

Cutting Edge Issues in Family and Matrimonial Law: An Annotated Bibliography, 2008-2011

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This bibliography covers law review articles published, for the most part, after 2007. Articles for which the title is self-explanatory or that concern only a single case, state, or statute are cited, but not annotated. Property-related issues will appear in the fall 2011 bibliography.

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ANNOTATIONS

Adoption

Annette R. Appell, *Controlling for Kin: Ghosts in the Postmodern Family*, 25 WIS. J.L. GENDER & SOC'Y 73 (Spring 2010) (stressing the importance of connections with biological family members and urging fewer all-or-nothing models of adoption and instead allowing adoptions to proceed while preserving contacts with biological families).

Annette R. Appell, *Reflections on the Movement Toward a More Child-Centered Adoption*, 32 W. NEW ENG. L. REV. 1 (2010) (evaluating state statutes that regulate post-adoption contact and describing the psychosocial literature on the benefits and detriments of continuing contact in both newborn and foster child adoptions).

James G. Dwyer, *First Parents: Reconceptualizing Newborn Adoption*, 37 CAP. U. L. REV. 293 (2008) (arguing that newborns have a due process right to not be placed with birth parents whom the state has evidence will be unfit).

Lauren M. Fair, Comment, *Shame on U.S.: The Need for Uniform Open Adoption Records Legislation in the United States*, 48 SANTA CLARA L. REV. 1039 (2008) (noting that only five states (Alabama, Alaska, Kansas, New Hampshire and Oregon) allow adoptees unrestricted access to their adoption records and arguing that the secrecy of closed records adoption laws implies

shame and deprives adoptees of valuable personal and medical information).

Jessica R. Feinberg, *Friends as Co-Parents*, 43 U.S.F. L. REV. 799 (2009) (urging adoption agencies to allow close friends to adopt together).

Katherine Herrmann, *Reestablishing the Humanitarian Approach to Adoption: The Legal and Social Change Necessary to End the Commodification of Children*, 44 FAM. L.Q. 409 (2010) (examining procedural restrictions on international adoptions).

Michael J. Higdon, *When Informal Adoption Meets Intestate Succession: The Cultural Myopia of the Equitable Adoption Doctrine*, 43 WAKE FOREST L. REV. 223 (2008) (articulating the tests courts have developed to assess whether an individual has been equitably adopted under the intestate succession laws and maintaining that the strict requirements of the equitable adoption doctrine—including a contract to adopt—have “made it nearly impossible for informally adopted children to qualify as equitably adopted children”).

Lindsay J. Mather, Comment, *The Impact of the Genetic Information Nondiscrimination Act on the Disclosure of Information in Adoption Proceedings*, 78 U. CIN. L. REV. 1629 (2010) (addressing the need for familial health information as good cause to overcome birth parents’ privacy concerns).

Lisa M. Simpson, *Adoption Law: It May Take a Village to Raise a Child, But It Takes National Uniformity to Adopt One*, 3 PHOENIX L. REV. 575 (2010) (describing disparities across the country in birth father notification and post-adoption communication provisions).

E. Gary Spitko, *Open Adoption, Inheritance, and the “Uncleing” Principle*, 48 SANTA CLARA L. REV. 765 (2008) (proposing that birth parents and their children who are adopted through open adoption be treated as heirs of each other, in essentially an aunt or uncle—niece or nephew relationship).

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Timothy L. Arcaro, *No More Secret Adoptions: Providing Unwed Biological Fathers with Actual Notice of the Florida Putative Father Registry*, 37 *CAP. U. L. REV.* 449 (2008) (Florida).

Deborah Bulkeley, Note, *Who's My Daddy?! A Call for Expediting Contested Adoption Cases in Utah*, 12 *J. L. & FAM. STUD.* 225 (2010) (Utah).

Brenda K. DeVries, Note, *Health Should Not Be a Determinative Factor of Whether One Will Be a Suitable Adoptive Parent*, 6 *IND. HEALTH L. REV.* 137 (2009).

Catherine L. Hartz, *Arkansas's Unmarried Couple Adoption Ban: Depriving Children of Families*, 63 *ARK. L. REV.* 113 (2010) (Arkansas).

Michelle Kaminsky, Note, *Excessive Rights for Putative Fathers: Heart of Adoptions Jeopardizes Rights of Mother and Child*, 57 *CATH. U. L. REV.* 917 (2008) (Florida).

Colin Schlueter, Note, *Color Conscious: The Unconstitutionality of Adoptive Parents' Expression of Racial Preferences in the Adoption Process*, 19 *WM. & MARY BILL RTS. J.* 263 (2010)

Irene Steffas, *The Hague Adoption Convention and Its Impact on All Adoptions*, 57 *FED. LAW.* 34 (Dec. 2010).

Mark Strasser, *Adoption, Best Interests, and the Arkansas Constitution*, 63 *ARK. L. REV.* 3 (2010) (Arkansas).

Mark Strasser, *Interstate Recognition of Adoptions: On Jurisdiction, Full Faith and Credit, and the Kinds of Challenges the Future May Bring*, 2008 *BYU L. REV.* 1809 (Tenth Circuit and Vermont).

Terry L. Turnipseed, *Scalia's Ship of Revulsion Has Sailed: Will Lawrence Protect Adults Who Adopt Lovers to Help Ensure Their Inheritance from Incest Prosecution?*, 32 *HAMLIN L. REV.* 95 (2009).

Tiffany Woo, Comment, *When the Forever Family Isn't: Why State Laws Allowing Adoptive Parents to Voluntarily Rescind an Adoption Violate the Adopted Child's Equal Protection Rights*, 39 *SW. L. REV.* 569 (2010).

Alternative Dispute Resolution

Connie J. A. Beck, et al., *Divorce Mediation With and Without Legal Representation: A Focus on Intimate Partner Violence and Abuse*, 48 FAM. CT. REV. 631 (2010) (studying pro se and attorney represented clients in divorce mediation in Arizona and Indiana, and finding no significant difference in the rates of reported intimate violence according to whether parties were represented or not).

Susan Daicoff, *Collaborative Law: A New Tool for the Lawyer's Toolkit*, 20 U. FLA. J.L. & PUB. POL'Y 111 (2009) (reviewing the historical emergence of collaborative law, its structures, processes and goals).

Christopher M. Fairman, *Growing Pains: Changes in Collaborative Law and the Challenge of Legal Ethics*, 30 CAMPBELL L. REV. 237 (2008) (addressing the Colorado ethics committee's opinion finding the conventional practice of collaborative law is unethical).

Barbara Glesner Fines, *Ethical Issues in Collaborative Lawyering*, 21 J. AM. ACAD. MATRIM. LAW. 141 (2008) (offering specific practical advice about attorney communications with clients in collaborative law practice, possible conflicts of interest, confidential communications, as well as permissible and required withdrawals).

Gregory Firestone, *Empowering Parents in Child Protection Mediation: Challenges and Opportunities*, 47 FAM. CT. REV. 98 (2009) (describing the power imbalances facing parents in child protection mediation and discussing the benefits and challenges to empowering parents).

Ronald S. Granberg & Sarah A. Cavassa, *Private Ordering and Alternative Dispute Resolution*, 23 J. AM. ACAD. MATRIM. LAW. 287 (2010) (discussing the absence of standards for family law mediation and comparing approaches and rules in California, Illinois, New York and Texas).

Wilma J. Henry et al., *Parenting Coordination and Court Relitigation: A Case Study*, 47 FAM. CT. REV. 682 (2009) (providing the results of one study of 49 couples in which child-related court

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motions decreased approximately 75 percent the year after the couples participated in parenting coordination programs).

Brian Jarrett, *The Future of Mediation: A Sociological Perspective*, 2009 J. DISP. RESOL. 49 (reporting interviews with forty mediation teachers and their observations of increasing competition and specialization in the market for mediators, increasing formal regulation of the practice of mediation, and mediators' efforts to shape a professional identity).

Jan Jeske, *Custody Mediation Within the Context of Domestic Violence*, 31 HAMLIN J. PUB. L. & POL'Y 657 (2010) (addressing screening mechanisms for mandatory mediation in cases involving domestic violence).

John Lande, *The Movement Toward Early Case Handling in Courts and Private Dispute Resolution*, 24 OHIO ST. J. ON DISP. RESOL. 81 (2008) (describing various forms of early case management procedures, including differentiated management, early neutral evaluation and ADR screening mechanisms).

John Lande & Forrest S. Mosten, *Before You Take a Collaborative Law Case*, 33 FAM. ADVOC. 31 (Fall 2010) (discussing ethics rules regarding limited scope representations, conflicts of interest and informed consent).

Stephan Landsman, *Nothing for Something? Denying Legal Assistance to Those Compelled to Participate in ADR Proceedings*, 37 FORDHAM URB. L.J. 273 (2010) (addressing the risks of parties who proceed without counsel in compulsory mediation).

Peter Salem, *The Emergence of Triage in Family Court Services: The Beginning of the End for Mandatory Mediation?*, 47 FAM. CT. REV. 371 (2009) (urging triage or "differentiated case management": instead of requiring mediation of almost all participants, allowing the parties to help decide what mechanisms would best benefit them, such as early neutral evaluation or non-confidential dispute resolution and assessment).

Kent B. Scott & Cody W. Wilson, *Questions Clients Have About Whether (and How) to Mediate and How Counsel Should Answer Them*, 63 DISP. RESOL. J. 26 (July 2008) (offering clear answers

to likely questions about mediation, ranging from its disadvantages to enforceability of settlements reached).

Pauline H. Tesler, *Collaborative Family Law, the New Lawyer, and Deep Resolution of Divorce-Related Conflicts*, 2008 J. DISP. RESOL. 83 (considering interdisciplinary team collaborative divorce practice, including specialists in child psychology, financial services, and mediation).

Nancy Thoennes, *What We Know Now: Findings from Dependency Mediation Research*, 47 FAM. CT. REV. 21 (2009) (offering a meta-analysis of child protection mediation studies).

Nancy Ver Steegh, *Family Court Reform and ADR: Shifting Values and Expectations Transform the Divorce Process*, 42 FAM. L.Q. 659 (2008) (discussing the range of ADR services—such as parent education programs, early neutral evaluation, parenting coordination—and available empirical research about each of these).

Roselle L. Wissler, *Representation in Mediation: What We Know From Empirical Research*, 37 FORDHAM URB. L.J. 419 (2010) (reviewing studies regarding parties' experiences and outcomes in mediation when they are and are not represented by lawyers).

Andrea C. Yang, *Ethics Codes for Mediator Conduct: Necessary But Still Insufficient*, 22 GEO. J. LEGAL ETHICS 1229 (2009) (critiquing the Model Standards for mediators and considering the prospects for mediator malpractice actions).

Jaime Abraham, Note, *Divorce Mediation—Limiting the Profession to Family/Matrimonial Lawyers*, 10 CARDOZO J. CONFLICT RESOL. 241 (2008).

Julia Alanen, *When Human Rights Conflict: Mediating International Parental Kidnapping Disputes Involving the Domestic Violence Defense*, 40 U. MIAMI INTER-AM. L. REV. 49 (2008).

James R. Antes & Kristine Paranica, *The Promise of Mediation for North Dakota*, 84 N.D. L. REV. 669 (2008) (North Dakota).

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Connie J. A. Beck et al., *Analysis of Mediation Agreements of Families Reporting Specific Types of Intimate Partner Abuse*, 47 *FAM. CT. REV.* 401 (2009).

Mara Berke, *Planned Parenthood*, 32 *L.A. LAW.* 16 (Mar. 2009) (California).

Christine A. Coates, *A Brief Overview of Parenting Coordination*, 38 *COLO. LAW.* 61 (July 2009) (Colorado).

Robert F. Cochran, Jr., *Legal Ethics and Collaborative Practice Ethics*, 38 *HOFSTRA L. REV.* 537 (2009).

Elizabeth Cunha, Comment, *The Potential Importance of Incorporation of Online Dispute Resolution Into a Universal Mediation Model for International Child Abduction Cases*, 24 *CONN. J. INT'L L.* 155 (2008).

J. Herbie DiFonzo, *A Vision for Collaborative Practice: The Final Report of the Hofstra Collaborative Law Conference*, 38 *HOFSTRA L. REV.* 569 (2009).

Leonard Edwards, *Child Protection Mediation: A 25-Year Perspective*, 47 *FAM. CT. REV.* 69 (2009).

Patrick Foran, Comment, *Adoption of the Uniform Collaborative Law Act in Oregon: The Right Time and the Right Reasons*, 13 *LEWIS & CLARK L. REV.* 787 (2009) (Oregon).

Kristin L. Fortin, *Reviving the Lawyer's Role as Servant Leader: The Professional Paradigm and a Lawyer's Ethical Obligation to Inform Clients About Alternative Dispute Resolution*, 22 *GEO. J. LEGAL ETHICS* 589 (2009).

T. Noble Foster, *The Promise of Confidentiality in Mediation: Practitioners' Perceptions*, 2009 *J. DISP. RESOL.* 163 (Florida and Washington).

Marsha B. Freeman, *Florida Collaborative Family Law: The Good, the Bad, and the (Hopefully) Getting Better*, 11 *FLA. COASTAL L. REV.* 237 (2010) (Florida).

Marilou Giovannuci & Karen Largent, *A Guide to Effective Child Protection Mediation: Lessons from 25 Years of Practice*, 47 FAM. CT. REV. 38 (2009).

Barbara Cashman Hahn, *Elder Mediation Comes of Age in Colorado*, 39 COLO. LAW. 45 (Mar. 2010) (Colorado).

Sherrill W. Hayes, "More of a Street Cop Than a Detective": *An Analysis of the Roles and Functions of Parenting Coordinators in North Carolina*, 48 FAM. CT. REV. 698 (2010) (North Carolina).

Jim Hilbert, *Educational Workshops on Settlement and Dispute Resolution: Another Tool for Self-Represented Litigants in Family Court*, 43 FAM. L.Q. 545 (2009).

Shelley Kierstead, *Parent Education Programs in Family Courts: Balancing Autonomy and State Intervention*, 49 FAM. CT. REV. 140 (2011).

Karl Kirkland & Matthew Sullivan, *Parenting Coordination (PC) Practice: A Survey of Experienced Professionals*, 46 FAM. CT. REV. 622 (2008).

Rebecca A. Koford, *The Ethics of Limited Representation in Collaborative Law*, 21 GEO. J. LEGAL ETHICS 827 (2008).

Maureen E. Laflin, *Dreamers and Visionaries: The History of ADR in Idaho*, 46 IDAHO L. REV. 177 (2009) (Idaho).

John Lande, *Learning From "Cooperative" Negotiators in Wisconsin*, 15 DISP. RESOL. MAG. 20 (Winter 2009) (Wisconsin).

John Lande, *Practical Insights From an Empirical Study of Cooperative Lawyers in Wisconsin*, 2008 J. DISP. RESOL. 203 (Wisconsin).

John Lande & Forrest D. Mosten, *Collaborative Lawyers' Duties to Screen the Appropriateness of Collaborative Law and Obtain Clients' Informed Consent to Use Collaborative Law*, 25 OHIO ST. J. ON DISP. RESOL. 347 (2010).

Lela P. Love, *Leaving More Than Money: Mediation Clauses in Estate Planning Documents*, 65 WASH. & LEE L. REV. 539 (2008).

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National Conference of Commissioners on Uniform State Laws, *Uniform Collaborative Law Act*, 38 HOFSTRA L. REV. 421 (2009).

Kelly Browe Olson, *Family Group Conferencing and Child Protection Mediation: Essential Tools for Prioritizing Family Engagement in Child Welfare Cases*, 47 FAM. CT. REV. 53 (2009).

Daniel B. Pickar & Jeffrey J. Kahn, *Settlement-Focused Parenting Plan Consultations: An Evaluative Mediation Alternative to Child Custody Evaluations*, 49 FAM. CT. REV. 59 (2011).

Andrew Schepard, *Kramer v. Kramer Revisited: A Comment on the Miller Commission Report and the Obligation of Divorce Lawyers for Parents to Discuss Alternative Dispute Resolution With Their Clients*, 27 PACE L. REV. 677 (2007) (New York).

Suzanne Schmitz, *Illinois Family Mediations: The Case Against Allowing GALs*, 98 ILL. B.J. 576 (Nov. 2010) (Illinois).

