



Modern Family Law: Cases & Materials 2008 Supplement

D. Kelly Weisberg, Susan Frelich Appleton

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The **2008 Supplement to Modern Family Law** brings the third edition up to date through July 27, 2008. It includes major developments in the areas of abortion, same-sex marriage and same-sex divorce, polygamy, domestic violence, no-fault divorce reform, parentage, and assisted reproduction.

New principal cases since publication of the casebook include:

- *Gonzales v. Carhart*, the Supreme Court's decision upholding the federal "Partial Birth Abortion Ban Act"
- *In re Marriage Cases*, the California Supreme Court decision invalidating the state ban on same-sex marriage
- *Bailey v. Faulkner*, a heart-balm action against the couple's pastor
- *Gonzalez v. Green*, recognizing contracts between same-sex partners, and *Beth R. v. Donna M.*, recognizing a valid foreign same-sex marriage
- *State v. Carswell*, upholding the constitutionality of the state domestic violence statute in light of the state DOMA
- *Iowa Supreme Court Attorney Disciplinary Board v. Morrison*, a disciplinary proceeding against an attorney who became sexually involved with a divorce client
- *Richardson v. Richardson*, an unsuccessful effort to modify a separation agreement by a former husband whose wife tried to hire a "hit man" to kill him
- *Finstuen v. Crutcher*, holding that full faith and credit requires Oklahoma to recognize adoptions by same-sex couples formalized in other states even though Oklahoma prohibits such adoptions and
- *Jacob v. Shultz-Jacob*, a ruling that a child can have three legal parents

New excerpts since publication of the casebook include:

- the validity of ceremonial Islamic weddings
- an epilogue on *Loving v. Virginia*
- the testimony of Jessica Gonzales (plaintiff in *Castle Rock v. Gonzales*) before the Inter-American Commission on Human Rights
- a narrative on *Moore v. City of East Cleveland*
- child maltreatment statistics

Other additions and updates since publication of the casebook include:

- eleven new Problems
- aging in the gay and lesbian community
- the constitutionality of the death penalty for child rape
- the forfeiture-by-wrongdoing exception to *Crawford v. Washington*
- online dating fraud
- proxy marriage
- naming practices
- recent amendments to the FMLA and VAWA
- new paid family leave legislation
- firearm restrictions and domestic violence

- discrimination against same-sex couples in housing and employment
- the “Don’t Ask-Don’t Tell” policy in the military
- paternity disestablishment
- bankruptcy reform
- child support enforcement
- custody disputes between members of same-sex couples
- grandparent visitation
- representation of children in custody and abuse cases
- parental relocation
- child abduction
- home schooling
- child abuse reporting
- transracial adoption, international adoption, and open adoption
- the legal status of sperm donors
- posthumous conception
- gestational surrogacy

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