PASTERNAK & FIDIS
REPORTER

Judicial Selection and Appointments Around the Beltway

Jeremy D. Rachlin

You've gone through all the ups and downs of pretrial litigation. You've endured a deposition. You've answered interrogatories and provided all kinds of documents you never thought you'd be able to find. Months have passed, and now the day is here. It's time to go to court.

While you and your attorney have spent months planning, strategizing and agonizing, unless your case has been specially assigned to a particular judge, you are likely to be in front of a judge who has spent only a few hours reviewing the court file and possibly a memorandum drafted by his or her law clerk – a young lawyer recently graduated from law school – depicting the salient facts of the case and the legal issues at hand. So, it is at this point that you are likely to be asking yourself: "Who is this person who is about to put on the black robe and decide my case, and how did he or she arrive at that position?"

Pasternak & Fidis practices in the state courts of the District of Columbia, Maryland and Virginia, as well as in the federal courts of each jurisdiction. Each has its own method of selecting trial court judges.

In the District of Columbia, because of its uniquely federal status, judges of the local trial court, the Superior Court for the District of Columbia, are appointed by the President of the United States with the advice and consent of both the District of Columbia Judicial Nominating Commission ("JNC") and the United States Senate. The JNC selects three finalists for each vacancy to forward to the President. The President must select one of those finalists for the bench. The President's appointee must then be confirmed by the United States Senate. Upon confirmation, the judge is appointed to serve a 15-year term. A judge may be reappointed to a second 15-year term upon the completion of the first term. The method by which the judge is reappointed depends upon his or her rating by the District of Columbia Judicial Disabilities and Tenure Commission.

In Maryland, judges of the Circuit Court -- the state trial court where most civil, criminal and domestic relations cases are tried -- are appointed by the Governor. After an initial vetting by the applicable Judicial Nominating Commission (different counties belong to different Judicial Nominating Commission districts), a large number of applicants are whittled down to a few finalists. The Governor appoints one of the finalists to the bench. Maryland Circuit Court judges face a unique predicament – they must run for election in the next even-numbered year following their appointment. Therefore, a judge will serve

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Maryland Court of Appeals Upholds $3 Million in Damages for Interference with Custodial Rights

Faith D. Dornbrand

In a landmark case, *Khalifa v. Shannon*, Maryland's highest court recognized a powerful legal remedy for parents whose children have been abducted. The Court of Appeals squarely ruled that Maryland law recognizes a right to sue for money damages for interference with a parent's custody and visitation rights. The Court upheld an award against the children's mother of $1,100,000 in punitive damages and $500,000 in compensatory damages, and another award against the mother's accomplice of $900,000 in punitive damages and $500,000 in compensatory damages.

The father and the mother involved in this case married in 1996, and had two sons. They separated in 2000. Under a consent order, Mr. Shannon had custody of the older child, Adam, and visitation rights with the younger child, Jason. Mrs. Shannon had custody of Jason and visitation rights with Adam. In 2001, Mr. Shannon gave permission for his ex-wife and her family to take both boys to New York to visit their cousins. Instead, the mother (who was Egyptian) and her accomplice (Mrs. Khalifa) took the children to Egypt. Mr. Shannon had not been able to see or contact his sons for four years before he filed suit.

The court majority wrote that the court had previously recognized the tort of interference with parent-child relations in 1986, defining it as follows:

> [O]ne who, with knowledge that the parent does not consent, abducts or otherwise compels or induces a minor child to leave a parent legally entitled to its custody or not to return to the parent after it has . . . left . . . , is subject to liability to the parent . . .

The Court did emphasize that the interference with custodial or visitation rights must not be trivial, and that it must be substantial, as it was in this case. In a case like this one, Maryland parents already can seek to have criminal charges brought against a parent or a third party; ask a court to hold a litigant in contempt for violating a court order; or institute proceedings for the return of a child under an international treaty, such as The Hague Convention on the Civil Aspects of Child Abduction. Now, a Maryland parent has another remedy: he or she can file a civil lawsuit seeking compensatory and punitive money damages for an unauthorized and substantial interference with the parent-child relationship.

