

## Grandma uses law to get visits with girl

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When Pam Alverson's daughter died of cancer last year, Alverson lost two loved ones.

Her son-in-law, who'd filed for divorce from her 29-year-old daughter, took her granddaughter, 5 year-old Carmen, away from her home in Milford. The girl had lived with Alverson for more than a year.

Among Alverson's only reminders of the granddaughter she'd helped raise are the watercolor creations Carmen had painted and a closet filled with frilly clothes and Strawberry Shortcake bedding.

But last week, Alverson, 58, became one of the first beneficiaries of a new Michigan law that aims to give grandparents in contentious family situations a shot at legal visitation rights.

Her case never got to court: The threat of leaving the matter up to a judge was enough to convince her former son-in-law to agree to a visitation schedule, said Danny Victor, Alverson's Bloomfield Hills lawyer.

The law took effect in January. The previous version was struck down by the state Supreme Court in 2003 because, the court said, it undermined parents' rights.

Its replacement is no sure thing for grandparents, who have to prove that their grandchild would suffer without seeing them.

That might be a tough task, but advocates said the law is giving hundreds of grandparents something they didn't have before: hope.

Alverson was always close with her youngest child, Julie Frederick. When Alverson divorced Julie's father, mother and daughter moved from North Carolina to Michigan, where they had family.

When Julie was 23, she began dating Bill Kowalski. Julie gave birth to Carmen a few months before she and Kowalski married in December 1999.

Immediately, Alverson was smitten with her spunky, blue-eyed granddaughter.

"Oh my God, she is everything to me," Alverson said, sitting in her living room, where the walls are lined with portraits of the blonde girl who loves to paint and sing karaoke.

"I was with my daughter when she gave birth to this child. Carmen has always been with me."

Alverson and her daughter worked together at a doctor's office, alternating their schedules so that Carmen rarely had to go to day care.

But that changed in October 2002, when Julie learned she had cancer. To make matters worse, Julie's husband, who could not be reached for comment, filed for divorce in November 2003 as Julie was preparing for a third bout of experimental treatment.

Julie and Carmen eventually moved into Alverson's townhouse. Alverson became full-time caregiver to them both.

It was clear Julie wouldn't live long.

"She never gave up," Alverson said. "She just kept saying, 'My poor baby, my poor baby.' She knew she was leaving behind a mess."

The day Julie died, in January 2004, Alverson said Kowalski took Carmen home to Commerce Township, about 15 minutes away. He has allowed her to see Carmen only a few times since.

She has kept Carmen's room ready. The closet is filled with frilly dresses and Halloween costumes – "because you can't watch 'Spider-Man' unless you're dressed like him," she explained -- and Carmen's stuffed animals are gathered on the bed.

Alverson's efforts rewarded

Last week, Alverson learned her efforts to reunite with Carmen had paid off. Kowalski agreed in a court order to grant her as much visitation as some divorced parents get: She'll spend one weekend a month with Carmen, as well as 3-day weekends in the summertime. She'll also get one additional overnight visit each month.

Victor, Alverson's lawyer, said she is the type of grandparent the new law is designed to protect.

"Pam took care of Carmen for so long, and she's Carmen's only link to the maternal side of the family," he said. "This law isn't only to protect grandparents; it's also meant to protect the children."

Richard Victor, Danny Victor's father and a Bloomfield Hills lawyer who founded the Grandparents Rights Organization, said most grandparents' cases won't end up in court. The law helps get families talking "rationally again," he said.

Danny Victor agreed: "Just because you have a law doesn't mean you should have to go through with a lawsuit," he said. "Hopefully, it'll bring people together who weren't otherwise talking things through."

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## **HOW LAW WORKS**

Under the new statute, grandparents can seek visitation time if:

The child's parents are, or are in the process of being, divorced or separated.

Their child, the child's parent, is dead.

The child's parents were never married and don't live together, but paternity has been established

Legal custody of the child has been given to someone other than a parent.

The child lived with them in the year prior to the motion.