



*Women Lawyers Association
of Michigan Foundation*

... dedicated to women's education since 1983

2002 Annual Report of the WLAM Foundation

The WLAM Foundation completed another very successful year, building on its statewide reputation for supporting the education of women. In just the past few years, the Foundation has dramatically increased both the money raised and awarded through its scholarship program. This year, a major step forward was made possible by unprecedented corporate support, primarily from the Ford Motor Company Fund. As the Foundation plans for increased awards and more awardees in 2003, it is guided by the exceptional talent of its board, comprised in 2002 of Dawn Van Hoek (Chair), Kimberly M. Cahill (Treasurer), Sandra L. Sorini (Secretary), Mary Barden, Z. Kay Fitzpatrick, Deborah R. Garcia-Luna, Jennifer T. Gilhool, Nancy Glen, Michelle D. Johnson, Kathleen A. Lang, Loretta Lewins-Peck, Linda Fowler-Sims, and Paula Talarico.

Fundraising continued this year in the form of a WLAM membership "dues check-off" which gave WLAM members an option of adding a contribution. Dues check-offs and direct contributions raised over \$2,400 (through 3-31-02). In addition, the Foundation continued its theme of "Art for Attorneys" at an art exhibition and sale hosted by the Wayne State University Law School. With the generous help of the law school (especially Board member and Assistant Dean Linda Fowler-Sims), inspired leadership of Nancy Glen and participation of five artists (including WLAM members Stepanie Meisel, Barbara Wynder, and Lori Zurvalec, attorney Brian Zubel, and artist Kara Laramie), the Foundation raised nearly \$1,000 at the March 21st event. A portion of that amount, much appreciated, was contributed by the artists. Expenses of the reception were generously contributed by the Ford Motor Company and the Troy firm of Talarico and Associates. Nearly 100 attendees mingled with Dean's List Contributors, Student Awardees and Foundation Trustees at the reception. All ten of the law student/awardees attended and were profiled for the group, revealing accomplishments which were an inspiration to all.

The Foundation also continued its "Dean's List" campaign, designed to build on the commitment shown last year by the Ford Motor Company, the Howard & Howard Community Reinvestment Fund, and other firms. Intended to directly support scholarships, the campaign was joined by law firms and corporations contributing at various levels:

Gold Key (\$24,000)

Ford Motor Company Fund

Summa Cum Laude (\$2,500 or more)

General Motors Corporation Legal Department

Elizabeth Gleicher, Gleicher & Patek, PC

Howard & Howard Community Reinvestment Fund

Magna Cum Laude (\$1,000 to \$2,500)

Barris, Sott, Denn & Driker, PLLC

Bodman, Longley & Dahling, LLP

Butzel Long

Dickinson Wright, PLLC

Dykema Gossett, PLLC

Ford Motor Company

Schoenherr & Cahill, PC

Talarico & Associates, PC

The Women Lawyers Association of Michigan

Cum Laude (\$750 to \$999)

Foster, Swift, Collins & Smith, PC

Masco Corporation

Meijer, Inc.

Good Citizenship (\$100 to \$749)

Adkinson, Need & Allen, PLLC

Linda Lou Bruin

Alfred & Tiffany Butzbaugh

Carole Chiamp

Thomas W. Cranmer

Julie I. Fershtman

C. Mark Hoover

Hon. Marilyn Jean Kelly

Claire E. Morrison

Sharon Noll Smith

Lorraine Weber

The WLAM Foundation also received generous support from the State Bar of Michigan, which continued to host the Foundation's web site, www.wlamfoundation.org. The site contains news, archives, photographs, profiles of student-awardees, and much more. Web page design and maintenance are ably handled by John Powell.

Additional support for the Foundation's work came from the statewide WLAM, as well, which contributed the proceeds from a special November, 2001 Dinner/Dance. The WLAM Foundation's support for its mother organization was reflected in financial sponsorship of the May 17-18, 2002 Women in the Law Conference held in Detroit.

Awards made to Outstanding Women Law Students this year totalled \$16,000, awarded to ten students. The year-2002 awardees are: Batol Makki (Howard and Howard Awardee at the University of Detroit Mercy), Joanne M. Bridgford (MSU/DCL), Abby Huntington Cooper (Wayne), Shanta Driver (Wayne), Viola King (Cooley), Sarah B. Mason (Cooley), Markeisha J. Miner (UM), Archana Pyati (UM), Kimberly Smith (UDM), and Jami Witbeck (MSU/DCL). Full profiles of the students appear on the Foundation's web site, www.wlamfoundation.org.

Many thanks to all for the support shown during the year!

Respectfully submitted,

Dawn Van Hoek, Chair, WLAM Foundation

Creative Lawyering Benefits Victim

The Women Lawyers of Michigan Foundation supports legal education for women in Michigan by way of its scholarship funds. Last year, ten women from five law schools each received \$1500 toward their law school education. In its dedication to education, the WLAM Foundation also likes to highlight important case law, and recognize the attorneys who use law to improve the delivery of justice for women throughout the state.

