

**A****ACCOUNTS AND ACCOUNTING. SEE ALSO FINANCIAL EARLY NEUTRAL EVALUATION (FENE)**

- Actuaries, defined benefit plans, § 9.5.C
- Financial experts, § 9.5.B
- Forensic accountants, alternatives to formal discovery, § 8.9.D
- Forensic analysis for dissipation or standard of living, standard of living, § 9.5.B.5.c
- Parenting/financial disclosure statement (PFDS), commencing trial practice, § 20.2.B.7

**ACTIVE APPRECIATION**

- Defined, § 16.1.B

**ACTUARIES**

- Defined benefit plans, § 9.5.C

**ADMINISTRATIVE DISSOLUTION**

- Default, § 18.2.A.2

**ADMISSIONS**

- Discovery, allowable methods, § 8.1.E
- Requests for admissions, § 8.6

**ADR. SEE ALTERNATIVE DISPUTE RESOLUTION****AFFIDAVITS**

- Attorney fees, need-based fees, § 17.1.C
- Financial affidavit, commencing dissolution, § 5.2.F.5
- Motion practice, § 19.1.D

**AGGRESSIVE LAWYERING**

- Defined, § 9.5.E

**AGREEMENTS. SEE ALSO STIPULATIONS**

- Generally, §§ 23.1 to 23.5

**ALTERNATIVE DISPUTE RESOLUTION**

- Generally, §§ 6.1 to 6.4
- Arbitration or other adjudicative ADR forms, § 5.2.1.5
- Commencing dissolution
  - Financial early neutral evaluation (FENE), § 5.2.1.1
  - Options, § 5.2.1
- Consensual special magistrates, § 5.2.1.5.b
- Court requirements, § 6.1
- COVID-19 pandemic, effect on ADR, § 6.4
- Financial early neutral evaluation (FENE), § 5.2.1.1
- Mediation, § 5.2.1.3
- Moderated settlement conferences, § 5.2.1.4
- Neutral custody expert, custody and parenting time, § 5.2.1.6
- Neutral financial experts, court appointments, § 5.2.1.7
- Notice, commencing dissolution, § 5.2.F.1.a
- Options, § 6.2
  - Early neutral evaluations (ENEs), § 6.2.B
  - Mediation, § 6.2.A
  - Moderated settlement conferences, § 6.2.A
- Resources, § 1.1
- Social early neutral evaluation (SENE), § 5.2.1.2

**AMERICAN ACADEMY OF MATRIMONIAL PRACTITIONERS (AAML)**

- Education, § 1.1

**ANSWER**

- Default
  - Failure to answer, § 18.2.A
  - Process for obtaining relief, § 18.3.A.1

**ANTENUPTIAL AGREEMENTS. SEE ALSO POSTNUPTIAL AGREEMENTS**

- Generally, §§ 4.1 to 4.6
- Defined, § 4.1, § 4.2.A
- Drafting considerations, § 4.1
- Enforcement by court, § 4.1
  - At death when medical assistance involved, § 25.2.B
- Family law process, § 1.2.C
- Language, § 4.2.A
- Legal requirements, § 4.1
- Medical assistance, effect on eligibility, § 25.2.A
- Procedural fairness standard, § 4.2.A
- Property division, § 16.1.C
- Reasons for making
  - Determining division of joint or marital assets, § 4.5.G
  - Estate planning, § 4.5.A
  - Protecting business, § 4.5.B
  - Protecting expectancies, § 4.5.F
  - Protecting intellectual property, § 4.5.E
  - Protecting non-marital property, § 4.5.D
  - Spousal maintenance, § 4.5.C
- Resources, drafting and forms, § 4.6
- Sample language, MA planning, § 25.2.C
- Spousal maintenance, special considerations, § 4.4
- Statutory requirements, § 4.2.A
  - Full and fair financial disclosure, § 4.2.A.2
  - Notarization, § 4.2.A.6
  - Opportunity to consult with counsel, § 4.2.A.3
  - Persons of legal age, § 4.2.A.1
  - Signed prior to marriage, § 4.2.A.7
  - Witnesses to signature, § 4.2.A.5
  - Written agreement, § 4.2.A.4
- Substantive fairness, § 4.3
  - Case interpretation, § 4.3
  - Drafting considerations, § 4.3

**APPEALS**

- Generally, §§ 22.1 to 22.2
- Appellate brief, rules and procedures, § 22.1.H
- Attorney fees, § 17.2
  - Basis for appellate fees, § 17.2.B
  - Standard of review, § 17.2.C
- Costs and disbursements, § 22.1.K
- Court rules, appellate procedure, § 22.1.A
- Family appellate mediation program, § 22.1.E
- Family law process, § 1.2.U
- Filing, notice of appeal, § 22.1.D.2
- Judgment, appealability, § 22.1.B
- Jurisdiction, trial court during appeal, § 22.1.F
- Mediation program, § 22.1.E
- Motions, § 22.1.I
- Notice of appeal
  - Contents and filing, § 22.1.D.1
  - Service of process, § 22.1.D.2
- Oral argument, § 22.1.J
- Orders appealable, § 22.1.B
- Pleadings and procedures, § 22.1.D
- Record on appeal, § 22.1.G
- Scope of review, § 22.2.A
- Service of process, notice of appeal, § 22.1.D.2
- Standard of review, § 22.2.B
  - Abuse of discretion, § 22.2.B.3
  - Credibility determinations, § 22.2.B.5
  - De novo review, § 22.2.B.2

- Findings of fact, § 22.2.B.4
- Procedural and evidentiary rulings, § 22.2.B.6
- Without motion for amended findings and new trial, § 22.2.B.1
- Timing, post-trial procedures, § 22.1.C
- APPEAR**
  - Defined, § 19.2.F.2
- APPEARANCE**
  - Appear, defined, § 19.2.F.2
  - Default
    - Failure to appear, § 18.2.C
    - Process for obtaining relief, § 18.3.A.3
  - Early case management (ECM), lawyer preparation, § 7.3
  - Military servicemembers, objections to jurisdiction, § 25.4.A
  - Tables, early case management county survey directory, Chapter 7 Appendix A
- APPRAISERS. SEE ALSO VALUATION**
  - Real estate appraisers, neutral vs. expert, § 9.5.A
- ARBITRATION**
  - Generally, § 6.2.C.1
  - Appeals, effect, § 6.2.C.1
  - Binding vs. nonbinding, § 6.2.C.1
  - Commencing dissolution, § 5.2.I.5.a
- ATTORNEY FEES**
  - Generally, §§ 17.1 to 17.2
  - Appeals, § 17.2
    - Basis for appellate fees, § 17.2.B
    - Standard of review, § 17.2.A, § 17.2.C
  - Appellate motions, requesting fees, § 22.1.1
  - Bad faith litigation, § 17.1.B.2
  - Bad-faith based fees
    - Checklist for requests, § 17.1.D.4.a
    - Rule 11 factors, § 17.1.D.4
  - Bad-faith fees vs. conduct-based fees, § 17.1.D.2
  - Checklists
    - Bad-faith based fees, § 17.1.D.4.a
    - Need-based fees, § 17.1.C.3
  - Claims, bases for making, § 17.1.A
  - Collection
    - Awarded fees, § 17.1.E
    - Standing to collect, § 17.1.E.1
  - Commencing dissolution, awarding fees, § 5.2.E.1
  - Common mistakes, § 17.1.F
    - Court rule procedures, § 17.1.F.2
    - Inadequate findings, § 17.1.F.1
  - Conduct-based fees, § 17.1.D
    - Bad-faith based fees, § 17.1.D.4
    - Basis for appellate fees, § 17.2.B
    - Defenses to claim, § 17.1.D.3
    - Discretion of court, § 17.1.D.1
    - Elements, § 17.1.D.2
  - Default cases, need-based fees, § 17.1.C.2
  - Defenses to claim
    - Ability to pay, § 17.1.D.3.a
    - Conduct-based fees, § 17.1.D.3
    - Context of litigation, § 17.1.D.3.c
    - Need-based fees, § 17.1.C.1
    - Against party, not attorney, § 17.1.D.3.b
  - Discovery disputes, § 8.8.E
  - Discretion of court, § 17.1.B.1
  - Family law, types of cases for awards, § 17.1.B.1
  - Family law process, § 1.2.O
  - Motion for attorney fees, § 19.2.Q
  - Need-based fees, § 17.1.C, § 17.1.C.2
    - Checklist for requests, § 17.1.C.3
    - Default cases, § 17.1.C.2
    - Defenses to claim, § 17.1.C.1
    - Factors, § 17.1.C
  - Need-based vs. conduct-based requests, § 17.1.B.1
  - Payment source, § 2.3.A
  - Retainer agreement, § 2.3
  - Sanctions, bad-faith based fees, § 17.1.D.4
  - Statutory authority, § 17.1.B
  - Support enforcement, costs incurred, § 21.2.S
  - Timing of award, § 17.1.B.3
  - Trial retainer, § 20.4.C
- ATTORNEY-CLIENT PRIVILEGE**
  - Initial consultation, third party presence, § 2.2.E
  - Payment source, confidentiality issues, § 2.3.A
- ATTORNEY-CLIENT RELATIONSHIP**
  - Alternative dispute resolution
    - Client education, § 6.1
    - Competence to choose, § 6.2.C.2
  - Antenuptial agreements
    - Invalidation possibilities, § 4.1
    - Substantive fairness, § 4.3
  - Checklists, prospective client information, § 2.3
  - Client preparation, financial early neutral evaluations (FENEs), § 6.2.B.2
  - Closing the file, communication with client, § 24.3
  - Confidential or privileged information (See ATTORNEY-CLIENT PRIVILEGE; CONFIDENTIAL OR PRIVILEGED INFORMATION)
  - Conflict of interest, prescreening, § 2.1
  - Domestic violence, representing victims, § 3.1.C
  - Domestic violence screening
    - Conversation, § 3.1.A
    - Protocol, § 3.1
    - Risk assessment questions, § 3.3
  - Engagement letter, § 2.3
  - Initial consultation, § 2.2
  - Lawyer's role
    - Mediation, § 6.2.A.4
    - Social early neutral evaluations (SENEs), § 6.2.B.1
  - Payment source, § 2.3.A
  - Postnuptial agreements
    - Invalidation possibilities, § 4.1
    - Substantive fairness, § 4.3
  - Prescreening, § 2.1
  - Privilege (See ATTORNEY-CLIENT PRIVILEGE)
  - Retainer agreement, § 2.3
  - Togstad* letters, § 2.1
    - Initial consultation follow up, § 2.5
  - Trial retainer, § 20.4.C
  - Withdrawal before trial, ethical considerations, § 20.4.C

**B****BANK RECORDS**

- Alternatives to formal discovery, § 8.9.B

**BANKRUPTCY**

- Child support, discharge of debts effect, § 25.3.C
- Marital dissolution issues, § 25.3
  - Automatic stay and exceptions, § 25.3.B

Discharge of debts, § 25.3.C  
Federal law, § 25.3.A

**BEST INTERESTS OF THE CHILD**

Appellate mediation, § 22.1.E  
Checklists, client information, § 2.3  
Child relocation or removal out of state, requirements, § 11.1.I  
Client information, § 2.2.A, § 2.3, § 2.4  
Custody agreements, § 23.2.B  
Custody evaluators  
Private vs. public, § 11.3.D  
Resolving issues, § 9.5.F  
De facto custodian, § 11.1.K  
Default hearings, § 18.3.B.1  
Determination of custody and parenting time, legal standard, § 11.1.D  
Experts, working with, § 116.4.C  
Interstate and international custody, § 12.4.C  
Lack of demonstrated consistent participation, factors determining, § 11.1.K  
Life insurance, § 21.2.Z  
Military servicemembers  
Judicial procedure absent agreement, § 25.4.G.3, § 25.4.G.4  
Jurisdiction, § 25.4.A  
Modification of custody, § 11.1.G, § 19.2.K.3  
Modification of parenting time, § 11.1.H, § 19.2.K.1, § 19.2.K.3  
Parentage presumptions, § 10.2.A  
Parenting consultant (PC)  
Private vs. public, § 11.3.D  
Resolving issues, § 9.5.F  
Parenting time agreements, § 23.2.B  
Relocation out of state, § 11.1.I, § 19.2.K.2  
Social early neutral evaluation (SENE)  
Recommendations, § 6.2.B.1  
Resolving issues, § 6.2.B.1  
Statutory factors, § 11.1.D  
Third-party custody, § 11.1.K  
Unmarried persons, visitation rights, § 11.1.L

**BRIEF**

Appellate brief, rules and procedures, § 22.1.H

**BUDGETS**

Forensic analysis for dissipation or standard of living, standard of living, § 9.5.B.5.c  
Spousal maintenance, § 15.3.A

**BUSINESS PROPERTY**

Antenuptial agreements, reasons for making, § 4.5.B  
Property division, business valuation, § 16.1.E  
Valuation, financial experts, § 9.5.B.1

**C****CASE SCHEDULING**

Commencing dissolution, § 5.2.G  
Initial case management conference (ICMC), § 5.2.G.2  
Early case management (ECM), lawyer preparation, § 7.2  
Early neutral evaluation (ENE), lawyer preparation, § 7.2  
Provider availability and scheduling system (PASS), early neutral evaluation (ENE), § 7.2

**CERTIFICATE OF DISSOLUTION**

Closing the file, § 24.4.A

**CERTIFICATE OF SETTLEMENT EFFORTS**

Motion practice, § 19.1.F

**CERTIFIED MAIL**

Personal service, commencing dissolution, § 5.2.E.1

**CHARTS. SEE ALSO TABLES**

Child support  
Child support services (IV-D) checklist, Chapter 14 Appendix B  
IV-D enforcement tools, Chapter 14 Appendix C  
When does receipt of public assistance make it a IV-D case?, Chapter 14 Appendix A  
Early case management county survey directory, Chapter 7 Appendix A

**CHECKLISTS**

Attorney fees  
Bad-faith based fees, § 17.1.D.4.a  
Need-based fees, § 17.1.C.3  
Child support  
Child support services (IV-D) checklist, Chapter 14 Appendix B  
Working with counties: what to include and what not to include in child support orders, Chapter 14 Appendix D  
Client information, best interests of the child, § 2.3  
Closing the file, post-divorce tasks, Chapter 24 Appendix A  
Domestic violence  
Risk factors, § 3.1.B  
Signs of abuse, § 3.1.B  
Gross income, working with counties: what to include and what not to include in child support orders, Chapter 14 Appendix D  
Initial consultation, domestic violence, § 3.1.C  
Post-divorce tasks, Chapter 24 Appendix A  
Prospective client information, § 2.3

