

American Academy of Matrimonial Lawyers - May 2023*Monthly Newsletter*

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PRESIDENT'S MESSAGE

Brent A. Cashatt
AAML President

May is a month of celebration for my family. Both my kids, Jordan and

importance of my AAML family. While membership to the Academy is based on professional accolades, the relationships you build are deeper than colleagues from other organizations. I don't know if I could describe the secret to someone outside the Academy. It's just something about the caliber of people in the Academy. It's unique and unmatched.

No matter what state you live in or how many Fellows are in the

Maybe you need advice on a client or a particular case, or perhaps you're going through something, and the expertise of a Fellow could help you navigate the situation. I know I have countless Fellows who have become incredible friends. And they're the people I reach out to when I need something.

And, the friendships don't stop with Fellows. There are also so many others who are a part of the Academy that I consider part of our family. The

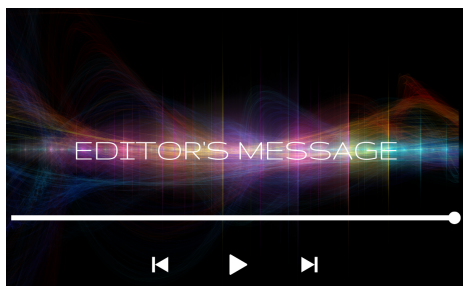
Alexa, have birthdays this month. And we get the opportunity to celebrate Mother's Day as well. I'm always grateful for the chance to focus on my family and celebrate milestones with my wife, children, and grandchildren.

As I've traveled to different Academy events, I've been reminded of the

academy, I hope you've experienced this unique bond. And that you feel like other Fellows are part of your family. It's a genuine network of people you can rely on when needed.

amazing sponsors who dedicate time to our organization, the staff who help us throughout the

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Co-Editors
[Kiilu Davis](#)
[Natalia C. Wilson](#)



This Fireside Chat w/[James T. McLaren](#)
 Check them all out on YouTube!
[Fireside Chat Playlist](#)



Please submit your Nominations for National Office Positions Below:

First Vice President, Vice President, Vice President, Treasurer and Secretary

Nominations should include a letter explaining the nominee's experience and a CV/resume.

Please Submit by:

May 15, 2023 to:

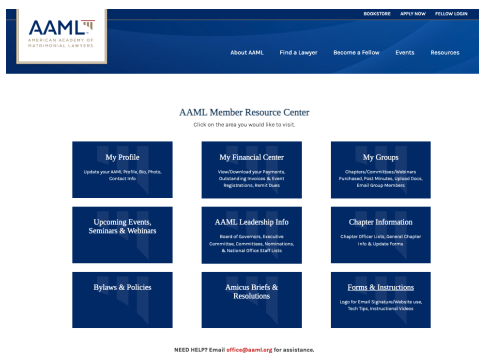
[Jill C. Peña](#)

[J. Benjamin Stevens](#)

Members of the Nominations Committee are:

- J. Benjamin Stevens (South Carolina), President-Elect
- Kenneth P. Altshuler, (Northeast States), Past President
- Sandra A. Brooks, (Maryland), Non-Board of Governors Representative
- Julia L. Leveridge, (Ohio), Board of Governors Representative
- Roberta S. Batley (Mountain States), Board of Governors Representative

_You spoke - We listened. The Member's [Resource Center Landing Page](#) now has a new look! We hope you feel like singing when you see it. Once logged in you'll easily navigate



Have We Told You Lately We Appreciate You?

(you know you want to...go ahead and sing it)



On April 14 and 15, 2023, the [Maryland Chapter](#) served as host of the DC, MD & VA Annual Spring Retreat. This year's retreat was held at the Hyatt Regency Chesapeake Bay Golf Resort, Spa and Marina, a picturesque destination located on the Choptank River in Cambridge...

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Tech Tips Videos

The AAML Law Practice Management & Technology Committee's Scott Bassett returns with Tech Tips that focus on Ghostwriter for Word: Bringing ChatGPT Generative AI to Your Word Documents. The committee has been providing these videos since 2021.

[Click Here Past Tech Tips](#) (Login Required)



Course Details:

Limited Seats Still Available!

Day Sessions will be scheduled from 9:00 am to 5:00 pm ET.

Register Soon! Last Chance to Register! Open to ALL **2023 Negotiation Seminar**

May 5-6, 2023

Hotel AKA Boston Common

Boston, MA

[REGISTER - Log in for Fellow Rate](#)

The approach and case materials for this workshop were developed, and are used, at the Program on Negotiation at Harvard Law School.

Featured Instructor:

[Robert C. Bordone](#), Senior Fellow, Harvard Law School and Founder and former Director of the Harvard Negotiation and Mediation Clinical Program.



