

# MEMPHIS BUSINESS JOURNAL

## RESTAURANTS

### Downtown heats up with 'OG' BBQ

Smurfey's Smokehouse BBQ & Breakfast opens on Madison.

SUSAN ELLIS, 6

## TOURISM

### Museum takes step into future

Sultana Disaster Museum prepares \$11M spot in Marion.

WENDY GUZMÁN, 7

**T H E  
L I S T**

Accounting  
Firms

PAGE 18



MENTORING MONDAY

## HIDDEN POTENTIAL

*In a tight talent market, every advantage counts, but many companies are missing the mark with mentors — a critical tool to fight turnover.*

SPECIAL REPORT, 11-15



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Suite 875  
Memphis, TN 38119



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## TABLE OF EXPERTS

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**MBJ: How has the landscape of divorce in your industries changed since Covid over the past couple of years?**

**Dr. Lou Flowers Martin, Christian Psychological Center:** Divorce is a major part of my therapeutic work, particularly high-conflict divorces involving children. High-conflict divorces are a result of unresolved conflicts and affect all family members. As we know from recent data, the mental health impacts of Covid were considerable, resulting in increases in addictions, depression, and anxiety. Some families developed unhealthy patterns during Covid, pulling away from spiritual and relational needs. Family bonding activities that are important for growth and positive emotional health were often neglected. Working and educating at home created additional stress and emotional issues.

During high-conflict divorces, it's very common for therapy to take place for parents, to help them individually, as a couple, and for the children. We're fortunate to be in a community in which family law attorneys recognize the need for their clients to undergo therapy.

Divorce doesn't take away all the problems an individual, couple, or parent is experiencing. In fact, it can cause additional setbacks to relationships. If a couple is contemplating divorce, it's imperative to go through sound counseling. Once a parent has filed, it becomes the therapist's role to serve as an advocate for the child's needs.

**Lisa J. Gill, Gill Family Law:** It's important that divorce attorneys really understand jurisdictional issues. People became much more nomadic during the pandemic, and remote work became more of a norm. So, because families are more likely to live and work in different states, there are more interjurisdictional issues that require attorneys to analyze which state or which country may have jurisdiction over parties, their property, and their children.

Some examples of this in recent headlines would be: actors Jason Sudeikis and Olivia Wilde's custody case. They battled over whether to have jurisdiction in New York, where Sudeikis lives, or California, where Wilde lives, claiming the children split time in both



# DIVORCE

states. And celebrities Joe Jonas and Sophie Turner's divorce case — they battled over whether to have jurisdiction in the U.K. or U.S., claiming the children split time between both countries and the parties kept residences in both countries.

**Brenda Vanderslice, UBS Financial Services:** We're seeing much more divorce and remarriage at all different phases of life and a real increase in divorces over age 50. We've found that divorces later in life are becoming more socially acceptable — in fact, divorces among couples over the age of 50 now account for nearly a quarter of all divorces in the country. At older ages, staying together "for the kids" is also less of an issue when children are grown adults.

Over Covid, people had more of an opportunity to reflect on their values around family and home life. Considering how long the average life expectancy is, retirement can be 30 or more years, many of which are healthy and active years. They reflect on what they want their retired years to be like, and more people are deciding to make big life changes.

**MBJ: Talk about how divorce affects your industry — law, financials, mental health — what are any positive or improved factors, as well as obstacles?**

**Gill:** Positive or improved factors: There is a shift in the law to examine the long-term impact of divorce on families and reduce the negative impact on their long-term success. There is raised awareness that family law cases (divorce, custody, etc.) create unique stressors on litigants with a long-term impact on the parties, long after any litigation is concluded. The response we're seeing is that lawmakers and members of the judiciary are looking for ways to streamline procedures to help families get through the legal process quicker and with less stress. One example is a movement to require commonly exchanged information to automatically be provided by parties without the need for protracted discovery.

**Obstacles:** We need more detailed legal frameworks for mental health, substance abuse, domestic violence, and guidance about how to address these issues, while preserving parties' dignity and confidentiality. These issues are often complex and can be hard to untangle. An oversimplified approach doesn't always work, and they're difficult to navigate without experts and transparent factual self-reporting. And there is the use of ex parte (meaning, based solely on the sworn statement of one party without the presence of the opposing party) procedural mechanisms to deny a responding party of his or her due

process rights including the right to discovery before a trial by ambush. There are bases for granting ex parte relief, but not without constitutional protections or procedural safeguards.

**Vanderslice:** Two separate sets of living expenses are always more expensive than one. Finding a separation of assets and managing them over time to provide a similar standard of living for both individuals and any children takes a lot of finesse. Fortunately, people seem to be more open than ever to seeking advice and now have access to more choices than they ever have before.