Catherine Anne Seal & Michael A. Kirtland, *Using Mediation in Guardianship Litigation*, 39 COLO. LAW. 37 (Mar. 2010).

Nancy Ver Steegh, *The Uniform Collaborative Law Act and Intimate Partner Violence: A Roadmap for Collaborative (and Non-collaborative) Lawyers*, 38 HOFSTRA L. REV. 699 (2009).

Thomas D. Vu, Note, *Going to Court as a Last Resort: Establishing a Duty for Attorneys in Divorce Proceedings to Discuss Alternative Dispute Resolution With Their Clients*, 47 FAM. CT. REV. 586 (2009).

Natalie Wright, *Collaborative Divorce Practice*, 44 ARIZ. ATT'Y 36 (Jan. 2008) (Arizona).

Jennifer Zawid, *Practical and Ethical Implications of Mediating International Child Abduction Cases: A New Frontier for Mediators*, 40 U. MIAMI INTER-AM. L. REV. 1 (2008).

Samara Zimmerman, Note, *Judges Gone Wild: Why Breaking the Mediation Confidentiality Privilege for Acting in "Bad Faith" Should Be Reevaluated in Court-Ordered Mandatory Mediation*, 11 CARDOZO J. CONFLICT RESOL. 353 (2009).

Assisted Reproductive Technologies

Articles relating to assisted reproductive technologies (ART), including embryo disputes and preconception agreements and gestational surrogacy, from 2005-2008 can be found in Nancy Levit, *Family Law in the Twenty-first Century: An Annotated Bibliography*, 21 J. AM. ACAD. MATRIM. LAW. 271 (2008), and articles from 2008-2010 relating to ART agreements can be found in Nancy Levit, *Familial and Matrimonial Agreements: An Annotated Bibliography*, 23 J. AM. ACAD. MATRIM. LAW. 453 (2010). The following section covers articles from 2008-2011 other than those relating to ART agreements.

Dominic J. Campisi, et al., *Heirs in the Freezer: Bronze Age Biology Confronts Biotechnology*, 36 ACTEC J. 179 (2010) (addressing issues faced by executors and trustees regarding advances in biotechnology, including how to handle the issues of frozen gametes in trust distributions, paying medical expenses for a beneficiary in a coma, responding to requests to pay for assisted reproduction treatments, and other matters).

Taylor Irene Dudley, Comment, *A Fair Hearing for Children*, 9 WHITTIER J. CHILD & FAM. ADVOC. 341 (2010) (discussing preimplantation genetic diagnosis and the rights of parents who intentionally want to choose in favor of a disabling trait, such as deafness).

Michele Goodwin, *A View From the Cradle: Tort Law and the Private Regulation of Assisted Reproduction*, 59 EMORY L.J. 1039 (2010) (suggesting tort remedies for medical care providers' negligent or reckless use of assisted reproductive technologies).

Jim Hawkins, *Financing Fertility*, 47 HARV. J. ON LEGIS. 115 (2010) (evaluating the ways in which fertility clinic refund programs are presented to patients and arguing for additional consumer protection regulations).

Melissa B. Jacoby, *The Debt Financing of Parenthood*, 72 LAW & CONTEMP. PROBS. 147 (2009) (considering specialty loans, tax financing and alternative funding sources for what are typically very expensive assisted reproduction services).

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Courtney G. Joslin, *Protecting Children(?): Marriage, Gender, and Assisted Reproductive Technology*, 83 S. CAL. L. REV. 1177 (2010) (observing that the statutes in most states only cover the situations of children of assisted reproduction born to married parents and evaluating “the eligibility of nonmarital children born through ART to two specific financial protections: child support and children’s Social Security benefits”).

Crystal Liu, Note, *Restricting Access to Infertility Services: What Is a Justified Limitation on Reproductive Freedom?*, 10 MINN. J.L. SCI. & TECH. 291 (2009) (discussing jurisdictions that exclude same-sex couples and single women from assisted reproductive technology services).

Kerry Lynn Macintosh, *Brave New Eugenics: Regulating Assisted Reproductive Technologies in the Name of Better Babies*, 2010 U. ILL. J.L. TECH. & POL’Y 257 (addressing the medical evidence regarding birth defects, low birth weight and perinatal problems, and assessing whether these dangers stem from assisted reproductive technologies or prior infertility problems).

Dena Moyal & Carolyn Shelley, *Future Child’s Rights in New Reproductive Technology: Thinking Outside the Tube and Maintaining the Connections*, 48 FAM. CT. REV. 431 (2010) (considering whether children born through assisted reproductive technologies have rights to obtain information about their donors).

Susan B. Apel, *Access Denied: Assisted Reproductive Technology Services and the Resurrection of Hill-Burton*, 35 WM. MITCHELL L. REV. 412 (2009).

Bebe J. Anderson, *Lesbians, Gays, and People Living With HIV: Facing and Fighting Barriers to Assisted Reproduction*, 15 CARDOZO J.L. & GENDER 451 (2009).

Catherine Belfi, Note, *Birth of a New Age: A Comprehensive Review of New York Inheritance Law Responding to Advances in Reproductive Technology*, 24 ST. JOHN’S J. LEGAL COMMENT. 113 (2009) (New York).

Meredith Leigh Birdsall, Note, *An Exploration of “the ‘Wild West’ of Reproductive Technology”: Ethical and Feminist Perspectives on Sex Selection Practices*, 17 WM. & MARY J. WOMEN & L. 223 (2010).

Andrea Mechanick Braverman, *How the Internet Is Reshaping Assisted Reproduction: From Donor Offspring Registries to Direct-to-Consumer Genetic Testing*, 11 MINN. J.L. SCI. & TECH. 477 (2010).

Buckley W. Bridges, Note, *Statutory Misconception: The Arkansas Supreme Court’s Method in Finley v. Astrue Sets New Precedent for Uncertainty*, 63 ARK. L. REV. 419 (2010) (Arkansas).

Barry Dunn, Note, *Created After Death: Kentucky Law and Posthumously Conceived Children*, 48 U. LOUISVILLE L. REV. 167 (2009) (Kentucky).

Browne Lewis, *Graveside Birthday Parties: The Legal Consequences of Forming Families Posthumously*, 60 CASE W. RES. L. REV. 1159 (2010).

Patrick F. Madden, Note, *ARTfully Discriminating: How Hall v. Nalco Co. Applies Title VII to Adverse Employment Actions Based on Assisted Reproduction Technologies*, 28 TEMP. J. SCI. TECH. & ENVTL. L. 307 (2009).

Lisa Medford, Note, *Family Law and Estate Law—Reproductive Technology—Use of Artificial Reproductive Technologies After the Death of a Parent*, 33 U. ARK. LITTLE ROCK L. REV. 91 (2010).

Kimberly M. Mutcherson, *Disabling Dreams of Parenthood: The Fertility Industry, Anti-Discrimination, and Parents With Disabilities*, 27 LAW & INEQ. 311 (2009).

Kimberly E. Naguit, Note, *The Inadequacies of Missouri Intestacy Law: Addressing the Rights of Posthumously Conceived Children*, 74 MO. L. REV. 889 (2009) (Missouri).

Katherine Pratt, *Deducting the Costs of Fertility Treatment: Implications of Magdalin v. Commissioner for Opposite-Sex Couples, Gay and Lesbian Same-Sex Couples, and Single Women and Men*, 2009 WIS. L. REV. 1283.

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Michelle Quigley, Comment, *Fired for Wanting a Child: Why Infertility Treatment Is Within the Scope of the Pregnancy Discrimination Act*, 2009 MICH. ST. L. REV. 755.

Vardit Ravitsky, "Knowing Where You Come From": *The Rights of Donor-Conceived Individuals and the Meaning of Genetic Relatedness*, 11 MINN. J.L. SCI. & TECH. 665 (2010).

Kirsten Rabe Smolensky, *Creating Children With Disabilities: Parental Tort Liability for Preimplantation Genetic Interventions*, 60 HASTINGS L.J. 299 (2008).

Kayte K. Spector-Bagdady, *Artificial Parentage: Screening Parents for Assisted Reproductive Technologies*, 14 MICH. ST. U. J. MED. & L. 457 (2010).

Jenna M. F. Suppon, Note, *Life After Death: The Need to Address the Legal Status of Posthumously Conceived Children*, 48 FAM. CT. REV. 228 (2010).

Morgan Kirkland Wood, Note, *It Takes a Village: Considering the Other Interests at Stake When Extending Inheritance Rights to Posthumously Conceived Children*, 44 GA. L. REV. 873 (2010).

Embryo Disputes

Linda S. Anderson, *Adding Players to the Game: Parentage Determinations When Assisted Reproductive Technology Is Used To Create Families*, 62 ARK. L. REV. 29 (2009) (making the case for an intent-based approach to resolve disputes regarding custody of children born from assisted reproductive technology).

June Carbone & Naomi Cahn, *Embryo Fundamentalism*, 18 WM. & MARY BILL RTS. J. 1015 (2010) (examining flashpoint political issues regarding the legal status of embryos, considering practices of in vitro fertilization providers and the fate of the estimated 500,000 leftover embryos, and comparing statutes in California, Georgia, Louisiana and Oklahoma governing embryo disposition).

Tracy J. Frazier, Comment, *Of Property and Procreation: Oregon's Place in the National Debate Over Frozen Embryo Disputes*, 88 OR. L. REV. 931 (2009) (Oregon).

Surrogacy and Egg and Sperm Donation

Justine Durrell, *Women's Eggs: Exceptional Endings*, 22 HASTINGS WOMEN'S L.J. 187 (2011) (addressing the process of egg donation, as well as its physical and psychological risks, and the prospects of rights and remedies for egg donors for malpractice and the absence of informed consent).

Christina M. Eastman, Comment, *Statutory Regulation of Legal Parentage in Cases of Artificial Insemination by Donor: A New Frontier of Gender Discrimination*, 41 MCGEORGE L. REV. 371 (2010) (arguing that sex-specific state statutes regarding gamete donation violate guarantees of equal protection).

Ashley Peyton Holmes, *Baby Mama Drama: Parentage in the Era of Gestational Surrogacy*, 11 N.C. J.L. & TECH. ON. 233 (2010) (addressing surrogacy case law and state statutes that ban paid surrogacy).

Kimberly D. Krawiec, *A Woman's Worth*, 88 N.C. L. REV. 1739 (2010) (critiquing the practice of price controls for egg donation and surrogacy according to the American Society for Reproductive Medicine egg donor compensation guidelines and various state statutes capping payments to egg donors and surrogates).

Brock A. Patton, Note, *Buying a Newborn: Globalization and the Lack of Federal Regulation of Commercial Surrogacy Contracts*, 79 UMKC L. REV. 507 (2010) (reviewing varied state and international approaches to the regulation of surrogacy).

Vanessa L. Pi, Note, *Regulating Sperm Donation: Why Requiring Exposed Donation Is Not the Answer*, 16 DUKE J. GENDER L. & POL'Y 379 (2009) (covering federal eligibility rules for sperm donation and current state regulations and arguing for greater protections for donor privacy).

J. Brad Reich & Dawn Swink, *You Can't Put the Genie Back in the Bottle: Potential Rights and Obligations of Egg Donors in the Cyberprocreation Era*, 20 ALB. L.J. SCI. & TECH. 1 (2010) (ad-

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dressing potential parental rights and child support obligations of egg donors, as well as possible products liability claims against them).

Carla Spivack, *The Law of Surrogate Motherhood in the United States*, 58 AM. J. COMP. L. 97 (2010) (covering various state approaches to surrogacy).

Victoria Uroz & Lucia Guerra, *Donation of Eggs in Assisted Reproduction and Informed Consent*, 28 MED. & L. 565 (2009) (detailing health risks of egg donation).

Charles W. Adamson, Comment, *Assisted Reproductive Techniques: When Is a Sperm Donor a Dad?*, 8 WHITTIER J. CHILD & FAM. ADVOC. 279 (2009).

Ashley Bashur, Comment, *Whose Baby Is It Anyway? The Current and Future Status of Surrogacy Contracts in Maryland*, 38 U. BALT. L. REV. 165 (2008) (Maryland).

Christen Blackburn, Note, *Family Law—Who Is a Mother? Determining Legal Maternity in Surrogacy Arrangements in Tennessee*, 39 U. MEM. L. REV. 349 (2009) (Tennessee).

Eric Blyth, *Donor-Conceived People's Access to Genetic and Biographical History: An Analysis of Provisions in Different Jurisdictions Permitting Disclosure of Donor Identity*, 23 INT'L J.L. POL'Y & FAM. 174 (2009).

Darra L. Hofman, "Mama's Baby, Daddy's Maybe:" *A State-by-State Survey of Surrogacy Laws and Their Disparate Gender Impact*, 35 WM. MITCHELL L. REV. 449 (2009).

Julie L. Sauer, Comment, *Competing Interests and Gamete Donation: The Case for Anonymity*, 39 SETON HALL L. REV. 919 (2009).

Attorney Advertising Through Internet Ads, Blogs, and Websites

Articles relating to the legal profession from 2002-2007 can be found in Nancy Levit, *Family Law in the Twenty-first Century*:

A Supplemental Annotated Bibliography, 21 J. AM. ACAD. MATRIM. LAW. 271 (2008).

J. Nick Badgerow, *Www.Lawfirm.com: A Web of Risks*, 79 J. KAN. B. ASS'N 9 (Dec. 2010) (reviewing ABA Opinion 10-457 establishing guidelines for lawyer websites).

Jonathan G. Blattmachr, *Looking Back and Looking Ahead: Preparing Your Practice for the Future: Do Not Get Behind the Change Curve*, 36 ACTEC J. 1 (Summer 2010) (suggesting ways in which lawyers can do business forecasting, discussing areas of practice that are burgeoning, and evaluating marketing opportunities, such as interactive websites).

Judy M. Cornett, *The Ethics of Blawging: A Genre Analysis*, 41 LOY. U. CHI. L.J. 221 (2009) (evaluating lawyers' blawgs as marketing tools and discussing ethical tensions and constraints on the interactive nature of blogs as well as the inadvertent formation of attorney-client relationships).

JoAnn L. Hathaway, *Ring in the New Year With an Internet Marketing Resolution*, 89 MICH. B.J. 46 (Dec. 2010) (discussing ways to create an online presence).

Alison Hinson, *The Business of Being an Attorney*, 25 ME. B.J. 146 (Summer 2010) (covering topics from website design and content to office software).

Stephanie L. Kimbro, *Practicing Law Online: Creating a Web-Based Virtual Law Office* (rev. ed. 2009), available at <http://www.vlotech.com/ebooks/PracticingLawOnline.pdf> (addressing bar association rules and ethical standards, as well as data and client confidence protection and issues of technology).

Andrew J. Seger, Comment, "*Real-Time Electronic Contact*"—*Advertising Rules Applied to Lawyers Who Blog*, 41 U. TOL. L. REV. 1005 (2010) (providing an explanation of the technology involved in blogging and evaluating the Model Rules of Professional Responsibility applicable to various types of blogging communications).

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Paul Tremblay, *Forming Involuntary Client Relationships*, 52 B. B.J. 12 (Feb. 2008) (noting the hazards of offering general advice during casual conversations).

Brian D. Wright, *Social Media and Marketing: Exploring the Legal Pitfalls of User Generated Content*, 36 U. DAYTON L. REV. 67 (2010) (discussing the unfair trade practice and ethical dangers of allowing consumer-to-consumer marketing options such as endorsements on attorneys' websites).

David C. Wilkes, *What It Takes to Market Yourself and Your Practice*, 82 N.Y. ST. B.J. 12 (Jan. 2010) (focusing on practice and specialization marketing as well as web site content).

J. Nick Badgerow, *"Tweet" This: The Ethics of Social Networking*, 79 J. KAN. B. ASS'N 17 (May 2010).

Dustin B. Benham, *The State Bar of Texas Provides New Guidance to Attorneys Regarding the Proper Use of Social Media and Blogs for Advertising Purposes*, 52 THE ADVOC. (Texas) 13 (Fall 2010) (Texas).

Brian A. Benko & Corrine Morrissey, *Is It Ethical to Be a Super Lawyer?*, 20 PROF. LAW. 25 (No. 1 2010).

Debra Bruce, *Ethically Navigating the Social Media Landscape*, 73 TEX. B.J. 196 (Mar. 2010) (Texas).

