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Mark E. Minyard

MINYARD MORRIS

NEWPORT BEACH

Mark E. Minyard's law firm has a few very strict rules that are unusual among its peers or among law firms generally.

One is that they will not allow clients to retain them upon first meeting. If would-be clients take out their checkbooks, he tells them, "No, I will not take your retainer check today; you can give it to me tomorrow," he said. "That's been my policy my entire career."

He and his colleagues handle many cases involving prenuptial agreements. But they won't write them for clients. "I have not let anybody in my firm draft a prenup in perhaps 40 years," he said. "I probably refer out at least two prenups a week."

And they restrict their practice to family law cases filed in Orange County. If a friend of the firm sends a non-OC case over to Minyard Morris or if jurisdiction is transferred in a custody matter it's handling, the firm refers it to an attorney in that area. "We just will not go out of the county. It's a strict rule, and I think it's a good rule," Minyard said.

While the firm handles a wide variety of family law matters, Minyard generally limits his own practice to complex, high-net-worth cases involving a business interest. Their complexity allows for more creativity so that the attorneys can put to use the skills that differentiate themselves from one another.

He used his skills in two recent cases to force his litigation opponents to quickly drop certain moves. In each case, he deployed Code of Civil Proce-

dure Sections 128.5 and 128.7, which he generally said subject a party and counsel to sanctions for filing an action without good cause or in bad faith.

"Those two statutes are becoming more and more prominent in family law," he said.

In one case, the other side had filed a pair of requests for orders that wrongly included confidential information from mediation. In the other, he blocked an ex-wife's \$50 million claim from the post-separation growth of her ex-husband's share of a business.

He won't name the clients. Like most family law attorneys, Minyard has a rule against it. Over his 32-year marriage, "I never told my wife one single client name ever," he said.

Minyard said his approach to his cases is to try to "build a bridge from an unhappy time to a happier time for clients." To do that, he asks clients early on what they see as their objective and then works toward that as the solution.

"In fact, I tell my clients that my job is to make you a former client as soon as possible," he said.

The client in the biggest case Minyard ever handled made doing that especially easy. The man was "a legitimate billionaire" who "every so often [would] say, 'Why don't you give her a couple additional million dollars.'"

The case was so easy Minyard's fees were only \$25,000.

- DON DEBENEDICTIS