Faith Dornbrand focuses her practice on premarital agreements, divorce cases with complex financial issues, and custody cases, including U.S. and international relocation cases. A Fellow of the American Academy of Matrimonial Lawyers, she joined the Firm in 2004.

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D.C. Omnibus Domestic Partnership Equality Amendment Act of 2008

Linda J. Ravdin

The D.C. Omnibus Domestic Partnership Equality Amendment Act of 2006 added important new rights for domestic partners who register as such. (See "The D.C. Domestic Partnership Equality Amendment Act of 2006—Important New Rights for Registered Domestic Partners" in *P & F Reporter*, July 2006). These included the right to apply to the court for alimony and an equitable division of property upon dissolution of the partnership as well as an elective share of a deceased partner's estate at death.

The D.C. Omnibus Domestic Partnership Equality Amendment Act of 2008 continues the effort to create equal legal rights for domestic partners. The Committee report, *Report on Bill 17-135, "Omnibus Domestic Partnership Equality Amendment Act of 2008,"* March 11, 2008, states that the legislation's purpose is to advance "longstanding policy of the District of Columbia to bring equality to domestic partners and their families . . . This is accomplished by including language identifying or recognizing domestic partners in provisions throughout the Code where spousal rights or responsibilities exist. . . This legislation applies equally to gay and straight couples. However, gay couples, because they are legally barred from marriage, will likely benefit most."

The 2008 Act fills many gaps left by the 2006 Act so that registered domestic partners come much closer to being treated the same as married persons under D.C. law. However, there are questions about some aspects of the law that will create uncertainty until clarified by the courts. Some of the family law highlights are summarized below.

Registration of the Partnership – Who Can Register

D.C. Code §32-701 and §32-702, defining who can register and how registration is accomplished, do not expressly require that the parties be residents of the District. Section 32-702 (a) states that the requirements for registration are: (1) the parties must be at least 18; (2) each must be the sole domestic partner of the other; (3) neither may be married. Amended §32-702 (h) raises the residency question. The old text reads: "Private sector employees may register as domestic partners by executing a declaration of domestic partnership to be filed with the Mayor in accordance with subsections (a) through (g) of this section." The new text substituted: "District residents who are not government employees may register . . . " Subsection (h) appears to address only how registration is accomplished and not who is eligible for registration. However the reference to "District residents" at least suggests the City Council thinks registration is limited to District residents. The Committee report sheds no light on this question.

Dissolution of the Partnership

The 2008 Act clarifies that parties may terminate a domestic partnership by marrying each other. This makes sense but presents some interesting questions. The 2006 Act gave domestic partners the right to petition the court for equitable division of partnership property. If the partners marry, neither petitions for equitable division, and they divorce 10 years later, will the marital property include property acquired during the partnership period, or will it include only property acquired from the date of marriage?

The 2008 Act also makes it quite emphatic that, once registered, domestic partners must go through the prescribed formal statutory procedure to terminate the partnership. The statute criminalizing bigamy, D.C. Code §22-501, now includes domestic partners. This means a partner who either marries or enters into a new domestic partnership without terminating the previous partnership is guilty of a crime punishable by 2 to 7 years in prison.

Step-Relationships and Custodial Rights

The 2008 Act clarifies that a registered domestic partner enters into a step-relationship in the same way that marriage creates such relationships. Thus, a domestic partner is a step-parent to his/her partner's children and their children are step-siblings to each other.

In 2007 another new law took effect that provides for custodial rights for a de facto parent. The law defines a de facto parent as an individual who has lived with the child for an extended period, has taken on full and permanent responsibilities as the child's parent, and who has either held himself or herself out as the child's parent, with the agreement of the parent, or has formed a strong bond with the child with the encouragement of the parent. In a dispute between a de facto parent and a parent regarding custody, the de facto parent is entitled to be treated as a parent. This means the court must decide custody based on the best interests of the child rather than based on a presumption favoring the parent. Importantly, the 2007 law change also gives preference to a de facto parent over a third party.

