

Index

ABA FAMILY LAW SECTION MODEL THIRD PARTY CUSTODY AND VISITATION ACT

Generally, **7:21**

ABA STANDARDS

Alternative dispute resolution,
standards for lawyer mediators in family disputes, **App. 16A**

Civility standards for family lawyers, attorney-client relationship, **App. 2B**

Representing children in custody cases, **App. 12A**

ABDUCTION OF CHILD

Enforcement (this index)

Jurisdiction, Parental Kidnapping Prevention Act, **3:4, 3:20 et seq., App. 3A**

ABUSE

Best interests of child, **4:27**

Modification of custody and visitation, **17:24**

Visitation and access, **6:17, 17:24**

ABUSE OF DISCRETION

Appeals, **14:28**

ACCESS

Visitation and Access (this index)

ACKERMAN-SCHOENDORF SCALES FOR PARENT EVALUATION OF CUSTODY

Psychological testing, **11:14**

ADMISSIBILITY

Court ordered investigations,
admissibility of report, **10:14 to 10:17**

ADMISSIONS, REQUEST FOR

Generally, **9:12, 9:13**

ADOPTION

Visitation Rights for Third Parties (this index)

ADR

Alternative Dispute Resolution
(this index)

ADULTERY

Best interests of child, **4:24**

AFFIDAVITS

Jurisdiction (this index)

Pretrial strategies and temporary orders, affidavit in support of petition (or motion) for temporary custody, **8:8**

AGE OF CHILD

Parenting time schedules, **6:11**

Preference of child, presumptions, **4:12**

AGE OF PARENT

Modification of custody and visitation, **17:19**

AGREEMENTS

Contracts or Agreements (this index)

ALCOHOLISM

Modification of custody and visitation, **17:21**

ALIENATION

Best interests of child, **4:18**

**ALTERNATIVE DISPUTE
RESOLUTION**

Generally, **16:1 to 16:21**

ABA Standards of Practice for
Lawyer Mediators in Family
Disputes, **App. 16A**

Agreement, mediation, **16:16,**
16:17, 16:19

Arbitration, **16:5, 16:21**

Attorney-client relationship, repre-
sentation of client in media-
tion, **2:9**

Collaborative Law (this index)

Conciliation, **16:4**

Confidentiality, **16:11**

Costs, **16:13**

Ethical considerations for lawyer
as mediator, **16:10**

Historical perspective, **1:12**

Mediation

generally, **16:6 to 16:21**

ABA Standards of Practice for
Lawyer Mediators in Fam-
ily Disputes, **App. 16A**

agreement, **16:16, 16:17, 16:19**

arbitration, **16:21**

attorney-client relationship,
representation of client in
mediation, **2:9**

confidentiality, **16:11**

contraindications, **16:20**

costs, **16:13**

ethical considerations for
lawyer as mediator, **16:10**

models, **16:15, App. 16B**

role of lawyer for parent, **16:9**

role of mediator, **16:8**

settlement agreement, **16:19**

Special Policy Considerations
for State Regulation of
Family Mediators and
Court Affiliated Programs,
App. 16C

**ALTERNATIVE DISPUTE
RESOLUTION—Cont'd**

Mediation—Cont'd

termination, **16:18**

time frame, **16:14**

training, **16:12**

visitation rights for third parties,
7:26

Models, **16:15, App. 16B**

Negotiation, **16:2**

Sample mediation agreement,
16:17

Settlement agreement, **16:19**

Special Policy Considerations for
State Regulation of Family
Mediators and Court Affili-
ated Programs, **App. 16C**

Termination, **16:18**

Time frame, **16:14**

Training, **16:12**

Types of alternative dispute reso-
lution, generally, **16:2 to 16:6**

**AMERICAN ACADEMY OF
MATRIMONIAL LAWYERS
BOUNDS OF ADVOCACY
2000: GOALS FOR FAMILY
LAWYERS**

Attorney-client relationship, **App.**
2A

**AMERICAN BAR
ASSOCIATION**

See topics beginning: **ABA** (this
index)

APPEALS

Generally, **14:1 to 14:35**

Abuse of discretion, **14:28**

Appellate brief

generally, **14:19 to 14:26**

arguments and authority, **14:26**

cover page, **14:20**

nature of case, **14:23**

questions presented, **14:24**

statement of facts, **14:25**

INDEX

APPEALS—Cont'd

Appellate brief—Cont'd
table of authorities, **14:22**
table of contents, **14:21**
Applying erroneous rule of law, **14:31**
Arguments and authority, **14:26**
Brief. Appellate brief, above
Contemporaneous objection, **14:6**
Costs of appeal, **14:35**
Decision contrary to evidence,
standard for review, **14:29**
Decision to appeal, **14:2**
De novo review, **14:33**
Discovery orders, **9:29**
Dismissal motion, **14:18**
Docketing statement, **14:13**
Extension of time, motion, **14:18**
Harmless error, **14:32**
Inadequate findings of fact, **14:30**
Jurisdictional decision, **3:32**
Modification of custody pending
appeal, **14:17**
Mootness, **14:34**
Motion for extension of time or to
dismiss, **14:18**
No findings of fact, **14:30**
Notice
generally, **14:10 to 14:12**
stay of enforcement, motion for,
14:16
Objection, contemporaneous, **14:6**
Oral argument, **14:27**
Orders, appealable orders, **14:3**
Pretrial, appeal of temporary
orders, **8:14**
Procedure
generally, **14:10 to 14:18**
docketing statement, **14:13**
extension of time or dismissal,
14:18
modification of custody pending
appeal, **14:17**
notice, above
record on appeal, **14:14**

APPEALS—Cont'd

Procedure—Cont'd
service of notice of appeal,
14:12
stay of judgment, **14:15, 14:16**
Questions presented, **14:24**
Record on appeal, **14:14**
Service of notice of appeal, **14:12**
Standard for review
generally, **14:28 to 14:35**
abuse of discretion, **14:28**
applying erroneous rule of law,
14:31
costs of appeal, **14:35**
decision contrary to evidence,
14:29
de novo review, **14:33**
harmless error, **14:32**
inadequate findings of fact,
14:30
mootness, **14:34**
no findings of fact, **14:30**
Standing, **14:4**
Statement of facts, **14:25**
Stay of judgment, **14:15, 14:16**
Timeliness, **14:8**
Unclean hands, **14:9**
Waiver of right to appeal
generally, **14:5 to 14:9**
accepting benefits of judgment,
14:7
objection, contemporaneous,
14:6
timeliness, **14:8**
unclean hands, **14:9**

APPELLATE BRIEF

Appeals (this index)

