In 1986, when Donn Fullenweider of Houston, Texas, dreamed the dream of a Trial Advocacy Institute for matrimonial lawyers, no one had recognized that family law practitioners were really litigators. Indeed, divorce lawyers spend more time in court than any other brand of so-called “litigation lawyers.” There is not one day when someone in the field is not in court fighting over something in their client’s divorce, separation, support, custody, or adoption action.

As a result of this, the Family Law Section of the American Bar Association developed the first Trial Advocacy Institute specifically for family law practitioners. The problem, however, is that while we have many litigators, there was no written literature just for family law practitioners. There are a lot of wonderful litigation books, some of which we have made reference to in this manual. Specifically, Thomas A. Mauet and Roger Dodd, amongst others, have been helpful in formulating our ideas and our approaches. The time, however, has come to put into words what we at the Trial Advocacy Institute have known for seventeen years: Family law practitioners are trial lawyers. There are two points that can be made about family law litigators. One is that they are like other litigators. The second is that they are not. They are entitled to their own manual.

This manual comes after seventeen years of teaching fine family law lawyers to be better trial lawyers. It provides the overview for what we believe family law trial practitioners ought to know to be better at their craft.

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June 2003