When a domestic partner dies, his or her surviving partner, if he or she is also a de facto parent, will have a superior claim to custody over a claim of another relative, such as a grandparent or sibling. The combined effect of the 2007 and 2008 statutory changes is to provide new and important protection for nontraditional family relationships.

Joint Tax Returns

Registered domestic partners may now file joint District of Columbia tax returns. The law did not, and could not, make a change in federal law to permit domestic partners to file a joint U.S. return.

Recognition of Comparable Legal Status Created Elsewhere

The 2008 Act gives legal recognition to a formal relationship, such as a civil union, marriage, or domestic partnership, entered into under the laws of another jurisdiction. Thus, parties who entered into a civil union in Vermont, a same-sex marriage in Massachusetts or Canada, or a domestic partnership in New Jersey, will be recognized as domestic partners in D.C. if such a couple establishes D.C. residence. Therefore, their rights regard-

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Judicial Selection and Appointments Around the Beltway

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on the bench for a maximum of 2 years prior to running for election. If elected, the judge then serves a 15-year term. If a judge wishes to be reappointed at the conclusion of the term, he or she must run for election again. The question of whether judges should run in contested elections is one of the most controversial issues among the lawyers of the Maryland Bar. In nearly every legislative session, a bill is introduced that would eliminate contested elections and replace them with simple retention elections, i.e., instead of challengers seeking to unseat incumbents, voters would vote only to either retain or unseat a sitting judge. Such legislation has never been successful.

In Virginia, judges of the Circuit Courts are appointed by legislative election. The House of Delegates and Senate courts committees review, interview and evaluate candidates for vacancies on the Circuit Court bench. Then, they advise the Virginia General Assembly on the qualifications of the applicants. The General Assembly votes on the appointment of an applicant to each seat on the trial court bench. If the General Assembly is not in session at the time of a judicial vacancy, the Governor may appoint an interim judge and that judge must then be elected during the following legislative session. Judges, once appointed, serve an 8-year term. At the conclusion of this 8-year term, the judge may apply for reappointment, which again occurs via legislative election. Elected officials in Virginia are vested with the extraordinary and exclusive power of selecting and retaining members of the bench.

Judges of the U.S. District Courts are appointed by the President of the United States under Article III of the United States Constitution. Presidential appointees for the federal bench are subject to confirmation by the United States Senate. Upon confirmation, federal judges serve a lifetime appointment.

Just as the methods for judicial appointment and reappointment vary amongst jurisdictions, the background and legal experience of individual judges across the bench vary. As an example of this, of the 19 sitting members of the Montgomery County Circuit Court bench (there are 2 vacancies at this writing), 9 are former prosecutors with the Montgomery County State's Attorney's Office, others have served as criminal defense lawyers with the Office of the Public Defender, some have practiced civil litigation (on both the plaintiff's side and the defense side), others have practiced private criminal defense, and just one has a background predominantly in family law. Pasternak & Fidis has one former partner (Honorable Durke Thompson) who currently sits on the Montgomery County Circuit Court, and one former partner (Honorable J. Michael Conroy) who is a Montgomery County District Court judge.

Depending upon the nature of the case, it is entirely possible that a case will be heard by a judge who does not have a background as a practicing attorney in that particular area of law. Judges in Maryland, as do judges in the other jurisdictions, receive extensive training upon appointment. In Maryland they take part in something known as "Baby Judges' School." Each fall, the Administrative Office of the Courts sponsors a week of intensive training for newly-appointed judges. These judges attend classes that address the major areas of law the judges will encounter. The classes are taught by other senior judges and the newly-appointed judges receive reference materials to assist them.

Additionally, judges learn by immersion. For example, judges in Montgomery County spend 18 months in a particular rotation. Therefore, a judge who did not practice family law during his or her career as an attorney often becomes intimately familiar with family law concepts during a tour of duty in the domestic rotation. Likewise, a judge who did not practice criminal law will become quite knowledgeable of criminal law concepts during his or her tenure in the criminal rotation. Nonetheless, if you have a complicated will contest or a domestic case that implicates a rare or obscure concept in domestic law, your case may be heard by a judge who is just not as familiar, comfortable, or well-versed in the particular issue as your attorney (and the attorney for the opposing party). As is true in most cases, your attorney's job will include educating the judge.