ARBITRATION

Types of alternative dispute reso-
lution, **16:5, 16:21**

ATTORNEY-CLIENT RELATIONSHIP

Generally, **2:1 to 2:24**

ATTORNEY-CLIENT

RELATIONSHIP—Cont'd

American Academy of Matrimonial Lawyers Bounds of Advocacy 2000: Goals for Family Lawyers, **App. 2A**

American Bar Association Family Law Section Civility Standards for Family Lawyers, **App. 2B**

Children in divorce handout, **2:14**

Confidentiality, **2:19**

Contracting for services, **2:11**

Educating the client, **2:7**

Establishing the relationship, generally, **2:1 to 2:24**

Ethical Considerations (this index)

Evaluation of case, **2:6**

Evaluation of prospective client, **2:5**

Expenses, **2:11**

Fees. **Attorneys' Fees** (this index)

Frivolous actions, **2:20**

General custody law handout, **2:13**

Handouts for client, **2:12 to 2:14**

Improper conduct, **2:18**

Initial client contact, **2:2, 2:3**

Intake form, **2:3**

Interview

generally, **2:4**

Malpractice, **2:22**

Mediation, representation of client in, **2:9**

Neglect of case, **2:17**

Obtaining information, **2:4 to 2:10**

Other party, dealings with, **2:16**

Questionnaire, **2:10**

Representation of child, **2:8**

Sample documents and papers
intake form, **2:3**

Sex with clients, **2:21**

Termination of relationship, **2:24**

Unbundling of legal services, **2:23**

ATTORNEYS' FEES

Appeals, **14:35**

Contracting for services of attorney, **2:11**

Modification of custody and visitation, **17:13**

Representation of minor child, generally, **12:19**

Trial, **13:15**

AUTHORITY FOR JOINT CUSTODY

Joint Custody (this index)

AUTOMATIC TEMPORARY ORDERS

Pretrial, **8:3**

BENDER VISUAL GESTALT TEST

Psychological testing, **11:12**

BEST INTERESTS OF CHILD

Generally, **4:1 to 4:35**

Abuse, **4:27**

Adultery, **4:24**

Alienation, **4:18**

Ascertaining child's preference, **4:13**

Checklists

child's preference, **4:19**

employment, **4:30**

primary caretaker determination, **4:10**

Child's preference, generally, **4:11 to 4:19**

Court developed criteria, **4:4**

Custody arrangements, generally, **4:34, 4:35**

Employment, **4:29, 4:30**

Enumerated criteria, **4:2 to 4:4**

Factors, **App. 4A**

Friendly parent, **4:32**

Guardian ad litem, **12:8**

Health Issues (this index)

Historical perspective, best interests test, **1:7**

INDEX

BEST INTERESTS OF CHILD

—Cont'd

Homosexuality, **4:26**
Modification of custody and visitation, **17:6**
Morality issues
 generally, **4:23 to 4:27**
 abuse, **4:27**
 adultery, **4:24**
 homosexuality, **4:26**
 moral fitness, generally, **4:23**
 nonmarital sexual conduct, **4:25**
Nonmarital sexual conduct, **4:25**
Parental preference, generally, **4:6**
Preference checklist, **4:19**
Presence of counsel, **4:14**
Presumptions
 generally, **4:5 to 4:19**
 age and maturity, child of sufficient age and maturity, **4:12**
 agreement of parents, **4:7**
 alienation, **4:18**
 ascertaining child's preference, **4:13**
 child's preference, generally, **4:11 to 4:19**
 parental preference, **4:6**
 preference checklist, **4:19**
 presence of counsel, **4:14**
 primary caretaker, **4:8, 4:9**
 questions asked, **4:16**
 record made, **4:15**
 tender years, **4:5**
 weight to be given child's preference, **4:17**
Primary caretaker, **4:8, 4:9**
Race, **4:31**
Religion, **4:28**
Relocation standards, **App. 4B**
Sexual conduct, **4:24 to 4:26**
Siblings, keeping together, **4:32**
Statutory criteria, **4:3**
Tender years, **4:5**

BEST INTERESTS OF CHILD

—Cont'd

Travel restrictions, **4:35**
Uniform Marriage and Divorce Act, **4:2**
Visitation rights for third parties, **7:20**
Weight to be given child's preference, **4:17**

BONDS

Contempt, remedies for, **15:9**
Visitation bond, **6:25**

BRICKLIN SCALES

Psychological testing, **11:14**

BRIEF

Appeals (this index)

CHECKLISTS

Best Interests of Child (this index)
Court ordered investigations, report review, **10:13**
Discovery, **9:2**
Experts, child custody evaluations, **11:3**
Joint custody, criteria for awarding joint custody, **5:11**
Jurisdiction, **3:2**
Representation of minor child, **12:2**
Third parties, visitation rights for, **7:4**
Trial (this index)
Visitation and Access (this index)

CHILD CUSTODY

REGISTRATION

Jurisdiction, **3:28**

CHILD SNATCHING

Abduction of Child (this index)

CHILD'S PREFERENCE

Best interests of child, **4:11 to 4:19**

CHILD'S PREFERENCE

—**Cont'd**

- Guardian ad litem, **12:8**
- Modification of custody and visitation, **17:15**
- Visitation and access, **6:19**

CLOSING ARGUMENTS

- Trial, **13:14**

COGNITIVE FUNCTION TESTS

- Experts, psychological testing, **11:13**

COLLABORATIVE LAW

- Agreement, collaborative law agreement, **App. 16D**
- Historical perspective, **1:15**
- Types of alternative dispute resolution, **16:3**

CONCILIATION

- Types of alternative dispute resolution, **16:4**

CONDITIONS

- Temporary custody, **8:11**

CONFIDENTIALITY

- Alternative dispute resolution, **16:11**
- Attorney-client relationship, **2:19**

**CONTEMPORANEOUS
OBJECTION**

- Appeals, **14:6**

CONTEMPT

- Enforcement, **15:2 to 15:13**

**CONTRACTS OR
AGREEMENTS**

- Attorney-client relationship, contracting for legal services, **2:11**
- Best interests of child, agreement of parents, **4:7**
- Collaborative law agreement, **App. 16D**

CONTRACTS OR

AGREEMENTS—Cont'd

- Evolution of law, agreement of parents, **1:4**
- Joint custody, agreed upon joint custody, **5:5, 5:16**
- Jurisdiction, agreement of parties as to jurisdiction, **3:27**
- Mediation agreements, **16:16, 16:17, 16:19**
- Modification of custody and visitation, exceptions for decrees by agreement, **17:5**

