FAMILY LAW: CASES, TEXT, PROBLEMS

FIFTH EDITION

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Family Law Ira M. Ellman, Paul M. Kurtz, Elizabeth S. Scott, Grace G. Blumberg, 1999-05 Family Law is an interdisciplinary area they illuminate them Casebook also available electronically Family Law in America Sanford N. Katz, 2021-02-12 This book examines the present state of family law in America This third edition captures recent developments including the transformation of the institution of marriage to encompass same sex marriage In the discussion of same sex marriage Professor Katz analyses each opinion majority and dissenting in the case of Obergefell v Hodges the United States Supreme Court case that lifted the ban on same sex marriage Themes include the tension between individual autonomy and governmental regulation in all aspects of family law the extent to which relationships established before marriage are being regulated and how marriage is being redefined to take into account gender equality and the legal recognition of same sex marriage It demonstrates how the definition of marriage as a partnership in which the individual spouse s rights are recognized has resulted in protection of the vulnerable spouse It also examines fault and no fault divorce procedures and the extent to which these procedures reflect social realities This volume describes state intervention into the parent and child relationship and how this is reflected in the re examination of the privacy of the family unit It concludes with a discussion of the conventional model of adoption of children and how new assisted reproductive technologies are having an impact on family formation particularly adoption to take into account new family forms **Searching the Law, 3d Edition** Frank Bae, Edward Bander, Francis Doyle, Joel Fishman, Paul Richert, 2021-12-13 **Defining the Family** Janet L. Dolgin, 1999-08

Defining the Family Law Technology and Reproduction in an Uneasy Age provides a sweeping portrait of the family in American law from the nineteenth century to the present The family today has come to be defined by individuality and choice Pre nuptial agreements non marital cohabitation gay and lesbian marriages have all profoundly altered our ideas about marriage and family In the last few years reproductive technology and surrogacy have accelerated this process of change at a breathtaking rate Once simple questions have taken on a dizzying complexity Who are the real parents of a child What are the relationships and responsibilities between a child the woman who carried it to term and the egg donor Between viable sperm and the wife of a dead donor The courts and the law have been wildly inconsistent and indecisive when grappling with these questions Should these cases be decided in light of laws governing contracts and property Or it is more appropriate to act in the best interests of the child even if that child is unborn or even unconceived No longer merely settling disputes among family members the law is now seeing its own role expand to the point where it is asked to regulate situations unprecedented in human history Janet L Dolgin charts the response of the law to modern reproductive technology both as it transforms our image of the family and is itself transformed by the tide of social forces **Single Parent Families** Marvin B Sussman, Shirley Hanson, 2014-05-12 Here is a comprehensive source of vital information on single parent families in contemporary society This book analyzes literature and empirical research concerning single parent families and explores issues and challenges they face Contributing authors from many fields and perspectives examine a broad range of subjects relating to families in which one person is primarily responsible for parenting The only state of the art compendium on the topic of single parent families available today the book synthesizes empirical theoretical and contemporary literature about the diversity myths and realities of single parent families in western countries Each chapter contains a demographic overview definitions a literature review and implications for practice research education and social policy Theoretical and conceptual perspectives related to parenting and wider families are included An analysis synthesis and commentary on single parent families concludes the volume Themes highlighted throughout the book include socioeconomic and demographic characteristics of single parent families cultural and ethnic features and legal and ethical components Some chapter topics include single parenthood following divorce single parenthood following death of a spouse never married teen mothers and fathers female headed homeless families adoptions by single parents noncustodial mothers and fathers grandparents as primary parents single parents of children with disabilities Single Parent Families contains additional resources useful for family professionals an annotated bibliography a video filmography and a national community resource list The book is intended for a multidisciplinary audience including sociologists psychologists health care professionals social workers therapists and other researchers clinicians policymakers and educators An ideal primary or reference text for undergraduate and graduate level programs the book can also serve as a tool for staff development and continuing education in service agencies **The Marriage Buyout** Cynthia Starnes, 2014-05-16 From divorce court to popular culture alimony is a dirty