Depending on where your case is being tried, the judge you appear before will have been selected by the President of the United States, by the Governor of Maryland, or by the Virginia General Assembly. You may draw a judge who is well-versed in the area of law your case centers around, or you may draw a judge who has rarely, if ever, encountered that particular area of law. As you reach that point in your case where you're thinking about whether to settle your case or whether to proceed to trial, you and your attorney will no doubt want to factor into the discussion what is known, if anything, about the judge who will be hearing your case.

Jeremy D. Rachlin is an Associate in the Business, Real Estate & Litigation Group. He served a one-year judicial clerkship to The Honorable John W. Debelius III of the Circuit Court for Montgomery County. Jeremy joined the Firm in 2007.

D.C. Omnibus Domestic Partnership Equality Amendment Act of 2008

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ing alimony, division of property, custody and support of children will be the same as if they had registered the partnership in D.C.

Retirement Plan Survivor Rights

The 2008 Act provides for the domestic partner of a participant in the D.C. teachers retirement system to receive a survivor's annuity. The teacher-retiree will receive a reduced annuity to fund the annuity for the survivor. A retired teacher who enters into a domestic partnership after retirement will have the right to provide a survivor annuity to the surviving partner if they have a child together or if they were in the partnership at least 2 years before the death.

Effective Date

At this writing the 2008 Act had not become law. It will take effect after a 60-day period of Congressional review.

Linda J. Ravdin is a Partner in the Divorce & Family Law Group. She is co-author of "Domestic Relations Manual for the District of Columbia". Linda joined the Firm in 2002.

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Low Interest Rates and Market Downturns—Good News for Estate Tax Planning

Anne W. Coventry

The markets are down and interest rates are hitting historic lows, but this may just be good news for wealthy individuals facing a potential estate tax hit at death. A few transfer tax planning techniques designed to pass future appreciation on assets to descendants in a tax-efficient way are ideally suited to the confluence of market conditions we are currently experiencing. Incorporating one of these estate freeze techniques into your estate plan now can mean dramatic transfer tax savings for your family:

- ***Grantor Retained Annuity Trust ("GRAT").*** The donor places property expected to appreciate significantly into an irrevocable trust in which she retains, for a fixed term of years, the right to receive an annuity. At the end of the fixed term, any remaining trust assets pass to the donor's children. If the trust property appreciates at a rate greater than a specified current interest rate, all of that excess appreciation is distributed to the donor's children at the end of the fixed term, free of gift tax and without using any gift tax exemption. For June, 2008, the specified interest rate is 3.8%. Where assets are currently undervalued, and may appreciate significantly beyond 3.8%, the use of a GRAT may yield substantial transfer tax savings. An added bonus: there is no downside risk—in fact, volatility makes GRATs more effective. If the assets in the GRAT fail to appreciate beyond the specified rate, the transaction is a wash. That is, the grantor receives all of the trust property back in the form of annuity payments during the fixed term, but has paid no gift tax and used no gift tax exemption; it is as though the transaction never occurred. By using multiple GRATs, each funded with a single asset, the donor can capture the upside benefit of those assets that perform well and prevent lower performing assets from spoiling the transfer tax results.

- ***Sale to a Grantor Trust.*** The donor creates an irrevocable grantor trust for the benefit of his descendants and funds it with an amount equal to 10% of the value of the property that will be subject to the sale. After funding, the trustees purchase assets from the donor in exchange for a promissory note. Because the trust is a grantor trust, the sale does not trigger the recognition of capital gain. The trustees pay down the note over time, but the sold property is removed from the grantor's estate immediately (though any unpaid balance of the promissory note will be included in the grantor's estate at death).