COSTS AND FEES

- Alternative dispute resolution, **16:13**
- Appeals, **14:35**
- Attorneys' Fees** (this index)
- Expenses** (this index)
- Experts, child custody evaluations, **11:24**
- Guardian ad litem, **12:19**
- Hague Convention on the Civil Aspects of International Child Abduction, **15:29**
- Modification of custody and visitation, **17:13**

**COURT APPOINTED SPECIAL
ADVOCATES (CASAs)**

- Representation of minor child, **12:5, 12:6**

**COURT ORDERED
INVESTIGATIONS**

- Generally, **10:1 to 10:17**
- Admissibility of report, **10:14 to 10:17**
- Availability of report to counsel and parties, **10:11**
- Checklists, report review, **10:13**
- Contents of report, **10:10**
- Examination of investigator, **10:15**
- Immunity, **10:17**
- Interview child, **10:8**

INDEX

COURT ORDERED

INVESTIGATIONS—Cont'd

- Interview—Cont'd
 - others, **10:9**
 - parents, **10:7**
- Order for child custody investigation, **10:5**
- Preparing client for investigation, **10:2**
- Procedure, **10:3 to 10:5**
- Report, **10:10 to 10:17**
- Request for investigation, **10:3**
- Review of report, **10:12, 10:13**
- Scope of investigation, **10:6 to 10:9**
- Stipulation for court ordered investigation, **10:4**
- Weight given to report, **10:16**

CROSS-EXAMINATION

- Experts, child custody evaluations, **11:20 to 11:22**
- Trial, generally, **13:13**

DEFENSES TO CONTEMPT

- Enforcement, **15:6**

DEFENSES TO RETURN OF CHILD

- Hague Convention on the Civil Aspects of International Child Abduction, **15:30**

DE NOVO REVIEW

- Generally, **14:33**

DEPOSITIONS

- Discovery (this index)

DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS

- Experts, child custody evaluations, **11:15**

DIRECT EXAMINATION

- Experts, child custody evaluations, **11:19**

DIRECT EXAMINATION

—Cont'd

- Trial, generally, **13:9, 13:10**

DISCOVERY

- Generally, **9:1 to 9:29**
- Admissions, request for, **9:12, 9:13**
- Appeal of discovery order, **9:29**
- Checklist, **9:2**
- Depositions
 - generally, **9:14 to 9:18**
 - client preparation, **9:15, 9:16**
 - written instructions for witness, **9:17, 9:18**
- Examinations, physical or mental, **9:10, 9:11**
- Experts role in discovery stage, **9:11, 11:8**
- Foreign states. Out-of-state discovery, below
- Formal discovery, **9:8 to 9:13**
- Genealogical information, **9:7**
- Government documents, **9:6**
- Informal discovery, **9:3 to 9:7**
- Interrogatories, **9:8**
- Library, **9:5**
- Mental examinations, **9:10, 9:11**
- Motion for psychiatric and psychological evaluation, **9:11**
- Motions
 - in limine motion, **9:25, 9:26**
 - psychiatric and psychological evaluation, **9:11**
 - sanctions for noncompliance, **9:21**
- Notice
 - motion in limine, **9:26**
 - pretrial conference, **9:23, 9:24**
- Out-of-state discovery
 - registration of out-of-state decrees, **9:28**

DISCOVERY—Cont'd

- Out-of-state discovery—Cont'd
 - Uniform Child Custody Jurisdiction and Enforcement Act, **9:27**
- Physical examinations, **9:10**
- Pleadings, **9:4**
- Pretrial conference, **9:22 to 9:24**
- Privileges, **9:19**
- Production of documents, **9:9**
- Psychiatric and psychological evaluation, **9:11**
- Registration of out-of-state decrees, **9:28**
- Sanctions for noncompliance, **9:20, 9:21**
- Types of informal discovery, generally, **9:3**
- Uniform Child Custody Jurisdiction and Enforcement Act, **9:27**
- Witnesses, **9:17, 9:18**

DISMISSALS

- Appeal, motion to dismiss, **14:18**
- Modifications, notice of motion to dismiss based on lack of jurisdiction, **17:10**

DOCKETING STATEMENT

- Appeals, **14:13**

DOMESTIC PARTNERS

- Visitation rights for third parties, **7:15**

DOMESTIC VIOLENCE

- Joint custody, contraindications for, **5:14**

DRAFTING VISITATION SCHEDULES

- Visitation and Access (this index)

DRAWING EXERCISES

- Psychological testing, **11:12**

DRUG ABUSE

- Modification of custody and visitation, **17:21**

EDUCATING THE CLIENT

- Attorney-client relationship, **2:7**

EDUCATION PROGRAMS FOR PARENTS

- Historical perspective, **1:14**

EMERGENCY JURISDICTION

- Temporary, **3:11**

EMOTIONAL HARM

- Visitation and access, **6:18**

EMPLOYMENT

- Best interests of child, **4:29, 4:30**

ENFORCEMENT

- Generally, **15:1 to 15:30**
- Abduction of child
 - domestic child snatching, below
 - Hague Convention on the Civil Aspects of International Child Abduction** (this index)
 - International Child Abduction Remedies Act, **App. 15A**
 - Uniform Child Abduction Prevention Act, **15:18, App. 15C**
- Bond, contempt, **15:9**
- Civil contempt, **15:4**
- Contempt, **15:2 to 15:13**
- Criminal actions for interference with parental custody, **15:19**
- Criminal contempt, **15:5**
- Defenses to contempt, **15:6**
- Domestic child snatching
 - generally, **15:17 to 15:22**
 - criminal actions for interference with parental custody, **15:19**
 - ethical problems for attorneys, **15:22**
 - locating snatched child, **15:21**

INDEX

ENFORCEMENT—Cont'd

Domestic child snatching—Cont'd
tort actions, **15:20**
Uniform Child Abduction
Prevention Act, **15:18**,
App. 15C
Ethical problems for attorneys,
15:22
Fines, contempt, **15:8**
Full faith and credit, **15:15**
Habeas corpus, **15:16**
**Hague Convention on the Civil
Aspects of International
Child Abduction** (this index)
Incarceration, contempt, **15:7**
Injunctive relief, contempt, **15:12**
International enforcement
generally, **15:23 to 15:30**
**Hague Convention on the
Civil Aspects of
International Child
Abduction** (this index)
International Child Abduction
Remedies Act, **App. 15A**
Interrelationship of visitation and
support, contempt, **15:11**
Interstate enforcement, **15:14 to
15:16**
Jurisdiction, **3:7, 3:31, 15:14**
Kidnapping. Abduction of child,
above
Locating snatched child, **15:21**
Modification of custody,
contempt, **15:10**
Money damages, contempt, **15:13**
Parenting time, motion to enforce
visitation, **6:27**
Pretrial, temporary orders, **8:16**
Procedure, contempt, **15:3**
Remedies for contempt, **15:7 to
15:13**
Third parties, visitation rights for,
7:30
Tort actions, **15:20**

