

ESQUIRE

HERE, THERE, AND EVERYWHERE

International family law specialist Jay Dahlin is a man of the world.

WORDS BY THOMAS CONNORS / PHOTOGRAPHY BY ROBIN SUBAR

“**T**he art of acting,” said the great Sir Ralph Richardson, “consists in keeping people from coughing.” While tongue-in-cheek, that crack contained a kernel of truth, one that Schiller DuCanto & Fleck attorney Jay Dahlin recognizes very well. “Trial is theater,” suggests Dahlin, who was keen on acting as a high school and college student. “As attorneys, we are performing, using our voice and presentation to deliver a compelling narrative that will convince the judge that our position is the correct position.”

Dahlin, who grew up watching *L.A. Law*, knew early on that he wanted to be an attorney. After earning his Bachelor of Arts and Juris Doctorate degrees from the University of Illinois, he practiced as a corporate attorney with a special interest in international law. Servicing such clients as Lloyd’s of London stood him in good stead when he joined Schiller DuCanto & Fleck in 2003 and segued into family law. “There was a need for someone with international experience and the willingness to take on those family cases when I arrived here, so I really hit the ground running and I’ve been doing that for nearly 20 years now.”

The world may be a global village, but we still need a current passport when we travel. And when it comes to international family law litigation, a lawyer must possess dual citizenship, so to speak. “Imagine,” says Dahlin, “you have a husband who is an American citizen and a wife who is a citizen of France. And they own real estate in Illinois and in Paris. They may have some American accounts and some French accounts. So you need to craft an agreement that takes into consideration the laws of America and the laws of France, you need to realize a judgment that is enforceable and recognized in both countries.”

Over the years, Dahlin has negotiated the legal systems of multiple countries from Switzerland and Germany to Israel and South Africa. And when it comes to identifying, valuing, and allocating assets, he has found himself evaluating everything from a cannery business in the suburbs of Mexico City to a fractional interest in an emerald mine in Zambia. Besides contending with far-flung assets, Dahlin must also take into account that spousal support provisions vary from country to country. “In America, we have pretty extensive laws when it comes to maintenance, but in Europe, for example, you don’t have those broad spousal support mechanisms because governments step in more with things like health insurance.”

Child custody, of course, is a major component of many of Dahlin’s cases, and here too, his ability to navigate borders has been key to his success. “There are certain countries, where the father’s rights to a child are predominant and there are others — India for example — where the mother’s rights drastically precede those of the father. So as you move around the world, you learn there are different presumptions as to which parent is the primary parent, which parent should have custody of the children, or how far a spouse must go in providing child support. These vary dramatically, so it is important to know what those cultural differences are and how they affect families who might be litigating in those countries.”



One area in which Dahlin has extensive expertise is child abduction. “Generally, these are dealt with under The Hague Convention on the Civil Aspects of International Child Abduction, but not all countries are signatories of the Convention,” he relates. “So what I do in those cases is try to get kids back from overseas, or get a child who has been brought to the United States back to their home country.”

No matter what the case or who the client, for Dahlin, transparency is paramount. “There’s logistical transparency — this is what we are going to need to do, this is how long it’s going to take, this is what it’s going to cost — and there’s substantive transparency — objective assessment of the facts of the case and the law applied to the facts of their case. It’s not my job to be a cheerleader for the client. It’s my job to provide an objective assessment of what’s obtainable under the law and advocate for the best possible result.”

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