Index

ABILITY TO PAY

Spousal maintenance Amount of awards Obligors, 10:7

ADMISSIONS

Generally, 6:8

ADOPTED CHILDREN

Parenting time orders, **8:16**

AGE

Marriage, age of consent, 1:2
Minor children
Child custody and parenting time, 8:1
Definition, 8:1
Name changes, 14:5

AGREEMENTS

Antenuptial and Postnuptial Agreements, this index Enforcing
ADR process, 7:18
Stipulations, this index

ALIMONY

Spousal Maintenance, this index

ALTERNATIVE DISPUTE RESOLUTION (ADR)

Generally, 7:1 et seq.
Abeyance, holding motions in, 7:17
Applicability, 7:1
Arbitration, 7:2
Proceedings, 7:16
Attendance at proceedings, 7:15
Binding and non-binding arbitration, 7:16
Child custody
Mediation processes, 7:3
Child custody issues subject to mediation, 7:3
Collaborative law, 7:2, 7:5
Communication with neutral, 7:13
Confidentiality
Generally, 7:12

Generally, **7:12**Court-appointed mediators
Child custody, **7:3**Definitions of processes, **7:2**

ALTERNATIVE DISPUTE RESOLUTION (ADR)—Cont'd

Enforcing agreements

ADR process, 7:18

Experts, impartial, 7:4

Fees of neutrals, 7:14

Good faith requirements, 7:11

Hybrid processes, 7:2

Impartial experts, 7:4

Information about ADR processes, 7:6

Med-arb, 7:2

Mediation, 7:2

Child custody, 7:3

Mini trials, 7:2

Motions in abeyance, 7:17

Neutrals

Communication with, 7:13

Expert neutrals, 7:4

Fees, 7:14

Qualifications, 7:4

Removal, 7:9

Scheduling orders to, 7:10

Selection, 7:8

Notice of ADR processes, 7:6

Purpose, 7:1

Qualifications of neutrals, 7:4

Removal of a neutral, 7:9

Sanctions, good faith requirements, 7:11

Scheduling orders to neutrals, 7:10

Selection of a neutral, 7:8

Selection of an ADR process, 7:7

Summary jury trials, 7:2

ANNULMENT OF MARRIAGE

Generally, 1:5

ANTENUPTIAL AND POSTNUPTIAL AGREEMENTS

Generally, 2:1 et seq.

Acceptance, 2:3

Advice of independent counsel, 2:7

Amendments of agreements, 2:13

Attorney's fees, 2:5

Basic requirements, 2:2

Burden of proof of validity, 2:9

Choice of law, 2:6

Consideration, 2:3

Contract law requirements, 2:2

Disclosures, 2:7

Dissolution, effect of a valid antenuptial contract in, 2:10

Division of marital property, 2:5 Drafting an antenuptial contract, 2:12 Effect of valid antenuptial contract in dissolution, 2:10 Exhibits, 2:12 Fairness Procedural, 2:7 Substantive, 2:8 Formal requirements, 2:2 Independent counsel advice, 2:7 Maintenance provisions, 2:5 Marital property division, 2:5, 11:22 Nonmarital property agreements, Pre-2024, 2:4 Offer, 2:3 Procedural fairness, 2:7 Property division effects, 11:22 Protection of nonmarital property Pre-2024, 2:4 Revocations of agreements, 2:13 Spousal maintenance provisions, 2:5 Standard of proof of validity, 2:9 Substantive fairness, 2:8 Surviving spouse's rights, waivers, 2:11 Valid marriage requirement, 2:1 Validity Generally, 2:2 Burden and standard of proof, 2:9 Voluntariness, 2:7 Waiver of surviving spouse rights, 2:11 **APPEALS** Family Law, this index **APPEARANCES** Attorneys' certificates of representation Generally, **5:6** Form. **15:7** Notice of appearance form, family law, 15:8 ARTIFICIAL INSEMINATION See also Surrogate Parenting, this index **ATTORNEYS** Antenuptial and postnuptial agreements, independent counsel advice, 2:7 Certificates of representation in family law proceedings Generally, 5:6 Form, 15:7 Client privilege, child support enforcement, 9:31 Discovery practices of difficult attorneys, 6:9

Independent counsel advice, antenuptial and postnuptial agreements, 2:7

ANTENUPTIAL AND POSTNUPTIAL AGREEMENTS—Cont'd

ATTORNEYS—Cont'd

Notice of appearance form, family law, 15:8

Professional license suspensions to enforce child support, 9:46

Right to counsel, parentage actions, 4:8

ATTORNEY'S FEES

Antenuptial and postnuptial agreements, 2:5

Appeals, family law, 5:95

Assertion of unfounded claims, 12:4

Bad faith. 12:4

Conduct-based fee awards, 12:3, 12:4

Family court awards of fees

Generally, 12:1 et seq.

See also Family Law, this index

Frivolous conduct, 12:4

Liens enforcing fee obligations, 12:8

Parentage adjudications, 4:27

AWARDS

Spousal maintenance, basis, 10:3

BEST INTEREST OF CHILD STANDARD

Generally, 8:9

Modifications of custody orders, 8:23

BIGAMY

Marriage, this index

BIRTH CERTIFICATES

Parentage acknowledgments and adjudications changes, 4:29

BLOOD TESTS

Parentage, this index

BRIEFS

Family Law, this index

CARETAKERS

Primary caretaker presumption under former child custody law, 8:11

CERTIFICATES

Attorneys' certificates of representation

Generally, 5:6

Form, 15:7

Birth certificate changes to reflect parentage acknowledgments and adjudications, **4:29**

Dissolution of Marriage, this index

CHILD CUSTODY AND PARENTING TIME

Generally, 8:1 et seq.

Adopted children, parenting time orders, 8:16

Agreements, 8:7

Appeals of final custody orders, 8:20

Index-4

CHILD CUSTODY AND PARENTING TIME—Cont'd Appointment of guardian ad litem, 8:12 Best interest of child standard Generally, 8:9 Modifications of custody orders, 8:23 Child Support, this index Children subject to, 8:1 Child's preferences, consideration of, 8:10 Commencement of custody proceeding, 8:6 Consent custody decrees, 8:29 Contempt enforcement of parenting time orders, 8:22 Convicted persons, notification of residence with, 8:26 Criminal law sanctions, required notices, 8:19 Custodial parent or custodian defined, 8:2 Custody consent decrees, 8:29 Custody order modifications, 8:23 Definitions Child, 8:1 Custodial parent, custodian, 8:2 Joint physical custody, 8:4 Legal custody, 8:3 Minor child, 8:1 Physical custody, 8:4 Residence, 8:4 Denial of court-ordered parenting time, 8:22 Dispute resolutions, parenting time, 8:16 Domestic abuse orders, effect in custody proceedings, 13:19 Duties of guardian ad litem, 8:12 Endangerment-based modifications of custody orders, 8:23 Enforcing out-of-state orders, jurisdiction, 8:5 Expeditor appointments to resolve disputes, 8:16 Financial disclosure statement form, 15:15 Foreign state issues, 8:5 Form of designated parent agreement, 15:26 Forms of stipulation and order Brief focused assessment, 15:30 Court-involved therapy, 15:29 Custody and parenting time, 15:28 Parenting plan, 15:27 Grandparents, parenting time orders, 8:15 Guardian ad litem appointments, 8:12

Hearings, modifications of orders, **8:21**History of care as consideration, **8:11**Immigrant juvenile status, special, **8:30**Indicia of primary parenting, **8:11**

Integration, modifications of custody orders based on, **8:23** Interference with court-ordered parenting time, **8:22**

