

Team approach

Matrimonial attorney believes in 'building' family relationships

By TOM KIRVAN
Legal News

By the time Oprah came calling in late 1994, television appearances had become old hat for Bloomfield Hills attorney Richard Victor.

There had been "The Today Show" on NBC, "Good Morning America" on ABC, and the "Nightly News with Dan Rather" on CBS.

Heck, even the "Jerry Springer Show" wanted air time with the matrimonial attorney who was carving out a reputation as one of the nation's most articulate proponents of visitation rights for grandparents and stepparents.

Yet, Victor is a father first, a fact that he wouldn't lose sight of that winter day when a producer from the top-rated "Oprah Winfrey Show" asked the then-45-year-old attorney to appear in Chicago on January 11, 1995 for a taping of the hit afternoon program. The show would focus on the topic of "grandparent rights" and would bring together families that Victor helped reunite during various custody battles.

"As the attorney for these families, I was, shall we say, the 'central figure' in making this show come about," said Victor, whose career in family law spans more than three decades.

But the show was scheduled for January 11, a red-letter day on the Victor family calendar.

It is the day of his daughter Sandra's birthday. She would mark her 12th birthday that day in 1995 and Victor has a "hard and fast rule" about his children's birthdays:

"I never leave my kids on their birthdays," he said.

He told the show's producer as much when pressed to change plans for the birthday celebration.

"I politely told him that I would be happy to come to Chicago on January 10th or the 12th, but that I couldn't make it on the 11th," Victor recalled. "When he insisted that it had to be on the 11th, I had to tell him that I wouldn't be able to make it that day."

Ten minutes later, Victor received another phone call from the Windy City, this time from the real "central figure" in the TV case.

Oprah. "She said, 'Mr. Victor, I understand that you refuse to appear on my show,'" Victor said, recalling the phone conversation with the TV talk show mogul. "I explained to her that January 11 is my daughter's birthday and I never leave my children on their birthdays and that I would be happy to appear on the show on another day. She said something to the effect that, 'They didn't tell me that,' shedding a totally different light on the situation."

Oprah, as is her style, had a first class solution to the birthday dilemma.

"She said, 'Mr. Victor, how about if we fly you and your daughter to Chicago to spend a few days and she can see you appear on the show in person?'" Victor related.

The all-expenses-paid offer from Oprah included first class plane tickets, limousine service from the airport, a two-night stay in a top-notch downtown Chicago hotel, complete with meals and more.

"Oprah even sang 'Happy Birthday' to my daughter," said Victor. "Needless to say, it was an amazing experience from the world go."

The story is one of countless others that Victor could tell about his legal career in the sometimes rough-and-tumble world of matrimonial law. His office wall is lined with photos of high-powered politicians and celebrities he has shared "legal experiences" with over the years. Framed copies of front page newspaper articles from various dailies herald his role in high-profile cases. It is a pictorial shrine of sorts that is lined with plaques, tributes, and trophies, the most prized of which he earned as coach of his children's soccer and softball teams.

"Those trophies are precious to me," he said with more than a hint of parental pride. "I take a lot of satisfaction in winning them. They were truly a team effort."

Victor, who was named the 2006 Fellow of the Year by the American Academy of Matrimonial Lawyers, believes firmly in the "team approach" to life and the law. It is a spirit that has served him well in big cases and small, he said.

"Our desire is always to find common ground in family law," said Victor, whose son, Daniel, is a partner in the firm. "That, by its very defini-



Matrimonial law has become a family affair for the father-and-son legal team of Richard and Daniel Victor. The duo, pictured in their Long Lake Road office, is backed by legal assistant Kathleen Germaine, a member of the firm for the past 18 years.

Photo by Tom Kirvan

tion, means that we need to employ a sense of teamwork in order to get that accomplished. It's not always an easy proposition in divorce cases and custody matters, but it certainly helps when all parties can look at the long term benefits of working together."

