

WFLR UPDATE

Volume 7, Issue 12

October 26, 2010

Relevant Information

[Washington State Child Support Schedule Worksheet Calculator](#)

Judge Joan DuBuque Honored for Exemplary Contributions to Domestic Violence Prevention and Coordination

October 22, 2010 – King County Superior Court Judge Joan E. DuBuque was honored this evening by the King County Coalition Against Domestic Violence (KCCADV) in recognition of her many efforts to educate, promote and coordinate DV prevention services on both local and national levels.

Since 2004, Judge DuBuque has been the Chair of the King County Domestic Violence and Child Maltreatment Coordinated Response Project. This project involved the work of a multi-disciplinary leadership group, community participants and cooperating parties in Region Four, comprising King County.

The product of this effort was the development of the

continued on page 2

INSIDE THIS ISSUE

- 1 Relevant Information & Opinions
- 2 News & Podcasts
- 3 Family Law Seminars
- 4 Ethics & Supreme Court
- 5 Federal Legislation
- 6 State Legislation

Recent Court Opinions



Washington

Opinions On-Line Only 90 Days from Court's Posting

[Marriage of Smith](#) __ WnApp __ (Div II, 10/26/10, Published) Husband loses post-divorce pension dispute based on terms of decree.

[Tippie & Wilson](#) __ WnApp __ (Div I, 10/25/10, Unpublished) De facto parenting petition dismissed.

[Marriage of Keane](#) __ WnApp __ (Div I, 10/4/10, Unpublished) Wife's testimony of domestic violence substantiates court's findings and supports resulting parenting plan.



Across The Nation

[Schultz v Commissioner](#) (TC, 10/25/10)
Abused husband allowed innocent spouse relief.

“Of the factors listed in Rev. Proc. 2003-61, sec. 4.03, four favor relief (marital status, lack of knowledge or reason to know, lack of significant benefit, and spousal abuse), two weigh against relief (lack of economic hardship and lack of good-faith effort to comply with tax laws), and two are neutral (nonrequesting spouse's legal obligation and mental or physical health). After considering and weighing all the factors, we find it would be inequitable to hold petitioner liable for the portions of his 1997, 1998, 1999, and 2004 tax liabilities which were attributable to income earned by his former spouse.”

Relevant Information

King County Domestic Violence and Child Maltreatment Coordinated Response Guideline, which aims to achieve safety for children and DV survivors as well as accountability for DV perpetrators to help ensure that the best interests of children are effectively protected.

Additionally, Judge DuBuque is an active member of the "Supporting Early Connections Project" which provides mental health and support services to infants and toddlers involved in dependency proceedings. She regularly trains locally and nationally on issues of family law, domestic violence, and child maltreatment for judicial officers, attorneys, advocates, and social workers.

A member of the King County Superior Court bench since 1984, initially serving as a Family Law Commissioner, Judge DuBuque was appointed to the position of judge by Governor Booth Gardner in 1989. She has served as King County Superior Court's Chief Criminal Judge and served as a member of the court's Executive Committee for over a decade. She was named the Champion of Justice in 2005 by the Washington State Bar Foundation and Judge of the Year in 2003 by the Washington Women Lawyers for her work in Unified Family Court.

Judge DuBuque is a 1977 cum laude graduate of the University of Puget Sound's School of Law, and was admitted to practice in the State of Washington in 1977.

Source: *Washington Courts: News and Information*

American Academy of Matrimonial Lawyers – Press Releases

- [Survey Finds Parents Asking Divorce Lawyers: "What Should We Tell The Children?"](#)
- [Big Surge in Social Networking Evidence Says Survey of Nation's Top Divorce Lawyers](#)
- [Divorce Filings Have Dropped in the Recession Reveals Survey of Top Matrimonial Lawyers](#)
- [American Academy Of Matrimonial Lawyers Offers Statement On Goldman Child Custody Case](#)
- [Rising Unemployment Creating More Work For Divorce Lawyers](#)

News & Podcasts

[Alzheimer's Patient May Sue for Divorce, Court of Appeal Says](#)

Metropolitan News-Enterprise/

[Increase in Premarital Agreements an \(Unexpected\) Effect of the ...](#)

San Francisco Chronicle

[Divorce insurance, co-habiting and putting off marriage on the rise in downturn](#)

Washington Post

[Frank McCourt's attorneys go on the offensive in closing arguments ...](#)

Los Angeles Times (blog)

[How the recession has affected divorces](#)

newjerseynewsroom.com

[Domestic Violence Awareness Month Is A Reminder Of Protections ...](#)

San Francisco Chronicle

[Pro se divorces just aren't American](#)

Wisconsin Law Journal (blog)

[When the Vows Break: Will Certain Jobs Wreck Your Marriage?](#)

Huffington Post (blog)

[Grandparents' rights bill needs public support](#)

Seaforth Huron Expositor

[America's Top 50 Divorce Capitals](#)