CHILD CUSTODY AND PARENTING TIME—Cont'd

Investigation orders, 8:13

Joint petitions, 8:7

Joint physical custody defined, 8:4

Jurisdiction

Enforcing out-of-state orders, 8:5

Uniform Child Custody Jurisdiction and Enforcement Act, 8:5

Uniform Deployed Parent Custody and Visitation Act (UDPCVA), 8:27

Juvenile status, special immigrant, 8:30

Legal custody, 8:3

Mandatory parent education, 8:8

Mediation of child custody issues, 7:3

Minor children subject to

Generally, 8:1

Name changes, 14:5

Modifications of orders

Best interest of child standard, 8:23

Custody orders, 8:23

Endangerment-based, 8:23

Hearings, 8:21

Integration, 8:23

Jurisdiction, 8:5

Modifications of parenting time orders, 8:21

Parenting time orders, **8:21**

UDPCVA orders, 8:27

Name Changes, this index

Non-parent, parenting time orders, 8:15

Notice to remove judge/referee form, 15:17

Notification of residence with certain convicted persons, 8:26

Objections to all referees hearing case form, 15:16

Orders

Appeals of final orders, 8:20

Domestic abuse orders, effect in custody proceedings, 13:19

Enforcing out-of-state orders, 8:5

Forms of stipulation and order, above

Investigations and reports, 8:13

Modifications of orders, above

Parenting time orders, below

Parent education, mandatory, 8:8

Parentage recognition, rights on, 4:23

Parenting consultant use to resolve issues, 8:25

Parenting plans, 8:18

Parenting time

Rights on recognition of parentage, 4:23

Support obligation adjustments for parenting time expenses

Generally, 9:19

Modifications, 9:37

CHILD CUSTODY AND PARENTING TIME—Cont'd

Parenting time orders

Generally, 8:14

Adopted children, 8:16

Contempt enforcement of orders, 8:22

Denial of court-ordered parenting time, 8:22

Dispute resolution, 8:16

Expeditor appointments to resolve disputes, 8:16

Grandparents, 8:15

Interference with court-ordered parenting time, 8:22

Modifications, 8:21

Non-parent, 8:15

Restrictions, 8:21

Payments to public agencies, 9:8

Physical custody defined, 8:4

Preference of child, consideration of, 8:10

Primary parenting, indicia of, 8:11

Proposed order, 8:7

Public agencies, support obligation payments to, 9:8

Removal of child from state, 8:24

Report orders, 8:13

Required notices, 8:19

Residence defined, 8:4

Restrictions on parenting time, 8:21

Rights on recognition of parentage, 4:23

Separating siblings, 8:17

Split-custody, 8:17, 9:20

Stipulations. Forms of stipulation and order, above

Support obligations notices, 8:19

Third party custody

Generally, 8:28

Support obligations, 9:8

Uniform Child Custody Jurisdiction and Enforcement Act, 8:5

Uniform Deployed Parent Custody and Visitation Act, 8:27

CHILD SUPPORT

Generally, 9:1 et seq.

Administrative child support process, 9:31

Agreements for reservation or no-award of child support, 9:26

Appeals, modifications of orders pending and after appeal, 9:34

Arrearages

Generally, 9:41

Consumer credit reporting, 9:49

Enforcement, below

Income withholding to collect, 9:48

Attorney-client privilege, 9:31

Automatic income withholding, 9:48

CHILD SUPPORT—Cont'd

Automatic terminations of support obligations

Generally, 9:5

Emancipation, 9:6

Averaging income, presumptive support obligations, 9:17

Buy outs of support obligations, 9:24

Calculations, presumptive support obligations, 9:9

Child care expenses, 9:27

Child Custody and Parenting Time, this index

Child for support purposes, definition, 9:5

Children's checking accounts, 9:25

Collection services, enforcement through, 9:48

Consumer credit reporting of arrearages, 9:49

Contempt enforcement, 9:51

Contests of income withholding orders, 9:48

Corporate distributions income for support obligation calculations, 9:15

Cost-of-living adjustments

Generally, 9:52

Form of notice for implementation of adjustment, 15:31

Custody and parenting time orders, support obligations notices in, 8:19

Death of a parent, modifications of orders on, 9:40

Decedent's estate income for support obligation calculations, 9:14

Deduction for non-joint children, 9:18

Definition, child for support purposes, 9:5

Deviations from presumptive basic support obligations, 9:21

Direct payments to child, 9:25

Disabilities, post-majority support for individuals with, 9:7

Driver's license suspension to enforce, 9:43

Duty to provide income information

Generally, 9:16

Administrative child support process, 9:31

Effective date of modifications of orders, 9:33

Electronic funds transfers, 9:48

Emancipation

Automatic terminations of support obligations, 9:6

Modifications, 9:38

Post-emancipation modifications, 9:38

Enforcement

Generally, 9:42 et seq.

Administrative child support process, 9:31

Arrearages, treatment of, 9:41

Attorney-client privilege, 9:31

Collection services, 9:48

Consumer credit reporting, 9:49

Contempt, 9:51

Contests of income withholding orders, 9:48

Driver's license suspension, 9:43

CHILD SUPPORT—Cont'd Enforcement—Cont'd Escrow accounts, public authority, 9:50 Income tax refund recapture, 9:44 Income withholding Generally, 9:48 Form of order, 15:32 Interstate rendition, 9:53 Judgment enforcement, 9:42 Life insurance coverage to secure child support, 9:30 Professional license suspensions, 9:46 Public authority escrow accounts, 9:50 Sequestration to enforce, 9:45 Trustee appointments, 9:47 Uniform Interstate Family Support Act, 9:53 Waivers of income withholding, 9:48 Escrow accounts to enforce, 9:50 Expenses of children, payment based on, 9:25 Final orders Maintenance/child support obligation distinctions in, 9:22 Required findings, 9:22 Financial disclosure statement form, 15:15 Genetic testing requests, 9:31 Gross income for support obligation calculations, 9:10 Income information, duty to provide Generally, 9:16 Administrative child support process, 9:31 Income shares model, 9:1 Income tax Dependency exemptions and related credits, 9:29 Refund recapture to enforce, 9:44 Income withholding to enforce Generally, 9:48 Form of order, 15:32 Interstate and international support proceedings, 9:53 Interstate income withholding, 9:48 Interstate rendition to enforce, 9:53 Judgment enforcement Generally, 9:42 Form of affidavit to docket support judgment, 15:34 Form of notice of entry and docketing of support judgment, 15:33 Jurisdiction Generally, 9:2 Modifications Generally, 9:3 Out-of-state orders, 9:4 Liens to enforcement, 9:45

CHILD SUPPORT—Cont'd Life insurance coverage to secure obligations, 9:30 Lump sum payments Income withholding to collect, 9:48 Lump-sum payments Generally, 9:24 Maintenance/child support obligation distinctions in final orders, 9:22 Medical support Generally, 9:28 Form of affidavit of expenses and demand for payment, 15:36 Form of notice of intent to collect expenses, 15:35 Modifications, 9:35 Methods for calculating potential income, 9:11 Minor children, terminations of support obligations, 9:6 Modifications Generally, 9:32 et seq. Appeals, modifying support pending and after appeal, 9:34 Death of a parent, 9:40 Effective date of modifications, 9:33 Emancipation modifications, 9:38 Jurisdiction, out-of-state orders, 9:4 Medical support, 9:35 Out-of-state orders, 9:4 Parenting time expense adjustment to basic support, 9:37 Pending and after appeal, 9:34 Post-emancipation modifications, 9:38 Stipulations, modifications based on, 9:36 Subsequently born children, 9:39 Uniform Interstate Family Support Act, 9:53 Monthly payments, 9:23 New spouse income for support obligation calculations, 9:13 No-award of child support agreements, 9:26 Non-joint children, deduction for, 9:18 Notice to remove judge/referee form, 15:17 Objections to all referees hearing case form, 15:16 Orders Cost-of-living adjustments Generally, 9:52 Form of notice for implementation of adjustment, 15:31 Effective date of modifications of orders, 9:33 Maintenance/child support obligation distinctions in, 9:22 Modifications, above Out-of-state orders, 9:4 Required findings, 9:22 Overtime income for support obligation calculations, 9:12 Parentage adjudications Child support after, 4:25