Zoom Meeting

Complimentary to AAML Fellows

Drinks and Diversity

May 10, 2023

7:00pm-8:30pm (CST)

[REGISTER](#) - Login Required

In honor of Asian American Pacific Islander Heritage Month, AAML Fellow and Moderator, [Lorie S. Nachlis](#), will usher us into this evening's Drinks and Diversity with author, [Debbie Chinn](#), *Dancing in Their Light: A Daughter's Unfinished Memoir*; along with [Jenny Leung](#), *Executive Director, Chinese Culture Center of San Francisco*.

Debbie will share her story and wide array of experiences starting with her early roots in China, growing up in the 60s and 70s in the U.S., being a part of her family's restaurant business, Polynesian floor shows and much more.

Jenny, as co-chair of the Chinatown Arts and Culture Coalition, leads in efforts to develop the Chinatown Culture District Plan and support further cultural equity.



Webinar - 1.0 Hr CLE

Open to ALL

Recent Supreme Court Rulings & Constitutional Implications for Marriage & Family Law

May 16, 2023

12:00pm-1:00pm (CST)

[REGISTER](#) - Log in for Fellow Rate

The AAML welcomes Dean of Berkeley Law, [Erwin Chemerinsky](#) who will present on *Recent Supreme Court Rulings and Constitutional Implications for Marriage and Family Law*. Dean Chemerinsky will examine and review current and past Supreme Court cases involving:

- The history of constitutional protection of marriage and family Law;
- The decision in *Roe v. Wade*;
- The law of abortion since *Roe v. Wade*;
- The decision in *Dobbs v. Jackson Women's Health Organization*; and
- The implications of *Dobbs* on abortion rights, other reproductive rights and other constitutional rights concerning marriage and family law.

UPCOMING NATIONAL EVENTS/MEETINGS

[2023 Negotiation Seminar](#)

[May 5-6, 2023](#)

[Boston, MA](#)

[Drinks and Diversity](#)

[May 10, 2023](#)

[7:00pm - 8:30pm CST](#)

[Webinar-Recent Supreme Court Rulings & Constitutional
Implications for Marriage & Family Law](#)

[May 16, 2023](#)

[12:00pm - 1:00pm CST](#)

[AAML National Executive Committee Meeting](#)

[May 19-20, 2023](#)

[Chicago, IL](#)

[Arbitration Training Seminar](#)

[June 1- 2, 2023](#)

[Chicago, IL](#)

[Institute for Family Law Associates](#)

[Introductory Course](#)

[Advanced Course](#)

[June 22-25, 2023](#)

[Chicago, IL](#)

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UPCOMING CHAPTER EVENTS/MEETINGS

[AAML-PA Board of Managers Meeting](#)

[May 2, 2023](#)

[AAML-NJ Seminar Series](#)

[May 4, 2023](#)

[AAML-NorCal 46th Annual Symposium](#)

[May 5-7, 2023](#)

[AAML-NJ Board of Managers/Chapter Meeting](#)

[May 11, 2023](#)

[AAML-PA May Retreat](#)

[May 12-13, 2023](#)

[AAML-Mountain States Annual Meeting](#)

[June 29-July 1, 2023](#)

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Journal of the American Academy of
Matrimonial Lawyers 

Coming Attraction!
Journal Article - *Dividing "Hybrid"*
Real Estate

By: [Julie A. Auerbach](#)

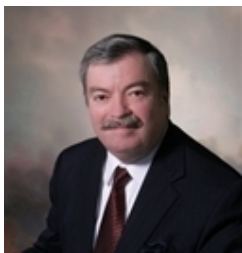
States follow either a “dual property” or an “all property” model. “All property” states presume that regardless of source all property at the date of separation is marital. “Dual property” states exclude certain assets from the marital estate and treat them as non-marital.

Irrespective of which model any

These approaches will be referred to as “inception of title,” “source of funds,” “title/not intent,” and “intent/not title.” All property states do not apply these approaches when separating the marital from the non-marital portions of real estate, but they will apply many of the same considerations of the intent/not title approach.

In the fall 2023 issue of the Journal of the American Academy of Matrimonial Lawyers, I discuss the methodologies and considerations applied by states when dividing real estate comprised of marital and non-marital components. While state statutes and case law articulate the considerations to be applied when dividing the two portions, considerable discretion is granted to the lower courts.

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Primer on Former Spouse Medical Benefits: P.1

by [Mark E. Sullivan](#)

Author of the *The Military Divorce Handbook*

Introduction

The most common question asked by a non-military spouse in a military divorce case is “What are my benefits?” While this may sometimes refer to a share of the military pension, allocation of the Survivor Benefit Plan or division of accrued leave, the usual meaning is “What health care benefits can I receive?” A summary of the answers is found below.