Claudia Eubanks, *Maintaining an Online Presence Within the Bounds of the Texas Disciplinary Rules*, 47 HOUS. LAW. 34 (Apr. 2010) (Texas).

Benjamin W. Glass III, *Build Your Practice with a Blog*, 44 TRIAL 30 (Jan. 2008).

Grant D. Griffiths, *Top 10 Strategic Benefits of Blogging for the Law Firm*, 76 J. KAN. B. ASS'N 14 (June 2007).

Maxwell E. Kautsch, *Attorney Advertising on the Web: Are We in Kansas Anymore?*, 78 J. KAN. B. ASS'N 35 (Oct. 2009) (Kansas).

Stephanie L. Kimbro, *Practicing Law Without an Office Address: How the Bona Fide Office Requirement Affects Virtual Law Practice*, 36 U. DAYTON L. REV. 1 (2010).

John Levin, *More on the New Rules—Social Networks*, 23 CBA REC. 46 (Nov. 2009) (Illinois).

Gene Major, *The Effective Use of Social Media Within the Texas Advertising Rules*, 73 TEX. B.J. 530 (July 2010) (Texas).

Jemma Lohr McPherson, *Penny for Your Thoughts? The Ethical and Legal Implications of Law Students and Other Non-Lawyers Giving Compensated Legal Advice in New York and Florida*, 23 GEO. J. LEGAL ETHICS 685 (2009-10) (Florida and New York).

Tom Mighell, *Avoiding a Grievance in 140 Characters or Less: Ethical Issues in Social Media and Online Activities*, 52 THE ADVOC. (Texas) 8 (Fall 2010) (Texas).

Graham H. Ryan, Comment, *What Went Wrong on the World Wide Web: The Crossroads of Emerging Internet Technologies and Attorney Advertising in Louisiana*, 71 LA. L. REV. 749 (2011) (Louisiana).

Robert L. Shaver, *Legal Ethics Rules Apply to Attorneys' Social Media and Websites*, 53 ADVOCATE (Idaho) 16 (Feb. 2010) (Idaho).

Custody and Visitation (*See also* Parenting)

Custody

Katherine J. Baker, Comment, *Addressing the Pre-Admission and Extrajudicial Use of Child Custody Reports*, 23 J. AM. ACAD. MATRIM. LAW. 155 (2010) (evaluating varying state rules regarding judges' consideration of child custody evaluations outside of the record).

Christy M. Buchanan & Parissa L. Jahromi, *A Psychological Perspective on Shared Custody Arrangements*, 43 WAKE FOREST L. REV. 419 (2008) (exploring empirical findings on whether joint custody arrangements are better than sole physical custody with visitation arrangements in terms of their psychological effects on children).

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Richard A. Crain, *Choosing the Best Custody Expert Witness*, 30 FAM. ADVOC. 12 (Spring 2008) (describing the differences in accreditation and licensure among social workers, psychologists and psychiatrists).

Linda D. Elrod & Milfred D. Dale, *Paradigm Shifts and Pendulum Swings in Child Custody: The Interests of Children in the Balance*, 42 FAM. L.Q. 381 (2008) (tracing patterns in custody decisions in high conflict divorce cases over the past half century and assessing the role of mental health experts).

Emily Gleiss, Note, *The Due Process Rights of Parents to Cross-Examine Guardians ad Litem in Custody Disputes: The Reality and the Ideal*, 94 MINN. L. REV. 2103 (2010) (arguing that the inability of parents under most state laws to cross-examine guardians ad litem violates the parents' substantive and procedural due process rights).

Robert F. Kelly & Sarah H. Ramsey, *Child Custody Evaluations: The Need for Systems-Level Outcome Assessments*, 47 FAM. CT. REV. 286 (2009) (examining different selection processes, payment practices and evaluation report outcomes for different types of child custody evaluators, such as a court-appointed forensic evaluator compared to a privately paid mental health expert, and questioning whether to have such evaluations).

Pamela Laufer-Ukeles, *Money, Caregiving, and Kinship: Should Paid Caregivers Be Allowed to Obtain De Facto Parental Status?*, 74 MO. L. REV. 25 (2009) (urging a more nuanced approach that considers the circumstances of individual situations rather than exclude all paid caregivers, such as paid child care providers and foster parents, from those who can petition for child visitation).

Robert J. Levy, *Custody Investigations in Divorce-Custody Litigation*, 12 J. L. & FAM. STUD. 431 (2010) (offering suggestions regarding what to do about inaccuracies and biases in custody investigation reports).

Margaret M. Mahoney, *The Enforcement of Child Custody Orders by Contempt Remedies*, 68 U. PITT. L. REV. 835 (2007) (considering the enforcement of court ordered parenting plans, custody and visitation orders through the means of civil and

criminal contempt, and discussing the differences between these orders and other injunctive orders).

David Welsh, Note, *Virtual Parents: How Virtual Visitation Legislation Is Shaping the Future of Custody Law*, 11 J. L. & FAM. STUD. 215 (2008) (describing the technology of virtual visitation (usually through video conferencing) and considering the few state statutes that have provisions regarding virtual visitation).

American Academy of Matrimonial Lawyers Representing Children: Standard for Attorneys for Children in Custody or Visitation Proceedings With Commentary, 22 J. AM. ACAD. MATRIM. LAW. 227 (2009).

Lauren Barth, Note, *Consultant Conduct in Anticipation of a Child Custody Evaluation: Ethical and Social Dilemmas and the Need for Neutral Parent Education*, 49 FAM. CT. REV. 155 (2011).

Connie J. A. Beck et al., *Mediator Assessment, Documentation, and Disposition of Child Custody Cases Involving Intimate Partner Abuse: A Naturalistic Evaluation of One County's Practices*, 34 LAW & HUM. BEHAV. 227 (2010) (Arizona).

Allison G. Behjani, Note, *Delegation of Judicial Authority to Experts: Professional and Constitutional Implications of Special Masters in Child-Custody Proceedings*, 2007 UTAH L. REV. 823.

Ariana S. Cooper, Note, *Free Exercise Claims in Custody Battles: Is Heightened Scrutiny Required Post-Smith?*, 108 COLUM. L. REV. 716 (2008).

Bernardo Cuadra, Notes, *Family Law—Maternal and Joint Custody Presumptions for Unmarried Parents: Constitutional and Policy Considerations in Massachusetts and Beyond*, 32 W. NEW ENG. L. REV. 599 (2010).

Lauren S. Douglass, *Avoiding Conflict at Home When There Is Conflict Abroad: Military Child Custody and Visitation*, 43 FAM. L.Q. 349 (2009).

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Sara Estrin, *The Servicemembers Civil Relief Act: Why and How This Act Applies to Child Custody Proceedings*, 27 *LAW & INEQ.* 211 (2009).

Lauren M. Ilvento, *The Application of Kinney System, Inc. v. Continental Ins. Co. to Modification of Child Custody Proceedings*, 83 *FLA. B.J.* 41 (May 2009) (Florida).

John A. English, Note, *Preventing Custody Relinquishment for Youth With Mental Health Needs: Implications for the State of Utah*, 12 *J. L. & FAM. STUD.* 237 (2010) (Utah).

Brianna F. Issurdutt, Note, *Child Custody Modification Law: The Never-Ending Battle for Peace of Mind*, 10 *NEV. L.J.* 763 (2010) (Nevada).

Yehiel S. Kaplan, *Child Custody in Jewish Law: From Authority of the Father to the Best Interest of the Child*, 24 *J.L. & RELIGION* 89 (2009).

Stephanie Krystoff, *Is Michigan's 100-Mile Child-Custody Rule Still Relevant? A Look at the Impact of Michigan's Economy on the 100-Mile Rule*, 12 *T.M. COOLEY J. PRAC. & CLINICAL L.* 69 (2009) (Michigan).

Charlee Lane, *For Heaven's Sake, Give the Child a Voice: An ADR Approach to Interfaith Child Custody Disputes*, 10 *PEPP. DISP. RESOL. L.J.* 623 (2010).

Andrea "Drew" Lehman, *Inappropriate Injury: The Case for Barring Consideration of a Parent's Homosexuality in Custody Actions*, 44 *FAM. L.Q.* 115 (2010).

Jacqueline Genesis Lux, *Growing Pains That Cannot Be Ignored: Automatic Reevaluation of Custody Arrangements at Child's Adolescence*, 44 *FAM. L.Q.* 445 (2010).

MiaLisa McFarland & Evon M. Spangler, *A Parent's Undocumented Immigration Status Should Not Be Considered Under the Best Interest of the Child Standard*, 35 *WM. MITCHELL L. REV.* 247 (2008).

Richard E. Miller, *2009 Child Custody Cases in Vermont: What Is the Best Interest of the Child?*, 35 VT. B.J. 30 (Summer 2009) (Vermont).

Shannon Shafron Perez, Comment, *Is It a Boy or a Girl? Not the Baby, the Parent: Transgender Parties in Custody Battles and the Benefit of Promoting a Truer Understanding of Gender*, 9 WHITTIER J. CHILD & FAM. ADVOC. 367 (2010).

Terrie S. Rendler, *Channeling Perry Mason: Witness and Exhibit Disclosure in Child Custody Disputes*, 47 ARIZ. ATT'Y 26 (Jan. 2011) (Arizona).

Karen J. Saywitz, *The Art of Interviewing Young Children in Custody Disputes*, 30 FAM. ADVOC. 26 (Spring 2008).

Lawrence Schlam, *Third Party "Standing" and Child Custody Disputes in Washington: Non-Parental Rights—Past, Present, and . . . Future?*, 43 GONZ. L. REV. 391 (2008) (Washington).

Priya Sharma, *Custody and Guardianship Emphasis: Permanency Option for Foster Care Children*, 44 MD. B.J. 44 (Feb. 2011) (Maryland).

Jill E. Tompkins, *Finding the Indian Child Welfare Act in Unexpected Places: Applicability in Private Non-Parent Custody Actions*, 81 U. COLO. L. REV. 1119 (2010).

Alexa Welzien, Comment, *Life, Liberty, and the Pursuit of Parental Equality: Florida's New Parenting Plan Remains Overshadowed by Lingering Gender Bias*, 33 NOVA L. REV. 509 (2009) (Florida).

Hague Convention (See also Child Support)

Carol S. Bruch & Margaret M. Durkin, *The Hague's Online Child Abduction Materials: A Trap for the Unwary*, 44 FAM. L.Q. 65 (2010) (noting web site and database inaccuracies).

Ann Laquer Estin, *Families Across Borders: The Hague Children's Conventions and the Case for International Family Law in the United States*, 62 FLA. L. REV. 47 (2010) (describing the international architecture of the Hague Abduction and Adoption Conventions and the U.S. federal administrative structure

charged with their enforcement and assessing the performance of the United States in returning children and complying with requests for returns).

National Center for Missing & Exploited Children, *Litigating International Child Abduction Cases Under the Hague Convention* (2007), available at http://www.missingkids.com/en_US/training_manual/NCMEC_Training_Manual.pdf (offering a comprehensive manual of how to establish a prima facie case for return of a child and considering possible affirmative defenses).

Merle H. Weiner, *Uprooting Children in the Name of Equity*, 33 *FORDHAM INT'L L.J.* 409 (2010) (urging courts to reject the use of equitable estoppel in Hague convention cases and instead consider whether a child is “settled”).

Noah L. Browne, Note, *Relevance and Fairness: Protecting the Rights of Domestic-Violence Victims and Left-Behind Fathers Under the Hague Convention on International Child Abduction*, 60 *DUKE L.J.* 1193 (2011).

Deference to the Executive—Hague Convention on the Civil Aspects of International Child Abduction, 124 *HARV. L. REV.* 330 (2010) (Abbott v. Abbott).

Eric Lesh, Note, *Jurisdiction Friction and the Frustration of the Hague Convention: Why International Child Abduction Cases Should Be Heard Exclusively by Federal Courts*, 49 *FAM. CT. REV.* 170 (2011).

Emily Lynch et al., *The Second Circuit Court’s Interpretation of Custody Rights Undermines the Purpose of the Hague Convention on the Civil Aspects of International Child Abduction*, 41 *U. MIAMI INTER-AM. L. REV.* 221 (2010) (Second Circuit).

Kevin O’Gorman, *The Hague Convention on the Civil Aspects of International Child Abduction After Abbott*, 33 *HOUS. J. INT’L L.* 39 (2010).

U.S. Supreme Court Interprets Hague Child Abduction Convention, 104 *AM. J. INT’L L.* 525 (Abbott v. Abbott).

Rebecca Worthington, *The Road to Parentless Children Is Paved With Good Intentions: How the Hague Convention and Recent Intercountry Adoption Rules Are Affecting Potential Parents and the Best Interests of Children*, 19 DUKE J. COMP. & INT'L L. 559 (2009).

Visitation

Ayelet Blecher-Prigat, *Rethinking Visitation: From a Parental to a Relational Right*, 16 DUKE J. GENDER L. & POL'Y 1 (2009) (urging a view of visitation not as a parental status right, but as a right that attaches to the care and nurturance of children and considers children's relational interests).

Michael K. Goldberg, *A Survey of the Fifty States' Grandparent Visitation Statutes*, 10 MARQ. ELDER'S ADVISOR 245 (Spring 2009) (detailing the standing requirements, standards and burdens of proof in different states for grandparent visitation).

Eric G. Mart, *Overnight Visitation for Infants and Toddlers: Implications for Parenting Plans*, 35 VT. B.J. 40 (Summer 2009) (reviewing briefly the empirical literature about infant and toddler overnight visitation and parental attachment issues).

Karen J. McMullen, Note, *The Scarlet "N": Grandparent Visitation Statutes That Base Standing on Non-Intact Family Status Violate the Equal Protection Clause of the Fourteenth Amendment*, 83 ST. JOHN'S L. REV. 693 (2009) (arguing that courts' distinctions between allowing grandparent visitation in non-intact families but disallowing it for intact nuclear families constitutes an equal protection violation).

Angela Ablorh-Odjidja, Janice M. v. Margaret K.: *Maryland Does Not Recognize De Facto Parenthood as a Legal Status, Thus All Third Parties Must Demonstrate Parental Unfitness or Exceptional Circumstances to Overcome a Parent's Constitutional Right in Custody and Visitation Disputes*, 39 U. BALT. L.F. 99 (2008) (Maryland).

296 *Journal of the American Academy of Matrimonial Lawyers*

Emily Chase Dubansky, Koshko v. Haining: *Does a Heightened Standard for Grandparent Visitation Really Protect Children's Best Interests?*, 67 MD. L. REV. 805 (2008) (Maryland).

Michael K. Goldberg, *Survey of Illinois Law: Grandparent Visitation*, 33 S. ILL. U. L.J. 649 (2009) (Illinois).

Martin Guggenheim, *Rediscovering Third-Party Visitation Under the Common Law in New York: Some Uncommon Answers*, 33 N.Y.U. REV. L. & SOC. CHANGE 153 (2009) (New York).

Sarah E. Kay, Student Work, *Redefining Parenthood: Removing Nostalgia From Third Party Child Custody and Visitation Decisions in Florida*, 39 STETSON L. REV. 317 (2009) (Florida).

William Bradley Kline, Note, *Non-Parent Visitation in Louisiana: A Post-Troxel View of Article 136*, 69 LA. L. REV. 471 (2009) (Louisiana).

Scott A. Lerner, "Standard Visitation" and the Best Interest of the Child, 97 ILL. B.J. 138 (Mar. 2009) (Illinois).

W. Dudley McCarter, *A Parent Convicted of Child Molestation Has No Vested Right to Unsupervised Visitation*, 65 J. MO. B. 112 (June 2009) (Missouri).

Anne Milligan, *The Arkansas Court of Appeals Affirms a Trial Court's Order Awarding Grandparent Visitation*, 32 U. ARK. LITTLE ROCK L. REV. 405 (2010) (Arkansas)

Marlene Eskind Moses & Jessica J. Uitto, *The Current Status of Tennessee's Grandparent Visitation Law*, 46 TENN. B.J. 24 (Jan. 2010) (Tennessee).

Tara Nielson, Note, *Grandparent Custody Disputes and Visitation Rights: Balancing the Interests of the Child, Parents, and Grandparents*, 11 J. L. & FAM. STUD. 521 (2009) (Utah).

Jennifer K. Smith, Comment, *Putting Children Last: How Washington Has Failed to Protect the Dependent Child's Best Interest in Visitation*, 32 SEATTLE U. L. REV. 769 (2009) (Washington).