INDEX

CHILD SUPPORT—Cont'd Parentage adjudications—Cont'd Child support prior to, 4:24 Parenting time expense adjustments Generally, 9:19 Modifications, 9:37 Payments, 9:23 et seq. Post-majority support for individuals with disabilities, 9:7 Potential income for support obligation calculations, 9:11 Presumptive support obligations Averaging income, 9:17 Calculations, 9:9 Corporate distributions income, 9:15 Decedent's estate income, 9:14 Deduction for non-joint children, 9:18 Deviations, 9:21 Duty to provide income information Generally, 9:16 Administrative child support process, 9:31 Gross income, 9:10 Income shares model, 9:1 Methods for calculating potential income, 9:11 New spouse income, 9:13 Non-joint children, deduction for, 9:18 Overtime income, 9:12 Parenting time expense adjustment to basic support Generally, 9:19 Modifications, 9:37 Potential income, 9:11 Public assistance grants affecting, 9:11 Self-employment income, 9:15 Professional license suspensions to enforce, 9:46 Public assistance grants affecting presumptive support obligations, 9:11 Public authorities, escrow accounts to enforce, 9:50 Required findings, final orders, 9:22 Reservation of child support obligations by agreement, 9:26 Security for enforcement, 9:45 Self-employment income for support obligation calculations, 9:15 Sequestration to enforce, 9:45 Split-custody awards, 9:20 Spousal Maintenance, this index Stipulations, modifications based on, 9:36 Subsequently born children, modifications of orders, 9:39 Support obligations notices in custody and parenting time orders, 8:19 Termination of income withholding, 9:48 Termination of support obligations Generally, 9:5 et seq.

CHILD SUPPORT—Cont'd

Termination of support obligations—Cont'd

Individuals with disabilities, post-majority support for, 9:7

Minor children, 9:6

Third party custody, 9:8

Trustee appointments to enforce, 9:47

Uniform Interstate Family Support Act, 9:53

Waivers of income withholding to enforce, 9:48

Waivers of support obligations, 9:24

CHILDREN

Adopted children, parenting time orders, 8:16

Child Custody and Parenting Time, this index

Child Support, this index

Domestic Abuse, this index

Minor children

Child custody and parenting time, 8:1

Child support, 9:6

Definition, 8:1

Name changes, 14:5

Parentage, this index

CHOICE OF LAW

Antenuptial and postnuptial agreements, 2:6

COHABITATION

Unmarried partners, rights of, 1:8

COMMENCING THE PROCEEDINGS

Family Law, this index

COMPETENCE

Marriage, 1:2

CONCEALMENT

Marital and nonmarital property disposition, 11:26

CONFERENCES

Family Law, this index

CONFIDENTIALITY

ADR proceedings, 7:12

Mediation, child custody, 7:3

Family law filings of confidential information

Generally, 5:34

Form, 15:18

Restricted identifiers in filings, 5:34

Sealed form, 15:19

Sensitive matters in final decrees, protecting, 5:48

CONSUMER CREDIT REPORTS

Child support, credit reporting of arrearages, 9:49

Index-12

INDEX

CONTEMPT

Child Custody and Parenting Time, this index

Child Support, this index

Family Law, this index

Marital and Nonmarital Property Disposition, this index

COSTS AND FEES

ADR, fees of neutrals, 7:14

Attorney's Fees, this index

Depositions, fees of experts and professionals, 6:9

Family law appeals, 5:85

Parentage adjudications, **4:27**

CUSTODIAN OF A CHILD

Spousal maintenance, 10:9

DEATH

Child support orders, modifications on death of a parent, 9:40

Dissolution proceedings, abatement on death of a party, 3:10

Surviving spouse benefits

Generally, 11:14

Waivers, 2:11

DEFAULTS

Family Law, this index

DEPOSITIONS

Generally, 6:9

Fees of experts and professionals, 6:9

Form of notice of taking deposition, 15:22

Objections to deposition questions, 6:9

Reading and signing of depositions, notice of, 6:9

Refusals to answer deposition questions, 6:9

Requests for admission, 6:8

Time limits for depositions, 6:9

DISCOVERY

Generally, 6:1 et seq.

Admissions, 6:8

Attendance at depositions, 6:9

Blood examinations, 6:7

Child support obligations, duty to provide income information

Generally, 9:16

Administrative child support process, 9:31

Parenting/financial disclosure statement form, 15:15

Combined discovery

Generally, 6:5

Form of combined interrogatories and document requests, 15:21

Depositions, this index

Difficult attorney problems, 6:9

DISCOVERY—Cont'd

Documents, production of

Generally, **6:6**

Form of combined interrogatories and document requests, 15:21

Effects of admissions, 6:8

Entry upon land for inspection and other purposes

Generally, 6:6

Form of notice, 15:24

Expert witnesses, 6:7

Failures to answer deposition questions, 6:9

Family court rules, **6:2**

Income information, duty to provide for child support obligations

Generally, 9:16

Administrative child support process, 9:31

Parenting/financial disclosure statement form, 15:15

Informal discovery, 6:4

Interrogatories, this index

Notice of reading and signing of depositions, 6:9

Persons, physical, mental, and blood examination of

Generally, 6:7

Form of authorization for release of medical information and records. 15:25

Form of demand for medical disclosures, 15:23

Production of documents and tangible things

Generally, 6:6

Form of combined interrogatories and document requests, 15:21

Purposes, 6:1

Reading and signing of depositions, notice of, 6:9

Refusals to answer deposition questions, 6:9

Tangible things, production of, **6:6**

Third parties, production requests, 6:6, 15:21

Time limits for depositions, 6:9

Types of discovery, 6:3

Vocational evaluations, 6:7

DISPOSITIONS OF PROPERTY

Marital and Nonmarital Property Disposition, this index

DISSOLUTION OF MARRIAGE

Generally, 3:1 et seq.

