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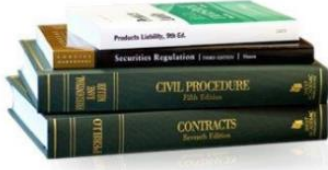
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Family Law in a Nutshell

Authors: Myers, John E.B. / Krause, Harry D.
Edition: 6th
Copyright Date: 2017

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20 chapters have results for Spousal Support

▲ Chapter 9. Spousal Support
41 results (showing 5 best matches)

But what about couples who marry later in life? It is not uncommon today for people to get married in their fifties or sixties. In addition to couples who marry later in life, thousands of divorcing couples have been married 30 or 40 years. When older couples divorce, planning for retirement needs to be part of the equation. An obvious example concerns spousal support. With long marriages, permanent or indeterminate spousal support orders are common. What happens when the supporting spouse retires and experiences decreased income? May the supporting spouse return to court and seek lower spousal support? Suppose it is the supported spouse who retires? May the supported spouse return to court and seek increased spousal support? (In this case, the court awarded spousal support that was to continue until the husband retired).

States have statutes listing factors to consider in awarding spousal support. The California statute is typical: "In ordering spousal support . . . , the court shall consider all of the following circumstances: (a) The extent to which the earning capacity of each party is sufficient to maintain the standard of living established during the marriage, taking into account all of the following: (1) The marketable skills of the supported party; the job market for those skills; and the time and expenses required for the supported party to acquire the appropriate education or training to develop those skills; and the possible need for retraining or education to acquire other, more marketable skills or employment. (2) The extent to which the supported party's present or future earning capacity is impaired by periods of unemployment that were incurred during the marriage to permit the supported spouse to devote time to domestic duties. (b) The extent to which the supported party contributed...

Generally, spousal support ends if a supported spouse remarries or cohabits with an intimate partner. (). As well, spousal support ends if the supported or supporting spouse dies. The parties are free in their divorce to agree otherwise. For example, the parties could agree that support will continue following the death of the supporting spouse.

Permanent spousal support usually is reserved for long marriages, especially marriages in which the supported spouse has not worked at all or in decades. The North Dakota Supreme Court explained in "Permanent spousal support is appropriate when the economically disadvantaged spouse cannot be equitably rehabilitated to make up for the opportunities and development she lost during the course of the marriage. Permanent spousal support is awarded to provide traditional maintenance for a spouse incapable of adequate rehabilitation or self-support. Permanent spousal support may be appropriate if there is a substantial disparity in earning capacity and a substantial income disparity that cannot be adjusted through property division or rehabilitative support." (795 N.W.2d at 316). In South Carolina, the Court of Appeals stated in


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 [Litigation with the Federal Government](#)



Litigation with the Federal Government

Author: Sisk, Gregory C.
Edition: 1st
Copyright Date: 2016

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§ 1.1 The Federal Government as a Primary Actor Before the Civil Courts

Because it is the quintessential repeat-player in federal litigation, and because its litigation strategy generally is coordinated by the United States Department of Justice across the range of government cases, the Federal Government exerts a powerful influence on the federal courts and the development of legal doctrine. As political scientist Christopher J.W. Zorn has observed, because of its ubiquitous presence in federal litigation, “more than any other entity, the federal government plays a central role in the development of law and policy in the United States courts.”¹

Both in quantity (the Federal Government being a party to between one-fifth and one-quarter of all civil cases filed in the federal courts)² and in quality (the substantial impact of many of these cases upon the real lives of people and to public policy), Federal Government litigation is exceptional in its importance.

This category of litigation is also distinctive in the special rules that govern and limit the liability of the sovereign United States. To fully appreciate these limitations, we must examine the statutory waivers of sovereign immunity that set the boundaries

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on the government’s amenability to suit. The exploration of these statutory waivers occupies most of the substance of this book.

We begin, however, by looking at the Federal Government as a civil litigator, that is, the government as an institutional actor before the courts. As will be seen, certain features about the Federal Government make it quite different in the way in which it handles civil litigation and in the procedures that apply to it. These unique characteristics in turn affect the means by which civil litigation involving the Government proceeds and the manner in which the federal sovereign can be held to judgment. Because these points apply generally to most government cases, we should have them well in mind before moving on to consider specific types of claims.

This book concentrates on the Federal Government as a primary actor, rather than on Government as a regulator of the actions of others (although the regulatory role of Government is not neglected here). Thus, our principal (but not exclusive) focus will be on civil litigation brought by a person seeking redress for harm allegedly caused by the affirmative actions (or inactions) of the federal sovereign, such as tortious harm, breach of contractual obligations, and hiring and firing employees. By contrast, when a person challenges the validity of a statute or regulation or a policy decision made by agency administrators with respect to federal regulatory programs, a request for judicial review fits more comfortably in the field of administrative law. To be sure, the line between the Government as an affirmative actor and the Government as a regulator of private conduct is sometimes indeterminate. And issues arising where the Government acted in a regulatory capacity occasionally will intrude upon our study.

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Principles of Sales Law



Principles of Sales Law

Authors: White, James J. / Summers, Robert S. / Barnhizer, Daniel D. / Barnes, Wayne R. / Snyder, Franklin G.
Edition: 2nd
Copyright Date: 2017

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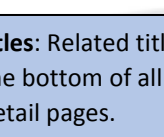
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Publication Date: July 25th, 2017
ISBN: 9781683285021
Subject: Commercial Law
Series: Concise Hornbook Series
Type: Hornbook Treatises


Description: This book provides a comprehensive introduction to Articles 1 and 2 of the Uniform Commercial Code (UCC). It provides a useful resource for students and practitioners dealing with sales or contract issues. Students of contracts or sales and any practitioner dealing with sales or contracts issues will profit from this book's use.

Book Description


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