Mekisha F. Smith, *Mama Didn't Raise No Fool: A Fit Mother's Right to Manage Grandparent Visitation*, 37 S.U. L. REV. 213 (2010) (Louisiana).

Nat Stern & Karen Oehme, *A Comprehensive Blueprint for a Crucial Service: Florida's New Supervised Visitation Strategy*, 12 J. L. & FAM. STUD. 199 (2010) (Florida).

Jacqueline Syrnick, Note, *Shifting the Burden: An Argument for a Rebuttable Presumption Against Visitation During a 209A Restraining Order Proceeding*, 43 NEW ENG. L. REV. 645 (2009) (Massachusetts).

Daniel R. Victor, *Grandparent Visitation: A Survey of History, Jurisprudence, and Legislative Trends Across the United States in the Past Decade*, 22 J. AM. ACAD. MATRIM. LAW. 391 (2009)

Child Support

Pamela Foohey, *Child Support and (In)ability to Pay: The Case for the Cost Shares Model*, 13 U.C. DAVIS J. JUV. L. & POL'Y 35 (2009) (urging the incorporation of ability to pay into child support guidelines).

Leslie Joan Harris, *The Basis for Legal Parentage and the Clash Between Custody and Child Support*, 42 IND. L. REV. 611 (2009) (discussing how courts tend to find biology significant to child support determinations, while viewing functional parenting significant in custody decisions).

Adrienne Jennings Lockie, *Multiple Families, Multiple Goals, Multiple Failures: The Need for "Limited Equalization" as a Theory of Child Support*, 32 HARV. J. L. & GENDER 109 (2009) (arguing that child support laws should be reformed to give priority to first families (because parents tend to naturally economically favor their later or current families) and economically neediest families).

Laura W. Morgan, *Child Support Fifty Years Later*, 42 FAM. L.Q. 365 (2008) (addressing sweeping legislative changes, such as the Family Support Act, and patchwork laws imposing child support liability in nonbiological relationships, such as parenthood by estoppel).

298 *Journal of the American Academy of Matrimonial Lawyers*

Laura W. Morgan, *Who's Your Daddy?*, 31 FAM. ADVOC. 36 (Winter 2009) (considering responsibility for child support for different categories of fathers, including biological parents, nonbiological parents, paternity by estoppel, and grandparents).

James Ratner, *But From Where Will the Money Come? Community Property Liability for Child Support and Other Premarital Obligations*, 9 WHITTIER J. CHILD & FAM. ADVOC. 17 (2009) (discussing creditor access to marital property; addressing also child support as a form of premarital obligation).

Sara L. Busche, *The Price of Not Paying: Tools for Enforcing Child-Support Collection*, 97 ILL. B.J. 32 (Jan. 2009).

Mary Helen Carlson, *United States Perspectives on the New Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance*, 43 FAM. L.Q. 21 (2009).

Dana Copperwheat, *Impact of a Child's Income on Child Support Payments*, 21 J. AM. ACAD. MATRIM. LAW. 677 (2008).

William Duncan, *The New Hague Child Support Convention: Goals and Outcomes of the Negotiations*, 43 FAM. L.Q. 1 (2009).

John G. Hall, Note, *Child Support Supported: Policy Trumps Equity in Martin v. Pierce Despite Fraud and a Controversial Amendment to the Paternity Code*, 61 ARK. L. REV. 571 (2008) (Arkansas).

Harry M. Hipler, *Florida's Homestead Realty: Is It Exempt From Imposition of an Equitable Lien for Nonpayment of Alimony and Child Support?*, 82 FLA. B.J. 34 (Aug. 2008) (Florida).

Carla S. Johnson, *The Arkansas Court of Appeals Holds That Res Judicata Bars Relitigation of a Prior Paternity Finding and That a Promise Not to Seek Child Support Does Not Excuse a Parent's Responsibility*, 31 U. ARK. LITTLE ROCK L. REV. 711 (2009) (Arkansas).

Henry D. Kass, *Employer Liability in Domestic Relations Law: The Income Withholding for Support Act's Overlooked Remedy in Child Support Enforcement*, 20 DCBA BRIEF 14 (Feb. 2008).

Madeline Marzano-Lesnevich & Scott Adam Latterra, *Child Support and College: What Is the Correct Result?*, 22 J. AM. ACAD. MATRIM. LAW. 335 (2009).

National Conference of Commissioners on Uniform State Laws, *Uniform Interstate Family Support Act (last amended or revised in 2008) With Prefatory Note and Comments*, 43 FAM. L.Q. 75 (2009).

Brian Jay Nicholls, Note, *Reduction in Child Support for Extended Visitation in Utah: Extra-Credit or Financial Time-Out?*, 11 J. L. & FAM. STUD. 193 (2008) (Utah).

Elizabeth G. Patterson, *Civil Content and the Indigent Child Support Obligor: The Silent Return of Debtor's Prison*, 18 CORNELL J.L. & PUB. POL'Y 95 (2008).

Michael J. Peters, *International Child Support: The United States Striving Towards a Better Solution*, 15 NEW ENG. J. INT'L & COMP. L. 91 (2009).

Ned I. Price & Lewis D. Price, *Justice Delayed in Child Support Cases Involving Incarcerated Parents*, 83 FLA. B.J. 35 (Nov. 2009) (Florida).

Laura Raatjes, Note, *High-Income Child Support Guidelines: Harmonizing the Need for Limits With the Best Interests of the Child*, 86 CHI.-KENT L. REV. 317 (2011).

Katherine Ellis Reeves, Comment, *Post-Majority Child Support Awards for Disabled Children: A Fifty State Survey*, 8 WHITTIER J. CHILD & FAM. ADVOC. 109 (2008).

David S. Rosettenstein, *Choice of Law in International Child Support Obligations: Hague or Vague, and Does It Matter?—An American Perspective*, 22 INT'L J.L. POL'Y & FAM. 122 (2008).

Frederick F. Rudzik, *Caution: Collecting Child Support Payments May Violate § 1327 Stay*, 30 AM. BANKR. INST. J. 12 (Mar. 2011).

300 *Journal of the American Academy of Matrimonial Lawyers*

M. Scott Serfozo, *Sperm Donor Child Support Obligations: How Courts and Legislatures Should Properly Weigh the Interests of Donor, Donee, and Child*, 77 U. CIN. L. REV. 715 (2008).

Frances Q. F. Wong, *Hawaii's New Statewide Child Support Guidelines*, 14 HAW. B.J. 24 (Nov. 2010) (Hawaii).

Uniform Interstate Family Support Act (UIFSA)

Steven K. Berenson, *Home Court Advantage Revisited: Interstate Modification of Child Support Orders Under UIFSA and FFCCSOA*, 45 GONZ. L. REV. 479 (2009-10) (evaluating conflicting precedent on whether FFCCSOA preempts UIFSA's prohibition of a "home court advantage" in child support modification proceedings).

Joseph W. Booth, *A Guide for Assisting Military Families With the Uniform Interstate Family Support Act (UIFSA)*, 43 FAM. L.Q. 203 (2009).

John S. Frost, *New Developments in Child Support: Enforcement of Foreign Orders Under the 2001 Amendments to the Uniform Interstate Family Support Act*, 2008 ARMY LAW. 15 (Dec.).

Children's Rights

Barbara A. Atwood, *The Uniform Representation of Children in Abuse, Neglect, and Custody Proceedings Act: Bridging the Divide Between Pragmatism and Idealism*, 42 FAM. L.Q. 63 (2008) (considering the different standards for the representation of children proposed by the ABA and the National Conference of Commissioners on Uniform State Laws).

Marjory D. Fields, *Remedies for Children When Non-Resident Parents Abandon Them After Separation or Divorce*, 22 J. AM. ACAD. MATRIM. LAW. 291 (2009) (suggesting possibilities such as providing for increased child support, limiting relocation, and considering tort-type damages for parental abandonment of children after divorce).

Barbara Glesner Fines, *Pressures Toward Mediocrity in the Representation of Children*, 37 CAP. U. L. REV. 411 (2008) (observing

the lack of resources devoted to child welfare and comparing the training standards adopted by states with the ethical guidelines various expert groups suggest for the representation of children).

Mark Henaghan, *What Does a Child's Right to Be Heard in Legal Proceedings Really Mean? ABA Custody Standards Do Not Go Far Enough*, 42 FAM. L.Q. 117 (2008) (addressing the situations of representing children who do not want or are unable to express their views or who are at a risk of harm).

Solangel Maldonado, *Taking Account of Children's Emotions: Anger and Forgiveness in "Renegotiated Families,"* 16 VA. J. SOC. POL'Y & L. 443 (2009) (evaluating ways to help children deal with their anger at their parents' divorce, such as including them in mediation and divorce education).

Sandra Keen McGlothlin, *No More "Rag Dolls in the Corner": A Proposal to Give Children in Custody Disputes a Voice, Respect, Dignity, and Hope*, 11 J.L. & FAM. STUD. 67 (2008) (assessing the effectiveness of court appointed special advocate programs in representing children and urging courts to be attentive to appointing representatives for children and to consider children's wishes).

Susan L. Pollet, *A Nationwide Survey of Programs for Children of Divorcing and Separating Parents*, 47 FAM. CT. REV. 523 (2009) (reviewing the types of programs available in various jurisdictions, such as parent education programs, child education programs, and children's support groups (both court and school-based), and reviewing the slim amount of existing empirical research regarding these programs).

American Bar Association, *Working Draft of a Model Act Governing the Representation of Children in Abuse, Neglect, and Dependency Proceedings*, 42 FAM. L.Q. 155 (2008).

Barbara Atwood, *The Voice of the Indian Child: Strengthening the Indian Child Welfare Act Through Children's Participation*, 50 ARIZ. L. REV. 127 (2008).

302 *Journal of the American Academy of Matrimonial Lawyers*

Konrad S. Lee & Matthew I. Thue, *Unpacking the Package Theory: Why California's Statutory Scheme for Terminating Parental Rights in Dependent Child Proceedings Violates the Due Process Rights of Parents as Defined by the United States Supreme Court in Santosky v. Kramer*, 13 U.C. DAVIS J. JUV. L. & POL'Y 143 (2009) (California).

James C. May & Alexander W. Banks, *Lawyering for Children in High-Conflict Cases*, 33 VT. L. REV. 169 (2008) (Vermont).

Divorce

Mary Adkins, *Moving Out of the 1990s: An Argument for Updating Protocol on Divorce Mediation in Domestic Abuse Cases*, 22 YALE J.L. & FEMINISM 97 (2010) (reviewing empirical information to argue that mediation may be appropriate and preferable for victims of domestic abuse).

Cassandra Brown, Comment, *Ameliorating the Effects of Divorce on Children*, 22 J. AM. ACAD. MATRIM. LAW. 461 (2009) (assessing divorce education programs).

J. Thomas Oldham, *Changes in the Economic Consequences of Divorces, 1958-2008*, 42 FAM. L.Q. 419 (2008) (addressing the expansion of equitable distribution, trends toward allowing indefinite alimony for marriages of significant length, and changes in bankruptcy laws that prohibit discharge of property division and support obligations).

David M. Shumaker, *The Forgotten Bonds: The Assessment and Contemplation of Sibling Attachment in Divorce and Parental Separation*, 49 FAM. CT. REV. 46 (2011) (reviewing the psychological literature on sibling attachment and urging consideration of sibling relationships in post-divorce parenting plans).

Sanjay T. Tailor, *Better Civil Practice in Dissolution of Marriage Litigation*, 40 LOY. U. CHI. L.J. 911 (2009) (noting a number of common practices that are at odds with procedural rules specifically in Illinois, but with some universal applicability, such as the treatment of proof requirements regarding dissipation of assets, the laxity of court orders regarding extended discovery, and the misuse of notice through publication).

Michael R. Clisham & Robin Fretwell Wilson, *American Law Institute's Principles of the Law of Family Dissolution, Eight Years after Adoption: Guiding Principles or Obligatory Footnote?*, 42 FAM. L.Q. 573 (2008).

Joan B. Kelly & Mary K. Kisthardt, *Helping Parents Tell Their Children About Separation and Divorce: Social Science Frameworks and the Lawyer's Counseling Responsibility*, 22 J. AM. ACAD. MATRIM. LAW. 315 (2009).

Gregory C. Maksimuk, *Avoiding Landmines: Appellate Jurisdiction and the Illinois Marriage and Dissolution of Marriages Act*, 21 DCBA BRIEF 8 (Apr. 2009) (Illinois).

Kelly McClure, *Top 10 Things Every Woman (and Her Husband) Should Know Before Filing for Divorce*, 49 THE ADVOC. (TEXAS) 55 (Winter 2009) (Texas).

Judith G. McMullen, *Pro Se Trends and Divorce in Wisconsin*, 83 WIS. LAW. 14 (June 2010) (Wisconsin).

Kathleen A. Portuan Miller, *Who Says Muslim Women Don't Have the Right to Divorce?—A Comparison Between Anglo-American Law and Islamic Law*, 22 N.Y. INT'L L. REV. 201 (2009).

J. Thomas Oldham, *Texas Abolishes Economic Contribution in Divorce Cases: Now What?*, 47 HOUS. LAW. 14 (Oct. 2009) (Texas).

Roman J. Seckel, *Splitting Up Without Divorce: A Legal Separation Primer*, 98 ILL. B.J. 416 (Aug. 2010) (Illinois).

Steven P. Smith, *Traps for the Unwary: Avoiding Problems With Employee Benefit Plans in Divorce*, 80 J. KAN. B.A. 24 (Feb. 2011).

Kimberly Diane White, Note, *Covenant Marriage: An Unnecessary Second Attempt at Fault-Based Divorce*, 61 ALA. L. REV. 869 (2010).

Domestic Violence

Jeffrey R. Baker, *Enjoining Coercion: Squaring Civil Protection Orders with the Reality of Domestic Abuse*, 11 J.L. & FAM. STUD. 35 (2008) (urging the application of civil protection orders to coercive, non-physical behaviors).

Dana Harrington Conner, *Abuse and Discretion: Evaluating Judicial Discretion in Custody Cases Involving Violence Against Women*, 17 AM. U. J. GENDER SOC. POL'Y & L. 163 (2009) (discussing parameters for courts evaluating evidence of domestic violence in custody cases, including what to do when there is conflicting testimony and matters like various forms of gender bias against women in abuse cases).

Sally F. Goldfarb, *Reconceiving Civil Protection Orders for Domestic Violence: Can Law Help End the Abuse Without Ending the Relationship?* 29 CARDOZO L. REV. 1487 (2008) (examining factors associated with victim and batterer compliance with protection orders, the difficulties of enforcement, and the issue that many victims want some continued contact with their batterers, and proposing the goal of crafting protection orders in some cases that permit limited ongoing contact).

Elayne E. Greenberg, *Beyond the Polemics: Realistic Options to Help Divorcing Families Manage Domestic Violence*, 24 ST. JOHN'S J. LEGAL COMMENT. 603 (2010) (assessing parent education, mediation and parenting coordination programs in the domestic violence context).

Leslie Joan Harris, *Failure to Protect From Exposure to Domestic Violence in Private Custody Contests*, 44 FAM. L.Q. 169 (2010) (evaluating state statutes that require courts to consider intimate violence during custody decisions and considering the role of the failure to protect a child from witnessing or experiencing violence from someone else).

Peter G. Jaffe, et al., *Custody Disputes Involving Allegations of Domestic Violence: Toward a Differentiated Approach to Parenting Plans*, 46 FAM. CT. REV. 500 (2008) (addressing how to screen for risks of domestic violence and ways to craft parenting plans—ranging from very limited and supervised visitation to essentially co-parenting—depending on the risk assessment).

Joan B. Kelly & Michael P. Johnson, *Differentiation Among Types of Intimate Partner Violence: Research Update and Implications for Interventions*, 46 FAM. CT. REV. 476 (2008) (describing four patterns or typologies of intimate partner violence—Coercive Controlling Violence, Violent Resistance, Situational Couple Violence, and Separation-Instigated Violence—and the typical severity, risks and rates of recidivism regarding each type).

Laurie S. Kohn, *What's So Funny About Peace, Love and Understanding? Restorative Justice as a New Paradigm for Domestic Violence Intervention*, 40 SETON HALL L. REV. 517 (2010) (introducing types of restorative justice programs, including mediation, family group conferences and peacemaking circles, and evaluating whether they can be useful if appropriate screening techniques, ground rules, and enforcement mechanisms are in place).