Abatement on death of a party, 3:10

Annulment, 1:5

Antenuptial contract effect in, 2:10

Authority of courts in family law matters, 3:7

Certificate of dissolution, 5:56, 15:40

Certificate of settlement efforts, form, 15:14

Court's authority to clarify decree, 5:107

Death of a party, abatement on, 3:10

Domestic Abuse, this index

DISSOLUTION OF MARRIAGE—Cont'd

Final decrees

Generally, **5:47 et seq.**

See also Family Law, this index

Financial obligations. See Family Law, this index

Joint petition for dissolution, 5:5

Jurisdiction

Personal, 3:5

Subject matter, 3:4

Legal separation compared, 3:2

Marital and Nonmarital Property Disposition, this index

Name Changes, this index

Notice to remove judge/referee form, 15:17

Objections to all referees hearing case form, 15:16

Parties, 3:3

Personal jurisdiction, 3:5

Petitions, requisites, 3:9

Procedure. See Family Law, this index

Proceedings in multiple states, 3:6

Reopening judgment and decree

Generally, 5:100

See also Family Law, this index

Requisites of petition, **3:9**

Settlements, form of certificate of settlement efforts, 15:14

Spousal Maintenance, this index

Subject matter jurisdiction, **3:4**

Summary dissolution process, 5:46

Venue, 3:8

DIVISIONS OF PROPERTY

Marital and Nonmarital Property Disposition, this index

DNA TESTS

Parentage, this index

DOMESTIC ABUSE

Generally, 13:1 et seq

Appointment, guardian ad litem, 13:11

Burden and standard of proof, 13:9

Child's hearsay statements during an evidentiary hearing, 13:10

Criminal proceedings, admissibility of hearings testimony in, 13:18

Custody proceedings, effect of orders in, 13:19

Domestic Abuse Act

Constitutional challenges, 13:22

Scope, 13:1

Enforcement of out-of-state orders, 13:4

Evidence of past domestic violence related conduct, 13:12

Ex parte relief, 13:6

Firearms, surrender and disposal of, 13:14

DOMESTIC ABUSE—Cont'd

Guardian ad litem, appointment, 13:11

Harassment restraining orders, 13:21

Hearings

Generally, 13:8

Admissibility of testimony in criminal proceedings, 13:18

Child's hearsay statements, 13:10

Evidence of past domestic violence related conduct, 13:12

Jurisdiction, 13:2

Law enforcement agencies, copies of orders to, 13:16

Modifying orders for protection, 13:15

No contact orders, 13:21

Notice requirements contained in orders, 13:13

Orders

Copies of orders to law enforcement agencies, 13:16

Custody proceedings, effect in, 13:19

Extensions of orders, 13:20

Harassment restraining orders, 13:21

Hearings on, 13:8

Law enforcement agencies, copies of orders to, 13:16

Modifying, 13:15

No contact orders, 13:21

Notice requirements contained in, 13:13

Petitions for, 13:5

Service, 13:7

Subsequent orders, 13:20

Vacating, 13:15

Violations, 13:17

Out-of-state orders, enforcement of, 13:4

Petition for order for protection, 13:5

Service of process, 13:7

Surrender and disposal of firearms, 13:14

Vacating orders for protection, 13:15

Venue, 13:2

Violations of orders, 13:17

Violence Against Women Act, 13:3

DRIVER'S LICENSES

Suspension, child support enforcement, 9:43

EARLY CASE MANAGEMENT

Family Law, this index

EARLY NEUTRAL EVALUATION (ENE)

Family Law, this index

E-FILING

Family law proceedings, 5:9

Notice of appeal, 5:76

Signatures, E-filed documents, 5:9

Index-16

ELECTRONIC FUNDS TRANSFERS

Child support, 9:48

EMANCIPATION

Child Support, this index

ENCUMBRANCES

Marital and nonmarital property disposition, 11:26

ESCROWS

Child support, escrow accounts to enforce, **9:50** Spousal maintenance, escrow accounts to enforce, **9:50**

ESTATES

Surviving spouse benefits Generally, 11:14 Waivers, 2:11

EVIDENCE

Family Law, this index

EXCUSABLE NEGLECT

Reopening judgment and decree, family law, 5:105

EXPERT WITNESSES

Discovery, 6:7

EXPERTS

Spousal maintenance, 10:15

FAMILY LAW

Acknowledgment of service, **5:4** Administrative hearings, **5:44** Admission of service form, **15:6**

Adopted children, parenting time orders, 8:16

Affidavits

Motion practice, 5:32

Personal service form, 15:4

Service by facsimile form, 15:5

Service by mail form, **15:3**

Agreed statement as record on appeal, 5:72

Alimony. See Spousal Maintenance, this index

Alternative Dispute Resolution, this index

Answer and counter-petition form, 15:11

Answer form, 15:10

Appeals

Generally, 5:62

Agreed statement as the record, 5:72

Attorney's fees, 5:95

Briefs, 5:78

Child custody and parenting time orders, 8:20

Child support order modifications pending and after appeal, 9:34

FAMILY LAW—Cont'd Appeals—Cont'd Constitutional challenges, notice required for, 5:90 Correction of the record, 5:73 Costs and disbursements, 5:85 Damages for delay, 5:84 Death or substitution of a party, 5:89 Decision and opinion, notice of, 5:80 Defaults on appeal, 5:88 Discretionary review, 5:65 Emergency writs, 5:94 Entry of judgment, 5:81 Execution, 5:83 Execution of appellate court judgment, 5:83 Fees, **5:63** Filings Generally, 5:63 E-filing, **5:76** Time for filing and service, 5:66 Impact on district court proceedings, 5:68 Joint appeals, 5:63 Judgments appealable, 5:64 Mandamus writs, 5:93 Modification of the record, 5:73 Motions, **5:77** Notice of appeal Generally, 5:63 E-filing, 5:76 Form, 15:42 Time for filing and service, 5:66 Notice of appeal, below Notice of decision and opinion, 5:80 Notice required for constitutional challenges, 5:90 Oral argument, 5:79 Orders appealable, 5:64 Petition for review to Supreme Court Generally, 5:91 Accelerated review, 5:92 Petitions for rehearing, 5:86 Prohibition writs, 5:93 Records, correction or modification, 5:73 Related appeal, respondent's notice of, 5:67 Remittitur, 5:82 Respondent's notice of related appeal, 5:67 Statement of proceedings, 5:71 Statement of the case

Generally, 5:63

FAMILY LAW—Cont'd Appeals—Cont'd Statement of the case—Cont'd Form, **15:43** Stay of enforcement, 5:69 Stay of judgment, 5:81 Supreme Court, petition for review to Generally, 5:91 Accelerated review, 5:92 Temporary relief orders, 5:28 Transcripts, 5:70 Transmission of record, 5:74 Voluntary dismissal, 5:87 Writs of mandamus and prohibition, 5:93 Arrearages in financial obligations Child Support, this index Consumer credit reporting, 9:49 Income withholding to collect Child support, 9:48 Spousal Maintenance, this index Artificial Insemination, this index Assignment of case to a single judge Generally, 5:21 Removals, 5:22 Attorneys' certificates of representation Generally, 5:6 Form, 15:7 Attorney's fee awards Generally, 12:1 et seq. Ancillary proceedings, fees incurred in, 12:5 Appeals, **5:95** Assertions of unfounded claims, 12:4 Bad faith-based, 12:4 Collection, 12:7 Conduct-based, 12:3, 12:4 Frivolous conduct, 12:4 Itemization requirements, 12:6 Liens enforcing fee obligations, 12:8 Needs-based, 12:2 Parentage adjudications, 4:27 Requests for, 12:6 Authority of courts in dissolution of marriage, 3:7 Bad faith, attorney's fee awards based on, 12:4 Best interest of child standard Child custody and parenting time, 8:9 Modifications of custody orders, 8:23 **Briefs** Generally, 5:54

FAMILY LAW—Cont'd Briefs—Cont'd Appeals, **5:78** Caretakers, 8:11 Child Custody and Parenting Time, this index Child Support, this index Clerical errors, motions to correct, 5:60 Closing arguments, 5:53 Collection of attorney's fees, 12:7 Collection services Child support, 9:48 Spousal maintenance, 9:48 Commencing proceedings Generally, 5:3 et seq. Acknowledgment of service, 5:4 Attorneys, certificates of representation Generally, 5:6 Form, 15:7 Defects in service, 5:4 Delivery, service by, 5:11 Designation of parties, 5:7 Dissolution joint petition for, 5:5 Electronic filing, 5:9 Electronic service, **5:10** Joint petition for dissolution, 5:5 Personal jurisdiction, attacks on, 5:14 Personal service, 5:4 Petitioner/respondent designations of parties, 5:7 Pleading requirements, 5:8 Proof of electronic service, 5:10 Publication, service by, 5:4 Responsive pleadings, 5:12 Service Generally, 5:4 Delivery, service by, 5:11 Electronic, 5:10 Signatures, E-filed documents, 5:9 Subject matter jurisdiction attacks on, 5:13 Computation of time, motion practice, 5:33 Conclusions of law, irregularities in, 5:57 Conduct-based attorney's fee awards, 12:3, 12:4 Conferences Initial case management conferences, below Pretrial conferences, below Confidentiality, this index Contested final hearing, 5:53 Contested issue hearings, 5:52

