

# Family Law Resources: Getting a Jump-Start

by Isabel Paul

FROM ADOPTION AND FOSTER CARE to the dissolution of the family unit to caring for the elderly and incapacitated individuals, family law affects every generation. Fortunately, many resources exist to help navigate the family law minefield. Some publications present in-depth explanations of a particular area of family law, with extensive statutory and case notes. Other sources offer a nuts-and-bolts approach, with procedural outlines and examples of essential forms. Most materials are well-indexed or contain, at the very least, a well-defined contents page.

For the individual whose practice is not exclusively devoted to family law, purchasing a specialized subject collection is impractical. Many of the resources cited in this article may be found at a local academic or public law library ([http://www.courts.state.va.us/library/virginia\\_public\\_lib.htm](http://www.courts.state.va.us/library/virginia_public_lib.htm)).

## Treatises

There are two Virginia-specific treatises on family law, excepting elder law issues. A hint: when searching for issues relating to divorce, most will be indexed as sub-headings under “divorce,” the main heading. Both treatises include a small set of pleading and practice forms and case notes. *Virginia Domestic Relations Handbook* (Lexis-Nexis, 1996 with annual supplements) has the companion *Virginia Domestic Relations Casefinder* (1996, fully updated). *Casefinder* provides access to case digests, chronologically arranged under recognizable subject headings. *Family Law: Theory, Practice, and Forms* (West, 2009, updated annually) contains extremely detailed case annotations or notes.

Numerous treatises cover elder law issues: trust and estate planning, guardianship, elder abuse, Social Security and Medicare, long-term care, and managing the elderly client. For lawyers just starting in elder law, or who take an occasional

case, these titles are recommended: *Elder Law: Advocacy for the Aging, 2d* (West, 2008), *A Guide to Elder Law Practice* (Matthew Bender, 2007), and *Elder Law Answerbook* (Aspen, 2d ed. 2008).

For forms that relate to elder law concerns, consult the following: *Elder Law Forms Manual: Essential Documents for Representing the Older Client* (Aspen, last updated 2008), with more than one hundred forms, and *Elderlaw 3d* (volume 18A, *West’s Legal Forms*, 2008).

## Virginia CLE

Virginia CLE publications (<http://www.vacle.org>) are issued as either practice handbooks—akin to specialized subject treatises—or seminar materials that include basic overviews, annual updates, or “hot topics.” They are available in print, CD-ROM, or downloadable formats. The downloadable option allows for individual chapters in most cases and comes at a reduced price.

Handbooks for practicing family law include *Negotiating and Drafting Marital Agreements* (2008), a comprehensive guide to all types of marital agreements, with explanations of tactics, ethics, and strategies involved in the negotiation process. Examples of forms, worksheets, schedules, and checklists are included where appropriate. *Adoption Procedures and Forms: A Guide for Virginia Lawyers* (2006, 2007 supplement) supplies introductory material followed by detailed discussions of the adoption process, with chapters on placement, foster care, types of adoptions, fees and costs, jurisdiction and venue, common challenges, and ethics. An accompanying disc has forms and instructions.

*Virginia Family Law: A Systematic Approach* presents a thorough examination of divorce, annulment, custody, visitation, support, property, and domestic violence. Chapter narratives reference

relevant *Code of Virginia* sections and case law. There is an explanation of the litigation process from the initial formation of the attorney-client relationship through the enforcement and modification of decrees and orders. The current edition (2008, 2009 supplement) contains more than 200 forms.

Currently available seminar materials include: *2008 Annual Divorce Practice Seminar Materials*, which concentrates on the appeal process; *27th Annual Family Law Seminar Materials*, with case analyses 2007-2008, evidentiary issues, ethics, performance-based trial advocacy; *Legislative Insights, and Divorce in a Bad Economy*, covering the legislative process and a discussion of bankruptcy (2009); *Representation of Children As a Guardian ad Litem Seminar Materials*, with basic information as of July 2007 in print format only; *Elder Law Basics Seminar Materials*, about developing a practice, planning for incapacity, “Medicaid 101,” and services for the elderly (2007); and *15th Annual Elder Law Seminar Materials*, focusing mainly on taxation and Medicaid issues (2006).

## Pamphlets

The Virginia State Bar has created several pamphlets to assist an attorney in communicating basic information to a client. These titles can be ordered from the VSB ([www.vsb.org/docs/orderform.pdf](http://www.vsb.org/docs/orderform.pdf)) or viewed online:

*Guardianship & Conservatorship in Virginia* ([www.vda.virginia.gov/pdfdocs/Guardbook.pdf](http://www.vda.virginia.gov/pdfdocs/Guardbook.pdf))

*Children and Divorce* ([www.vsb.org/site/publications/children-divorce](http://www.vsb.org/site/publications/children-divorce))

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*Divorce in Virginia*  
([www.vsb.org/site/publications/divorce-in-virginia](http://www.vsb.org/site/publications/divorce-in-virginia))

*Financial Issues in Divorce in Virginia*  
([www.vsb.org/publications/brochure/fidiv04.pdf](http://www.vsb.org/publications/brochure/fidiv04.pdf))

*Marriage in Virginia*  
([www.vsb.org/site/publications/marriage-in-virginia](http://www.vsb.org/site/publications/marriage-in-virginia)).

The Richmond Metropolitan Women's Bar Association has produced *Understanding Your Domestic Relations Rights in Virginia*, which can be ordered by contacting Robin A.R. McVoy at (804) 783-7235 or [rmcvoy@sandsanderson.com](mailto:rmcvoy@sandsanderson.com).