

Historic Ruling Favors JPMA Client

For the first time in the state since the passing of the Illinois Uniform Premarital Agreement Act in 1990, a prenuptial agreement was deemed invalid. The order was signed and entered Feb. 14, 2008, by the Honorable Judge Martin Zopp in McHenry County and declared a multi-million dollar estate to be marital property in the matter of Foster v. Foster, a dissolution of marriage. Judge Zopp issued an oral ruling in the matter last December.



“This is a landmark decision by Judge Zopp and a demonstration of the system at work,” said Attorney Joseph P. McCaffery, who represents Mrs. Foster. “The (ACT) was designed to protect the parties and the Court proved it will not tolerate diversions from the law.”

Specifically, the Court found there was possibly manipulation by Mr. Foster of Mrs. Foster’s legal representation but it is not totally clear based on the evidence; Mrs. Foster did not have knowledge nor the reasonable ability to obtain knowledge of Mr. Foster’s property or financial obligations based on the circumstances of the case; the provisions in the pre-nuptial agreement were disproportionate at the time the agreement was made and there was a disproportionate treatment of the petitioner by the respondent with regard to the disposition of property; the relative economic positions of the parties at the signing of the agreement was disproportionate; the pre-nuptial agreement executed by the parties on March 21, 1991 is unconscionable as a matter of law and therefore invalid and unenforceable as against the petitioner; and Mr. Foster has not met his burden to establish that properties valued nearly \$2.5 million, are non-marital.

The result of the ruling is Mr. Foster will share equally with Mrs. Foster, a retired school teacher, the nearly \$2.5 million marital estate garnered during their 16.5-year

JPMA Adds Immigration Law to Core Practice Areas

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The firm offers translation in Spanish, French, Russian, Polish, Greek & Bulgarian

In its ongoing effort to serve the diverse needs of its clients, JPMA has expanded its core practice areas to include immigration law. The immigration law practice will be led by Senior Associate Katherine A. Moore, JD, whose prior experience includes assisting constituents facing immigration issues while on staff of U.S. Congressman Rahm Emanuel (IL-5).

“The complexity of American immigration laws can result in confusing paperwork, long processing times and endless frustration,” said Moore. “We can help individuals, their family members or their employees with completing the requisite paperwork, anticipating issues that may arise during the application process and representation during the formal USCIS interview.”

For a list of immigration services offered by the firm, visit www.jpmlaw.net.

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