



ASK THE EXPERT

Attorney Offers His Take On Soap Opera Scenario

By Tom Kirvan

Legal News

As one of the foremost family law attorneys in the state, Richard Victor has seen more than his fair share of real-life soap operas play out in court.

Now, Victor has been asked by Soap Opera Digest, the weekly publication that keeps tabs on all things swirling around daytime dramas, to weigh in on the legal nuances of a fictional--and perhaps far-fetched--custody battle that is captivating TV watchers across the nation.

The legal battleground is being staged on the hit CBS soap opera, "The Young and the Restless," a show broadcast since 1973. The show, which is set in the fictional Wisconsin town called Genoa City (not to be confused, of course, with the real life village of the same name in the Dairy State), is rife with titillating story lines surrounding forbidden love, corporate espionage, murder, mayhem, and enough legal intrigue to keep a battery of high-profile lawyers busy.

The show's current legal buzz centers on a custody case that has entangled virtually everyone short of Arnold Schwarzenegger. Here is a snapshot, provided by Naomi Rabinowitz, an "Ask the Expert" columnist for Soap Opera Digest:

"Young and Restless's fugitive Daisy abandoned her baby after giving birth. (Daisy is a fugitive who is supposed to be in jail for kidnapping and attempted murder.) Billy then purchased baby Lucy on the black market, unaware that she was Daisy and Daniel's biological daughter. However, Daniel willingly signed over his parental rights to Billy and Victoria so the adoption could be legalized. Now, Phyllis, the baby's grandmother, is fighting for custody. Does she have a shot at winning?"

It's a question that an attorney like Victor, who regularly sorts out such convoluted case scenarios, is equipped to answer.

"If the biological father signed over his rights and there was a legal adoption, it's as if the adopting parents gave birth to the child," Victor wrote in reply to the legal query. "That new family unit is protected and no one can interfere with it."

As to whether "the fact that Lucy was adopted on the black market" would hinder the parental rights of the adopting parents, Victor summed it up this way for Soap Opera Digest readers:

"If Daniel and Daisy did not sign a legal acknowledgment of paternity, saying that this child born out of wedlock is the daughter of this father, or file an order of filiation, which is a paternity judgment, then Daniel is not the legal father," Victor said. "The other issue is whether Phyllis is legally a grandparent or a third party stranger who wants to have custody of the child? In real life, she is technically biologically related, but not necessarily legally related."

Victor, whose family law practice in Bloomfield Hills includes his two sons, Daniel and Ronald, has been recognized nationally for his work in custody cases, particularly as an advocate for grandparent rights. He gained national attention for his role in the "Baby Jessica" case in 1993. He helped wage a spirited legal battle on behalf of Jessica DeBoer, whose adopting parents fought a court-ordered return of the child to her biological parent in Iowa. The case was a national "cause celebre" for months and focused attention on the rights of children.

A graduate of Wayne State University and an alumnus of the former Detroit College of Law, Victor has appeared on "Oprah" and NBC's "The Today Show," as well as the CBS nightly news program with former anchor Dan Rather. He also served as a technical adviser for Aaron Spelling's TV movie, "Whose Mother Am I?"

The next TV stop for Victor will be on the Biography Channel, a cable outlet owned by A&E. He has been interviewed for a program on the "History of Family Law," a show scheduled to air sometime later this year or in early 2012.

This week, Victor was interviewed by a health reporter from MSNBC.com and Today.com, the website for "The Today Show." As the founder of the Grandparent Rights Organization, Victor was sought out by the news outlets to comment on "a new study coming out in the journal 'Pediatrics' that says that, contrary to expectations, children in cars are safer when grandparents are behind the wheel," according to JoNel Aleccia, health writer for MSNBC.com.

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