

LAURA URBIK KERN

Doing the Right Thing for Children in Family Disputes

by Keith D. Picher



ELMHURST—As a family law attorney of 25 years, Laura M. Urbik Kern looks forward to representing the variety of people who walk through the door of her Elmhurst office. Kern especially enjoys the lifelong impact her practice can have on the children. The actions of the parties and their counsel must be based on long-term decision making, she says, not just on “getting through the divorce.”

People going through divorce have many personal and financial issues, from mental health to alcohol, drugs, violence, stress, bankruptcy, taxes, and asset withholding. The **Law Offices of Laura M. Urbik Kern, LLC** tries to approach each family with an understanding of the personality of the parties overlaid by how the law will affect them. Because the results of divorce are long-lasting, people need to realize the impact their actions will have not only on a spouse but also on children, Kern says.

Part of a lawyer’s job is to educate clients on the long-term consequences of decisions,

on their impact on lifelong relationships, and on managing their lives without repeatedly leaning on the courts to problem solve, Kern says. “Mediation, collaboration, and education trump litigation any day of the week.”

Her personal life experiences as a mother of five children and full-time practicing lawyer give Kern insight into the inherent stresses on overloaded children and parents. She believes children need to be protected, to be kept out of an adversarial system.

“They did not ask to be here, and it is up to their parents to at least focus on the children’s needs over their own,” Kern says. It is also the attorney’s duty to help clients understand how to reach the goal of raising healthy children if one parent is unwilling or unable to do so, she says.

Divorce finances must be treated like a business decision, she says, and the children must be treated as a lifelong commitment. To that end, Kern passes on information she has gathered from many sources to help clients chart

their families’ futures, financially and emotionally. Clients, she says, need to understand that one can always make more money, but one cannot always make healthy kids.

Keeping Children Healthy

Often, adults embroiled in family law controversies become fixated on their rights, and they focus on “winning,” she says. “They don’t mean to do that—it’s not like they say ‘I’m going to get my rights at the expense of my child,’” Kern explains.

One client, who asked not to be named, says she appreciates Kern’s upfront style and common sense. “She does not just take my money and do work,” the mother says. “She would tell me when I wasn’t going to win on something, when it wasn’t worth going to court and when something was not in the best interest of my children.”

Kern believes most acrimonious divorces focus on a few issues: parents’ concern over

“losing” their children, loss of control, and fearing a spouse’s bad behavior will eventually get redirected toward children. Hatred and resentment may come first, especially if a parent feels victimized because the spouse has a girlfriend or boyfriend.

Divorcing parents may have real concerns about the spouse, but those involved in disputes that concern children should focus on each other’s individual parenting abilities—not on how they work together as spouses—and on whether the children thrive in each spouse’s care, Kern says.

“Maybe you’re not the best parent in the world, but your kids love to be with you,” she says. “As long as kids are safe, they may become less damaged by putting rules in place than by removing a parent’s influence.”

When a divorce focuses on financial issues, lawyers should tell clients to put all the assets and liabilities on the table, Kern says. “The more people try to hide and play games, the more money the lawyers make,” she says. Squirreling funds away comes back to bite clients almost every time.

Kern says fighting over finances is fine as long as, in the end, the money goes to the clients and not to the litigation process. “There

are people who say, ‘I’d rather you have the money,’ and I say, ‘OK, but I’m warning you.’”

Much to the client’s chagrin, Kern has had to remind clients of that warning once the case ends.

Making a Difference

One frequent social acquaintance of Kern sought her advice on a divorce last year. At the end of the first session, the client noticed tears in Kern’s eyes. “It showed me she was human,” says the client, who also asked not to be named.

“Nothing is ever about Laura,” she says. “It’s all about the client, and Laura makes you feel like you’re the only client she has.”

Robin Miller, a Wheaton family law attorney, met Kern more than 20 years ago when Kern took a *guardian ad litem* appointment in her case. Miller also has served as opposing counsel and has worked alongside Kern.

“Laura is a vital and energetic person in everything she does,” Miller says.

Kern displayed her vitality by being involved in many organizations promoting the protection of children, including chairing the 40-member committee of the ISBA Family Law Section that is responsible for monitoring

and developing better family law legislation.

Many of Kern’s considerable bar association efforts have germinated into changing perceptions in the field. She rejoices that nowadays more people talk about “parenting time” and “parental (*Continued on Page 305*) responsibility” instead of visitation and custody. “Those two changes alone are huge,” she says.

Kern pondered a legal career after hearing F. Lee Bailey speak at her college about criminal law. She became a DuPage County prosecutor, where she handled traffic and misdemeanor matters, but focused mostly on juvenile issues including DCFS, children’s advocacy, and handling matters involving neglected, abused, and out-of-control children.

Later in her career, Kern served as a youth commissioner and a police and fire commissioner in Elmhurst. She also was Roselle’s village prosecutor from 1994 to 2006.

What would Kern do if she ever decided to retire from the law? “I would love to be a teacher or a psychologist,” she says, pausing for a smile.

“I love kids,” she adds. “Their perspective on the world can teach a lot, especially to their parents.” ■