

**Instructor s Manual  
with Test Bank:**

**THE PARALEGAL S  
GUIDE TO FAMILY LAW  
AND PRACTICE**

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## PREFACE

The authors have prepared this Instructor's Manual in order to share their observations and opinions on effective ways in which to present the chapter materials. These observations and opinions have come from the experience of using the materials in the classroom in a Paralegal Studies Family Law course. Generally, family law courses are embraced enthusiastically by students and their interest level tends to remain high throughout the term. Many of the suggestions offered here derive from insights gleaned through class discussions and incorporate the student's perspective *vis a vis* the course material.

Each chapter contains a section which identifies the authors' objectives for the chapter. The second section suggests class discussion topics. Similarly, where chapter text refers to one or more of the appendices, there is a section in which the authors recommend when and how to include the appendix material in the chapter lesson. At the end of each chapter there is a test bank section.

Each chapter has been designed to allow an instructor to regulate the intellectual level at which the material is presented and the depth at which the subjects are pursued in accordance with the level of skill and educational background of the class. Similarly, the test bank materials can be used for classes of different levels. All of the tests are objective tests. All of them may be used alone or any or all may be supplemented by essay questions the instructor designs. In this manual, as each chapter is addressed, the authors also present suggestions for essay questions specific to that chapter.

A set of transparencies for each chapter has been provided as an instructor's aid. The salient points of each chapter have been reduced to a one- or two-page outline which will provide the instructor with a reference point during a class lecture. The transparencies will also serve as a simplified outline for the student and a visual aid to be followed during the instructor's lecture. The use of transparencies will aid the student in the learning process in that it will engage the student on a visual as well as an auditory basis.

Finally, this manual offers suggestions on how to tie together theory and practice and present the students with assignments which enable them to translate the theoretical goal into the practical execution of that goal.

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# **CHAPTER 1**

## **INTRODUCTION TO FAMILY LAW PRACTICE**

### **Objectives**

Chapter 1 introduces the student to the reality that the family law practice has become a specialty practice. The chapter's principal objective is to provide the student with the characteristics and features of both family law and family law practice that distinguish them from other areas of law and practice. The chapter presents the type of activities that take place in the office of a family law practice and the various duties entrusted to the family law paralegal. The chapter also includes information on the growth of family law and the existence of specialized family courts and the family law practitioner's role.

The section on family law theory provides an overview of the principal substantive issues family courts must address and the case law and statutory law that provides the means of resolving such issues. The section on family law practice stresses the value of specialized procedural law in facilitating the dissolution process and resolving the practical problems arising during the pendency of the action, through procedures for obtaining temporary solutions. Throughout the chapter, references are made to the effect of cultural and societal changes on the nature and development of both family law theory and practice.

The section on the different modes of dispute resolution alerts the students to the alternatives available to clients involved in the marital dissolution process. Also emphasized in this section is the role that office staff can play in making divorcing clients as comfortable as possible during such an unsettling time.

### **Class Discussion Topics**

This introductory chapter provides the instructor with an opportunity to engage the class in a discussion in which individual students can broaden the understanding of the entire class by offering, if they wish, accounts of their own life experiences related to divorce, custody, alimony, and child support issues and their exposure to family law attorneys, their offices, and office staff.

The chapter also lends itself to class discussion on the difference between substantive law and procedural law. Family law is usually an upper level course in a paralegal studies program. The students hopefully will have already learned the difference between substantive law and procedural law in earlier courses. Students can be challenged in a class discussion to articulate what parts of law mentioned in the chapter comprise substantive law and what parts constitute procedural law.

## **Use of Cases and Appendix Materials**

Chapter One does not include cases or references to appendix materials.

## **Test Bank**

The Chapter 1 True or False Quiz is designed to reinforce the above points. It will give students an idea of whether they have understood what they read in the textbook and heard the instructor discuss in the classroom.

The instructor may also wish to develop Essay Questions which will offer the students an open-ended chance to display their knowledge and understanding of the chapter and to expound on the areas that most impressed them.

This chapter emphasizes that in our society, as in most other contemporary societies, there are obligations of marriage and parenthood which at times the judicial system will enforce. An instructor may wish to show that there is a connection between family obligations and the issues that arise when a dissolution or divorce action is commenced in the court system, and that these issues deal with the financial maintenance of the family members and the care of the minor children, as well as how to achieve a fair distribution of marital property and marital debts.

## **CHAPTER 2**

### **THE ROOTS AND TRADITIONS OF AMERICAN FAMILY LAW**

#### **Objectives**

Chapter 2 provides a historical perspective to students and demonstrates that the law is not made in a vacuum, but reflects the values and mores of the society in which it prevails. Knowing a bit of the history of family law will help the student understand why family law evolved the way it has, and how social and cultural changes have brought change in family substantive and family procedural law.

This chapter provides the groundwork for viewing marriage as an economic and social partnership in which each party has obligations to and expectations of the marriage and of their marriage partner. Emphasis is placed on the transition of marriage from a religious sacrament in a country with a state religion and national church to a civil contract in a secular society with strict separation of church and state. Emphasis is also placed on the changing role of women in twentieth-century American society and the effect of this change on how courts and the society they reflect have viewed the institution of marriage, the accessibility of divorce, the prospect of paternal custody, and the introduction of both joint custody and alimony for the male spouse.

The dominant purpose of this chapter is to sensitize students to the reality that family law is always changing and evolving and reflects the dominant cultural beliefs and state-of-the-art scientific, technical, philosophical, and psychological body of knowledge available.

#### **Class Discussion Opportunities**

This chapter lends itself to lively class discussions on a number of subjects. Students could be asked to consider how the development of child psychology and the subsequent changes in theories of child development have influenced the criteria used by the judicial system to make decisions on custody and visitation. The class might also enjoy discussing how the feminist revolution and the subsequent gains for women in the workplace affected decisions on alimony, child support, and custody. This chapter introduces the student to case law which deals with family law issues. Class discussions centering on cases are addressed in the section below on the use of cases.

#### **Use of Cases and Appendix Materials**

This chapter introduces the student to case law by presenting older case law opinions which deal with obsolete family law actions. Mention is made of obsolete legal actions. The three case law opinions presented deal with the now obsolete Breach of Promise action. These cases offer the instructor a variety of options for their use. They can be given as a homework assignment with a discussion to follow at the next class meeting. Studying these cases can

demonstrate how the law is a creature of the times. The instructor might wish to supplement this study of old actions by finding one or two old alienation of affection cases and copying them for the class to read. These cases will also help students to understand the respective positions of men and women before the law at different times in American history.

The authors have also included an ABA Press Release which reports that in a survey of family lawyers, they strongly opposed a return to fault-based divorce. This topic will certainly stimulate class discussion. The instructor should attempt to have students present well-organized and well-prepared arguments in support of their individual positions.

## **Test Bank**

This chapter includes a True or False test.

## **CHAPTER 3**

### **ETHICS IN FAMILY LAW**

#### **Objectives**

The chapter on ethics is one of the longest and most significant in the text. The authors devoted so much time to this chapter because family law practice presents so many different types of situations where the potential for a breach of ethics exists. The dominant objective of the chapter is to make students knowledgeable of the standards of the legal profession and to make students aware of the seriousness of an ethical breach and the need to be constantly vigilant that work is conducted in a highly ethical manner. Therefore, the authors explain the model code of ethics, identify various types of ethical breaches, the instances in which they might occur, and also discuss the penalties for causing such breaches.

This chapter emphasizes three distinct breaches of ethics: The unauthorized practice of law, the unlawful use of client s money, and the pitfalls the paralegal faces when dealing with a *pro se* opposing party. The first part of this chapter includes as an insert *Model Standards and Guidelines for Utilization of Legal Assistants*. The instructor may wish to have students review this document in a depth that is consistent with the academic sophistication of the class. Review of this document may be given as a homework assignment with a question-and-answer period and class discussion to follow.

Also in this chapter, the authors discuss fee arrangements, the ethical reasons for retainer letters, and the need for keeping accurate records of billable hours. Portions of the statutes and ethical codes of various states are reproduced and students should be encouraged to locate the comparable statutes and codes in their state.

The consequences of ethical violations are discussed and the various civil, criminal, and administrative remedies are identified.

#### **Class Discussion Topics**

Because at times the material in this chapter can be extremely dry, the best way to stimulate class discussion and have the students absorb the material is to give hypothetical situations in which ethical breaches have occurred or may occur. Here will also be discussion opportunities when the cases discussed below are read.

## **Use of Cases and Appendix Materials**

Several cases are included in this chapter. The purpose of such inclusions is to provide concrete situations in which the students can see how ethical principles are exercised and how ethical breaches can and do frequently occur.

The first case included in this chapter is a U.S. District Court action brought by a paralegal who contended that laws prohibiting the unlicensed practice of law were unconstitutional. This case will lay the groundwork for a discussion on the future possibility of licensing paralegals and giving them legal authority to perform some of the duties currently restricted to lawyers — along the same lines as the physician s assistants who have assumed some of the physician s duties.

This chapter also includes statutes from California, Connecticut, Florida, and Texas, all of which prohibit the unauthorized practice of law. We have included these statutes to impress upon the students that the law frequently imposes limits on the types of professional activities a paralegal may engage in, and that exceeding these limits constitutes the unauthorized practice of law.

There is a section in this chapter called *An Overview of Basic Ethical Principles*. Here the concept of confidentiality is thoroughly investigated. Situations involving conflicts of interest and multiple representation are also described. Various examples and hypothetical situations are presented in this section and in other parts of this chapter in order to have the students see how ethical principles apply in concrete situations.

