

Gannett Thursday October 24, 1991



NANCY Q. KEEFE

COMMENTARY

Women find justice meager in the courts

Four talented young actors cavort in the Ceremonial Courtroom of the Westchester County courthouse. They are playing out lawyers' conversations with divorcing spouses.

The man's lawyer says: "We'll say you're going to pay child support — and then you don't pay." The woman's lawyer concludes: "Take the settlement. At least I'll get my fee."

Bitter laughs of recognition ring out from the audience of nearly 200.

The skit, called "Court Time, the show where you can see the screws of justice turn," was meant to be broad satire. It cut right to the bone of truth.

The novel presentation Tuesday night began the first public forum sponsored by the Committee to Promote Gender Fairness in the Courts. The 29 judges, lawyers, professors and others are working out ways to handle grievances in the Ninth Judicial District. Sondra Miller, associate justice in the Appellate Division, presided with a gavel the size of a sledgehammer and an egg timer. She used both judiciously.

Nearly a donnybrook

What was supposed to be an entertaining and informative evening nearly turned into a donnybrook, but not just because the Anita Hill-Clarence Thomas confrontation made it a hot topic.

For many women, in the throes of divorce and with no money for lawyers — or for living — this is a burning issue. The legal system is so unfair that it's a kind of sexual harassment, as Evelyn Breslaw found. She survived 25 years of teaching in the Bronx only to be undone in court.



Monica Getz

Her divorce took five years. Her husband "emptied the house of the assets of 30 years of marriage. He beat me up on my cancer surgery." Advised to get "a lawyer in White Plains with clout," she found a "woman lawyer with a full-page ad in Martindale and Hubbell," the law directory. The lawyer did nothing for six months, Breslaw said, and for another 18 months refused even to give Breslaw's papers to a third lawyer.

The judge handling the case left the bench. The interim judge said he couldn't do anything. The third judge "forgot about me."

"I was living in poverty. I was sick. My kid's tuition wasn't being paid." Her lawyer told her to relax, she'd get the money in seven years. Breslaw pressed to have her case resolved. In response, she said, the judge told her, "You've lived in poverty for 4 ½ months. You can wait for a trial."

Laws against women

"I'll take anything," she said, her voice cracking. "The laws are against you if you're a woman." Miller's egg timer signaled the end of Breslaw's time.

"Let her finish!" women called out. From the back of the room, Abby Petrillo stood to say, "That female lawyer she didn't name is Doris L. Sassower," who was indefinitely suspended in June from practicing law. The audience growled.



Samuel Fredman

Jane Josephs, her neck in a cervical collar, said her ex-husband is a multimillionaire, but "come July, I'll be on welfare. My younger daughter is anorexic. I'm sick, too. I can't accept \$150 a week support. To what planet do I go to live on that?" She didn't know where to turn, she said, and "I had no idea of my rights till I met Monica Getz."

Getz organized the Coalition for Family Justice after her own court wars against her ex-husband, the late jazzman Stan Getz. In her view, "the legal system is rigged in favor of rich, cruel men."

Judges churn cases for the benefit of former law partners, she said, looking daggers at panel member Samuel Fredman, a matrimonial lawyer for 40 years before becoming a state Supreme Court justice. He smiled sadly and shook his head. If you've ever watched him in court, you'd see that Fredman is one of the enlightened ones.

No matter. Women who've been dragged through the system target him with their wrath. A court officer, sensing the fury and frustration in the night, escorted Fredman to his car.

The committee plans a second forum in January. The worry is that the women will be frustrated further because this is not an instant cure. But the hope is that they'll see it as a beginning, a good beginning.

Nancy Q. Keefe's column appears Tuesday, Thursday and Sunday.

front page: Metro A15