

## REPORT ON IAML STUDENT INTERNSHIP

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As Janet and I were considering whether to offer to host a prospective IAML student intern, I considered my view that the great value of this program derives from the intangible benefits of exchanging cultural, educational, and philosophical backgrounds and approaches specifically to matrimonial law and generally to life in different geopolitical areas of the world. So it is with the magnanimous work of the Academy itself, we strive to make the world a better place and a little smaller through our networks and conferences.

Thus, with great excitement and anticipation, on Saturday, June 21, 2014, we welcomed then 22-year-old Wela Mlokoti from the University of Cape Town Law School. Wela is an extremely bright, perceptive young woman accurately described by her Mom as “quiet and reserved.” We found her traditional and conservative in her approach to law, politics, and family life.

Culturally, Wela and her family are Xhosas (pronounced “kōsahs”), a Bantu ethnic group of South Africans living primarily in the Eastern Cape Province. Nelson Mandela, Thabo Mbeki, and Desmond Tutu are also Xhosas; so the Xhosas are highly represented amongst the leadership of the country’s ruling political party, the African National Congress (ANC). Wela demonstrated some of the “issi Xhosa” language, which is characterized by many click consonants. We learned quite a lot about the Xhosa people and how the South African Constitution, statutory and case law protects the cultural heritage of South African ethnic tribes.

Wela’s family lives in Bloemfontein. Wela’s father, Dabula, works in urban development, and her mother, the Hon. Mandisa ML Maya, is a Justice of the Supreme Court of Appeal. Wela has two younger brothers, Zizi and Jama. We had many, many discussions about family life, cultural identity, and race relations. I suggested repeatedly that Wela’s leadership skills and talents might not be fully utilized only in the area of matrimonial law; that we projected more of a global/state leadership role for her; and that she could realistically be the first (if not by then) female president of South Africa. Who knows, the IAML may yet return to South Africa as guests of the Mlokoti administration.

In the realm of legal education, one of my goals in hosting Wela was to introduce her to as many varied cases, concepts, and procedures as possible within our three-week experience. Timing and chance, of course, played a role according to the matters on my plate at the time. Here are some of the cases and issues to which Wela was exposed.

1. Trial with primary issues of child custody and support. While these issues ring a typical tone, this case was complicated by expert medical testimony as to whether “mom” was employable and able to earn, versus the extent to which “mom” could exercise joint physical custody of a six-year-old child. Mom demonstrated symptoms of lupus, drug and alcohol abuse, and a plethora of psycho-social and mental health concerns. Wela showed the insight and trial instincts of a more experienced lawyer in assisting me in this trial.

2. Full day mediation with/against another IAML Fellow in a case with very complex tax, commercial property valuation, and tracing issues. Our mediator was one of California's finest judges, now retired, who had previously served as Supervising Judge of family law and probate departments.

3. Wela prepared a memorandum for me interpreting and analyzing critical and disputed issues in a prenuptial agreement for a former professional NBA player/client. Again, Wela demonstrated particular insight and creativity with some arguments we are about to use in trial.

4. Wela accompanied me and an associate attorney to a client meeting in Northern California, observing a young professional NFL player thrust into responsibilities of parenting following a one-time dalliance with an older woman who is on welfare with four other children and looking for 18 years of very significant, tax-free, child support from our client.

5. I took Wela to observe a hearing in the U.S. Bankruptcy Court in one of our cases against another IAML Fellow's firm. This case involved a complex valuation of a multi-million dollar manufacturing business, non-compliance with Federal Bank Account Reporting requirements of significant foreign bank accounts, default and foreclosures on a large Queens, New York real estate project, characterization, tracing, support, and fee issues. The Bankruptcy Court was considering whether the debtor husband's potential contingency obligation to pay some of wife's attorneys' fees constituted a debt of the bankruptcy estate subject to that Court's jurisdiction.

6. Wela joined me in a series of conferences and strategy meetings with a new client in a case initially highlighted by unusual domestic violence allegations, cross-over criminal law and family law issues, analysis of jurisdiction components, and characterization of complex real property holdings.

7. Wela briefly participated in some brain-storming on an unusual situation which found two octogenarians divorcing with elder abuse and domestic violence allegations. A threshold issue in this case is the validity and enforceability of a prenuptial agreement for which one party was represented by counsel, and the disadvantaged spouse was not. Wela was delegated initial discovery assignments.

8. I took Wela to an afternoon session of oral argument before one of our divisions of the Court of Appeal, during which we observed some average arguments on an appeal of a felony conviction and an interesting debate concerning burdens of proof in a contract dispute. I thought this experience would be worthwhile given Wela's mother's position on the bench.

9. Wela had an opportunity to begin an outline for a deposition in a case (against yet another IAML Fellow's firm) involving a complex valuation of an advertising firm. Unfortunately, the only deposition I had scheduled during Wela's internship was postponed and occurred after Wela had departed.

10. One of Wela's work days was spent accompanying my son, Jacob Glucksman, a criminal defense lawyer, as Jacob handled various matters in different courts in Los Angeles County. I picked Wela up at the end of the day at Jake and Rochelle's house, where Wela was introduced to three of our grandchildren: four-year-old Sam, two-year-old Henry, and one-month old Grace.

I also introduced Wela to at least five judges, each of whom invited Wela into his or her chambers for discussion. And, wrapping up the law-related part of my report, we were able to visit three prestigious law schools: Stanford; Boalt Hall, Berkeley; and U.C.L.A. Wela has expressed a desire to return to California for further study; so we walked around beautiful parts of each idyllic campus.