ENFORCEMENT—Cont'd

Uniform Child Abduction Preven-
tion Act, **15:18, App. 15C**
Uniform Child Custody Jurisdic-
tion and Enforcement Act,
3:7, 9:27, 15:14

ETHICAL CONSIDERATIONS

Alternative dispute resolution,
lawyer as mediator, **16:10**
Attorney-client relationship, gen-
erally, **2:15 to 2:24**
Confidentiality, **2:19**
Domestic child snatching and ethi-
cal problems for attorneys,
15:22
Frivolous actions, **2:20**
Improper conduct, **2:18**
Malpractice, **2:22**
Neglect of case, **2:17**
Other party, dealings with, **2:16**
Sex with clients, **2:21**
Termination of relationship, **2:24**
Unbundling of legal services, **2:23**

EVIDENCE

Jurisdiction, initial assumption of
jurisdiction, **3:9**
Presumptions (this index)
Trial, generally, **13:11, 13:12**
Visitation rights for third parties,
7:24

EX PARTE ORDERS

Pretrial strategies and temporary
orders, **8:4, 8:5**

EXPENSES

Contracting for services of
attorney, **2:11**
Experts, child custody evaluations,
11:24
Representation of minor child,
12:19

EXPERTS

Generally, **11:1 to 11:25**
Checklists, **11:3**

EXPERTS—Cont'd

- Clinical interview, **11:9**
- Cognitive function tests, **11:13**
- Cross-examination, **11:20 to 11:22**
- Defining the expert's role, **11:7**
- Diagnostic and Statistical Manual of Mental Disorders, **11:15**
- Direct examination, **11:19**
- Discovery, **11:8**
- Expenses, paying expert, **11:24**
- Fees, paying expert, **11:24**
- Finding an expert, **11:5**
- Immunity, **11:25**
- Intelligence tests, **11:13**
- Paying expert, **11:24**
- Personality tests, **11:12**
- Preparing for trial, **11:17**
- Privilege, **11:23**
- Psychological testing, generally, **11:10 to 11:14**
- Qualifying the expert, **11:18**
- Relationships within family, **11:14**
- Report of expert, **11:16**
- Role of expert, defining, **11:7**
- Selecting the expert, **11:6**
- Trial, preparing for, **11:22**
- Types of experts, **11:2**
- Types of psychological tests, **11:11 to 11:14**

EXTENSION OF TIME

- Appeals, motions, **14:18**

EXTRADITION

- Jurisdiction, **3:30**

FAMILY COURTS

- Historical perspective, **1:13**

FEES

- Costs and Fees** (this index)

FINAL HEARING

- Preparations, **8:19**

FINES

- Contempt, remedies for, **15:8**

FOREIGN STATE OR COUNTRY

- Discovery** (this index)
- Enforcement, international.
 - Enforcement** (this index)
- Jurisdiction, decrees of foreign countries, **3:29**

FOSTER PARENTS

- Visitation rights for third parties, **7:18**

FRIVOLOUS ACTIONS

- Attorney-client relationship, **2:20**

FULL FAITH AND CREDIT

- Enforcement, **15:15**

GENEALOGICAL INFORMATION

- Discovery, **9:7**

GOVERNMENT DOCUMENTS

- Discovery, **9:6**

GRANDPARENTS

- Visitation Rights for Third Parties** (this index)

GUARDIAN AD LITEM

- Representation of Minor Child** (this index)

HABEAS CORPUS

- Enforcement, **15:16**

HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

- Generally, **15:24 to 15:30, App. 15B**
- Costs and fees, **15:29**
- Defenses to return of child, **15:30**
- Definitions, **15:25**
- Hague Abduction Convention, **15:26**
- Jurisdiction, **3:6**
- Time periods, **15:27**

INDEX

HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION—Cont'd

United States Central Authority,
15:28

HALSTEAD-REITAN NEUROPSYCHOLOGICAL BATTERY

Psychological testing, **11:13**

HANDOUTS FOR CLIENT

Attorney-client relationship, **2:12
to 2:14**

HARMLESS ERROR

Generally, **14:32**

HEALTH ISSUES

Best interests of child, generally,
4:20 to 4:22

Child's health, generally, **4:20,
17:20**

Modification of custody and
visitation, **17:19, 17:20**

Parent's health, generally, **4:21,
4:22, 6:20, 17:19**

Visitation and access, **6:20**

HEARINGS

Final hearing, preparing for, **8:19**

Modification of custody and
visitation, **17:12**

Temporary hearing. **Pretrial
Strategies and Temporary
Orders** (this index)

HISTORICAL PERSPECTIVE

Generally, **1:1 to 1:16**

Agreement of parents, **1:4**

Alternative dispute resolution,
1:12

Best interests test, **1:7**

Biological father's rights, **1:3**

Changing nature of child custody
disputes, **1:10 to 1:16**

Children's rights, **1:11**

HISTORICAL PERSPECTIVE

—Cont'd

Collaborative law, **1:15**

Evolution of law, **1:2 to 1:7**

Family courts, **1:13**

Joint custody, **1:8**

Parental preference, **1:2**

Parent education programs, **1:14**

Presumptions

current presumptions, **1:8, 1:9**

for father, **1:5**

joint custody, **1:8**

legitimacy, **1:3**

primary caretaker, **1:9**

shared parenting, **1:8**

Primary caretaker, **1:9**

Representation of minor child,
12:3

Shared parenting, **1:8**

Tender years doctrine, **1:6**

Terminology, **1:10**

Therapeutic jurisprudence, **1:16**

HOLIDAYS

Visitation and access, **6:14**

HOME STATE

Jurisdiction, **3:8**

HOMOSEXUALITY

Best interests of child, determina-
tion of, **4:26**

ICWA (INDIAN CHILD WELFARE ACT OF 1978)

