

**The ISFL Family Letter**  
*Fall, 2004*

**Published by the International Society of Family Law by Prof. Margaret F. Brinig, Editor, the Family Letter: Newsletter of the ISFL, College of Law, University of Iowa, Boyd Law Building, Iowa City, IA 52245**

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**MESSAGE OF THE PRESIDENT:**

**Comparative Studies of Nordic Law**

In the Newsletter a year ago I reported on the comprehensive project the Committee of Ministers of the Nordic Council (consisting of Denmark, Finland, Iceland, Norway and Sweden) initiated five years ago. The countries asked for a comparative study of the Family (Law of Marriage, Children and Parents) and the Law of Inheritance and Wills) of the Nordic countries. It was a general feeling that the developments in recent years had broken down the results of the close Nordic cooperation during the first 70 years of the nineteenth century. This cooperation had earlier led to a Nordic family law which to a large extent was harmonized not only as regards the basic principles, but even in matters of minor importance.

The reports were to be written in Norwegian, Swedish or Danish - three languages that easily can be understood in the Nordic countries.

The task was originally given to Professors Anders Agell (Sweden), Linda Nielsen (Denmark), and Peter Lødrup (Norway), all ISFL members for many years. The Advisor in Finnish law was Professor Urpo Kangas from Helsinki. When Linda Nielsen became Rector of the University of Copenhagen, professor and judge Svend Danielsen took over her role.

Although I quoted the directives of the work in my report last year, I think they should be repeated. The study should:

1. Describe the more important differences in the legal systems of the five countries, its content, application and goals,
2. Describe the extent to which the differences may cause practical problems when people move between the countries and the number of cases where such problems has already occurred,
3. Describe the issues which from a practical point of view should be subject to a Nordic harmonization, and

4. Create a picture of the questions in the legal systems in the Nordic countries which should be subject to a Nordic cooperation of harmonization in a short, middle and long term perspective.

The reports are now published by the Nordic Council in four volumes of about 500 pages each.

In volume 1, Anders Agell presents the Nordic marriage legislation. In volume 2, Peter presents Inheritance and Wills. Volume 3 contains Lødrup's discussion of Fatherhood and Motherhood and also Anders Agell and Anna Singer (from Uppsala) write on Maintenance to Children. In volume 4, Svend Danielsen presents Parental Responsibility, Custody and Visiting rights.

The books are, as mentioned, in the Nordic languages. Thus they have a very limited number of international readers. It is therefore with great satisfaction that I now can report that the Nordic Council of Ministers recently has decided that they shall be translated into English. The studies present the most extensive effort in Nordic Law to compare the law of all the five countries, and it is our hope that they may also enrich the discussion on the value of comparative law and its methods in general.

We realize that it will be a time consuming and difficult task to present an English version of our reports. It is clear to us that non-Nordic readers may need some additional information about the Nordic legal system in order to understand our texts. During the translation period, it will necessary to make the text up-to-date. Without underestimating the workload ahead of us, we hope that in the first part of 2006 we will be able to open the doors for the English-speaking world to Nordic Law in these important fields of law.

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Council as a co-opted member, and I am delighted to inform the Society that she has accepted our invitation.

**REPORT OF THE SECRETARY-GENERAL:**

The ISFL, in association with the China University of Political Science and Law (CUPL), held a highly successful regional conference in Beijing on July 19-22, 2004, on the theme of "Divorce: Causes and Consequences." A full report by Professor Lynn Wardle is available on the Society's website. The Executive Council was very pleased to support this event, which provided an excellent opportunity for scholars from China, Asia and worldwide to meet to discuss legal developments. We are most grateful to Professor Wardle for his efforts in convening the conference and to the CUPL for hosting the event.

As a result of the excellent links made with our colleagues in China, the Council unanimously agreed to extend an invitation to Professor Xia Yinlan, of the CUPL, to join the

Society members may wish to bear in mind that we will be electing a new Council at our next General Meeting at Salt Lake City in July 2005 and I will be sending out a call for nominations in due course. If you would like more information about getting involved with the Society's activities and being nominated for election to the Council, please do not hesitate to contact me.

