Four Advantages of Using a Business Valuation Expert in a Divorce

Posted by Daniel Clement on March 24, 2011

Essential to every contested divorce is assembling the right team of experts to assist the attorney formulate the theory of the case. This is particularly so when there is a business, a professional practice, a license or an educational degree that requires valuation.

Mark Gotttlieb in his blog Forensic Perspectives offers four examples of how the right business valuation expert makes a difference in properly distributing assets in a divorce.

- The business valuation expert will opine as to all relevant factors, necessary to determine a business's true value, including, assessing the marketability and minority aspects of the husband's interests as well as any contractual restrictions.

- The business valuation expert will facilitate discovery and trial preparation. The expert would not only have the evidence that supports his conclusions, but would also possess the evidence on which the other spouse is relying. Your team would be then be prepared to explain away any differences in the parties' valuations.

- The expert could educate the court as to factors that must be taken into account- including the tax impact of any asset distribution.

- The expert would be prepared to refute the other spouse's expert or a neutral court appointed expert's errors, false assumptions and methodologies.

In short, the business valuation expert provides the attorney with the factual analysis to achieve the client's goals in a contested equitable distribution case.

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