**CHILD CUSTODY. SEE ALSO PARENTING TIME**

Generally, §§ 11.1 to 11.4  
Attorney fees, types of cases for awards, § 17.1.B.1  
Bankruptcy, automatic stay and exceptions, § 25.3.B  
Best interests of the child, statutory factors, § 11.1.D  
Brief focused assessment, court orders, § 11.3.E  
Change in circumstances, modification, § 11.1.G  
Child relocation or removal within state, considerations, § 11.1.J  
Commencing proceedings, never-married parents, § 5.3  
Contempt  
Constructive civil contempt procedure, § 21.4.B  
Criminal vs. civil, § 21.4.A  
Court cooperation on child custody and parenting time, § 12.2.F  
Court findings, modification, § 11.1.G  
Court proceedings, third-party custody, § 11.1.K  
Custody and parenting time evaluators, court-appointed neutrals, § 11.3.D  
Default  
Failure to answer, § 18.2.A.4  
Third-party custody, § 18.2.A.5  
Defenses to return of child per ICARA  
Child reaching 16, § 12.4.A.3.d  
Child's objection, § 12.4.A.3.d  
Consent or subsequent acquiescence, § 12.4.A.3.b  
Grave risk of physical or psychological harm, § 12.4.A.3.c

- Human rights, § 12.4.A.3.e
  - Non-exercise of custody rights, § 12.4.A.3.a
  - Domestic violence screening
    - Purpose, § 3.1.A
    - Question suggestions, § 3.2
  - Enforcement
    - Application of PKPA, § 12.3.A.4
    - Application of UCAPA, § 12.3.A.5
    - Application of UCCJEA, § 12.3
    - Criminal law, § 12.3.A.2
    - Drafting guidelines for future, § 12.3.E
    - Emergency determination enforcement, § 12.3.D
    - Expedited determination enforcement, § 12.3.C
    - National Child Search Assistance Act of 1990, § 12.3.A.3
    - Non-emergency determinations, § 12.3.B
  - Family law process, § 1.2.J
    - Interstate and international custody, § 1.2.K
  - Guardian ad litem, appointment, § 11.3.F
  - Hearings, expedited determination enforcement, § 12.3.C
  - Home state vs. habitual residence, § 12.4.A
  - Information gathering, § 11.2
    - Discovery, § 11.2.B
    - Initial client meeting, § 11.2.A
    - Social media, § 11.2.C
  - Initial consultation, § 2.2.C
  - International Child Abduction Prevention and Return Act (ICAPRA), § 12.4.A.4
    - Fees and costs, § 12.4.A.4.b
    - Hague Convention compliance, § 12.4.A.4.a
  - International Child Abductions Remedy Act (ICARA), § 12.4.A.2
  - International custody, § 12.4
    - Application for return of child per ICARA, § 12.4.A.2
    - Defenses to return of child per ICARA, § 12.4.A.3
    - Enforcement of rights, § 12.4.A.1
    - Hague Convention on Civil Aspects of International Child Abduction, § 12.4.A
  - Interstate custody, §§ 12.1 to 12.3
    - Parental Kidnapping and Prevention Act (PKPA), § 12.2.A.2
    - Statutory authority, § 12.2.A
    - Uniform Child Custody Jurisdiction Act (UCCJA), § 12.2.A.3
    - Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA), §§ 12.2 to 12.3
    - Visitation Rights Enforcement Act (VREA), § 12.2.A.2
  - Jurisdiction
    - Declining by reason of conduct, § 12.2.E.2
    - Declining jurisdiction, § 12.2.E
    - Default/vacuum jurisdiction, § 12.2.B.4
    - Emergency jurisdiction, § 12.2.B.3
    - Exclusive continuing jurisdiction, § 12.2.C.1
    - Home state jurisdiction, § 12.2.B.1
    - Inconvenient forum, § 12.2.E.1
    - More appropriate forum, § 12.2.B.5
    - Significant connection jurisdiction, § 12.2.B.2
    - Simultaneous proceedings, § 12.2.D
    - Subject matter vs. personal jurisdiction, § 12.2.B
  - Lack of demonstrated consistent participation, factors determining, § 11.1.K
  - Legal custody, defined, § 11.1.A
  - Limited scope evaluation, court orders, § 11.3.E
  - Mediation, § 11.3.B
    - Child inclusive mediation, § 11.3.C
  - Modification
    - Legal standard, § 11.1.G
    - Physical custody vs. parenting time ratio, § 11.1.B
  - Motions to modify child custody, timing, § 19.2.K.3
  - Negotiation, § 11.3
    - Social early neutral evaluation (SENE), § 11.3.A
  - Orders, expedited determination enforcement, § 12.3.C
  - Parenting consultant, appointment, § 11.3.G
  - Parenting plan, advantages vs. disadvantages, § 11.1.C
  - Physical custody
    - Defined, § 11.1.A
    - Parenting time ratio, § 11.1.B
  - Recognition of parentage, requirements and effect, § 10.2.C
  - Registration, custody determinations, § 12.3.B
  - Relocation or removal out of state, requirements, § 11.1.I
  - Resources, § 1.1
  - Sample language
    - Future enforcement of custody/parenting time determinations in international cases, § 12.4.C
    - Guidelines for future, § 12.3.E
  - Stipulations, subjects for agreement, § 23.2.B
  - Temporary hearings, § 11.4
  - Third-party custody, statutory authority, § 11.1.K
  - Uniform Child Abduction Prevention Act (UCAPA), § 12.3.A.5
  - Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA), §§ 12.2 to 12.3
  - Uniform Deployed Parents Custody and Visitation Act, § 25.4.G
    - Agreements, § 25.4.G.2
    - Judicial procedure absent agreement, § 25.4.G.3
    - Notice to other parent of deployment, § 25.4.G.1
    - Return from deployment, § 25.4.G.4
  - Violations and remedies, § 21.3
    - Judicial supervision of custody and parenting time, § 21.3.E
    - Modification of custody, § 21.3.A
- CHILD DEVELOPMENT**
- Family law process, § 1.2.J
  - Parenting time
    - Arizona Guidelines, § 11.1.E
    - Developmental and other factors to consider, § 11.1.F
- CHILD SUPPORT**
- Generally, §§ 13.1 to 13.9
  - Attorney fees, types of cases for awards, § 17.1.B.1
  - Bankruptcy
    - Automatic stay and exceptions, § 25.3.B
    - Discharge of debts effect, § 25.3.C
  - Calculation
    - Adjustment for parenting time, § 11.1.H
    - Child care, § 13.6
    - Child support guidelines worksheet, Chapter 13
      - Appendix A
    - Debt impact, § 13.8.B
    - Deviation factors, § 13.8.A
    - Gross income, § 13.2
    - Medical and dental insurance, § 13.4
    - Nonjoint children, § 13.3
    - Parental income for child support, § 13.5.A

- Parenting-time expense adjustment, § 13.7
  - Physical custody vs. parenting time ratio, § 11.1.B
  - Unreimbursed medical/dental expenses, § 13.5
  - Calculator, § 13.1
  - Checklists
    - Child support services (IV-D) checklist, Chapter 14 Appendix B
    - Working with counties: what to include and what not to include in child support orders, Chapter 14 Appendix D
  - Contempt
    - Constructive civil contempt procedure, § 21.4.B
    - Criminal vs. civil, § 21.4.A
  - Counties
    - County choice of participation, § 14.2.E
    - Title IV-D case involvement, §§ 14.1 to 14.3
  - Defined, § 13.1
  - Enforcement
    - Arrearage collection projects, § 21.2.Q
    - Arrears, § 21.2.A.1
    - Attorney fees, § 21.2.S
    - Claims against estate, § 21.2.AA
    - Contempt proceedings, § 21.2.I
    - Creditor remedies, § 21.2.Y
    - Criminal charges, § 21.2.W
    - Direct deposit, § 21.2.B.2
    - Direct payment, § 21.2.B.1
    - Docketing judgment, § 21.2.H
    - Driver license suspension, § 21.2.G
    - Employer remedies, § 21.2.N
    - Escrow accounts, § 21.2.B.3
    - Financial institution data match (FIDM), § 21.2.O
    - Income withholding, § 21.2.A.1
    - Liens securing payment, § 21.2.C
    - Life insurance securing support, § 21.2.Z
    - Life insurance trusts, § 21.2.AA
    - Mortgage offsets, § 21.2.D
    - Motor vehicle title liens, § 21.2.G
    - Occupational license suspension, § 21.2.L
    - Parent locator services, § 21.2.E
    - Passport denial, § 21.2.X
    - Payment agreements, § 21.2.M
    - Payment via public authority, § 21.2.A
    - Preauthorized transfer account, § 21.2.B.4
    - Publication of names, § 21.2.T
    - Real property liens, § 21.2.H
    - Recreational license suspension, § 21.2.K
    - Reports to credit agencies, § 21.2.P
    - Seek employment orders, § 21.2.R
    - Six-month review hearing, § 21.2.V
    - Stay of income withholding, § 21.2.B.3
    - Support review hearing, § 21.2.U
    - Tax refunds and credits, § 21.2.J
    - Wage withholding, § 21.2.A.1
    - Work reporting system, § 21.2.F
  - Failure to comply, enforcement, § 21.2
  - Family law process, § 1.2.L
  - Financial experts, § 9.5.B
  - Forms, child support guidelines worksheet, Chapter 13 Appendix A
  - Gross income, § 13.2.A
    - Bonus income, § 13.2.D.1
    - Construction of language, § 13.2.A.1
    - Deductions for nonjoint children, § 13.3
    - Documentation, § 13.2.A.2
    - Imputed income, § 13.2.C
    - Interest and dividends, § 13.2.D.3
    - Self-employed persons, § 13.2.B
    - Social security, § 13.2.D.4
    - Spousal maintenance, § 13.2.D.5
    - Student loans, § 13.2.D.2
    - Veterans benefits, § 13.2.D.4
  - Imputed income
    - Exceptions, § 13.2.C.2
    - Potential income, § 13.2.C.1
    - Unemployed and underemployed persons, § 13.2.C
  - Income determination, § 13.2
  - Income for self-employed persons
    - Determination, § 13.2.B.1
    - Documentation, § 13.2.B.2
  - Initial consultation, § 2.2.A, § 2.2.D
  - Insurance, medical and dental, § 13.4
  - Medical support, § 13.4
  - Military servicemembers, SCRA procedures, § 25.4.B.2
  - Modification, § 13.9
    - Jurisdiction, § 12.2.C
    - Motions to modify child support, § 19.2.L
    - Spousal maintenance vs. child support, § 15.5.A.4
  - Motions, to modify child support, § 19.2.L
  - Nonjoint children, deductions, § 13.3
  - Parental income for child support, § 13.5.A
  - Resources, calculator, § 13.1
  - Self-employed persons, income, § 13.2.B
  - State agency responsible for collecting child support, defined, § 10.2.B
  - Substantial change in circumstances, determination, § 13.9
  - Tables
    - Child support services (IV-D) checklist, Chapter 14 Appendix B
    - IV-D enforcement tools, Chapter 14 Appendix C
    - When does receipt of public assistance make it a IV-D case?, Chapter 14 Appendix A
  - Title IV-D cases
    - Application fees, § 14.1.E.1
    - Common mistakes, § 14.3
    - Cost recovery fees, § 14.1.E.2
    - County duties, § 14.1.B.1
    - County interest, § 14.2.B
    - County intervention, § 14.2.D
    - County involvement, §§ 14.1 to 14.3, § 14.2.A
    - Courts of limited jurisdiction, § 14.1.F.2
    - Eligibility of families, § 14.1.C
    - Expedited case requirements, § 14.1.F.1
    - Federal mandate, § 14.1.A.1
    - Federal tax intercept fees, § 14.1.E.5
    - Income withholding only services, § 14.1.C.1, § 14.1.E.3
    - Judicial economy rule, § 14.1.F.4
    - Mandated/permissive/prohibited issues, § 14.1.F.3
    - No ping-pong rule, § 14.1.F.4
    - Nonpublic and public assistance, § 14.1.A.2
    - Notice to county, § 14.2.C
    - PRISM system, § 14.1.B.1
    - Services provided, § 14.1.D
    - State eligibility for assistance, § 14.1.A.2
    - State program structure, § 14.1.B.1
- CLOSING ARGUMENT**
- Trial practice, presenting the case, § 20.7.B.7

**CLOSING THE FILE**

Generally, §§ 24.1 to 24.5  
 Certificate of dissolution, § 24.4.A  
 Checklists, post-divorce tasks, Chapter 24 Appendix A  
 Closing letter to client, contents, § 24.3  
 Communication with client, § 24.3  
 Consolidating documents, § 24.4.D  
 Family law process, § 1.2.W  
 File retention policies, § 24.4.D  
 Importance, completion of tasks, § 24.1  
 Managing process, procedures, § 24.4  
 Notice of withdrawal, filing, § 24.4.B  
 Qualified domestic relations orders (QDROs), § 24.4.D  
 Real property transfers, § 24.4.C  
 Returning key originals to client, § 24.4.D  
 Scope of tasks, § 24.2  
 Summary real estate disposition judgment (SREDJ), § 24.4.C

**COERCIVE CONTROL**

Defined, § 3.1.B  
 Domestic violence screening, question suggestions, § 3.2

**COHABITATION**

Spousal maintenance, modification, § 15.7

**COMMENCING DISSOLUTION**

Generally, §§ 5.1 to 5.4  
 Alternative dispute resolution  
   Notice, § 5.2.F.1.a  
   Options, § 5.2.I  
 Answer and counterpetition, § 5.2.F.3  
   Time and service of process, § 5.2.F.3  
 Arbitration or other adjudicative ADR forms, § 5.2.I.5  
 Attorney fees, awarding, § 5.2.E.1  
 Case scheduling, § 5.2.G  
 Court rules, § 5.1  
 Discovery, § 5.2.G  
   Informal vs. formal, § 5.2.G.3  
 Family law process, § 1.2.D  
 Financial affidavit, § 5.2.F.5  
 Financial early neutral evaluation (FENE), § 5.2.I.1  
 Governing authority, § 5.1  
 Initial case management conference (ICMC), § 5.2.G.2  
 Initial consultation, § 2.2.A  
 Joinder, third parties, § 5.2.C  
 Joint petitions  
   Requirements, § 5.2.F.1.c  
   Waiver of counsel, § 5.2.F.1.c  
 Judicial assignment, § 5.2.G.1  
 Jurisdiction, § 5.2.A  
   Nonresidents, § 5.2.A.2  
   Residents, § 5.2.A.1  
 Mediation, § 5.2.I.3  
 Military servicemembers, petition, § 5.2.F.1.b  
 Moderated settlement conferences, § 5.2.I.4  
 Neutral custody expert, custody and parenting time, § 5.2.I.6  
 Neutral financial experts, court appointments, § 5.2.I.7  
 Never-married parents, § 5.3  
 Notice of parent education program requirements, § 5.2.F.1.a  
 Parent education courses, timeline, § 5.2.H  
 Petition  
   Amendment, § 5.2.F.4

Joint petitions, § 5.2.F.1.c  
 Requirements, § 5.2.F.1.b  
 Pleadings, § 5.2.F  
   Summons and petition, § 5.2.F.1  
 Public assistance, notice to authority, § 5.2.F.2  
 Redactions, petition, § 5.2.F.1.b  
 Removal of judge, § 5.2.G.1  
 Scheduling statement, § 5.2.G.2  
 Service of process  
   Alternatives to personal service, § 5.2.E.2  
   Answer and counterpetition, § 5.2.F.3  
   Personal service, § 5.2.E.1  
 Social early neutral evaluation (SENE), ADR options, § 5.2.I.2  
 Statutory authority, § 5.1  
 Summary dissolution, requirements, § 5.2.D  
 Summons, requirements, § 5.2.F.1.a  
 Temporary restraining order, § 5.2.F.1.a  
 Unmarried parents, § 5.3  
 Venue, § 5.2.B