INDEX

FAMILY LAW—Cont'd Continuances Motion practice, 5:32 Pretrial conferences, 5:36 Correction of the record, appeals, 5:73 Cost-of-living adjustments Child support orders, 9:52 Form of notice for implementation of adjustment, 15:31 Costs Appeals, **5:85** Parentage adjudications, 4:27 Court approvals of stipulations, **5:45** Court authority to clarify decrees, 5:107 Cover sheet, non-public documents form, 15:20 Damages for delay, appeals, 5:84 Deadlines, motion practice, 5:32 Death of a party on appeal, 5:89 Decision and opinion, notice of on appeal, 5:80 Defaults Generally, 5:42 et seq. Administrative hearings, 5:44 Appeals, **5:88** Final Decrees, below Hearings, 5:43 Defects in service, 5:4 Delinquent financial obligations. Arrearages in financial obligations, above Delivery, service by, **5:11** Designation of parties, 5:7 Discovery, this index Discretionary review appeals, 5:65 Dissolution of Marriage, this index Domestic Abuse, this index Early case management Generally, 5:15 et seq. Best practices, 5:18 Early neutral evaluation, 5:17 Form of default scheduling request, 15:37 Initial case management conference, 5:16 Initial case management statement, 5:19 Intervention, 5:15 Judicial assignments Generally, 5:21 Removals, 5:22 Neutral evaluation, 5:17 Scheduling order, 5:20 Early neutral evaluation, 5:17 Electronic filing, 5:9

```
FAMILY LAW—Cont'd
  Electronic service, 5:10
  Emergency relief
    Generally, 5:23
    Ex parte, 5:24
  Emergency writs, appeals, 5:94
  Enlargement of time motion, 5:33
  Entry of judgment on appeal, 5:81
  Escrow accounts to enforce financial obligations
    Child support, 9:50
  Evidence
    Admissions as, 6:8
    ADR proceedings matters, use as evidence, 7:12
    Deposition evidence, 6:9
    Hearings, 5:53
    Newly discovered evidence, reopening judgment and decree, 5:103
    Parentage, this index
  Ex parte relief
    Domestic abuse, 13:6
    Emergencies, 5:24
  Excusable neglect, reopening judgment and decree, 5:105
  Execution, appeals, 5:83
  Fees, appeals, 5:63
  Filings
    Appeals
       Generally, 5:63
       Time for filing and service, 5:66
    Confidentiality, this index
    Deadlines
       Motion practice, 5:33
    E-filing, 5:76
  Final decrees
    Generally, 5:47 et seq.
    Joint marital agreement and decree, 5:49
    Sensitive matters in final decrees, protecting, 5:48
  Financial obligations
     Antenuptial and Postnuptial Agreements, this index
    Arrearages in financial obligations, above
    Attorney's fee awards, above
    Child Support, this index
    Cost-of-living adjustments, above
    Escrow accounts to enforce financial obligations, above
    Health care expenses, below
    Income withholding to enforce financial obligations, below
    Judgments enforcing financial obligations, below
    Liens to enforce financial obligations, below
    Life insurance to insure financial obligations, below
```

FAMILY LAW—Cont'd Financial obligations—Cont'd Marital and Nonmarital Property Disposition, this index Sequestration enforcement of financial obligations, below Spousal Maintenance, this index Trusts to enforce financial obligations, below Financial source documents Motion practice, 5:34 Parenting/financial disclosure statement form, 15:15 Findings of fact Irregularities in, 5:57 Motions for amended findings, 5:58 Fraud, reopening judgment and decree, 5:101 Frivolous conduct, attorney's fee awards based on, 12:4 Garnishment. Income withholding to enforce financial obligations, below Health care expenses Generally, 9:28 Form of affidavit of expenses and demand for payment, 15:36 Form of notice of intent to collect expenses, 15:35 Modifications, 9:35 Hearings Administrative, 5:44 Closing arguments, 5:53 Conclusions of law, irregularities in, 5:57 Contested final hearing, 5:42, 5:53 Contested issues, 5:52 Default hearings, **5:43**, **5:50** Evidence, 5:53 Final hearings, 5:50 et seq. Findings of fact Irregularities in, 5:57 Motions for amended findings, 5:58 Hopp hearings, 5:98 Mahady hearings, 5:98 Motions for amended findings, 5:58 Notice of hearing and motion, 5:30 Opening statements, 5:53 Practical considerations, 5:55 Scheduling a final hearing Contested, 5:42 Default, 5:50 Testimony, 5:53 Uncontested issues, 5:51 Impact on district court proceedings, 5:68 Inadvertence, reopening judgment and decree, 5:102 Income withholding to enforce financial obligations

Child support, 9:48

FAMILY LAW—Cont'd

Income withholding to enforce financial obligations—Cont'd

Form of order, **15:32**

Waivers of income withholding, 9:48

Inequity of prospective application, reopening judgment and decree, 5:106

Initial case management conferences

Generally, 5:16

Data sheet (Hennepin County), 15:12

Initial case management statement, 5:19

Intervention, 5:15

Joint appeals, 5:63

Judgments

Entry or stay on appeal, 5:81

Execution of appellate court judgment, 5:83

Reopening judgment and decree, below

Judgments enforcing financial obligations

Child support, 9:42

Form of affidavit to docket support judgment, 15:34

Form of notice of entry and docketing of support judgment, 15:33

Marital and nonmarital property disposition, 11:30

Judicial assignments

Generally, 5:21

Removals, 5:22

Jurisdiction of family courts

Generally, 5:2

See also Jurisdiction, this index

Legal memoranda, 5:54

Legal Separation, this index

Liens

Child support enforcement, 9:45

Liens to enforce financial obligations

Attorney's fees, 12:8

Child support, 9:45

Life insurance to insure financial obligations

Child support, 9:30

Mandamus writs, appeals, 5:93

Marital and Nonmarital Property Disposition, this index

Marriage, this index

Medical privilege waivers, 6:7

Misconduct-based attorney's fee awards, 12:3, 12:4

Mistake, reopening judgment and decree, 5:102

Modifications

Appeals, child support order modifications pending and after, 9:34

Best interest standard, modifications of custody orders, 8:23

Child support orders, 9:13, 9:34

Health care expenses orders, 9:35

New spouse earnings as change of circumstances, 9:13

FAMILY LAW-Cont'd Modifications—Cont'd Record modifications, appeals, 5:73 Temporary relief orders, 5:27 Motion practice Generally, 5:30 et seq. Affidavits, 5:32 Alternate dispute resolution, motions in abeyance, 7:17 Amended findings of fact, 5:58 Appeals, 5:77 Attorney's fee awards requests, 12:6 Clerical errors, motions to correct, **5:60** Computation of time, 5:33 Continuances, 5:32 Deadlines, 5:32 Enlargement of time, 5:33 Filing deadlines, 5:33 Necessary documents, 5:32 New trial, 5:59 Notice of hearing and motion, 5:30 Notice of motion and motion form (temporary relief), 15:13 Oral testimony, 5:35 Orders to show cause Generally, 5:31 Form of order, 15:44 Reconsideration, 5:61 Restricted identifiers, 5:34 Temporary relief orders, below Name Changes, this index Needs-based attorney's fee awards, 12:2 Neglect, excusable, reopening judgment and decree, 5:105 New spouse earnings as change of circumstances Child support modifications, 9:13 New trial motions, 5:59 Newly discovered evidence, reopening judgment and decree, 5:103 Notice of appeal Generally, 5:63 E-filing, **5:76** Form, 15:42 Time for filing and service, 5:66 Notice of appearance form, 15:8 Notice of decision and opinion on appeal, 5:80 Notice of hearing and motion, 5:30 Notice required for constitutional challenges, 5:90 Notice to remove judge/referee form, 15:17 Objections to all referees hearing case form, 15:16 Opening statements, hearings, 5:53