There is also a case which deals with a lawsuit for legal malpractice arising from an attorney s forgery of a client s signature which was notarized by the attorney s paralegal. Additionally, this case vividly demonstrates the potential ethical pitfalls of dual representation of parties in a divorce proceeding. Another case deals with a law firm s vicarious liability for a paralegal s violation of confidentiality principles by engaging in an affair with the husband of a client of the firm. Finally there is a case on setting legal fees and the differential in rates charged for attorney s services and the services of the paralegal.

## **Test Bank**

This chapter includes a true or false test. The instructor may wish to include an essay question which deals with the unauthorized practice of law by the paralegal. Another essay question could address a potential conflict of interest issue while a third essay question might center around the attorney/client confidentiality.

## **CHAPTER 4**

### **PRENUPTIAL AGREEMENTS, COHABITATION, AND SAME SEX MARRIAGES**

#### **Objectives**

This chapter introduces the students to three relatively new areas of family law. The section on prenuptial agreements seeks to give students an understanding of how prenuptial agreements, once disfavored by the courts for public policy reasons, have now achieved respectability because of both the greater incidence of divorce in our society and the improved and independent economic status of many single women contemplating marriage. There is a thorough examination of all financial assets that must be disclosed and a listing of all items to be included as assets. The chapter also identifies what is needed to execute a valid prenuptial agreement and also reveals under what circumstances a court has discretion to overlook rights waived in the agreement in the interest of justice.

The section on cohabitation explains how individuals in a living together situation may protect their interests in joint assets. The palimony discussion demonstrates how a court may find contractual rights inherent in the living arrangement so that upon a breakdown of the relationship, the court may have the authority to order the economically independent partner to provide or maintain the less economically advantaged partner.

The purpose of the same sex marriage section is to provide students with up-to-date information on recent case law and legislative initiatives in the area of domestic partnership rights, as well as case law and statutory decisions which reaffirm the character of marriage as a union reserved exclusively for heterosexual partners.

#### **Class Discussion Topics**

This chapter lends itself to lively discussion and debate on the wisdom and need for protecting oneself financially when entering a marriage versus the need to enter into marriage with the assumption that marriage is to be a true and lasting partnership both spiritually and economically. A very constructive discussion may be initiated on how to draft a prenuptial agreement that is fair to both parties, given their respective situations at the time of marriage. This discussion should consider terms in an agreement that might expire after ten or fifteen years of marriage when partners have had opportunities to even out their contributions.

Needless to say, the issue of gay marriage is a hot and controversial one, guaranteed to spark participation in debate. Additionally, a discussion on Domestic Partnership Acts may enlighten students that these acts provide benefits for heterosexual as well as same sex partners.

## **Use of Cases and Appendix Materials**

Two cases emphasize major points. The case dealing with prenuptials amplifies the shift in legal reasoning which has given support to prenuptial agreements as a sound realistic answer to the economic realities of this day and age. The same sex marriage case provides an analytic framework in which to consider the possibilities for legalizing same sex marriage and the obstacles legal analyses may present.

This chapter also presents helpful material in the form of a model Prenuptial Agreement. This document will familiarize students with the various issues covered in the prenuptial agreement and show how the drafter of the document has chosen to address such issues.

## **Test Bank**

This chapter includes a true or false quiz. Possible essay questions could touch upon the rationale for allowing palimony, the right of a court to override provisions in a validly executed Prenuptial agreement, and legislative alternatives for providing gay partners with benefits and protections similar or identical to those enjoyed by married partners.

## **CHAPTER 5**

### **ALIMONY**

#### **Objectives**

The main purpose of this chapter is to have students understand what alimony is, alimony's history, and how it has evolved in recent decades. In addition to a case law opinion, this chapter contains excerpts from divorces of the rich and famous which demonstrate that very wealthy, high-earning spouses usually are ordered to make hefty periodic or lump sum alimony payments.

In this chapter, the authors hope to convey to students the fact that there are different types of alimony which are for different purposes and which may be limited in time. There are definitions for periodic alimony, lump sum alimony, rehabilitative alimony, and compensatory alimony. The usually unwise practice of combining alimony and child support obligations in an undifferentiated sum is discussed and illustrated with a case law opinion addressing this issue.

Statutes from California and Florida are included in the chapter. These statutes lay out guidelines for determining the amount of support. The Florida case which follows the Florida statute illustrates how the statutory criteria are applied in actual circumstances. Additional cases in this chapter deal with various aspects of the alimony award. All the cases in this chapter are very readable, interesting, and humorous.

The chapter also deals with temporary alimony orders and deals briefly with contempt orders the court may issue when a spouse fails to make the requisite alimony payments.

#### **Class Discussion Topics**

Discussion can arise from presenting hypotheticals. Where statutory formulas govern the amount of spousal support, students can do a hypothetical in class and then discuss how they arrived at their answers. There is also an opportunity for some philosophical discussions as to whether alimony should be awarded at all and also for discussions on the merits of limited time alimony for spousal retraining and on the advantages and disadvantages of lump sum alimony for both the payor and the payee spouse.

## **Use of Cases and Appendix Materials**

Various situations associated with alimony are presented through the inclusion of case law opinions which are informative and frequently amusing. The case of the cohabitating spouse introduces the possibility that in some family law jurisdictions, when the payee spouse cohabitates with a significant other, the payor's alimony obligation may cease. There is also a case where a lower court's failure to find a wife at fault for the marital breakup is upheld on appeal and confirms the wife's right to alimony, and in another case, the court finds that a spouse who inherited two million dollars during the course of her marriage was not entitled to receive either alimony or attorney's fees from her hard-working but less affluent ex-husband. We have included cases on lump sum alimony and rehabilitative alimony as well as periodic permanent alimony and reimbursement alimony. These cases set out the factors which courts consider in making decisions on whether or not to award alimony and what type or types of alimony to award. As students read these cases, they will be able to better identify the different types of alimony and to decide when a certain type is warranted.

## **Test Bank**

This chapter includes a true or false quiz. The instructor may wish to include essay questions which compare and contrast periodic alimony and rehabilitative alimony.

## **CHAPTER 6**

### **PROPERTY AND DEBT DISTRIBUTION**

#### **Objectives**

This chapter examines in depth how marital assets and marital debts are identified and then distributed as equitably as possible in a dissolution action. The objective of the chapter is to inform students of the myriad factors and items that must be considered when a marital unit breaks up.

Property and debt division can be a lengthy and complicated process. That is why the authors have begun the chapter by describing real property and personal property and by identifying the different forms of property ownership. The difference between title to property and ownership of property in a marriage context is discussed.

This chapter acquaints students with all of the items that may be considered marital property and with the items that in certain circumstances will be considered separate property. Instructors will need to assist students in understanding how and why some assets are considered marital while others are separate assets. Instructors will also need to assist students with the concept of transmutation of separate property into marital property, and students should be encouraged to offer examples of each type of property and examples of when a particular piece of separate property becomes marital property.

#### **Class Discussion Topics**

There are several complex concepts presented in this chapter such as the distinction between separate property and marital property and the concept of transmutation of separate property into marital property.

#### **Use of Cases and Materials**

The case of dog visitation illustrates the lengths that some spouses will go to to retain or obtain for their own what was once marital property. The credit card debt case has been included as an example of the court's equitable decision to allocate the payment of an \$82,000.00 credit card balance solely to the husband who was responsible for the extravagant expenditures on the card. This case also presents the issue of marital estate dissipation by one spouse and how the courts compensate the spouse who did not engage in dissipation. There is also a case to demonstrate how courts distinguish between separate property and marital property.

#### **Test Bank**

This chapter contains a true or false quiz.

## **CHAPTER 7**

# **CHILD CUSTODY, VISITATION, AND THE RIGHTS OF THIRD PARTIES**

### **Objectives**

This chapter on child custody communicates to the student the importance of making provisions for the children of a divorce regarding with whom they will reside and how the financial aspect of their care and maintenance will be handled. The chapter emphasizes the various types of custodial dispositions the court may order. The objective here is to have the students acquire an understanding of what each custodial arrangement entails and of what rights and obligations each parent has under each type of custody. This chapter has many Key Terms. Through learning these terms and understanding their import, the students should be able to make the distinction between physical custody and legal custody, and between joint custody and split custody.

At the beginning of this chapter, the authors give a brief history of the various ways the issue of child custody was settled in different cultures and at different times. Then the emphasis shifts to various rationales applied in the United States to determine custody. The shift from the tender years doctrine to the best interest standard is described against the historical period in which it occurred. By doing this, the authors again attempt to drive home to the student one of the text's main themes — that law is not made in a vacuum, but reflects the dominant values and mores of the particular culture at a specific time. The authors hope that through the explanations provided the students are able to perceive that when the tender years doctrine was routinely applied, it was because there was a societal consensus that the best interests of children of tender years were best served by having them remain with and be parented by their mother. The students should also realize that by adopting a term as general as best interest, the court may consider each case on an individual basis and take into consideration the specific circumstances of each parent and each child. The authors also stress that, whereas family court judges have considerable discretion in resolving issues of child custody, the court does not have complete discretion to decide what custodial disposition will most likely promote the child's best interest. The authors present the various factors the court must consider and use; as one example of the factors to be considered, the Arizona statute which mandates the court's consideration as relevant, all the factors enumerated in that statute. For several of the criteria given, there is a case following which illustrates how the application of the term operates in real life. The authors also provide the psychological criteria considered, such as who is the psychological parent and who is the primary caretaker.

