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Among the 'Best'-- Employee benefits expert receives coveted honor

By Paul Janczewski
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Not every successful attorney spends a lot of time in court. Take Charles M. Lax, for instance. By his estimation, he's only been to court maybe three times in the past 25 years.

"And all those times was because I was called to jury duty," he said.

That's likely an exaggeration. Lax said he's gone with litigation attorneys from his firm, too, but only "to keep them company."

But what Lax lacks in courtroom presence, he more than makes up for with his skills and expertise in the legal arenas of employee benefits, taxation, corporate law and mergers and acquisitions. And for that, the shareholder with the Southfield-based law firm of Maddin, Hauser, Wartell, Roth, & Heller has recently been named as the Detroit area's employee benefits lawyer of the year by "Best Lawyers."

A prestigious designation?

"I'd like to think so," Lax said during a recent interview.

Apparently, so do his peers in the field of employee benefits. According to a press release, only a single attorney in each community is honored as "Lawyer of the Year."

"Best Lawyers" compiles lists of outstanding attorneys through thousands of peer review surveys, and "The Best Lawyers in America" publication 2011 edition is based on more than 3 million evaluations of lawyers by other lawyers. Those honored, such as Lax, received high ratings in those surveys for their abilities, professionalism and integrity.

This is not the first time Lax has been recognized by his peers--he also made the "Super Lawyers" list as one of the top 100 attorneys in the state in 2008.

Lax is not one to honk his own horn. Lax lacks that look-at-me gene. If he was a football player, there would be no fancy dances in the end zone after scoring a touchdown. He would simply hand the ball to the referee, like he's been there before, and credit the team for his success.

"There are a lot of 'best lawyers' in Michigan," he said. "This was really surprising and very flattering."

Maybe 100 or so attorneys in the Detroit area do, to some degree, what Lax does. But none do it better.

Lax, 64, grew up in Detroit, lived in Detroit, and practiced law in the Motor City. "I'm somebody who is a real homebody," he said.

His entire life, except for attending law school at the University of Michigan, has been centered within 15 miles of his Southfield office.

He graduated from Mumford High School in 1964, received his undergraduate degree in accounting from Wayne State University in 1968, and earned his law degree from the U-M three years later. Lax decided on law school for several reasons--although he had a business, accounting and tax background, he said he wasn't excited about joining an accounting firm, and he wasn't ready to "go into the real world."

"Law school seemed to make sense, so I continued my education to ultimately be a business or tax lawyer," he said.

His first summer at law school, Lax clerked at a Detroit firm and learned quite a bit from a business attorney and a litigator. In his senior year, while looking for a real job, Lax interviewed and was later offered a job in the Oakland County Prosecutor's Office, but had no interest in criminal law or litigation.

"I didn't have a job, yet it wasn't what I wanted to do," he said.

His options were either to get a master's degree in taxation from New York University, practice for the Internal Revenue Service, go with a big Certified Public Accounting firm, or hook up with a firm that had a tax practice.

Since he had just gotten married, he took the option four route, and joined a firm in 1971. It was a fortuitous decision. The firm was little, but did a lot of tax work, handling IRS controversies, estate and retirement planning. And the timing was perfect for Lax. He was assigned to delve into a new IRS ruling, learn it inside out, decide how it would impact the firm's clients and amend their retirement plans. "That's how I started doing what I'm doing," he said.

Several years later, Congress passed the Employee Retirement Income Security Act, which tightened the rules and regulations of every retirement, health and welfare plan.

"So I took on that responsibility," Lax said, "and since then, the retirement planning area has been a major part of my practice."

Lax became a partner in 1974, the same year ERISA was enacted, but the firm disbanded in 1991, and he and two others joined Maddin Hauser. He's been there ever since, and has no plans to leave.

Maddin Hauser, founded in 1982, is a multi-specialty law firm serving businesses, government entities and individuals that employs a team approach with its groups of attorneys who specialize in corporate and business, defense practice and insurance coverage, employee benefits, employment and workforce management, estate planning and probate, lending and finance, litigation, real estate, taxation, technology, and

computer law.

"We combine the best features of a very large institutional law firm, and a small practice," Lax said.

The 50 attorneys there have a one-on-one relationships with clients, and fees are more competitive than at large firms, Lax said.

"I like what I still do, and I like where I'm doing it," Lax said.

Lax and his wife, Linda, live in West Bloomfield, and have a son, Rick. The story of his wife and son are also interesting. Linda worked as a speech therapist at a local hospital for years until their son was born, and then became a self-taught web designer and developer whose clients include a New York Stock Exchange company and Silicon Valley businesses.

Their son is a graduate of the University of Michigan with a political science degree and DePaul University Law School. After his first year of law school, he wrote a humorous book titled "Lawyer Boy" about that first year. After graduation, he moved to Las Vegas, and now works for The Las Vegas Weekly as an entertainment writer while working on his second book. He also shares expenses and lives with a showgirl, although they are not romantically involved, Lax said.

Lax is a season-ticket holder at Detroit Lions games, works out daily, and enjoys theater and travel with his wife.

His practice includes setting up retirement plans of all sorts--401(k)s, profit sharing, pension plans, employee stock ownership plans and more--for about 300 clients, ranging from businesses as small as doctors to clients who have 10,000 employees.

Lax said his group helps adopt new plans for clients, creating plan documents, installing the plan, assisting its administrators, and, if necessary, going to bat for those if IRS problems pop up.

He said the practice has changed dramatically over the years due to government regulations being tightened and heavily regulated in the area of retirement and benefits plans.

Lax is most proud of work he's accomplished on advisory and liaison groups dealing with tax and retirement plans, specifically with the Advisory Committee for Tax Exempt and Government Entities. In 2005, he was appointed to the group by the Secretary of the Treasury for a three-year term.

"It's a very prestigious group," Lax said.

He said he was one of six members quizzed by the IRS Commissioner and other high-ranking officials on what they believed the IRS was doing wrong, what should they be doing better, and to make recommendations.

"It was a really fascinating experience," Lax said. "It was an opportunity to make a difference in the private pension systems in the country."

Lax said the IRS took all their input "very seriously," and he had the opportunity to get to know policy-makers in the IRS's retirement plans section and lobby lawmakers for current and future needs in retirement plans.

"It was very gratifying, both professionally and personally," Lax said.

Another feather in Lax's cap is being selected to co-chair the annual conference in 2010 and 2011 for the American Society of Pension Professionals and Actuaries, a 6,000-member national organization for retirement plan professionals. The conference includes 100 exhibitors, and the 1,500 who attend go to workshops, network with people from every aspect of the retirement plan industry and learn about new products, services, recent legislation and administrative regulations.

"It's a continuing education for professionals in this field," Lax said.

Lax has also earned respect in the field through articles he's written for legal and public accounting journals, has lectured on qualified retirement plans and other tax topics for many professional groups. He is a member of a number of professional groups as well.

So when Lax jokes that he's "not a real lawyer because real lawyers go to court," he does so with a wink and a nod to the reality of what he's accomplished.