Finally, I make my usual plea to all members to ensure that you inform me of any change to your address details so that I can let our Treasurer and Newsletter Editor know.

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**REPORT OF THE TREASURER:**

Dear colleagues,  
Herewith I send you the final result form the financial year 2003. Last year we had a small positive result. A lot of members have paid their subscription at my request in December 2003. However, unfortunately I had to notice that many members have moved without sending their new address. This takes me a lot of unnecessary time and extra costs for ISFL. Please send me your full address and preferably also your fax number and e-mail address. We try to keep the membership list updated and with your help we can succeed in that. If you change your address or if you want to be deleted as member, please send me a message as soon as possible. And .... if you know interested persons who want to become a member, I can send you the new subscription form.

Within a short time I will send reminders to those

members who have not yet paid their dues. If you might doubt about whether you paid or not, please write or mail me ([p.vlaardingerbroek@uvt.nl](mailto:p.vlaardingerbroek@uvt.nl)). We do have the possibility to pay for 5 years. Many members choose for this opportunity, which will save you and the ISFL costs. I hope the Society is able to keep the amount of € 33000,- (the Euro is almost an equivalent to the U.S. dollar) as a minimum amount for 'dark' years.

**Balance ISFL 2003**

In:		Out:	
Subscriptions	12115,931	Bank charges	232,24
Interest	225,61	Expenses:	
Royalties	668,04	Board	700,00
		Treasurer	450,00
		Family	131,04

1 Including provisions, costs, etc.

		Letter	
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Saldo Postbank	€3125,81		
Saldo Rabobank	€1550,57		
Saldo Robecorek	€29305,81		
	_____+		
	€3.982,19		

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## **REPORT OF THE SURVEY EDITOR**

### **THE 2004 EDITION**

The 2004 Survey has now been published. It contains articles prepared by Society members on developments in the following countries: Argentina, Australia, Botswana, Brazil, Colombia, Croatia, Egypt, England and Wales, Ethiopia, France, India, Iran, Republic of Ireland, Israel, Japan, Kyrgyz Republic, Lithuania, The Netherlands, New Zealand, Northern Ireland, Singapore, South Africa, Sweden, Trinidad and Tobago, Turkey, Ukraine and The United States.

I am delighted to report that the 2004 version of the International Survey, for the first time, contained abstracts of the articles for the benefit of our French-speaking members. I hope that this will now become a regular feature of the Survey. I am grateful to Professor Hugues Fulchiron and his colleagues in Lyon for all their efforts in producing the translations of the abstracts.

Following the next World Congress in Utah, Bill Atkin of New Zealand who will take over the

Editorship of the International Survey. However, Professor Bainham will remain responsible for seeing the 2006 Survey through to completion. Professor Atkin's first independent issue will be the 2007 Survey. Any correspondence connected with the Survey should come to me until August 2005 and thereafter to go to Bill. However, to repeat, I will remain the editor for the 2005 and 2006 editions.

**Andrew Bainham, Christ's College  
Cambridge, England**

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**Website Updates:** A very preliminary version of the Website has been running for some time. At present, we are updating and reorganizing somewhat. The new version replaces the old one and can be found at <http://www.law2.byu.edu/ISFL/index.html>.

The American Association of Law School, Family Law Section Website is now available at <http://www.uiowa.edu/~mfblaw/aals.html>. Section members have provided material, but more suggestions would be welcome, including links, class materials, exams you don't mind being generally available, or anything else you'd like to supply. You may write her at [margaret-brinig@uiowa.edu](mailto:margaret-brinig@uiowa.edu), and may attach electronic versions of any submissions.

