

# JIM MULLADY

## Keeping Family Law Practice Focused on the People

by James Stevens



CHAMPAIGN—Jim Mullady is known for being the gold standard of family law litigators in the Champaign area. Though many attorneys and clients assume that family law litigators approach each case as a highly contentious, fiery fight, Mullady is a different breed, known for his abilities to reach consensus, encourage collaboration, and ensure a fair day in court.

Mullady practices with **Meyer Capel PC**, a full-service firm, and concentrates nearly exclusively in family law. He represents clients in central Illinois in dissolution of marriage actions and child custody matters; he also represents many minors through the guardian ad litem program by court appointment.

Though many attorneys view family law as a time-intensive and highly emotional practice that requires adversarial litigation, Mullady sees it differently: “If you look at our legal system, we inherited it from England; it’s an

adversarial system. At the time, divorce was a relatively unheard of concept. I think that as divorce became more prevalent, we plugged divorce into our pre-existing legal system.”

Mullady believes the adversarial system often overlooks the human element in each situation. “I don’t think that anybody, when children are involved, thinks that dissolution through the courts is beneficial. All family lawyers are looking for ways to make the process less adversarial.”

Nowadays, Mullady adds, courts impose mediation in an effort to reduce the adversarial nature of the practice.

The key to success is how individual attorneys approach advocacy. Mullady believes in using mediation, alternative dispute resolution, and even a simple meeting to help families resolve differences without relying wholly on litigation alone.

The less litigious approach, according

Mullady, “depends on the individuals for the success of it, though. If the people can put aside their bitterness, then you have traction.”

This approach is “very human focused, though you see people at their worst rather than their best. As the lawyer, I have to be the one who is calm and in control because the client isn’t always the one calm and in control.”

### Working Outside the Courtroom

Much of what distinguishes Mullady from his more adversarial opponents is how he approaches a case before litigation begins. Unlike some family law attorneys who leave every issue for the court to decide, Mullady believes that the bulk of a lawyer’s work in family law happens outside of the courtroom. The “goal is to avoid going to court as much as possible. It may not be easier to resolve a case out of court, but it is in the client’s interest,” he says.

Though the judge may have to be the ultimate decider of fact in a case, Mullady believes that both sides can reach some kind of understanding before litigation begins.

In court, Mullady understands that preparing a case requires intensive focus and thorough research. "You want to do the best that you can for everyone involved, and you want to get a favorable outcome for the client."

Additionally, "you want to present yourself well. You want the court and your fellow attorneys to respect you, so you put a lot of pressure on yourself."

Mullady's dedication to researching cases before trial is evident in how he describes his work: "I can't think of any litigator who doesn't think about their evidence at night and run through questions; if they say they're not doing that, they're lying or need to do something else for a living. I've been doing it for 18 years, and I still feel that way."

Fellow Champaign family law attorney John Phipps, who has been on the opposite side of the table from Mullady, recalls one case in which Mullady's pretrial preparation made a huge difference.

"We tried a very complex case a couple of years ago; had we not been able to sit down and focus and agree on the essential issues, it would have taken a couple of less experienced lawyers two days to try," Phipps says.

The very complex trial was completed in one afternoon, Phipps says, because he and Mullady were able to distill the case to its core issues without meandering through less essential diversions.

"It's a pleasure to work with him and fight with him because you really are advocates for your clients in the ways that we should be advocating. In a day where it seems that everyone is going after each other for every little thing, we need really good lawyers that know what it means to be an advocate for the client and not waste their client's time or money," Phipps says.

Working with Mullady is a pleasure, Phipps adds, because he enjoys practicing at a high level and attempting to work out differences before heading to trial. Not every issue can be resolved before trial, "but when we disagree, we're able to work through the disagreements, and if we can't, it's a nice clean trial without attorney errors; if there will be any basis for an appeal, it will be for substantive issues and not procedure."

Mullady agrees, noting that, "I want the other side to get the best attorney that they can. That attorney will tell their client the same that I'm telling my client."

