

Divorce attorneys talk about state's no fault

By JOAN WEAVER

Members of the Southfield-Lathrup chapter of Parents Without Partners, an organization devoted to the interests of single parents and their children, met recently at the Southfield Civic Center to listen to their guest speakers talk about new developments in no-fault divorce.

Guest speakers Norman Robbins of Southfield and Paulette LeBost of Troy are both attorneys practicing in the field of divorce.

Robbins is chairman of the State Bar Association and the State Board of Marriage Counselors.

Ms. LeBost is secretary of the Michigan Civil Rights Commission.

"The way the law used to read," Robbins said, "made the parties remember all the mean, despicable things that each had done, things that were better off forgotten."

"We wanted to get divorce out of the combat arena, to soften the combat, make it more palatable."

Robbins says no-fault divorce has accomplished this goal.

Ms. LeBost contends no-fault divorce allows a person to get out easily and that sometimes it has a "funny effect."

"Some people feel victimized, want to speak publicly in court and if they are not allowed to, they end up feeling like nobody cares. Then the turmoil lays seething unless they see a counselor."

MICHIGAN'S NO-FAULT divorce law was copied from Iowa. Robbins said, and became effective Jan. 1, 1972.

It states that the only ground for divorce is a breakdown in the marriage relationship where the objects matrimony are destroyed, leaving a reasonable likelihood of reconciliation.

"In other words," Robbins explained, "the marriage is dead."

"If there is a spark of life, everything is tried to save the marriage. There are 400 state certified marriage counselors, all busy, and of the total number of divorce cases filed, 50 percent are dropped."

"Under no-fault, the divorce rate (one out of every 2.7 marriages contracted today) has not increased and may have decreased slightly."

The only way to contest a no-fault divorce, he thinks is to prove that the marriage is not dead and that there is a reasonable likelihood of reconciliation.

"This is not easy to do. If one of the parties will not live with the other party, there is no way to make someone who doesn't want to be married, be married," he said.

Two recent innovations commanding interest are divorce insurance and pre-nuptial agreements.

THE NOTION of divorce insurance began in New York and "so far it has not received favorable attention from the New York legislature," Robbins said. "The insurance would pay the expenses of divorce, alimony and support in the event of a divorce. If there is no divorce, the money accumulates and can be converted to retirement benefits or used for the children's education."

Robbins said the insurance is not

yet available, but Ms. LeBost said: "Insurance companies can write policies with these provisions, though it would be expensive and they would have a tough time setting premiums," she said.

Pre-nuptial agreements started because people wanted to do things a little differently the second time around.

"They just set down in writing some of the basic things to get a good idea of what they want from a marriage."

"Things like the amount of support each must pay, how many children they want and who will take care of them, whether or not the wife will work and who's going to pay for what."

"You don't need an attorney to do this because it's not enforceable in court," Ms. LeBost explained.

Robbins said a legal pre-nuptial agreement can be arranged with respect to the distribution of property and assets of each person in the event of death but not in the event of divorce.

Many questions that have emerged because of the no-fault divorce law remain unanswered, untested and pending in the courts.

"We're operating under brand new laws," Robbins said, "like the Kretschmar case which created controversy and misunderstanding about no-fault."

"The court ruled that fault is definitely a factor when you talk about property, custody, alimony, support and visitation—but fault is not a factor in the divorce itself. The court must grant a divorce."

IN ANOTHER case concerning support, Robbins said the law states support shall only be given to minors and that support for an 18-year-old ceases at age 18.

"The Michigan Supreme Court ruled that it's okay to order support for an 18-year-old who is still in high school or where there are unusual circumstances. The appellate court said that the Michigan Supreme Court was wrong and the decision is still pending," Robbins explained.

Ms. LeBost and Robbins also responded to questions from the members on support, custody, alimony and dating.

Ms. LeBost said either party can be required to make support payments; it depends on the finances and needs of the people involved.

"If a party leaves the state, the Uniform Reciprocal Support Act provides cooperation between the states. Many states will enforce it and forward the support to Michigan," she said.



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Boy Scout Troop No. 242 came home from the Fall Camporee with two first place ribbons and one for a second place win in competition with 500 scouts and scouter.

The troop is sponsored by St. Paul Lutheran Church of Farmington and is in the Ottawa District of the Clinton Valley Council. The annual event this year was held in the Kensington Metro Group Campsite.

The scouts competed in patrols for honors in uniforming, flag folding, fireman's carry, loggers event, plant and animal identification, map and compass acumen and campsite inspection.

All of the events were carried out with America's Bi-Centennial themes for 1974-75 dealing with physical fitness, safety and conservation.

The scouts who competed were Dusty Blanchard, Aaron Cohen, Keith Engling, Mike Guider, Stu Heisler, Mark Hurst, Scott Hurst, Steve Konorsky, Brian Lazarus, Mike McGinty, Mario Serra, Ken Waddington and Dan West.

Heisler is senior patrol leader of the troop.

Adults who aid the troop are Steve Heisler, scoutmaster, Harry Williams and Jim Thilacker, assistant scoutmasters, and Steve Konorsky, advancement chairman.

Center offers scholarships

The University of Michigan Center for Continuing Education of Women will award 20 scholarships in 1975 to women whose educations have been interrupted and who are admitted to any degree program either full or part time, on any U-M campus.

Scholars may be undergraduate, graduate or professional degree students, whose educations have been interrupted at some point for an interval of at least 12 consecutive months. The scholarships, ranging from \$500 to \$2,000, will be awarded on the basis of strength of motivation, promise of impact in a chosen field, academic record and potential, creative and scholarly contributions and financial need.

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