Diane L. Rosenfeld, *Correlative Rights and the Boundaries of Freedom: Protecting the Civil Rights of Endangered Women*, 43 HARV. C.R.-C.L. L. REV. 257 (2008) (exploring the prospects of using Global Positioning System (GPS) technology through an ankle bracelet to monitor perpetrators of domestic violence and make sure they do not violate orders of protection).

Robin R. Runge, *The Legal Response to the Employment Needs of Domestic Violence Victims*, 37 HUM. RTS. 13 (Summer 2010) (providing information about “crime victim leave laws”).

Leah Satine, *Maximal Safety, Minimal Intrusion: Monitoring Civil Protective Orders Without Implicating Privacy*, 43 HARV. C.R.-C.L. L. REV. 267 (2008) (evaluating the Fourth Amendment implications of using GPS monitors that would track domestic abusers and only alert enforcement authorities if the wearer entered an area prohibited by location data, and concluding that this limited surveillance of only prohibited movement would not interfere with privacy rights).

Barbara R. Barreno, Note, *In Search of Guidance: An Examination of Past, Present and Future Adjudications of Domestic Violence Asylum Claims*, 64 VAND. L. REV. 225 (2011).

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Lisa Bolotin, Note, *When Parents Fight: Alaska's Presumption Against Awarding Custody to Perpetrators of Domestic Violence*, 25 ALASKA L. REV. 263 (2008) (Alaska).

Paul A. Clark, *Mandatory Arrest for Misdemeanor Domestic Violence: Is Alaska's Arrest Statute Constitutional?*, 27 ALASKA L. REV. 151 (2010) (Alaska).

Dana Harrington Conner, *Do No Harm: An Analysis of the Legal and Social Consequences of Child Visitation Determinations for Incarcerated Perpetrators of Extreme Acts of Violence Against Women*, 17 COLUM. J. GENDER & L. 163 (2008).

Elizabeth Coppolecchia, et al., Note, *United States v. White: Disarming Domestic Violence Misdemeanants Post-Heller*, 64 U. MIAMI L. REV. 1505 (2010) (Eleventh Circuit).

Jennifer Cranstoun et al., *What's an Intimate Relationship, Anyway? Expanding Access to the New York State Family Courts for Civil Orders of Protection*, 29 PACE L. REV. 455 (2009) (New York).

Margaret B. Drew & Marilu E. Gresens, *Denying Choice of Forum: An Interference by the Massachusetts Trial Court With Domestic Violence Victims' Rights and Safety*, 43 SUFFOLK U. L. REV. 293 (2010) (Massachusetts).

Jacqueline P. Hand & David C. Koelsch, *Shared Experiences, Divergent Outcomes: American Indian and Immigrant Victims of Domestic Violence*, 25 WIS. J.L. GENDER & SOC'Y 185 (2010).

David B. Harrison & Timothy L. Johnson, *The New Domestic Violence Treatment Standards for 2010*, 39 COLO. LAW. 45 (Sep. 2010) (Colorado).

Margaret C. Hobday, *Protecting Economic Stability: The Washington Supreme Court Breathes New Life in the Public-Policy Exception to At-Will Employment for Domestic Violence Victims*, 17 WM. & MARY J. WOMEN & L. 87 (2010).

Amy Holtzworth-Munroe, et al., *The Mediator's Assessment of Safety Issues and Concerns (MASIC): A Screening Interview for Intimate Partner Violence and Abuse Available in the Public Domain*, 48 FAM. CT. REV. 646 (2010).

Nicholas D. Jonson & Neeti Pawar, *Dissolution of Marriage and Domestic Violence: Considerations for the Family Law Practitioner*, 37 COLO. LAW. 43 (Oct. 2008) (Colorado).

Hilary Mattis, Comment, *California's Survivors of Domestic Violence Employment Leave Act: The Twenty-Five Employee Minimum Is Not a Good Rule of Thumb*, 50 SANTA CLARA L. REV. 1319 (2010) (California).

Karen Oehme et al., *Protecting Lives, Careers, and Public Confidence: Florida's Efforts to Prevent Officer-Involved Domestic Violence*, 49 FAM. CT. REV. 84 (2011) (Florida).

Susan L. Pollet, *Economic Abuse: The Unseen Side of Domestic Violence*, 83 N.Y. ST. B.J. 40 (Feb. 2011).

Njeri Mathis Rutledge, *Turning a Blind Eye: Perjury in Domestic Violence Cases*, 39 N.M. L. REV. 149 (2009).

Mary Ann Scholl, Comment, *GPS Monitoring May Cause Orwell to Turn in His Grave, But Will It Escape Constitutional Challenges? A Look at GPS Monitoring of Domestic Violence Offenders in Illinois*, 43 J. MARSHALL L. REV. 845 (2010) (Illinois).

Milena Shtelmakher, Comment, *Police Misconduct and Liability: Applying the State-Created Danger Doctrine to Hold Police Officers Accountable for Responding Inadequately to Domestic-Violence Situations*, 43 LOY. L.A. L. REV. 1533 (2010).

Allison Smith-Estelle, *Montana Lawyers Need to Be Educated About Domestic Violence*, 36 MONT. LAW. 12 (Mar. 2011) (Montana).

Nat Stern, et al., *Visitation Decisions in Domestic Violence Cases: Seeking Lessons from One State's Experience*, 23 WIS. J.L. GENDER & SOC'Y 113 (2008) (Florida).

Elissa Stone, Comment, *How the Family and Medical Leave Act Can Offer Protection to Domestic Violence Victims in the Workplace*, 44 U.S.F. L. REV. 729 (2010).

Elder Issues

American Bar Association Commission on Law & Aging, *The Legal Guide for the Seriously Ill*, 2009, http://www.americanbar.org/content/dam/aba/migrated/2011_build/law_aging/l_gd_srsly_ill_web_710.authcheckdam.pdf (providing a handbook covering a range of issues, from managing health care decisions to paying for health care to planning for the care of dependents to patients' rights and employees' rights).

Richard L. Kaplan, *Analyzing the Impact of the New Health Care Reform Legislation on Older Americans*, 18 *ELDER L.J.* 213 (2011) (assessing in particular the prescription drug provisions of the new health care reform laws).

Richard L. Kaplan, *Elder Law as Proactive Planning and Informed Empowerment During Extended Life*, 40 *STETSON L. REV.* 15 (2010) (explaining clearly and succinctly Social Security, private pensions, Medicare and Medicaid).

Marshall B. Kapp, *Older Clients With Questionable Legal Competence: Elder Law Practitioners and Treating Physicians*, 37 *WM. MITCHELL L. REV.* 99 (2010) (urging that lawyers who are seeking competence evaluations from doctors "break the competence evaluation into its separate data components . . . : the individual's ability to make and communicate any discernible choice; the individual's ability to comprehend his or her own specific situation; the person's ability to reason with the available information in reaching a decision; and the individual's ability to appreciate the probable and possible consequences of the alternatives being contemplated").

Catherine M. Reif, *A Penny Saved Can Be a Penny Earned: Nursing Homes, Medicaid Planning, the Deficit Reduction Act of 2005, and the Problem of Transferring Assets*, 34 *N.Y.U. REV. L. & SOC. CHANGE* 339 (2010) (analyzing financial asset transfers to qualify for Medicaid long-term care benefits).

Peter C. Sisson, *Life Care Planning: The Comprehensive Elder Law Approach to Planning for the Chronic Care Needs of Seniors*, 44 *IDAHO L. REV.* 481 (2008) (offering a primer on Medicaid planning).

Kathryn Tucker, *Elder Law: Counseling Clients Who Are Terminally Ill*, 37 WM. MITCHELL L. REV. 117 (2010) (addressing pain control, legal documents necessary to prepare for incapacity, and laws regarding assistance in dying).

Phoebe Weaver Williams, *Age Discrimination in the Delivery of Health Care Services to Our Elders*, 11 MARQ. ELDER'S ADVISOR 1 (Fall 2009) (describing the prospects for and limitations on using the Age Discrimination Act of 1975 to address age-based health care discrimination).

Georgia Akers, *Elder Abuse and Exploitation: The Ethical Duty of the Attorney*, 47 HOUS. LAW. 10 (Aug. 2009) (Texas).

American Bar Association Commission on Law & Aging, *Making Medical Decisions for Someone Else* (2009), http://www.americanbar.org/content/dam/aba/uncategorized/2011/2011_aging_bk_proxy_guide_gen.authcheckdam.pdf.

Amanda Bassen, *Patient Neglect in Nursing Homes and Long-Term Care Facilities in New York State: The Need for New York to Implement Programs and Procedures to Combat Elder Neglect*, 8 CARDOZO PUB. L. POL'Y & ETHICS J. 179 (2009) (New York).

Lee Beneze et al., *Survey of Illinois Elder Law*, 34 S. ILL. U. L.J. 855 (2010) (Illinois).

Chadwick Bothe, Comment, *The Stigma of Survival: Medicaid Estate Planning*, 51 S. TEX. L. REV. 815 (2010).

Lisa Brodoff, *Planning for Alzheimer's Disease With Mental Health Advance Directives*, 17 ELDER L.J. 239 (2010).

Valerie L. Corzine et al., *Colorado Medicaid Home and Community-Based Services and Least-Restrictive Environment*, 39 COLO. LAW. 35 (May 2010) (Colorado).

Denis Culley, *Thoughts on Resolving the PFA/PFH Conundrum Faced by Elders in Maine*, 25 ME. B.J. 136 (Summer 2010) (Maine).

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Lisa C. Dumond, Note, *The Undeserving Heir: Domestic Elder Abuser's Right to Inherit*, 23 QUINNIPIAC PROB. L.J. 214 (2010) (Connecticut).

William S. Friedlander, *Help Your Clients Pick a Nursing Home*, 46 TRIAL 16 (July 2010).

Andrew H. Hook, *The Uniform Power of Attorney Act*, 45 REAL PROP. TR. & EST. L.J. 283 (2010).

Andrew H. Hook, *Veterans Administration Aid and Attendance Benefits*, 20 EXPERIENCE 28 (No. 2 2010).

Michael A. Kirtland & Catherine Anne Seal, *Intimacy in the Elder Law Setting*, 22 PROB. & PROP. 34 (Dec. 2008).

Terry M. Magady, *Changes in In-Home Care Under the PPACA*, 33 L.A. LAW. 11 (Oct. 2010) (Patient Protection and Affordable Care Act).

Kathleen A. Negri, *Professionalism in Elder Law: Ten Tips for Building Better Relationships With Medicaid Officials*, 38 COLO. LAW. 37 (Apr. 2009).

James H. Pietsch, *Who's Afraid of Protecting Older Persons?—Addressing the False Illusion of Having to Keep “Elder” Out of Elder Abuse Laws*, 16 GEO. J. ON POVERTY L. & POL'Y 391 (2009) (Hawaii).

Ashley E. Rathbun, Comment, *Marrying Into Financial Abuse: A Solution to Protect the Elderly in California*, 47 SAN DIEGO L. REV. 227 (2010) (California).

Leslie Salzman, *Rethinking Guardianship (Again): Substituted Decision Making as a Violation of the Integration Mandate of Title II of the Americans With Disabilities Act*, 81 U. COLO. L. REV. 157 (2010).

Catherine Anne Seal & Michael A. Kirtland, *The Transfer-on-Death Deed in the Elder Law Setting*, 4 NAELA J. 71 (2008).

Kim Vu-Dinh, *Reforming Power of Attorney Law to Protect Alaskan Elders from Financial Exploitation*, 27 ALASKA L. REV. 1 (2010) (Alaska).

Electronic Discovery

Articles relating to electronic discovery, privileges, security, spoliation and ethical obligations from 2005-2010 can be found in Nancy Levit, *Electronic Evidence Annotated Bibliography*, 23 J. AM. ACAD. MATRIM. LAW. 217 (2010).

Rachel K. Alexander, *E-Discovery Practice, Theory, and Precedent: Finding the Right Pond, Lure, and Lines Without Going on a Fishing Expedition*, 56 S.D. L. REV. 25 (2011) (examining defenses or exceptions to producing e-discovery, as well as possible sanctions for spoliation).

Steven C. Bennett, *Coping With Metadata: Ten Key Steps*, 61 MERCER L. REV. 471 (2010) (offering practical advice about word processing features that can be shut off and scrubbing software).

Gaetano Ferro, Marcus Lawson & Sarah Murray, *Electronically Stored Information: What Matrimonial Lawyers and Computer Forensics Need to Know*, 23 J. AM. ACAD. MATRIM. LAW. 1 (2010) (introducing the technology of electronically stored information, including emails, text messages and metadata, the criminal laws that set parameters on obtaining this information, and ethical obligations of matrimonial lawyers regarding electronic information).

Andrew M. Perlman, *The Legal Ethics of Metadata Mining*, 43 AKRON L. REV. 785 (2010) (reviewing conflicting bar association ethics opinions from various jurisdictions regarding mining for metadata).

Amanda Showalter, Comment, “*What’s Yours Is Mine*”: *Inadvertent Disclosure of Electronically Stored, Privileged Information in Divorce Litigation*, 23 J. AM. ACAD. MATRIM. LAW. 177 (2010) (examining inadvertent disclosure in several family law cases).

Jenna M. Bedsole, *Controlling Costs in E-Discovery*, 72 ALA. LAW. 134 (Mar. 2011).

Steven C. Bennett, *Are E-Discovery Costs Recoverable by a Prevailing Party?*, 20 ALB. L.J. SCI. & TECH. 537 (2010).

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Steven C. Bennett, *Civil Discovery of Social Networking Information*, 39 SW. L. REV. 413 (2010).

Elleanor H. Chin & Ryan D. Derry, *Alt-Delete: Judges Have Made It Clear that Ignorance Is No Longer an Excuse for Spoliation of Electronic Evidence*, 33 L.A. LAW. 35 (Aug. 2010) (California).

David W. Degnan, *Accessing Arizona's Government: Open Records Requests for Metadata and Other Electronically Stored Information After Lake v. City of Phoenix*, 3 PHOENIX L. REV. 69 (2010) (Arizona).

Timothy D. Edwards, *Spoliation of Electronic Evidence*, 83 WIS. LAW. 6 (Nov. 2010) (Wisconsin).

Randall Farrar, *Metadata: The Hidden Disaster That's Right in Front of You*, 82 N.Y. ST. B.J. 49 (Oct. 2010).

Carole S. Gailor, *In-Depth Examination of the Law Regarding Spoliation in State and Federal Courts*, 23 J. AM. ACAD. MATRIM. LAW. 71 (2010).

Tomas J. Garcia, *Jurisdictional Discord in Applying Ethics Guidelines to Inadvertently Transmitted Metadata*, 23 GEO. J. LEGAL ETHICS 585 (2010).

Daniel B. Garrie & Yoav M. Griver, *Mobile Messaging and Electronic Discovery*, 8 LOY. L. & TECH. ANN. 95 (2009).

John H. Jessen, *An Overview of ESI Storage and Retrieval*, 11 SEDONA CONF. J. 237 (Fall 2010).

Adjoa Linzy, *The Attorney-Client Privilege and Discovery of Electronically-Stored Information*, 2011 DUKE L. & TECH. REV. 1.

Traci T. McKee, *Avoiding the Scarlet "S": Attorneys Must Be Proactive to Avoid Sanctions for Spoliation of Electronic Evidence*, 30 TRIAL ADVOC. Q. 9 (Winter 2011).

Richard L. Miller II & Kristen Werries Collier, *Avoiding the Innocent Spoliation of Evidence*, 24 CBA REC. 40 (May 2010) (Illinois).

Sharon Nelson, *Ride The Lightning*, Electronic Evidence Blog, <http://ridethelightning.senseient.com>.

Shawn Raymond, *Tackling E-Discovery on a Budget*, 51 THE ADVOC. (Texas) 50 (Summer 2010).

Vlad Vainberg, Comment, *When Should Discovery Come With a Bill? Assessing Cost Shifting for Electronic Discovery*, 158 U. PA. L. REV. 1523 (2010).

Derek S. Witte, *Your Opponent Does Not Need a Friend Request to See Your Page: Social Networking Sites and Electronic Discovery*, 41 MCGEORGE L. REV. 891 (2010).