## **Class Discussion Topics**

This chapter lends itself to many opportunities for class discussions. There can be discussions on what type of relationship parents must have with each other for a disposition of joint shared custody to work, when an arrangement of joint legal custody with physical residence with one parent is appropriate, and when sole custody with visitation best serves the child's interests. Visitation as a separate topic can be discussed as students explore what constitutes reasonable visitation.

## **Use of Cases and Appendix Materials**

The cases included in this section of the chapter deal with the use of the terms primary caretaker and secondary caretaker, where parents have joint legal custody but the child has his primary residence with one parent. There is also a case which illustrates the manner in which consideration is given to child's preference, and discusses the operation of the Georgia's child preference statute which allows children age 14 and older to decide their own custodian.

Another case which illustrates how a parent's sexual preference influences the court when making a decision on custody and decisions related to that decision. The Charpentier case demonstrates articulated concerns of the Connecticut Supreme Court as to the effect on children where their mother was living with a same sex partner. This case may be fertile ground for a discussion of the opinion. While the judge seemed to say that the particular circumstances of the case raised concerns because of the third person's history of mental instability and abuse to children, the class can debate whether the judge may have recommended a different custodial arrangement if the third person had been a very emotionally healthy, nurturing adult with a good relationship with the children.

## **Test Bank**

This chapter contains a true or false quiz. Instructors should have no trouble developing essay questions to address each of the myriad issues the chapter contains. An essay question analyzing the psychological parent issue and the distinction between the primary caretaker role and psychological parent would be a very useful exercise and learning experience.

## **CHAPTER 8**

### **CHILD SUPPORT**

#### **Objectives**

The chapter on child support provides an explanation of how the judicial system determines the financial obligation of the noncustodial parent or secondary caregiver. The fact that almost all jurisdictions now have child support guidelines is stressed and the Connecticut and Massachusetts formulas are analyzed. This chapter also covers what happens when a parent fails to make child support payments, and the relief available to the child's custodial parent.

Students will probably enjoy a classroom exercise that gives them a chance to apply the Connecticut guidelines to hypothetical divorcing parents' respective incomes and come up with the statutorily mandated amount that the noncustodial parent will be ordered to pay to the custodial parent.

This chapter contains one of the drier sections of the book. It is the section on interstate enforcement of child support payments. Again, a positive way to present this subject is by employing hypothetical examples.

The chapter also attempts to address the events which require a modification in child support orders, such as a change of custody for one or more of the children, a significant change in the income of either parent, or the change in the amount due wrought by one of a group of children attaining the age of majority, eighteen. In addition, the subject of postmajority child support is also covered.

Finally, the authors remind students that the noncustodial parent's failure to pay child support does not give the custodial parent the right to withhold visitation. Other relief is available, and in almost every case the court will order the offending spouse to pay the other's attorney's fee for the action the offender's default necessitated.

#### **Class Discussion Topics**

Class discussions may help to enliven the drier parts of the chapter. As mentioned above, using hypothetical examples will give students the chance to apply the child support formula to different concrete situations. Other topics for discussion may include the requisites for a modification of the child support order and what constitutes changed circumstances, the meaning of post-majority support and when it is appropriate, and what prerequisites must exist for judicial enforcement of a post-majority support agreement. Again, hypothetical situations may be employed to illustrate these topics.

## **Use of Cases and Appendix Materials**

There are several cases in the chapter which hopefully emphasize salient points of child support issues. There are two cases which deal with the appropriateness of judge-ordered child support payments in excess of the highest amount set forth in the guidelines schedule. One of these cases also addresses how one jurisdiction factors in a second husband's income in determining a parent's income for purposes of determining the child obligation and each parent's contribution to that obligation.

## **Test Bank**

This chapter contains a true or false quiz.

## **CHAPTER 9**

### **THE CLIENT INTERVIEW**

#### **Objectives**

Chapter 9 begins the shift from family law theory to an examination of family practice. The Client Interview is a very practical chapter. This chapter focuses on the method of conducting a client interview in a family practice office, and it gives some real examples of the types of tasks that a paralegal in such a firm might be called upon to execute. In this chapter, the authors again stress the limits on what paralegals may and may not do and what activities would constitute the unauthorized practice of law.

This chapter emphasizes the use of forms as initial information-gathering tools. The telephone intake sheet is discussed, as is the paper work used for the first office visit, or the initial interview. In the chapter we have included reproductions of sample forms. Instructors may wish to copy these forms and enlarge them so that students can try their hand at filling out an intake sheet, engaging another student as the prospective client for both the telephone interview and the office interview. The financial worksheet form example can be duplicated and, as an in-class exercise that students in our classes seem to enjoy, the students may pair off and assist each other with the providing of their own financial profiles on the financial worksheet form.

We have also included a sample Retainer Agreement. If time permits, the instructor may wish to go over this document paragraph by paragraph, explaining the need for each provision as it appears in the document. There are also sample client release forms which paralegals may have the task of preparing so that the attorney on file will have access to the client's medical and financial records.

#### **Class Discussion Topics**

Students should enjoy discussing the various aspects of the client interview. As mentioned above, the instructor may wish to have students pair off and interview each other. After this exercise, students may wish to discuss the experience of being an interviewer or an interviewee. While the class is studying this chapter, the time may be ideal to have a family practitioner as a guest. Either a family law attorney or a family law paralegal would be able to provide a valuable perspective on the emotional aspects of a divorce, its impact on the client, and how to deal with a client going through a divorce. After the guest presents an introductory lecture, the class can participate with the guest in a discussion and question and answer period.

## **Use of Cases and Appendix Materials**

While there are no cases in this chapter, there are transparencies for all of the forms appearing in the chapter. The transparencies can be used as the forms are being discussed.

## **Test Bank**

This chapter includes a true or false quiz. An essay question asks students to consider what the paralegal might wish to include in a client intake form and in a checklist for the client to use, listing documents to provide to the attorney.

## **CHAPTER 10**

### **INITIAL PLEADINGS AND RESPONSIVE PLEADINGS**

#### **Objectives**

In this chapter, the student is introduced to all of the initial pleadings used in the dissolution process. The complaint is discussed and broken down into sections which are identified as to their purpose. It is important to stress to the students that every jurisdiction requires that the body of the complaint contain certain factual information regarding the parties and their marriage and, that if this information is incomplete, the clerk will return the Complaint, unprocessed, to the law firm that attempted to file it. Service of the complaint is also covered, including a discussion of the paralegal's role in preparing the transmittal letter to the process server and in keeping track of service arrangements. This section also includes mention of service by publication, default judgments against the nonappearing served defendant, and contempt orders.

Students are also introduced to pre-return date relief. This chapter contains a sample packet of documents which many jurisdictions require to be filed in order to make and obtain an application for a prejudgment attachment of certain marital assets and which often includes a motion for disclosure of assets.

There is a section on representing the defendant in a dissolution proceeding and this includes a discussion of the filing of an appearance on the defendant's behalf and the filing of responsive pleadings such as the answer and, when appropriate, the cross-complaint.

#### **Class Discussion Topics**

The instructor may wish to initiate a discussion on the form of the Complaint and why certain information is required in the Complaint. Service of the Complaint is another good topic for discussion. This discussion will provide the instructor an opportunity to review the different types of service that may be employed under various circumstances. Discussion of the prejudgment remedy process is an interesting topic. Students may bring in life experiences which demonstrate that when a relationship is deteriorating, an every man for himself mentality emerges and one spouse or the other may seek to store assets for himself or herself by cleaning out bank accounts or selling or transferring assets to avoid sharing their value in a property distribution arrangement.

#### **Test Bank**

This chapter contains a true or false quiz.

## CHAPTER 11

### *Pendente Lite* Motions and Orders

#### Objectives

In this chapter, the authors strive to have the students realize that during the *pendente lite* period of the lawsuit, there may be a considerable amount of courtroom activity as one or both parties, through the procedural tool known as a motion, ask the court to make temporary orders regarding custody, visitation, child support, alimony, use of the family home and vehicles, and myriad other orders. The chapter also provides the practical reasons why a party seeks a temporary order on a particular issue.

This chapter contains a considerable number of sample *pendente lite* motions designed to resolve issues on a temporary basis until the court enters a divorce decree which will also address the same issues. The motion as a court document is dissected. Students are provided with an explanation of each section of a motion and order and what each section establishes for the court.

The substance of the Order page is discussed. Students will hopefully learn when the Order page may contain a text which gives a simple granted or denied response to the party's motion and when the Order page should contain a more specific order, such as including the schedule of visitation with identification of dates and pick-up and return times for the minor children.

#### Class Discussion Topics

This chapter is especially suitable for students to share with the class the experiences they have had during the divorce process with the filing of *pendente lite* motions and the issuing of temporary orders. They will also be able to describe what goes on at a short calendar proceeding. Students who have gone through this process will also be able to testify to the need for *pendente lite* relief, especially if there are minor children to be supported and home mortgage payments to be made.

#### Use of Case Materials and Appendix Materials

This chapter has no cases. The inclusion of sample typical *pendente lite* motions provides students with a realistic picture of the types of court documents needed to be filed to obtain *pendente lite* relief. These sample motions may be used as models later in employment situations where the paralegal is assigned to create the *pendente lite* motions.

