

For Daniel Victor, practicing law is all relative.

After graduating from Vermont Law School in 2002, Victor went to practice with his father, Bloomfield Hills attorney Richard S. Victor.

In his mere three years out of law school, Victor, who is a specialist in divorce, child custody, and grandparent visitation, has the credentials of someone much more tenured.

Victor, in addition to having three published articles on families of divorce, has also been asked to speak at a variety of seminars hosted by various groups and organizations, including the Michigan Trial Lawyers Association (on grandparent visitation legislation and joint custody presumptions in Michigan), The Michigan Family Law Section ("The Seventh Annual Must Know Divorce Strategies By The Experts Seminar"), and the Detroit Area Agency on Aging ("Grandparents raising Grandchildren" symposium).

Moreover, Victor has been invited to be a keynote speaker on the issue of children's rights in the United States at the Pennsylvania Annual State Bar Convention.

An adjunct professor of family law at Michigan State University College of Law, where he taught Family Law II, Modern Issues in Family Law, Victor is currently developing a course called Family Law Motion Practice that focuses on the most common issues family law attorneys handle on motion calls, which he will pitch to several area law schools.

Victor said he always knew he wanted to follow in the footsteps of his father, so practicing law was a natural progression.

"I grew up wanting to be just like my dad and that pretty much speaks for itself," he said, adding that his interest has always been in family law.

"I have a lot of experience with family law just from my own personal history, coming from a divorced family. I can't tell you how many times just in the past three years that I take from my own personal experience and apply that to the practice of family law," he said. "Nothing about non-adversarial law interested me — I never wanted to be in corporate mergers, I never wanted to be a tax consulting attorney. I wanted to be a litigator and I only wanted to do it if I could use my own personal experience, and that's why family law appealed to me. Also, that's what I grew up learning from my father so I knew having that door open to me was a plus."

Victor's passion for family law has led him to take part in the Oakland County Smile Program, an educational program held once a month for divorcing parents with children under the age of 18.

He explained the most rewarding aspect of his practice is being able to help people that are in extreme need.

"A change of custody is something my office takes very seriously because we look at it — always — from the kids' perspective," he noted, adding that before he even accepts a custody case, he does a tremendous amount of preliminary investigation to ensure what he is asking of the court is indeed best for the child.

"I get great people at the worst times of their lives who are going through tremendous difficulties with uncertainty of their finances, their jobs, their kids — everything you would consider to be a day-to-day stability is up in the air, is unknown," he explained. "To have the responsibility of helping them through doing it the best way I know how is the best part of my job."

Q. What has been the benefit of practicing law with your father?

A. I have been lucky enough to learn how to practice law in a responsible manner from my dad. I really don't think if I had learned how to practice law from very many other people I would be practicing law the way I do at this age. I think most 29-, 30- or even 35-year-olds are still learning the ropes from the trial and error that comes from not having a mentor and someone right next door who's been doing this for 30 years. The fact that my dad has been practicing law exclusively in the area of family law for 30 years and teaching me how to do the same — I've just been like a sponge. Not only have I been privileged to learn how to practice law the way he does, but I've implemented it and I've recognized the value of it.

Q. Was it ever a question that you would practice with your father?

A. Yes. I think in the past three years he's fired me four times, and he keeps rehiring me. But now we're at a point where there's really no question.

Q. What has been the biggest challenge for you?

A. Professionally, I had to get over my own ego of thinking that I knew what was best. Although I'd like to come to my own conclusions quickly, I needed to learn to take a moment to really listen to the other side, to really sit down with the other attorney and hear what my client wasn't telling me.

It's very easy to get wrapped up in your own client's tale, so my biggest obstacle was to listen to my client's perspective with a grain of salt and an open mind, knowing that I probably wasn't getting the whole story, and taking the time to do a good investigation by keeping an open line of communication with opposing counsel so that facts that I needed could be presented to me and I could present those to my client.

Personally, the biggest challenge was getting into a groove with my father. We've always been tremendously close but, for the past 30 years, he has had a mode of operation that was a churning and well-oiled machine when I got involved in it. I had to come into a practice that was operating at 100 percent full-steam and I had to find my way. Personally, my relationship with my father for the first year or so was very difficult because he wanted me to be at a place where I was already practicing as I am now. He didn't have the patience for me to have to learn how to do it, but in the end he had to realize if I could learn in three years what took him 15, I was in good shape. We got into a fair amount of arguments and had personality conflicts in the process of acquainting myself with the way he practices law.

Q. What is the most important lesson your father has taught you about practicing law?

A. Number one, most importantly, never go to court and ask for something that your client isn't entitled to. That just speaks for credibility. My reputation, what I hope it will be, is that I have the ability to tell my prospective client if they're asking for something that's unreasonable or if it's just purely out of emotion or spite or revenge after a divorce.

I have no problem telling the client, "I'm not going to do that; here's what I think you should do and if you don't want my advice you're more than welcome to drive down Woodward Avenue and find a lawyer who will tell you what you want to hear." Just being with dad has given me the opportunity to tell clients what they need to hear.

Q. You are involved in revamping the Oakland County SMILE program (Start Making It Liveable for Everyone). What does the program entail?

A. I'm also the Family Law Section SMILE Program chair for the state of Michigan. The purpose of the smile program is to help parents who are going through a divorce see and experience the divorce through the eyes of their children, which includes — most importantly — instructing parents on the fact that their children have a right to love both of their parents and helping them learn how to assist their children in exercising that right.

