

Index

ABA FAMILY LAW SECTION MODEL THIRD PARTY CUSTODY AND VISITATION ACT

Generally, **7:21**

ABA STANDARDS

Civility standards for family
lawyers, attorney-client rela-
tionship, **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.**

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**
Agreement, mediation, **16:16, 16:17, 16:19**
Arbitration, **16:5, 16:21**
Attorney-client relationship, representation of client in mediation, **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**
 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**
 role of lawyer for parent, **16:9**
 role of mediator, **16:8**
 settlement agreement, **16:19**
 termination, **16:18**
 time frame, **16:14**
 training, **16:12**
 visitation rights for third parties, **7:26**
Models, **16:15**
Negotiation, **16:2**
Sample mediation agreement, **16:17**
Settlement agreement, **16:19**
Termination, **16:18**
Time frame, **16:14**
Training, **16:12**

**ALTERNATIVE DISPUTE
RESOLUTION—Cont'd**

Types of alternative dispute resolution, 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**
 table of authorities, **14:22**
 table of contents, **14:21**
Applying erroneous rule of law, **14:31**
Arguments and authority, **14:26**
Attorney's fees and costs, **14:35**
Brief. Appellate brief, above
Contemporaneous objection, **14:6**
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**

INDEX

APPEALS—Cont'd

- 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**
 - 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**
 - attorney's fees and costs, **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**

APPEALS—Cont'd

- Standard for review—Cont'd
 - 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 resolution, **16:5, 16:21**

ATTORNEY-CLIENT RELATIONSHIP

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

ATTORNEY-CLIENT

RELATIONSHIP—Cont'd

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 determina-
 tion, **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**
 Friendly parent, **4:32**
 Guardian ad litem, **12:8**
 Health Issues (this index)
 Historical perspective, best
 interests test, **1:7**
 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 suf-
 ficient age and maturity,
 4:12
 agreement of parents, **4:7**

INDEX

BEST INTERESTS OF CHILD

—Cont'd

Presumptions—Cont'd

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**

Sexual conduct, **4:24 to 4:26**

Siblings, keeping together, **4:32**

Statutory criteria, **4:3**

Tender years, **4:5**

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**

CHECKLISTS—Cont'd

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**

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

Historical perspective, **1:15**

Types of alternative dispute reso-
lution, **16:3**

CONCILIATION

Types of alternative dispute reso-
lution, **16:4**

CONDITIONS

Temporary custody, **8:11**

CHILD CUSTODY PRACTICE AND PROCEDURE

CONFIDENTIALITY

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

CONTEMPORANEOUS OBJECTION

- Appeals, **14:6**

CONTEMPT

- Enforcement, **15:2 to 15:6**

CONTRACTS OR AGREEMENTS

- Attorney-client relationship, contracting for legal services, **2:11**
- Best interests of child, agreement of parents, **4:7**
- 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, attorney's, **14:35**
- Attorneys' Fees (this index)
- Expenses (this index)
- Experts, child custody evaluations, **11:24**
- Guardian ad litem, **12:19**
- 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**
 - 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, **15:28**

DE NOVO REVIEW

- Generally, **14:33**

INDEX

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

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

DISCOVERY—Cont'd

Motions—Cont'd

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

Uniform Child Custody Juris-
diction 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, gen-
erally, 9:3

Uniform Child Custody Jurisdic-
tion 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

CHILD CUSTODY PRACTICE AND PROCEDURE

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 15:29**

Abduction of child

domestic child snatching, below
Hague Convention on the Civil
Aspects of International
Child Abduction (this
index)

Uniform Child Abduction
Prevention Act, **15:18**

Bond, contempt, **15:9**

Civil contempt, **15:4**

Contempt, **15:2 to 15:6**

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

ENFORCEMENT—Cont'd

Domestic child snatching—Cont'd
ethical problems for attorneys,
15:22

locating snatched child, **15:21**

tort actions, **15:20**

Uniform Child Abduction
Prevention Act, **15:18**

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 15:29**

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

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**

INDEX

ENFORCEMENT—Cont'd

- Uniform Child Abduction Prevention Act, **15:18**
- Uniform Child Custody Jurisdiction and Enforcement Act, **3:7, 9:27, 15:14**

ETHICAL CONSIDERATIONS

- Alternative dispute resolution, lawyer as mediator, **16:10**
- Attorney-client relationship, generally, **2:15 to 2:24**
- Confidentiality, **2:19**
- Domestic child snatching and ethical 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 15:29**
Costs and fees, **15:29**
Defenses to return of child, **15:28**
Definitions, **15:25**
Hague Abduction Convention,
15:26
Jurisdiction, **3:6**
United States Central Authority,
15:27

**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 Strate-
gies 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**
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**

INDEX

HISTORICAL PERSPECTIVE

—Cont'd

- 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, determination of, **4:26**

ICWA (INDIAN CHILD WELFARE ACT OF 1978)

- Jurisdiction, **3:5**

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**
- 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**

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)

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**

JOINT CUSTODY—Cont'd

- Authority for joint custody—Cont'd
 - 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**
- Types of joint physical custody, **5:12**

JURISDICTION

- Generally, **3:1 to 3:32**
- Affidavits
 - sample affidavit, pleadings, **3:17**

JURISDICTION—Cont'd

- 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**
- 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**
 - 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**

INDEX

JURISDICTION—Cont'd

Modifications—Cont'd

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

requirements, **3:18**

Parental Kidnapping Prevention

Act of 1980, generally, **3:4,**
3:20

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**

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)

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**

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**

**MODIFICATION OF CUSTODY
AND VISITATION—Cont'd**

Factors influencing modification
of existing order—Cont'd
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**
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**

**MODIFICATION OF CUSTODY
AND VISITATION—Cont'd**

Relocation cases—Cont'd
alternative visitation opportuni-
ties, **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**
travel restrictions, **17:27**
Remarriage of parent, **17:16**
Sample schedule for long distance
visitation, **17:36**
Schedule for long distance visita-
tion, **17:36**
Sexuality, **17:18**
Siblings, separation of, **17:22**
Stability for child, **17:14**
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**

INDEX

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**
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)

NOTICE—Cont'd

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.**

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**

**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

**PRETRIAL STRATEGIES AND
TEMPORARY ORDERS**

—Cont'd

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
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**

INDEX

PROCEDURE—Cont'd

- 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**

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

- 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**

REPORTS—Cont'd

- 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(without commentary), **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**
- 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 Parties (this index)
- Visitation and Access (this index)

SAMPLE QUESTIONS

- Trial, direct examination, **13:10**

SANCTIONS

- Contempt remedies, **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**

INDEX

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 Parties (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 examination, **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**

**UNIFORM CHILD CUSTODY
JURISDICTION ACT**

Generally, **3:3**

**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**

VISITATION AND ACCESS

—**Cont'd**

Drafting visitation schedules

—**Cont'd**

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

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

Emotional harm, **6:18**

Enforcement (this index)

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**

INDEX

VISITATION AND ACCESS

—Cont'd

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

CHILD CUSTODY PRACTICE AND PROCEDURE

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

Standards for awarding—Cont'd
evidence, **7:24**

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

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)