**COMMENCING PROCEEDINGS OTHER THAN DISSOLUTION**

Child custody, never-married parents, § 5.3  
 Modifications and motions, § 5.4

**COMMUNICATION**

Closing the file, communication with client, § 24.3  
 Courts, cooperation on child custody and parenting time, § 12.2.F  
 Financial early neutral evaluation (FENE), topics addressed, § 9.4

**COMPENSATION**

Financial early neutral evaluation (FENE), topics addressed, § 9.4

**CONFIDENTIAL OR PRIVILEGED INFORMATION. SEE ALSO ATTORNEY-CLIENT PRIVILEGE**

Attorney-client relationship, payment source, § 2.3.A  
 Depositions, correcting client lies, § 8.4.A.1  
 Financial source documents, § 19.1.E  
 Motion practice, § 19.1.E  
 Parenting-time expeditors (PTEs), § 11.3.H  
 Prescreening, § 2.1  
 Restricted identifiers, § 19.1.E  
 Social early neutral evaluation (SENE), preparing client, § 11.3.A

**CONFLICT OF INTEREST**

Prescreening, § 2.1

**CONSENSUAL SPECIAL MAGISTRATES**

Commencing dissolution, § 5.2.I.5.b  
 Qualifications and role, § 6.2.C.2

**CONTEMPT**

Generally, § 21.4  
 Constructive civil contempt procedure, § 21.4.B  
 Criminal vs. civil, § 21.4.A  
 Enforcement, support obligations, § 21.2.I  
 Family law process, § 1.2.T  
 Motions for contempt of court  
   Order to show cause or notice of motion, § 19.2.P.2  
   Purpose, § 19.2.P.1  
 Parenting time, violations and remedies, § 21.3.F

**COPIES**

Document production requests, form of production, § 8.5.B

**COUNTIES**

## Checklists

Child support services (IV-D) checklist, Chapter 14  
Appendix B

Working with counties: what to include and what not to include in child support orders, Chapter 14 Appendix D

## Child support

County choice of participation, § 14.2.E

Family law process, § 1.2.M

Title IV-D case involvement, §§ 14.1 to 14.3

Title IV-D fees, § 14.1.E

Title IV-D services, § 14.1.D

Early case management (ECM) (*See also* EARLY CASE MANAGEMENT (ECM))

Appearance, § 7.3

Differing procedures, §§ 7.1 to 7.4

Family law process, § 1.2.F

## Rosters, early neutral evaluators (ENEs), § 7.2

## Tables

Early case management county survey directory,  
Chapter 7 Appendix A

IV-D enforcement tools, Chapter 14 Appendix C

When does receipt of public assistance make it a IV-D case?, Chapter 14 Appendix A

**COURT RULES**

Considerations during trial, review of court rules, § 20.8.D

Discovery, 2013 amendments, § 8.1.B

Family Court Procedure Rules, authority, § 1.1

Motion practice, proceedings governed, § 19.1.A

Timelines, § 5.2.I

**COVID-19 IMPACT**

Trial practice, specialized issues in remote proceedings,  
§ 20.10

**CREDIT REPORTS**

Alternatives to formal discovery, § 8.9.C

Support enforcement, reports to credit agencies, § 21.2.P

**CRIMES AND OFFENSES**

Child support, failure to pay, § 21.2.W

Parental kidnapping, § 21.3.G

**CROSS-EXAMINATION**

Trial practice, presenting the case, § 20.7.B.2

**CUSTODIAL RESPONSIBILITY**

Defined, § 25.4.G.1

**CUSTODIAN. *SEE DE FACTO CUSTODIAN*****CUSTODY AND PARENTING TIME NEUTRAL (CPNE). *SEE SOCIAL EARLY NEUTRAL EVALUATION (SENE)*****CUSTODY AND PARENTING-TIME EVALUATORS**

Child custody, court-appointed neutrals, § 11.3.D

Parenting time, court-appointed neutrals, § 11.3.D

**CUSTODY EVALUATORS**

Best interests of the child, resolving issues, § 9.5.F

Lawyer's role, § 9.5.F

**D****DE FACTO CUSTODIAN**

Defined, § 11.1.K

Lack of demonstrated consistent participation, factors determining, § 11.1.K

**DEADLINES**

Commencing dissolution, court rules timelines, § 5.2.I

**DEBTS**

Property division, apportionment, § 16.1.I

Property division settlement, enforcement, § 21.5

**DECREE OF DISSOLUTION OR SEPARATION**

Appeals, orders appealable, § 22.1.B

Closing the file, managing process, § 24.4

**DEFAULT**

Generally, §§ 18.1 to 18.3

Administrative dissolution, failure to answer, § 18.2.A.2

Appearance, failure to appear, § 18.2.C

## Child custody

Failure to answer, § 18.2.A.4

Third-party custody, § 18.2.A.5

Circumstances allowing, § 18.2

Failure to answer, § 18.2.A

## Discovery

Failure to cooperate, § 18.2.B

Process for obtaining relief, § 18.3.A.4

## Failure to appear

Hearings, § 18.2.C.2

Pretrial conferences, § 18.2.C.1

Family law process, § 1.2.Q

## Hearings

Motion to reopen, § 18.3.B.2

Preparation and conduct, § 18.3.B.1

Legal separation, failure to answer, § 18.2.A.1

## Marital dissolution

Failure to answer, § 18.2.A.1

Notice to defaulting party, § 18.3.A.1.b

Process for obtaining relief, § 18.3.A.1

With stipulation, § 18.3.A.1.c

Without stipulation but appearance, § 18.3.A.1.b

Without stipulation or appearance, § 18.3.A.1.a

## Motions

With agreement, § 19.2.F.1

Without stipulation -- appearance, § 19.2.F.3

Without stipulation -- no appearance, § 19.2.F.2

Parentage proceedings, failure to respond, § 18.2.A.3

Preference of court, § 18.1

Process for obtaining relief, § 18.3

Failure to appear, § 18.3.A.3

Family court proceedings (non-dissolution), § 18.3.A.2

Marital dissolution, § 18.3.A.1

Requesting relief, § 18.3.A

**DEFAULT DIVORCE**

Defined, § 17.1.C.2

**DEFINED BENEFIT PLANS. *SEE ALSO RETIREMENT AND PENSIONS***

Actuaries, valuation, § 9.5.C

**DEFINITIONS**

Active appreciation, § 16.1.B

Aggressive lawyering, § 9.5.E

Antenuptial agreements, § 4.1, § 4.2.A

Appear, § 19.2.F.2  
 Child support, § 13.1  
 Coercive control, § 3.1.B  
 Custodial responsibility, § 25.4.G.1  
 De facto custodian, § 11.1.K  
 Default divorce, § 17.1.C.2  
 Deployment, § 25.4.G  
 Disposable retirement pay, military servicemembers, § 25.4.F.1  
 Domestic abuse, § 3.1.B  
 Domestic support obligation, bankruptcy, § 25.3.C  
 Domestic violence, § 3.1.B  
 Expert, § 9.2  
 Financial account number, § 5.2.F.1.b  
 Financial source documents, § 5.2.F.1.b, § 19.1.E  
 Gross income, child support, § 13.2.A  
 Interested third party, child custody, § 11.1.K  
 Interrogatories, § 8.3.A.1  
 Lack of demonstrated consistent participation, child custody, § 11.1.K  
 Legal custody, § 11.1.A  
 Marital dissolution, § 5.2  
 Marital property, § 16.1.A  
     Medical assistance, § 25.2.B  
 Mediation, § 6.2.A  
 Neutral, § 6.2.A.1  
 Neutral third party, § 6.2.A  
 Non-marital property, § 16.1.B  
 Nonjoint child, § 13.3  
 Parenting plan, § 11.1.C  
 Parenting time, § 11.1.A  
 Parenting-time expeditor, § 6.3.A, § 11.3.H  
 Passive appreciation, § 16.1.B  
 Physical custody, § 11.1.A  
 Postnuptial agreements, § 4.1, § 4.2.B  
 Prevailing party, § 22.1.K  
 Restricted identifiers, § 5.2.F.1.b  
 State, § 12.2.B.1  
 State agency responsible for collecting child support, § 10.2.B

**DEPLOYMENT**

Defined, § 25.4.G

**DEPOSITIONS**

Generally, § 8.4  
 Commencing trial practice, § 20.2.B.6  
 Discovery, allowable methods, § 8.1.E  
 Disputes during, § 8.4.A.2  
 Document production vs. deposition, § 8.4.E  
 Limitations, § 8.4.A.2  
 Objections, proper objections, § 8.4.F  
 Procedural requirements, § 8.4.A  
     Governing authority, § 8.4.A.1  
 Subpoenas, § 8.4.B  
 Time limits, § 8.4.A.2  
 Transcripts, § 8.4.A.2  
 What to ask, § 8.4.D  
 When to use, § 8.4.C  
 Witness fees, § 8.4.B

**DISCLOSURE**

Antenuptial agreements, substantive fairness, § 4.3  
 Discovery, automatic disclosure, § 8.1.B.2  
 Postnuptial agreements, substantive fairness, § 4.3

**DISCOVERY**

Generally, §§ 8.1 to 8.10  
 Alternatives to formal discovery, § 8.9  
     Bank records, § 8.9.B  
     Credit reports, § 8.9.C  
     Forensic accountants, § 8.9.D  
     Pension plan administrator requests, § 8.9.E  
     Private investigators, § 8.9.D  
     Tax records, § 8.9.A  
 Appraisals and valuations, eFormbook resources, § 8.10  
 Automatic disclosure, § 8.1.B.2  
     Application of law, § 8.1.B.2  
 Background, § 8.1.A  
 Child custody, information gathering, § 11.2.B  
 Commencing dissolution, § 5.2.G.3  
 Commencing trial practice, § 20.2.B.6  
 Contact information, email addresses, § 8.1.C  
 Court rules  
     2013 amendments, § 8.1.B  
     2016 amendments, § 8.1.C  
     2018 amendments, § 8.1.D  
 Default  
     Failure to cooperate, § 18.2.B  
     Process for obtaining relief, § 18.3.A.4  
 Depositions, § 8.4  
     Document production vs. deposition, § 8.4.E  
     Procedural requirements, § 8.4.A, § 8.4.A.1  
     Proper objections, § 8.4.F  
     Subpoenas, § 8.4.B  
     Transcripts, § 8.4.A.2  
     What to ask, § 8.4.D  
     When to use, § 8.4.C  
     Witness fees, § 8.4.B  
 Disputes, attorney fees, § 8.8.E  
 Document production requests, § 8.5  
     Combining with interrogatories, § 8.5.E  
     Form of production, § 8.5.B  
     Limitations, § 8.5.A  
     Procedural requirements, § 8.5.A  
     What to ask, § 8.5.D  
     When to use, § 8.5.C  
 E-filing, § 8.1.C  
 Electronically stored information (ESI), preservation rules, § 8.1.D  
 Family law process, § 1.2.G  
 Formal discovery, § 8.2.B  
     Alternatives to, § 8.9  
     Discovery conferences, § 8.2.B  
 Formal vs. informal discovery, § 8.2  
     Commencing litigation, § 20.2.B.6  
 Harassment, formal discovery, § 8.2.B  
 Informal discovery  
     Agreements, § 8.2.A  
     Ethical behavior, § 8.2.A.1.c  
     Financial early neutral evaluation (FENE), § 8.2.A.1.b  
     Helpful tools, § 8.2.A.1  
     Parenting/financial disclosure statement, § 8.2.A.1.c  
     Sworn financial statements, § 8.2.A.1.a  
 Informal vs. formal discovery, § 8.2  
     Commencing litigation, § 20.2.B.6  
 Information gathering, property division, § 16.2.B  
 Interrogatories, § 8.3  
     Best use, § 8.3.B  
     Combining with document production requests, § 8.5.E

- Limitations, § 8.3.A.2
- Oath vs. notarization, § 8.1.C
- What to ask, § 8.3.C
- Medical records, § 8.7
  - eFormbook resources, § 8.10
- Mental examinations, § 8.7
- Mental health, medical records, § 8.7
- Methods
  - Allowable methods, § 8.1.E
  - Ethical behavior, § 8.2.A.1.c
- Motions, to compel compliance, § 8.8.C, § 19.2.D
  - Attorney fees, § 8.8.E
- Objections, § 8.8
  - How to object, § 8.8.A
  - Proper objections, § 8.8.A
  - Why to object, § 8.8.B
- Parenting time, information gathering, § 11.2.B
- Personal property, eFormbook resources, § 8.10
- Physical examinations, § 8.7
- Proportionality, objections, § 8.1.B.1
- Protective orders, § 8.8.D
  - 2018 amendments, § 8.1.D
- Purpose and function, § 8.1.A
- R.C.P. 26 amendments of 2018, § 8.1.D
- Real property, eFormbook resources, § 8.10
- Requests for admissions, § 8.6
  - Limits, § 8.6.A
  - Procedural requirements, § 8.6.A
  - What to ask, § 8.6.C
  - When to use, § 8.6.B
- Valuations, eFormbook resources, § 8.10

**DISPOSABLE RETIREMENT PAY**

- Defined, military servicemembers, § 25.4.F.1

**DISQUALIFICATION**

- Commencing dissolution, removal of judge, § 5.2.G.1

**DISTRICT COURTS**

- Communication, cooperation on child custody and parenting time, § 12.2.F
- Early case management, family law process, § 1.2.F
- Jurisdiction, Title IV-D child support cases, § 14.1.F.4
- Registration, child custody determinations, § 12.3.B
- Removal of judge, § 5.2.G.1
- Trial practice, questioning from court, § 20.7.B.5

**DIVORCE CAMP**

- Education, § 1.1

**DOCUMENT PRODUCTION REQUESTS**

- Generally, § 8.5
- Combining with interrogatories, § 8.5.E
- Discovery, allowable methods, § 8.1.E
- Document production vs. deposition, § 8.4.E
- Form of production, § 8.5.B
- Inadvertently delivered documents, ethical procedures, § 8.5.B
- Limitations, § 8.5.A
- Procedural requirements, § 8.5.A
- What to ask, § 8.5.D
- When to use, § 8.5.C

**DOCUMENTS**

- Appellate brief, rules and procedures, § 22.1.H
- Client information, initial consultation, § 2.4
- Exhibits, document legibility, § 20.6.B.1

- Financial early neutral evaluation (FENE)
  - Client preparation, § 6.2.B.2
  - Topics addressed, § 9.4
- Gross income
  - Child support, § 13.2.A.2
  - Income for self-employed persons, § 13.2.B.2
- Initial consultation, § 2.2