### **UPCOMING CONFERENCES & CALLS FOR PAPERS:**

***Notice and Call for Papers***  
for the 12<sup>th</sup> World Conference of the International  
Society of Family Law  
**Family Law – Balancing Interests, Pursuing  
Priorities**  
July 19 – 23, 2005, in Salt Lake City, Utah, USA

***Theme: Family Law – Balancing Interests,  
Pursuing Priorities.*** Part of the fascination and frustration of family law is that many diverse and important interests must be recognized, weighed and managed, and policy priorities must be established and effectuated. Family law (like family life) often seems

to involve a delicate high-wire “juggling act,” involving the balancing of many important interests while trying to make progress toward achieve priorities. The balancing of interests and pursuit of priorities in family law often reveals dichotomies and tensions, such as parent-child, spousal-parental, formal-informal, economic-non-economic, autonomy-commitment, rights-responsibilities, nuclear-extended, immediate-long-term, state-family, individual-family, career-family, past-present. Consideration of family laws, doctrines, rules, decisions and reforms from these perspectives can be illuminating. The theme is intended to be *broad and inclusive* and to accommodate papers dealing with a wide range of family law subjects. Papers concerning civil and common law, spousal as well as parent-child issues, traditional as well as nontraditional relations, existing laws as well as proposed reforms, economic as well as non-economic issues, and essential as well as adjective laws are invited.

Dates: The Conference will run from Tuesday afternoon, July 19 through Saturday noon, July 23, 2005.

Venue: The conference will convene at the *Little America Hotel* in Salt Lake City, Utah. The ISFL has negotiated three different room rates: \$69, or \$99, or \$120 per room, plus taxes (hotel taxes are approximately 11 percent); these special rates also apply for three nights before and three nights after the conference. The hotel is five blocks (about ½ mile) south of the main downtown shopping and tourist center of Salt Lake City, Utah. A light rail train runs through the town and stops at the hotel. There is no charge to ride the train from the hotel to the downtown tourist area, or the distance can be walked in about 10-12 minutes. The hotel has a nice swimming pool, garden areas, parking (both outdoor and underground), some ground floor rooms, a large hotel tower, a beautiful ballroom, and meeting rooms.

City and Region: Salt Lake City is a beautiful city located at about 4500 feet elevation on the western slope of the Wasatch range of the Rocky Mountains, beside the Great Salt Lake, one of the largest saline lakes in the world (much saltier than the oceans). The city has an ethnically diverse population of nearly one million (GMA), and is easily accessible by air (the international airport, just ten-minutes from the city center, is served by many major airlines, and is a “hub” for Delta Airlines), by train, and by automobile or bus. Salt Lake City is the cultural and political center of Utah and the crossroads of the American west (Interstate 15 coming out of Los Angeles, and Interstate 80, from San Francisco, intersect in Salt Lake City.)

The City has abundant cultural offerings (museums, concerts), historic (pioneer) sites, parks, and inspiring attractions. Nearby mountains (just minutes away by car) provide a beautiful backdrop and great recreational opportunities. Utah is generally known as a safe and friendly state, the people have civic pride, concern for families, are hospitable, and a high percentage have lived in foreign countries and are fluent in other languages.

Salt Lake City is ideally situated for wonderful pre- and post-conference vacation travel. It is located in the “mountain west” amidst some of the greatest national parks in America (there are more national parks in Utah than in any other state). Zions Canyon, Bryce Canyon, and Arches National Parks (to name just three) are about four hours away by car; Anasazi Indian cliff ruins are in the same vicinity, and the fabulous water-filled canyons and cliffs of Lake Powell are just two hours further, as is the north rim of the breathtaking Grand Canyon, (and also Las Vegas, Nevada for those who prefer bright lights to natural wonders). The majestic Grand Tetons National Park with the exciting Snake River is about five hours drive north of Salt Lake City, and an hour further is the incomparable Yellowstone National Park with its incredible geysers, hot pools, rivers, waterfalls, lakes, mountains, moose, elk, bears and other wildlife. Seven large ski/summer resorts are within an hour drive of Salt Lake City, and the 2002 Winter Olympics were hosted in and around Salt Lake City in 2002, adding to the recreational attractions. Dozens of campsites, trails, lakes and rivers are nearby.

Paper Proposals: Scholars and professionals who wish to present papers at the ISFL 12<sup>th</sup> World Conference are invited to submit proposals containing: (1) a one-page abstract of the proposed paper naming the presenter(s), (2) contact information: Name, Title or Position, University or Institution where employed, post address, telephone, fax, and email, and (3) a 50-75-word mini-resume or bio of the presenter(s). Proposals must be submitted by *March 15, 2005* by email (if possible) to **Professor Marygold Melli**, Email: <msmelli@wisc.edu>, or to her at Law School, University of Wisconsin-Madison, 975 Bascom Mall, Madison, WI 53706, USA, fax: 608- 262-5485, telephone: 608-262-1610.