## Test Bank

This chapter has a true or false quiz. The instructor may wish to include an essay question in which the student can present the reasons why the *pendente lite* process is essential during a dissolution proceeding. A specific question on the need for *pendente lite* arrangements for custody or for exclusive use of the family home will assist students in understanding why court intervention is necessary when the divorcing spouses cannot negotiate these issues between themselves.

## **CHAPTER 12**

### **THE DISCOVERY PROCESS IN FAMILY LAW**

#### **Objectives**

The discovery tools common to all types of civil litigation as well as certain discovery measures that are specific to family law disputes are presented in this chapter. Each of the discovery tools is discussed in detail as well as the privileges and objections that may be offered to prevent otherwise discoverable information.

Much attention is given to the paralegal's role in assisting in the preparation of interrogatories and responses to interrogatories, the paralegal's role in assembling documents that are responsive to the opposing party's request for production of documents, the paralegal's role in arranging for depositions of opposing parties and non-party witnesses, and preparing notices of deposition, deposition subpoenas, and the subpoena *duces tecum*. The chapter also guides students through the deposition proceeding and points out the types of assistance the paralegal may provide when attending the deposition with the deposing or defending attorney.

The preparation of a Motion for Protective Order and a Confidentiality Agreement is also covered, as are the Request for a Physical or Mental Examination and the Request for Admissions. The substantive and procedural differences between Motion Documents and Request Documents is explained. In addition, the theoretical and practical reasons for choosing to employ certain discovery tools and not use some of the other available tools is examined and analyzed.

Students also learn that there is a discovery motion available to address an opposing party's unexcused failure to respond to a discovery request such as the Motion to Compel and the Motion for Sanctions and Costs.

#### **Test Bank**

This chapter contains a true or false quiz.

## **CHAPTER 13**

### **THE SEPARATION AGREEMENT**

#### **Objectives**

This chapter explains in detail the sections of a typical separation and the purpose of each section and contains a model separation agreement. Students usually are better prepared to absorb the material in the chapter if, before the reading of the chapter is assigned, the instructor presents an overview of the separation agreement and encourages a question-and-answer period. After the students subsequently read the chapter, another class discussion may follow.

Students may be given the assignment of writing their own separation agreement or the separation agreement of a fictitious couple.

Another major aspect of the discussion on separation agreements should be the issue of which portions of the separation agreement are modifiable and which parts are non-modifiable. The students hopefully will come away from this chapter with the understanding that for policy reasons, the judicial system prohibits parties from making certain parts of the separation agreement non-modifiable while other parts may be non-modifiable and if so fashioned, the court will uphold and enforce the non-modifiable portions so that the intentions which these portions articulate will be realized as anticipated.

#### **Class Discussion Topics**

Students should be encouraged to express their opinions on what they believe are essential provisions of any separation agreement and how these provisions should be worded. There may also be a discussion on what should and should not be non-modifiable in such an agreement.

#### **Use of Cases and Index Materials**

No cases are included. The sample separation agreement in the chapter and others in the appendix are meant to be useful in helping the student visualize what goes into a separation agreement and how it is to be presented.

#### **Test Bank**

This chapter contains a true or false quiz.

## **CHAPTER 14**

### **THE DIVORCE TRIAL**

#### **Objectives**

Despite the fact that most divorce or dissolution proceedings settle and do not go to trial, this chapter provides a ready reference guide to preparation for and participation of the divorce trial. Students are walked through each aspect of preparation, including the preparation of witness lists and exhibit lists, preparation of the various parts of the trial notebook, preparation of trial subpoenas, and meetings with and preparation of the client and supporting witnesses prior to trial testimony.

#### **Class Discussion Topics**

The instructor may wish to initiate discussion on all of the possible areas in which the paralegal may assist in trial preparation and also be of assistance during the trial.

#### **Use of Cases and Appendix Materials**

There are no cases in this section.

#### **Test Bank**

This chapter contains a true or false quiz.

## **CHAPTER 15**

### **POST-JUDGMENT DIVORCE ISSUES**

#### **Objectives**

The purpose of this chapter is to acquaint students with the recurring types of family court actions which occur after the divorce, sometimes shortly after or in other instances, several months or years after the divorce. The chapter emphasizes that things do not end with the entry of the divorce decree.

This chapter covers a broad area of post-judgment matters. There are sections on modifying all the modifiable provisions of the divorce decree such as custody, visitation, alimony, and child support. Failure to abide by a court order regarding custody, alimony, or child support is addressed through discussion on Contempt motions; students also learn that the Motion for Contempt is the remedy if an opposing ex-spouse fails to comply with one of the non-modifiable portions of the decree, such as failing to pay a settlement amount.

In this chapter, there are sections which deal with the modifiable portions of the divorce decree such as modifications of custody, visitation, child support and alimony.

The main concept which students will hopefully absorb from this chapter is that certain provisions of the divorce decree are modifiable by law and either party may go into court to request that an order be modified. The justification for modification is changed circumstances. This term was introduced to students in the chapters on alimony and child support. Students will now learn that it covers changes in the parties' personal circumstances as well as financial circumstances.

Another central point to be conveyed in this chapter is that there are remedies when one party or the other fails to observe the obligations stated in the divorce decree. The remedy is to bring a motion for contempt before the court and also to bring a motion for attorney's fees and costs since it was the other party's default which gave rise to the need for legal representation.

The third point stressed is that the family law practitioner spends a considerable amount of time on postjudgment matters and that the paralegal plays a major role in gathering information and preparing court documents to facilitate moving on postjudgment issues.

#### **Test Bank**

This chapter includes a true or false quiz.

## **CHAPTER 16**

### **STATE INTERVENTION IN FAMILY MATTERS**

#### **Objectives**

The purpose of this chapter is to make students aware that the state has the right to intervene in a family when it has reason to believe that the minor child or children in the home are being neglected and abused and must be afforded protection. Students will be shown that the state must always balance the family's Constitutional right to family integrity with the child's right to be protected by the state against harm by family members or others in society. Judicial intervention is explored and the neglect and termination of parental rights proceedings are outlined. This chapter also focuses on adoption. The severing of the legal bond between natural parents and the child is discussed as a prerequisite to initiation of the adoption process. Public and private adoption agencies are discussed as is the private adoption.

#### **Class Discussion Topics**

Students should be encouraged to learn about the child protection agency in their state. Discussion may ensue on how the child protection agency is set up and what it is called; whether there is a hot line for this agency; and the issue of mandatory reporters may also be discussed. Frequently students do not understand the implications of being a mandatory reporter and who are and who are not mandatory reporters.

#### **Use of Cases and Appendix Materials**

No cases or appendix materials are used in this chapter.

#### **Test Bank**

This chapter includes a true or false quiz.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER ONE

#### True or False

1. Today, one out of four children grows up in a one-parent home.
2. At the turn of the 20th century, divorce was far less common than it is today.
3. The number of family law practices in the United States has grown in recent decades because of changes in American society.
4. Family law theory underlies substantive family law.
5. Family law is made solely by judges through case law decisions.
6. Family law governs the distribution of marital real estate in a divorce.
7. Family law procedural rules are part of a jurisdiction's rules of civil procedure.
8. Substantive law governs the procedures for adjudicating family law matters.
9. Mediation in a family law matter is binding upon the parties.
10. There are no trials in Family Court.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER TWO

#### True or False

1. Christianity transformed marriage into a sacrament.
2. Throughout history, women have always had a superior right to the custody of their children.
3. Married women could not own property in their own names until the Feminist Revolution of the 1970s.
4. Children were once considered their father's chattels.
5. Divorce was prohibited in the American colonies.
6. Today, marriage is considered a civil contract.
7. The Puritans allowed Divorce of Bed and Board.
8. The Industrial Revolution resulted in a society that promoted maternal custody.
9. The Feminist Revolution played a role in the increase in paternal custody.
10. An annulment is a legal action to end a marriage.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER THREE

#### True or False

1. The unauthorized practice of law is a criminal offense.
2. Paralegals may give legal advice.
3. There are a few circumstances where a non-lawyer may represent another person.
4. Individuals may never represent themselves.
5. Paralegals may sign legal documents which they prepare.
6. The rules of ethics must be followed by all employees of a law firm.
7. A grievance committee investigates complaints against an attorney.
8. Work product refers to the paralegal's typing output.
9. If a paralegal violates an ethical rule, the supervising attorney is also responsible.
10. A client who is swindled by an attorney and his or her paralegal may institute legal proceedings in both criminal and civil court.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER FOUR

#### True or False

1. Prenuptial agreements were once considered void as against public policy.
2. Prenuptial provisions as to the custody of future children are usually enforceable.
3. A prenuptial provision waiving the right to alimony is usually not enforceable.
4. Prenuptial agreements cannot be used to bind spouses to certain obligations while the marriage is ongoing.
5. Failure on the part of either party to disclose his or her credit history may invalidate the prenuptial agreement.
6. A QTIP gives a surviving spouse access to a deceased spouse's assets during the surviving spouse's lifetime.
7. A Prenuptial agreement need not be in writing, if the agreement is implied.
8. States which have adopted the Uniform Premarital Agreement Act may statutorily limit what future rights either party may waive in a prenuptial agreement.
9. The Statute of Frauds requires that prenuptial agreements be notarized.
10. A party's pension fund monies do not have to be disclosed because the amount may fluctuate.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER FIVE

