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Ladies' Man

The Boston Globe

Famous names, nasty divorces, and the women in each of them turned to one man, Monroe Inker, to get them a fair shake from their rich husbands. Now 80, Boston's most feared divorce lawyer has found an even messier calling.

By Gretchen Voss | November 13, 2005

Monroe Inker, the man, is slight, stooped at the middle, propped up with a cane. His voice has the gravel and speed bumps of age. His clothes are finely tailored but assembled in a clashing pastiche - bright blue shirt, brighter pink tie, suspenders of muted red and beige and black. He is unfailingly polite, gentle in manner. Mellow, even. Monroe Inker, the legend, is something else altogether. In a half-century of mucking around in the slop of failed Massachusetts marriages, he's been called a "cobra," accused of being overly aggressive and a publicity hound, thrown out of the Massachusetts Bar Association, and sued for malpractice. Which is why it's so hard to reconcile the man with the legend. On this beautiful late-summer day, he doesn't want to talk about his legacy or the column inches that he's generated as the puppeteer behind this town's juiciest high-profile divorces. He's just dissolved his 35-year-old law firm and is in his new office at Rubin and Rudman. The old one stared straight at a brick wall. But from his new perch at Rowses Wharf, where, at 80 years of age, he hopes to begin the next, and probably last, chapter of his life's work, he overlooks the carnage of the Big Dig, the destruction of the archaic making way for the new. And that about sums it up. "God put us on earth to put asunder what men had put together," another local matrimonial lawyer says in trying to explain their profession. "We're doing God's work." If Monroe Inker is indeed doing God's work, then Lord help the men of Massachusetts. He has a new calling, and its name is custody.

RESTRAINING ORDERS. FALSIFIED FINANCIAL STATEMENTS. Custody battles. Allegations of abuse. This is the seedy underbelly of marriage, even here in Massachusetts, the state with the lowest divorce rate in the country. And Monroe Inker, revered and reviled in equal parts, built his livelihood on a familiarity with its ugliest aspects. Some would say he even created them. Inker smarted his way out of Brighton Beach, Brooklyn's bustling and boiling soup of poor Jewish immigrants. His parents were from Russia, Yiddish-speaking factory workers. Inker spoke Yiddish at home, too, but he practically lived at the library. Accepted at the renowned Townsend Harris High School - a sanctuary, he says, for "odd boys, where the only good team was the chess team" - Inker later received a free college education at Brooklyn College.

Stellar grades and the GI Bill landed him at Harvard Law School. "Going to Harvard wasn't such a big deal to me," Inker says. "I sort of expected it." After graduating in 1951, he returned to Harvard as a teaching fellow, but he also wanted to begin practicing law. From the late 1950s through the 1970s, he was a criminal-defense lawyer representing accused murderers and organized-crime figures. For him, the thrill was in applying the law and playing with its boundaries, not necessarily in representing the defendants themselves. "So many people that do criminal defense are as committed as the Baathists in Syria," he says. "I mean, they never think anybody's guilty." But for Inker, criminal law was just exciting. He had no problem representing thugs, including

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criminal law was just exciting. He had no problem representing thugs, including gangster Jimmy Flemmi. "I was so naive; I found him a nice guy. I didn't have an appreciation for how bad those guys were."

He also did decidedly less exciting work: divorce cases. At the time, divorce work was considered one of the lowest rungs of the law - perhaps even lower than dealing with the Jimmy Flemmis of the world. But in the early 1960s, around the time Inker himself got married, the social landscape started to shift and the feminist movement was taking shape. "He got interested in family law at a time when the American family was undergoing some very significant changes," says Charles Kindregan, a professor at Suffolk University Law School and coauthor with Inker of a four-volume "bible" of family law. Nonmarital unions, women working out of the home, children born out of wedlock all were changing family dynamics as Inker's law career took off.