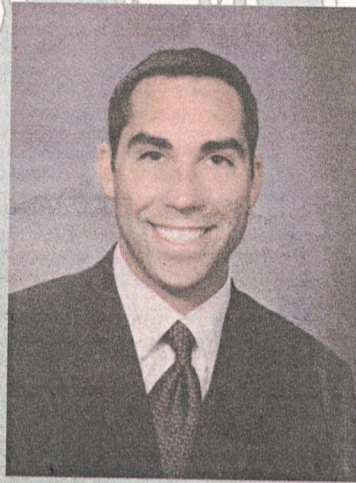
A child of divorce is now living in two homes and that child most likely is not being encouraged to love mom when the child is with dad and love dad when the child is with mom. When children are living with their parents in one house they see and learn it is proper to love both parents, just from little everyday things that parents do for their children that tell their children that their natural instinct to love their other parent is proper. But when you're not living with both of your parents, you don't get that encouragement.

The challenge that we put to the parents who attend the SMILE program is, "What are you going to do to encourage your child to love someone that you no longer love?" That is the central theme of SMILE because that is how you prevent children from being put in the middle and from experiencing conflict. Parents have to understand that what at one time might have been natural and subconscious must now be a conscious exercise in facilitation their children's rights to love both their parents. That is the only way to keep children out of the middle.

LEADERS in the LAW

Daniel R. Victor

With a jam-packed résumé after three short years, this young lawyer is making a name for himself in the area of family law and grandparents rights.



Name: Daniel R. Victor

Age: 29

Graduated: Vermont Law School (2002)

Position: Associate, Law Offices of Richard S. Victor, PLLC

Professional affiliations: Oakland County Bar Association; Michigan Inter-Professional Association; Oakland County Family Court Committee; Oakland County SMILE program, Steering Committee; Family Law Section of the State Bar of Michigan

Most valuable lesson from law school: Two things. First, that a lawyer will be judged by his or her writing; proofreading is the most important skill a lawyer can have, and improving one's writing skills is a life-long practice. Second, a problem that can be solved with money is not a problem.

On the younger generation of attorneys: I want lawyers of my generation to learn about the process of collaborative law. There is no one better equipped to solve a problem than the person who actually has the problem and is dealing with the issue daily. In family law, the worst thing a client can do is let a stranger, such as the Friend of the Court, or a judge, make the decision. The best solutions to family law issues are always those that are the result of the parties working together and not against one-another.

Goal upon graduating law school: When I graduated from law school I was living on a 134-acre piece of property in the foothills of the Green Mountains of Vermont. I wanted to be an organic farmer. I had a silo, a tractor, a stream running under a bridge, a cornfield, an organic farm, and everything. My goal was to be able to live an "off-the-grid" lifestyle while practicing family law in the Northeast. Then my first law school loan bill came in the mail and I packed up and moved back to Michigan.

On pain-in-the-neck lawyers: Every lawyer has the potential to be one. The biggest pain-in-the-neck is caused by lawyers who tell their clients what they want to hear, instead of what they need to hear. Good lawyers win trials. The best lawyers avoid trials.

What you would be doing if you weren't practicing law: I would either be a philosophy professor or a backcountry guide in New Zealand. Of course, I guess I could always go back to being a farmer in Vermont.

On what kind of reputation you'd like to have in the legal community: Someone who follows the court rules, and who tells his clients what they need to hear, not only what they want to hear. I want other lawyers against whom I have cases to be able to tell their clients that they do not need to worry about unnecessary litigation and that I will work to help settle the case. If, at the beginning of a case, opposing counsel trusts that I will help resolve conflicts as they arise, rather than fuel existing fires, I will be able to put my clients' money to its best possible use.

On how coworkers might describe you: Always trying to resolve conflicts. Because I only practice family law, I am constantly dealing with new conflicts and problems that are either causing a divorce, or inciting disagreements about finances or children. Unlike other lawyers who deal only with the pre-existing problem that brought the client to the law firm door, family law attorneys are faced with disputes that compound upon one another throughout the entire case.

Role models: I have been extremely fortunate to have my father and mentor, Richard Victor, teach me how to practice law. He is, in many ways, like my own personal legal trainer and coach. As my role model, he keeps me focused and grounded by filling each workday with lessons that I can only learn from him.

And Oakland County Judge Joan Young, for whom I clerked for one summer when I was in law school. Judge Young expects a lot from the lawyers who practice before her, which gave me a head start when I first started practicing law. I knew what was expected from the bench in terms of preparation and respect for the court.

On where you'll be in 10 years: If I am lucky, I will be practicing family law with my father in 10 years. I would also like to begin mediating and arbitrating divorce and custody cases.

Advice for young lawyer wannabes: If you don't have a mentor, contact your county's bar association to find out if there is a mentor program. If so, sign up and create a relationship with an advisor/mentor who can help you. If not, start a mentor program. The best way to learn how to practice law is by watching and learning from other lawyers.

Q. What has been your biggest victory so far in your career?

A. I want to say being named one of the "Up & Coming" Leaders in the Law by Michigan Lawyers Weekly

But my biggest victory has been the fact that, in the past three years, I've only had to try one custody case from a divorce. That's been my biggest victory —

that I have resolved 99 percent of all of my divorce litigation without trial. My goal is always to avoid trial. The victory is I've been able to put my clients' and their children's lives in their hands by counseling them in terms of what they needed to do to settle their cases.

— SHERYL M. VASSALLO
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