The Daily Beast

31. Olympia, WA

Divorced population: 14.8%

Divorced population rank: 5

2009 Divorces: 2.5%

2009 Divorce rank: 119

FAMILY LAW SEMINARS

DATE	PLACE	TITLE (click on hyperlink for details)	SPONSOR
October 29, 2010	Seattle, WA	Bench and Bar – Keeping Current on Family Law	AAML-WA
November 5, 2010	Seattle, WA	Immigration Options for Immigrant Survivors of Domestic Violence	UW Law School
November 8-12, 2010	Boston, MA	40 Hour Family Law Mediation	ABA
November 12, 2010	Spokane, WA	Family Law	Gonzaga Law School
November 30, 2010	Portland, OR	Valuation Issues in a Changing Economy	MCBA
December 3, 2010	Seattle, WA	Family Law Hot Topics	KCBA
December 5-8, 2010	Santa Fe, NM	Judicial Skills in DV Cases	NCJFCJ
February 23, 2011	Seattle, WA	2011 Title 26 Family Law Guardian ad Litem Training	KCBA

ETHICS

WSBA

[October Disciplinary Notices](#)

Washington State Supreme Court

Washington State Supreme Court Calendar

- [Calendar & Docket Archive](#)
- [Current Docket](#)

Catalyst Publications, Inc.
PO Box 2485, Kirkland, WA. 98083
Ph: 425.827.8757, Ext 2, Fax: 425.822.3430

Annual Subscription: \$150.
To subscribe, <mailto:catatlystpublications@gmail.com>

WFLR Update is provided for the sole use of its subscribers. Redistribution is prohibited. WFLR and Catalyst Publications, Inc. is not responsible for the content submitted by independent authors or contributors or any damages directly or indirectly arising out of or in connection with the use of this publication or the hyperlinks contained therein. The timing and frequency of publication and the material selected for inclusion is in the discretion of WFLR Update. This publication is not intended or represented to be a complete or contemporaneous reference to all court opinions or information relative to the subject matter. Readers are encouraged to access original source material.

Please send any comments to <mailto:catatlystpublications@gmail.com>
© Copyright 2009 Catalyst Publications, Inc. All Rights Reserved

Federal Legislation

[H.RES.1607](#) : Disapproving Judge Walker's Proposition 8 Decision on Same-Sex Marriage.

Sponsor: [Rep Smith, Lamar](#) [TX-21] (introduced 8/10/2010) [Cosponsors](#) (23)

Committees: House Judiciary

Latest Major Action: 8/10/2010 Referred to House committee. Status: Referred to the House Committee on the Judiciary.

[H.J.RES.37](#) : Proposing an amendment to the Constitution of the United States relating to marriage.

Sponsor: [Rep Lungren, Daniel E.](#) [CA-3] (introduced 3/4/2009) [Cosponsors](#) (41)

Committees: House Judiciary

Latest Major Action: 3/16/2009 Referred to House subcommittee. Status: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

[H.J.RES.50](#) : Proposing an amendment to the Constitution of the United States relating to marriage.

Sponsor: [Rep Broun, Paul C.](#) [GA-10] (introduced 5/7/2009) [Cosponsors](#) (43)

Committees: House Judiciary

Latest Major Action: 6/12/2009 Referred to House subcommittee. Status: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

[H.RES.1326](#) : Calling on the Government of Japan to address the urgent problem of abduction to and retention of United States citizen children in Japan, to work closely with the Government of the United States to return these children to their custodial parent or to the original jurisdiction for a custody determination in the United States, to provide left-behind parents immediate access to their children, and to adopt without delay the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Sponsor: [Rep Moran, James P.](#) [VA-8] (introduced 5/5/2010) [Cosponsors](#) (34)

Committees: House Foreign Affairs

Latest Major Action: 9/29/2010 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by the Yeas and Nays: (2/3 required): 416 - 1 (Roll no. 553).

[H.RES.1637](#) : Supporting the goals and ideals of National Domestic Violence Awareness Month 2010 and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs and practices designed to prevent and end domestic violence.

Sponsor: [Rep Poe, Ted](#) [TX-2] (introduced 9/16/2010) [Cosponsors](#) (47)

Committees: House Education and Labor

Latest Major Action: 9/28/2010 Passed/agreed to in House. Status: On motion to suspend the rules and agree to the resolution, as amended Agreed to by voice vote.

[H.R.4469](#) : To amend the Servicemembers Civil Relief Act to provide for protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation.

Sponsor: [Rep Turner, Michael R.](#) [OH-3] (introduced 1/19/2010) [Cosponsors](#) (30)

Committees: House Veterans' Affairs

Latest Major Action: 7/15/2010 House committee/subcommittee actions. Status: Forwarded by Subcommittee to Full Committee by Voice Vote .

Proposed Family Law Legislation
(Legislature Will Reconvene January 10, 2011)

H.B.	Description	RSS	Status
S.B.	Description	RSS	Status

SAMPLE