Life is also busier than ever, and we find that the finances are typically delegated to one spouse. When divorce enters the equation, the other spouse is left playing catch up, and it can be very overwhelming.

**Dr. Martin:** Divorce creates new family dynamics. Experts in the field of mental health are equipped to implement a treatment plan for those affected by divorce. This involves individual, as well as relational counseling. Co-parenting needs are an important area to address because of conflict. Institutions in our culture are developing divorce recovery support groups, which help provide healthy coping strategies.

Strong connections between the therapist and family law attorneys can help in the process of assessing needs and developing a successful parenting plan. Technology has provided parents with opportunities to structure children's home lives in a positive way, with family apps such as Family Wizard.

**MBJ: What solutions have your companies implemented to alleviate any new challenges?**

**Vanderslice:** We believe transparency and accessibility are paramount. With communication really opening up since the pandemic, our ability to share information, make and implement decisions, and meet on all kinds of virtual platforms has expanded.

For our clients, it means we can meet them wherever they are to get them the insights and information they need very quickly. It's also made it easier to share information with other trusted advisors like attorneys and accountants.

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## TABLE OF EXPERTS

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### MEET THE EXPERTS



**Dr. Lou Flowers Martin**

Executive Director, Christian Psychological Center  
After serving as a licensed therapist in the community for 24 years and as an elementary school counselor, Dr. Martin joined CPC as a clinician in 2007 and has been in the role of its Executive Director since 2022.



**Lisa J. Gill**

Owner, Gill Family Law, PLLC  
Lisa is an American Academy of Matrimonial Lawyers (AAML) fellow, a Board-Certified Family Law Trial Advocate, a member of the AAML Law Practice Management and Technology Committee, and the current Committee Chair of the Tennessee Bar Association Family Law Section Executive Committee.



**Brenda Vanderslice**

Senior Vice President, UBS Financial Services  
Brenda dedicates her expertise to the development of wealth strategies for individuals and families using consultative approach, combining a deep understanding of the client's goals with a comprehensive investment strategy. She has a personal understanding of family transitions, having three children with her late husband and a blended family with her husband, Bob, and his two children.

Resources to educate you and your children on key financial concepts are also more readily accessible.

**Dr. Martin:** The Christian Psychological Center (CPC) is a clinical setting for addressing mental health needs. Our mission is to provide hope and direction to those experiencing life difficulties in a manner that reflects God's love and grace.

At CPC, we are set up to collaborate and work together to address whole family and individual treatment needs. High-conflict divorces can result in depression, anxiety, and even trauma for children. We have special expertise in treating trauma, including dialectical behavior therapy (DBT), cognitive behavior therapy (CBT), eye movement desensitization and reprocessing (EMDR), and play therapy.

As a team, we can help individuals overcome trauma and supply family members with tools for rebuilding a healthy relationship. DBT provides tools in the areas of mindfulness, emotional regulation, relationship building, and distress tolerance.

**Gill:** We operate on a complete view from anywhere in a real-time system. We can meet with clients anywhere in the world and review documents with them in real time. We don't operate under a system that requires our clients to come to us to assist us in their legal representation.

What would you advise those thinking about divorce or those who have already started the divorce process — whether they have children or not?

**Gill:** Advice for those thinking about divorce: Make sure you're comfortable with your counsel. Make sure you ask any potential attorney to explain the process before starting the process — at least basic steps and what you need to do to help your counsel successfully represent your interests. Make sure you keep critical information organized and understand how your attorney and support staff will organize your information internally.

You want someone who will engage in case analysis early to help guide long-term and short-term strategies to motivate resolution. Divorce cases require intense factual analysis and early case theory development to guide your long-term theory throughout the case. It's important that you understand how facts will be viewed under the law, so you understand what information is "critical"

to your case and possible impacts. Often, clients have glossed over critical facts in an initial consultation, and they don't realize it until we explain how the law or court will focus on certain things. After hearing the explanation, clients are able to recall and report on critical facts that they may have summarized and not initially gone into specifically.

Advice for those who have started the process: Most of the time, the divorce process is not quick and easy, not by modern day "instant gratification" standards. Get rest, exercise, and stay focused until you reach resolution of your case. You must keep your head in the game, so to speak. You don't want to lose emotional wherewithal during a time when you will be making life-altering decisions about your future.

**Vanderslice:** You need to start thinking about how life is going to work on the other side of your divorce. Sometimes, we see clients get stuck in the details of the division of assets without considering the long-term ramifications of what they will be left with in the end. Taxability matters, inflation is real, and liquidity is important.

Having a financial plan to guide you is crucial and can be a source of stability while everything is changing. You also need to be a good steward of those assets for the long term, and it takes good investment management to do that over time. One or the other is not enough, planning and investing have to work together to be successful.