**DOMESTIC ABUSE**

- Defined, § 3.1.B

**DOMESTIC SUPPORT OBLIGATION**

- Defined

- Bankruptcy, § 25.3.C

**DOMESTIC VIOLENCE**

- Bankruptcy, automatic stay and exceptions, § 25.3.B
- Bankruptcy issues, automatic stay exceptions, § 25.3.B
- Coercive control, § 3.1.B
- Communications with victims, safety, § 3.1.C
- Dangers for victim, § 3.1.B
- Defined, § 3.1.B
- Determining intent of acts, § 3.1.B
- Gun Control Act, application of law, § 25.4.D
- Initial consultation, § 2.3.B
- Risk factors, § 3.1.B
- Screening, §§ 3.1 to 3.3
  - Abuser characteristics, § 3.1.A
  - Attorney protocol, § 3.1
  - Attorney tips, § 3.1.C
  - Client preparation for mediation, § 6.2.A.3
  - Coercive control and related tactics, § 3.1.B
  - Family law process, § 1.2.B
  - Lawyer's role in mediation, § 6.2.A.4
  - Question suggestions, § 3.2
  - Risk assessment questions, § 3.3
- Signs of violence, § 3.1.B

**DOMICILE AND RESIDENCE**

- Jurisdiction

- Nonresidents, § 5.2.A.2

- Residents, § 5.2.A.1

- Venue, commencing dissolution, § 5.2.B

**DRIVERS LICENSE**

- Suspension, support enforcement, § 21.2.G

**E****E-FILING**

- Motion practice, filing with court, § 19.1.K

**EARLY CASE MANAGEMENT (ECM)**

- Generally, §§ 7.1 to 7.4

- Counties, differing procedures, §§ 7.1 to 7.4

- County-specific procedures, information gathering, § 7.2

- Differing procedures

- Counties, §§ 7.1 to 7.4

- Lawyer preparation, § 7.1

- Facts of case, information gathering, § 7.2

- Family law process, § 1.2.F

- Lawyer preparation

- Appearance, § 7.3

- County-specific procedures, § 7.1

- Information gathering, § 7.2

- Presiding judicial officers, information gathering, § 7.2

- Remote expedited temporary relief (RETR), § 7.2

Resources, lawyer preparation, § 7.2  
 Tables, early case management county survey directory,  
 Chapter 7 Appendix A

#### **EARLY NEUTRAL EVALUATION (ENE)**

Generally, § 6.2.B  
 Commencing trial practice, § 20.2.B.3  
 Early case management (ECM), lawyer preparation, § 7.2  
 Resources, § 6.2.B  
 Tables, early case management county survey directory,  
 Chapter 7 Appendix A

#### **ELDERLY PERSONS. SEE OLDER ADULTS**

#### **ELECTRONICALLY STORED INFORMATION (ESI)**

Discovery, R.C.P. 26 amendments of 2018, § 8.1.D  
 Preservation rules, § 8.1.D

#### **EMAIL**

Trial exhibits, § 20.6.B.7

#### **EMPLOYEE STOCK OPTION INCENTIVE PLANS (ESOPS)**

Property division, § 16.1.G

#### **EMPLOYERS**

Support enforcement, failure to comply, § 21.2.N

#### **EMPLOYMENT**

Domestic violence screening, question suggestions, § 3.2

#### **ENFORCEMENT**

Family law process, § 1.2.T

#### **ENGAGEMENT LETTER**

Attorney-client relationship, § 2.3  
 Financial early neutral evaluation (FENE), topics  
 addressed, § 9.4

#### **EQUAL ACCESS (EA) ENE PROGRAM**

Tables, early case management county survey directory,  
 Chapter 7 Appendix A

#### **ESTATE PLANNING**

Antenuptial agreements, reasons for making, § 4.5.A  
 Postnuptial agreements, reasons for making, § 4.5.A

#### **EVIDENCE**

Motions, to reopen judgment and decree, § 19.2.I  
 Motions in limine to exclude, § 19.2.E  
 Property division, litigation, § 16.4.D  
 Standard of review, evidentiary rulings, § 22.2.B.6  
 Trial practice, considerations during trial, § 20.8.C

#### **EXHIBITS**

Motion practice, § 19.1.D  
 Trial practice  
   Admitting exhibits into evidence, § 20.6.B.8  
   Bates stamping, § 20.6.B.4  
   Distribution of exhibits, § 20.6.B.9  
   Document legibility, § 20.6.B.1  
   Email, § 20.6.B.7  
   Facebook messages, § 20.6.B.7  
   Marking exhibits, § 20.6.B.3  
   Numbering or pagination, § 20.6.B.4  
   Organization, § 20.6.B.2  
   Putting case together, § 20.6.B  
   Recordings and transcriptions, § 20.6.B.6  
   Social media, § 20.6.B.7  
   Text messages, § 20.6.B.7  
   Voluminous materials, § 20.6.B.5

#### **EXPERTS**

Generally, §§ 9.1 to 9.5  
 Actuaries, defined benefit plans, § 9.5.C  
 Best interests of the child, working with, § 116.4.C  
 Business valuation, financial experts, § 9.5.B.1  
 Defined, § 9.2  
 Defined benefit plans, § 9.5.C  
 Financial experts, § 9.5.B  
   Business valuations, § 9.5.B.1  
   Cash flow analysis, § 9.5.B.4  
   Forensic analysis for dissipation or standard of living,  
   § 9.5.B.5  
   Non-marital tracings, § 9.5.B.3  
   Property settlement schedules, § 9.5.B.2  
 Lawyer's role, § 9.1  
 Neutral vs. expert, § 9.2  
   Advantages and disadvantages, § 9.2  
   Real estate appraisers, § 9.5.A  
 Property division  
   Business valuation, § 16.1.E  
   Litigation, § 16.4.C  
   Non-marital tracing analysis, § 16.1.B  
 Putting case together  
   Expert fees, § 20.6.A.6.a  
   Expert vs. lay testimony, § 20.6.A.4  
   Payment for witnesses, § 20.6.A.6  
   Subpoenas, § 20.6.A.5  
 Qualified domestic relations orders (QDROs), post-decree  
 transfers, § 24.4.D  
 Real estate appraisers, § 9.5.A  
 Retirement and pensions, § 9.5.C  
 Trial practice, cost of experts, § 20.4.D  
 Types of experts, § 9.5  
 Vocational evaluations, § 9.5.D  
 Working with, family law process, § 1.2.H, §§ 9.1 to 9.5

#### **F**

#### **FAMILY COURT. SEE ALSO DISTRICT COURTS**

Association of Family and Conciliation Courts (AFCC),  
 education, § 1.1  
 County intervention, § 14.2.D

#### **FAMILY COURT PROCEDURE RULES. SEE ALSO SPECIFIC TOPICS**

Commencing dissolution, § 5.1

#### **FAMILY LAW**

Resources, § 1.1

#### **FAMILY LAW LEAGUE**

Education, § 1.1

#### **FAMILY LAW PRACTICE**

Considerations, § 1.1

#### **FAMILY LAW PROCESS**

Alternative dispute resolution, § 1.2.E, §§ 6.1 to 6.4  
 Antenuptial agreements, § 1.2.C  
 Appeals, § 1.2.U, §§ 22.1 to 22.2  
 Arbitration, § 6.2.C.1  
 Attorney fees, § 1.2.O, §§ 17.1 to 17.2  
 Bankruptcy, § 25.3  
 Checklist of post-divorce tasks, Chapter 24 Appendix A  
 Checklists, prospective client information, § 2.3  
 Child development and custody issues, § 1.2.J  
 Child support, § 1.2.L

Closing the file, § 1.2.W, §§ 24.1 to 24.5  
 Commencing dissolution, § 1.2.D, §§ 5.1 to 5.4  
 Consensual special magistrates, § 6.2.C.2  
 Contempt, § 1.2.T  
 County intervention, § 14.2.D  
 COVID-19 pandemic, effect on ADR, § 6.4  
 Default, § 1.2.Q, §§ 18.1 to 18.3  
 Discovery, § 1.2.G  
 Domestic violence, screening, § 1.2.B  
 Early case management, § 1.2.F  
 Early neutral evaluations, § 6.2.B  
 Elder law, § 25.2  
 Enforcement, § 1.2.T  
 Experts, working with, § 1.2.H, §§ 9.1 to 9.5  
 Financial early neutral evaluations, § 6.2.B.2  
 Initial consultation, § 1.2.A, § 2.2  
 Interstate and international custody, § 1.2.K  
 Judgment, enforcement, §§ 21.1 to 21.5  
 Mediation, § 6.2.A  
 Medical assistance planning, § 25.2  
 Military servicemembers, § 25.3  
 Moderated settlement conferences, § 6.2.A  
 Motion practice, § 1.2.R, §§ 19.1 to 19.3  
 Parentage, establishing, § 1.2.I  
 Parenting consulting, § 6.3.B  
 Parenting time, § 1.2.J  
 Parenting-time expeditors, § 6.3.A  
 Postnuptial agreements, § 1.2.C  
 Prescreening, § 1.2.A, § 2.1  
 Pretrial, § 1.2.R  
 Property division, § 1.2.O, §§ 16.1 to 16.6  
 Remote expedited temporary relief, § 6.2.C.3  
 Resources, § 1.3  
 Retainer agreements, § 1.2.A, § 2.3  
 Settlement, § 1.2.V  
 Social early neutral evaluations, § 6.2.B.1  
 Special circumstances, § 1.2.X, §§ 25.1 to 25.4  
 Spousal maintenance, § 1.2.N, §§ 15.1 to 15.7  
 Stipulations, § 1.2.V  
 Stipulations and agreements, §§ 23.1 to 23.5  
 Tables, early case management county survey directory,  
 Chapter 7 Appendix A  
 Temporary proceedings, § 1.2.R  
 Title IV-D cases, county involvement, §§ 14.1 to 14.3  
 Trial practice, § 1.2.S, §§ 20.1 to 20.11  
 Veterans, § 25.3

**FINANCIAL ACCOUNT NUMBER**

Defined, § 5.2.F.1.b

**FINANCIAL EARLY NEUTRAL EVALUATION (FENE)**

Client preparation, § 6.2.B.2  
 Commencing dissolution, ADR options, § 5.2.1.1  
 Communication with neutral, § 9.4  
 Early case management (ECM), lawyer preparation, § 7.2  
 Informal discovery, § 8.2.A.1.b  
 Neutral, qualifications, § 6.2.B.2  
 Neutral vs. expert, advantages and disadvantages, § 9.2  
 Party expert vs. neutral, § 6.2.B.2  
 Procedures and scope, § 6.2.B.2  
 Property division, § 16.3  
 Resources, § 6.2.B  
 Role of neutral, § 9.3

Tables, early case management county survey directory,  
 Chapter 7 Appendix A  
 Topics addressed, § 9.4

**FINANCIAL EXPERTS**

Business valuation, § 9.5.B.1  
 Cash flow analysis, § 9.5.B.4  
 Comparability, § 9.5.B.4.a  
 Spousal maintenance tiers, § 9.5.B.4.b  
 Tax issues, § 9.5.B.4.d  
 Timing of spousal maintenance, § 9.5.B.4.c  
 Trial, § 9.5.B.4.e  
 Family law process, § 1.2.H  
 Forensic analysis for dissipation or standard of living,  
 § 9.5.B.5  
 Account analysis, § 9.5.B.5.b  
 Analysis of income, § 9.5.B.5.a  
 Standard of living, § 9.5.B.5.c  
 Non-marital property tracing, § 9.5.B.3  
 Calculation vs. tracing, § 9.5.B.3.b  
 Methodology, § 9.5.B.3.a  
 Property division  
 Business valuation, § 16.1.E  
 Non-marital tracing analysis, § 16.1.B  
 Property settlement schedules, § 9.5.B.2  
 Allocation, § 9.5.B.2.c  
 Identification, § 9.5.B.2.a  
 Valuation, § 9.5.B.2.b  
 Qualified domestic relations orders (QDROs), post-decree  
 transfers, § 24.4.D

**FINANCIAL INSTITUTION DATA MATCH (FIDM)**

Support enforcement, § 21.2.O

**FINANCIAL ISSUES**

Antenuptial agreements  
 Full and fair financial disclosure, § 4.2.A.2  
 Substantive fairness, § 4.3  
 Domestic violence screening, question suggestions, § 3.2  
 Financial affidavit, commencing dissolution, § 5.2.F.5  
 Initial consultation, § 2.2.A  
 Postnuptial agreements, substantive fairness, § 4.3  
 Resources, § 1.1

**FINANCIAL SOURCE DOCUMENTS**

Defined, § 5.2.F.1.b, § 19.1.E

**FOREIGN COUNTRIES**

Hague Convention on Civil Aspects of International Child  
 Abduction, § 12.4.A  
 International child custody, § 12.4  
 Parental kidnapping  
 Hague Convention on Civil Aspects of International  
 Child Abduction, § 12.4.A  
 International Child Abduction Prevention and Return Act  
 (ICAPRA), § 12.4.A.4  
 International Child Abductions Remedy Act (ICARA),  
 § 12.4.A.2  
 International parental child abduction in non-Hague  
 countries, § 12.4.B  
 National Center for Missing and Exploited Children,  
 § 12.3.A.3  
 National Child Search Assistance Act of 1990,  
 § 12.3.A.3  
 Parental Kidnapping and Prevention Act (PKPA),  
 § 12.2.A.2, § 12.3.A.4

Uniform Child Abduction Prevention Act (UCAPA),  
§ 12.3.A.5

Sample language, future enforcement of custody/parenting  
time determinations in international cases, § 12.4.C

### FOREIGN STATES

Child relocation or removal out of state, requirements,  
§ 11.1.I

Child support, Title IV-D services, § 14.1.D

Interstate child custody, §§ 12.1 to 12.3

Military servicemembers, case in MN and service in other  
state, § 25.4.B.2.b

Motions to move out of state, § 19.2.K.2

### FORENSIC ACCOUNTANTS

Alternatives to formal discovery, § 8.9.D

Business valuation, § 9.5.B.1

### FORMS

Child support, child support guidelines worksheet, Chapter  
13 Appendix A

## G

### GARNISHMENT

Support enforcement

Creditor remedies, § 21.2.Y

Employer remedies for failing to comply, § 21.2.N

### GENETIC TESTING

Establishing parentage, § 10.2.B

### GRANDPARENTS

Visitation rights, § 11.1.L

### GROSS INCOME

Defined, child support, § 13.2.A

### GUARDIAN AD LITEM

Child custody, appointment, § 11.3.F

Parenting time, appointment, § 11.3.F

### GUN CONTROL ACT

Application of law, § 25.4.D

Domestic violence, application of law, § 25.4.D

Government employment exception, § 25.4.D.1

## H

### HAGUE CONVENTION ON CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

Generally, § 12.4.A

### HEARINGS

Child custody

Expedited determination enforcement, § 12.3.C

Temporary hearings, § 11.4

Commencing trial practice, pre-hearing, § 20.2.B.7

Default, failure to appear, § 18.2.C.2

Default hearings

Motions to reopen, § 18.3.B.2

Preparation and conduct, § 18.3.B.1

Financial early neutral evaluation (FENE), topics  
addressed, § 9.4

Modification, spousal maintenance, § 15.5.A.3

Motion practice

Motion for oral testimony, § 19.1.L.1

Obtaining hearing date, § 19.1.B

Protocol and demeanor, § 19.1.M

Requests for extended time, § 19.1.L.2

Parenting time

Expedited determination enforcement, § 12.3.C

Temporary hearings, § 11.4

Parenting time and support review hearing, § 21.3.C

Six-month review hearing, § 21.2.V, § 21.3.D

Support review hearing, § 21.2.U

Tables, early case management county survey directory,  
Chapter 7 Appendix A

Temporary proceedings, commencing trial practice,  
§ 20.2.B.5

## I

### INCOME

Checklists, working with counties: what to include and  
what not to include in child support orders, Chapter 14  
Appendix D

