

HAPPILY  
SEPARATING  
THE OKUN/BILLIAN WAY  
TO AN AMICABLE SPLIT  
(AND OTHER LIFE LESSONS)

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## Forward

If you are reading our book, you are likely going through a break up of some kind or are contemplating one. The content of this book - the stories, the advice, and life lessons - are the result of more than 50 years of combined legal experiences.

When reading this book, it is important to remember that while we advocate a conciliatory approach to the resolution of your domestic situation, a conciliatory approach does not always work. Sometimes it becomes necessary to seek court intervention and to litigate the resolution of your relationship. It is important to remember, when proceeding with litigation, to do so in a dignified and respectful manner.

There is nothing wrong with being passionate as this demonstrates the depth of your conviction. We are passionate for our clients both in and outside of the courthouse. The fact we are consistently told by judges to “calm down” demonstrates that our passion for our clients has never been questioned.

Writing this book to help you to “happily separate” has become a passion for us as well.

We want to thank our families, colleagues, clients, our Office Manager, Katie Lowman, and our business coach,

*Harvey L. Okun and Alan L. Billian*

Mark Luterman, for their support in the publication of this book.

In reading this book, we hope that you will enjoy our stories<sup>1</sup> and take away a road map for your future success and happiness.

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<sup>1</sup> Names have been changed to protect client confidentiality.

Chapter 1

# **The Power of Forgiveness and Positive Thinking**

Written by Harvey L. Okun





*“When you are able to forgive, you release the negative energy that keeps you from thinking positive thoughts. Once you forgive, you move on to the second step and that is to forget. Many people forgive, but they can’t forget. One cannot work without the other, which means you need to accomplish both to attain total emotional freedom.” Napoleon Hill*

## **Living a Healthier and Happier Life**

Studies have shown that people who forgive are happier and healthier than those who hold resentment. The research of Dr. Fred Luskin of Stanford University and author of the book, Learning to Forgive, presents evidence that the process of forgiveness can be learned, and the effects of forgiveness are excellent for your mental and physical health. When people forgive, it leads to improved functioning in their cardiovascular and nervous systems.

## **Second Wife in Foreign Country**

A young married lady came to see me when she discovered, through a very unusual means, that her husband was romantically involved with someone in a foreign country. Her sister received a wedding invitation from the husband’s new bride to be. To further complicate the matter, the sister discovered that they actually had a ceremony, which the husband called a ceremony of love, and not a wedding ceremony, in a foreign country. The

ceremony itself was on YouTube<sup>2</sup>, so anyone who had access could watch it. Eventually my client actually saw the ceremony. It certainly looked like a wedding ceremony to her and me, but the husband, through his lawyer, continued to say it was just a ceremony of love. Our client was able to set aside these facts, and forgive her husband enough that they were able to resolve their property issues and to obtain an uncontested divorce.

## **Chutzpah**

My client was the husband/father who found out that his wife was having an affair, and actually charged gifts on his credit card, including a motorcycle for her boyfriend. They have words for that, ranging from unmitigated gall, nerve, and the Yiddish expression “chutzpah.” My client still had feelings for his wife, and since he was the far better parent, I was able to obtain primary physical custody for him. He forgave his wife and set aside his negative feelings about the affair, because he knew it was

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<sup>2</sup> What should be remembered in this case is the risk of putting yourself out there in any type of social media has become one of Divorce lawyers’ favorite weapons. It is amazing to us how individuals disclose their most intimate details of their lives on social media websites such as Facebook. It is very easy now to access anyone’s Facebook page to find incriminating evidence against the opposing party. Our advice to our clients is not to use social media sites during the entire separation process. You have a right to expect your attorney to keep everything confidential, but you also must exercise that same obligation yourself.

in the best interests of his children that they spend time with their mother.

### **Focus on the Future**

In any breakup there are strong feelings that are present. The job of the attorney is to have his or her client focus on the future, not the past. It is important for the attorney to be able to teach the client that there is no point in focusing on the past.

We have a sign in our office that says, “It is what it is.” You can’t have the philosophy of, “I could have done this, I should have done that.” This accomplishes nothing. You are in the present, and you are concerned about the future. You can’t spend negative energy thinking about the past.

### **The First Day of the Rest of Your Life**

I tell my clients when they come in, that this is the beginning of the rest of their lives. There are two parties in any separation. In some cases, one is the individual who has already moved on. He or she has planned what was going to happen in his or her life. The other party, “the one who was blindsided”, to some degree at least, was not aware of the feelings of the other spouse to the point where he or she was ready to actually leave.

Marriages and relationships aren’t perfect, and no one who’s realistic should think that they are. However, things happen and there are situations where the parties grow apart, and one of the parties may not be as aware as the other as to what the feelings of the other spouse are until it is too late. However, once someone makes up their

mind, there is no point in trying to waste energy in having them change their feelings, because only the individual is able to change the way they feel. Also, it is important to realize that negative energy and a negative person will bring down the positive person every time.

If there is negativity in your relationship, and it cannot be resolved, it is better for both parties, and where children are concerned, for their children to move on, because some people stay too long for the sake of their children. I was one of them.

What I have realized is that the happier you are, the happier your children will be, because one of your responsibilities as a parent is to teach your children what a good relationship is. It is not to stay in a bad relationship, and have them think that this is what they have to look forward to. You certainly are not helping either yourself or your children if you take that position.

## **Our Personal Experiences**

One of the reasons we became Family Law attorneys is a result of our personal experiences in our own divorces. We wanted to help other people to make their separation as positive as possible. Along these lines, in any marriage, there are perceptions and misperceptions. No one is totally perfect in any situation, nor is the other person totally at fault. However, it really does not matter why the parties separate. What is important is that their separation does not adversely affect their children and their future relationships.

What is significant is that once someone realizes that they have made a mistake, whether it is after six months, five years, ten years, twenty years, that they

at least act on it in a proactive manner. Do not have everyone in the relationship stay miserable, because that will not accomplish anything for anybody. If you are concerned about your children, you should give them what is considered to be a good example of what happiness is. In my case, I am now incredibly happily married, and my children from my prior marriage see that. They are happy for me and for themselves.

Fortunately, my three older children have met wonderful spouses so I now have two excellent sons-in-law and a great daughter-in-law. I am thrilled how happy they are, and hope that their marriages are as satisfying as my current marriage. Furthermore, I am blessed with having a fourteen year old daughter with my wife, who is the biggest blessing I could ever have imagined.

It is also important to note here that the new wife, as in my case, or new husband, has to be the type of person who loves your children. That is a prerequisite. If that is not the case, there is really no hope for your second marriage either. It is important and gratifying to see that my wife and my older children have a great relationship. My youngest daughter was the flower girl at both of my older daughters' weddings. She graduated to be a junior bridesmaid at my son's wedding.

I cannot adequately express the joy that I have when I see how well all of my children, as well as now my grandchildren, interact in an incredibly loving manner. Moreover, this is the hope for the future in any kind of separation, that there is a light at the end of the tunnel. Even though you may not have been happy during your first relationship, there is an excellent chance that you will be happy in the future. This is why you do not stagnate in a relationship that is not happy for the parties. It is good

to forgive and forget, but it is also imperative to move on to create a new life.

I think that one of the great positives of our law firm is the fact that we are better attorneys because we were at one point clients. We understand much better what our clients now are going through, and have more compassion and empathy for them. My partner, who also was divorced, is now happily married with a wonderful wife and two little boys that are also the light of his life. I think our personal experience in divorce has helped us become better Family Law attorneys than those who have never had the experience of being divorced.