Besides the law-related aspects of the program, what Janet and I most enjoyed was the opportunity to show Wela some of the best California has to offer. So, here's a summary of our sightseeing exploits (poor Wela, I do not think she anticipated such energy from a couple of grandparents):

After "letting" Wela sleep and rest the Saturday afternoon she arrived, on Sunday morning we were off to Santa Monica and Venice Beaches, and Marina del Rey for a 10K bike-ride with all the exercise enthusiasts. That evening, we had the firm's fabulous box at the Hollywood Bowl, our famous summertime concert venue. One of my sisters, Marilyn, her daughter, Katie, and son-in-law, Matt (an associate at Norton Rose Fulbright, which happens to have a branch office in South Africa), joined Janet, Wela and me. On Wela's "wish list" for her visit to Hollywood was a "celebrity sighting." Lo and behold, two boxes to our right was Kelly Osbourne, who was gracious enough to have her picture taken with Wela and chat with her. While Janelle Monae was the headliner that night, Wela was thrilled to see a guest appearance by Stevie Wonder. That was just on the first day!

Our first week together continued at an efficient pace. Between long hours at work and court, we were able to take Wela to the Frank Gehry-designed Walt Disney Concert Hall, the Hollywood Walk of Fame and iconic movieland sites, Farmer's Market, MacArthur Park, Los Angeles Cathedral, Universal Studios/City Walk, Los Angeles County Museum of Art, La Brea Tar Pits, Olivera Street (our Mexican-American historic center), some evening golf at Moutaingate Country Club, Simon Weisenthal Museum of Tolerance and an Anne Frank exhibit, lunch at the legendary Pink's Hot Dogs, historic Union Station and a Dodgers baseball game. The week ended with a Friday-night family Shabbat dinner with those of our children in town and all four grandchildren.

Wela's second week started with varied shopping with Janet and a dinner party in Pacific Palisades. The high energy excitement peaked with a very special private tour of the television filming set of "CSI" at Universal Studios. One of our firm's superb group of paralegals, Janet Turchin, has a "little" brother, Brad Tanenbaum, who is a director/producer of "CSI." Brad was gracious in showing us all of the familiar sets we have seen for years ("CSI" appears in South Africa, too), and we were lucky to be in one of the studios while they were actually filming. I'm not sure whether Wela or I was having more fun.

We cut short our second work week to get an early start on the July 4<sup>th</sup> (Independence Day and Wela's birthday) celebrations to drive to Northern California. Stopping in Santa Barbara, at

gorgeous Pebble Beach, Carmel's famed 17-mile drive, and Palo Alto (Stanford University), made the long drive memorable. Wela, Janet, and I were hosted in Alameda by Ken and Marti Freeman, life-long friends. July 4<sup>th</sup> in Alameda is pure Americana. Charming Victorian homes (a century ago this area across the bay served as summer vacation homes for the San Francisco wealthy elite) lined Grand Avenue along with neighborhood families draped in red, white, and blue to enjoy a parade – of whatever and whoever wanted to participate. Barbeques, friends, ping pong, music, fireworks, and a celebration of freedom. Plus, it was Wela's 23<sup>rd</sup> birthday! So, the next day, Janet and Marti took Wela into San Francisco to Union Square to shop. Here I thought a foreign intern wanted to see tourist sites, when the ladies knew what Wela really wanted – some of the best shopping in the world. That was fine; Ken and I rode bikes across the Golden Gate Bridge, and hiked the Lands End trail from Cliff House to the Bridge. We met the women at dynamic City Hall in time for a great dinner followed by another treat: Gershwin and Bernstein at the San Francisco Symphony.

The next day we took a ferry across the San Francisco Bay and rode the cable cars, toured Chinatown, visited Grace Cathedral and the Mark Hopkins Hotel, and walked along the beach west of the Golden Gate Bridge. On the way back to Alameda, we visited Berkeley.

As Wela's third and last work week started, my associate, Marina Zakiyan, who had been visiting her family in San Francisco for the weekend, joined us for a client meeting in the Central Valley, after which, Janet, Wela, Marina and I headed over to Yosemite National Park, one of my favorite places on earth. Though our time in Yosemite Valley was limited to the afternoon, I hope Wela was inspired by the majesty of El Capitan, Half Dome, etc. By the time we passed through the Giant Redwoods of Mariposa Grove, the ladies were worn out. We headed back to Los Angeles, sharing, amongst us, strategies for cases, philosophies, politics, and cultural comparisons between America and South Africa.

The trial I alluded to earlier in my report was held in Orange County, just a couple of miles from Disneyland Resort and California Adventure. Our afternoon and night at Disneyland happened to coincide with our daughter Cyndy's birthday; so Cyndy, her husband Joe, and their four-month-old son, David, joined us at the Magic Kingdom. The last work day of Wela's visit focused on closing arguments at trial. But, at the end of the day, it was back to California Adventure for a few roller coaster rides (Wela loved those) and dinner, before leaving under the night's fireworks show to head south to San Diego.

Our last full day we had a scenic breakfast at Seaport Village, along San Diego's harbor, then visited Mission Bay and Belmont Park (one last roller coaster) and the world-famous San Diego Zoo. Taking a South African to a zoo, even the best zoo, is not the most impressive way to see wildlife, but the pandas were cute. We dined watching the sunset in Newport Beach, then stopped quickly by the Queen Mary in Long Beach on our way home, completing Wela's IAML adventure.

Wela expressed a great amount of appreciation and asked me to convey same to Pauline Alexander, Anita Chan, the IAML Executive Committee, and the entire Academy for this once-in-a-lifetime opportunity. She commented that a lot of the paperwork and interview process occurred during or leading up to final exams, so that timing issues, perhaps, can be reviewed and remedied.

I am confident that we more than satisfied and surpassed our objectives and expectations, and I believe we have appropriately represented the IAML in hosting Wela. Janet joins me in thanking the Academy for enabling us to have had this opportunity.