Social Program: On Thursday afternoon, we will travel by bus down to Provo, Utah (45 miles away) to hold our afternoon sessions there and visit Brigham Young University. That evening, we will have a chuck wagon dinner up one of the mountain canyons. We will also schedule free visits (by bus) on Saturday to several sights of interest including (options) the Great Salt

Lake, a “Pioneer Village,” Winter Olympic venues (which in summer offer a variety of activities), and one of the delightful national or state parks nearby. In addition, time will be scheduled for participants to do some sightseeing of historical pioneer sights in downtown Salt Lake City (15 minutes walking distance, or 5 minutes away by free trolley), and walking tours of those sights will be scheduled for accompanying persons (during sessions) and for participants in the non-session times.

*Convenor:* Professor Lynn D. Wardle,  
Email: <lynn\_wardle@byu.edu>; 518 JRCB,  
Brigham Young University Law School, Provo, UT  
84602; tel. (801) 422-2617; fax (801) 422-0391.

*Conference Manager:* Ms. Marcene Mason, 553  
JRCB, BYU, Provo, UT 84602; tel. (801) 422-2079;  
fax (801) 422-0391;  
Email:<masonm@lawgate.byu.edu>.

**The Commission on European Family (CEFL)**, established in September 2001, is proud to present its first results. Based upon in-depth and comprehensive comparative research that includes twenty-two European jurisdictions, *Principles on European Family Law* have been drafted in the field of divorce and maintenance between former spouses. The Principles, expressed in the form of provisions, must be read in conjunction with the supplementary comparative overviews and comments, which elucidate the rules and offer comparative information. While the Principles should not be considered to be an entire model law, they may be used as a frame of reference for national, European and international legislators. In drafting the Principles, the CEFL has applied both the common core *method* as well as the *better law approach*. The time has now come to place the choices that have been made before scientific scholars and practitioners alike in order to obtain a critical assessment and discussion concerning the CEFL’s work to date. In addition, the initial results of the CEFL’s next working field – parental responsibilities – will be presented.

The CEFL’s inaugural conference, which took place in December 2002, was devoted to the Perspectives for the Unification and Harmonisation of Family Law in Europe. The high-level scientific standard of its contributions was received with great interest and enthusiasm. Hence, this second CEFL conference has been organized along similar lines. Not only will well-known specialists in the field of (international) family and comparative law take the floor, but young researchers will also be expressly invited to contribute to the conference.

In short, the conference aims to widen the discussion regarding the first steps towards a European Restatement of Family Law in general and CEFL’s first achievements in the harmonization process in particular.

#### **The Scientific Committee**

Prof. Katharina Boele-Woelki, Utrecht University  
Prof. Frederique Ferrand, University of Lyon Dr.  
Cristina Gonzalez Beilfuss, University of Barcelona  
Prof. Maarit Jantera-Jareborg, University of Uppsala  
Prof. Nigel Lowe, University of Cardiff  
Prof. Dieter Martiny, University of  
Frankfurt/Oder  
Prof. Walter Pintens, Catholic University of  
Leuven