#### True or False

1. Alimony may always be modified as to term and amount.
2. Secular courts were administered by the church.
3. A divorce of bed and board did not include the right to remarry.
4. Church courts applied Canon Law.
5. Under Ecclesiastical law, if a wife caused the breakdown of the marriage, she was not entitled to alimony.
6. No-fault divorce laws do not require grounds.
7. In a fault divorce law jurisdiction, the party seeking the divorce has to prove one of the stated grounds for divorce or the court will not grant the divorce.
8. Most recipients of alimony are women.
9. Parties may waive their right to ever seek alimony.
10. Divorcing parties may not determine alimony amounts on their own.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER SIX

#### True or False

1. Tenancy by the entirety is a form of ownership exclusive to married couples.
2. In divorce actions, personal property is not included in property distribution.
3. Household furnishings are not considered marital assets.
4. Property titled in only one spouse's name is never a marital asset.
5. Marital debts are the liabilities incurred by either spouse.
6. Separate property is not subject to division between divorcing spouses.
7. Property acquired before marriage by one spouse is not a marital asset.
8. The transformation of marital property into separate property is known as transmutation.
9. Equity is the same as fair market value.
10. Experts whose services are used to value property include appraisers and accountants.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER SEVEN

#### True or False

1. Sole custody includes physical custody.
2. The tender years doctrine applies to the custodial disposition of children under 6 years of age.
3. Split custody is the same as joint custody.
4. The tender years standard has been replaced by the best interest standard.
5. When mothers began to work outside the home, fathers chances for gaining custody increased.
6. Joint custody with shared physical custody gives a child two places of residence.
7. Application of the best interest standard sometimes results in an award of custody to someone other than the child s parents.
8. Third parties have no right to visitation when an intact family exists.
9. The child s psychological parent is usually also the child s primary caretaker.
10. When parents cannot agree on a custody arrangement, the court refers the parents to the family relations unit.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER EIGHT

#### True or False

1. When parents have joint custody, there is never an order for child support.
2. For many years, judges made child support awards that were insufficient.
3. Child support guidelines prevent judges from making arbitrary awards.
4. Each parent's child support obligation is determined by his or her gross income.
5. Child support orders are not modifiable.
6. A *capias* is a civil arrest warrant.
7. The court does not have to approve the parties' agreed-upon deviation from the child support guidelines.
8. When a parent fails to pay his or her child support obligation, the other parent may bring a motion for contempt and may request that the court order the delinquent parent to pay the other parent's attorney fees for the action.
9. URESA is a model law that many state legislatures have enacted to help parents obtain child support payments from parents who have moved out-of-state.
10. Child support may never be ordered for children over the age of eighteen years.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER NINE

#### True or False

1. The costs of representation are never discussed in the initial client interview.
2. Paralegals may provide mental health counseling to clients.
3. A paralegal may relay legal advice from the lawyer to the client.
4. Paralegals are frequently present at the initial client interview.
5. Paralegals may never conduct the initial client interview.
6. It is imperative that a client disclose both positive and negative information that could affect the outcome of the dissolution proceeding.
7. The initial interview should always be taped if possible.
8. It is important to find out how long the client has resided in the state for jurisdictional purposes.
9. The paralegal may set fees for a client if the paralegal is conducting the initial interview.
10. Contingency fees are frequently used as the fee arrangement in family matters.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER TEN

#### True or False

1. A divorce or dissolution action is commenced by the filing of a complaint.
2. In some jurisdictions, a petition takes the place of a complaint.
3. When a petition is used, the party bringing the action is called the respondent.
4. The return date is included in the caption of the complaint.
5. The complaint must contain the names of all children born during the period of the marriage.
6. The subscription portion of the complaint is signed by the plaintiff.
7. A party seeking a divorce may bring a legal action to freeze the marital assets.
8. A Motion for Disclosure of Assets may be filed at any time before trial.
9. A sheriff makes abode service when he personally serves the complaint into the defendant's hands at the defendant's residence.
10. In some instances, the defendant spouse may be served by publishing the complaint in a newspaper.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER ELEVEN

#### True or False

1. A *pendente lite* motion may be filed by either the plaintiff spouse or the defendant spouse.
2. *Pendente lite* motions may deal with temporary alimony and child support.
3. A *pendente lite* motion is automatically granted by the court.
4. A motion must be served on the opposing party by a sheriff or constable.
5. Many *pendente lite* motions require an accompanying affidavit signed by the moving party.
6. If a party's motion for exclusive use of the family residence is granted, the opposing party may not enter the family residence without the moving party's permission.
7. When the court gives one parent temporary custody, the court will also almost always order that the other parent be allowed visitation.
8. In most jurisdictions, parties must fill out financial affidavits before the court can order temporary alimony or child support.
9. A *pro se* party may not bring a motion in the court.
10. Once a motion is placed on a court calendar, it may not be withdrawn or rescheduled.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER TWELVE

#### True or False

1. A party may object to an interrogatory that seeks information that is irrelevant.
2. Interrogatories are usually not filed with the court.
3. Responses or answers to interrogatories must be filed with the court.
4. Interrogatories must be answered by the opposing party under oath.
5. A party may not claim a privilege to keep confidential a document that is requested to be produced.
6. IRS returns are privileged documents.
7. Discovery tools are often used to investigate the opposing party's financial resources.
8. A Request for a Psychiatric Examination might be served on a party in a child custody dispute.
9. A nonparty witness (such as a child's teacher or a neighbor) must be subpoenaed to come to a deposition.
10. Nothing need be answered at a deposition if it is information that will not be admissible at trial.

## CHAPTER QUIZZES —TEST BANK

### CHAPTER THIRTEEN

#### True or False

1. A proposal letter precedes the drawing up of a settlement agreement.
2. If a separation agreement merges into the court's divorce decree, either party may go back to court to have any part of the agreement enforced if the other party is failing to abide by any of the agreement's terms.
3. Courts must automatically accept a settlement agreement if it is signed by both parties.
4. If parties cannot agree on the terms of a settlement agreement, the matter is considered an uncontested divorce.
5. The degree of non-compliance with settlement agreements is very low.
6. Public policy prohibits provisions for child custody to be included in a settlement agreement.
7. If a party waives alimony in a settlement agreement, absent fraud or duress, the party may not go back to court to modify the alimony arrangement.
8. Child support amounts established in a separation agreement may not be modified even if the payor parent experiences a tremendous increase in income or the payee parent suffers a significant income decrease.
9. Separation agreements may contain provisions for post-majority child support.
10. Settlement agreements do not make provisions for each party's responsibility for the payment of debts incurred during the marriage.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER FOURTEEN

#### True or False

1. In Texas, parties in a divorce may demand a jury trial.
2. Divorce trials are always open to the public.
3. A divorce trial may not go forward if one of the two parties fails to appear.
4. Most divorce cases proceed as uncontested matters.
5. Uncontested divorce matters still must be scheduled for hearing before the court.
6. In a contested divorce trial, the judge has the final say over the matters on which the parties have been unable to come to an agreement.
7. In a contested divorce proceeding, witness lists are exchanged at a judicial pretrial.
8. The theory of the case one party's attorney develops must be supported by evidence.
9. Paralegals may accompany attorneys to the divorce trial and take notes.
10. A transcript of the divorce trial is necessary for the attorney who must prepare the judgment document.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER FIFTEEN

#### True or False

1. Alimony is always a modifiable provision of the divorce agreement.
2. The provision of the divorce agreement governing the distribution of marital property is always non-modifiable.
3. When a party violates any provision of a divorce agreement, the other party may file a Motion for Contempt.
4. When one party is in contempt of court, sometimes the other party must file a Rule to Show Cause in addition to a Motion for Contempt.
5. A party brought to court for failing to pay alimony payments will not have to pay all the back payments if he or she can show that he or she has experienced adverse changed financial circumstances.
6. If a party receiving alimony is promoted to a much higher paying employment position, the payor spouse may file a motion to modify alimony, and if the payor spouse proves that the other spouse has changed financial circumstances, the court will decrease the amount of alimony.
7. A custodial parent may withhold visitation if the noncustodial parent fails to pay child support.
8. A non-custodial parent who fails to return a child after an authorized visitation period has expired may be charged with kidnapping.
9. The Uniform Child Custody Jurisdiction Act gives law enforcement officials in a different jurisdiction the authority to enforce a court order on custody and visitation against a non-complying spouse who resides or is staying in their state or jurisdiction.
10. Family court may restrict a custodial parent from moving out of state with the child or children.

## CHAPTER QUIZZES — TEST BANK

### CHAPTER SIXTEEN

#### True or False

1. The U.S. Constitution provides the integrity of the family unit absolute protection.
2. The doctrine of *In loco parentis* provides the legal justification for state intervention into family matters.
3. The court may issue an order giving the state temporary custody of a child without a court hearing.
4. Grandparents are mandatory reporters.
5. A parent's failure to keep their children's immunizations current is an aspect of child neglect.
6. An investigative child protection worker will draw up a service agreement for parents.
7. Child protection workers will not investigate an anonymous report of neglect or abuse made to a hot line.
8. A private adoption may be executed without state investigation.
9. The Court may terminate the parental rights of one parent without terminating the other parent's rights.
10. Proof of failure to rehabilitate always results in the termination of the offending parent's rights.