Back then, as matrimonial lawyer Gerald Nissenbaum bluntly puts it, "wives got screwed." In Massachusetts, a woman was not entitled to any share of property that was in her husband's name. "You're married 40 years, and all she gets is the house and alimony," Inker says. "For years, [the husband] would say, 'I worked, and I made all the money, and what the hell did you do? You stayed home with the two kids.' Being a wife in itself was no contribution. Being a mother, what the hell, that's the easiest job in the world. That was the feeling in this state. I said, 'This has got to change.' They said, 'Well, you change it. You write a law.'"

So he dropped his criminal cases. This was more exciting. "He loves the law; that's what drives him," says Edward Ginsburg, a probate and family court judge in Massachusetts for 25 years before retiring in 2002 who teaches a class with Inker at Suffolk University. That his work just happened to make him a champion of women's rights, well, that was by default.

Enlisting a small army of clerks, Inker scoured the law and drafted a proposal for equitable distribution. He helped lobby the Legislature - "which was pretty easy, because some of the people there were my ex-students" - and the law passed in 1975, making Massachusetts one of the first states with a property division statute, and one of the best states, if you were a woman in a long-term marriage, to get divorced in. It also earned Monroe Inker a permanent place in the legal history of the state and the country.

"God bless the man," says Nissenbaum, who was one of Inker's adversaries in court over the years. "No, really. He brought the practice of being a divorce lawyer into the 21st century. Equitable distribution certainly changed the practice of law and gave women the rights they should have."

Says Kindregan: "Many consider him the father of modern family law."

THE BATTLE FOR EQUITABLE DISTRIBUTION CEMENTED HIS reputation as *the* divorce lawyer - ruthless, hard-nosed, and controversial. Spouses were terrified when they heard their lawyer was facing Monroe Inker.

Predictably, the rich and famous filled his office. While he did represent some men with cachet - Norman Mailer, John Irving, Celtics great Robert Parish, academic and author Cornel West (who calls Inker "my dear brother, a great lawyer, and a wonderful human being") - it was the women who flocked to Inker. They knew he was their best shot at reaping perhaps millions from their husbands - all under the newfound fairness of the law.

Then there was the case of Senator Edward Brooke and his wife, Remigia, whom Inker represented in their divorce in the late 1970s. "He was a lovely guy; I really liked him," Inker says of Brooke. "I said, 'Ed, I could do your deposition, but you're crazy. Why don't you [settle and] give her such and such? When people read what you're doing, you'll never get elected again.' " Inker was right. The *Globe* ran a series of investigative articles about Brooke's divorce, detailing the financial shenanigans uncovered by Inker's depositions, and Brooke got trounced at the polls.

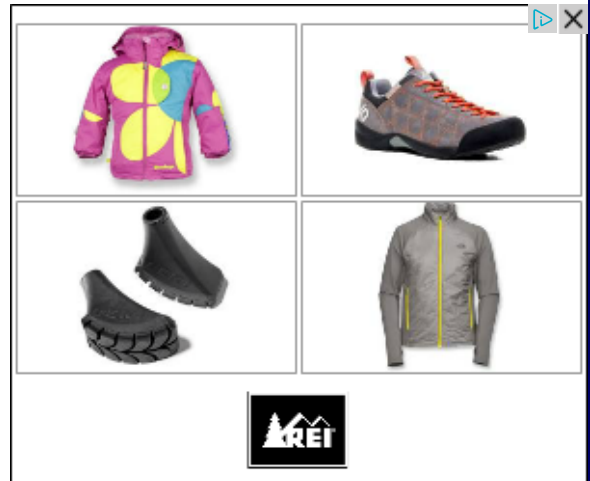
That's the power of the press, Inker says simply, and he has never hesitated before exploiting it to help his clients, as he did with another infamous case - the divorce of leveraged-buyout king Thomas Lee and Barbara Lee, one of the city's most visible arts patrons. What had been a stalemate ended when

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Thomas Lee's sexual encounter with a Philadelphia stockbroker came to light. He eventually gave up roughly half of his estate - \$200 million - which in 1995 was one of the largest settlements in Massachusetts history. And when Joan Kennedy hired Inker to reopen her 12-year-old divorce settlement from Senator Edward Kennedy, it conveniently hit the newspapers one month before the senator's bid for reelection against Mitt Romney. A happy accident, Inker says. "That's what really made him settle, because he couldn't go to trial," Inker says flatly. "In some cases, [using the media] is the only way you'll get a fair shake."