Immigration

Evelyn H. Cruz, *Because You're Mine, I Walk the Line: The Trials and Tribulations of the Family Visa Program*, 38 FORDHAM URB. L.J. 155 (2010) (providing the basic requirements of the visa petition program and addressing the increasing difficulties beneficiaries face in the petition process).

Victoria Degtyareva, Note, *Defining Family in Immigration Law: Accounting for Nontraditional Families in Citizenship by Descent*, 120 YALE L.J. 862 (2011) (addressing how INS regulations apply when immigration petitioners share or split parenting responsibilities among three parties).

Kathryn Rae Edwards, Note, *Kicking the INA Out of Bed: Abolishing the Consummation Requirement for Proxy Marriages*, 22 HASTING WOMEN'S L.J. 55 (2011) (critiquing the Immigration and Nationality Act's requirement of post-marital consummation).

Anna Hanson, Note, *The U-Visa: Immigration Law's Best Kept Secret*, 63 ARK. L. REV. 177 (2010) (explaining the qualification requirements for U-visas for victims of crime and abuse).

Shani M. King, *U.S. Immigration Law and the Traditional Nuclear Conception of Family: Toward a Functional Definition of Family That Protects Children's Fundamental Human Rights*, 41 COLUM. HUM. RTS. L. REV. 509 (2010) (unpacking family

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reunification policies and assessing the plight of mixed status families).

David B. Thronson, *Entering the Mainstream: Making Children Matter in Immigration Law*, 38 *FORDHAM URB. L.J.* 393 (2010) (considering children as dependents and as generators of immigrant rights).

David B. Thronson, *Thinking Small: The Need for Big Changes in Immigration Law's Treatment of Children*, 14 *U.C. DAVIS J. JUV. L. & POL'Y* 239 (2010) (addressing mixed-status families).

Ashley Arcidiacono, Comment, *Silencing the Voices of Battered Women: How Arizona's New Anti-Immigration Law "SB1070" Prevents Undocumented Women From Seeking Relief Under the Violence Against Women Act*, 47 *CAL. W. L. REV.* 173 (2010) (Arizona).

Nana Adjoa Atsem, Note, *Choin v. Mukasey: The Road to Permanent Residency Through U.S. Citizen Marriage and Divorce*, 35 *N.C. J. INT'L L. & COM. REG.* 761 (2010) (Ninth Circuit).

Shaina N. Elias, Note, *From Bereavement to Banishment: The Deportation of Surviving Alien Spouses Under the "Widow Penalty,"* 77 *GEO. WASH. L. REV.* 172 (2008).

Olga Grosh, Note, *Foreign Wives, Domestic Violence: U.S. Law Stigmatizes and Fails to Protect "Mail-Order Brides,"* 22 *HASTINGS WOMEN'S L.J.* 81 (2011).

C. Elizabeth Hall, Note, *Where Are My Children . . . and My Rights? Parental Rights Termination as a Consequence of Deportation*, 60 *DUKE L.J.* 1459 (2011).

David J. Hart & Jordana A. Hart, *Will Divorce Jeopardize the Green Card?*, 32 *FAM. ADVOC.* 20 (Spring 2010).

Alison M. Osterberg, Comment, *Removing the Dead Hand on the Future: Recognizing Citizen Children's Rights Against Parental Deportation*, 13 *LEWIS & CLARK L. REV.* 751 (2009).

Wale Oyejide, Comment, *Adding Insult to the Harshes of Injuries: A Critique of the 'Widow Penalty,'* 19 TEMP. POL. & CIV. RTS. L. REV. 515 (2010).

Kim Thuy Seelinger, *Forced Marriage and Asylum: Perceiving the Invisible Harm,* 42 COLUM. HUM. RTS. L. REV. 55 (2010).

Claire A. Smearman, *Second Wives' Club: Mapping the Impact of Polygamy in U.S. Immigration Law,* 27 BERKELEY J. INT'L L. 382 (2009).

Scott Titshaw, *Sorry Ma'am, Your Baby Is an Alien: Outdated Immigration Rules and Assisted Reproductive Technology,* 12 FLA. COASTAL L. REV. 47 (2010).

Marriage (See also Same-Sex Marriage, Divorce, Relationships and Families—Parenting)

Robert E. Rains, *Marriage in the Time of Internet Ministers: I Now Pronounce You Married, But Who Am I To Do So?,* 64 U. MIAMI L. REV. 809 (2010) (addressing state statutes and challenges to the validity of marriages approved by “ministers” with few or no credentials, such as some Universal Life Church-officiated marriages; including an appendix of each state’s laws regarding approved officiants).

Miscellaneous

Linda D. Elrod & Robert G. Spector *A Review of the Year in Family Law: Looking at Interjurisdictional Recognition,* 43 FAM. L.Q. 923 (2010) (recapping the most recent interjurisdictional cases under the Hague Convention, Indian Child Welfare Act, bankruptcy proceedings, in interstate proceedings, and various uniform state laws, such as the Uniform Interstate Family Support Act).

Clare Huntington, *Happy Families? Translating Positive Psychology Into Family Law,* 16 VA. J. SOC. POL'Y & L. 385 (2009) (drawing on research in positive psychology, this article demonstrates the effect that positive reinforcements can have on some of the most troubling family issues—for example, welfare and early childhood education benefits can diminish rates of child

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abuse and neglect; similarly, a program of nurse-family partnerships can promote child development).

Michael Lundberg, Note, *Our Parents' Keepers: The Current Status of American Filial Responsibility Laws*, 2009 UTAH L. REV. 581 (Utah).

Parenting (See also Same-Sex Marriage, Divorce, Relationships and Families—Parenting)

Sacha M. Coupet, "Ain't I a Parent?": *The Exclusion of Kinship Caregivers From the Debate Over Expansions of Parenthood*, 34 N.Y.U. REV. L. & SOC. CHANGE 595 (2010) (arguing that the laws in most states privilege conjugal ties and exclusive parental rights over the realities of caregiving by extended family members, and arguing that kinship caregivers should be afforded rights of custody and visitation).

Susan A. Dwyer, *How to Share Parenting*, 33 FAM. ADVOC. 4 (Summer 2010) (discussing ways to make workable allocations of time and decisional authority).

Leslie Joan Harris, *The Basis for Legal Parentage and the Clash Between Custody and Child Support*, 42 IND. L. REV. 611 (2009) (comparing the requirements for and consequences of parenthood by estoppel and de facto parenting).

Melanie B. Jacobs, *More Parents, More Money: Reflections on the Financial Implications of Multiple Parentage*, 16 CARDOZO J.L. & GENDER 217 (2010) (addressing the importance of recognizing financial obligations for parents recognized as de facto parents and parents by estoppel).

Laura T. Kessler, *Community Parenting*, 24 WASH. U. J.L. & POL'Y 47 (2007) (unpacking the assumption that children should only have two parents).

Solangel Maldonado, *Cultivating Forgiveness: Reducing Hostility and Conflict After Divorce*, 43 WAKE FOREST L. REV. 441 (2008) (urging courts to require parents involved in high conflict divorces to take a forgiveness education program).

Julia Halloran McLaughlin, *The Fundamental Truth About Best Interests*, 54 ST. LOUIS U. L.J. 113 (2009) (advocating recognition of children's fundamental rights to have a parent-child relationship with an adult whom they consider to be a parent).

Susan L. Pollet, *Still a Patchwork Quilt: A Nationwide Survey of State Laws Regarding Stepparent Rights and Obligations*, 48 FAM. CT. REV. 528 (2010) (providing a survey of state laws regarding stepparents and child custody, visitation, support, and inheritance).

Lindsay J. Rohlf, Note, *The Psychological-Parent and De Facto-Parent Doctrines: How Should the Uniform Parentage Act Define "Parent"?*, 94 IOWA L. REV. 691 (2009) (assessing state considerations of the psychological and de facto parent doctrines to resolve third part visitation issues).

Tali Schaefer, *Saving Children or Blaming Parents? Lessons From Mandated Parenting Classes*, 19 COLUM. J. GENDER & L. 491 (2010) (evaluating whether mandatory parenting classes actually help children or engage in "parent-blaming").

Amanda Sigal et al., *Do Parent Education Programs Promote Healthy Postdivorce Parenting? Critical Distinctions and a Review of the Evidence*, 49 FAM. CT. REV. 120 (2011)(assessing the literature on a variety of post-divorce arrangements (such as time spent with parents after divorce and what types of visitation programs are most effective at maintaining continuing contact) and reviewing studies of court-ordered education programs; concluding that the absence of evidence that these programs work may not be due to the programs, but to methodological weaknesses in the evaluative studies).

Lashanda Taylor, *Resurrecting Parents of Legal Orphans: Un-Terminating Parental Rights*, 17 VA. J. SOC. POL'Y & L. 318 (2010) (surveying state statutes and case law regarding petitions to recreate parental rights after those rights have been terminated).

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Heather Britton, *Standing in the Wake of In Re Cesar L.: The Effects on Parents' Rights After Termination*, 19 GEO. MASON U. CIV. RTS. L.J. 663 (2009) (West Virginia).

Dorothy R. Fait et al., *Who Is a Parent?*, 42 MD. B.J. 4 (June 2009) (Maryland).

William G. Hightower, *Relationship of Biological Relatives After Termination of Parental Rights*, 72 ALA. LAW. 32 (Jan. 2011) (Alabama).

Amanda L. Krenson, Note, *Reining in the Parental-Discipline Defense: Addressing the Need for Standards That Work to Protect Indiana's Children*, 44 VAL. U. L. REV. 611 (2010) (Indiana).

Rena M. Lindevaldsen, *Sacrificing Motherhood on the Altar of Political Correctness: Declaring a Legal Stranger to Be a Parent Over the Objections of the Child's Biological Parent*, 21 REGENT U. L. REV. 1 (2009).

Jennifer E. McIntosh, *Legislating for Shared Parenting: Exploring Some Underlying Assumptions*, 47 FAM. CT. REV. 389 (2009).

Marsha Kline Pruett, et al., *The Hand That Rocks the Cradle: Maternal Gatekeeping After Divorce*, 27 PACE L. REV. 709 (2007).

Irwin Sandler, et al., *Effects of Father and Mother Parenting on Children's Mental Health in High-and-Low-Conflict Divorces*, 46 FAM. CT. REV. 282 (2008).

Angel Sorrells, *Indian Children and Termination of Parental Rights*, 89 MICH. B.J. 28 (Feb. 2010).

Marissa Wiley, Note, *Redefining the Legal Family: Protecting the Rights of Coparents and the Best Interests of Their Children*, 38 HOFSTRA L. REV. 319 (2009) (New York).

Robin Fretwell Wilson, *Trusting Mothers: A Critique of the American Law Institute's Treatment of De Facto Parents*, 38 HOFSTRA L. REV. 1103 (2010).

Parental Alienation

Michele A. Adams, *Framing Contests in Child Custody Disputes: Parental Alienation Syndrome, Child Abuse, Gender, and Fathers' Rights*, 40 FAM. L.Q. 315 (2006) (discussing the invention of parental alienation syndrome by Richard Gardner and locating it historically in the fathers' rights movement).

Barbara Jo Fidler & Nicholas Bala, *Children Resisting Post-separation Contact With a Parent: Concepts, Controversies, and Conundrums*, 48 FAM. CT. REV. 10 (2010) (distinguishing behaviors of a child who is resistant to contact and those of parents who try to alienate the other parent, explaining that parental alienation "syndrome" is not included in DSM-IV, and surveying the literature on behaviors regarding the favored and rejected parents as well as the effects of alienation on children and potential remedies).

Paul D. Nordini, *Emancipation Events: Judicial Activism to Curb Parental Alienation Syndrome*, 21 DCBA BRIEF 12 (Nov. 2008) (discussing the possibility of arguing that parental alienation by a child is a self-emancipating event relieving the alienated parent from paying child support).

Richard A. Warshak, *Family Bridges: Using Insights From Social Science to Reconnect Parents and Alienated Children*, 48 FAM. CT. REV. 48 (2010) (delineating when and under what conditions different treatment methods, such as reunification, residential treatment, and environmental modification, tend to work, and describing the experimental program "Family Bridges" workshops).

Nicholas Bala, *Parental Alienation: Canadian Court Cases 1989-2008*, 48 FAM. CT. REV. 164 (2010).

Rita Berg, *Parental Alienation Analysis, Domestic Violence, and Gender Bias in Minnesota Courts*, 29 LAW & INEQ. 1 (2011) (Minnesota).

Rachel Birnbaum & Nicholas Bala, *Toward the Differentiation of High-Conflict Families: An Analysis of Social Science Research and Canadian Case Law*, 48 FAM. CT. REV. 403 (2010)

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Steven Friedlander & Marjorie Gans Walters, *When a Child Rejects a Parent: Tailoring the Intervention to Fit the Problem*, 48 FAM. CT. REV. 98 (2010).

Peter G. Jaffe et al., *Early Identification and Prevention of Parent—Child Alienation: A Framework for Balancing Risks and Benefits of Intervention*, 48 FAM. CT. REV. 136 (2010).

Joan B. Kelly, *Commentary on “Family Bridges: Using Insights From Social Science to Reconnect Parents and Alienated Children” (Warshak, 2010)*, 48 FAM. CT. REV. 81 (2010).

Joan Meier, *A Historical Perspective on Parental Alienation Syndrome and Parental Alienation*, 6 J. CHILD CUSTODY 232 (July-Dec. 2009).

Jeffrey Shulman, *What Yoder Wrought: Religious Disparagement, Parental Alienation and the Best Interests of the Child*, 53 VILL. L. REV. 173 (2008).

Matthew J. Sullivan et al., *Overcoming Barriers Family Camp: A Program for High-Conflict Divorced Families Where a Child Is Resisting Contact With a Parent*, 48 FAM. CT. REV. 116 (2010).

Richard A. Warshak, *Alienating Audience From Innovation: The Perils of Polemics, Ideology, and Innuendo*, 48 FAM. CT. REV. 153 (2010).

Richard A. Warshak & Mark R. Otis, *Helping Alienated Children With Family Bridges: Practice, Research and the Pursuit of “Humbition,”* 48 FAM. CT. REV. 91 (2010).

Paternity and Fathering

Browne Lewis, *Two Fathers, One Dad: Allocating the Paternal Obligations Between the Men Involved in the Artificial Insemination Process*, 13 LEWIS & CLARK L. REV. 949 (2009) (proposing that both husbands and sperm donors should be considered financially responsible fathers to advance financial stability for children conceived through artificial insemination).

Jeffrey A. Parness, *Systematically Screwing Dads: Out of Control Paternity Schemes*, 54 WAYNE L. REV. 641 (2008) (arguing that

many states' safe haven and adoption schemes do not provide adequate procedural protections for biological fathers).

Jeffrey A. Parness & Zachary Townsend, *For Those Not John Edwards: More and Better Paternity Acknowledgements at Birth*, 40 U. BALT. L. REV. 53 (2010) (evaluating state paternity acknowledgment forms and considering the prospects for dual paternity).

Judith S. Wallerstein & Julia S. Lewis, *Divorced Fathers and Their Adult Offspring: Report From a Twenty-Five Year Longitudinal Study*, 42 FAM. L.Q. 695 (2009) (examining factors after divorce that are correlated with fathers maintaining or losing connections with their children).

Katie S. Allen, Note, *Family Law & Civil Procedure—Daddy Dilemma: Should the Truth Matter?* *Martin v. Pierce*, No. 06-950, 2007 WL 1447911 (Ark. May 17, 2007), 30 U. ARK. LITTLE ROCK L. REV. 815 (2008) (Arkansas).

Paul Bailin, Note, *Ferguson v. McKiernan: The Problematic Concept of Technological Paternity*, 36 J.L. MED. & ETHICS 425 (2008) (Pennsylvania).

Robin H. Ballard et al., *Factors Affecting the Outcome of Divorce and Paternity Mediations*, 49 FAM. CT. REV. 16 (2011).

Kayla Britton, Note, *You Shall Always Be My Child: The Due Process Implications of Paternity Affidavits Under Indiana Code Section 16-37-2-2.1*, 43 IND. L. REV. 499 (2010) (Indiana).

Tyler M. Hawkins, Comment, *Adoption of Infants Born to Unaware, Unwed Fathers: A Statutory Proposal That Better Balances the Interests Involved*, 2009 UTAH L. REV. 1335.

