectively as Guardian ad Litem in Family Court", State Bar of Wisconsin, March 13 and 14, 1997, Brookfield and Madison

"The Training of Lawyers to Represent Children", Conference on Family, Courts and Justice, University of Wisconsin Law School, November 16, 1996

"Privilege and Confidentiality in Custody Litigation", Milwaukee Bar Association, October 28, 1996

"Practical Solutions to Real Life Family Law Issues", State Bar of Wisconsin, October 24 and 25, Milwaukee and Madison

"Child Custody and Visitation in Wisconsin", National Business Institute, May 23, 1996, Milwaukee

"New Child Removal Law: Is *Kerkvliet* Still the Law?", Wisconsin Chapter, American Academy of Matrimonial Lawyers, March 15, 1996, Milwaukee

"Wisconsin's New Removal Law", Milwaukee Bar Association Family Law Section, February 26, 1996

"Minimizing the Tax Consequences of Divorce", Lorman Education Services, January 12, 1996, Milwaukee

"SB 132: Parent's Right to Move Children After Divorce", State Bar of Wisconsin TeleSeminar, November 21, 1995

"Non-Compete Agreements and Goodwill", Professional Education Systems, November 9 and 10, 1995, Milwaukee and Madison

"A Percentage of What: Determining Gross Income for Child Support in Light of Grohmann", Milwaukee Bar Association, May 22, 1995

Co-Moderator, "Advanced Guardian ad Litem Training", Society of Family Lawyers and AAML, May 10, 1995, Milwaukee

"Custody Law Update", Wisconsin Inter-Professional Committee on Divorce, April 27, 1995, Appleton, Wisconsin

"Legislative Update: 1993-95", Wisconsin Chapter, American Academy of Matrimonial Lawyers, March 17, 1995, Milwaukee

"Serving Effectively as Guardian ad Litem", State Bar of Wisconsin, February 23 and 24, 1995, Milwaukee and Madison

"Family Law Skills for the Paralegal", Professional Education Systems, Inc., Jan. 11 and 12, 1995, Madison and Milwaukee

"Wisconsin Family Law Practice for Paralegals, Clearwater Information Systems, Inc., December 15, 1994, Waukesha

"Domestic Law in Wisconsin", National Business Institute, Inc., October 28, 1994, Milwaukee

"Assets Off the Balance Sheet", Professional Education Systems, Inc., October 21, 1994, Madison

"The GAL in Family Court", Center For Public Representation and UW Law School, May 24, 1994, Madison

"The Guardian ad Litem in Family Court", Wisconsin Inter-Professional Committee on Divorce, April 28, 1994, Madison

"Informal Discovery in Divorce Procedure", Wisconsin Academy of Trial Lawyers Spring Seminar, March 19, 1994, Appleton

"Family Law: Maintenance and Child Support Issues", State Bar of Wisconsin, March 16 & 17, 1994, Milwaukee and Madison

"Effective Family Law Practice in Wisconsin", National Business Institute, October 28 and 29, 1993, Milwaukee and Madison

"Basic Issues for the Guardian ad Litem in Family Court", State Bar of Wisconsin, August 20, 1993

"Property Rights of Cohabitants", ABA Family Law Section annual meeting, New York, August 10, 1993

"Child Custody and Visitation in Wisconsin", National Business Institute, Inc., July 28, 1993

"Family Law Litigation in Wisconsin", National Business Institute, Inc., April 8, 1993

"Negotiating Tax Exemption: Who Claims the Kids?", Wisconsin Chapter, American Academy of Matrimonial Lawyers", March 26, 1993

"Wisconsin Family Law Skills for the Paralegal", Professional Education Systems, Inc., Brookfield and Middleton, Wisconsin, January 14 and 15, 1993

"Maintenance", Volunteers Lawyers Project, December 10, 1992

"Annual Family Law Update", State Bar of Wisconsin CLE, Milwaukee and Madison, Wisconsin, October 15 and 16, 1992

"A Family Lawyer's Digest", 11th Annual Family Law Workshop, Egg Harbor, Wisconsin, August 20, 1992

"Computers and Family Law: An Attorney's Perspective on the Use of Computer Software in Family Law", Society of Family Lawyers, May 21, 1992

"Child Custody and Visitation in Wisconsin", National Business Institute, Inc., April 24, 1992

"The Role of the GAL in Family Court", State Bar of Wisconsin CLE Seminars, February 26 and 27, 1992, Madison and Milwaukee