Relentlessness marked the reign of Monroe Inker, too. "When he has a position, he'll fight. He will fight," says Ginsburg. "He won't settle." Indeed, it's Inker's refusing to settle that seems to raise the hackles of his colleagues the most.

When he represented Linda Horvitz, a former "Golddigger" dancer on the Dean Martin show, in her divorce from Jeffrey Horvitz of Beverly Farms and Florida, a scion of one of the country's largest family fortunes, Inker rejected an early settlement worth millions. "That was quite a piece of litigation," says Nissenbaum, the lawyer who offered that settlement. After several years and millions of dollars in legal fees, the case went before Ginsburg, who, Nissenbaum says, "made a decision that was exactly *to the penny* of what I had offered Monroe." ("That's baloney," says Inker. "We won at the trial.")

Of course, if his style always translated to money in the bank for his female clients, only their fat-cat husbands would complain. But that's not always the case. Take Maureen Sullivan Stenberg, the ex-wife of Staples founder Tom Stenberg. They divorced in 1987, and, in the settlement, she received nearly 500,000 shares of Staples stock, reportedly valued at \$2.25 per share. Problem was, Staples went public two years later - at \$19 per share - after she had unloaded nearly half her stock. She hired Inker to get her what she thought she deserved. The divorce grew into a decade-long mess, breathlessly retold on the front page of *The Wall Street Journal* in 1997. "I hired Monroe because he was supposed to be the best," Maureen Stenberg says now. "They had Tom and I go after each other, and it was like, sit back and watch the money roll in." She says she only met with Inker three times, despite the \$3 million she estimates she paid his firm. Inker says his colleague handled the case. Maureen Stenberg says Inker's female clients are vulnerable. "He meets with them. He says, 'Oh, you poor thing, your poor kids. Oh, my God,' and he doesn't even know their name. . . . He calls me the Staples lady," she says, then adds her experience with Inker's firm was atypical of her dealings with lawyers. After losing her case in 1994, she sued Inker and his colleagues for malpractice, a case that was eventually dismissed.

Yet, there seem to be more Betsy Vincents than Maureen Stenbergs in Inker's life. "I really feel I was in God's hands when I went to see Monroe. I feel like I was sent by an angel," says Vincent, who divorced James Vincent, then the chairman of Biogen, in 1997. "What he did for me was so important. First, he gave me back my self-esteem, and then he gave me back my life." Inker was

always available to her, she says. "I told him I had a hard time on weekends, so every Saturday night the phone would ring at 7:30: 'Betsy, are you all right?'" She says she and her ex have a "positive" relationship now, and she says Inker made it possible. "He didn't do a lot of damage. He tried to keep everyone whole." An artist, she lives in New Mexico now, and every time she returns to Boston, she has lunch with her old divorce lawyer.

MONROE INKER SINKS INTO HIS SOFA, SURROUNDED BY pictures of his two daughters and four grandchildren. It's the dinnertime hush in this enclave of Newton where he's lived with his wife, Elaine, for the past 35 years, and, though he's still wrapped up in his dapper work duds, his shoes are off, his cane abandoned at the door. "I have enemies, people who don't like me. Other lawyers, former clients. It's so adversarial these days. They're all competitors. But what the hell," he says softly, using his favorite expression. "I'm a competitor, too."

But he's a competitor who seems to have lost some of the fight these days, a cobra without venom, at least when it comes to the divorce arena that made him famous. He answers the charges leveled at him by critics without defensiveness, without vitriol, with almost a weary sense of resignation. That

he collects massive retainers and then hands cases off to his associates? "I'm sure people tell you that I give the work to other people," he says. "Some people say you should always be with me, I hired you. But you can't be everywhere," he says. "And I lose a lot of business. . . . I don't have the patience to sit down with Mrs. Jones for the 16th time." That he is overly aggressive, refusing to settle cases? "A lot of people pick on me and say that I don't settle these cases, I fight too much, and maybe they're right," he says. "If I think I'm right, I try not to settle the case. You've heard nasty things, right? I'll hold up a settlement. If I think something stinks, I have to say it."