Michelle Kaminsky, Note, *Excessive Rights for Putative Fathers: Heart of Adoptions Jeopardizes Rights of Mother and Child*, 57 CATH. U. L. REV. 917 (2008).

Brittany King, Recent Development, *Kamp v. Department of Human Services: A Presumed Parent, Who Asserts a Paternity Defense for the First Time in a Post-Divorce Proceeding, Must*

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Demonstrate That Paternity Testing Is in the Best Interest of the Child, 40 U. BALT. L.F. 269 (2010) (Maryland).

Rachel L. Kovach, Comment, *Sorry Daddy—Your Time Is Up: Rebutting the Presumption of Paternity in Louisiana*, 56 LOY. L. REV. 651 (2010) (Louisiana).

Christopher J. Mehling & Matthew W. Swafford, *A Biological Father's Rights Extinguished*, 37 N. KY. L. REV. 343 (2010) (Kentucky).

Rebecca Moulton, Note, *Who's Your Daddy? The Inherent Unfairness of the Marital Presumption for Children of Unmarried Parents*, 47 FAM. CT. REV. 698 (2009).

Sue Robbins, *Fatherhood in Florida*, 84 FLA. B.J. 24 (Dec. 2010) (Florida).

Margaret Ryznar, *Two to Tango, One in Limbo: A Comparative Analysis of Fathers' Rights in Infant Adoptions*, 47 DUQ. L. REV. 89 (2009).

Tia M. Young, Comment, *Removing the Veil, Uncovering the Truth: A Child's Right to Compel Disclosure of His Biological Father's Identity*, 53 HOW. L.J. 217 (2009) (Michigan).

Pets and Animal Companions

Gerry W. Beyer & Jonathan P. Wilkerson, *Max's Taxes: A Tax-Based Analysis of Pet Trusts*, 43 U. RICH. L. REV. 1219 (2009) (evaluating traditional, statutory, and honorary pet trusts, as well as federal and state income tax implications).

Casey Chapman, Comment, *Not Your Coffee Table: An Evaluation of Companion Animals as Personal Property*, 38 CAP. U. L. REV. 187 (2009) (suggesting guidelines for awarding damages when pets are killed that go beyond the considerations of pets as property, including components for emotional distress, burial, and the costs of obtaining and training a new pet).

David Favre, *Living Property: A New Status for Animals Within the Legal System*, 93 MARQ. L. REV. 1021 (2010) (urging the recognition of a new jurisprudential category for some more senti-

ent non-human animals that would be accompanied by rights to adequate food and to be free from pain).

Barbara Graham & Diana Gary, *Attention Lawyers: Sit, Stay, Plan*, 43 MD. B.J. 12 (Apr. 2010) (suggesting provisions for a pet trust and discussing a number of the forty-five state statutes allowing them.).

John DeWitt Gregory, *Pet Custody: Distorting Language and the Law*, 44 FAM. L.Q. 35 (2010) (arguing that courts should continue to consider pets as property).

Rebecca J. Huss, *The Pervasive Nature of Animal Law: How the Law Impacts the Lives of People and Their Animal Companions*, 43 VAL. U. L. REV. 1131 (2009) (addressing a wealth of issues faced by animal owners, including housing ordinances that regulate the number of pets per residence, restrictive lease provisions, breed discriminatory legislation, rules relating to assistance animals, as well as separation, custody, and veterinary issues).

Adam P. Karp & Julie I. Fershtman, *Recent Developments in Animal Tort and Insurance Law*, 45 TORT TRIAL & INS. PRAC. L.J. 149 (Winter 2010) (covering veterinary injuries, seizure and euthanasia of pets, injuries to animals and injuries caused by animals, as well as custody claims).

Christopher D. Seps, Note, *Animal Law Evolution: Treating Pets as Persons in Tort and Custody Disputes*, 2010 U. ILL. L. REV. 1339 (arguing for a rule that treats pets not as property but as persons only in tort and custody cases to recognize the emotional bond owners form with their pets).

Heidi Stroh, *Puppy Love: Providing for the Legal Protection of Animals When Their Owners Get Divorced*, 2 J. ANIMAL L. & ETHICS 231 (2007) (maintaining that if courts treat pets like property in custody disputes, this will not promote the welfare of the animal and urging a modified “best interests” test that considers such things as the owners’ wishes, the animal’s physical and mental health, any “documented preference exhibited by the animal,” and “the prior and anticipated physical care and treatment of the animal”).

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Diane Sullivan & Holly Vietzke, *An Animal Is Not an iPod*, 4 J. ANIMAL L. 41 (2008) (noting that the property classification of pets prevents courts from awarding visitation rights and results in a failure to appropriately compensate when emotional bonds are broken; mentioning that twenty cities and one state, Rhode Island, have passed legislation denominating pet owners as guardians).

Breahn Vokolek, *America Gets What It Wants: Pet Trusts and a Future for Its Companion Animals*, 76 UMKC L. REV. 1109 (2008) (suggesting specific provisions for pet trusts).

T. Christopher Wharton, Note, *Fighting Like Cats and Dogs: The Rising Number of Custody Battles Over the Family Pet*, 10 J.L. & FAM. STUD. 433 (2008) (addressing several cases that have decided pet custody cases by using a best interests test—and noting that one of the cases involved animal behaviorist expert testimony).

Robert L. Adair, Note, *Monkeys and Horses and Ferrets . . . Oh My! Non-Traditional Service Animals Under the ADA*, 37 N. KY. L. REV. 415 (2010).

Kristin M. Bourland, Note, *Advocating Change Within the ADA: The Struggle to Recognize Emotional-Support Animals as Service Animals*, 48 U. LOUISVILLE L. REV. 197 (2009).

Joshua L. Friedman, *Protecting the Family Pet: The New Face of Maryland Domestic Violence Protective Orders*, 40 U. BALT. L.F. 81 (2009) (Maryland).

Neil E. Hendershot, *What the General Practitioner Needs to Know About Pennsylvania Animal Law: Personal and Estate Planning for Pennsylvanians Owning Pets*, 77 PA. B. ASS'N Q. 107 (July 2006) (Pennsylvania).

Rebecca J. Huss, *Why Context Matters: Defining Service Animals Under Federal Law*, 37 PEPP. L. REV. 1163 (2010).

Eric Kotloff, Note, *All Dogs Go to Heaven . . . or Divorce Court: New Jersey Un“Leashes” a Subjective Value Consideration to Re-*

solve Pet Custody Litigation in Houseman v. Dare, 55 VILL. L. REV. 447 (2010) (New Jersey).

Shari L. Miller, *Arizona Attorney's Guide to Pet Trusts*, 1 PHOENIX L. REV. 473 (2008) (Arizona).

Hilary M. Schwartzberg, Note, *Tort Law in Action and Dog Bite Liability: How the American Legal System Blocks Plaintiffs From Compensation*, 40 CONN. L. REV. 845 (2008).

Lacy L. Shuffield, *Pet Parents—Fighting Tooth and Paw for Custody: Whether Louisiana Courts Should Recognize Companion Animals as More Than Property*, 37 S.U. L. REV. 101 (2009) (Louisiana).

Dawinder S. Sidhu, *Cujo Goes to College: On the Use of Animals by Individuals With Disabilities in Postsecondary Institutions*, 38 U. BALT. L. REV. 267 (2009).

Kristen E. Swann, Note, *Irrationality Unleashed: The Pitfalls of Breed-Specific Legislation*, 78 UMKC L. REV. 839 (2010).

K. Michelle Welch, *Animal Law*, 44 U. RICH. L. REV. 185 (2009) (Virginia).

Kelly Wilson, Note, *Catching the Unique Rabbit: Why Pets Should Be Reclassified as Inimitable Property Under the Law*, 57 CLEV. ST. L. REV. 167 (2009).

Psychological Assessments and Impairments

American Psychiatric Association, DSM-V: The Future Manual, <http://www.psych.org/MainMenu/Research/DSMIV/DSMV.aspx> (last visited Mar. 13, 2011) (discussing the process of developing the fifth edition of the *Diagnostic and Statistical Manual of Mental Disorders*).

Renee L. Binder & Dale E. McNiel, *Some Issues in Psychiatry, Psychology, and the Law*, 59 HASTINGS L.J. 1191 (2008) (exploring the guidelines that national psychological and psychiatric associations have issued for their members who provide forensic services).

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Douglas Mossman & Amanda N. Shoemaker, *Incompetence to Maintain a Divorce Action: When Breaking Up Is Odd to Do*, 84 ST. JOHN'S L. REV. 117 (2010) (urging courts to recognize incompetence as a defense in divorce, to comprehend situations where one of the spouses has a severe psychiatric impairment).

Deirdre Smith, *The Disordered and Discredited Plaintiff: Psychiatric Evidence in Civil Litigation*, 31 CARDOZO L. REV. 749 (2010) (reviewing the use of psychiatric evidence introduced to show injuries, impeach credibility, and explain reasons for a party's actions, and arguing that judges need to exercise discretion to exclude psychiatric evidence more often than they currently do, because the admission of this evidence tends to be hugely prejudicial).

American Psychiatric Association, *Proposed Draft Revisions to DSM Disorders and Criteria*, DSM-V Development, <http://www.dsm5.org/Pages/Default.aspx> (2010).

Daniela Caruso, *Autism in the U.S.: Social Movement and Legal Change*, 36 AM. J. L. & MED. 483 (2010).

David Crump, *Effects Upon Divorce Proceedings When a Spouse Suffers From Borderline Personality Disorder*, 43 FAM. L.Q. 571 (2009).

Sarah E. Dunn, Note, *Mental Block: The Challenges Awaiting a Mentally Impaired Claimant When Applying for Social Security Disability Benefits*, 22 REGENT U. L. REV. 453 (2009-10).

Robert Eme, *Attention Deficit Hyperactivity Disorder and the Family Court*, 47 FAM. CT. REV. 650 (2009).

Lawrence R. Jones & David L. Holmes, *Autism and Divorce Guidelines for Family Court Practice*, 256 N.J. LAW. 12 (Feb. 2009).

Tracy J. Simmons, *Relinquishing Custody in Exchange for Mental Healthcare Services: Undermining the Adoption and Safe Families Act's Promise of Reasonable Efforts Towards Family Preservation and Reunification*, 10 J.L. & FAM. STUD. 377 (2008).

Michael Terzuoli, Note, *Relying on the Unreliable: How a Court Rule Could Alleviate the Problems Inherent in the Neutral Mental Health Evaluation Process in Child Custody Cases*, 48 FAM. CT. REV. 571 (2010).

Relocation

William G. Austin, *Relocation, Research, and Forensic Evaluation, Part I: Effects of Residential Mobility on Children of Divorce*, 46 FAM. CT. REV. 137 (2008) (detailing factors associated with risks to children from relocation as well as protective or buffering factors).

William G. Austin, *Relocation, Research, and Forensic Evaluation: Part II: Research in Support of the Relocation Risk Assessment Model*, 46 FAM. CT. REV. 347 (2008) (explaining how risks and protective factors can be used in child custody evaluations).

Linda D. Elrod, *National and International Momentum Builds for More Child Focus in Relocation Disputes*, 44 FAM. L.Q. 341 (2010) (examining the wide variety in state law approaches to relocation decisions, assessing children's and parents' constitutional rights, and reviewing efforts toward creating a uniform standard, such as the American Academy of Matrimonial Lawyers' *Model Act on Relocation* and the American Law Institute's *Principles of the Law of Family Dissolution*).

Samara Nazir, Comment, *The Changing Path to Relocation: An Update on Post-Divorce Relocation Issues*, 22 J. AM. ACAD. MATRIM. LAW. 483 (2009) (comparing various jurisdictions' approaches to relocation, including what happens in joint custody regimes).

Ruth Zafran, *Children's Rights as Relational Rights: The Case of Relocation*, 18 AM. U. J. GENDER SOC. POL'Y & L. 163 (2010) (urging courts to decide relocation cases by trying to best preserve children's rights to maintain contact with the central people in their lives).

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Elisabeth Bach-Van Horn, Comment, *Virtual Visitation: Are Webcams Being Used as an Excuse to Allow Relocation?*, 21 J. AM. ACAD. MATRIM. LAW. 171 (2008).

David V. Chipman, *The Necessity of "Right to Travel" Analysis in Custodial Parent Relocation Cases*, 10 WYO. L. REV. 267 (2010).

Rachel M. Colancecco, Note, *A Flexible Solution to a Knotty Problem: The Best Interests of the Child Standard in Relocation Disputes*, 1 DREXEL L. REV. 573 (2009).

Julie Hixson-Lambson, Comment, *Consigning Women to the Immediate Orbit of a Man: How Missouri's Relocation Law Substitutes Judicial Paternalism for Parental Judgment by Forcing Parents to Live Near One Another*, 54 ST. LOUIS U. L.J. 1365 (2010) (Missouri).

Andrea Niemi, *The "Unnecessary" In-State Relocation Standard*, 36 WM. MITCHELL L. REV. 116 (2009) (Minnesota).

Maryl Sattler, Note, *The Problem of Parental Relocation: Closing the Loophole in the Law of International Child Abduction*, 67 WASH. & LEE L. REV. 1709 (2010).

Nicola Taylor & Marilyn Freeman, *International Research Evidence on Relocation: Past, Present and Future*, 44 FAM. L.Q. 317 (2010).

Amie J. Tracia, Note, *Navigating the Waters of Massachusetts Child Relocation Law: Assessing the Application of the Real Advantage Standard*, 13 SUFFOLK J. TRIAL & APP. ADVOC. 139 (2008) (Massachusetts).

Same Sex Marriage, Divorce, Relationships, and Families

Divorce

Susan L. Pollet, *Breaking Up Is Hard[er] to Do: Same Sex Divorce*, 83 N.Y. ST. B.J. 10 (Apr. 2011) (exploring the difficulties same-sex couples face in obtaining a divorce).

John M. Yarwood, Note, *Breaking Up Is Hard to Do: Mini-DOMA States, Migratory Same-Sex Marriage, Divorce, and a Practical Solution to Property Division*, 89 B.U. L. REV. 1355 (2009) (explaining different state approaches to property division when same-sex couples move to jurisdictions that do not recognize their marriages).

L. Lynn Hogue, *The Constitutional Obligation to Adjudicate Petitions for Same-Sex Divorce and the Dissolution of Civil Unions and Analogous Same-Sex Relationships*, 41 CAL. W. INT'L L.J. 229 (2010).

Danielle Johnson, Comment, *Same-Sex Divorce Jurisdiction: A Critical Analysis of Chambers v. Ormiston and Why Divorce Is an Incident of Marriage That Should Be Uniformly Recognized Throughout the States*, 50 SANTA CLARA L. REV. 225 (2010) (Rhode Island).

Colleen McNichols Ramais, Note, *'Til Death Do You Part . . . And This Time We Mean It: Denial of Access to Divorce for Same-Sex Couples*, 2010 U. ILL. L. REV. 1013.

Louis Thorson, Comment, *Same-Sex Divorce and Wisconsin Courts: Imperfect Harmony?*, 92 MARQ. L. REV. 617 (2009) (Wisconsin).

Elder Law

Nancy J. Knauer, *Gay and Lesbian Elders: Estate Planning and End-of-Life Decision Making*, 12 FLA. COASTAL L. REV. 163 (2010) (explaining the importance of creating non-probate joint assets, because the jurisdiction's probate law probably will not protect same-sex partners).

Aimee Bouchard & Kim Zadworny, *Growing Old Together: Estate Planning Concerns for the Aging Same-Sex Couple*, 30 W. NEW ENG. L. REV. 713 (2008).

Nancy J. Knauer, *LGBT Elder Law: Toward Equity in Aging*, 32 HARV. J. L. & GENDER 1 (2009).

Marriage

Andrew Koppelman, *DOMA, Romer, and Rationality*, 58 *DRAKE L. REV.* 923 (2010) (discussing federal equal protection challenges to DOMA, based on the argument that it is lacking even a rational basis because it is premised purely on animosity toward an unpopular group).

Holning Lau, *The Effects of Legally Recognizing Same-Sex Unions on Health and Well-Being*, 29 *LAW & INEQ.* 107 (2011) (reviewing empirical evidence).

Hillel Y. Levin, *Resolving Interstate Conflicts Over Same-Sex Non-Marriage*, 63 *FLA. L. REV.* 47 (2011) (evaluating various state approaches when a same-sex couple marries in one state and then moves to a state that does not recognize their marriage).