FAMILY LAW—Cont'd Oral argument, appeals, 5:79 Oral testimony, motion practice, 5:35 Orders Appealable orders, 5:64 Pretrial conferences, orders after, 5:41 Scheduling orders, below Show cause orders Generally, 5:31 Form of order, 15:44 Temporary relief orders, below Parentage, this index Parenting/financial disclosure statement form, 15:15 **Parties** Generally, 5:7 Death or substitution of a party on appeal, 5:89 Personal jurisdiction, attacks on, 5:14 Petition form, 15:2 Petitioner/respondent designations of parties, 5:7 Petitions for rehearing, appeals, 5:86 Pleading Generally, 5:8 Answer and counter-petition form, 15:11 Answer form, 15:10 Responsive pleadings Answer and counter-petition form, 15:11 Answer form, 15:10 Commencing proceedings, 5:12 Post trial procedure, 5:58 et seq. Practical considerations, hearings, 5:55 Pretrial conferences Generally, 5:36 et seq. Attendance failure, 5:39 Compliance failure, 5:39 Continuances, 5:36 Failure to attend or comply, 5:39 Orders after, 5:41 Scope of conference Generally, 5:37 Suggested areas of discussion, 5:40 Suggested areas of discussion, **5:40** Who must attend, 5:38 Procedure Generally, 5:1 et seq. Admission of service form, 15:6 Affidavit of personal service form, 15:4 Affidavit of service by facsimile form, 15:5

INDEX

FAMILY LAW—Cont'd

Procedure—Cont'd

Affidavit of service by mail form, 15:3

Alternative Dispute Resolution, this index

Answer and counter-petition form, 15:11

Answer form, 15:10

Appeals, above

Attorney's fee awards, above

Certificate of dissolution, 5:56, 15:40

Commencing proceedings, above

Defaults, above

Discovery, this index

Early case management, above

Emergency relief

Generally, 5:23

Ex parte, **5:24**

Final Decrees, above

Initial case management conferences, above

Joint marital agreement and decree, 5:49

Motion practice, above

Notice of appearance form, 15:8

Notice of intent to proceed to judgment, form, 15:38

Petition form, 15:2

Post trial procedure, 5:58 et seq.

Pretrial conferences, above

Reopening judgment and decree, below

Requests for attorney's fee awards, 12:6

Rules of Civil Procedure applicable, 5:1

Rules of Family Court Practice applicable, 5:2

Stipulations, below

Substitution of counsel form, 15:9

Summary dissolution process, 5:46

Summons form, 15:1

Temporary relief orders, below

Vacatur, **5:100**

Prohibition writs, appeals, 5:93

Proof of electronic service, 5:10

Proposed decrees, 5:54

Prospective application, inequity of, reopening judgment and decree, 5:106

Publication, service by, commencing proceedings, 5:4

Reconsideration, motions for, 5:61

Records on appeal, correction or modification, 5:73

Related appeal, respondent's notice of, 5:67

Remittitur, appeals, 5:82

Removal of assigned judicial officer, 5:22

Reopening judgment and decree

Generally, 5:100 et seq.

FAMILY LAW—Cont'd Reopening judgment and decree—Cont'd Court's authority to clarify decree, 5:107 Excusable neglect, 5:105 Fraud, 5:101 Inadvertence, 5:102 Inequity of prospective application, 5:106 Mistake, **5:102** Neglect, excusable, 5:105 Newly discovered evidence, 5:103 Prospective application, inequity of, 5:106 Surprise, **5:104** Respondent's notice of related appeal, 5:67 Rules of Civil Procedure applicable, 5:1 Rules of Family Court Practice applicable, 5:2 Scheduling orders Early case management, 5:20 Final hearing, 5:42 Final hearings, 5:50 Form of default scheduling request, 15:37 Separation. See Legal Separation, this index Sequestration enforcement of financial obligations Child support, 9:45 Marital property dispositions, 11:29 Service, defects in, 5:4 Settlements Generally, 5:42 Certificate of settlement efforts form, 15:14 Defaults, above Stipulations, below Signatures, E-filed documents, 5:9 Spousal Maintenance, this index Statement of proceedings, appeals, 5:71 Statement of the case Appeals Generally, 5:63 Form, 15:43 Initial case management, 5:19 Stay of enforcement, 5:69 Stay of judgment on appeal, 5:81 Stipulations Generally, 5:42 et seq. Administrative hearings on, 5:44 Approval of court, **5:45** Default hearings on, 5:43 Defaults, above

Final Decrees, above

FAMILY LAW—Cont'd

Stipulations—Cont'd

Findings of fact, conclusions of law, form of order for judgment and judgment and decree, 15:39

Summary dissolution process, 5:46

Substitution of a party on appeal, 5:89

Substitution of counsel form, 15:9

Summary dissolution process, 5:46

Summons form, 15:1

Supreme Court, petition for review to

Generally, 5:91

Accelerated review, 5:92

Surprise, reopening judgment and decree, 5:104

Surrogate Parenting, this index

Tax considerations

Child support

Dependency exemptions and related credits, 9:29

Income tax refund recapture to enforce, 9:44

Marital property disposition, 11:24

Temporary relief orders

Appeals, 5:28

Modifications of orders, 5:27

Violations, 5:29

Testimony

Deposition evidence in lieu of, 6:9

Hearings, 5:53

Transcripts on appeal, 5:70

Transmission of appeal records, 5:74

Trusts to enforce financial obligations

Child support, 9:47

Marital property disposition, 11:29

Uncontested issues hearings, **5:51**

Unfounded claims assertions, attorney's fee awards based on, 12:4

Vacatur, 5:100

Venue, this index

Violations of temporary relief orders, 5:29

Voluntary dismissal of appeals, 5:87

Waivers of medical privileges, 6:7

Writs of mandamus and prohibition, appeals, 5:93

FEES

Attorney's Fees, this index

Costs and Fees, this index

FIFTH AMENDMENT RIGHTS

Parentage adjudications, 4:19

FINANCIAL RESOURCES OF OBLIGEE

Spousal maintenance

Amount of awards, 10:6

FRAUD

Reopening judgment and decree, family law, 5:101

GARNISHMENT

Family Law, this index

GENETIC TESTS

Parentage, this index

GUARDIANS AD LITEM

Appointment, 13:11

Child custody and parenting time appointments, 8:12

HEALTH CARE

Family expenses. See Family Law, this index

IMMIGRANTS AND IMMIGRATION

Juvenile status, special, 8:30

IMMUNITY

Parentage adjudications, 4:19

INADVERTENCE

Reopening judgment and decree, family law, 5:102

INCOME WITHHOLDING

Family Law, this index

INTERROGATORIES

Generally, **6:5**

Form of combined interrogatories and document requests, 15:21

Objections to interrogatories, 6:5

INTERVENTION

Early case management, 5:15

JUDICIAL ASSIGNMENTS

Family Law, this index

JURISDICTION

Attacks on personal jurisdiction, family law proceedings, 5:14

Child Custody and Parenting Time, this index

Child Support, this index

Dissolution of Marriage, this index

Domestic abuse, 13:2

Enforcing out-of-state orders, child custody and parenting time, 8:5

Family courts, 5:2

Foreign state issues, child custody and parenting time, 8:5

Marital pension benefits divisions, reservation of jurisdiction over, 11:12

Index-30

JURISDICTION—Cont'd

Modifications of orders and awards

Child custody, 8:5

Child support

Generally, 9:3

Out-of-state orders, 9:4

Parentage, this index

Personal jurisdiction

Attacks on, family law proceedings, 5:14

Dissolution of marriage, 3:5

Parentage actions, 4:6

Reservations of jurisdiction, marital pension benefits divisions, 11:12

Subject matter

Attacks on, family law proceedings, 5:13

Dissolution of marriage, 3:4

Uniform Child Custody Jurisdiction and Enforcement Act, 8:5

Uniform Deployed Parent Custody and Visitation Act, 8:27

LEGAL MEMORANDA

Family law, 5:54

LEGAL SEPARATION

Dissolution compared

Generally, 3:2

See also Dissolution of Marriage, this index

Domestic Abuse, this index

Financial obligations. See Family Law, this index

Marital and Nonmarital Property Disposition, this index

Name Changes, this index

Notice to remove judge/referee, form, 15:17

Objections to all referees hearing case form, 15:16

Settlements, form of certificate of settlement efforts, 15:14

LICENSES

Driver's license suspensions to enforce child support, 9:44

Marriage, 1:2

Professional license suspensions to enforce child support, 9:46

LIENS

Family Law, this index

MAINTENANCE

Spousal Maintenance, this index

MANDAMUS WRITS

Appeals, family law, 5:93

MARITAL AND NONMARITAL PROPERTY DISPOSITION

Generally, 11:1 et seq.