Jurisdiction, **3:5, App. 3B**

ILLEGITIMATE CHILDREN

Presumption of legitimacy, **1:3**

Visitation rights for third parties,
7:8

IMMUNITY

Court ordered investigations,
10:17

Experts, child custody evaluations,
11:25

IMMUNITY—Cont'd

Representation of minor child,
guardian ad litem, **12:11**

INCARCERATION

Contempt, remedies for, **15:7**
Visitation and access, **6:22**

**INDIAN CHILD WELFARE ACT
OF 1978 (ICWA)**

Jurisdiction, **3:5, App. 3B**

INJUNCTIVE RELIEF

Enforcement, contempt, **15:12**

IN LIMINE

Discovery, motions, **9:25, 9:26**

INTELLIGENCE TESTS

Experts, psychological testing,
11:13

**INTERFERENCE WITH
VISITATION**

Generally, **6:26, 6:27**

INTERLOCUTORY ORDERS

Pretrial strategies and temporary
orders, **8:5**

**INTERNATIONAL CHILD
ABDUCTION**

**Hague Convention on the Civil
Aspects of International
Child Abduction** (this index)

International Child Abduction
Remedies Act, **App. 15A**

INTERROGATORIES

Generally, **9:8**

INTERVIEWS

Attorney-Client Relationship
(this index)

Court Ordered Investigations
(this index)

Experts, clinical interview, **11:9**
Visitation rights for third parties,
interview with nonparent, **7:3**

INVESTIGATIONS

Court Ordered Investigations
(this index)

JOINT CUSTODY

Generally, **5:1 to 5:19**

Agreed upon joint custody, **5:5,**
5:16

Authority for joint custody
agreed upon joint custody, **5:5**
optional joint custody, **5:6**
presumption favoring joint
custody, **5:7**

Checklist, criteria for awarding
joint custody, **5:11**

Contraindications for joint
custody, **5:13, 5:14**

Court-developed criteria for
awarding joint custody, **5:9**

Criteria for awarding joint custody
checklist, **5:11**

court-developed criteria, **5:9**

parenting plans, **5:10**

statutory criteria, **5:8 to 5:11**

Defining joint custody
generally, **5:2**

legal custody, **5:3**

physical custody, **5:4**

Domestic violence, **5:14**

Historical perspective, **1:8**

Mobility, restrictions on parental
mobility, **5:15**

**Modification of Custody and
Visitation** (this index)

Optional joint custody, **5:6**

Parenting plans, **5:10**

Presumptions, **1:8, 5:7**

Reasons for modification, **5:19,**
17:38

Restrictions on parental mobility,
5:15

Sample shared custody agreement,
5:16

Standard for modification, **5:18**

INDEX

JOINT CUSTODY—Cont'd

Types of joint physical custody,
5:12

JURISDICTION

Generally, **3:1 to 3:32**

Affidavits

Notice to Tribe, **App. 3C**

sample affidavit, pleadings,
3:17

Agreement of parties as to jurisdiction, **3:27**

Appeal of jurisdictional decision,
3:32

Certified copy of custody decrees,
3:28

Checklist, **3:2**

Child custody registration, **3:28**

Continuing jurisdiction of initial
decree state, **3:19**

Declining to exercise jurisdiction
generally, **3:12 to 3:15**

inconvenient forum, **3:15**

simultaneous proceedings, **3:13**

unjustifiable conduct, **3:14**

Emergency jurisdiction,
temporary, **3:11**

Enforcement of custody and
visitation, **3:7, 3:31, 15:14**

Extradition, **3:30**

Foreign country decrees, **3:29**

Hague Convention on the Civil
Aspects of International
Child Abduction, **3:6**

Home state, **3:8**

Inconvenient forum, **3:15**

Indian Child Welfare Act of 1978,
3:5, App. 3B

Initial assumption of jurisdiction
generally, **3:7 to 3:10**

home state, **3:8**

no other state has jurisdiction,
3:10

significant connections and
substantial evidence, **3:9**

JURISDICTION—Cont'd

Initial assumption of jurisdiction
—Cont'd

UCCJEA, **3:7**

Modifications

generally, **17:8**

assumption of jurisdiction, **3:25**

declining jurisdiction, **3:22,**
17:9

decree state, **3:21 to 3:23**

effect of PKPA, generally, **3:20**

lack of jurisdiction, **3:24, 17:10**

loss of jurisdiction, **3:23**

movement of all parties from
state, **3:26**

petitioned court, **3:24, 3:25**

retention of continuing
exclusive jurisdiction, **3:21**

Notice

Affidavit of Notice to Tribe,
App. 3C

requirements, **3:18**

Parental Kidnapping Prevention
Act of 1980, generally, **3:4,**
3:20, App. 3A

Pleadings, **3:16, 3:17**

Sample affidavit, pleadings, **3:17**

Significant connections and
substantial evidence, **3:9**

Simultaneous proceedings, **3:13**

Uniform Child Custody Jurisdic-
tion Act, **3:3**

Uniform Child Custody Jurisdic-
tion and Enforcement Act,
3:7, 9:27, 15:14

Unjustifiable conduct, **3:14**

KIDNAPPING

Abduction of Child (this index)

LIBRARY

Discovery, **9:5**

MALPRACTICE

Attorney-client relationship, **2:22**

CHILD CUSTODY PRACTICE AND PROCEDURE

MATURITY OF CHILD

Preference of child, presumptions, **4:12**

MEDIATION

Alternative Dispute Resolution
(this index)

MENTAL EXAMINATIONS

Discovery, **9:10, 9:11**

**Psychiatric and Psychological
Evaluation and Testing** (this
index)

MILLON CLINICAL

MULTIAXIAL INVENTORY

Psychological testing, **11:12**

MINNESOTA MULTIPHASIC PERSONALITY INVENTORY

Psychological testing, **11:12**

MOBILITY

Joint custody, restrictions on
parental mobility, **5:15**

Relocation (this index)

Travel Restrictions (this index)

MODEL STANDARDS OF PRACTICE FOR FAMILY AND DIVORCE MEDIATION

Alternative dispute resolution,
App. 16B

MODIFICATION OF CUSTODY AND VISITATION

Generally, **17:1 to 17:38**

Abuse of child, **17:24**

Age of parent, **17:19**

Alternative visitation opportuni-
ties, **17:34**

Appeal, modification of custody
pending appeal, **14:17**

Best interests of child, **17:6**

Child abuse, **17:24**

Child's preference, **17:15**

MODIFICATION OF CUSTODY AND VISITATION—Cont'd

Contempt, remedies for, **15:10**

Costs and fees, **17:13**

Disruption of parent-child rela-
tionship, **17:25**

Exceptions for decrees by default
or agreement, **17:5**

Factors influencing modification
of existing order

generally, **17:14 to 17:25**

age of parent, **17:19**

child abuse, **17:24**

child's preference, **17:15**

disruption of parent-child rela-
tionship, **17:25**

health of child, **17:20**

health of parent, **17:19**

morality of parent, **17:17**

religious conflict, **17:23**

remarriage of parent, **17:16**

sexuality, **17:18**

siblings, separation of, **17:22**

stability for child, **17:14**

substance abuse, **17:21**

Filing motion to modify, **17:7**

Health of child, **17:20**

Health of parent, **17:19**

Hearing, **17:12**

Joint custody

generally, **5:17 to 5:19**

reasons for modification, **5:19,**
17:38

relocation cases, **17:35**

standards for modification,
5:18, 17:37

Jurisdiction (this index)

