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By keeping Cutler, Bears avoid a pricey 'divorce'

The Chicago Bears are, in fact, continuing their "marriage" with Jay Cutler as the team's starting quarterback for the 2015 NFL season. And in this case, it doesn't look like the pair is staying together for the kids (or the fans).

Just like a marriage, sometimes a team makes a strong commitment to a player — here, it's in the form of a seven-year, \$126.7 million contract — with the highest hopes and dreams of the future only to realize, "it's not me, it's you."

As a practicing divorce lawyer, I know the importance of, among other things, discussing with a client contemplating divorce the possible financial ramifications before any major decisions or moves are made. In the case of the Bears with Cutler, the team was likely advised of the same.

Although the team denies it in the media, after 24 turnovers during the 2014 season, disappointing fans with his poor performance and eventually being benched, Da Bears had to have at least considered seeking a "divorce" from Cutler. And, just like in the contemplation of any high-asset divorce, there were many financial issues that the Bears needed to take into consideration.

For the 2015 season, Cutler already had a guaranteed \$15.5 million salary and, as of March 12, he was guaranteed \$10 million of his \$16 million pay for 2016.

If the Bears had decided to cut Cutler this year, he would still have counted as \$19.5 million against the team's 2015 salary cap, which calculates to almost 15 percent of the team's payroll. This figure comes from Cutler's guaranteed salary and \$4 million in "dead money" — Cutler's remaining \$4 million of a prorated signing bonus. Giving up such a large portion of the salary cap would have been a huge hit for a player not even on the team.

If the Bears could have found another team to trade Cutler to, however, he would have only counted as \$4 million against the team's 2015 salary cap.

But it was unlikely that the Bears could find another team to take on such a great financial commitment to Cutler based on his output over the past few years.

This other team would have had to take a huge leap of faith with Cutler, considering they would be funding a guaranteed \$25.5 million in salary over the next two years.

The Bears may have also considered trading Cutler to



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another team and giving that team a deal by paying a portion of his contract for them. Since teams can't negotiate for cash in the NFL, offset language in Cutler's contract would require the Bears to pay their portion of the guaranteed amount as a prepayment to make up for the difference prior to any trade being made official.

This would have opened up much more salary cap space for the Bears in the 2015 season by leaving only \$4 million in dead money, however, it still would have been a significant financial hit for a player not even on the team.

Although the spark has

seemingly faded between the Bears and Cutler over the years, they will respectfully be giving the relationship another shot for the 2015 season despite having options to do otherwise. The Bears will continue to honor their contractual commitment in 2015 and hopefully be able to prove to some of the frustrated fans that burning Cutler jerseys in 2014 was a hasty decision.

Sometimes, all it takes is the fear of a divorce to heal a marriage. Cutler supporters argue that, from a physical standpoint, he has the skill set and potential for greatness. It is also possible that the novelty of a new coach and some new players on the team may be all the quarterback needs to reignite the flame.

Cutler might be able to turn things around this upcoming season and prove that he is still that quarterback that the Bears fell in love with just six years ago.

And if not, he will at least have the financial security from his contract and plenty of time to dedicate to his real marriage with former "Laguna Beach" star Kristin Cavallari.

If that relationship doesn't work out either, however, I can always recommend a very good divorce lawyer.