

## INTRODUCTION

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FAMILY LAW has been evolving for about as long as human beings have been evolving. When people lived together in tribes without formal governments, they developed their own customs or adopted rules from their deities.

In Western culture, particularly after the Norman Conquest in 1066, regulation of marriage and divorce was placed initially in the hands of the church. As church and state grew more separate, civil courts and legislatures took over more of the regulation of family law.

Some may wish for more simple times . . . when a man and woman--without any paperwork or outside officials--could be married by exchanging promises to be husband and wife from that moment on. Divorce in certain cultures and times could be simpler too. A Pueblo woman could divorce her husband by placing his moccasins outside their doorstep; a Muslim man could divorce his wife by pronouncing the Talek ("I divorce thee; I divorce thee; I divorce thee").

As time moved on and we became more "advanced," the rules of family law became more complicated (although there are periodic legislative reforms to simplify the rules).

The goal of this book is to explain the rules.

Special attention is be given the laws of divorce, particularly the factors judges consider when deciding issues of property, alimony, child support, custody, and visitation. The book also covers other types of family law, such as the requirements of getting married, rights of persons living together, and procedures for adoption.

Family law, also known as matrimonial law or the law of domestic relations, often involves a great deal of stress. When people need information on family law, it is usually because they are going through--or considering--significant changes in their lives, such as divorce or separation. Other types of family law, including requirements for getting married and adopting a child, are associated with happier events, but have their share of stresses too.

Knowledge of the law does not eliminate all the anxieties that may accompany a legal issue, but it is a step in the right direction. Much of the tension that people feel in a legal dispute comes from not knowing what to expect or what the options are.

This book will enable you to gain a greater understanding of the rights and responsibilities of people who are married, divorced, or living together. In addition, the information may help you work with others (including your attorney) to resolve disputes and plan for the future.

As noted periodically in this book, laws vary from state to state, and courts within a state may even decide a particular issue in different ways. For specific analysis of the law in your state, you should consult an attorney within your state who is experienced in family law.