## MIDTERM EXAMINATION — TEST BANK

### I. Fill in the Blanks

1. The Puritans sanctioned a form of legal separation known as \_\_\_\_\_.
2. In Ancient Greece, a married woman was considered a(n) \_\_\_\_\_, the legal property of her husband.
3. When the Church of Rome refused to grant King Henry VIII a dispensation to divorce his wife and remarry, Henry broke from Rome and established the \_\_\_\_\_.
4. In the United States, where church and state are strictly separated, marriage came to be viewed as a(n) \_\_\_\_\_ contract.
5. Habitual intemperance is an example of a(n) \_\_\_\_\_ ground for divorce.
6. A legal action to have the court declare that a valid marriage never existed is known as an action for \_\_\_\_\_.
7. If a state allows an out-of-state attorney to appear in its courts for a specific case, the out-of-state attorney is said to be appearing \_\_\_\_\_.
8. A couple who is living together may enter into a(n) \_\_\_\_\_ Agreement.
9. Violation of UPL statutes is a(n) \_\_\_\_\_ offense.
10. An individual who represents himself in a lawsuit is known as a(n) \_\_\_\_\_ litigant.
11. Paralegals may prepare but may not sign \_\_\_\_\_ documents such as pleadings and motions.
12. The notes, materials, memoranda and written records generated by an attorney are known as the attorney's \_\_\_\_\_.
13. Attorneys may advance the costs of \_\_\_\_\_ to a client.
14. When an attorney charges a client a fixed dollar amount for handling the entire case, the lawyer and client have a \_\_\_\_\_ fee arrangement.

15. Irreconcilable differences is an example of a \_\_\_\_\_ divorce ground.
16. Spouses entering into a prenuptial agreement have a duty to disclose all \_\_\_\_\_ and disclose all \_\_\_\_\_.
17. Under a(n) \_\_\_\_\_ fee arrangement, an attorney receives a percentage of the financial outcome of the case.
18. The amount of time an attorney or a paralegal spends working on a client's file is classified as \_\_\_\_\_ hours.
19. Money paid on a periodic basis from a former spouse to the other former spouse for financial support is known as \_\_\_\_\_.
20. Marital property may be defined as property or income acquired \_\_\_\_\_ the marriage.

**II. Matching Exercises**

- |                            |       |                                 |
|----------------------------|-------|---------------------------------|
| 21. costs of litigation    | _____ | A. family law theory            |
| 22. substantive law        | _____ | B. prenuptial agreement         |
| 23. mediation              | _____ | C. fault ground                 |
| 24. second glance doctrine | _____ | D. billable hours               |
| 25. timesheets             | _____ | E. bank account                 |
| 26. mental cruelty         | _____ | F. maternal custody             |
| 27. rehabilitative alimony | _____ | G. vacation home                |
| 28. personal property      | _____ | H. filing fees                  |
| 29. marital asset          | _____ | I. alternate dispute resolution |
| 30. tender years           | _____ | J. time-limited                 |

**III. True or False**

31. If title to real or personal property is in one spouse's name only, it is not marital property.
32. One spouse's pension is a marital asset.
33. The fair market value of a marital asset is the price that was paid for it.
34. The equity in a marital asset is equal to its fair market value.
35. Some jurisdictions characterize one spouse's advanced degree as a marital asset.

36. Alimony is always modifiable if circumstances change.
37. Domestic Partnership laws apply to same sex couples only.
38. An alimony payment is taxable income for the payee spouse.
39. A spouse's student loan incurred prior to marriage is not a marital asset.
40. Sometimes separate property of a spouse is transformed into marital property.

#### **IV. Multiple Choice**

41. When one parent has custody of the children for part of the calendar year and the other parent has custody for the remainder of the calendar year, the parents have a custodial arrangement known as (a) joint shared custody (b) joint separate custody (c) split custody (d) joint physical custody.
42. In awarding custody using the best interest standard, courts consider (a) the psychological parent (b) each parent's mental health (c) each parent's physical health (d) all of the above.
43. The tender years doctrine was applied mainly in considering custodial arrangements for children (a) in their infancy (b) of stay-at-home mothers (c) ages 12 and under (d) under the age of 18.
44. All of the following are frequently considered in determining a noncustodial parent's child support obligation except: (a) each parent's gross income (b) the area's cost of living (c) each parent's net income (d) the child's age.
45. A prenuptial agreement may address (a) alimony (b) lawsuit proceeds (c) inheritances (d) all of the above.
46. The transformation of a spouse's separate property into marital property is called (a) transmutation (b) tracing (c) conversion (d) title transfer.
47. A non-degreed divorcing spouse may be compensated for his or her efforts to help the other spouse attain a degree through (a) reimbursement alimony (b) rehabilitative alimony (c) compensatory alimony (d) lump sum alimony.
48. All of the following are community property states except (a) Wyoming (b) Wisconsin (c) Arizona (d) Louisiana.

49. A Qualified Domestic Relations Order is served to preserve a non-employee spouse's rights to (a) continuation of health insurance (b) an employee spouse's bonus (c) a portion of the employee spouse's pension (d) alimony and child support.
50. A marriage- and family-related action that is now virtually obsolete is an action for (a) separate maintenance (b) paternity determination (c) alienation of affection (d) annulment.

## FINAL EXAMINATION — TEST BANK

### I. Fill In the Blanks

1. The contract for services between a law firm and a client is known as a \_\_\_\_\_.
2. An agreement entered into by spouses during a marriage which addresses property distribution and alimony in the event of divorce is known as a(n) \_\_\_\_\_ agreement.
3. A divorce action is commenced by serving the opposing spouse with a legal document called a(n) \_\_\_\_\_.
4. An Application for a Restraining Order must be accompanied by a(n) \_\_\_\_\_.
5. A profile of each spouse's financial circumstances which must be submitted to the court is known as a(n) \_\_\_\_\_.
6. Alimony which the court orders during the pendency of the dissolution proceeding is known as Alimony \_\_\_\_\_.
7. When a spouse is served with divorce papers, he or she must file a(n) \_\_\_\_\_ or face being \_\_\_\_\_.
8. A court award of periodic maintenance to an unmarried person who was formerly in a cohabitative relationship is known as \_\_\_\_\_.
9. If a defendant files a countersuit for divorce that document is known as a(n) \_\_\_\_\_.
10. States which have enacted Domestic Partnership Acts provide some protection to same sex couples upon the \_\_\_\_\_ of their relationship.
11. Custody is frequently awarded to the child's primary \_\_\_\_\_.
12. The 1970s witnessed an increase in awarding custody to a child's \_\_\_\_\_.
13. Giving legal advice means that one is applying the \_\_\_\_\_ to a particular client's specific circumstances.
14. Confidential personal information given by a client to his or her lawyer is protected by the \_\_\_\_\_.

15. The initial interview intake sheet on a client should include a section listing the names and birthdates of \_\_\_\_\_.
16. Each party to a prenuptial agreement should retain his or her own \_\_\_\_\_.
17. If a child is in imminent harm in his or her home, a Court may issue an order of \_\_\_\_\_.
18. If a sheriff leaves divorce papers with a competent adult at the residence of the party to be served, the officer has made what is known as \_\_\_\_\_ service.
19. An Order to Show Cause is a legal document which requires a party to appear in court on a specific date and time or face \_\_\_\_\_.
20. Abandonment is frequently a ground which, if proven, will justify the Court in ordering a(n) \_\_\_\_\_ and freeing a child for adoption.

**II. Matching Exercises**

- |                        |       |                         |
|------------------------|-------|-------------------------|
| 21. mandatory reporter | _____ | A. separation agreement |
| 22. subpoena           | _____ | B. interrogatories      |
| 23. canceled checks    | _____ | C. nonparty witness     |
| 24. return date        | _____ | D. juris number         |
| 25. transcript         | _____ | E. motion               |
| 26. discovery tool     | _____ | F. caption              |
| 27. proposal letter    | _____ | G. production request.  |
| 28. order page         | _____ | H. deposition           |
| 29. subscription       | _____ | I. short calendar       |
| 30. docket control     | _____ | J. school nurse         |

**III. True or False**

31. A life insurance policy on one spouse can be considered marital property.
32. Expert witnesses may be deposed.
33. A separation agreement covers only financial issues arising in the divorce.
34. Connecticut is an equitable distribution state.

35. Under the community property system, marital debts are equally divided between spouses.
36. A Qualified Domestic Relations Order addresses child custody and child support.
37. During the pendency of the divorce, neither spouse has access to the marital assets.
38. The spouse with the greater financial resources has a superior right to custody.
39. Grandparents always have standing to bring an action for visitation.
40. The court must approve any deviation from child support guidelines.

**IV. Multiple Choice**

41. An interrogatory may be objected to if it is (a) duplicative (b) overbroad (c) irrelevant (d) all of the above.
42. All of the following are privileged except (a) therapist/client (b) teacher/student (c) attorney/client (d) physician/patient.
43. The legal procedure of adoption usually takes place in (a) probate court (b) juvenile court (c) family court (d) all of the above.
44. During the deposition of his or her client by opposing counsel, an attorney is able to question that client on (a) direct examination (b) redirect examination (c) cross-examination (d) oral examination.
45. The financial affidavit must include all of the following except (a) income from a second job (b) premiums paid for children's life insurance (c) premiums paid for children's health insurance (d) children's day camp tuition.
46. Child support orders may be modified when all but one of the following occurs: (a) the custodial parent gets a raise (b) one of the children goes to live with the noncustodial parent (c) the noncustodial parent inherits a house (d) one of the children turns 18 years of age.
47. The Answer section where the defendant responds to the allegations of the Complaint is known as the (a) caption (b) body (c) subscription (d) prayer.
48. The discovery request that must be responded to in writing and under oath is the (a) request for admission (b) interrogatory (c) document production request (d) direct deposition testimony.

