

The Family Law Review

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plans offer the widest range of coverage for the highest premium. Don't forget to budget for prescriptions, vision and dental costs, as well as co-pays and deductibles. It's also critical to check whether your doctors, hospital, and other health care providers are part of your new network. While open enrollment is typically November 1st – December 15th, losing health insurance due to divorce qualifies for a special enrollment period for 60 days after the divorce is finalized.

What if you are separated but not divorced? You can stay on your spouse's insurance while you are married, even if you are not living together. Keep in mind, your spouse will probably receive any insurance statements. While your spouse likely cannot take you off their plan during the current plan year, divorces often take one to two years and your spouse potentially could change their election in their next open enrollment from family to individual or individual and kids, even if you are still married. While not common, if you have a contentious divorce talk to your attorney about how to protect yourself.

Divorce is stressful, and that stress is only heightened when health insurance coverage is at risk. Make sure you make time for self-care. Get up to date on all your wellness visits and preventative care. The first step to making a smart decision on health care coverage is to understand that you have options. From there, you can make a choice that fits your health and budget.

What do you need to do to ensure your next chapter is happy and healthy?

**Heather founded the National Divorce Practice Group at CORIENT Private Wealth. Heather helps divorcing men and women find the right fit attorney and educates the team on the tax and long-term financial implications of potential settlements. The CORIENT SettleSmart® analysis gives clients clarity and confidence to end their case based on their attorney's recommendation at the appropriate time. Heather and her team implement the Marital Settlement Agreement and manage client's investments to provide the cash flow and growth they need to fund their future.*

Heather has been named a Best-In-State Wealth Advisor by Forbes, a Five Star Wealth Manager according to Chicago Magazine, and a Top 200 Wealth Advisor Mom by Working Mother.

She has contributed to various publications such as The Wall Street Journal, Crain's Chicago Business, ISBA Family Law Newsletter, Family Lawyer Magazine, and Divorce Magazine on topics ranging from how to protect an estate during a divorce to key financial considerations before signing a divorce settlement or pre-nuptial agreement.

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An Emerging Expert at the Intersection of Divorce and Real Estate

By Jill Heineck, Certified Divorce Real Estate Expert



Who you hire matters, especially when it comes to divorce and real estate. The real estate professional handling the sale of the marital residence is just as important as the counsel representing the parties. Divorce can often make things feel like a zero-sum game where every decision is tied to power struggles or emotional baggage. This can turn the sale of a home, which should be a fairly straightforward transaction, into a long, drawn-out process that gets bogged down by the drama of the divorce itself.

For this reason, it is critical that a Certified Divorce Real Estate Expert™, or CDRE®, handles the

sale to close the case successfully. The CDRE® is specifically trained to support the real estate needs in a case and is vital to ensuring that the real estate side of a divorce case goes as smoothly as possible. The fact that the marital residence is often the most valuable asset in a divorce makes it a central point of focus, and having a professional who understands both the real estate and legal aspects can prevent a lot of potential problems.

An Emerging Expert. In existence for just seven years, the CDRE® credential came to be because it was evident that not having a specially trained expert helping the divorce listing process along unnecessarily prolongs the case. To become a CDRE®, an experienced agent must pass a rigorous months-long, closely vetted certification program. This program is application-only (less than 10% of applicants are accepted) and is taught by a faculty of family law attorneys, mediators, mortgage professionals, and real estate experts. The goal of the credentialing organization is to have qualified CDRE®s handling divorce listings across the US.

A Trained Neutral. As an integral part of the family law ecosystem, a Certified Divorce Real Estate Expert™ is both a trained neutral and a specialized resource. This is what truly sets the CDRE® apart in these often highly charged situations. Our training and adherence to a higher Code of Ethics provide a critical structure for maintaining the integrity of the process, and the fact that CDRE®s are not just average agents, but educators, consultants, and problem-solvers, highlights the value of the role the CDRE® plays in divorce cases.

CDRE®s Don't Practice Law. The CDRE® is tasked with protecting the net of the asset and moving the process along. Core to our code of ethics is to stay in our lane and avoid crossing into providing legal advice, which is something that can complicate the situation, as we have seen it blow up cases where it could have been avoided. This is where educating both the family law community and clients on how real estate transactions work in the context of divorce and working with a CDRE® is essential.

Agent Selection In A Divorce Case. Agent selection can be yet another cross to bear for the parties, but

it does not have to be. While selecting a friend, family member, or the agent who sold the property to the couple seems like the natural thing to do, it is one of the **biggest risks** when it comes to divorce. In a situation where emotions are running high and trust between the parties is already fractured, any agent with even a hint of personal connection can unwittingly deepen the divide. It's human nature—there's no way to maintain a truly neutral stance if you're emotionally invested in one side or the other; even if you're trying to remain objective. It's like walking a tightrope.