The recent case of Alexander v Alexander, Lawyers Weekly No. 39654 (2000), has offered divorce lawyers who have a client who has been severely abused by their spouse, an option of combining an award for domestic violence with a divorce settlement in the divorce proceeding.

In Alexander, Minor Alexander (Husband) filed a divorce action against Diane Alexander (Wife) in 1999. During the divorce proceeding, it was discovered that Husband had severely abused Wife more than eight times throughout the couple's four-year marriage, causing serious injury more than once, as well as permanent injury. Upon this discovery, Wife's Attorney, Joseph Stewart, used the case of Gubin v Lodisey, 197 Mich App 84 (1993), to combine a domestic violence claim with the divorce settlement, resulting in a damages award of more than \$150,000 that was allocated and awarded as property and spousal support.

In Gubin, the court found that the wife did not need to file a separate civil action for fraud when the fraud was "so intimately involved with the marriage contract that it could not be separated," [wife claimed husband fraudulently induced her to marry in order to gain lawful residency in the United States]. The court stated that it would be an "inefficient allocation of judicial resources" to do otherwise, and that any relief granted from the fraud claim should be in the form of "alimony, alimony in gross or property," and not awarded separately. The husband, in opposing the judgment, argued the combination of the two claims should be dependent upon the husband's ability to pay, which the Gubin Court found to be without merit.

Similarly, in the Alexander case, Wayne Circuit Judge J. William Callahan analyzed the facts and found that a claim for domestic violence would also be "so intimately connected to the marriage itself that it cannot be readily separated." Upon finding the two cases consistent, Judge Callahan considered the \$150,000 award as property, and awarded the Wife \$100 a week for life, the family vehicle, and an amount

equal to \$75,000 from the Husband's interest in pensions and 401k plans.

While not all attorneys around the state agree with the method of combining a civil claim with a divorce settlement, Judge Callahan felt the family law judge is in the best position to make decisions regarding tort damages that occur within the context of the marriage, with the result one that is more fair and efficient for both the parties and the courts.

In all, an attorney should proceed with caution when considering the idea of combining a civil tort claim and a divorce settlement in a divorce proceeding. Opponents of the combination have raised due process issues and exempt property issues, both of which were summarily rejected in the above case due to strong evidence that supported extremely compelling facts. The controversy notwithstanding, WLAM salutes **Joseph Stewart** for his persuasive and astute lawyering on behalf of a victim of domestic violence.

**By Paula M. Talarico,
WLAM Foundation Trustee**

A copy of the Alexander opinion appears in the "News" section of the WLAM Foundation's web site, www.wlamfoundation.org.

Record Number of Award Applicants

Michigan's five accredited law schools received a record number of applications for the 2002 WLAM Foundation awards, which will be announced at the Foundation's Art & Awards Reception on March 21st. Nearly 100 women competed for the awards, given to law students who have demonstrated leadership on and commitment to the advancement of women in society. A total of \$16,000 will be awarded to ten outstanding women law students, for application to law school tuition costs.

Awardees will attend the Foundation's March 21st Reception, and their introduction to attendees is always an inspiration. A brief program will take place at 6:00, preceded and followed by the Foundation's Art Sale.

Artists Contribute to Foundation, Too

Attendees of the Foundation's Art & Awards Reception who purchase art should know that their purchases support the Foundation's scholarship program. Each of the participating artists donates a portions of sales proceeds, making them generous donors, as well.

The artists featured this year are those we've enjoyed for years, and many are attorneys who have extraordinary talent. We are pleased to feature in the 2002 Event these artists:

Kara Laramie
Barbara Wynder, attorney
Brian Zubel, attorney
Lori Zurvalec, attorney

Attorney Stephanie Miesel also will participate, through her donation of a special weaving, which will be auctioned during the event. Works of Zubel and Zurvalec are featured on the Foundation's web site, www.wlamfoundation.org.

Honorary Gifts to the Foundation

The Foundation received generous gifts in honor of the following persons and events:

In Honor of Joseph Stewart, by Dawn Van Hoek:

With respect for his excellent representation of his client, a domestic violence victim, in Alexander v Alexander (see separate "Creative Lawyering" article).

Date Change for Art & Awards Reception: March 21, 2002

While we previously published March 15th as the date for the Foundation's 2002 Art & Awards Reception, the date has been changed to **March 21, 2002**. Please make a note and plan to attend! An expanded announcement appears separately, with more information.

Contribution Form Women Lawyers Association of Michigan Foundation

Your contribution is a way to recognize and honor special people and events. If you wish publication of the reason for your contribution, please provide it here:

Contribution in honor of:

[please provide name or other details]

Donation amount: _____

Your name and address:

Honoree's name and address [so that we can acknowledge your gift]:

**Contributions to the Foundation
are tax-deductible.**

**If you wish to charge your contribution,
please call 1-800-654-5959.**

Please send this form and your check to:

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3300 Penobscot Building
Detroit, MI 48226



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