

CLAIRE McKENZIE

Reaching the Family Law Field by Bucking Conventional Wisdom

by Dustin J. Seibert

By the nature of her work in family law, Claire R. McKenzie encounters quite a few people whose lives change dramatically—and often quickly and unexpectedly.

Those sweeping life changes apply to McKenzie's as well. She has had a successful and fulfilling career in family law, now working as a senior partner for Schiller DuCanto & Fleck. But she got there after several career changes most people wouldn't have undergone had they enjoyed her professional successes.

To listen to McKenzie describe her numerous career changes is to be impressed that one person can professionally excel at so many things. Hers is a tale of someone who's happy to ditch the popular wisdom that people need to stay in the career in which they're moving up at the expense of following their heart.

FATEFUL PEER PRESSURE

The only child of Italian immigrants, McKenzie was born to Modesto and Maria Monno. Her father worked in construction, and her mother stayed home until going to work when McKenzie went to high school. Her want of an "American" college experience resulted in some pushback from her parents.

"They wanted me to go to school and do well, but being old fashioned Italian parents, they thought, as a girl, I didn't need to go to college," she says. "But they were very supportive and encouraging, and I was the first person in my family to go to college."

Fashion merchandising was McKenzie's very first love as a young girl, and she fully intended on studying it when she went to Northern Illinois University in DeKalb. She was a straight A student during her first semester of prerequisites, which drew scrutiny from her friends.

"They told me, 'It's because you're taking classes like underwater basket weaving,'" she says. "I told them I take the same classes they do. I wouldn't start taking fashion merchandising classes until my junior year."

It was that challenge from her friends that sent her down a fateful path. They encouraged her to take their then-hardest class for business majors: Accounting 101. She received an A on her very first test.



"When the professor asked to see me after class, I was thinking I did something wrong. But he said, 'Congratulations, you got the highest grade in the class.' He told me things would get harder, but he didn't think I should drop the class."

McKenzie ultimately fell in love with accounting—from the challenge of the classes to completing journal entries on her pretty colored paper, it was right up her alley. When she completed the course with the highest grade in the class, the professor told her she had a "natural gift" and that she should change her major to accountancy.

McKenzie told the professor that she really loved fashion, clothes and shopping. He responded, "Let me just tell you this: If you become a CPA, you will be able to buy all the clothes you ever want." She did not need any more convincing.

Following a hilarious misunderstanding in which her English-as-a-Second-Language family members assumed she wanted to join the CTA (Chicago Transit Authority) instead of becoming a CPA, McKenzie changed her major to accountancy at Northern Illinois. She became one of the top accounting students in a field that was still not very open to women.

McKenzie landed an internship at what was then Price Waterhouse (now PricewaterhouseCoopers), which she parlayed into a postgraduate job with the international professional services firm. She quickly excelled, becoming a senior accountant before being promoted to a tax manager faster than usual. She was one of only five female tax managers in the Midwest at the time.

"I thought I was going to be at Price Waterhouse for the rest of my life because I

loved what I was doing as a public accountant," McKenzie admits. "I enjoyed traveling across the country as an auditor and then later as a tax manager, and I was assigned some very large audit and tax clients."

Even as she was settling into what she figured would be a nice, long tax career, McKenzie found inspiration to do something else when she discovered she needed a law degree to issue a tax opinion.

"Kirkland and Ellis shared a building with Price Waterhouse, and we would use them for opinions on complex tax matters," she says. "It would really upset me that the accountants would do all this work and analysis and complete these beautiful reports, and the lawyers would just sign their name to it."

"I said, 'Someday, I'm going to be that person,'" she says. "I would tell my mentor, the head of the tax department, that it was going to happen. He told me to just be grateful and happy with the fact that I'm doing great as one of the few women in the Midwest on a partnership track."

But McKenzie would be happy with no such consolation. She stayed on the partnership track at Price Waterhouse, consistently getting promoted and even agreeing to do a "tour of duty" as a tax manager at the New York City office. Following that tour of duty, she was done. She decided after seven years with the firm to resign and enroll in Loyola University School of Law, from which she graduated in 1991.

"My mentor told me I was going to be three years behind my peers when I came back after law school," she says. "And I was completely fine with that."

When she started law school, she went for comfort by immediately enrolling in all the tax

courses she could, as soon as she could. But there was another budding love at play.

"I took all of the litigation and tax classes they had to offer but really enjoyed the family law courses," she says.

She completed a summer associateship at Bell Boyd & Lloyd, which essentially solidified that she was not returning to Price Waterhouse. She was in law to stay.

MERGING TWO LOVES

While in law school, McKenzie asked the right questions of her tax professors, which led her down the path of merging her interests.

"I told them I really liked litigation, but I also really enjoyed tax work," she says. "One of my tax professors said, 'Well, why don't you do both, why don't you do tax litigation?' I didn't know there was such a thing. She told me it's not a huge market but that I might really enjoy prosecuting tax court cases for the U.S. Government."

Though there weren't many opportunities available, McKenzie landed a position with the Chicago office of District Counsel for the Internal Revenue Service. She prosecuted tax court cases for almost 10 years, during which time she pursued alimony cases for the first time. "I loved every minute of it," she says of her time with the government.