Which one is better? Well, the sale transaction uses a lower specified interest rate for the promissory note than can be used with a GRAT, which means the transfer tax benefits of the sale technique are achieved faster and at a lower rate than with a GRAT. In addition, because the note may be structured as a balloon note, the sale technique allows more time for assets to appreciate outside of the grantor's estate. Also, the sale technique works even if intended beneficiaries are grandchildren, whereas a GRAT only works when benefitting children. Nevertheless, there are disadvantages to the sale technique: (i) initial funding requires use of some gift tax exemption; (ii) if the value of the assets subject to the sale should change on audit, there may be additional gift tax imposed (or exemption used) than the donor expected; and (iii) if the assets underperform the interest rate on the promissory note, the gift tax exemption will have been wasted. A GRAT has none of these drawbacks.

An estate freeze technique is appropriate for those individuals and couples whose estates are large enough that a significant estate tax is expected to be imposed at death. By taking advantage of today's low interest rates, and selecting appropriate assets to fund the transaction (i.e., assets experiencing a depressed market value or expected to appreciate substantially), significant wealth can be transferred to children and grandchildren at a greatly reduced transfer tax cost.

Anne W. Coventry is an Associate in the Estate Planning & Administration Group. Her practice focuses on estate, gift, and generation-skipping transfer tax planning. Anne joined the Firm in 2007.

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Estate Planning for Pets

Lauren D. Krauthamer

Two out of three American households own a pet. In 2008 Americans will spend an estimated $43 billion on their pets. Pets have become more than just companions; they have become family members. We pamper them and bring them wherever we go. What we do for pets today has expanded far beyond simply feeding them old fashioned pet food and providing shelter. Not only are entire aisles of food stores dedicated to pet food and other products, specialty stores have cropped up offering faux mink coats for dogs, ultra gourmet food, and even massages. Seeing pets being wheeled around in strollers is no longer a particularly unusual sight. However, pet owners may not have asked themselves who will care for their pet when they are unable to do so. Unlike our two-legged family members, our animal friends are unable to care for themselves for even a brief absence. Therefore, pet owners need to make plans for their pets in the event of death or disability.

Planning for Death

The law generally treats pets as tangible personal property, despite the fact that many pet owners think of their pets as a part of the family. Therefore, if a pet owner does not make a specific bequest of a pet in his or her will, the pet will be distributed to the recipient of the late owner's tangible personal property. But what if the recipient of the tangible personal property does not want to care for the pet? The pet could be sent to an animal shelter, with the animal's future determined by a stranger. Therefore, we recommend that pet owners have a plan for their pet in the event that the owner predeceases the pet.

Pet Trusts and Other Arrangements

A trust established for the benefit of a pet typically designates a caretaker of the pet and a trustee and is funded with assets to care for the pet. The trustee need not be the caretaker. The trust typically provides that the trustee will have the discretion to make distributions to reimburse the caretaker for costs associated with caring for the pet. Alternatively, the trustee may directly reimburse those who provide services for the pet, such as the veterinarian.

The majority of trusts established for pets are done so under the pet owner's testamentary document, such as a will or a revocable living trust. Some individuals will go so far as to create a trust for the benefit of a pet during the owner's lifetime. Many jurisdictions, including the District of Columbia and Virginia, have laws that allow individuals to establish such trusts for the benefit of their pet, both during the life of the owner and after death. Therefore, in D.C. and Virginia, pet trusts are legally enforceable. Maryland, however, has not yet adopted such a law. A pet trust, if established in Maryland, is merely an "honorary trust." In this situation the decedent must rely on the trustee to honor the terms of a trust for the benefit of the pet for the lifetime of the pet; the terms are not enforceable in court.

Although a pet trust sounds like a great idea, there is a downside. Maintaining a trust, as with non-pet trusts, involves administrative costs. If the trust has any taxable income for the tax year, the trust will need to file an income tax return. In addition, if you do not have a family member or a friend willing to administer a trust, it might be difficult to find a corporate trustee, such as a bank, to administer the trust because the value of the trust assets is likely to be less than a corporate trustee is willing to handle.

