

LAVENDER LAW 2016 WORKSHOP PROPOSAL

THE NEXT FRONTIER: Presumptions and Parentage After Obergefell – Don't Assume Anything!

While Obergefell opened the door to marriage equality, it left many questions unanswered. Marriage doesn't change everything, and navigating family law issues for LGBT families remains very complex. Many courts are refusing to apply some of the presumptions of marriage to same-sex couples. What additional steps should LGBT clients take to protect parent-child relationships? What alternative legal doctrines are available to LGBT parents requesting custody or parenting time? What can practitioners do to ensure equitable distribution of property in a same-sex divorce? This roundtable discussion will address these issues and more:

- Partnership Agreements
- Pre and Post Nuptials
- Equitable Parent Doctrine & Defacto Parentage Issues – Parentage Judgments
- Stepparent and Second Parent Adoptions
- Donor Agreements and Assisted Reproductive Technology (ART)
- Divorce Equality – Property Distribution – What counts as Marital Property? Can Separate Property be Invaded? Equitable tacking?
- Custody & Standing – Unmarried Couples with children

CLE – YES

PRIOR PRESENTERS FOR LAVENDER LAW 2015

CLE MATERIALS

1. *Finstuen v. Crutcher*, 496 F.3d 1139 (10th Cir. 2007)
2. Arlene Zarembka, *Advising Same-Sex Couples after Obergefell and Windsor*, GP SOLO (Vol 32, No. 4, July/August 2015)
3. AL SCT (Nan D. Hunter *In re: E.L. v. V.L.*, 2015)
4. Gary J. Gates, *How Many People Are Lesbian, Gay, Bisexual, and Transgender?*, WILLIAMS INSTITUTE, UCLA SCH. OF LAW, 1 (2011)
5. *IN AC v NJ COA* (2013)
6. Northern Trust, *Obergefell v. Hodges Impacts on Same-Sex Relationship Recognition* (2015)
7. National Center for Lesbian Rights, *Legal Recognition of LGBT Families* (2015)
8. National Center for Lesbian Rights, *Adoption by LGBT Parents* (2015)
9. National Center for Lesbian Rights, *Partnerships, and Civil Unions: Same-Sex Couples Within the United States* (2015)
10. *MI Stankevich v. Milliron* 11.17.15 COA on remand from MI SCT
11. The National Long-Term Care Ombudsman Resource Center, *Residents' Rights and the LGBT Community: Know YOUR Rights as a Nursing Home Resident*
12. *In re Bonfield*, 97 Ohio St.3d 387, 2002-Ohio-6660

13. 577 U. S. ____ (2016)
14. Nan D. Hunter, *The Future Impact of Same-Sex Marriage: More Questions Than Answers*, 100 Geo. L.J. 1855-1879 (2012)
15. *In Re Clifford K.*, 619 S.E.2d 138 (W. Va. 2005)

(OPEN TO INCLUDE OTHER SPEAKERS FROM FAMILY LAW INSTITUTE)

Confirmed Speakers & Biographies of Speakers:

Angie Martell, Iglesia Martell Law Firm, Ann Arbor, MI, angie@iglesiamartell.com

Angie Martell is the founder and managing partner of Iglesia Martell Law Firm, PLLC in Ann Arbor, Michigan, and she has practiced law for over 26 years and is licensed in New York, Massachusetts, and Michigan. In her holistic law practice, she works in a variety of areas, including family, criminal, and business law, and also advocates for the LGBT, Spanish-speaking, and Deaf communities. In 2014, she was the recipient of The Washtenaw County Bar Association's Martin Luther King "I Have a Dream" Award for her work building trust between the community and the legal system, and for tireless devotion to securing fair and equal treatment for all individuals under the law. She also serves as Co-Chair of Washtenaw County's LGBTQ Rights section. She is a past Cooperating Attorney with LAMBDA Legal Defense and Education Fund, Volunteer Attorney with the National Center for Lesbian Rights, and Contributing Attorney for the Institute of Continuing Legal Education. Angie co-wrote the amicus brief, *In the Matter of Sharon Kowalski*, Court of Appeals for the State of Minnesota. Angie has worked extensively in the areas civil rights, family law, LGBT issues, employee rights, criminal defense, mediation, and arbitration. Angie graduated with a Masters of Law from Harvard Law School and a Juris Doctor from the City University of New York Law School.

Karen J. Langsley, Gutterman Griffiths PC, KLangsley@ggfamilylaw.com

Recently relocated from Dripping Springs, Texas to the Denver, Colorado area to work with Gutterman Griffiths, PC, Karen is licensed in California and Texas. She is a former chair of the Texas State Bar LGBT Law Section, Vice-Chair of the Texas State Bar Committee on Child Abuse and Neglect, a member of the National Family Law Advisory Council of the National Center for Lesbian Rights; a member of the LGBT Bar Association's Family Law Institute; and a founding member of the San Francisco Bar Association's AIDS Legal Referral Panel. She is certified as a Child Welfare Law Specialist by the National Association of Counsel for Children. Her practice in Texas since 2004 has focused on Child Welfare Law and LGBT Family Law. She is committed to educating the bench and bar on issues of same-sex parents and family law after the *Obergefell* decision, and on issues for transgender individuals.

Kerene Moore, Legal Services of South Central Michigan, skmoore@lsscm.org

Kerene Moore is currently a practicing attorney for Legal Services of South Central Michigan where she has represented underserved Michigan residents in civil legal matters for the past nine years. Kerene graduated from the University of Michigan where she earned a Bachelor of Arts and Juris Doctor degree. Due to her strong commitment to public service, she was recognized as a Dean's Public Service Fellow by the University of Michigan Law School. Throughout her career, Kerene continues to advocate for members of many marginalized groups, including undocumented immigrants, disabled persons, survivors of domestic violence, and LGBTQ community members. Kerene serves as a board member for Equality Michigan, Kerene, Co-Chair of the Washtenaw County Bar Association's LGBT Rights section and as Vice President of the Jim Toy Community Center, a resource for LGBT community members in southeastern Michigan.