"Because I was the lowest person on the totem pole, I was assigned the alimony section of the tax code. It was not a desirable tax code assignment, but I was just happy to be there. I would've taken anything," she says.

McKenzie's position meant she was responsible for every federal case involving alimony, the deductibility of alimony, or issues related to divorce. She traveled the country, working many cases in Washington, D.C., California and New York.

"Every time I came back from a case, I talked with my colleagues about how much fun I had, and they'd respond, 'What was fun about that?'" she says. "Divorce lawyers have big personalities and tend to be eccentric, but tax attorneys are somewhat square and conservative. My boss told me I would be a divorce lawyer someday."

That personality is exactly why she does well with her clients, including Tana Hitch, whom she had as a client from 2000 to 2003. Hitch's now-ex-husband was a prominent international tax attorney who worked for a large firm that Hitch calls a "big, complicated, powerful machine." She underwent the divorce process as she was just recovering from breast cancer.

She says McKenzie helped her out with issues beyond the scope of law, including making sure she didn't become overly emotional in front of the court and avoiding fighting over trivial issues.

"I needed someone who not only understood how I was feeling but could go against a very

powerful law firm," Hitch says. "I came to Claire very sad and broken, and she made me whole again."

YET ANOTHER TRANSITION

McKenzie had a friend from law school, Sandra, with whom she would always exchange trade questions. Sandra had tax questions and McKenzie had family law questions. McKenzie often conveyed to Sandra how much she enjoyed family law work.

"She told me that if I ever wanted to do family law work for real, I'd better call her first," McKenzie says.

But first, another diversion: McKenzie had an opportunity with her best friend from high school and another friend to revisit her original love. They started an online designer boutique, "Cherished Baby," during the late-1990s internet business boom. The company designed and sold newborn layettes, or children's first wardrobes, which included Peruvian cotton T-shirts and pajamas.

"The love of fashion merchandising was still there for me," she says. "We raised \$20 million of venture capital to start the business, and we had a factory lined up in Peru to make the clothes. We were three women with a great idea but without a proven business model."

Just before the planned 2000 launch of the company, the internet business bubble burst, taking down with it Cherished Baby. McKenzie considered going back to her government job that wasn't yet filled. But before she could make a move back, her husband Ryan had an honest conversation with her.

"He told me I have to s--- or get off the pot about this family law stuff," she says. "He was tired of hearing me talk about how much fun it was and how I might do it someday. It was a great time, I was no longer buried in the start-up or preparing for trials."

When McKenzie finally called Sandra, she learned that her firm, Chausow Shafer, Gertler & Rosenbloom—a since-dismantled family law firm—had just hired someone. But the partners agreed to meet her for lunch anyway. She eventually started at the firm and found the experience quite fun.

"It allowed me to use bits and pieces of my entire background to obtain good resolutions and results for their clients in both mediation and court," she says.

The partners had hoped for her to stay on and eventually make partner, but she knew she didn't want to live and work in the suburbs.

"I love Highland Park and Lake County, but I'm from Cook County," she says. "I grew up in the city, and I really enjoyed the hustle and bustle of the Daley Center and the federal court building when I did Cook County cases. So, I thought I might want to be in the city more than the suburbs at the time."

Her desires came together when she attended a Lake County Bar Association meeting in South Beach, Florida, and delivered a speech on the tax implications of divorce.

"A couple of the participants asked me if I would consider interviewing with them, and I agreed," she says. "In the meantime, one of my Highland Park partners contacted Don Schiller for me. They recommended me for the firm, and I started in 2001."

FINALLY SETTLING DOWN

McKenzie became an elected Maine Township official in April 2017 and is currently the only Democrat on the board. Despite her history of moving about and trying new things, she insists she doesn't have a future in politics.

With so much of what she's done, the real question remains: Why did McKenzie finally seemingly settle into family law?

"I've run a business, I've started a business, I've raised capital and I've been in the accounting world," she says. "Because of my accounting background and my financial acumen, I can answer complex financial problems. I gravitate toward that, but I also like all aspects of family law."

"Also, I have three kids and a big Italian family even though I'm an only child, so I know about relationships and I know what it's like for immigrants coming here with nothing. All that experience allows me to bring more to the table. Of course, my CPA doesn't hurt."

She also enjoys looking at each of her cases like a puzzle as it relates to the nuances of the familial estates and determining the best financial result for every issue.

"I look at every member of the family, every line item on a balance sheet, every issue in the case as an important piece of the puzzle, and they all have to fit together," she says. "You have to look at things in so many ways to determine the best strategy and fit. And I really care about the best fit."

McKenzie is more than equipped to accomplish all of that and more, says Howard Rosenberg, who has worked as the Guardian ad Litem (GAL) for many of her family law cases over the last decade.

"Claire has a tremendous depth of knowledge about the law," he says. "She has a unique ability to keep the temperature down and keep the conversation going... a great ability to advance her clients' position without alienating the other side, which is not an easy thing to do. She's a very nice person who carries a big stick."

McKenzie represented Kimberly Yordon in a contentious divorce case in 2014.

"She was fantastic. She was very calm whenever I was upset, she's brilliant, she never gets rattled," Yordon says. "When I had a question, she always had the answer immediately—she was always one step ahead." ■