Depending upon the amount of assets you want to set aside for a pet, there are other alternatives to establishing a trust. For example, you could make a bequest of a certain amount of money to the person whom you designate to care for your pet. Alternatively, you could request that the personal representative of your estate or the trustee of your revocable living trust designate a caretaker for the pet and distribute a certain sum of money to that caretaker.

Planning for Disability

Not only must pet owners consider what will happen to their pets upon their death, they also need to consider what will happen in the event of an emergency, such as the pet owner being hospitalized, even for a short period of time. Pet owners should carry a note in their wallets indicating that they have a pet, what type of pet it is, and who should be contacted in the case of an emergency. The emergency contact should be made aware of any special medical conditions the pet has or specific instructions to be followed if an emergency arises. This can be accomplished by providing the emergency contact with a brief letter or telling them where they can find written instructions in your home. Be sure to give the emergency contact access to your home by either providing them with a key or telling them where they can find a hidden key. You may want to consider having two emergency contacts just in case one of them is out of town or unavailable.

These simple measures can go a long way to providing you with peace of mind that your pets will be taken care of, whether upon your death or during even a brief period of disability.

If you live alone, are elderly, have multiple pets and would like them all to stay together after your death, or you have a pet, such as a parrot, that may outlive you, then you may want to consider including your pets in your estate planning documents.

Questions to Consider

Some questions pet owners may consider when planning for death or disability include:

Whom do you want to designate as the caretaker of your pet?

If the caretaker will be an individual, do you anticipate that the caretaker will be able to care for the pet during his or her lifetime?

Does this person want to care for your pet?

Do you anticipate that the caretaker's life may change in the future so that he or she may no longer be able to care for your pet?

What do you anticipate as the cost to care for your pet during the pet's lifetime? Typically, like people, as a pet gets older, the medical and other expenses for the pet will increase.

Just as any responsible pet owner makes arrangements for pets during the owner's life, whether for an extended absence or short trips to the grocery store, so must plans be made in the event that the owner or other regular caretaker is not available to provide the desired level of care. Fortunately there are options. We are always available to help you make these arrangements.

Lauren D. Krauthamer is an Associate in the Estate Planning & Administration Group. She prepares wills, trusts and other estate planning documents, advises clients on federal and state tax issues, and assists clients with probate and trust administration. Lauren joined the Firm in 2004.

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Client Alert: Mental Health Evidence in Virginia Custody Cases

Lucy E. Nichols

Governor Timothy M. Kaine has signed important new legislation regarding admissibility of mental health evidence in Virginia. Effective July 1, 2008, mental health evidence will once again be admissible in custody and visitation cases in Virginia. Since the enactment of the old law in 2002, testimony from a treating mental health professional was inadmissible against a party without advance written consent of the party, except in cases of child abuse or neglect.

Judges are charged with the awesome responsibility in custody and visitation cases of making a determination as to the best interest of the child. In doing so, a judge must weigh a number of factors, including the mental condition of each parent. Under the old Virginia law, it was possible for a party who was not functioning in the child's best interest due to mental illness, psychological issues or emotional problems, to hide behind the protection of the law while claiming to be a fit parent. Without relevant testimony and records of his or her mental health professional, it was extremely difficult for courts to fully assess the mental condition of the parent.

The new law restores the judicial gate-keeping function in these cases, allowing judges to balance, on a case-by-case basis, an individual's right against intrusion into his or her mental health records and the relevance of this information in determining what is in the child's best interests.

As a result of this change, family lawyers in Virginia will have new burdens and new opportunities to use or prevent the use of mental health evidence in custody cases. Attorneys will need to consider their own client's mental health as well as the other party's. These decisions must be carefully weighed by the attorney with his or her client.

Lucy Nichols is an Associate in the Divorce & Family Law Group. She has extensive experience in litigation as well as the negotiation and settlement of family matters. Licensed to practice in Maryland, Virginia and the District of Columbia, she joined the Firm in 2005.

Coming in August 2008!

Premarital and Domestic Partnership Agreements in Maryland, the District of Columbia, and Virginia
by Linda J. Ravdin and Marcia C. Fidis.