49. All of the following must be filed with the court except (a) the Answer (b) Interrogatory responses (c) Motions (d) a Request for Physical Examination.
  
50. At the time of the divorce trial, both parties may be required to submit all of the following to the court except (a) a custody affidavit (b) wage execution forms (c) a health certificate (d) an updated financial affidavit.

## TEST BANK ANSWER KEY

### True or False

#### Chapter One

1. False
2. True
3. True
4. True
5. False
6. True
7. True
8. False
9. False
10. False

#### Chapter Two

1. True
2. False
3. False
4. True
5. False
6. True
7. True
8. True
9. True
10. False

#### Chapter Three

1. True
2. False
3. True
4. False
5. False
6. True
7. True
8. False
9. True
10. True.

#### Chapter Four

1. True
2. False
3. False
4. True
5. True
6. True
7. False
8. True
9. False
10. False

#### Chapter Five

1. False
2. False
3. True
4. True
5. True
6. True
7. True
8. True
9. True
10. False

#### Chapter Six

1. True
2. False
3. False.
4. False
5. True
6. True
7. True
8. False
9. False
10. True

#### Chapter Seven

1. True
2. False
3. False
4. True
5. True
6. True
7. True
8. True
9. True
10. True

#### Chapter Eight

1. False
2. True
3. True
4. False
5. False
6. True
7. False
8. True
9. True
10. False

#### Chapter Nine

1. False
2. False
3. True
4. True
5. False
6. True
7. False
8. True
9. False
10. False

#### Chapter Ten

1. True
2. True
3. False
4. True
5. False
6. False
7. True
8. True
9. False
10. True

#### Chapter Eleven

1. True
2. True
3. False
4. False
5. True
6. True
7. True
8. True
9. False
10. False

#### Chapter Twelve

1. True
2. True
3. False
4. True
5. False
6. False
7. True
8. True
9. True
10. False

Chapter Thirteen

1. True
2. True
3. False
4. False
5. False
6. False
7. True
8. False
9. True
10. False

Chapter Fourteen

1. True
2. False
3. False
4. True
5. True
6. True
7. True
8. True
9. True
10. True

Chapter Fifteen

1. False
2. True
3. True
4. True
5. False
6. True
7. False
8. False
9. True
10. True

Chapter Sixteen

1. False
2. False
3. True
4. False
5. True
6. False
7. False
8. False
9. True
10. False

**MIDTERM TEST**

**I. Fill in the Blanks**

1. Divorce of Bed and Board
2. chattel
3. the Church of England
4. civil
5. fault
6. annulment
7. pro hac vece
8. Cohabitation
9. criminal
10. pro se
11. legal
12. work product
13. litigation
14. flat
15. no-fault
16. assets liabilities
17. contingent
18. billable
19. alimony
20. during

**II. Matching Exercises**

21. H
22. A
23. I
24. B
25. D
26. C
27. J
28. E
29. G
30. F

**III. True or False**

31. False
32. True
33. False
34. False
35. True
36. False
37. False
38. True
39. True
40. True

**II. Multiple Choice**

41. (c)
42. (d)
43. (c)
44. (a)
45. (d)
46. (a)
47. (c)
48. (a)
49. (c)
50. (c)

## TEST BANK ANSWER KEY

### FINAL EXAMINATION

#### **I. Fill in the Blanks**

1. retainer agreement
2. postnuptial agreement
3. complaint
4. affidavit
5. financial affidavit
6. *Pendente lite*
7. appearance; defaulted
8. palimony
9. cross-complaint
10. breakdown
11. psychological parent
12. father
13. law
14. attorney/client privilege
15. all minor children of the marriage
16. lawyer
17. temporary custody
18. abode
19. civil arrest
20. termination of parental rights

#### **II. Matching Exercises**

21. J
22. C
23. G
24. F
25. H
26. B
27. A
28. E
29. D
30. I

#### **III. True or False**

31. True
32. True
33. False
34. True
35. True
36. False
37. False
38. False
39. False
40. True

#### **II Multiple Choice**

- |         |         |
|---------|---------|
| 41. (d) | 46. (c) |
| 42. (b) | 47. (b) |
| 43. (b) | 48. (b) |
| 44. (c) | 49. (b) |
| 45. (b) | 50. (b) |

# **TRANSPARENCY MASTERS**





# **APPENDIX J — GUIDE FOR DISTANCE LEARNING**

## APPENDIX J

### GUIDE FOR DISTANCE LEARNING

Distance learning presents you with wonderful opportunities for learning, growing and expanding your personal and professional horizons. At the same time, it provides you with a number of unique challenges. The whole world is your classroom, yet you don't have the physical presence of classmates. The flexibility and excitement of this kind of learning can build your confidence while it develops your mind. However, it may sometimes seem overwhelming or lonely. We have included this appendix to help make your distance learning experience rewarding, invigorating, and successful.

#### DO S AND DON TS

- ☐ **DO** stay motivated. Write down your goals. Join internet legal networks. Access on-line universities and associations. Keep a journal of your obstacles and successes. Reward yourself for work well done.
- ☐ **DO** become proficient in using the internet. Really learn to navigate the World Wide Web. This technology provides abundant useful and free resources for your research. Learn how to use the search engines (particularly Yahoo, Infoseek, Snap, and Lycos). Utilize newsgroups; participate in forums.
- ☐ **DO** learn netiquette ; for example, writing in all capital letters is considered yelling. A number of web sites will teach this (look up the term in Yahoo for a list of places that teach this). Remember that when you write your reader does not have the luxury of seeing your body language or hearing the tone of your voice.
- ☐ **DON T** isolate yourself. Consider joining a local paralegal association, attending trials, contacting your local courthouse for copies of forms.
- ☐ **DON T** be afraid of new ideas even radical new ideas.
- ☐ **DO** expect to feel overwhelmed or discouraged *sometimes*.
- ☐ **DON T** give in to negative self-talk or challenging material. You can do it!
- ☐ **DO** make suggestions to your school; **DO** ask them for help when you need to.
- ☐ **DO** ask for support from your family and friends.
- ☐ **DO** be flexible, open-minded, willing to learn new ideas, and roll with the punches.
- ☐ **DO** have fun, be creative, and study well.

#### DISTANCE LEARNING SUPPORT, MENTORING, AND STUDY AID SITES

##### Brain Dancing for Students

<http://braindance.com/>

Tips on how to enhance memory, improve reading, manage information, enhance mental clarity, optimize web browsing. Great site!

##### Eggleston s Distance Education Resources

<http://www.the-eggman.com>

Extensive information about and links to distance learning support services, consultants, newsgroups, government resources, and more

##### Study Guide for Distance Education

<http://www.gwu.edu/>

General information about distance education. Topics include Fundamentals of Distance Education, The Distance Education Student, etc.

**Distance Learning on the Net**

<http://www.hoyle.com/distance.htm>.

Descriptions of and links to distance education sites. Very user-friendly. Excellent guide.

**Distance Education Clearinghouse**

<http://www.uwex.edu/disted/>

Articles, bibliography, resources, and general information about distance education.

**RECOMMENDED TEXTS**

If you cannot find these books in your local bookstore, you can order them through the internet at

<http://www.amazon.com>

Apps, Jerold. *Study Skills for Adults Returning to School*

Climes, Rudolf. *Learn in Brain Friendly Ways*

Fleet, Joan, Fiona Goodchild, and Richard Zajchowski. *Successful Learning*

Hanua, Laia. *The Study Game*

# GUIDE FOR LEGAL RESEARCH

## HOT LEGAL WEB SITES

Always take advantage of any links these sites provide. Cross-reference. Use keywords in general search engines (Yahoo, etc.) To find more! If you don't know where to find a particular search engine, use the default engine in your computer (Yahoo, for example) and type in the name of the search engine you're looking for. If your search does not reveal the site you are looking for, try typing the address without the *www* prefix or try adding the suffix *html* or *htm*.

### Legal Research Sites

#### **Nolo Press Self-Help Law Center**

<http://www.nolo.com>

Discusses *how* to do legal research. A must see!

#### **LawCrawler**

<http://www.lawcrawler.com>

Use keywords to find documents for your subject. Provides links directly to sites.

#### **Findlaw**

<http://www.findlaw.com>

Allows user to search specific areas and continually narrow down and focus research.

#### **Lawsorce, Inc.**

<http://www.lawsorce.com>

Lets you research by jurisdiction. Includes Canada and Mexico.

#### **Law Journal Extra!**

<http://www.lawnewsnetwork.com>

Contains electronic versions of print periodicals, employment area, law firm listings

#### **Law Guru**

<http://www.lawguru.com>

Links to specific areas of legal research.

#### **FastSearch**

<http://www.fastsearch.com>

Includes four search engines be sure to click on the law engine .

### Universities and Law Schools

Cornell Law School: <http://www.law.cornell.edu/library>

Chicago-Kent College of Law: <http://www.kentlaw.edu>

Emory Law Library: <http://www.law.emory.edu/>

## **Courts, Court Information, and Government Agencies**

### **Court Decisions on the Web**

<http://www.lawschool.stanford.edu/library/>

Allows user to choose jurisdiction and find decisions. Provides state, national, and international data.

### **The Courthouse**

<http://www.lawnewsnetwork.com>

Provides access to circuit court database (supreme, federal, and state).

### **Internal Revenue Service Home Page**

<http://www.irs.ustreas.gov/>

Home of the IRS. Can access general tax information and specific treasury regulations.