**Thursday 9th December 2004 15.30**  
Registration

16.00 Welcome

Prof. Katharina Boele-Woelki, *Utrecht University*

16.30 Breaking the Shackles of Culture  
and Religion in the Field of  
Divorce?

Prof. Stephen Cretney, *University of Oxford*

17.30 Reception

**Friday 10<sup>th</sup> December 2004**

08.30 Registration

*Chair:* Prof. Walter Pintens, *University of Leuven*

09.00 Working Method of the CEFL

Prof. Katharina Boele-Woelki, *Utrecht University*

09.30 Future Divorce Law –

Two Types of  
Divorce Prof.  
Marianne Roth,  
*University of Salzburg*

10.00 Discussion

10.30 Break

*Chair:* Prof. Miguel Martin Casals,  
*University of Girona*

11.00 The Underlying Principles of Consensual Divorce Prof. Anders Agell, *University of Uppsala*

11.30 Agreements on Divorce and Maintenance Prof. Frederique Ferrand, *University of Lyon*

12.00 Discussion 12.30 Lunch

14.00 Three working groups: Presentations by young researchers  
**WG 1: The Revised Brussels II Regulation**  
 Chaired by Prof. Maarit Jantera-Jareborg, *University of Uppsala*  
**WG 2: Sole or Joint Custody Rights**  
 Chaired by Prof. Paul Vlaardingerbroek, *University of Tilburg*  
**WG 3: Protection of Partners of Informal Long Term Relationships** Chaired by Prof. Nina Dethloff, *University of Bonn*

15.00 Break

15.30 Papers and discussion

19.00 Dinner  
**Saturday 11th December 2004**

**Chair:** Prof. Dieter Martiny, *University of Frankfurt an der Oder*

09.00 Conditions for Maintenance  
 Dr. Cristina Gonzalez Beilfuss, *University of Barcelona*

09.30 Clean-break or Long Term Payment of Maintenance Mr. Geoffrey Shannon, *Law Society of Ireland*

10.00 Maintenance as a Separate Issue – Relationship between and Matrimonial Property Prof. Tone Sverdrup, *University of Oslo*

10.30 Discussion 11.00 Break

**Chair:** Dr. Andrea Schulz, Hague Conference on Private International Law

11.30 Initial Results of CEFL's National Reports on Parental Responsibility Prof. Nigel Lowe, *University of Cardiff*

12.00 Discussion 12.30 Lunch

14.00 Contact Arrangements  
 Dr. Velina Todorova, *University of Sofia*

14.30 Joint Parental Responsibility – Relocation Orders  
 Prof. Theresa Glennon, *Temple Law School, Philadelphia*

15.00 Discussion  
**Chair:** Prof. Katharina Boele-Woelki, *Utrecht University*

15.30 Closing Remarks  
 Prof. Bea Verschraegen, *University of Vienna*

16.00 Closure of the Conference

**Registration Form**  
*(You may make use of the electronic registration at [www2.law.uu.nl/priv/cefl](http://www2.law.uu.nl/priv/cefl))*

#### **Costs**

The fee for the conference is €200 (for registration before the 15th September) and €225 (for registration after the 15th September). This amount includes admission to all lectures, the social gathering on Thursday evening, coffee, tea and lunch on each conference day, the conference dinner on Friday and an abstract and programme book. The fee for an Accompanying guest will be €75. This amount includes admission to the reception on Thursday and the dinner on Friday.

#### **Cancellation Policy**

All cancellations should be made in writing to the FBU Congress Bureau. If notification is received by the 1st November 2004, a refund of 75% will be made. If notification is received between the 1st November and the 1st December 2004, the refund will be 50%. There will be no refund for cancellations made after the 1st December 2004.

#### **Call for Papers**

A call for early stage researchers to submit papers for the workshops on Friday afternoon has been announced. For more information see: <http://www2.law.uu.nl/priv/cefl>

#### **Registration**

Registration is possible either electronically or by

sending the attached registration form to the above address. The first 200 applications will be accepted on a first-come first-served basis.

### **Place and Time**

The conference will be held from Thursday 9th to Saturday 11th December 2004. Registration will take place at Academiegebouw, Domplein 29 in the city centre. Thereafter all lectures will take place in the Marinus Ruppert Building at De Uithof.

### **Hotel Reservation**

Hotel Accommodation has been pre-booked at favourable rates for the conference participants in various hotels in and around the city centre of Utrecht. Please note that the cost of your hotel accommodation is not included in the Conference Fee. Hotel Support Utrecht handles the reservations of these pre-booked rooms. You will be able to find information on these hotels and make a booking at: [www.hotelcontact.nl/CEFL2004](http://www.hotelcontact.nl/CEFL2004). If you would like to make your reservation by fax, please send an email to: [wlefrandt@hotelcontact.nl](mailto:wlefrandt@hotelcontact.nl) and you will receive a Fax Form.