Child support, income determination, § 13.2

Elderly client issues, pension/retirement income,  
§ 25.2.D.3.a

Financial experts, § 9.5.B

Gross income, § 13.2.A

Imputed income, unemployed and underemployed persons,  
§ 13.2.C

Marital dissolution, elderly client issues, § 25.2.D.3

Military servicemembers, calculation, § 25.4.E

Non-marital property, interest earned, § 16.1.B

Property division

Maturity dates and penalties, § 16.4.E

Passive appreciation vs. income, § 16.1.B

Self-employed persons, § 13.2.B

Spousal maintenance, potential income, § 15.3.A

Tables, IV-D enforcement tools, Chapter 14 Appendix C

Title IV-D cases, common mistakes, § 14.3

### INDIANS

Child custody and parenting time, application of UCCJEA,  
§ 12.2.B, § 12.3

### INITIAL CASE MANAGEMENT CONFERENCE (ICMC)

Commencing dissolution, § 5.2.G.2

Commencing trial practice, syncing documents, § 20.2.B.2

Orders, early neutral evaluations (ENEs), § 6.2.B

Tables, early case management county survey directory,  
Chapter 7 Appendix A

### INITIAL CONSULTATION

Generally, § 2.2

Attorney-client privilege, § 2.2.D

Child custody, § 2.2.C

Information gathering, § 11.2.A

Child support, § 2.2.D

Closing consultation, § 2.4

Commencing trial practice, initial client interview, § 20.2.B.1

Documents, client review, § 2.4

Domestic abuse, screening for, § 2.3.B

Establishing parentage, § 2.2.B

Family law process, § 1.2.A

Information gathering, property division, § 16.2.A

Marital dissolution, § 2.2.A

Miscellaneous issues, § 2.2.E

Parenting time, § 2.2.C

Post-consultation follow up, § 2.5

Questionnaire, client information, § 2.2.E

Third parties, loss of privilege, § 2.2.E

**INTAKE**

Prescreening, § 2.1

**INTELLECTUAL PROPERTY**

Antenuptial agreements, reasons for making, § 4.5.E  
 Postnuptial agreements, reasons for making, § 4.5.E

**INTEREST**

Non-marital property, interest earned, § 16.1.B

**INTERESTED THIRD PARTY**

Defined, child custody, § 11.1.K

**INTERNATIONAL CHILD ABDUCTIONS REMEDY ACT (ICARA)**

Generally, § 12.4.A.2

**INTERNATIONAL CHILD CUSTODY**

Generally, § 12.4

**INTERROGATORIES**

Generally, § 8.3  
 Best use, § 8.3.B  
 Combining with document production requests, § 8.5.E  
 Defined, § 8.3.A.1  
 Discovery, allowable methods, § 8.1.E  
 Limitations, § 8.3.A.2  
 Oath vs. notarization, § 8.1.C  
 Service of process, § 8.3.A.1  
 What to ask, § 8.3.C

**INTERSTATE AND INTERNATIONAL CUSTODY**

Best interests of the child, § 12.4.C  
 Family law process, § 1.2.K

**INTERSTATE CHILD CUSTODY**

Generally, §§ 12.1 to 12.3

**J****JOINDER**

Third parties, commencing dissolution, § 5.2.C

**JOINT PETITIONS**

Commencing dissolution, requirements, § 5.2.F.1.c

**JUDGMENT. SEE ALSO ORDERS**

Appeals, orders appealable, § 22.1.B  
 Default, §§ 18.1 to 18.3  
 Enforcement, §§ 21.1 to 21.5  
     Docketing judgment for support, § 21.2.H  
 Failure to comply, enforcement, § 21.1  
 Motions, to reopen judgment and decree, § 19.2.1

**JURISDICTION**

Appeals, trial court during appeal, § 22.1.F  
 Child custody  
     Declining by reason of conduct, § 12.2.E.2  
     Declining jurisdiction, § 12.2.E  
     Default/vacuum jurisdiction, § 12.2.B.4  
     Emergency jurisdiction, § 12.2.B.3  
     Exclusive continuing jurisdiction, § 12.2.C.1  
     Home state jurisdiction, § 12.2.B.1  
     Inconvenient forum, § 12.2.E.1  
     More appropriate forum, § 12.2.B.5  
     Significant connection jurisdiction, § 12.2.B.2  
     Simultaneous proceedings, § 12.2.D  
     Subject matter vs. personal jurisdiction, § 12.2.B

Commencing dissolution, § 5.2.A

District courts, Title IV-D child support cases, § 14.1.F.4  
 International child custody, § 12.4  
 Interstate child custody, §§ 12.1 to 12.3  
 Military servicemembers, personal vs. in rem, § 25.4.A  
 Modification, child support or parenting time, § 12.2.C  
 Motions, challenging jurisdiction, § 19.2.A  
 Parental kidnapping, § 21.3.G  
 Parental Kidnapping and Prevention Act (PKPA), § 12.2.A.2  
 Parenting time  
     Declining by reason of conduct, § 12.2.E.2  
     Declining jurisdiction, § 12.2.E  
     Default/vacuum jurisdiction, § 12.2.B.4  
     Emergency jurisdiction, § 12.2.B.3  
     Exclusive continuing jurisdiction, § 12.2.C.1  
     Home state jurisdiction, § 12.2.B.1  
     Inconvenient forum, § 12.2.E.1  
     More appropriate forum, § 12.2.B.5  
     Significant connection jurisdiction, § 12.2.B.2  
     Simultaneous proceedings, § 12.2.D  
     Subject matter vs. personal jurisdiction, § 12.2.B  
 Third-party custody, court proceedings, § 11.1.K  
 Uniform Child Custody Jurisdiction Act (UCCJA), § 12.2.A.3  
 Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA), §§ 12.2 to 12.3  
 Waiver, § 5.2.A.1

**K****KARON WAIVER**

Sample language, § 23.2.C  
 Spousal maintenance, requirements, § 15.4  
 Stipulations, subjects for agreement, § 23.2.C

**KIDNAPPING. SEE ALSO CHILD CUSTODY**

Crimes and offenses, § 21.3.G  
 Drafting guidelines, future enforcement of custody/parenting time determinations in international cases, § 12.4.C  
 Hague Convention on Civil Aspects of International Child Abduction, § 12.4.A  
 International Child Abduction Prevention and Return Act (ICAPRA), § 12.4.A.4  
 International Child Abductions Remedy Act (ICARA), § 12.4.A.2  
 International parental child abduction in non-Hague countries, § 12.4.B  
 Jurisdiction, § 21.3.G  
 National Center for Missing and Exploited Children, § 12.3.A.3  
 National Child Search Assistance Act of 1990, § 12.3.A.3  
 Parental Kidnapping and Prevention Act (PKPA), § 12.2.A.2, § 12.3.A.4  
 Sample language, future enforcement of custody/parenting time determinations in international cases, § 12.4.C  
 Uniform Child Abduction Prevention Act (UCAPA), § 12.3.A.5

**L****LACK OF DEMONSTRATED CONSISTENT PARTICIPATION**

Defined, child custody, § 11.1.K

**LANGUAGE**

Visitation vs. parenting time, § 11.1.E

**LAUTENBERG AMENDMENT**

- Application of law, § 25.4.D.1
- Military servicemembers, application of law, § 25.4.D.2

**LEGAL CUSTODY**

- Defined, § 11.1.A

**LEGAL SEPARATION. SEE ALSO MARITAL DISSOLUTION**

- Default, failure to answer, § 18.2.A.1

**LEVY**

- Support enforcement, creditor remedies, § 21.2.Y

**LICENSES AND PERMITS**

- Support enforcement
  - Occupational license suspension, § 21.2.L
  - Recreational license suspension, § 21.2.K

**LIFE INSURANCE**

- Support enforcement
  - Life insurance trusts, § 21.2.AA
  - Securing support, § 21.2.Z

**LITIGATION**

- Property division, preparation, § 16.4

**M****MAIL AND MAILING**

- Personal service, commencing dissolution, § 5.2.E.1
- Service of process, mailbox rule, § 19.1.J.2

**MARITAL ASSETS**

- Property division, dissipation issues, § 16.1.J

**MARITAL DISSOLUTION**

- Attorney fees, types of cases for awards, § 17.1.B.1
- Bankruptcy issues
  - Automatic stay and exceptions, § 25.3.B
  - Bankruptcy estate jurisdiction, § 25.3.A
  - Federal law, § 25.3
- Checklists, checklist of post-divorce tasks, Chapter 24 Appendix A
- Closing the file, certificate of dissolution, § 24.4.A
- Commencing dissolution, § 2.2.A
- Default
  - Administrative dissolution, § 18.2.A.2
  - Failure to answer, § 18.2.A.1
  - Process for obtaining relief, § 18.3.A.1
- Default hearings, preparation and conduct, § 18.3.B.1
- Defined, § 5.2
- Elderly client issues
  - Competency, § 25.2.D.1
  - Divorce after MA application, § 25.2.D.4.a
  - Divorce before MA application, § 25.2.D.4.a
  - Income, § 25.2.D.3
  - Medical assistance, § 25.2.D.2
  - Medical assistance rules, § 25.2.D.4
  - Pension/retirement income, § 25.2.D.3.a
  - Property division, § 25.2.D.2
  - Spousal maintenance, § 25.2.D.3.b
- Initial consultation, § 2.2.A
- Special circumstances
  - Bankruptcy, § 25.3
  - Elder law, § 25.2
  - Medical assistance planning, § 25.2
  - Military servicemembers, § 25.3
  - Veterans, § 25.3

**MARITAL PROPERTY**

- Defined, § 16.1.A
- Medical assistance, § 25.2.B

**MEDIATION**

- Generally, § 6.2.A
- Advantages vs. disadvantages, § 6.2.A.5
- Agreements, drafting and signing, § 6.2.A.2
- Appeals, family appellate mediation program, § 22.1.E
- Benchmarking issues and terms, § 6.2.A.4
- Child custody, § 11.3.B
  - Child inclusive mediation, § 11.3.C
- Client preparation, § 6.2.A.3
- Commencing dissolution, § 5.2.I.3
- Commencing trial practice, § 20.2.B.4
- Defined, § 6.2.A
- Domestic violence screening, client preparation, § 6.2.A.3
- Financial early neutral evaluation (FENE), topics addressed, § 9.4
- Lawyer's role, § 6.2.A.4
- Mediator, qualifications, § 6.2.A.1
- Moderated settlement conferences vs. mediation, § 6.2.A.2
- Neutral, qualifications, § 6.2.A.1
- Parenting time, § 11.3.B
  - Child inclusive mediation, § 11.3.C
- Procedures, § 6.2.A.3
- Stipulation and order, § 6.2.A.4
- Stipulations, requirements for enforcement, § 23.4
- Third parties, presence, § 6.2.A.3

**MEDICAL ASSISTANCE**

- Antenuptial agreements
  - Effect on eligibility, § 25.2.A
  - Enforcement at death, § 25.2.B
  - MA planning, § 25.2.C
- Elderly client issues
  - Divorce after applying for MA, § 25.2.D.4.b
  - Divorce before applying for MA, § 25.2.D.4.a
- Marital dissolution, elderly client issues, § 25.2.D.2
- Marital vs. nonmarital property, § 25.2.A
- Sample language, antenuptial agreements, § 25.2.C

**MEDICAL RECORDS**

- Discovery, § 8.7

**MEMORANDUM OF LAW**

- Motion practice, requirements, § 19.1.G

**MENTAL EXAMINATIONS**

- Discovery, § 8.7
  - Allowable methods, § 8.1.E
  - Objections, when proper, § 8.7

**MENTAL HEALTH**

- Medical records, discovery, § 8.7
- Working with experts, family law process, § 1.2.H

**MILITARY SERVICEMEMBERS**

- Allowances, § 25.4.E.2
- Calculation
  - Disposable retirement pay, § 25.4.F.1
  - Income, § 25.4.E
- Child support, SCRA procedures, § 25.4.B.2
- Commencing dissolution, petition, § 5.2.F.1.b
- Direct payment vs. order for payment, § 25.4.F.1
- Disability retirement pay, divisibility, § 25.4.F.1

Disposable retirement pay  
 Defense Finance and Accounting Service (DFAS)  
 payment orders, § 25.4.F.3  
 Defined, § 25.4.F.1  
 Divisibility, § 25.4.F.1  
 Orders dividing, § 25.4.F.2  
 Survivor Benefit Plan (SBP), § 25.4.F.4  
 Gun Control Act, application of law, § 25.4.D  
 Income  
 Basic pay, § 25.4.E.1.a  
 Calculation, § 25.4.E  
 Special/incentive pay, § 25.4.E.1.b  
 Types of pay, § 25.4.E.1  
 JAG attorney services, § 25.4  
 Jurisdiction  
 Objections, § 25.4.A  
 Personal vs. in rem, § 25.4.A  
 Lautenberg Amendment  
 Credible threat findings, § 25.4.D.2.d  
 Future conduct restraint, § 25.4.D.2.c  
 Persons qualifying for protection, § 25.4.D.2.b  
 Requirements, § 25.4.D.2.a  
 Military branch rules, family support pending court order,  
 § 25.4.C  
 Property division, military retirement benefits, § 16.1.F  
 Reserve and national guard members, Federal Employee  
 Retirement System (FERS), § 25.4.F.5  
 Retirement pay, § 25.4.F  
 Service of process, § 25.4.B.2  
 Case in MN and service in other state, § 25.4.B.2.b  
 Service on Air Force installation in US, § 25.4.B.2.c  
 Service outside of US, § 25.4.B.2.d  
 Servicemember's Civil Relief Act (SCRA), § 25.4.B  
 Special considerations, § 25.4  
 Stay of proceedings, request requirements, § 25.4.B.1  
 Uniform Deployed Parents Custody and Visitation Act,  
 § 25.4.G  
 Agreements, § 25.4.G.2  
 Judicial procedure absent agreement, § 25.4.G.3  
 Notice to other parent of deployment, § 25.4.G.1  
 Return from deployment, § 25.4.G.4

**MODERATED SETTLEMENT CONFERENCES**

Generally, § 6.2.A  
 Advantages vs. disadvantages, § 6.2.A.5  
 Lawyer's role, § 6.2.A.4