Antenuptial and postnuptial agreements affecting, 2:4, 11:22

Business interests, 11:11

MARITAL AND NONMARITAL PROPERTY DISPOSITION—Cont'd Closely-held businesses, valuation, 11:5 Concealment, 11:26 Credit cards, 11:23 Date of valuation, 11:3 Debts, joint vs separate, 11:23 Definitions Marital property, 11:1 Nonmarital property, 11:2 Disposition, 11:26 Encumbrances, 11:26 Enforcement Generally, 11:28 et seq. Judgments, 11:30 Sequestration, 11:29 Trustee appointments, 11:29 Financial disclosure statement form, 15:15 Gifts, 11:17 Income vs asset treatment of pension benefits, 11:12 Inheritances, 11:18 Joint tax filings, 11:25 Judgments, enforcement by, 11:30 Jurisdiction over pension benefits, reservation of, 11:12 Liabilities, joint vs separate, 11:23 Liens to adjust in-kind awards, 11:27 Marital property division Generally, 11:9 et seq. Business interests, 11:11 Pension benefits, 11:12 Real property Generally, 11:10 Form of summary real estate disposition judgment, 15:41 Military pension benefits Property division, 11:13 Modifications, 11:31 Mortgages to adjust in-kind awards, 11:27 Nonmarital property division Generally, 11:15 et seq. Antenuptial agreements, 11:22 Exclusions, antenuptial contracts, 11:22 Gifts, 11:17 Inheritances, 11:18 Premarital acquisitions, 11:19 Tracing, 11:16, 11:21 Valuation increase during marriage, 11:20, 11:21 Nonmarital property division, Pre-2024

Antenuptial agreements, 2:4

MARITAL AND NONMARITAL PROPERTY DISPOSITION—Cont'd Pension benefits Income vs asset treatment, 11:12 Marital property division, 11:12 Military pension benefits, 11:13 Reservation of jurisdiction over, 11:12 Spousal maintenance implications of divisions, 11:12 Valuation, 11:7 Premarital acquisitions, 11:19 Property division Military pension benefits, 11:13 Surviving spouse benefits, 11:14 Real property Division Generally, 11:10 Form of summary real estate disposition judgment, 15:41 Valuation, 11:4 Retirement benefits. Pension benefits, above Security interests to adjust in-kind awards, 11:27 Sequestration enforcement, 11:29 Social security benefits, valuation, 11:8 Sole proprietorships, valuation, 11:6 Spousal maintenance implications of pension benefits divisions, 11:12 Surviving spouse benefits Generally, 11:14 Waivers of, 2:11 Tax considerations, 11:24 Tax filings, joint, 11:25 Tracing of nonmarital property, 11:16, 11:21 Transfers, 11:26 Trustee appointments to enforce, 11:29 Valuation Generally, 11:3 et seq. Asset approach to valuations of businesses, 11:5 Capitalization of earnings approach to valuations of businesses, 11:5 Closely-held businesses, 11:5 Date of valuation, 11:3 Defined benefit vs defined contribution pension plans, 11:7 Increase during marriage of nonmarital property, 11:21 Liens, mortgages and other security interests to adjust in-kind awards, 11:27 Market approach to valuations of businesses, 11:5 Nonmarital property, increase during marriage, 11:20 Pension plans, 11:7 Real property, 11:4 Social security benefits, 11:8

Sole proprietorships, 11:6

MARRIAGE Generally, 1:1 et seq. Age of consent, 1:2 Annulment, 1:5 Attorney's fees, antenuptial and postnuptial agreements, 2:5 **Bigamy** Generally, 1:4 Absent spouse issues, **1:6** Common law marriage, 11:1 Competence, 1:2 Declaration of intent to marry, 1:2 Dissolution of Marriage, this index Financial obligations. See Family Law, this index Good belief in valid marriage, putative spouses, 1:7 Intent to marry, declaration of, 1:2 Legal Separation, this index Licenses, 1:2 Name Changes, this index Postnuptial agreements. See Antenuptial and Postnuptial Agreements, this index Prohibited marriages Generally, 1:3 Bigamy, above Putative spouses, 1:7 Registration, 1:2 Same-sex relationships, 1:8, 2:2 Solemnization, 1:2 Unauthorized solemnization of marriages, 1:2 Unmarried partners, rights of, 1:8 Valid marriages Generally, 1:1, 1:2 Antenuptial and postnuptial agreements, valid marriage requirement, 2:1 Putative spouses, 1:7 Void marriages Generally, 1:3 Bigamy, above Voidable marriages, 1:5 MEDICAL CARE Family expenses. See Family Law, this index MEDICAL PRIVILEGES Waivers, family law, 6:7

MISTAKE

MILITARY SERVICE

Reopening judgment and decree, family law, 5:102

Uniform Deployed Parent Custody and Visitation Act, 8:27

Index-34

NAME CHANGES

Generally, 14:1 et seq.

Effecting name changes, 14:2

Findings, 14:3

Judgment and decree, 14:3

Minor children, 14:5

Post-dissolution name changes, 14:4

Practical considerations, 14:2

Statutory authority, 14:1

NEGLECT, EXCUSABLE

Reopening judgment and decree, family law, 5:105

ORAL ARGUMENT

Appeals, family law, **5:79**

PARENTAGE

Generally, 4:1 et seq.

Acknowledgment of parentage. Recognition of paternity, below

Action to revoke recognition of parentage, 4:22

Adjudications of

Admissible evidence, 4:18

Answering pleadings, 4:4

Attorney's fees and costs, 4:27

Birth certificates, 4:29

Burden of proof, 4:17

Child support after adjudication, 4:25

Child support prior to adjudication, 4:24

Commencement of action, 4:2

Complaints, 4:3

Fifth Amendment rights, 4:19

Immunity from criminal liability, 4:19

Jury trial, right to, 4:20

Parties, 4:2

Pregnancy and confinement expenses, 4:26

Responsive pleadings, 4:4

Summons, 4:3

Who may bring action, 4:2

Adjudications of paternity

Confidentiality, this index

Agreement revoking recognition of parentage by, 4:22

Answering pleadings, adjudications of paternity, 4:4

Assisted Reproductive Technology, 4:30

Attorney's fees and costs, adjudication of parentage, 4:27

Blood tests. Genetic tests, below

Burden of proof, adjudication of paternity, 4:17

Commencement of action, adjudications of paternity, 4:2

Complaints, adjudications of paternity, 4:3

Confidentiality, this index

```
PARENTAGE—Cont'd
  Conflicting presumptions, 4:12
  Counsel, right to, 4:8
  Custodial rights on recognition of parentage, 4:23
  Declaration of, 4:21
  Definition of parent-child relationship, 4:9
  DNA tests. Genetic tests, below
  Errors, genetic tests, 4:16
  Evidence
     Adjudications of paternity, admissible evidence, 4:18
    Genetic tests, below
  Execution and filing of recognition of parentage, 4:22
  Fifth Amendment rights, adjudications, 4:19
  Form of recognition of parentage, 4:22
  Genetic testing
    Generally, 4:14 et seq.
    Blood examinations, 6:7
     Child support proceedings requests, 9:31
    Errors, 4:16
    Probability factor, 4:15
     Requests in child support proceedings, 9:31
  Immunity from criminal liability, adjudications, 4:19
  Judgments, reopening, 4:32
  Jurisdiction, 4:5 et seq.
  Jury trial, right to in adjudication of paternity, 4:20
  Maternity, presumptions, 4:11
  Name Changes, this index
  Parent-child relationship defined, 4:9
  Parenting time rights on recognition of parentage, 4:23
  Parties to a parentage proceeding, 4:2, 4:7
  Paternity, presumptions, 4:10
  Personal jurisdiction, 4:6
  Pregnancy and confinement expenses, 4:26
  Presumptions
    Generally, 4:10 to 4:13
    Conflicting, 4:12
    Maternity, 4:11
    Paternity, 4:10
    Rebutting, 4:13
  Probability factors, genetic tests, 4:15
  Recognition of parentage
     Generally, 4:22 et seq.
     Action to revoke, 4:22
     Agreement, revocation of recognition by, 4:22
     Birth certificates, 4:29
    Custodial rights, 4:23
    Execution and filing, 4:22
```