### **Information**

For further information see <http://www.law.uu.nl/priv/cefl> or contact Ms. Odette Jansen, FBU-congresbureau, Postbus 80125, 3508 TC Utrecht. Tel: +31 30 253 2728; Fax: +31 30 253 5851; **E-mail:** [Family\\_law@fbu.uu.nl](mailto:Family_law@fbu.uu.nl)

### **Kopaonik School of Natural Law**

JURISTS ASSOCIATION OF SERBIA  
Kopaonik School of Natural Law  
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11001 Belgrade  
State Union Serbia and Montenegro  
Fax No + 381 11 244-3024  
E-mail [upj@eunet.yu](mailto:upj@eunet.yu)

### **INVITATION**

Dear Sir or Madam,  
I feel free to mention for your close consideration, that the Kopaonik School of Natural Law was established seventeen years ago. Every year since that time, it has been the place of meeting and socializing of eminent jurists, legal scholars as well as practicing lawyers, not only from Yugoslavia but also from the entire world, and particularly from European Countries. The already

published materials treated at the School already make a library of fifty-four volumes, while in recent years each book has exceeded 1,000 pages. This year the published reports are supplied with summaries in English

The Kopaonik School is organized on the principle of the *Hexagon* of Natural Law, i.e., right to life, right to freedom, right to property, right to intellectual creation, right to justice, and right to a state ruled by law. Expressed in the form of chairs, the debates on these fundamental elements are effected in numerous sections (life, health, ecology, environmental protection, criminal-law and procedural protection of individual, ownership, denationalization and privatization, taxes, immovables, contract and torts, commercial companies, banking transactions, insurance, industrial property, labour relations, international relations and justice, rule of law. etc.. An average of 2,500 jurists attend the School annual sessions, where participants are free to take part in any of these sections of their particular interest.

This year the Annual Conference will be held, again, between December 13th and 17th, 2004 at the traditional place - Mount Kopaonik, and the scheduled general topic is LAW AND CULTURAL DIFFERENCES.

I am particularly honoured to invite you to this year's Conference. You may choose one of the following ways of participation:

to send a report in writing, with the topic of your choice, and in conformity with the Hexagon of Natural Law. Your manuscript, preferably not exceeding 20 double-spaced pages should reach us by September 20th 2004.

to take part in the work of the School without a report, in which case your application to attend should reach us not later than by the end of November, 2004.

The participants will be accommodated In Hotel "Grand" (a four-star hotel) or Hotel "KLUB A".

The price of the accommodation for five nights with breakfast and dinner costs around 400 euros for a single room and around 300 euros for a double room.

For further information, please contact:

E-mail: [upj@eunet.yu](mailto:upj@eunet.yu) or [euterpa@eunet.yu](mailto:euterpa@eunet.yu)  
Fax No +381 11 2443024

I sincerely hope that the opus and the activity of the Kopaonik School of Natural Law will draw your attention, and I am looking forward to meeting you.

Truly yours,

Professor dr. Slobodan Perovic  
Founder of the Kopaonik School of Natural Law

**RECENT PUBLICATIONS OF NOTE BY ISFL MEMBERS:**  
(Compiled by Associate Editor Laurence C. Nolan, Professor of Law, Howard University School of Law, 2900 Van Ness St., N.W., Washington, D.C. 20008, tel. (202)806-8064, fax - 8428 [lnolan@law.howard.edu](mailto:lnolan@law.howard.edu))

**NOTE:** The Newsletter will publish notices of recent publications dealing with family law topics if the following information—Name of author, title of article or chapter, title of book or journal in which it is published, the volume and pages, the year of publication (and if the title of the article, chapter and/or book or journal is not in English a translation of the same into English - so that the entry can be placed in the appropriate category)—is sent to Prof. Laurence C. Nolan, Howard University School of Law, 2900 Van Ness Street, N.W., Washington, DC 20008; 202-806-8428 (fax); [lnolan@law.howard.edu](mailto:lnolan@law.howard.edu) (e-mail).

### **1. Family Law in General: History; Theories; Overviews**

*Margaret F. Brinig*, "The Role of Socioeconomics in Teaching Family Law," 41 *San Diego Law Review* 177 (2004).

*Bon-Hee Han*, "Study on Betreuungrecht (Caregiver Law)," 3 *Asian Women Law* 23 (June 2000).