Lawyer's role, **17:2**

Material change of circumstance,
17:4

Morality of parent, **17:17**

Motion to dismiss based on lack of
jurisdiction, notice of, **17:10**

Motion to modify, **17:7**

Notice requirements, **17:11**

INDEX

MODIFICATION OF CUSTODY AND VISITATION—Cont'd

Pretrial, temporary orders, **8:17, 8:18**

Procedure

generally, **17:7 to 17:13**

costs and fees, **17:13**

declining jurisdiction, **17:9**

filing motion to modify, **17:7**

hearing, **17:12**

jurisdiction to modify, **17:8 to 17:10**

motion to dismiss based on lack of jurisdiction, notice of, **17:10**

notice requirements, **17:11**

Religious conflict, **17:23**

Relocation cases

generally, **17:26 to 17:36**

alternative visitation opportunities, **17:34**

contemplated move as change in circumstances, **17:28**

factors affecting decision to allow relocation, generally, **17:29 to 17:34**

joint custody, **17:35**

motives for move, **17:32**

motives for resisting move, **17:33**

quality of life, **17:31**

schedule for long distance visitation, **17:36**

stability, **17:30**

standards, **App. 17A**

travel restrictions, **17:27**

Remarriage of parent, **17:16**

Sample schedule for long distance visitation, **17:36**

Schedule for long distance visitation, **17:36**

Sexuality, **17:18**

Siblings, separation of, **17:22**

Stability for child, **17:14**

MODIFICATION OF CUSTODY AND VISITATION—Cont'd

Standards for modification

generally, **17:3 to 17:6**

best interests of child, **17:6**

exceptions for decrees by default or agreement, **17:5**

material change of circumstance, **17:4**

Uniform Marriage and Divorce Act, **17:3**

Substance abuse, **17:21**

Third parties, visitation rights for, **7:31**

Travel restrictions, **17:27**

Uniform Marriage and Divorce Act, **17:3**

MONEY DAMAGES

Enforcement, contempt, **15:13**

MOOTNESS

Appeals, **14:34**

MORALITY ISSUES

Best Interests of Child (this index)

Modifications, morality of parent, **17:17**

MOTIONS

Discovery (this index)

Dismissal motion based on lack of jurisdiction, notice of, **17:10**

Enforcement of visitation, **6:27**

Ex parte interlocutory orders, **8:5**

Extension of time or to dismiss, appeals, **14:18**

In limine motion, **9:25, 9:26**

Modification of custody and visitation, **8:17, 17:7**

New trial, **13:18**

Pretrial Strategies and Temporary Orders (this index)

Psychiatric and psychological evaluation, discovery, **9:11**

CHILD CUSTODY PRACTICE AND PROCEDURE

MOTIONS—Cont'd

Reconsideration, **13:17**
Temporary custody, **8:7, 8:8**

NAMING CHILD

Parent's right to name child, **6:3**

NEGLECT OF CASE

Attorney-client relationship, **2:17**

NEGOTIATION

Alternative dispute resolution,
16:2

NEW TRIAL

Motion, **13:18**

NONPARENTS

Visitation Rights for Third Parties (this index)

NOTICE

Appeals (this index)
Discovery (this index)
Jurisdiction (this index)
Modification of custody and visitation, **17:10, 17:11**
Pretrial strategies and temporary orders, **8:6**

OBJECTIONS TO EVIDENCE

Generally, **13:12, 14:6**

OPENING STATEMENT

Trial, **13:7**

OPTIONAL JOINT CUSTODY

Generally, **5:6**

ORAL ARGUMENT

Appeals, **14:27**

OUT-OF STATE

Foreign State or Country (this index)

OUT-OF-WEDLOCK CHILD

illegitimate children (this index)

OVERNIGHT VISITATION

Defining reasonable visitation,
6:10

PARENTAL KIDNAPPING PREVENTION ACT OF 1980

Jurisdiction, **3:4, 3:20 et seq.,
App. 3A**

PARENTAL PREFERENCE

Historical perspective, **1:2**
Presumptions concerning best interests of child, **4:6**

PARENT EDUCATION PROGRAMS

Historical perspective, **1:14**

PARENTING PLANS

Joint custody, **5:10**

PARENTING STRESS INDEX

Psychological testing, **11:14**

PARENTING TIME

Visitation and Access (this index)

PERSONALITY TESTS

Experts, psychological testing,
11:12

PHYSICAL EXAMINATIONS

Discovery, **9:10**

PLEADINGS

Discovery, **9:4**
Jurisdiction, **3:16, 3:17**
Pretrial strategies and temporary orders, **8:6 to 8:8**

PRESUMPTIONS

Best Interests of Child (this index)

Historical Perspective (this index)

Joint custody, **1:8, 5:7**

Shared parenting, **1:8, 5:7**

INDEX

PRETRIAL STRATEGIES AND TEMPORARY ORDERS

Generally, **8:1 to 8:19**
Affidavit in support of petition or
motion for temporary
custody, **8:8**
Appeal of temporary orders, **8:14**
Automatic temporary orders, **8:3**
Basis for granting temporary
custody, **8:10**
Conditions on temporary custody,
8:11
Enforcement of temporary orders,
8:16
Ex parte orders, **8:4, 8:5**
Final hearing, preparing for, **8:19**
Importance of temporary custody,
8:2
Interlocutory orders, **8:5**
Modifications of temporary order,
8:17, 8:18
Motions
ex parte interlocutory orders,
8:5
modification of temporary
order, **8:17**
temporary custody, generally,
8:7, 8:8
Notice, **8:8**
Petition for temporary custody,
8:7, 8:8
Pleadings, **8:6 to 8:8**
Post-temporary hearing
considerations
generally, **8:14 to 8:19**
appeal of temporary order, **8:14**
enforcement of temporary
order, **8:16**
final hearing, preparing for,
8:19
modification of temporary
order, **8:17, 8:18**
stay of temporary order, **8:15**
Representation of minor child,
12:17