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particular state follows, all states will look to the donative intent of the individual who contributed all or part of the real property to determine whether a “gift” was made to the marital estate. “Dual property” states apply one of four different approaches in determining donative intent and in separating the marital and non-marital portions of the real estate.

First of all, review the facts with the client. Does “Jane Doe” need medical benefits? Perhaps she already has an excellent health care insurance policy. If not, then go over the military and marital dates with her - when were the parties married, when did “John Doe” enter military service, and what number of years represents the overlap between the two?

Next, check your resources. The Code of Federal Regulations is a good starting point for information. You’ll find “Benefits for former spouses” at 32 CFR § 161.19, and the tables there show what spouses and former spouses may obtain, depending on the number of marital years, the years of military service and the overlap between the two. [See full article for illustration/example:](#)

The “inception of title” approach provides that the marital character of real estate is fixed at the time acquired and despite later contributions by a spouse will remain separate.

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If you have a topic that you would like to propose or to write about, please contact either [Dana Prescott](#) or [Steve Peskind](#) with your ideas.

Notes:

1. Yes, if the former spouse certifies in writing that the former spouse has no medical coverage under an employer-sponsored health plan.
2. Yes, if:
 - a. Not entitled to Medicare Part A hospital insurance through the SSA.
 - b. Entitled to Medicare Part A hospital insurance and enrolled in Medicare Part B medical insurance with the exception of those individuals who qualify in accordance with section 706 of Pub. Law 111-84.

TRICARE and Former Military Spouses

While Jane Doe is married to John, an active-duty servicemember (SM) or retiree, she is eligible for TRICARE, the military equivalent of medical insurance; this is used for civilian health care.

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May 2023 Foundation Grant Recipients

Thanks to you, the Foundation supporters, the Foundation was able to award 45 grants totaling \$225,000 for 2022. The grants focus on providing support for families in need and in transition. Here is a small example of where your generous support is making a difference:

Conejo Free Clinic

The Conejo Free Clinic, located in Thousand Oaks, California, provides non-profit assistance and safety for low income, uninsured adults and children in Ventura County and north Los Angeles County. This clinic is comprised of volunteers, including over 100 physicians, nurses, dentists, dental specialists,

attorneys, private practice partners and support staff. Team members come from various hospitals, including the Los Robles Hospital, Amgen, Kaiser Permanente, UCLA, private practice and the Ventura County Bar Association.

The services provided by the Conejo Free Clinic include medical services, dental services, legal services, advocacy services, child and youth services, breast cancer screening, and community counseling resources. The Conejo Free Clinic relies on volunteers and private donors to keep its doors open. The Conejo Free Clinic is an outstanding example of a non-support group dedicated to the care and health of those in the community who are less fortunate with respect to financial resources. To learn more about Conejo Free Clinic, you can [visit their website](#).

Hope Alliance

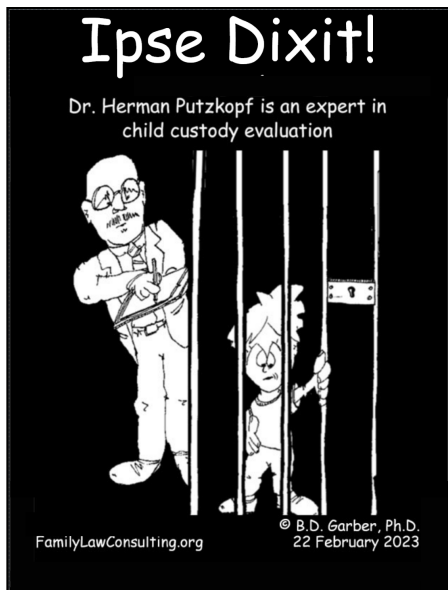
Hope Alliance is located in

Williamson County, Texas, and has been providing clinical resources to family violence and sexual assault victims since 1984. Throughout the years, Hope Alliance has broadened its services to now include a 24-hour emergency shelter with 30 beds and several outreach offices throughout the county. Hope Alliance is a founding member of community initiatives to combat family violence and sexual assault, including DART (Domestic Assault Response Team) and SART (Sexual Assault Response Team) hosting monthly meetings for participants. Hope Alliance is the only free emergency shelter in Williamson County, Texas. In 2021, Hope Alliance received 3,604 requests for services and were able to provide face-to-face services for 1,086 individuals and emergency shelter to 196 clients.

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Ipse Dixit! is a monthly cartoon created by Co-conspirators: [Dana E. Prescott](#) and [Ben Garber, PhD](#). [Click to View Past Cartoon Creations](#) and have a laugh.



If They Could Talk is your animal companions section. **Have a [Look at the Gallery](#)** to see this month's and past newsletter's submissions. Send us your furry and non-furry animal's photos! Please send to: mary@aaml.org

Send in your newsletter submissions for consideration **2 weeks before the 1st Wednesday of the month**



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