*Olga Cvejic Jancic*, "Pravna zastita Ijudskog genoma i podataka dobijenih njegovim desifrovanjem (Legal Protection of Human Genome and Data Obtained by its Deciphering)," *Pravni zivot (Legal life)* No. 9/2003, p. 799-814.

*Ursula Kilkelly*, "Child and Family Law," in **THE ECHR and IRISH LAW** (chapter 5)(Ursula Kilkelly, editor), Jordans Publishing (2004).

*Brian H. Bix*, "State Interest and Marriage — The Theoretical Perspective," 32 *Hofstra Law Review* 93 (2003).

*William C. Duncan*, "The Social Good of Marriage and Legal Responses to Non-Marital Cohabitation," 82 *Oregon Law Review* 1001 (2003).

### **3. Before/Creation of Parent-Child or Similar Relations**

*Margaret F. Brinig*, Book Review, *The Child's Best Interests: A Neglected Perspective on Interracial*

*Koji Ono*, "Globalization of Social conditions and the Law," 1 *Daito Bunka Comparative Law and Political Science Review* i (March, 2001).

*Koji Ono*, "The Current Family Law in Japan," 1 *Daito Bunka Comparative Law and Political Science Review* 1 (Mar. 2001).

*Koji Ono*, "Family Courts and Family Affairs Conciliation System in Japan," 2 *Daito Bunka Comparative Law and Political Science Review* 1 (March 2003).

*Kyung Sook Bae*, "On the Publication of the Journal of Asian Women Law in 2001," 4 *Asian Women Law* iii (June 2001).

*Lynn D. Wardle*, "The Symbiotic Relationship Between Human Rights and Family Law," in **FAMILY LIFE AND HUMAN RIGHTS** (pp. 973-979) ( Peter Lodrup & Eva Modvar eds.)(2004).

*Barbara Bennett Woodhouse*, "Children's Rights in Gay and Lesbian Families: A Child-Centered Perspective," in **CHILD, FAMILY, AND STATE** (pp 273-305) (Stephen Macedo & Iris Marion Young, eds.)(2003).

*Barbara Bennett Woodhouse*, "Re-Visioning Rights for Children," in **RETHINKING CHILDHOOD** (pp.229-243)(Peter B. Pufall & Richard P. Unsworth, eds.)(2004).

### **2. Before/Creation of Spousal or Quasi-Spousal Relations**

*Margaret F. Brinig* (with coauthor), *Marry Me, Bill: Should Cohabitation be the (Legal) Default Option?* 64 *Louisiana Law Review* 403 (2004).

*Intimacies*, 117 *Harvard Law Review* 2129 (2004)

*Keum Sook Choe*, "A Study on the Hindu Adoption Legal System in India," 2 *Asian Women Law* 119 (June 1999).

*Ursula Kilkelly*, "The Reform of Adoption Law in Ireland: Ensuring compliance with International Obligations," 1 *Irish Journal of Family Law* 10-15 (Feb 2004).

*Elaine E. Sutherland*, "Procreative Freedom and Convicted Criminals in the United States and the



United Kingdom: Is Child Welfare Becoming the New Eugenics?," 82 Oregon Law Review 1033 (2003).

Lynn D. Wardle, "Preference for Married Couple Adoptions - Constitutional and Policy reflections," 5 Journal of Law and Family Studies, 345 (2003).

#### **4. Spousal Relations in the Ongoing Family**

Margaret F. Brinig (with co-author), "What Does Covenant Mean For Relationships?," 18 Notre Dame Journal of Law, Ethics and Public Policy 137 (2004).

Sheila Simon, "Greatest Hits: Domestic Violence in American Country Music," 82 Oregon Law Review 1107 (2003).

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Margaret F. Brinig (with coauthors), The Public Choice of Elder Abuse Law, 33 Journal of Legal Barbara Bennett Woodhouse, "Speaking Truth to Power: Challenging 'The Power of Parents to Control the Education of Their Own,'" 11 Cornell Journal of Law and Public Policy 481 (2002).