word Unpopular and rarely ordered the awards are frequently inconsistent and unpredictable The institution itself is often viewed as an historical relic that harkens back to a gendered past in which women lacked the economic independence to free themselves from economic support by their spouses In short critics of alimony claim it has no place in contemporary visions of marriage as a partnership of equals But as Cynthia Lee Starnes argues in The Marriage Buyout alimony is often the only practical tool for ensuring that divorce does not treat today s primary caregivers as if they were suckers Her solution is to radically reconceptualize alimony as a marriage buyout Starnes s buyouts draw on a partnership model of marriage that reinforces communal norms of marriage providing a gender neutral alternative to alimony that assumes equality in spousal contribution responsibility and right Her quantification formulae support new default rules that make buyouts more certain and predictable than their current alimony counterparts Looking beyond alimony Starnes outlines a new vision of marriages with children describing a co parenting partnership between committed couples and the conceptual basis for income sharing between divorced parents of minor children Ultimately under a partnership model the focus of alimony is on gain rather than loss and equality rather than power a spouse with disparately low earnings isn t a sucker or a victim dependent on a fixed alimony payment but rather an equal stakeholder in marriage who is entitled at divorce to share any gains the marriage produced Parenting Plan Evaluations Leslie Drozd, Michael Saini, Nancy Olesen, 2016 Parenting Plan Evaluations has become the go to source for the most current empirical evidence in the field of child custody disputes Fully updated in this Second Edition the volume continues its focus on translating and implementing research associated with the most important topics within the family court It presents an organized and in depth analysis of the latest research and offers specific recommendations for applying these findings to the issues in child custody disputes Marriage in America ,2000

Failure to Flourish Clare Huntington, 2014-05-20 Exploring the connection between families and inequality Failure to Flourish How Law Undermines Family Relationships argues that the legal regulation of families stands fundamentally at odds with the needs of families Strong stable positive relationships are essential for both individuals and society to flourish but from transportation policy to the criminal justice system and from divorce rules to the child welfare system the legal system makes it harder for parents to provide children with these kinds of relationships exacerbating the growing inequality in America Failure to Flourish contends that we must re orient the legal system to help families avoid crises and when conflicts arise intervene in a manner that heals relationships To understand how wrong our family law system has gone and what we need to repair it Failure to Flourish takes us from ancient Greece to cutting edge psychological research and from the chaotic corridors of local family courts to a quiet revolution under way in how services are provided to families in need Incorporating the latest insights of positive psychology and social science research the book sets forth a new more emotionally intelligent vision for a legal system that not only resolves conflict but actively encourages the healthy relationships that are at the core of a stable society

The Measure of Injury Martha Chamallas, Jennifer B.

Wriggins, 2010-05-01 Tort law is the body of law governing negligence intentional misconduct and other wrongful acts for which civil actions can be brought The conventional wisdom is that the rules concepts and structures of tort law are neutral and unbiased free of considerations of gender and race In The Measure of Injury Martha Chamallas and Jennifer Wriggins prove that tort law is anything but gender and race neutral Drawing on an in depth analysis of case law ranging from the Jim Crow South to the 9 11 Victim Compensation Fund the authors demonstrate that women and minorities have been under compensated in tort law and that traditional biases have resurfaced in updated forms to perpetuate patterns of disparate recovery based on race and gender Grappling with tort theory the intricacies of legal doctrine and the practical effects of legal rules The Measure of Injury is a unique treatise on torts that uncovers the public and cultural dimensions of this always controversial domain of private law The Neutered Mother, The Sexual Family and Other Twentieth Century **Tragedies** Martha Albertson Fineman, 2014-04-04 Calling for nothing less than a radical reform of family law and a reconception of intimacy The Neutered Mother The Sexual Family and Other Twentieth Century Tragedies argues strongly against current legal and social policy discussions about the family because they do not have at their core the crucial concepts of caregiving and dependency as well as the best interests of women and children The Neutered Mother scrutinizes the definitions of family and mother throughout the volume while paying close attention to issues of race class and sexuality In addition Figure 7 and respond to the needs of caregivers and illustrates the burden they must bear due to this treatment This book is a crucial step toward defining America's most pressing social policy problems having to do with women motherhood and the family Contemporary Families at the Nexus of Research and Practice Scott W. Browning, Brad van Eeden-Moorefield, 2017-04-21 Contemporary Families at the Nexus of Research and Practice integrates current research with clinical theory to establish the most up to date evidence supported treatment options for unique contemporary families Each chapter begins with a case study and genogram A research section that explains family experiences outlined in the case study follows Finally a treatment section presents clinical theory and provides an evidence supported practice Together each chapter demonstrates how theory gets translated into practice Family forms discussed include families of divorce stepfamilies families of addiction impoverished families families of incarceration families of cyberbullying and families of murder victims Whether you re a professional or a student this book will provide both relevant research findings and explicit instruction and case material to augment your practice