**MODIFICATION**

Child support, § 13.9  
 Title IV-D services, § 14.1.D  
 Commencing proceedings other than dissolution, § 5.4  
 Jurisdiction, child support or parenting time, § 12.2.C  
 Spousal maintenance  
 20-percent rule, § 15.5.A.5  
 Cohabitation, § 15.7  
 Determination of substantial change, § 15.5  
 Hearing, § 15.5.A.3  
 Motions to modify spousal maintenance, § 19.2.L  
 At retirement, § 15.6  
 Spousal maintenance vs. child support, § 15.5.A.4

**MOTION PRACTICE**

Generally, §§ 19.1 to 19.3  
 Affidavits, § 19.1.D  
 Appellate motions, § 22.1.1

Certificate of settlement efforts, § 19.1.F  
 Challenging jurisdiction, § 19.2.A  
 Challenging venue, § 19.2.B  
 Child custody, temporary hearings, § 11.4  
 Commencing proceedings other than dissolution, § 5.4  
 Confidential or privileged information, § 19.1.E  
 Court rules  
 Failure to comply, § 19.1.I.4  
 Proceedings governed, § 19.1.A  
 Discovery  
 To compel discovery, § 19.2.D  
 Motions to compel compliance, § 8.8.C  
 Protective orders, § 8.8.D  
 Exhibits, § 19.1.D  
 Family law process, § 1.2.R  
 Fees  
 Filing fees, § 19.1.I.2  
 Responding party, § 19.1.I.3  
 Filing with court, e-filing, § 19.1.K  
 Hearings, § 19.1.L  
 Motion for oral testimony, § 19.1.L.1  
 Obtaining hearing date, § 19.1.B  
 Protocol and demeanor, § 19.1.M  
 Requests for extended time, § 19.1.L.2  
 Memorandum of law, requirements, § 19.1.G  
 Motion to reopen, default hearings, § 18.3.B.2  
 Notice of motion and motion, § 19.1.C  
 Acknowledgment of propriety, § 19.1.C.3  
 Notice of response time, § 19.1.C.2  
 Signature of lawyer, § 19.1.C.4  
 Specificity, § 19.1.C.1  
 Parenting time, temporary hearings, § 11.4  
 Pretrial hearings, § 19.3  
 Proposed order, § 19.1.H  
 Responding party  
 Motion not raising new issue, § 19.1.I.3.b  
 Motion raising new issue, § 19.1.I.3.a  
 Restricted identifiers, § 19.1.E  
 Service of process, § 19.1.J  
 Electronic service, § 19.1.J.2  
 Mailbox rule, § 19.1.J.2  
 Methods, § 19.1.J.1  
 Settlement, certificate of settlement efforts, § 19.1.F  
 Support review hearing, § 21.2.U  
 Temporary relief, § 19.2.C  
 Timing, § 19.1.I  
 Computation of time, § 19.1.I.1  
 Post-trial motions, § 19.1.I.5  
 Written submissions, protocol and language, § 19.1.M

**MOTIONS**

Generally, § 19.1  
 For amended findings  
 Basis, § 19.2.H.2  
 Reason for, § 19.2.H.3  
 Timing, § 19.2.H.4  
 Appeals, appellate motions, § 22.1.1  
 For attorney fees, § 19.2.Q  
 Challenging jurisdiction, § 19.2.A  
 Challenging venue, § 19.2.B  
 To compel discovery, § 19.2.D  
 For contempt of court  
 Order to show cause or notice of motion and motion,  
 § 19.2.P.2

- Purpose, § 19.2.P.1
- Requirements, § 19.2.P
- Court rules, proceedings governed, § 19.1.A
- Default
  - With agreement, § 19.2.F.1
  - Without stipulation -- appearance, § 19.2.F.3
  - Without stipulation -- no appearance, § 19.2.F.2
- For emergency relief, § 19.2.N
- To enforce settlement agreement, § 19.2.G
- For ex parte relief
  - Limitations, § 19.2.M.1
  - Notice and prior application, § 19.2.M.2
- In limine, to exclude evidence, § 19.2.E
- To modify child custody, timing, § 19.2.K.3
- To modify child support, § 19.2.L
- To modify parenting time or plan, § 19.2.K.1
  - Timing, § 19.2.K.3
- To modify spousal maintenance, § 19.2.L
- Motion for oral testimony, § 19.1.L.1
- Motion requesting extended time for hearing, § 19.1.L.2
- To move out of state, § 19.2.K.2
- For new trial
  - Basis, § 19.2.H.1
  - Reason for, § 19.2.H.3
  - Timing, § 19.2.H.4
- To reconsider, § 19.2.J
- To reopen judgment and decree, § 19.2.I
- For sanctions, § 19.2.R
- Service of process, § 19.1.J
- Settlement agreement, enforcement, § 19.2.G
- For show cause order, requirements, § 19.2.O
- For temporary relief, § 19.2.C

**MOTOR VEHICLES**

- Title liens, support enforcement, § 21.2.G

**N****NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN**

- Function, § 12.3.A.3

**NATIONAL CHILD SEARCH ASSISTANCE ACT OF 1990**

- Generally, § 12.3.A.3

**NATIONAL GUARD MEMBERS**

- Retirement benefits as support, Federal Employee Retirement System (FERS), § 25.4.F.5

**NEGOTIATION**

- Child custody, § 11.3
  - Social early neutral evaluation (SENE), § 11.3.A
- Parenting time, social early neutral evaluation (SENE), § 11.3.A

**NEUTRAL**

- Defined, § 6.2.A.1
- Neutral vs. expert, § 9.2
  - Real estate appraisers, § 9.5.A
- Property division
  - Business valuation, § 16.1.E
  - Financial early neutral evaluation (FENE), § 16.3
- Qualifications, § 6.2.A.1
- Role of neutral, § 9.3

**NEUTRAL CUSTODY EXPERT**

- Commencing dissolution, custody and parenting time, § 5.2.I.6

**NEUTRAL FINANCIAL EXPERTS**

- Commencing dissolution, court appointments, § 5.2.I.7

**NEUTRAL THIRD PARTY**

- Defined, § 6.2.A

**NON-MARITAL PROPERTY**

- Antenuptial agreements, reasons for making, § 4.5.D
- Defined, § 16.1.B
- Postnuptial agreements, reasons for making, § 4.5.D

**NON-PUBLIC INFORMATION**

- Commencing dissolution, pleadings, § 5.2.F.1.b

**NONJOINT CHILD**

- Defined, § 13.3

**NOTARIZATION**

- Motion practice, affidavits, § 19.1.D

**O****OBJECTIONS**

- Depositions, proper objections, § 8.4.F
- Discovery, § 8.8
  - How to object, § 8.8.A
  - Proper objections, § 8.8.A
  - Why to object, § 8.8.B
- Mental examinations, when proper, § 8.7
- Trial practice, considerations during trial, § 20.8.A

**OFFER OF PROOF**

- Trial practice, considerations during trial, § 20.8.B

**OLDER ADULTS**

- Marital dissolution issues
  - Antenuptial agreements, § 25.2.D.2
  - Competency, § 25.2.D.1
  - Divorce after MA application, § 25.2.D.4.a
  - Divorce before MA application, § 25.2.D.4.a
  - Income, § 25.2.D.3
  - Medical assistance, § 25.2.D.2
  - Medical assistance rules, § 25.2.D.4
  - Pension/retirement income, § 25.2.D.3.a
  - Property division, § 25.2.D.2
  - Spousal maintenance, § 25.2.D.3.b

**OPENING STATEMENT**

- Trial practice, presenting the case, § 20.7.A

**ORAL ARGUMENT**

- Appeals, § 22.1.J

**ORDERS. SEE ALSO JUDGMENT**

- Appeals, orders appealable, § 22.1.B
- Appointment, financial early neutral evaluation (FENE), § 9.3
- Checklists, working with counties: what to include and what not to include in child support orders, Chapter 14 Appendix D
- Child custody
  - Brief focused assessment, § 11.3.E
  - Expedited determination enforcement, § 12.3.C
  - Limited scope evaluation, § 11.3.E
- Child support, Title IV-D services, § 14.1.D

Commencing dissolution, alternatives to personal service, § 5.2.E.2  
 Default, §§ 18.1 to 18.3  
 Discovery, protective orders, § 8.8.D  
 Ex parte orders, motions for ex parte relief, § 19.2.M  
 Mediation, stipulation and order, § 6.2.A.4  
 Motion practice, proposed order, § 19.1.H  
 Motions for contempt of court, order to show cause or notice of motion and motion, § 19.2.P.2  
 Parenting consultants (PCs), stipulation and order, § 6.3.B  
 Parenting time  
   Brief focused assessment, § 11.3.E  
   Expedited determination enforcement, § 12.3.C  
   Limited scope evaluation, § 11.3.E  
 Parenting-time expeditors (PTEs), § 11.3.H  
 Proposed order, § 19.1.H  
   Motions for emergency relief, § 19.2.N  
 Show cause orders, requirements, § 19.2.O  
 Support enforcement, seek employment orders, § 21.2.R  
 Temporary restraining order, commencing dissolution, § 5.2.F.1.a  
 Title IV-D cases, common mistakes, § 14.3

**P****PARENT EDUCATION COURSES**

Commencing dissolution  
 Notice of, § 5.2.F.1.a  
 Timeline, § 5.2.H

**PARENT LOCATOR SERVICES**

Child support, enforcement, § 21.2.E

**PARENTAGE**

Adjudication of parentage, § 10.2.B  
 Assisted-reproductive methods, effect, § 10.2.E  
 Bankruptcy, automatic stay and exceptions, § 25.3.B  
 Checklists, working with counties: what to include and what not to include in child support orders, Chapter 14 Appendix D  
 Child support, Title IV-D services, § 14.1.D  
 Court proceedings to establish, § 10.2.B  
 Default, failure to respond, § 18.2.A.3  
 Disputes, county intervention, § 14.2.D  
 Establishing  
   Generally, §§ 10.1 to 10.2  
   Family law process, § 1.2.I  
   Initial consultation, § 2.2.B  
   LGBTQ relationships, § 10.2.D  
 Genetic testing, § 10.2.B  
 Initial consultation, establishing parentage, § 2.2.B  
 Parent locator services, § 21.2.E  
 Presumptions of parentage, § 10.2.A  
   LGBTQ relationships, § 10.2.D  
   Sperm donor vs. biological parent, § 10.2.E  
 Procedural requirements, § 10.2  
 Purpose/need of establishing, § 10.2  
 Recognition of parentage, requirements and effect, § 10.2.C  
 Title IV-D cases, common mistakes, § 14.3  
 Unmarried parents, statistics, § 10.1

**PARENTAL KIDNAPPING. SEE KIDNAPPING****PARENTAL KIDNAPPING AND PREVENTION ACT (PKPA)**

Generally, § 12.2.A.2  
 Enforcement, § 12.3.A.4

**PARENTING CONSULTANT (PC)**

Best interests of the child, resolving issues, § 9.5.F  
 Child custody, appointment, § 11.3.G  
 Lawyer's role, § 9.5.F  
 Parenting time, appointment, § 11.3.G  
 PC vs. PTE, § 6.3.B  
 Stipulation and order, § 6.3.B  
 Stipulations, subjects for agreement, § 23.2.B

**PARENTING PLAN**

Defined, § 11.1.C  
 Modification, motions to modify parenting time or plan, § 19.2.K.1  
 Requirements, § 11.1.C

**PARENTING TIME. SEE ALSO CHILD CUSTODY**

“Child-Focused Parenting-Time Guide,” § 11.1.E  
 Generally, §§ 11.1 to 11.4  
 Arizona Guidelines, child developmental stage considerations, § 11.1.E  
 Best interests of the child  
   Modification, § 11.1.H  
   Statutory factors, § 11.1.D  
 Brief focused assessment, court orders, § 11.3.E  
 Change in circumstances, restriction requests, § 11.1.H  
 Child development, developmental and other factors to consider, § 11.1.F  
 Child support, parenting-time expense adjustment, § 13.7  
 Court cooperation on child custody and parenting time, § 12.2.F  
 Court findings, modification, § 11.1.H  
 Custody and parenting-time evaluators, court-appointed neutrals, § 11.3.D  
 Defenses to return of child per ICARA  
   Child reaching 16, § 12.4.A.3.d  
   Child's objection, § 12.4.A.3.d  
   Consent or subsequent acquiescence, § 12.4.A.3.b  
   Grave risk of physical or psychological harm, § 12.4.A.3.c  
   Human rights, § 12.4.A.3.e  
   Non-exercise of custody rights, § 12.4.A.3.a  
 Defined, § 11.1.A  
 Determination, legal standard, § 11.1.D  
 Domestic violence screening  
   Purpose, § 3.1.A  
   Question suggestions, § 3.2  
 Enforcement  
   Application of NCMEC, § 12.3.A.3  
   Application of PKPA, § 12.3.A.4  
   Application of UCAPA, § 12.3.A.5  
   Application of UCCJEA, § 12.3  
   Criminal law, § 12.3.A.2  
   Drafting guidelines for future, § 12.3.E  
   Expedited determination enforcement, § 12.3.C  
   International custody cases, § 12.4.A.1  
   National Child Search Assistance Act of 1990, § 12.3.A.3  
   Family law process, § 1.2.J  
   Guardian ad litem, appointment, § 11.3.F

Hearings, expedited determination enforcement, § 12.3.C

Information gathering

- Discovery, § 11.2.B
- Initial consultation, § 2.2.C, § 11.2.A
- Social media, § 11.2.C

International Child Abduction Prevention and Return Act (ICAPRA), § 12.4.A.4

- Fees and costs, § 12.4.A.4.b
- Hague Convention compliance, § 12.4.A.4.a

International Child Abductions Remedy Act (ICARA), § 12.4.A.2

International custody cases

- Application for return of child per ICARA, § 12.4.A.2
- Defenses to return of child per ICARA, § 12.4.A.3

Jurisdiction

- Declining by reason of conduct, § 12.2.E.2
- Declining jurisdiction, § 12.2.E
- Default/vacuum jurisdiction, § 12.2.B.4
- Emergency jurisdiction, § 12.2.B.3
- Exclusive continuing jurisdiction, § 12.2.C.1
- Home state jurisdiction, § 12.2.B.1
- Inconvenient forum, § 12.2.E.1
- More appropriate forum, § 12.2.B.5
- Significant connection jurisdiction, § 12.2.B.2
- Simultaneous proceedings, § 12.2.D
- Subject matter vs. personal jurisdiction, § 12.2.B

Language, visitation vs. parenting time, § 11.1.E

Limited scope evaluation, court orders, § 11.3.E

Massachusetts Guidelines, parental mental health considerations, § 11.1.E

Mediation, § 11.3.B

- Child inclusive mediation, § 11.3.C

Modification

- Jurisdiction, § 12.2.C
- Legal standard, § 11.1.H
- Motions to modify parenting time or plan, § 19.2.K.1

Negotiation, social early neutral evaluation (SENE), § 11.3.A

Orders, expedited determination enforcement, § 12.3.C

Parenting consultant, appointment, § 11.3.G

Parenting plan, advantages vs. disadvantages, § 11.1.C

Parenting-time expeditor (PTE)

