Endnotes


13 With this ring . . . A national survey on marriage in America. Gaithersburg, MD: The National Fatherhood Initiative. (See p. 34.)


35 Original data analysis by Patricia Nosanchuk, data analyst with the Division of Utah Courts, August 16, 2007.


Should I Keep Trying to Work it Out?


Should I Keep Trying to Work it Out?

Should I Keep Trying to Work it Out?

104 Atkins, David, personal communication, May 21, 2008; this statistic is based on an unpublished analysis of General Social Survey data, 1991–2002.


116 Adapted from the National Coalition Against Violence and from the Intimate Justice Scale. See Jory, B. (2004). The Intimate Justice Scale: An instrument to screen for psychological abuse and physical violence in clinical practice. Journal of Marital and Family Therapy, 30, 29–44.

117 This exercise was adapted from a domestic violence screening questionnaire created by the Relationship Research Institute. We thank Dr. John Gottman for his assistance.


121 Amato, P. R. & Hohmann-Marriott, B. (2007). A comparison of high-and low-distress marriages


135 Bramlett, M. D., & Mosher, W. D. (2001). First marriage dissolution, divorce, and remarriage:


150 Hetherington, E. M., & Kelly, J. (2002). For better or worse: Divorce reconsidered. New York: W. W. Norton. (See p. 112.)


152 Frieman, B. B., Garon, H. M., & Garon, R. J. (2000). Parenting seminars for divorcing parents:


impact of family formation change on the cognitive, social, and emotional well-being of the next generation. The Future of Children, 15(2), 75–96.


Should I Keep Trying to Work it Out?


These questions are taken from the RELATE Relationship Questionnaire and are used with permission. See Busby, D. M., Holman, T. B., & Taniguchi, N. (2001). RELATE: Relationship evaluation of the individual, family, cultural, and couple contexts. Family Relations, 50, 308–316.


292 These questions were suggested in Fowlke, L. D. (2004). Thinking divorce? Think again. Orem, UT: Fowlken Press. (See pp. 30–33.)

293 See Utah Code Annotated § 30-3-11.3.

294 See Utah Code Annotated § 30-3-1 and § 30-3-18

295 See Utah Code Annotated § 30-3-32 to § 30-3-37; Utah Code Annotated § 30-3-5(1); Utah Code Annotated § 30-3-5(1); Utah Code Annotated § 30-3-5(8); Utah Code Annotated § 78-45-7.1–7.11.

296 See Utah Code Annotated § 78-45-7.5(7).

297 See Utah Code Annotated § 78-45-7.5(5)(b).

298 Information retrieved from the Administrative Office of the Courts, ADR Director May 2008.

299 An Affidavit of Impecuniosity can be filed for low-income parties. See Utah Code Ann. § 78-7-35 (Supp. 2006).

300 See Utah Rules of Professional Conduct 1.7.

301 See Utah Code Annotated § 78-31b-7(3) and Utah Rules of Professional Conduct 2.4(c).

302 See Utah Code Annotated § 78-315-5 and § 30-3-39(2).

303 See Utah Code Annotated § 78-31b-2.

304 See Utah Code Annotated § 78-31b-7(3).

305 See Utah Code of Judicial Administration 4-510.

158
159

Should I Keep Trying to Work it Out?

See Utah Code Annotated § 78-31b-7(3) and Utah Rules of Professional Conduct 2.4(c).


Definition found on http://www.cflutah.org/about%20collaborative%20law.htm accessed on April 17, 2008.

Aims of CFLU found on http://www.cflutah.org/about%20collaborative%20law.htm accessed on April 17, 2008.

This is a well-know statistic in legal cases. See abanet.org and GP Solo Vol. 18, No. 4, June 2001, Electronica.


See Utah Code Annotated § 30-3-1.

Utah Code Annotated 30-3-16.2 – 16.7 and 30-3-17 gives information regarding the Petition for Conciliation. The Petition must be filed prior to the filing of the Divorce Petition. The Court will allow 60 days and a counselor will be assigned. The Petition of Conciliation is not public record.

Custody and parent-time can be modified through “substantial change in circumstances.” See Fullmer v. Fullmer, 761 P.2d 942, 946 (Utah App. 1988) and Utah Code Annotated § 30-3-10.4. Assets and debts are rarely changed, yet the court could modify and a substantial change must be present. See Utah Code Ann. § 30-3-5(3) (Lexis Supp. 2007) and Childs v. Callahan, 993 P.2d 244, 247 (Utah App. 1999). For alimony the court requires a substantial change “not foreseeable at the time of divorce.” Utah Code Annotated § 30-3-5(8)(g)(ii)(Lexis Supp. 2007).

See Fullmer v. Fullmer, 761 P.2d 942, 946 (Utah App. 1988) and Utah Code Annotated § 30-3-10.4.

See Utah Code Annotated § 30-3-5(3) (Lexis Supp. 2007) and Childs v. Callahan, 993 P.2d 244, 247 (Utah App. 1999).


See Utah Code Annotated § 30-3-5(8)(h) (Lexis Supp. 2007).


See Utah Code Annotated § 30-3-5(8)(a) (Lexis Supp. 2007). The seven factors for alimony are as follows: (1) the financial condition and needs of the person who is to receive alimony, (2) the earning capacity of the person who is to receive alimony, (3) the ability of the person who is to pay alimony to provide support, (4) the length of the marriage, (5) whether or not the recipient spouse worked in a business that was owned or operated by the payor spouse, and (7) whether or not the recipient spouse directly contributed to an increase in the payor spouse’s skill “by paying for education received by the payor spouse or allowing the payor spouse to attend school during the marriage.”