PRETRIAL STRATEGIES AND TEMPORARY ORDERS

—Cont'd
Stay of temporary order, **8:15**
Support, temporary order for, **8:13**
Temporary hearing
generally, **8:9 to 8:13**
basis for granting temporary
custody, **8:10**
conditions on temporary
custody, **8:11**
temporary child custody and
support order, generally,
8:13
temporary restraining order,
8:12
Temporary restraining order, **8:12**

PRISONS AND PRISONERS

Incarceration (this index)

PRIVILEGE

Discovery, **9:19**
Experts, child custody evaluations,
11:23

PROCEDURE

Appeals (this index)
Court ordered investigations, **10:3**
to **10:5**
Enforcement, contempt, **15:3**
Modification of Custody and
Visitation (this index)
Visitation rights for third parties,
7:5

PRODUCTION OF DOCUMENTS

Generally, **9:9**

PSYCHIATRIC AND PSYCHOLOGICAL EVALUATION AND TESTING

Discovery, **9:11, 11:8**
Experts, use of, generally, **11:10 to**
11:14
Types of tests, **11:11 to 11:14**

CHILD CUSTODY PRACTICE AND PROCEDURE

QUALIFYING THE EXPERT

Child custody evaluations, **11:18**

RACE

Best interests of child, **4:31**

RECONSIDERATION

Trial, motions, **13:17**

RELIGION

Best interests of child, **4:28**

Modification of custody and visitation, **17:23**

Visitation and access, **6:21, 17:23**

RELOCATION

Best interests of child, **App. 4B**

Modification of Custody and Visitation (this index)

REMARRIAGE OF PARENT

Modification of custody and visitation, **17:16**

REMEDIES FOR CONTEMPT

Enforcement, **15:7 to 15:13**

REPORTS

Court ordered investigations, **10:10 to 10:17**

Expert's report, **11:16**

Guardian ad litem, representation of minor child, **12:9**

REPRESENTATION OF MINOR CHILD

Generally, **12:1 to 12:20**

American Bar Association Family Law Section Standards of Practice for Lawyers Representing Children in Custody Cases, **App. 12A**

Attorney for child, generally, **12:1, 12:13 to 12:16**

Best interests of child, **12:8**

Checklist, **12:2**

Child's preference, **12:8**

Costs, **12:19**

REPRESENTATION OF MINOR

CHILD—Cont'd

Court appointed special advocates (CASAs), **12:5, 12:6**

Expenses, **12:19**

Guardian ad litem, generally, **12:1, 12:7 to 12:12**

Historical perspective, **12:3**

Immunity, guardian ad litem, **12:11**

Obtaining information, **2:8**

Pretrial, **12:17**

Report, **12:9**

Statutory authority, **12:4**

Terminating the relationship, **12:20**

Trial, **12:18**

REQUEST FOR FINDINGS

Trial, **13:19**

RESTRICTIONS ON VISITATION

Visitation and Access (this index)

RORSCHACH TEST

Psychological testing, **11:12**

SAME-SEX RELATIONSHIPS

Homosexuality (this index)

SAMPLE DOCUMENTS AND PAPERS

Alternative dispute resolution, mediation agreement, **16:17**

Attorney-Client Relationship (this index)

Joint custody, shared custody agreement, **5:16**

Jurisdiction (this index)

Mediation agreement, **16:17**

Modification of custody and visitation, schedule for long distance visitation, **17:36**

Shared custody agreement, **5:16**

Third parties' visitation rights.

Visitation Rights for Third

INDEX

SAMPLE DOCUMENTS AND PAPERS—Cont'd
Parties (this index)
Visitation and Access (this index)

SAMPLE QUESTIONS
Trial, direct examination, **13:10**

SANCTIONS
Contempt, **15:2 to 15:13**
Discovery, sanctions for noncompliance, **9:20, 9:21**

SENTENCE COMPLETION TEST
Psychological testing, **11:12**

SERVICE OF NOTICE OF APPEAL
Generally, **14:12**

SETTLEMENT
Alternative dispute resolution, **16:19**
Trial, last attempt to settle, **13:3**

SEXUAL CONDUCT OF PARENT
Best interests of child, consideration of morality issues, **4:24 to 4:26**
Homosexuality (this index)
Visitation, restrictions on, **6:16**

SEXUALITY
Modification of custody and visitation, **17:18**

SEX WITH CLIENTS
Attorney-client relationship, **2:21**

SHARED CUSTODY OR SHARED PARENTING
Joint Custody (this index)

SIBLINGS
Best interests of child, **4:32**
Visitation and Access (this index)

16 PERSONALITY FACTOR QUESTIONNAIRE
Psychological testing, **11:12**

SPERM DONORS
Visitation rights for third parties, **7:16**

STANDING TO APPEAL
Generally, **14:4**

STANFORD-BINET TEST
Psychological testing, **11:13**

STAY OF JUDGMENT
Appeals, **14:15, 14:16**

STAY OF TEMPORARY ORDER
Pretrial strategies, **8:15**

STEPPARENTS
Visitation rights for third parties, **7:10, 7:12 to 7:14**

STRUCTURED PARENTING TIME
Generally, **6:9, 6:13**

SUBSTANCE ABUSE
Modification of custody and visitation, **17:21**

SUBSTANTIAL RELATIONSHIP TEST
Visitation rights for third parties, **7:22**

SUPPORT
Temporary child custody and support order, **8:13**
Visitation, interrelationship of support and, **6:28, 6:29, 15:11**

SURROGATE PARENTS
Visitation rights for third parties, **7:17**

**SUSPENSION OF PARENTING
TIME**

Problems with parenting time,
6:24

TEMPORARY HEARING

**Pretrial Strategies and
Temporary Orders** (this
index)

TEMPORARY JURISDICTION

Emergency jurisdiction, **3:11**

TEMPORARY ORDERS

**Pretrial Strategies and
Temporary Orders** (this
index)

TENDER YEARS DOCTRINE

Best interests of child, **4:5**
Historical perspective, **1:6**

**TERMINATION OF
RELATIONSHIP**

Attorney-client relationship, **2:24**

**THEMATIC APPREHENSION
TEST**

Psychological testing, **11:12**

**THERAPEUTIC
JURISPRUDENCE**

Historical perspective, **1:16**

THIRD PARTIES

**Visitation Rights for Third Par-
ties** (this index)

TORT ACTIONS

Enforcement, **15:20**

TRAINING

Alternative dispute resolution,
16:12

TRAVEL RESTRICTIONS

Best interests of child, **4:35**
Modification of custody and
visitation, **17:27**

TRIAL

Generally, **13:1 to 13:19**

Attorney's fees, **13:15**

Checklists, **13:5**

Closing arguments, **13:14**

Cross-Examination (this index)