His career began very much alone after graduating from the Detroit College of Law in 1975. He was young—and hungry—and bold enough to work his way from the "top to the bottom" in search of that coveted first job. With resumes in hand, he started at the top of the Penobscot Building in downtown Detroit, dropping off his law leaflets to every firm in the 47-story skyscraper that was once the tallest office complex outside of Chicago and New York. It was the proverbial tall order, but his plan worked, helping him land a job handling probate work with the firm of Fildew, Gilbride, Miller & Todd. He then broadened his legal horizons with a stint in personal injury law before moving into matrimonial work. The timing coincided with the break-up of his own marriage in 1978, a painful parting that began just weeks after his first son was born.

"Going through a divorce certainly gave me a perspective that has been invaluable in serving my clients over the years," said Victor, who indicated that he was one of first fathers in the state to obtain joint custody in a divorce case. "While divorce may be the end of a relationship, it can have lasting implications for everyone involved, which is why we strive to help build a foundation for the new life to come."

It was a lesson he learned all too well in the early '80s as his family law practice began to flourish. It was a lesson he attempted to convey 10 years later as he wrote his final message as chair of the State Bar of Michigan Family Law Section.

"I've always wanted to write about how family law practitioners should work together to help defuse family problems rather than fuel the acrimony which already exists between our clients," Victor wrote in his farewell address in the Michigan Family Law Journal, opting instead to deliver a message on "our most important client."

His "client" in this 1981 case was a "man of means" who could afford to litigate a hotly contested dispute.

"This case had issues of custody, property, alleged abuse, business valuations, etc., everything a young family law attorney hopes to get

involved in as part of his/her practice," Victor said. "In addition, my client could afford legal fees to do the work necessary to handle the matter. This person became my 'most important client.'"

"I was available to him night and day. I remember reviewing documents until 1 a.m. in preparation for depositions and trials. On the weekends, if he called, I met him at the office (both his and mine). He had my home phone number and if he called depressed regarding a visitation problem, my phone would ring at 2 a.m. I wouldn't be angry but rather took his calls because he was 'my most important client.' If he wanted to meet for lunch, I cancelled everything to make myself available. You see, he was my 'most important client.'"

"My representation in the matter lasted almost

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— Richard Victor

a year and one-half until the case was finally resolved," Victor continued. "When it was over, I realized that I spent what seemed to be a good part of my life for that client and, in fact, missed him, his daily calls, and our weekly meetings. As a result of this person and his case in my life, I realized that my children were a little older and my wife and I had been married a little longer and I didn't remember too much about them or what they were doing for that one and one-half years. Even though I was there, I was somewhere else."

"Don't get me wrong, they were all very understanding," he said. "They knew this was my job. They were happy for my perceived success. They were true supporters of what I was trying to build."

"It was then that I realized that they were most important in my life. Without them it really did not matter. That's when I realized I had to make new priorities."

He did, becoming "more of a father, more of a husband" to those who matter most in his life.

Daniel has neatly followed in his father's footsteps, joining the firm five years ago after graduating from Vermont Law School. An alumnus of Michigan State University, Daniel clerked for Conrad Mallett Jr., former chief justice of the Michigan Supreme Court, before joining his father's firm. He has taught at the MSU College

of Law and is a frequent state and local speaker on custody matters, visitation issues, and spousal and child support. He and his wife, Tracy, have a 6-month-old son, Davis.

Victor's younger son, Ronald, recently joined one of New York's top law firms after beginning his corporate legal career with Honigman, Miller, Schwartz and Cohn in Detroit. He spent a year studying at Oxford University in England before graduating from the University of Michigan. Ronald, 27, obtained his law degree from Emory University in Atlanta where he was a member of a popular local band that has been reunited in New York.

"Ronnie is a talented musician and a very good athlete," said his father. "Danny and I like to joke that we live our lives through him."

Daughter Sandra, 24, will graduate from Oakland University this year with a bachelor's degree in theater. Like her brothers, she earned her high school diploma from Birmingham Groves, although she has decided to pursue a different professional path than her siblings, opting for a career in theatrical arts.

Denise, Victor's wife of 29 years, is a former medical technician he met on a blind date.