PARENTAGE—Cont'd

Recognition of parentage-Cont'd

Form, 4:22

Parenting time rights, 4:23

Revocation of recognition by agreement, 4:22

Subsequent actions following, 4:22

Responsive pleadings, adjudications of paternity, 4:4

Revocation of recognition by agreement by, 4:22

Right to counsel, 4:8

Subsequent actions following, recognition of parentage, 4:22

Summons, adjudications of paternity, 4:3

Surrogacy, 4:31

Surrogate parenting, 4:31

Uniform Interstate Family Support Act, parentage determinations, 9:53

Venue, **4:5**

Who may bring action, 4:2

PARENTING TIME

Child Custody and Parenting Time, this index

PARTIES

Child Custody and Parenting Time, this index

Designation of parties, family law, 5:7

Dissolution of marriage, 3:3

Family Law, this index

Parentage, this index

PETITIONS

Dissolution of marriage, 3:9

Family Law, this index

PLEADINGS

Family Law, this index

Paternity adjudications, 4:4

POSTNUPTIAL AGREEMENTS

Antenuptial and Postnuptial Agreements, this index

PREGNANCY

Parentage adjudications, pregnancy and confinement expenses, 4:26

PRESUMPTIONS AND BURDEN OF PROOF

Antenuptial and postnuptial agreements, 2:9

Domestic abuse, 13:9

Parentage, 4:10 to 4:13

Paternity, adjudication of, 4:17

PRIVACY RIGHTS

Confidentiality, this index

PROCESS AND SERVICE OF PROCESS

Acknowledgment of service, family law proceedings, 5:4

PROCESS AND SERVICE OF PROCESS—Cont'd

Admission of service form, 15:6

ADR

Enforcing agreements, 7:18

Affidavit of personal service form, 15:4

Affidavit of service by FAX form, 15:5

Affidavit of service by mail form, 15:3

Defects in process, family law proceedings, 5:4

Delivery, service by, family law proceedings, 5:11

Domestic abuse, 13:7

Electronic service, family law proceedings, 5:10

Family Law, this index

Personal service, family law proceedings, 5:4

Publication, service by, family law proceedings, 5:4

Summons

Form, 15:1

Paternity adjudications, 4:3

PROHIBITION WRITS

Family law appeals, 5:93

PROOF OF ELECTRONIC SERVICE

Family law proceedings, **5:10**

PROPERTY

Marital and Nonmarital Property Disposition, this index

REAL PROPERTY

Marital and Nonmarital Property Disposition, this index

RECOGNITION OF PATERNITY

Parentage, this index

REGISTRATION

Marriages, 1:2

REPRODUCTIVE TECHNOLOGY

Assisted, parentage, 4:30

RESTRICTED IDENTIFIERS

Confidentiality, this index

SEPARATION

Legal Separation, this index

SEQUESTRATION

Family Law, this index

SIGNATURES

E-filed documents, 5:9

SPLIT-CUSTODY

Child custody and parenting time, **8:17** Child support, **9:20**

Index-38

SPOUSAL MAINTENANCE

Generally, 10:1 et seq.

Amount of awards

Generally, 10:4

Ability to meet needs independently, 10:5

Financial Resources of Obligee, 10:6

Obligors Ability to Pay, 10:7

Amount of awards, Obligors Ability to Pay

Generally, 10:7 to 10:10

Custodian of a child, 10:9

Other factors, 10:10

Standard of Living, 10:8

Antenuptial and postnuptial agreements, 2:5

Automatic termination of maintenance, 10:32

Awards

Enforcement of awards, below

Modifications of awards, below

Basis for Awards, 10:3

Collection services, enforcement through, 9:48

Cost-of-living adjustments

Form of notice for implementation of adjustment, 15:31

Duration of Award, Transitional, 10:11

Indefinite, 10:12

Enforcement of awards

Collection services, 9:48

Experts, 10:15

Final orders, maintenance/child support obligation distinctions in, 9:22

Income withholding, 10:33

Income withholding to enforce

Form of order, 15:32

Judgment enforcement

Form of affidavit to docket support judgment, 15:34

Form of notice of entry and docketing of support judgment, 15:33

Judgment for arrearages, 10:34

Jurisdiction, 10:2

Liens on property and sequestration of assets to pay maintenance, 10:31

Maintenance/child support obligation distinctions in final orders, 9:22

Modification of maintenance

Generally, 10:18 to 10:27

After expiration or waiver, 10:24

Arrearages, 10:27

Cohabitation by obligee, 10:26

Extensions, 10:22

Extrajudicial stipulations, 10:21

Following reservation, 10:23

Obligors voluntary reduction in income, 10:19

Remarriage by obligor, 10:25

SPOUSAL MAINTENANCE—Cont'd

Modification of maintenance—Cont'd

Retirement, 10:20

Modifications of awards

Cost-of-living adjustments

Generally, 10:28

Form of notice for implementation of adjustment, 15:31

Karon waivers, 10:13

Non-payment of spousal maintenance, 10:17

Orders

Maintenance/child support obligation distinctions in final orders, 9:22

Palimony, 1:8

Pension benefits property divisions, maintenance implications of, 11:12

Private agreements to limit maintenance

See also Antenuptial and Postnuptial Agreements, this index

Reopening maintenance awards, 10:29

Retroactive increases or decreases in maintenance award, 10:30

Security to insure the future payment of maintenance, 10:36

Specific findings, 10:16

Tax considerations and consequences, 10:35

Temporary Relief Awards, 10:14

Unmarried partners, rights of, 1:8

Waivers

Karon waivers, 10:13

STANDARD OF LIVING

Spousal maintenance, 10:8

STATUS

Juvenile, special immigrant, child custody and parenting time, 8:30

STIPULATIONS

Child Custody and Parenting Time, this index

Child support modifications based on stipulations, 9:36

Family Law, this index

SUMMONS

Process and Service of Process, this index

SURPRISE

Reopening judgment and decree, family law, 5:104

SURROGACY

Parentage, 4:31

SURROGATE PARENTING

See also Artificial Insemination, this index

SURVIVING SPOUSE

Antenuptial and postnuptial agreement waivers of rights, 2:11

Index-40

TAX CONSIDERATIONS

Family Law, this index

TRANSFERS

Child support, electronic funds transfers, **9:48**Marital and nonmarital property disposition, **11:26**

TRUSTS

Family Law, this index

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)

Child custody, 8:5

UNIFORM INTERSTATE FAMILY SUPPORT ACT (UIFSA)

Child support and parentage determinations, 9:53

VENUE

Dissolution of marriage, **3:8** Domestic abuse, **13:2** Parentage actions, **4:5**

VIOLENCE AGAINST WOMEN ACT (VAWA)

Domestic abuse, 13:3

VISITATION

Child Custody and Parenting Time, this index

WAIVERS

Income withholding of child support, waivers of, **9:48** Karon waivers, **10:13** Medical privileges, **6:7** Surviving spouse's rights, waivers of, **2:11**