A Trained Neutral. This is exactly why a **CDRE®**'s expertise becomes invaluable, particularly in this setting. The CDRE® comes in with zero personal bias, laser-focused on the task of selling the property as fairly and efficiently possible. Typically, the CDRE® doesn't have any past relationships or emotional connections influencing their actions. They know how to keep things moving forward without being swayed by the emotional baggage that often clouds judgment during divorce.

When you think about the **neutrality** required in a divorce real estate transaction, it's almost like being a referee in a game where both teams have completely different objectives—and they may even be arguing over every little call. A **CDRE®** knows the rules of the game, and they know how to manage the players without getting caught up in their drama.

A Proven System. An experienced, unbiased CDRE® can spot the small but crucial signals in divorce situations—the subtle ways the parties might be trying to get the upper hand or the emotional triggers that could derail progress. The key is to stay focused on the goal: a clean, fair sale that moves the clients forward while protecting the bottom line. The CDRE® isn't just navigating the logistics of selling a property but is also managing and mitigating the emotional currents that often come with it. A CDRE® might use the following techniques:

1. Clear, open communication: The CDRE® acts as the neutral messenger between both parties, helping them understand the process, the timeline, and the shared goal of selling the house. They will often be the one who communicates updates, answers questions, and keeps everyone on track.

2. Setting boundaries: It's important to establish a clear role early on. CDRE®s are not therapists. They make it clear to both parties that the home needs to be treated as an asset, not a battlefield.

3..Neutral framing: A CDRE® approaches the sale in a way that minimizes emotional triggers. For example, when discussing offers or market conditions, they present facts and figures rather than letting any party "win" the conversation by making it emotionally charged.

4.Using the law and facts to push the sale: Sometimes, the only way to break the deadlock is by sticking to the legal and financial realities. A CDRE® understands how to work within these constraints, leveraging timelines, court orders, or even the prospect of lien payments or other financial considerations to get things moving.

5.Strategic negotiation: A skilled CDRE® can spot points of compromise between both sides, and offer solutions that are fair, unbiased, and in the best interest of both parties. This could involve adjusting timelines, finding common ground on repairs or staging, or creating a win-win scenario when it comes to the final price.

A CDRE® with divorce-specific knowledge is not only a great resource to the family law community but also to divorcing clients. By providing a calm, neutral space, a CDRE® can help both parties see the larger picture: that the sale is not about "winning" or "losing" but about moving forward and getting the financial resolution they both need to start anew.

**With over 25 years of experience in Atlanta real estate, Jill Heineck, Certified Divorce Real Estate Expert, supports the family law community and divorcing couples by providing expert guidance through the complex process of selling a marital home. As a trusted CDRE®, she ensures impartial, efficient transactions that maximize equity and help both parties transition to the next chapter with confidence. Jill Heineck can be reached at jill@heineckandcompany.com or 404-418-9157.*

Glass Boomerangs

By Jason Norton and John Sims

Raising a child with a disability presents unforeseen challenges. One of many is navigating the experience of his or her sibling(s). You may have heard the expression "*Glass Children*," which captures the sentiment of many siblings of children with disabilities. Specifically, the word "glass" refers to how invisible they may feel as parents funnel time, money, and emotions into the sibling who has demanding and expensive needs. We recognize and honor this feeling. This article is intended to address the dynamic within families and the transfer of responsibility that will occur from parents to siblings as the primary caregivers of the sibling with a disability. In what could be seen as a juxtaposition, the siblings who often feel like glass growing up can end up boomeranging back into the family in the central and critical role of primary caregiver of their sibling. As such, we propose the term "*Glass Boomerang*" to refer to these brothers and sisters.

In my line of work, I speak with many parents of children with disabilities. One of my associates, John (a *Glass Child* himself), recalls that growing up with a sibling with a disability is both challenging and rewarding. He recalls life being fast-paced with long-term planning pushed to the back burner. It wasn't until he went off to college that John began to think about his role as a *Glass Boomerang*. He realized that his parents would someday no longer be able to care for his sister, and that he and his siblings would be called upon to support her physically, emotionally, and financially. The transfer of responsibility will be perfectly imperfect. There will be bumps and bruises along the way. The question now becomes: What can parents do, proactively, to ensure a smooth(ish) transition of care to the *Glass Boomerangs*? This transfer is not a matter of if, but when and how. Below are a few suggestions for families to consider as they begin this work.

- 1. Plan, plan, plan:** Having legal documents is imperative. However, even a properly drafted Supplemental Needs Trust and Will cannot address all of the social, emotional, and financial aspects of the transition of care. In other words, much of the day-to-day details fall outside the scope of legal