

Daniel P. Dalton is not a naïve man. But back in 2004, when his client tried to tell him that his opponent had no intention of settling in good faith, Dalton didn't want to believe it.

Until, one day, there was no other explanation.

The case, *Lighthouse Community Church of God v. Southfield, City of, et al.*, was one of those cases that changes the trajectory of a career.

Before *Lighthouse*, Dalton had worked mainly for small- and medium-sized business clients, and for municipalities.

When he met with *Lighthouse's* pastor, Rev. Demetrius Booker in 2004, Booker tried to tell him that the plans to open his new church in Southfield were being dashed by city planners who had no intention of ever letting him and his flock meet in the commercially zoned building he had bought.

He said the city wanted a better deal than a religious land use; the city leaders wanted a pricey commercial development there, one which would allow them to rake in more property taxes.

Dalton didn't want to believe that. Having worked for local governments before, he said he thought he would have a couple of meetings with the planning officials, find out what site plan compromises they were seeking, and his client would be able to open his church.

But a year later, when he and his client were scheduled to go in front of the Zoning Board of Appeals, he learned the truth.

Lighthouse was scheduled toward the end of the meeting, so Dalton arrived halfway through, only to learn that the ZBA had voted to move the item to the top of the agenda, knowing he wasn't there.

"It took me a year to figure out that they never had any intention of letting my client be there.

It wasn't about trees and dumpsters and shrouding and site plans," Dalton said. "They just wanted a better deal."

It was an epiphany for Dalton.

Daniel P. Dalton

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Specialty: Religious land use

Education: University of Detroit Mercy School of Law (1990)

"At that point, I saw they weren't being fair, and we stopped all discussions," he said.

So he proceeded, preparing for trial. The case settled the day before the trial was scheduled to start in federal court.

"Since then, every case I take, I think this is a case that's going to trial," Dalton said.

But the case also changed him as a person.

"It really tested my faith," he said. "The way I am, and the way I grew up, it made me dig deeper and ask why I couldn't help the church more."

It put a strain on his firm, which had only been open for two years. There were times he wondered how the firm would make payroll, and he even questioned whether he should abandon the case.

It made him stronger as a person and as a lawyer, and focused his practice in the religious land use arena.

Now, half his practice is in religious land use, and in general counsel for religious organizations, who hire him for employment and personnel matters, contracts and leases.

He's taken clients and cases around the country, from the Great Lakes to the Southwest, all the while trying to strike the balance between being the nice guy he has a reputation for, and a zealous advocate for the clients he represents.

And *Lighthouse*?

The church had to, as part of the settlement, sell the property, and it received a nice price, Dalton said.



What advice would you give yourself if you met you as a first-year lawyer?
"The facts are the facts. There is no predictability in your cases. You just have to have every angle nailed down."

The sale was right before the real estate market began to skid downward, so the commercial development never did get built. But the church was able to buy a better location, and has flourished since the settlement.

"It all worked out," Dalton said.

■ Carol Lundberg