In his opinion, the "odds of being able to resolve the case will be greatly increased,

much more so than someone who dabbles in family law."

Phipps also recalls a time when Mullady touched his life in a very personal way. Phipps served as provost marshal at Scott Air Force base in Germany during the fall of the Berlin Wall. Phipps once told Mullady of his experiences in the Air Force and how important they were to him as a 23-year-old lieutenant. On a recent trip to Germany through Berlin, Mullady brought back a piece of the Berlin Wall to Phipps as a gift. That Mullady would think of such a special memento "was a really emotional thing. It brought tears to my eyes," Phipps says.

## 'The Consummate Professional'

Mullady's reputation for being an excellent family law attorney extends to the bench in Champaign.

Judge Arnold Blockman, the chief family law judge of the Circuit Court of Champaign County, Sixth Judicial Circuit, has high praise for Jim Mullady: "I call him the consummate professional, always prepared, he has excellent courtroom demeanor, and he's what I think the type of attorneys that other attorneys should emulate."

Blockman has had "nothing but excellent experiences" with Mullady, he says. "I'm confident he's well respected in the legal community, particularly in family law, and seems to get along well with the other attorneys. He's certainly one of the top lawyers that appear in our courtroom."

Though Mullady's colleagues readily compliment him with their highest recommendation, Mullady presents himself modestly.

"Most people see me for what I am because I present myself that way—if someone comes to me, they're going to find someone who will work hard, represent their best interest, and who will try to come up with a creative solution to their situation. I'm pretty transparent."

Part of what makes Mullady a different breed of family law attorney is his unique background. In his opinion, family law attorneys are better counselors if they have a variety of life experiences prior to working in a family law setting.

"I think it helps to have a varied background. It helps to have a little different life experience. It's difficult to take a young person right out of law school and put them in a family law setting," he says, adding, "Sometimes, I think you need a little gray hair."

Though he always liked the idea of law school, Mullady did not head straight to law school after completing college in 1974 at Illinois State University, where he double

maored in political science and sociology.

Instead, Mullady continued to study sociology at ISU and obtained his masters in sociology a year later. Mullady then taught junior high and high school social studies in Arcola and Fisher, Illinois. In 1983, he received his advanced certificate in education from the University of Illinois, which allowed him to become a high school principal at the National Academy of Arts High School in Champaign. Mullady then attended law school at Indiana University School of Law at Indianapolis, graduating in 1991.

Mullady's extensive experience working with children and their families is what made family law a natural choice when he started practice in central Illinois.

"I was drawn to it by stupidity," he jokes, "having worked with kids and their families throughout my life."

All jokes aside, Mullady clearly doesn't regret pursuing a position that has a deep effect on families. There are "very few areas of law that you can have the impact on people that you can in family law because you're going to be affecting these people and their families for the rest of their lives."

A family law practice can be demanding, requiring lots of weekend work, emergency calls, and highly emotional situations. Mullady does find time for his hobbies, his favorite being tinkering with vintage sports cars. Though his wife calls it "playing garage," Mullady enjoys his vintage cars as a way to do what all lawyers try to do: take a break from work on occasion.

He recently sold his Triumph TR3, which he had since the 1970s, but still drives his 1995 Porsche, one of the last air-cooled engines, on a daily basis.

Aside from his hobbies, Mullady is active in the legal community as a member of Phi Delta Kappa and Kappa Delta Phi honorary fraternities. He is also a member of the Illinois State, Champaign County and American bar associations. And he served the Illinois Pro Bono Center on its board of directors and was elected to the board of governors of the Champaign County Bar Association. Mullady has received accolades such as the James L. Capel award for outstanding pro bono efforts as Attorney of the Year by the Champaign County Bar Association.

He lives in Champaign with his wife, and his two daughters are both studying in undergraduate and graduate school. His youngest daughter is an economics major at Scripps College in Claremont, California, and his eldest daughter is in law school at DePaul College of Law in Chicago, just recently named to the *DePaul Law Review*. ■