INSTRUCTIONS FOR CRITICAL THINKING ASSIGNMENTS

You are required to complete the following 17 assignments in essay form using correct grammar and complete sentences. A grading rubric follows.

ASSIGNMENT #1 (5 points)

a) In Ohio, if a spouse is threatened with violence, what remedies does he/she have?

b) When, if ever, can an injunction or protective order be issued ex parte, meaning that the defendant is not present in court when the order is issued?

ASSIGNMENT #2 (5 points)

A. Is there a statute in your state abolishing common-law marriages? If so, what is its effective date? If not, are common-law marriages valid in your state?

B. What is the status of same sex marriages in Ohio? Citation(s)

ASSIGNMENT #3 (5 points)

Examine the following sequence of events:

1. Ann and Rich meet in State Y where they agree to live together as husband and wife forever. They do not want to go through a marriage ceremony, but they agree to be married and openly represent themselves as such. State Y does not recognize common-law marriages.

2. Rich accepts a job offer in State X, where common-law marriages are legal, and they both move there.

3. After three years in State X, Rich and Ann move back to State Y. One year later, Rich dies. In his will, he leaves all his property “to my wife.” Ann is not mentioned by name in his will.

4. From the time they met until the time of Rich’s death, they lived together as husband and wife, and everyone who knew them thought of them as such.
a) Can Ann claim anything under the will? State Y provides tax benefits to “widows.” Can Ann claim these benefits?

b) What further information would you like to have about this case?

ASSIGNMENT #4 (5 points)

Four purposes of obtaining a divorce, how is domicile determined in Ohio?

ASSIGNMENT #5 (5 points)

What is the residency requirement for a divorce action in Ohio?

ASSIGNMENT #6 (5 points)

Does Ohio have a long-arm statute for divorce actions? If so, when can it be used?

ASSIGNMENT #7 (5 points)

Under what circumstance can a guardian ad litem be appointed in a divorce action in Ohio? (citations(s))

ASSIGNMENT #8 (5 points)

In Ohio, find the statute that lists the grounds for divorce. Give the citation to this statute and list all the grounds for divorce provided therein.

ASSIGNMENT #9 (5 points)

In a divorce action in Ohio, what preliminary orders can be granted by the court pendente lite?

ASSIGNMENT #10 (5 points)

a) In a divorce action, what evidence, if any, must be corroborated?

b) Can there be a jury trial in a divorce case? If so, when must the request for one be made?

c) What happens if the defendant fails to appear? Can there be a default judgment?
ASSIGNMENT #11 (5 points)

a) What standards exist in Ohio to guide the judge on the decision to grant custody when the dispute is between the two biological parents?

b) Find an opinion (2000 or later) written by an Ohio court in which the court granted custody to one of the parents following a divorce or legal separation. State the factors that the court used in making this decision. Why did the judge decide not to give custody to the other parent? Do you agree with the judge’s decision on the custody issue? Why or why not? (Attach a copy of the case headnotes.)

ASSIGNMENT #12 (5 points)

a) Does Ohio have a visitation statute? (citation(s))

b) Do grandparents have a right to visitation? (citation(s))

ASSIGNMENT #13 (5 points)

How does a court determine the amount of child support in Ohio? (citation(s))

ASSIGNMENT #14 (5 points)

a) Are there any statutes in Ohio specifying the conditions for modifying a custody order? If so, what are they?

b) Find an opinion (2000) in which a custody order issued by an Ohio court was modified by an Ohio court. Why was the modification ordered? What standards did the court use? Were there other facts about the case that you would have liked to have had? If so, what facts and why would you want to know about them? (Attach a copy of the case headnotes.)

ASSIGNMENT #15 (5 points)

a) What standards apply to a request to modify child-support payments in Ohio?

b) What standards apply to a request to modify visitation and companionship in Ohio?
ASSIGNMENT #16 (5 points)

a) What standards will an Ohio court use in awarding alimony or spousal support? (citation(s))

b) When can alimony or spousal support be awarded to a man?

c) What standards will an Ohio court use in ordering a division of property? (citation(s))

ASSIGNMENT #17 (5 points)

a) In what way(s) can the fatherhood of a child be determined in Ohio?

b) What is the statute of limitations for paternity actions in Ohio?

c) How, if at all, can DNA/HLA or similar tests be used in your state?