**Dr. Martin:** Those who have started the divorce process can face obstacles, such as social stigma, as they begin to reach out for needed services. As a therapist working with families divorcing, it's important to help rebuild trust among constituents. While parents are no longer husband and wife, I can still help them strive to be the best mother and father.

Anger, rejection, conflict, and sadness are common reactions as family members grieve the loss of a marriage. Often, there can be the loss of a social support system that can result in loneliness and isolation. Therapy can give a family direction for moving forward and setting goals for healthy parenting.

What do you believe the business leadership in the Mid-South — Tennessee, Arkansas, Mississippi — needs to know about an important aspect of divorce as it relates to your sector?



## BRINGING HOPE AND HEALING TO MEMPHIS

Find out more about [The Christian Psychological Center](#) and our outreach to under-served communities, [The Memphis Resilience Project](#).

[WWW.CPCMEMPHIS.NET](http://WWW.CPCMEMPHIS.NET)

**TABLE OF EXPERTS**

ADVERTISING SUPPLEMENT TO THE MEMPHIS BUSINESS JOURNAL

**Vanderslice:** Knowing your financial situation and security — and having trusted partners — is vital. If we're going to live longer and better, unexpected change is inevitable. You can't advocate for yourself if you don't know what you are advocating about.

In my experience, taking the time to add up your assets and liabilities, like loans, credit, and other debts, is a great place to start.

From there, you can ask yourself a series of questions to help in framing your needs and helping you plan:

1. **What do you want to accomplish in your life?**
2. **Who are the people who matter most to you?**
3. **What do you want your legacy to be?**
4. **What are your main concerns?**
5. **How do you plan to achieve your life's vision?**

**Dr. Martin:** Focusing on mental and emotional health is in the best interests of individuals, families, communities, and businesses. The job performance of individuals who are undergoing the pain of divorce often suffers. When traumatic experiences are repeated and/or severe, children can develop childhood traumatic stress with symptoms including depression and anxiety, difficulties in self-regulation, problems relating to others, and loss of previously acquired skills, as well as attention and academic difficulties.

Beyond the terrible impact on the individuals, these issues create workforce and community problems. Focusing on helping to alleviate the issues of divorce and trauma and helping individuals achieve strong mental and emotional health builds healthy communities and businesses. It's the cornerstone for a thriving Memphis.

**Gill:** You need to know how sensitive information will be handled in your case and your attorney's strategies

for protecting your interests. How will your attorney handle executive compensation information, closely held business information, trusts, mental health information, and enforcement of or defense against enforcement of prenuptial agreements. These are not things you want to be "learning" or deciding how to address during the case — you need to develop these legal strategies as early as possible, even if you are initially the defending party and not the party filing the action. These strategies might be fluid to some degree and not static, but you don't want them to be nonexistent until they're raised by an opposing party.

You also want to understand what your attorney can obtain through "honey" before pouring "vinegar" on your case. What strategies does your attorney have to obtain information or even resolution through collaboration, instead of unnecessarily diving headfirst into high-conflict litigation? My first mentor always said, "You should always get as much as you can through honey, because you can often get a lot with honey, and vinegar is usually way more

expensive." This is not to say you want an attorney who's not experienced or capable of taking your case to trial — these things are not mutually exclusive.

Good trial attorneys don't necessarily jump straight into tactics that raise conflict, hostilities, and costs. Rather, they reserve those tactics (vinegar) when necessary to make it clear to an opponent that we can all get through this the easy way (honey) or the hard way (vinegar) — but either way you choose, we will zealously represent our clients' interests in cases to the end. That is something much different than choosing an avenue that creates more conflict than it resolves if there are other viable alternatives.

Sometimes there are not viable alternatives, but you, as the client, should know what the thought process is behind it and why. It's your personal (and maybe business) reputation, legal dollar, and personal life we are talking about in a divorce case. How your attorney's chosen approach will impact you personally should not be an afterthought. ■

Smart advice with heart

A plan for what's next

For some of life's questions, you're not alone. Together we can find an answer.



**Vanderslice Edmundson  
Wealth Management**  
**UBS Financial Services Inc.**  
6070 Poplar Avenue, Suite 400  
Memphis, TN 38119  
901-415-3000 800-232-7954

**Brenda B. Vanderslice**  
Senior Vice President—  
Wealth Management  
Wealth Advisor

**Jordan S. Edmundson,**  
**CFP®, CDFA®**  
Vice President—  
Wealth Management

[advisors.ubs.com/vewm](https://advisors.ubs.com/vewm)



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6750 POPLAR, SUITE 820  
GERMANTOWN, TN 38138  
901-667-8977



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