- Appointment, § 11.3.H
- Statutory authority, § 11.3.H

Physical custody vs. parenting time, child support calculation, § 11.1.B

Recognition of parentage, requirements and effect, § 10.2.C

Reductions vs. restricting rights, § 11.1.H

Restriction requests, change in circumstances, § 11.1.H

Sample language

- Future enforcement of custody/parenting time determinations in international cases, § 12.4.C
- Guidelines for future, § 12.3.E

Temporary hearings, § 11.4

Uniform Child Abduction Prevention Act (UCAPA), § 12.3.A.5

Uniform Deployed Parents Custody and Visitation Act, § 25.4.G

- Agreements, § 25.4.G.2
- Judicial procedure absent agreement, § 25.4.G.3
- Notice to other parent of deployment, § 25.4.G.1
- Return from deployment, § 25.4.G.4

Violations and remedies, § 21.3

- Appointment of parenting-time expeditor, § 21.3.B
- Contempt, § 21.3.F
- Judicial supervision of custody and parenting time, § 21.3.E
- Modification of custody, § 21.3.A
- Parental kidnapping, § 21.3.G
- Parenting time and support review hearing, § 21.3.C
- Six-month review hearing, § 21.3.D

Visitation Rights Enforcement Act (VREA), § 12.2.A.2

Working with experts, family law process, § 1.2.H

#### **PARENTING-TIME EXPEDITORS (PTES)**

- Confidential or privileged information, § 11.3.H
- Defined, § 6.3.A, § 11.3.H
- Parenting time, appointment, § 11.3.H
- PC vs. PTE, § 6.3.B
- Scope of assistance, § 6.3.A
- Statutory authority, § 11.3.H
- Violations and remedies, appointment of parenting-time expeditor, § 21.3.B

#### **PARENTING/FINANCIAL DISCLOSURE STATEMENT (PFDS)**

- Commencing trial practice, § 20.2.B.7

#### **PARENTS**

- Commencing proceedings, never-married parents, § 5.3

#### **PASS (PROVIDER AVAILABILITY AND SCHEDULING SYSTEM)**

- Rosters, early neutral evaluations (ENEs), § 7.2
- Tables, early case management county survey directory, Chapter 7 Appendix A

#### **PASSIVE APPRECIATION**

- Defined, § 16.1.B

#### **PASSPORTS**

- Denial, failure to pay child support, § 21.2.X

#### **PETITION**

- Commencing dissolution, amendment, § 5.2.F.4

#### **PHYSICAL CUSTODY**

- Defined, § 11.1.A

#### **PHYSICAL EXAMINATIONS**

- Discovery, § 8.7
- Allowable methods, § 8.1.E

#### **PHYSICAL VIOLENCE**

- Domestic violence screening, question suggestions, § 3.2

#### **POPULAR NAME LAWS**

- Best interests of the child factors, initial consultation, § 2.2.A, § 2.3, § 2.4
- Gun Control Act, § 25.4.D
- Hague Convention on Civil Aspects of International Child Abduction, § 12.4.A
- International Child Abduction Prevention and Return Act (ICAPRA), § 12.4.A.4
- International Child Abductions Remedy Act (ICARA), § 12.4.A.2
- Lautenberg Amendment, § 25.4.D.1
- National Child Search Assistance Act of 1990, § 12.3.A.3
- Parental Kidnapping and Prevention Act (PKPA), § 12.2.A.2, § 12.3.A.4
- Servicemember's Civil Relief Act (SCRA), § 25.4.B

- Uniform Child Abduction Prevention Act (UCAPA), § 12.3.A.5
- Uniform Child Custody Jurisdiction Act (UCCJA), § 12.2.A.3
- Uniform Child-Custody Jurisdiction and Enforcement Act (UCCJEA), §§ 12.2 to 12.3
- Uniform Deployed Parents Custody and Visitation Act, § 25.4.G
- Uniform Parentage Act, never-married parents, § 5.3
- Visitation Rights Enforcement Act (VREA), § 12.2.A.2
- POST-DECREE DISPUTES**
  - Parenting consultants (PCs), scope of assistance, § 6.3.B
  - Parenting-time expeditors (PTEs), scope of assistance, § 6.3.A
- POST-DIVORCE TASKS**
  - Checklist, Chapter 24 Appendix A
- POST-TRIAL ACTIONS**
  - Trial practice, post-trial submissions, § 20.9
- POSTNUPTIAL AGREEMENTS. SEE ALSO ANTENUPTIAL AGREEMENTS**
  - Generally, §§ 4.1 to 4.6
  - Defined, § 4.1, § 4.2.B
  - Drafting considerations, § 4.1
  - Enforcement by court, § 4.1
  - Family law process, § 1.2.C
  - Independent counsel requirement, § 4.2.B
  - Legal requirements, § 4.1
  - Property division, § 16.1.C
  - Reasons for making
    - Determining division of joint or marital assets, § 4.5.G
    - Estate planning, § 4.5.A
    - Protecting business, § 4.5.B
    - Protecting expectancies, § 4.5.F
    - Protecting intellectual property, § 4.5.E
    - Protecting non-marital property, § 4.5.D
    - Spousal maintenance, § 4.5.C
  - Resources, drafting and forms, § 4.6
  - Separation or divorce proceedings, timing and effect, § 4.2.B
  - Spousal maintenance, special considerations, § 4.4
  - Statutory requirements, § 4.2.B
  - Substantive fairness
    - Case interpretation, § 4.3
    - Drafting considerations, § 4.3
- PRENUPTIAL AGREEMENTS. SEE ANTENUPTIAL AGREEMENTS**
- PRESCREENING**
  - Generally, § 2.1
  - Conflict of interest, § 2.1
- PRETRIAL**
  - Default, failure to appear, § 18.2.C.1
  - Family law process, § 1.2.R
  - Financial early neutral evaluation (FENE), topics addressed, § 9.4
  - Motion practice, pretrial hearings, § 19.3
  - Parenting/financial disclosure statement, § 8.2.A.1.c
- PRETRIAL CONFERENCE**
  - Commencing trial practice, § 20.2.B.7
- PRETRIAL HEARINGS**
  - Purpose and procedures, § 19.3
- PREVAILING PARTY**
  - Defined, § 22.1.K
- PRIVATE INVESTIGATORS**
  - Alternatives to formal discovery, § 8.9.D
- PRODUCTION OF DOCUMENTS REQUESTS. SEE DOCUMENT PRODUCTION REQUESTS**
- PROFESSIONAL RESPONSIBILITY**
  - Closing letter to client, contents, § 24.3
  - Closing the file, file retention policies, § 24.4.D
  - Depositions, correcting client lies, § 8.4.A.1
  - Document production requests, inadvertently delivered documents, § 8.5.B
  - Withdrawal before trial, attorney requirements, § 20.4.C
- PROPERTY DIVISION**
  - Generally, §§ 16.1 to 16.6
    - Active appreciation, defined, § 16.1.B
    - Antenuptial agreements, § 16.1.C
    - Bankruptcy issues, automatic stay effect, § 25.3.B
    - Business valuation, § 16.1.E
    - Case management, practice tips, § 16.5
    - Closing the case, § 16.5
    - Considerations, § 16.6
      - Tax consequences, § 16.1.H
    - Debts, apportionment, § 16.1.I
    - Discovery, § 16.2.B
    - Disproportionate division, assets and liabilities, § 16.1.K
    - Dissipation, marital assets, § 16.1.J
    - Employee stock option incentive plans (ESOPs), § 16.1.G
    - Enforcement, debt collection, § 21.5
    - Family law process, § 1.2.O
    - Financial early neutral evaluation (FENE), § 16.3
    - Financial experts, § 9.5.B
    - Information gathering, § 16.2
      - Discovery, § 16.2.B
      - Initial client meeting, § 16.2.A
    - Litigation
      - Client testimony, § 16.4.A
      - Evidentiary issues, § 16.4.D
      - Preparation, § 16.4
      - Presenting information to court, § 16.4.B
      - Property issues, § 16.4.E
      - Tax issues, § 16.4.E
      - Using experts, § 16.4.C
    - Marital assets, dissipation, § 16.1.J
    - Marital dissolution, elderly client issues, § 25.2.D.2
    - Marital property, defined, § 16.1.A
    - Marital vs. non-marital property, § 16.1.A
    - Military retirement benefits, § 16.1.F, § 25.4.F
    - Non-marital property
      - Claims and proof, § 16.1.B
      - Defined, § 16.1.B
      - Interest earned, § 16.1.B
      - Tracing, § 16.1.B
    - Passive appreciation vs. income, § 16.1.B
    - Postnuptial agreements, § 16.1.C
    - Qualified domestic relations orders (QDROs), retirement and pensions, § 16.1.F
    - Real property
      - Refinancing mortgage, § 16.1.D
      - Schmitz formula, § 16.1.B
      - Valuation, § 16.1.D
    - Refinancing mortgage, § 16.1.D

Retirement and pensions, non-qualified plans vs. qualified plans, § 16.1.F  
*Schmitz* formula, real property, § 16.1.B  
 Settlement, § 16.3  
 Stipulations, subjects for agreement, § 23.2.A  
 Stock options, § 16.1.G  
 Tax consequences, considerations, § 16.1.H  
 Valuation  
   Employee stock option incentive plans (ESOPs), § 16.1.G  
   Retirement and pensions, § 16.1.F  
   Stock options, § 16.1.G  
 Veterans, retirement pay, § 25.4.F

### PROTECTIVE ORDERS

Discovery, § 8.8.D

### PROVIDER AVAILABILITY AND SCHEDULING SYSTEM (PASS)

Rosters, early neutral evaluations (ENEs), § 7.2  
 Tables, early case management county survey directory, Chapter 7 Appendix A

### PUBLIC ASSISTANCE

Commencing dissolution, notice to authority, § 5.2.F.2  
 Title IV-D child support cases, county involvement, § 14.2.A

### PUBLICATION

Commencing dissolution, alternatives to personal service, § 5.2.E.2

## Q

### QUALIFIED DOMESTIC RELATIONS ORDERS (QDROS)

Closing the file, § 24.4.D  
 Property division  
   Non-qualified plans vs. qualified plans, § 16.1.F  
   Retirement and pensions, § 16.1.F

### QUESTIONNAIRE

Client information, § 2.2.E  
 Information gathering, property division, § 16.2.A

## R

### RE-CROSS

Trial practice, presenting the case, § 20.7.B.4

### RE-DIRECT EXAMINATION

Trial practice, presenting the case, § 20.7.B.3

### REAL PROPERTY

Experts, real estate appraisers, § 9.5.A  
 Liens, support enforcement, § 21.2.H  
 Property division  
   Refinancing mortgage, § 16.1.D  
   *Schmitz* formula, § 16.1.B  
   Valuation, § 16.1.D  
 Summary real estate disposition judgment (SREDJ), § 24.4.C  
 Transfers, closing the file, § 24.4.C

### REBUTTAL

Trial practice, presenting the case, § 20.7.B.6

### REDACTION

Commencing dissolution, petition, § 5.2.F.1.b  
 Motion practice, restricted identifiers, § 19.1.E

### REMOTE CONFERENCING

COVID-19 pandemic, effect on ADR, § 6.4

### REMOTE EXPEDITED TEMPORARY RELIEF (RETR)

Generally, § 6.2.C.2  
 Early case management (ECM), § 7.2  
 Procedures, § 6.2.C.2

### REMOVAL OF JUDGE

Commencing dissolution, § 5.2.G.1

### REQUEST FOR PRODUCTION OF DOCUMENTS. *SEE* DOCUMENT PRODUCTION REQUESTS

### REQUESTS FOR ADMISSIONS

Generally, § 8.6  
 Cost effectiveness, § 8.6.B  
 Framing the facts, § 8.6.B  
 Limits, § 8.6.A  
 Procedural requirements, § 8.6.A  
 What to ask, § 8.6.C  
 When to use, § 8.6.B

### RESERVES (MILITARY)

Retirement benefits as support, Federal Employee Retirement System (FERS), § 25.4.F.5

### RESOURCES

Alternative dispute resolution, § 1.1, § 1.3.C  
 Antenuptial agreements, drafting and forms, § 4.6  
 Child support, calculator, § 13.1  
 Discovery, eFormbook, § 8.10  
 Early case management (ECM), lawyer preparation, § 7.2  
 Early neutral evaluations (ENEs), § 6.2.B  
 Family law practitioners, § 1.1  
 Family law process, § 1.3  
 Financial early neutral evaluations (FENEs), § 6.2.B  
 Legal research, § 1.3.B  
 Organizations, § 1.3.D  
 Parenting time, "Child-Focused Parenting-Time Guide," § 11.1.E  
 Postnuptial agreements, drafting and forms, § 4.6  
 Real property valuations, § 1.3.C  
 Social early neutral evaluations (SENEs), § 6.2.B  
 State resources, § 1.3.A  
 Valuation estimates, § 1.3.C

### RESTRICTED IDENTIFIERS

Commencing dissolution, petition, § 5.2.F.1.b  
 Defined, § 5.2.F.1.b, § 19.1.E  
 Motion practice, § 19.1.E

### RETAINER AGREEMENTS

Generally, § 2.3  
 Family law process, § 1.2.A  
 Miscellaneous issues, § 2.3.A

### RETIREMENT AND PENSIONS

Elderly client issues, pension/retirement income, § 25.2.D.3.a  
 Military servicemembers, retirement pay, § 25.4.F  
 Property division  
   Military retirement benefits, § 16.1.F  
   Qualified domestic relations orders (QDROs), § 16.1.F  
 Qualified domestic relations orders (QDROs), closing the file, § 24.4.D  
 Request to plan administrator, alternatives to formal discovery, § 8.9.C

Spousal maintenance, § 15.3.A  
Modification at retirement, § 15.6

**ROSTERS**

Early neutral evaluations (ENEs), § 7.2  
Tables, early case management county survey directory,  
Chapter 7 Appendix A

**RULES OF CIVIL APPELLATE PROCEDURE**

Application of law, § 22.1.A

**RULES OF FAMILY COURT PROCEDURE**

Authority, § 1.1  
Commencing dissolution, § 5.1

**S****SANCTIONS**

Bad-faith based fees, Rule 11 factors, § 17.1.D.4  
Electronically stored information (ESI), preservation rules,  
§ 8.1.D  
Motion for sanctions, § 19.2.R  
Scheduling and control of trial, failure to comply, § 20.3.A

**SCHMITZ FORMULA**

Property division, real property, § 16.1.B

**SECURITIES**

Property division, stock options, § 16.1.G

**SELF-EMPLOYED PERSONS**

Gross income, child support, § 13.2.B

**SENIOR CITIZENS. SEE OLDER ADULTS****SEPARATION. SEE ALSO MARITAL DISSOLUTION**

Default, failure to answer, § 18.2.A.1

**SERVICE OF PROCESS**

Appeals, notice of appeal, § 22.1.D.2  
Commencing dissolution  
    Alternatives to personal service, § 5.2.E.2  
    Answer and counterpetition, § 5.2.F.3  
    Personal service, § 5.2.E.1  
    Venue, § 5.2.B  
Discovery, R.C.P. 26 amendments of 2018, § 8.1.D  
Interrogatories, § 8.3.A.1  
Military servicemembers, § 25.4.B.2  
    Case and service in MN, § 25.4.B.2.a  
Motion practice, § 19.1.J  
Title IV-D cases, common mistakes, § 14.3