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#### **6. Termination/Post-Relations of Spouses & Quasi-Spouses**

Olga Cvejic Jancic, "Scheidung und nachehelicher Unterhalt in Jugoslawien (Divorce and Spousal Maintenance After Divorce), Hofer/Schwab/Henrich (Hrsg.), Scheidung und nachehelicher Unterhalt im europaischen Vergleich, Verlag Ernst and Werner Giesking, Bielefeld, 2003. Str. 169-196.

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Keum Sook Choe, "Child Abuse and Korean Civil Law," 6 Asian Women Law 297 (Sept. 2003).

Olga Cvejic Jancic, "Porodicno pravo, Knjiga druga - Roditeljsko i starateljsko pravo" (Family Law, Volume II - Parental and Guardianship Right), Novi Sad (2004), at 190.

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Laurence C. Nolan, "Critiquing Society's Response to the Needs of Posthumously Conceived Children," 82 Oregon Law Review 1067 (2003).

Tsaoussis-Hatzis, *Aspasia*, The Greek Divorce Law Reform of 1983 and Its Impact on Homemakers, Ant. N. Sakkoulas Publishers, 2003, 357 pp.

Tsaoussis, *Aspasia*, "Protecting Homemakers' Marriage-Specific Investments under No-Fault Divorce: A Model for Restructuring Alimony in Civil Law Countries," American Law and Economics Review Vol. 67, No. 1, 2004, p. 217-247.

#### **7. Termination/Post-Relations of Parents and Children**

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Divorce in View of Equity and Children's Welfare," 4 Asian Women Law 29 (June 2001).

*Tsaoussis-Hatzis, Aspasia*, "Strengthening The Ties that Bind: Proposals for a Child-Centered European Divorce Law," Perspectives for the Unification and Harmonisation of Family Law in Europe, Intersentia, p. 271-299.

*Barbara Bennett Woodhouse*, "Talking About Children's Rights in Judicial Custody and Visitation Decision-Making," 36 Family Law Quarterly 105 (2002).

#### **Other Publications of Note:**

Prof. Dr. Olga Cvejic Jancic presented a paper, **NOTE:** The Newsletter will publish notices of recent publications dealing with family law topics if the following information—Name of author, title of article or chapter, title of book or journal in which it is published, the volume and pages, the year of publication (and if the title of the article, chapter and/or book or journal is not in English a translation of the same into English - so that the entry can be placed in the appropriate category)—is sent to Prof. Laurence C. Nolan, Howard University School of Law, 2900 Van Ness Street, N.W., Washington, DC 20008; 202-806-8428 (fax); [lnolan@law.howard.edu](mailto:lnolan@law.howard.edu) (e-mail).

"Procedure of divorce and consequences of divorce towards children in the law of Serbia and Montenegro," at the International Conference on Divorce: Causes and Consequences, Beijing, China, July, 2004. Prof. Jancic has been appointed the Dean of the Law Faculty in Novi Sad and will start her duties on October 1, 2004.

**THE ECHR and IRISH LAW** (Ursula Kilkelly, editor), Jordans Publisher (2004)

**LEX FAMILIAE, REVISTA PORTUGUESA de DIREITO da FAMILIA** (Guilherme de Oliveira, editor).

Keum-Sook Choe, A Study on the Intestate Succession Under Roman Law, 1 Asian Women Law 261 (June 1998).

support formulae since the scheme was established fifteen years ago. Professor Parkinson thinks the Taskforce will have its work cut out for it in a very controversial area. Additionally, his excellent research and suggestions concerning child contact "Family Resource Centers" is being reviewed for possible implementation by the government of Australia.

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#### **PERSONAL NOTICES:**

*Patrick Parkinson* has been nominated to two important positions in Australia. The first is Chair of the Family Law Council, succeeding John Dewar. The Council is a statutory advisory body to the Government.

The second is as Chair of the Child Support Taskforce. This has been established to conduct a review of the formulae used to calculate child support payments under our statutory Child Support Scheme. The Taskforce must report by March 2005. The Taskforce is a multidisciplinary research group, and has been asked to conduct a comprehensive re-evaluation of the scheme, looking at contemporary work, parenting and family structures as well as the income profiles of child support payers and payees. This is the first such fundamental review of the empirical basis for the child

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