

# HOW ROBERT NACHSHIN GOT HIS GROOVE BACK

## HOW DID A MAN HAPPILY MARRIED FOR THREE DECADES BECOME THE DIVORCE KING?

By Anthony Head  
Photography by Larry Marcus

“**N**o one has ever asked me if I have a prenup, and I’ve been doing this for 30 years,” says Robert Nachshin with a degree of incredulity that would seem warranted. One of Los Angeles’ most successful divorce and family law attorneys, Nachshin has raised the defense of the prenuptial agreement to an art form. His clients have included Barry Bonds, Buck Owens, Oscar De La Hoya and Snoop Dogg. He’s also battled the celebrity factor from the other side, having represented the wives of Rod Stewart, Brian DePalma and Will Smith. He sums up his philosophy on prenups this way: “I think any smart person — any person who has wealth or the potential for wealth — should get a prenup.” Finally he just lays his cards on the table: “I think only stupid people don’t have prenups.”

Of course, it would be unfair to mention that Nachshin himself does not have a prenup without also stating that he’s obviously an intelligent man and one who’s been with his wife for 33 years. “I do not have a prenup,” he says. “But if I got married today I would absolutely get a prenup.”

In the L.A. legal community, there is a universal view of Nachshin. The words “intense” and “tenacious” frequently pop up when he’s described by colleagues and clients. But seeing him in his office this afternoon, the words “relaxed,” maybe even “drowsy,” come to mind.

“I’ve really mellowed in the past 10 years, though I’m certainly still aggressive,” he says. But Nachshin admits that for the better part of his career he was pushy and on edge, sometimes to the point of becoming unglued in court. “Opposing attorneys used to see me as obnoxious, and they really didn’t like me. If I needed a favor, I couldn’t get one,” he says.

Then he tells a sad anecdote about how he was trying a custody case and continually acting out with his over-the-top antics, yelling and taunting and really hammering the opposing side. “The judge said to me, ‘That other woman was [figuratively] down on the floor and then you walk over and kick her,’” he says. The judge’s assessment of his tactics hit home, at least to some degree. “Now if the person is down, I just walk away, and don’t hover over the person or kick the person. Now I think very few people around think I’m an unreasonable guy.”

So what mellowed him? To some extent it’s been Nachshin’s partner, Scott Weston. Nachshin saw that Weston was more amiable



In his most famous case, Nachshin fought to uphold Giants slugger Barry Bonds’ prenup. Bonds thanked him with this honorary bat.

in court, and learned from him. Weston, who has worked with Nachshin since 1988, agrees. “Bob has a certain intensity that people love,” Weston says. “He used to be a little more hotheaded and he would take things personally. He would personally attack opposing counsel and the judge. But I think he’s found peace with the fact that family law is a community of lawyers and he’s tried to be more accommodating.”

The two have co-authored a book on prenuptial and postnuptial agreements titled *I Do, You Do ... But Just Sign Here*. Weston says his partner has not lost one bit of aggressiveness when it comes to successfully pursuing his client’s position. He adds that Nachshin’s tenaciousness proved especially critical when it came to resolving his most famous case, in which Nachshin found himself fighting for the integrity of San Francisco Giants slugger Barry Bonds’ prenup contract.

In San Francisco during the mid-1990s, Bonds’ divorce proceedings were front-page news — a development bolstered by the fact that at the time the O.J. Simpson murder trial was taking celebrity legal affairs to ridiculous levels of public gawking. The back story was simple: On the way to the airport for a Las Vegas wedding, Bonds and his fiancée stopped to sign a prenuptial agreement. Although Bonds was flanked by attorneys and a financial adviser, the woman

who was to become his wife the next day only had a family friend with her. But she signed the document anyway.

At the time, Bonds was earning about \$100,000 a year from the Pittsburgh Pirates. Six years later, when the couple was getting divorced, Bonds was pocketing \$8 million a year as a San Francisco Giant. His soon-to-be ex-wife wanted half of that — and she would be entitled to it under California’s community property laws if it weren’t for that prenup. It seemed like a slam-dunk for Bonds, but Mrs. Bonds claimed to have been coerced into signing the document and said she was not legally represented. The court challenges began, and initially it seemed Bonds wasn’t up for the fight.

Weston says that it took every ounce of Nachshin’s tenacity to get the case rolling. “It was a really tough case, and I admit I was less than enamored with our position,” Weston says. “Without Bob the case

questioning if I was really supporting them or if I was just trying to make a name for myself. So I declined to do the TV show,” he says.