In August 2008, MICPEL, the Maryland Institute for Continuing Professional Education of Lawyers will publish *Premarital and Domestic Partnership Agreements in Maryland, the District of Columbia, and Virginia* authored by Marcia C. Fidis and Linda J Ravdin. The book addresses the validity of such agreements, advises on their negotiation and drafting, and includes practice tips, forms, and models.

Linda Ravdin, a fellow of the American Academy of Matrimonial Lawyers, concentrates in divorce and family law for both traditional and non-traditional families. She is the author of *TM849 Marital Agreements* (Tax Management, Inc. 2003). She is admitted to practice in Maryland, the District of Columbia, and Virginia. Marcia Fidis, a member of the American College of Estates and Trusts Counsel, concentrates her practice in estate planning, probate and tax concerns. She is an authority on the tax implications of premarital agreements and divorce. She is admitted to practice in Maryland and the District of Columbia.

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PASTERNAK & FIDIS NEWS

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JUNE 2008

Divorce & Family Law Group attorney Lucy Nichols participated in a domestic violence training program co-sponsored by Legal Services of Northern Virginia and the Virginia Bar Association. The program prepares attorneys to be legal advocates for victims by understanding both the legal process and the psychological and emotional issues unique to victims of domestic violence.

This spring Lucy Nichols joined with other Virginia lawyers and mental health professionals and worked to repeal a Virginia law that kept relevant mental health evidence out of custody and visitation cases. Lucy visited the General Assembly in Richmond as part of an effort to educate state legislators on the critical problems with the law as it affected custody cases. In cooperation with the Virginia Bar Association, the Virginia Trial Lawyers Association and the Virginia Chapter of the American Academy of Matrimonial Lawyers, the coalition opposed to the old law was successful in having it repealed. See the related story on Page 7 of this newsletter.

Congratulations to Estate Planning & Administration Group attorney, Anne Coventry, on passing the Maryland Bar exam and to Business, Real Estate & Litigation Group attorney, Jeremy Rachlin, who was sworn into the Bar of the United States District Court for Maryland.

In April, Jeremy Rachlin was a co-presenter at a "Family Law Around the Beltway" continuing legal education (CLE) program given at the Montgomery County Chapter of American Inns of Court.

The Estate Planning & Administrative Group welcomes Oren Goldberg as an Associate in mid-June. Oren received his Juris Doctor from the University of South Carolina School of Law and a Masters of Laws in Taxation and an Estate Planning Certificate from Georgetown University Law Center. He served as a Law Clerk to three judges in the Charleston County, SC Probate Court for two years prior to moving to the Washington area.

Anne Coventry spoke on a panel at the American Bar Association Taxation Section meeting, entitled "A Multi-State Survey of the Uniform Principal and Income Act."

Divorce & Family Law Group partner, Jan White has been elected Co-Chair of the Collaborative Law Society of Northern Virginia. She has also been elected to serve on the Boards of the District of Columbia Academy of Collaborative Professionals and the Collaborative Dispute Resolution Professionals of Montgomery County, Maryland.

Divorce & Family Law Group partner, Vicki Viramontes-LaFree won the Section Chair of the Year award at the Bar Association of Montgomery County, MD, for her work as the Co-Chair of the Family Law Section.

In February, Estate Planning & Administration Group partner, Nancy Fax spoke at a D.C. Bar Taxation Section, Estate Planning Committee meeting entitled "Selected Tax Issues in Planning for Domestic Partners."

Linda Ravdin, partner in the Divorce & Family Law Group, has been elected president of the D.C. Chapter of the American Academy of Matrimonial Lawyers.

The Family & Juvenile Law Section of the Maryland State Bar Association has published an article in their May, 2008 *Family Law News* by P & F Divorce & Family Law Group Associate, Morriah Horani. "Divorce Gets Even Hairier: Pets and Marital Dissolution," is an adaptation of an article on this topic that appeared in the Winter, 2008 issue of the *P & F Reporter,* "Strategies for Winning the Dog Fight: Pets and Divorce."