He rubs his hands, gnarled with age, over his face. "Most people don't walk away happy. You can't satisfy many of the clients," he says. "It's terrible. If I had my life to live over again, I don't know if I'd do this."

The big cases aren't complicated, he says, they've just become cluttered with too many lies on financial statements, too many arguments "over how many dollars are in a five-dollar bill." Besides, he's found a new calling, and fathers of Massachusetts take notice: "The custody cases and some of these claims of emotional abuse, those are complicated. I'd rather do that."

And that's when you see glimpses of Monroe Inker, the legend.

"I'm interested in the questions that go on and the issues that still have to be resolved. In the divorce cases, many of these issues are worked out. But in custody, I still don't know what kind of grass I'm walking on, and I like finding it out."

Twenty years ago, he won a landmark case, *Yannas v. Yannas*, which allowed a Newton mother to relocate to Greece with her two children. "It's the basic case in Massachusetts on the standards for relocating out of state," says Ginsburg. Inker's winning argument established that the custodial parent - usually the mother - has the right to relocate, for good reason. "Only now, fathers' rights groups have created a cultural backlash, and some judges are deviating from it," Ginsburg says. "That's not the law. Monroe is going to make sure that the law that has been established in his Yannas case, which has not been overruled, remains."

It's going to be a tough battle. In Massachusetts, "the system is not really geared for all these custody cases," Inker says. "They don't have the money. There's no lobby for the family courts." And judges may have their own biases. "It's the whole issue of a woman's equal rights. It's so crazy to say Joe Blow can move anywhere he wants, but his wife, who has custody, is restricted by the court from moving. . . . It's a tough area, and I really enjoy those."

He enjoys it so much that this fall he shut the doors of his own practice and joined the prominent Boston firm Rubin and Rudman. Partly, that was to get away from the headaches of being the boss ("I was the worst businessman in the world," he says), but mostly it was so he could focus on this next chapter. "One reason that I came here, it will offer me the chance to get back to doing that work, in writing some of the law. There's still so much unfairness in the law."

"WE OUGHT TO BE CELEBRATING!" MONROE INKER SAYS AS HE packs up his bags at his office to head to his class at Suffolk. Shuffling out of the elevator to catch a cab, he stops every few yards to talk about his latest case. It concerns a woman who has custody of her child who wanted to move from Boston to her hometown of Old Saybrook, Connecticut, to take a job. The lower court judge ruled that she had to remain here, that the father's visitation rights could not be disturbed. "Our argument was that she has a right to travel under the Constitution," Inker says. An appellate court just stayed the judgment, and Inker is awaiting a ruling on what could prove to be a benchmark case. "We have so much emotion invested in this case," Inker says. "And sure enough, it looks [like] we're going to win."

It's been a long day for the octogenarian, but as the students file into the custody class - the only one in the country - that he teaches with Ginsburg, his energy is palpable. Inker loves teaching. He's gentle and encouraging with his students - hardly the courtroom pit bull.

"Teaching is learning," he says. "You see changes that you want to make, and that's another reason to keep going on. Changes in the law, changes in the approach. It really has to come from lawyers."

The custody issues the class debates are complex. What are the rights of a lesbian couple in a custody dispute? How do you determine who is the primary caregiver when both parents are working 2,400 hours a year and the "care" is day care? The issues are unresolved in this state.

Custody battles, says Inker, "are like the worst religious fights, and the ones who really suffer are the children and the women who are taking care of them."

It's 5:30. Class is over, and with it, Inker's energy wanes a bit. "How are you going to change the law here? It's crazy," he says as he flags down a cab. "What the hell. It's too late for me to change it. It really is."

He doesn't believe that for a minute.

Gretchen Voss is a freelance writer in Massachusetts. Her last story for the Globe Magazine was a [profile of Lucinda Treat](#), the chief legal officer for the Red Sox. E-mail her at gvoss55@hotmail.com. ■

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