Still, that’s a lot of spotlight for a guy who didn’t really want to become a divorce lawyer in the first place. Nachshin was born in the Bronx, grew up in Long Island, attended Bucknell University in Lewisburg, Pa., and considered becoming a political science professor. He became interested in law while an undergrad and chose Columbia University School of Law. Thinking litigation was in his future, he became captain of the Columbia Trial Team. He never took a class on family law.

After graduating, Nachshin moved to Los Angeles because he thought a young lawyer could achieve more there than in New York. The gambit paid off, although a bit unexpectedly. One day while working at Loeb & Loeb, one of the senior partners, and Nachshin’s mentor, Jerry Goldberg, gave a divorce case to the young attorney.

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would have been settled. But Bob was dogmatic about the fact he was going to get this thing pushed through — and he basically told the client just that. That was a decisive factor in making the decision to try it rather than settle.”

In round one, Nachshin got the court to rule that the prenup was indeed valid and that Bonds’ money belonged to Bonds. While the lengthy legal process was dragging itself out, though, Nachshin says there were some memorable moments. At one point Nachshin made an application to reduce alimony because of the baseball strike. The commissioner that was handling the case agreed. But at the end of that hearing, a bit of celebrity worship almost torpedoed his work. Both parties were in chambers when the judge, who was apparently a huge baseball fan — there were photos of Willie Mays and Babe Ruth on his walls — asked for Bonds’ autograph. “Well, opposing counsel went nuts,” says Nachshin. “I told Barry, ‘Don’t give the judge an autograph.’ Eventually, the judge recused himself from the case, and he got a lot of negative publicity. We had to get another judge.”

To further complicate matters, domestic-abuse claims and a paternity suit were also filed against Bonds. Then in 1999, a state appeals court ruled that it was unlikely a trial court could find the prenuptial contract valid. But Nachshin persevered, taking the case to the California Supreme Court. In 2000 he won a unanimous ruling that saved Bonds’ millions and made Nachshin’s star among the brightest in the family law galaxy.

“A lot of media attention that I got came from the Bonds case because it went to the California Supreme Court, and not too many celebrities have their family law cases go to the Supreme Court,” says Nachshin, who has enjoyed his fair share of media time, including guest appearances on *Dr. Phil*, *Entertainment Tonight* and *Celebrity Justice*, among other shows.

He fully admits to enjoying his TV time, and when a producer approached him to be in a reality show about divorce lawyers, he says he was tempted. “But I thought that there would be an issue with the clients

“I remember saying to myself, ‘I didn’t go to Columbia Law School to do divorce work,’” says Nachshin. He admits to feeling disdain then for that kind of case. But Goldberg told Nachshin to prepare the case for him and said that he would handle the hearing. Only he didn’t do that; he sent Nachshin out to handle the case.

The opposing counsel, who sat as a family law judge two days a week, wouldn’t settle the case. So Nachshin went to court, tried the case and got a result that was better than what he had offered in settlement. His client seemed happy, and Goldberg seemed happy, so Nachshin figured he had a knack for this kind of work.

After working in a few other Los Angeles law firms, he opened his own shop in 1989. Since then he’s racked up impressive wins, including getting \$100,000 a month in alimony for one client (the client wanted \$500,000, though), and \$25,000 for another client’s monthly child support. (Nachshin’s client was getting \$8,000 a month and Nachshin asked the ex for an increase to \$15,000. He said he would go to \$9,000, so Nachshin took him to court and was awarded the \$25,000.)

Today, though mellowed, he remains busy. He’s working on a high-profile case in Contra Costa County. “I’m representing [author] Terry McMillan [*Waiting to Exhale*, *How Stella Got Her Groove Back*]. There are basically two issues: A prenuptial agreement that we say is valid and her husband says is not; and we’re trying to get the marriage annulled on the grounds of fraud because the guy that she was married to is gay. And she claims that he was gay when they got married and that the marriage should be set aside on that fact.”

Having just taken over the case, it may be a while before it’s over, but the smart money is on Nachshin and his team. Whatever he’s working on at the office, though, he works just as hard at home to keep his own marriage going strong. And in this month of love, Nachshin plans to keep it that way. “My wife and I have never spent a Valentine’s Day apart from one another. And as usual, we will exchange cards and go out to dinner.”

One thing he won’t give her, it’s safe to assume, is a prenup. ❧