Direct Examination (this index)

Electronic notebook, **13:6**

Evidence (this index)

Experts, child custody evaluations,
11:17

Folder, **13:6**

Manual, **13:6**

New trial motion, **13:18**

Objections to evidence, **13:12,**
14:6

Opening statement, **13:7**

Philosophy of judge, **13:2**

Posttrial motions, **13:16 to 13:19**

Preparing client, **13:4**

**Pretrial Strategies and
Temporary Orders** (this
index)

Reconsideration, motion for,
13:17

Representation of minor child,
12:18

Request for findings, **13:19**

Sample questions, direct examina-
tion, **13:10**

Settlement, **13:3**

Witnesses, generally, **13:8**

**UNBUNDLING OF LEGAL
SERVICES**

Attorney-client relationship, **2:23**

UNCLEAN HANDS

Appeals, **14:9**

**UNIFORM CHILD ABDUCTION
PREVENTION ACT**

Generally, **15:18, App. 15C**

**UNIFORM CHILD CUSTODY
JURISDICTION ACT**

Generally, **3:3**

INDEX

UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT

Generally, **3:7, 9:27, 15:14**

UNIFORM MARRIAGE AND DIVORCE ACT

Best interests of child, **4:2**

Modification of custody and
visitation, **17:3**

UNIFORM NONPARENT CUSTODY AND VISITATION ACT

Generally, **7:27**

Visitation rights of third parties,
7:19

UNJUSTIFIABLE CONDUCT

Jurisdiction, **3:14**

VISITATION AND ACCESS

Generally, **6:1 to 6:29**

Abuse, **6:17, 17:24**

Age appropriate parenting time,
6:11

Bond, visitation bond, **6:25**

Checklists

drafting visitation schedules,
6:12

third parties, visitation rights
for, **7:4**

Defining reasonable parenting
time, **6:7 to 6:10**

Drafting visitation schedules
generally, **6:11 to 6:14**

age appropriate parenting time,
6:11

checklist, **6:12**

sample holiday visitation sched-
ule, **6:14**

sample structured parenting
plan, **6:13**

Emotional harm, **6:18**

Enforcement (this index)

VISITATION AND ACCESS

—Cont'd

Grandparents. **Visitation Rights
for Third Parties** (this
index)

Guidelines for parents, **6:6**

Health of parent, **6:20**

Holiday visitation schedule, **6:14**

Incarcerated parent, **6:22**

Interference with visitation, **6:26,
6:27**

Joint Custody (this index)

**Modification of Custody and
Visitation** (this index)

Motion to enforce visitation, **6:27**

Naming child, parent's right to,
6:3

Nonresidential parent's right to
parenting time, generally, **6:1
to 6:29**

Overnight visitation, defining rea-
sonable visitation, **6:10**

Preference of child, **6:19**

Problems with

generally, **6:24 to 6:29**

bond, **6:25**

enforcement, motion to enforce
visitation, **6:27**

interference with visitation,
6:26, 6:27

motion to enforce visitation,
6:27

support, interrelationship of
visitation and, **6:28, 6:29**

suspension of parenting time,
6:24

Reasonable parenting time, defin-
ing, **6:7 to 6:10**

Religion, **6:21, 17:23**

Restrictions on visitation

generally, **6:15 to 6:23**

abuse, **6:17**

child's preference, **6:19**

emotional harm, **6:18**

health of parent, **6:20**

VISITATION AND ACCESS

—Cont'd

Restrictions on visitation—Cont'd
 incarcerated parent, **6:22**
 religious disputes, **6:21**
 removing restrictions, **6:23**
 sexual conduct of parent, **6:16**

Rights of parent and child
 child's right to access, **6:5**
 guidelines for parents, **6:6**
 naming child, parent's right to,
6:3
 parent's right to access, **6:2**
 putative father's right to access,
6:4

Samples

holiday visitation schedule,
6:14
 reasonable parenting time
 clause, **6:8**
 structured parenting plan, **6:13**

Sexual conduct of parent, **6:16**

Siblings

modification of custody and
 visitation, separation of
 siblings, **17:22**
 third parties, visitation rights for
 siblings, **7:19**

Stepparents, **7:10, 7:12 to 7:14**

Structured parenting plan or time,
6:9, 6:13

Support, interrelationship of
 visitation and, **6:28, 6:29,**
15:11

Suspension of parenting time,
6:24

Third parties. **Visitation Rights
 for Third Parties** (this
 index)

**VISITATION RIGHTS FOR
 THIRD PARTIES**

Generally, **7:1 to 7:31, App. 7B**
 ABA Family Law Section Model
 Act, **7:21**

VISITATION RIGHTS FOR

THIRD PARTIES—Cont'd

Adoption

nonrelative, grandparents' rights
 after adoption by, **7:9**
 stepparent, grandparents' rights
 after adoption by, **7:10**

“Any other person,” **7:19**

Best interests test, **7:20**

Checklist, **7:4**

Domestic partners, **7:15**

Drafting considerations, **7:25 to**
7:31

Enforcement, **7:30**

Evidence, **7:24**

Foster parents, **7:18**

Grandparents

generally, **7:6 to 7:11, App. 7A**
 adoption, above
 authority, **7:7**
 intact family, **7:11**
 out-of-wedlock child, **7:8**

Hostility, effect of, **7:23**

Intact family, **7:11**

Interview with nonparent, **7:3**

Mediation, **7:26**

Modifications, **7:31**

Order, sample, **7:29**

Out-of-wedlock child, **7:8**

Parental autonomy, **7:2**

Petition, sample, **7:28**

Procedure, **7:5**

Sample documents and papers
 order, **7:29**

petition, **7:28**

Siblings, **7:19**

Sperm donors, **7:16**

Standards for awarding

ABA Family Law Section
 Model Act, **7:21**

best interests test, **7:20**

evidence, **7:24**

hostility, effect of, **7:23**

INDEX

**VISITATION RIGHTS FOR
THIRD PARTIES—Cont'd**

Standards for awarding—Cont'd
substantial relationship test,
7:22

Stepparents, **7:10, 7:12 to 7:14**
Substantial relationship test, **7:22**
Surrogate parents, **7:17**
Uniform Nonparent Custody and
Visitation Act, **7:19, 7:27**

**WAIVER OF RIGHT TO
APPEAL**

Appeals (this index)

**WARSHAK PARENT
QUESTIONNAIRE**

Psychological testing, **11:14**

**WESHLER INTELLIGENCE
SCALE FOR CHILDREN**

Psychological testing, **11:13**

WITNESSES

Discovery, **9:17, 9:18**

Trial (this index)