## **Legal and Government Forms**

Online legal forms from Versuslaw: <http://www.versuslaw.com/>

Findlaw s forms collections and indexes: <http://www.findlaw.com/16forms/index>

The Lectric Library s forms room: <http://www.lectlaw.com>

## **Professional Associations**

American Bar Association: <http://www.abanet.org>

National Association of Legal Assistants: <http://www.nalanet.org>

Association of Legal Administrators: <http://www.alanet.org>

National Federation of Paralegal Associations: <http://www.paralegals.org>

## **Legal Employment**

### **Law Journal Extra! Law Employment Center**

<http://www.lawjobs.com>

Draws from ads in various law journals. Regional focus (New York, New Jersey, Connecticut, Massachusetts)

### **The Legal Employment Search Site**

<http://www.legalemploy.com>

Connected to employment section of Yahoo.

## FINDING STATE LAW

State	Court Opinions	State Statutes
Alabama	<a href="http://www.alalinc.net/">http://www.alalinc.net/</a>	
Alaska	<a href="http://www.alaska.net/~akctlib/">http://www.alaska.net/~akctlib/</a>	<a href="http://www.legis.state.ak.us/">http://www.legis.state.ak.us/</a>
Arizona		<a href="http://www.azleg.state.az.us/">http://www.azleg.state.az.us/</a>
Arkansas	<a href="http://www.state.ar.us/supremecourt/">http://www.state.ar.us/supremecourt/</a>	<a href="http://www.uark.edu/~govninfo/PAGES/">http://www.uark.edu/~govninfo/PAGES/</a>
California	<a href="http://www.courtinfo.cagov/opinions/">http://www.courtinfo.cagov/opinions/</a>	<a href="http://www.leginfo.ca.gov/">http://www.leginfo.ca.gov/</a>
Colorado	<a href="http://www.cobar.org/coappcts/">http://www.cobar.org/coappcts/</a>	<a href="http://www.state.co.us/gov_dir/stateleg">http://www.state.co.us/gov_dir/stateleg</a>
Connecticut		<a href="http://www.cslnet.ctstateu.edu/statutes">http://www.cslnet.ctstateu.edu/statutes</a>
Delaware		<a href="http://www.state.de.us/govern/governor/signed">http://www.state.de.us/govern/governor/signed</a>
Florida	<a href="http://www.justice.courts.sate.fl.us/">http://www.justice.courts.sate.fl.us/</a>	<a href="http://www.leg.state.fl.us/">http://www.leg.state.fl.us/</a>
Georgia	<a href="http://www.statega.us/Courts/Supreme">http://www.statega.us/Courts/Supreme</a>	<a href="http://www.ganet.state.ga.us/services">http://www.ganet.state.ga.us/services</a>
Hawaii	<a href="http://www.hsba.org/Hawaii/Court/Curr/courin">http://www.hsba.org/Hawaii/Court/Curr/courin</a>	<a href="http://www.hawaii.gov/lrb/dig/digdoc">http://www.hawaii.gov/lrb/dig/digdoc</a>
Idaho	<a href="http://www.state.id.us/judicial/">http://www.state.id.us/judicial/</a>	<a href="http://www.state.id.us/legislat">http://www.state.id.us/legislat</a>
Illinois	<a href="http://www.state.il.us/court/Opinions">http://www.state.il.us/court/Opinions</a>	<a href="http://housegop.state.il.us/illconst">http://housegop.state.il.us/illconst</a>
Indiana	<a href="http://www.indiana.edu/law/incourts/">http://www.indiana.edu/law/incourts/</a>	<a href="http://www.law.indiana.edu/law/research">http://www.law.indiana.edu/law/research</a>
Iowa		<a href="http://www2.legis.state.ia.us/Indices/">http://www2.legis.state.ia.us/Indices/</a>
Kansas	<a href="http://www.law.ukans.edu/kscourts">http://www.law.ukans.edu/kscourts</a>	<a href="http://www.ink.org/">http://www.ink.org/</a>
Kentucky		<a href="http://www.lrc.state.ky.us/">http://www.lrc.state.ky.us/</a>
Louisiana	<a href="http://www.gnofn.org/~lasc">http://www.gnofn.org/~lasc</a>	
Maine	<a href="http://www.courts.state.me.us/">http://www.courts.state.me.us/</a>	<a href="http://www.state.me.us/legis/">http://www.state.me.us/legis/</a>
Maryland	<a href="http://www.mec.state.md.us/mec/">http://www.mec.state.md.us/mec/</a>	
Massachusetts	<a href="http://www.socialaw.com/">http://www.socialaw.com/</a>	<a href="http://www.state.ma.us/legis">http://www.state.ma.us/legis</a>
Michigan	<a href="http://www.sado.org/">http://www.sado.org/</a>	<a href="http://www.umich.edu/~icle/">http://www.umich.edu/~icle/</a>
Minnesota	<a href="http://www.courts.state.mn.us">http://www.courts.state.mn.us</a>	<a href="http://www.leg.sate.mn.us/leg/">http://www.leg.sate.mn.us/leg/</a>
Mississippi	<a href="http://www.mslawyer.com">http://www.mslawyer.com</a>	<a href="http://www.mslawyer.com">http://www.mslawyer.com</a>
Missouri	<a href="http://www.state.mo.us/sca">http://www.state.mo.us/sca</a>	<a href="http://www.house.state.mo.us/">http://www.house.state.mo.us/</a>
Montana		<a href="http://www.mt.gov/leg/">http://www.mt.gov/leg/</a>
Nebraska	<a href="http://www.nol.org/legal/">http://www.nol.org/legal/</a>	<a href="http://unicam1.lcs.state.ne.us/">http://unicam1.lcs.state.ne.us/</a>
Nevada		<a href="http://venus.optimis.com/">http://venus.optimis.com/</a>
New Hampshire	<a href="http://www.state.nh.us/courts/">http://www.state.nh.us/courts/</a>	<a href="http://www.state.nh.us/gencourt/">http://www.state.nh.us/gencourt/</a>

New Jersey		<a href="http://www.njleg.state.nj.us/">http://www.njleg.state.nj.us/</a>
New Mexico		<a href="http://www.nm.org/legislature">http://www.nm.org/legislature</a>
New York	<a href="http://www.law.cornell.edu/ny/ctap/">http://www.law.cornell.edu/ny/ctap/</a>	<a href="http://assembly.stateny.us/ALIS">http://assembly.stateny.us/ALIS</a>
North Carolina	<a href="http://www.nando.net/insider/">http://www.nando.net/insider/</a>	<a href="http://www.legislature.state.nc.us/">http://www.legislature.state.nc.us/</a>
North Dakota	<a href="http://sc3.court.state.nd.us/">http://sc3.court.state.nd.us/</a>	<a href="http://www.state.nd.us/lr/">http://www.state.nd.us/lr/</a>
Ohio	<a href="http://www.sconet.ohio.gov/">http://www.sconet.ohio.gov/</a>	<a href="http://winslo.ohio.gov/stgvleg">http://winslo.ohio.gov/stgvleg</a>
Oklahoma	<a href="http://www.ou.edu/okgov/">http://www.ou.edu/okgov/</a>	<a href="http://www.onenet.net/oklegal/statutes">http://www.onenet.net/oklegal/statutes</a>
Oregon	<a href="http://www.willamette.edu/~ccrowell/law/">http://www.willamette.edu/~ccrowell/law/</a>	<a href="http://www.leg.state.or.us/bills">http://www.leg.state.or.us/bills</a>
Pennsylvania	<a href="http://www.cert.net/penna~courts">http://www.cert.net/penna~courts</a>	
Rhode Island		<a href="http://www.state.ri.us/wwwenact">http://www.state.ri.us/wwwenact</a>
South Carolina	<a href="http://www.law.sc.edu/opinions/">http://www.law.sc.edu/opinions/</a>	<a href="http://www.eginfo.state.sc.us/">http://www.eginfo.state.sc.us/</a>
South Dakota	<a href="http://www.sdbar.org/opinions/">http://www.sdbar.org/opinions/</a>	
Tennessee	<a href="http://www.tsc.state.tn.us/opinions/">http://www.tsc.state.tn.us/opinions/</a>	
Texas	<a href="http://www.window.state.tx.us/txgovinf/">http://www.window.state.tx.us/txgovinf/</a>	<a href="http://lamb.sos.state.tx.us/">http://lamb.sos.state.tx.us/</a>
Utah	<a href="http://courmlink.utcourts.gov/">http://courmlink.utcourts.gov/</a>	<a href="http://info.law.utah.edu/">http://info.law.utah.edu/</a>
Vermont	<a href="http://dol.state.vt.us/WWW_ROOT/">http://dol.state.vt.us/WWW_ROOT/</a>	
Virginia	<a href="http://leg1.state.va.us/">http://leg1.state.va.us/</a>	<a href="http://senate.state.va.us/">http://senate.state.va.us/</a>
Washington	<a href="http://www.wa.gov/courts">http://www.wa.gov/courts</a>	<a href="http://www.leg.wa.gov/">http://www.leg.wa.gov/</a>
West Virginia	<a href="http://www.scusco.wvnet.edu/www/">http://www.scusco.wvnet.edu/www/</a>	
Wisconsin	<a href="http://www.wisbar.org/WIS/">http://www.wisbar.org/WIS/</a>	<a href="http://badger.state.wi.us/agencies">http://badger.state.wi.us/agencies</a>
Wyoming	<a href="http://courts.state.wy.us/">http://courts.state.wy.us/</a>	<a href="http://legisweb.state.wy.us/">http://legisweb.state.wy.us/</a>