"Denise has been my rock," said Victor. "She has been a wonderful wife and mother, and has served as president of the PTA. She also is a very creative and artistic, making jewelry that she donates to many charitable organizations."

A graduate of Wayne State University, Victor is one of four children. His father, a pharmacist, died 27 years ago, while his mother, 89, still lives in her West Bloomfield home. His oldest brother, Michael, is a doctor and a lawyer in Chicago. His younger brother, Howard, is a personal injury attorney in Southfield, while his 49-year-old sister, Fran, operates an award-winning production studio in West Bloomfield.

The studio produced a video for the nationally-recognized SMILE program that Victor co-founded with Oakland County Circuit Court Judge Edward Sosnick. SMILE is short for "Start Making It Liveable for Everyone" and is an educational program for divorcing parents with children under the age of 18. He has created a foundation in support of the program and has co-authored a children's book, "You and Me Make Three," that will be released next spring.

"I have always tried to be a strong advocate for children's rights in matters of divorce and custody cases," said Victor, who was the recipi-



In good company, Richard Victor and his then-12-year-old daughter, Sandra, flank Oprah Winfrey in this prized 1995 photo that has a special place on the attorney's office wall. Aside from his legal fame, Victor has earned a musical name for himself as a keyboarder with the all-attorney group, "The Bare Assets Jazz Quartet."

ent of the "Champion of Justice Award" from the State Bar of Michigan in 2004.

Victor, of course, gained national notoriety for his role in the "Baby Jessica" case in 1993. He helped wage a spirited legal battle on behalf of Jessica DeBoer, whose custodial parents fought a court-ordered return of the child to her biological parents in Iowa. The case was a national "cause celebre" for months and focused attention on the rights of children.

The rights of grandparents and stepparents also have been "hot button" issues for Victor throughout his career, he indicated. In the 1987 case of *Atkinson v. Atkinson*, Victor served as co-counsel for a man seeking to retain custody of a boy he helped raise but did not father. The Michigan Court of Appeals sided with his client, creating the "equitable parent doctrine," which states that anyone who raises children should have rights to them whether they are biological or "equitable" parents. The issues surrounding the case spawned a made-for-TV movie on ABC in which Victor co-authored the script and served as an adviser.

He also has been a legal advocate for grandparents, helping pass a state statute in 1982 protecting their visitation rights "despite family realignments brought on by divorce, death or adoption," according to a Detroit Free Press article on December 16, 1982. Victor served as co-counsel for the grandparents in *DeRose v. DeRose*, a 2002 case that reached the Michigan Supreme Court, challenging the constitutionality of the state's Grandparent Visitation Statute.

"These have been cases that I have been particularly passionate about," said Victor, who in 2006 was named one of Michigan's "Super Lawyers" in a special supplement to The Detroit News and Detroit Free Press. "They have impacted the rights of countless people who previously didn't have a voice in the legal system."

Victor's voice—and face—became familiar to viewers of the "Kelly & Company" and "Good Afternoon Detroit" shows on WXYZ television that starred the husband-and-wife team of John Kelly and Marilyn Turner. Victor appeared regularly on the shows, offering insight on topical legal issues of the day. He also was a regular radio analyst, serving as guest host of the "Ask the Lawyer" show for eight years on a popular Detroit station.

"I learned more trial skills by appearing on television and radio than I ever learned in law school," Victor confessed. "You have to think on your feet very quickly, especially on radio when a pause of three or four seconds can seem like eternity to a listener. If there is three or four seconds of dead time on radio, you probably have lost that listener to another station. On television, you can buy a little more time to think with the right gesture, but you still have to be pretty nimble to keep the interview flowing."

Such as when former local talk show host John Kelly threw an unexpected curve ball at Victor during a scheduled interview on the topic of "No-Fault Divorce." Kelly, unwittingly, went down a different legal road, asking Victor to discuss the legal nuances of Michigan's "No-Fault Insurance" law.

"One thing you learn quickly is that you never want to make the host look bad, so I figured I better do my best on the 'No-Fault Insurance' topic," smiled Victor. "We spent the next five minutes discussing a topic that I was not prepared for and had little basic knowledge of, but it made for good television."