The Fall and Rise of Freedom of Contract F. H. Buckley,1999-08-27 Declared dead some twenty five years ago the idea of freedom of contract has enjoyed a remarkable intellectual revival In The Fall and Rise of Freedom of Contract leading scholars in the fields of contract law and law and economics analyze the new interest in bargaining freedom The 1970s was a decade of regulatory triumphalism in North America marked by a surge in consumer securities and environmental regulation Legal scholars predicted the death of contract and its replacement by regulation and reliance based theories of liability

Instead we have witnessed the reemergence of free bargaining norms This revival can be attributed to the rise of law and economics which laid bare the intellectual failure of anticontractarian theories Scholars in this school note that consumers are not as helpless as they have been made out to be and that intrusive legal rules meant ostensibly to help them often leave them worse off Contract law principles have also been very robust in areas far afield from traditional contract law and the essays in this volume consider how free bargaining rights might reasonably be extended in tort property land use planning bankruptcy and divorce and family law This book will be of particular interest to legal scholars and specialists in contract law Economics and public policy planners will also be challenged by its novel arguments Contributors Gregory S Alexander Margaret F Brinig F H Buckley Robert Cooter Steven J Eagle Robert C Ellickson Richard A Epstein William A Fischel Michael Klausner Bruce H Kobayashi Geoffrey P Miller Timothy J Muris Robert H Nelson Eric A Posner Robert K Rasmussen Larry E Ribstein Roberta Romano Paul H Rubin Alan Schwartz Elizabeth S Scott Robert E Scott Michael J Trebilcock Common Law Marriage Goran Lind, 2008-09-02 The extraordinary recent increase in rates of cohabitation and non marital birth presents a major challenge to traditional family law principles and the legal rules governing cohabitation are thus among the most hotly contested areas of family law and policy today In many nations courts legislatures and law reform bodies are reinventing common law marriage seemingly without any sense of its history doctrinal development or limitations The current law surrounding common law marriage is extremely complex Professor G ran Lind has undertaken the demanding task of writing the most well researched text on this topic to date Separated into three Parts Common Law Marriage covers the origins of the doctrine its legal aspects in modern America and the future of cohabitation law across the globe and in the 11 American jurisdictions that currently recognize common law marriage It provides a cultural and historical history of the subject from Ancient Roman Law to Medieval Canon Law and analyzes over 2 000 American cases which have utilized the doctrine This timely book is an excellent resource for scholars legislators and policymakers who are interested in the complex legalities of common law marriage Family Law Ira Mark Ellman, Paul M. Kurtz, Elizabeth S. Scott, Grace Ganz Family Law Reimagined Jill Elaine Hasday, 2014-06-30 This is the first book to explore the canonical Blumberg, 1998 narratives stories examples and ideas that legal decisionmakers invoke to explain family law and its governing principles Jill Elaine Hasday shows how this canon misdescribes the reality of family law misdirects attention away from actual problems family law confronts and misshapes policies <u>Insurance and Risk Management Strategies for Physicians and Advisors</u> David Edward Marcinko, 2005 This book fulfills its promise as a peerless tool for physicians wanting to make good decisions about the risks they face

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