**SERVICEMEMBER'S CIVIL RELIEF ACT (SCRA)**

Purpose, § 25.4.B

**SETTLEMENT**

Agreements, drafting and signing, § 6.2.A.2  
Family law process, § 1.2.V  
Financial early neutral evaluation (FENE), topics  
    addressed, § 9.4  
Moderated settlement conferences, commencing  
    dissolution, § 5.2.1.4  
Motion practice, certificate of settlement efforts, § 19.1.F  
Property division, § 16.3  
    Financial experts, § 9.5.B  
Settlement conferences, court requirements, § 6.1  
Stipulations, requirements for enforcement, § 23.4

**SHERIFF'S LEVY**

Support enforcement, creditor remedies, § 21.2.Y

**SIGNATURES**

Notice of motion and motion, signature of lawyer, § 19.1.C.4

**SOCIAL EARLY NEUTRAL EVALUATION (SENE)**

Generally, § 6.2.B.1  
Best interests of the child, § 6.2.B.1  
Child custody, negotiation, § 11.3.A  
Commencing dissolution, § 5.2.1.2  
Early case management (ECM), lawyer preparation, § 7.2  
Lawyer's role, § 6.2.B.1, § 9.5.E  
Neutral, team composition and role, § 6.2.B.1  
Orders, initial case management conference (ICMC),  
    § 6.2.B  
Parenting time, negotiation, § 11.3.A  
Process, § 9.5.E  
Purpose, § 6.2.B.1  
Qualifications, § 6.2.B.1  
Resources, § 6.2.B  
Tables, early case management county survey directory,  
    Chapter 7 Appendix A

**SOCIAL MEDIA**

Child custody, information gathering, § 11.2.B  
Parenting time, information gathering, § 11.2.B  
Trial exhibits, § 20.6.B.7

**SOCIAL SECURITY NUMBERS**

Commencing dissolution, petition, § 5.2.F.1.b

**SPECIAL CIRCUMSTANCES**

Generally, §§ 25.1 to 25.4  
Bankruptcy, § 25.3  
Elder law, § 25.2  
Family law process, § 1.2.X  
Medical assistance planning, § 25.2  
Military servicemembers, § 25.3  
Veterans, § 25.3

**SPOUSAL MAINTENANCE**

Generally, §§ 15.1 to 15.7  
Amount, factors determining, § 15.3.A  
Antenuptial agreements  
    Reasons for making, § 4.5.C  
    Special considerations, § 4.4  
Bankruptcy  
    Automatic stay and exceptions, § 25.3.B  
    Discharge of debts effect, § 25.3.C  
Considerations, § 15.1  
Contempt  
    Constructive civil contempt procedure, § 21.4.B  
    Criminal vs. civil, § 21.4.A  
Declining to award, § 15.4  
Determination  
    Amount, § 15.3  
    Declining to award, § 15.4  
    Duration, § 15.3.B  
    Modification test, § 15.5  
    Need for, § 15.2  
Duration, permanent vs. temporary, § 15.3.B  
Elderly client issues, Social Security, § 25.2.D.3.b  
Enforcement  
    Arrearage collection projects, § 21.2.Q  
    Arrears, § 21.2.A.1  
    Attorney fees, § 21.2.S  
    Claims against estate, § 21.2.AA  
    Contempt proceedings, § 21.2.I

- Direct deposit, § 21.2.B.2
  - Direct payment, § 21.2.B.1
  - Docketing judgment, § 21.2.H
  - Driver license suspension, § 21.2.G
  - Employer remedies, § 21.2.N
  - Escrow accounts, § 21.2.B.3
  - Financial institution data match (FIDM), § 21.2.O
  - Income withholding, § 21.2.A.1
  - Liens securing payment, § 21.2.C
  - Life insurance securing support, § 21.2.Z
  - Life insurance trusts, § 21.2.AA
  - Mortgage offsets, § 21.2.D
  - Motor vehicle title liens, § 21.2.G
  - Occupational license suspension, § 21.2.L
  - Payment agreements, § 21.2.M
  - Payment via public authority, § 21.2.A
  - Preauthorized transfer account, § 21.2.B.4
  - Publication of names, § 21.2.T
  - Real property liens, § 21.2.H
  - Recreational license suspension, § 21.2.K
  - Reports to credit agencies, § 21.2.P
  - Seek employment orders, § 21.2.R
  - Six-month review hearing, § 21.2.V
  - Stay of income withholding, § 21.2.B.3
  - Support review hearing, § 21.2.U
  - Tax refunds and credits, § 21.2.J
  - Wage withholding, § 21.2.A.1
  - Work reporting system, § 21.2.F
  - Failure to comply, enforcement, § 21.2
  - Family law process, § 1.2.N
  - Financial experts, § 9.5.B
  - Karon* waiver, requirements, § 15.4
  - Modification
    - 20-percent rule, § 15.5.A.5
    - Cohabitation, § 15.7
    - Hearing, § 15.5.A.3
    - Motions to modify spousal maintenance, § 19.2.L
    - At retirement, § 15.6
    - Retroactivity, § 15.5.A.2
    - Spousal maintenance vs. child support, § 15.5.A.4
    - Temporary awards, § 15.5.A.1
    - Two-part test, § 15.5
  - Motions, to modify spousal maintenance, § 19.2.L
  - Postnuptial agreements
    - Reasons for making, § 4.5.C
    - Special considerations, § 4.4
  - Potential income, § 15.3.A
  - Retirement and pensions, § 15.3.A
  - Stipulations, subjects for agreement, § 23.2.C
  - Substantial change in circumstances, modification test, § 15.5
  - Threshold for maintenance, § 15.2
  - Unreasonable and unfair, modification test, § 15.5
- STATE**
- Defined, § 12.2.B.1
- STATE AGENCY RESPONSIBLE FOR COLLECTING CHILD SUPPORT**
- Defined, § 10.2.B
- STIPULATIONS**
- Generally, §§ 23.1 to 23.5
  - Benefits, parties and court, § 23.1
  - Cost/benefit analysis, § 23.5
- Enforcement, § 23.4
  - Family law process, § 1.2.V
  - Finalizing the agreement, court procedures, § 23.3
  - Mediation, stipulation and order, § 6.2.A.4
  - Motions, default with agreement, § 19.2.F.1
  - Parenting consultants (PCs), stipulation and order, § 6.3.B
  - Reasons for agreeing, § 23.1
  - Repudiation or withdrawal, court considerations, § 23.4
  - Subjects for agreement, § 23.2
    - Child custody, § 23.2.B
    - Child-related costs, § 23.2.B
    - Parenting consultant use, § 23.2.B
    - Parenting time, § 23.2.B
    - Property, § 23.2.A
    - Spousal maintenance, § 23.2.C
- SUBPOENAS**
- Depositions, § 8.4.B
    - Document production vs. deposition, § 8.4.E
    - Procedural requirements, § 8.4.A.1
- SUMMARY DISSOLUTION**
- Requirements, § 5.2.D
- SUMMONS**
- Commencing dissolution, requirements, § 5.2.F.1.a
- T**
- TABLES. SEE ALSO CHARTS**
- Child support
    - Child support services (IV-D) checklist, Chapter 14 Appendix B
    - IV-D enforcement tools, Chapter 14 Appendix C
    - When does receipt of public assistance make it a IV-D case?, Chapter 14 Appendix A
  - Early case management county survey directory, Chapter 7 Appendix A
- TAX RECORDS**
- Alternatives to formal discovery, § 8.9.A
- TAXES**
- Property division
    - Litigation, § 16.4.E
    - Tax consequences, § 16.1.H
  - Support enforcement, tax refunds and credits, § 21.2.J
- TEMPORARY PROCEEDINGS**
- Commencing trial practice, § 20.2.B.5
  - Family law process, § 1.2.R
- TEMPORARY RESTRAINING ORDER**
- Commencing dissolution, § 5.2.F.1.a
- THIRD PARTIES**
- Attorney-client privilege, initial consultation, § 2.2.E
  - Child custody, interested third parties, § 11.1.K
  - Default, third-party custody, § 18.2.A.5
  - Depositions, procedural requirements, § 8.4.A.1
  - Informal discovery, ethical behavior, § 8.2.A.1.c
  - Joinder, commencing dissolution, § 5.2.C
  - Mediation, presence, § 6.2.A.3
  - Visitation rights, § 11.1.L
- TOGSTAD LETTERS**
- Initial consultation, follow up, § 2.5
  - Prescreening, § 2.1
  - Purpose, § 2.5

**TRIAL PRACTICE**

- Generally, §§ 20.1 to 20.11
- Beginning with the end, § 20.11
- Commencing trial practice, § 20.2
  - Depositions, § 20.2.B.6
  - Discovery, § 20.2.B.6
  - Early neutral evaluation (ENE), § 20.2.B.3
  - Early stage future thinking, § 20.2.B
  - Initial case management conference (ICMC), § 20.2.B.2
  - Initial client interview, § 20.2.B.1
  - Mediation, § 20.2.B.4
  - Parenting/financial disclosure statement (PFDS), § 20.2.B.7
  - Pre-hearing, § 20.2.B.7
  - Pretrial conference, § 20.2.B.7
  - Temporary proceedings, § 20.2.B.5
  - When it starts, § 20.2.A
- Considerations during trial, § 20.8
  - Handling evidence, § 20.8.C
  - Making offer of proof, § 20.8.B
  - Objections, § 20.8.A
  - Review of court rules, § 20.8.D
- COVID-19 impact, § 20.10
  - Specialized issues in remote proceedings, § 20.10
- Creating the record, § 20.7
- Exhibits, § 20.6.B
  - Admitting exhibits into evidence, § 20.6.B.8
  - Bates stamping, § 20.6.B.4
  - Distribution of exhibits, § 20.6.B.9
  - Document legibility, § 20.6.B.1
  - Email, § 20.6.B.7
  - Facebook messages, § 20.6.B.7
  - Marking exhibits, § 20.6.B.3
  - Numbering or pagination, § 20.6.B.4
  - Organization, § 20.6.B.2
  - Recordings and transcriptions, § 20.6.B.6
  - Social media, § 20.6.B.7
  - Text messages, § 20.6.B.7
  - Voluminous materials, § 20.6.B.5
- Family law process, § 1.2.S
- Financial early neutral evaluation (FENE), topics addressed, § 9.4
- Moving to trial, § 20.4
  - Budget, § 20.4.B
  - Cost of experts, § 20.4.D
  - Expense considerations, § 20.4.A
  - Trial retainer, § 20.4.C
- Planning, § 20.11
- Post-trial submissions, § 20.9
  - Contents, § 20.9
- Preparing for trial, § 20.5
  - Beginning early, § 20.11
  - Trial outlines, § 20.5.B
  - Trial plan, § 20.5.A
- Presenting the case, § 20.7
  - Case in chief, § 20.7.B
  - Closing argument, § 20.7.B.7
  - Cross-examination, § 20.7.B.2
  - Opening statement, § 20.7.A
  - Petitioner's case, § 20.7.B.1
  - Questioning from court, § 20.7.B.5
  - Re-cross, § 20.7.B.4
  - Re-direct examination, § 20.7.B.3
  - Rebuttal, § 20.7.B.6

- Property division
  - Client testimony, § 16.4.A
  - Evidentiary issues, § 16.4.D
  - Preparation, § 16.4
  - Presenting information to court, § 16.4.B
  - Property issues, § 16.4.E
  - Tax issues, § 16.4.E
  - Using experts, § 16.4.C
- Putting case together, § 20.6
  - Choosing witnesses, § 20.6.A.2
  - Exhibits, § 20.6.B
  - Expert fees, § 20.6.A.6.a
  - Expert vs. lay testimony, § 20.6.A.4
  - Interviewing witnesses, § 20.6.A.1
  - Lay witness fees, § 20.6.A.6.b
  - Payment to subpoenaed witnesses, § 20.6.A.6
  - Subpoenas, § 20.6.A.5
  - Witness bias, § 20.6.A.3
  - Witnesses, § 20.6.A
- Scheduling and control, compliance and sanctions, § 20.3.A
- Storytelling, as planned skill, § 20.11
- Tables, early case management county survey directory, Chapter 7 Appendix A
- Timing of trial, § 20.3
  - Scheduling and control, § 20.3.A
  - Time limits for case presentation, § 20.3.B
- Withdrawal before trial, ethical considerations, § 20.4.C
- Witnesses, § 20.6.A

**U****UNIFORM CHILD ABDUCTION PREVENTION ACT (UCAPA)**

- Generally, § 12.3.A.5

**UNIFORM CHILD CUSTODY JURISDICTION ACT (UCCJA)**

- Generally, § 12.2.A.3

**UNIFORM CHILD-CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

- Generally, §§ 12.2 to 12.3

**UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT**

- Generally, § 25.4.G

**UNIFORM PARENTAGE ACT**

- Never-married parents, § 5.3

**UNMARRIED PARENTS**

- LGBTQ relationships, establishing parentage, § 10.2.D
- Presumptions of parentage
  - LGBTQ relationships, § 10.2.D
  - Sperm donor vs. biological parent, § 10.2.E
- Statistics, § 10.1

**V****VALUATION**

- Actuaries, defined benefit plans, § 9.5.C
- Financial early neutral evaluation (FENE), topics addressed, § 9.4
- Property division
  - Business valuation, § 16.1.E
  - Real property, § 16.1.D
  - Retirement and pensions, § 16.1.F

Stock options, § 16.1.G  
Real estate appraisers, neutral vs. expert, § 9.5.A

**VENUE**

Commencing dissolution, § 5.2.B  
Motions, challenging venue, § 19.2.B  
Third-party custody, court proceedings, § 11.1.K

**VERBAL ABUSE**

Domestic violence screening, question suggestions, § 3.2

**VETERANS**

Property division, military retirement benefits, § 16.1.F  
Retirement pay, property division, § 25.4.F

**VICTIMS. SEE DOMESTIC VIOLENCE****VISITATION RIGHTS**

Third parties, § 11.1.L

**VISITATION RIGHTS ENFORCEMENT ACT (VREA)**

Generally, § 12.2.A.2

**VOCATIONAL EVALUATIONS**

Experts, working with, § 9.5.D

**W****WITNESSES**

Depositions  
Procedural requirements, § 8.4.A.1  
Witness fees, § 8.4.B  
Hearings, motion for oral testimony, § 19.1.L.1  
Putting case together, § 20.6.A  
Choosing witnesses to testify, § 20.6.A.2  
Expert vs. lay testimony, § 20.6.A.4  
Payment to subpoenaed witnesses, § 20.6.A.6  
Subpoenas, § 20.6.A.5  
Types of witnesses, § 20.6.A.4  
Witness and bias, § 20.6.A.3  
Witness interviews, § 20.6.A.1  
Trial practice, putting case together, § 20.6.A

**WORK PRODUCT**

Financial early neutral evaluation (FENE), topics  
addressed, § 9.4

**X, Y, Z**