Ira C. Lupu & Robert W. Tuttle, *Same-Sex Family Equality and Religious Freedom*, 5 *Nw. J. L. & SOC. POL'Y* 274 (2010) (discussing the use of public accommodation laws to require jurisdictions to allow same-sex commitment ceremonies).

Mark P. Strasser, *DOMA and the Constitution*, 58 *DRAKE L. REV.* 1011 (2010) (evaluating due process, equal protection right to travel, full faith and credit and other challenges to DOMA).

Erez Aloni, *Incrementalism, Civil Unions, and the Possibility of Predicting Legal Recognition of Same-Sex Marriage*, 18 *DUKE J. GENDER L. & POL'Y* 105 (2010).

Chase D. Anderson, Note, *A Quest for Fair and Balanced: The Supreme Court, State Courts, and the Future of Same-Sex Marriage Review After Perry*, 60 *DUKE L.J.* 1413 (2011) (Perry v. Schwarzenegger).

M.V. Lee Badgett, *The Economic Value of Marriage for Same-Sex Couples*, 58 *DRAKE L. REV.* 1081 (2010).

Patrick J. Borchers, *The Coming Collision: Romer and State Defense of Marriage Acts*, 2008 *BYU L. REV.* 1635.

Dan J. Bulfer, *How California Got It Right: Mining In Re Marriage Cases for the Seeds of a Viable Federal Challenge to Same-Sex Marriage Bans*, 41 CAL. W. INT'L L.J. 49 (2010).

Drew A. Cumings-Peterson, Note, *Out-of-State Civil Unions in Iowa After Varnum v. Brien: Why the State of Iowa Should Recognize Civil Unions as Marriages*, 96 IOWA L. REV. 297 (2010) (Iowa).

William N. Eskridge, Jr., *Is Political Powerlessness a Requirement for Heightened Equal Protection Scrutiny?*, 50 WASHBURN L.J. 1 (2010).

Lawrence Friedman, *Not the Usual Suspects: Suspect Classification Determinations and Same-Sex Marriage Prohibitions*, 50 WASHBURN L.J. 61 (2010).

Suzanne B. Goldberg et al., *Equality Opportunity: Marriage Litigation and Iowa's Equal Protection Law*, 12 J. GENDER RACE & JUST. 107 (2008) (Iowa).

Frank Gulino, *After Godfrey v. Spano: Is New York's High Court Ready to Recognize Out-of-State Marriages?*, 82 N.Y. ST. B.J. 30 (May 2010) (New York).

Bennett Klein & Daniel Redman, *From Separate to Equal: Litigating Marriage Equality in a Civil Union State*, 41 CONN. L. REV. 1381 (2009) (Connecticut).

Paul Benjamin Linton, *Same-Sex Marriages and the New Mexico Equal Rights Amendment*, 20 GEO. MASON U. CIV. RTS. L.J. 209 (2010) (New Mexico).

Peter Nicolas, *Common Law Same-Sex Marriage*, 43 CONN. L. REV. 931 (2011).

Courtney A. Powers, *Finding LGBTs a Suspect Class: Assessing the Political Power of LGBTs as a Basis for the Court's Application of Heightened Scrutiny*, 17 DUKE J. GENDER L. & POL'Y 385 (2010).

Mark Strasser, *Interstate Marriage Recognition and the Right to Travel*, 25 WIS. J.L. GENDER & SOC'Y 1 (2010).

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Lois A. Weithorn, *Can a Subsequent Change in Law Void a Marriage That Was Valid at Its Inception? Considering the Legal Effect of Proposition 8 on California's Existing Same-Sex Marriages*, 60 *HASTINGS L.J.* 1063 (2009) (California).

Parenting

Laura Nicole Althouse, *Three's Company? How American Law Can Recognize a Third Social Parent in Same-Sex Headed Families*, 19 *HASTINGS WOMEN'S L.J.* 171 (2008) (discussing the reasoning of an Ontario decision recognizing three legal parents).

Kathy T. Graham, *Same-Sex Couples: Their Rights as Parents, and Their Children's Rights as Children*, 48 *SANTA CLARA L. REV.* 999 (2008) (covering various ways states have recognized LGBT parents' rights (through adoption, partnership laws, and psychological or de facto parent concepts) and urging recognition of children's rights in continued parent-child relationships).

Courtney G. Joslin, *Interstate Recognition of Parentage in a Time of Disharmony: Same-Sex Parent Families and Beyond*, 70 *OHIO ST. L.J.* 563 (2009) (maintaining that initial state decisions about parental status should be accorded full faith and credit in other states).

Joyce Kauffman, *Protecting Parentage With Legal Connections*, 32 *FAM. ADVOC.* 24 (Winter 2010) (addressing co-parent adoption and the portability of parentage across state lines).

Christine Metteer Lorillard, *Placing Second-Parent Adoption Along the "Rational Continuum" of Constitutionally Protected Family Rights*, 30 *WOMEN'S RTS. L. REP.* 1 (2008) (arguing that second parent adoptions deserve heightened constitutional protection as important family relationships).

Nancy D. Polikoff, *A Mother Should Not Have to Adopt Her Own Child: Parentage Laws for Children of Lesbian Couples in the Twenty-First Century*, 5 *STAN. J. C.R. & C.L.* 201 (2009) (considering ways for lesbian mothers to obtain parentage determinations under existing statutes and limitations on the ability to do so).

Robin Fretwell Wilson, *A Matter of Conviction: Moral Clashes Over Same-Sex Adoption*, 22 *BYU J. PUB. L.* 475 (2008) (exploring refusals of private adoption agencies to allow same sex parents to adopt and considering whether state conscience clauses offer an appropriate way to balance competing interests).

Jason C. Beekman, Note, *Same-Sex Second-Parent Adoption and Intestacy Law: Applying the Sharon S. Model of “Simultaneous” Adoption to Parent-Child Provisions of the Uniform Probate Code*, 96 *CORNELL L. REV.* 139 (2010).

Harvey L. Fiser & Paula K. Garrett, *It Takes Three, Baby: The Lack of Standard, Legal Definitions of “Best Interest of the Child” and the Right to Contract for Lesbian Potential Parents*, 15 *CARDOZO J.L. & GENDER* 1 (2008).

Suzanne B. Goldberg, *Family Law Cases as Law Reform Litigation: Unrecognized Parents and the Story of Allison D. v. Virginia M.*, 17 *COLUM. J. GENDER & L.* 307 (2008).

Kathryn J. Harvey, Note, *The Rights of Divorced Lesbians: Interstate Recognition of Child Custody Judgments in the Context of Same-Sex Divorce*, 78 *FORDHAM L. REV.* 1379 (2009).

Nellie Herchenbach, *Giving Back the Other Mommy: Addressing Missouri’s Failure to Recognize Legal Parent Status Following Same-Sex Relationship Dissolution*, 44 *FAM. L.Q.* 429 (2010) (Missouri).

Carla S. Johnson, Note, *Family Law—Application of Equitable Estoppel in Paternity and Visitation Cases—Mommy’s Baby, Mama’s Maybe: A New York Court’s Decision to Hold a Same-Sex Partner Financially Responsible for a Non-Biological and Non-Adoptive Child. H.N. v. E.T., No. U-110-07 (N.Y. Fam. Ct. Sept. 11, 2007)*, 31 *U. ARK. LITTLE ROCK L. REV.* 543 (2009) (New York).

Courtney G. Joslin, *Searching for Harm: Same-Sex Marriage and the Well-Being of Children*, 46 *HARV. C.R.-C.L. L. REV.* 81 (2011).

334 *Journal of the American Academy of Matrimonial Lawyers*

Emily R. Lipps, Janice M. v. Margaret K.: *Eliminating Same-Sex Parents' Rights to Raise Their Children by Eliminating the De Facto Parent Doctrine*, 68 MD. L. REV. 691 (2009).

Emmalee M. Miller, Note, *Are You My Mother? Missouri Denies Custodial Rights to Same-Sex Parent*, 75 MO. L. REV. 1377 (2010) (Missouri).

Aaron M. Neilson, Note, *A Look at Kulstad v. Mamiaci in Light of Changing Cultural Norms*, 71 MONT. L. REV. 449 (2010) (Montana).

Michael J. Ritter, Note, *Adoption by Same-Sex Couples: Public Policy Issues in Texas Law & Practice*, 15 TEX. J. ON C.L. & C.R. 235 (2010) (Texas).

Amy D. Ronner, *When Courts Let Insane Delusions Pass the Rational Basis Test: The Newest Challenge to Florida's Exclusion of Homosexuals From Adoption*, 21 U. FLA. J.L. & PUB. POL'Y 1 (2010) (Florida).

Rebecca Mae Salokar, *Gay and Lesbian Parenting in Florida: Family Creation Around the Law*, 4 FLA. INT'L U.L. REV. 473 (2009) (Florida).

Susan W. Savard, *The Presumptions of Privette: Have They Perished With the Coming of Daniel and Disestablishment of Paternity?*, 83 FLA. B.J. 49 (Mar. 2009) (Florida).

Rachel Simmons, Comment, *Legislating After Janice M.: The Constitutionality of Recognizing De Facto Parenthood in Maryland*, 70 MD. L. REV. 525 (2011) (Maryland).

Catherine E. Smith, *Equal Protection for Children of Gay and Lesbian Parents: Challenging the Three Pillars of Exclusion—Legitimacy, Dual-Gender Parenting, and Biology*, 28 LAW & INEQ. 307 (2010).

Megan Snider, Note, *Mongerson v. Mongerson: Georgia Employs Evidence-Based Test and Avoids Discrimination Against Noncustodial Homosexual Parents in Visitation Determinations*, 19 LAW & SEXUALITY 227 (2010) (Georgia).

Krista Stone-Manista, *Parents in Illinois Are Parents in Oklahoma Too: An Argument for Mandatory Interstate Recognition of Same-Sex Adoptions*, 19 *LAW & SEXUALITY* 137 (2010).

Louis Thorson, Comment, *Same-Sex Divorce and Wisconsin Courts: Imperfect Harmony?*, 92 *MARQ. L. REV.* 617 (2009) (Wisconsin).

Sarah E. Valentine, *Queer Kids: A Comprehensive Annotated Legal Bibliography on Lesbian, Gay, Bisexual, Transgender, and Questioning Youth*, 19 *YALE J.L. & FEMINISM* 449 (2008).

Social Media and Technology

Laurie L. Baughman, *Friend Request or Foe? Confirming the Misuse of Internet and Social Networking Sites by Domestic Violence Perpetrators*, 19 *WIDENER L.J.* 933 (2010) (assessing internet monitoring and stalking by perpetrators of intimate violence).

Steven C. Bennett, *Civil Discovery of Social Networking Information*, 39 *SW. L. REV.* 413 (2010) (explaining the law regarding discovery requests to individuals and hosting companies for information on social networking sites).

Steven C. Bennett, *Ethics of Lawyer Social Networking*, 73 *ALB. L. REV.* 113 (2009) (addressing limits on attorney advertising and solicitation through social media, as well as rules about honesty, competence, and disclosure of confidential information).

Sheila Blackford, *Avoiding Pitfalls in the Kingdoms of Facebook, LinkedIn and Twitter*, 70 *OR. ST. B. BULL.* 36 (June 2010) (explaining privacy settings on social networking sites).

Debra L. Bruce, *Social Media 101 for Lawyers*, 73 *TEX. B.J.* 186 (Mar. 2010) (describing the demographics of members on Facebook, LinkedIn, Twitter, Google Buzz, Legal Onramp, LawLink, JD Supra, and Martindale-Hubbell Connected).

Judy M. Cornett, *The Ethics of Blawging: A Genre Analysis*, 41 *LOY. U. CHI. L.J.* 221 (2009) (discussing ethical rules relating to blawging, including restrictions on marketing lawyers' services

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and concerns about the unintended formation of attorney-client relationships).

Brian A. Craddock, *A Blawg Odyssey: Exploring How the Legal Community Is Using Blogs and How Blogs Are Changing the Legal Community*, 60 *MERCER L. REV.* 1353 (2009) (addressing a variety of topics, including the use of blogs to generate business).

Abigail S. Crouse & Michael C. Flom, *Social Media for Lawyers*, 67 *BENCH & B. MINN.* 16 (Nov. 2010) (noting that in 2009, three-quarters of all lawyers belonged to a social networking site and that the ABA Journal Blawg Directory lists more than 6,500 blogs, and discussing problems of confidentiality and inadvertent formation of attorney-client relationships).

James Grimmelmann, *Saving Facebook*, 94 *IOWA L. REV.* 1137 (2009) (analyzing use restrictions on and privacy laws regarding social media websites).

Christopher B. Hopkins, *Internet Social Networking Sites for Lawyers*, 28 *TRIAL ADVOC. Q.* 12 (Spring 2009) (comparing social media sites such as MySpace, Facebook, Classmates, and explaining how to use the web to research prospective jurors quickly during jury selection).

Carole Levitt & Mark Rosch, *Making Internet Searches Part of Due Diligence*, 29 *L.A. LAW.* 46 (Feb. 2007) (explaining how to find old internet web sites at the Internet Archive Way Back Machine, www.archive.org, and how to explore for witnesses' personal information on Google Groups, and addressing how to authenticate web information to introduce it as evidence).

Samantha L. Millier, Note, *The Facebook Frontier: Responding to the Changing Face of Privacy on the Internet*, 97 *KY. L.J.* 541 (2009) (explaining how Facebook works and surveying the laws applicable to internet privacy, including the Communications Decency Act, tort law, and contract rights).

Leonard M. Niehoff, *Of Tweets and Trials*, 27 *COMM. LAW.* 10 (Sept. 2010) (addressing gag orders on the use of social media during trials).

Evan E. North, Comment, *Facebook Isn't Your Space Anymore: Discovery of Social Networking Websites*, 58 U. KAN. L. REV. 1279 (2010) (discussing the discoverability of information that parties post on social networking sites).

Angela O'Brien, Comment, *Are Attorneys and Judges One Tweet, Blog or Friend Request Away From Facing a Disciplinary Committee?*, 11 LOY. J. PUB. INT. L 511 (2010) (examining potential ethical violations stemming from the use of social media, including confidentiality, ex parte communications, advertising, and extrajudicial statements problems).

Melissa Landau Steinman & Mikhia Hawkins, *When Marketing Through Social Media, Legal Risks Can Go Viral*, 22 INTELL. PROP. & TECH. L.J. 1 (Aug. 2010) (addressing issues such as endorsements in social media, privacy and data security, and Facebook's guidelines for promotions).

Steven T. Taylor, *Legal Profession Is All Atwitter as Law Firms Increasingly Market Practices Via Social Media*, 29 OF COUNSEL 1 (May 2010) (discussing law firm blogs and the circulation of law firm news via Twitter).

Mark I. Unger, *Top 10 Websites/Categories for Litigators (or Some Semblance Thereof)*, 52 THE ADVOC. (TEXAS) 44 (Fall 2010) (covering free legal research and documents management sites, practice management blogs, and social media and public data sources for evidence about people).

Dustin B. Benham, *The State Bar of Texas Provides New Guidance to Attorneys Regarding the Proper Use of Social Media and Blogs for Advertising Purposes*, 52 THE ADVOC. (TEXAS) 44 (Fall 2010) (Texas).

Seth P. Berman et al., *Web 2.0: What's Evidence Between "Friends"?*, 53 BOSTON B.J. 5 (Feb. 2009).

Beth C. Boggs & Misty L. Edwards, *Does What Happens on Facebook Stay on Facebook? Discovery, Admissibility, Ethics, and Social Media*, 98 ILL. B.J. 366 (July 2010).

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Debra Bruce, *Ethically Navigating the Social Media Landscape*, 73 TEX. B.J. 196 (2010) (Texas).

Susan Corts Hill, *Living in a Virtual World: Ethical Considerations for Attorneys Recruiting New Clients in Online Virtual Communities*, 21 GEO. J. LEGAL ETHICS 753 (2008).

Silvia Hsieh, *Divorce Attorneys Are Missing Evidence on Social Media Sites*, LAWYERS USA., June 25, 2009, <http://lawyersusaonline.com/blog/2009/06/25/divorce-attorneys-are-missing-evidence-on-social-media-sites/>.

John S. Wilson, Comment, *MySpace, Your Space, or Our Space? New Frontiers in Electronic Evidence*, 86 OR. L. REV. 1201 (2007).