

INDEX—CHILDREN OF DIVORCED PARENTS

- COMPARATIVE LEGAL AND SOCIOLOGICAL VIEWPOINTS**
the clan conception, 835; Roman Catholic conception, 836; racial and state conception, 836; contractual-hedonistic conception, 837; Russian free love and its decline, 837; general considerations concerning children and divorce, 838 ff.; broken home's implications, 839; divorce and juvenile delinquency, 840; foreign laws concerning custody, 840; foreign laws concerning maintenance, 842 ff.; support—whose obligation, 843; extent of maintenance, 843; guarantee of payment, 844; penal and other sanctions, 844; financial responsibility of the State, 845; representation of child's interest, 846; proposed mechanisms, 847; family adviser, 847; conciliation, 848 ff.; role of the lawyer, 850; family court, 851; family jury, 851; personnel training, 854.
- CONFLICT OF LAWS**
orthodox doctrine—custody jurisdiction, 820; custody as status, 820; status and domicile, 821; domicile of unemancipated minors, 821-2; critique of traditional approach, 823; importance of factual residence, 823-4; elusiveness of "jurisdiction," 825-6; state's substantial connection as basis of court action, 827; continuing jurisdiction, 827; court doings vs. court sayings, 828; discretionary "jurisdiction," 829; the excuse of material change, 830; concurrent jurisdiction, 831; some tentative conclusions as to interstate custody law, 831-2; duty of support and Conflict of Laws, 832.
- CUSTODY—IN THE TRIAL COURT**
absence of rigid law, 721; extra-legal influences, 721; investigative function, 722; equity background, 723; range of judicial power, 723; predominance of uncontested custody, 724; continuing judicial authority, 725; opportunities open to trial judge, 725; problem of divided custody, 726; pertinence of adoption proceedings, 727; visitation, 728; general guiding factors: welfare of child, 728; wishes of the child, 729; custodial agreements, 730; special factors, 731 ff.; evaluating the witnesses, 734; summary of general and special factors, 734-6.
- CUSTODY ON APPEAL**
problems from appellate point of view, 737; sphere of appellate court activity, 737; custody in divorce denial, 738; custody issue not raised by pleadings, 739; fitness of parents, 740; children of tender years, 742; best-welfare-of-child test, 742; guilt factor, 743; modification: following failure to award custody, 744; changed circumstances vs. hindsight, 745; appellate function in general, 746.
- FOREIGN COUNTRIES' VIEWPOINTS** (see **COMPARATIVE LEGAL AND SOCIOLOGICAL VIEWPOINTS**)
- "FRIEND OF THE COURT"**
Wayne County, Michigan, Circuit Court, 778; role of Friend of Court, 778; role in fact gathering, 779; role in modification requests, 780, 781 ff.; role in guiding judicial discretion, 783; investigation and report on changed circumstances, 785; guiding discretion in favor of custody to relatives, 786; role in visitation recommendations, 788; general observations, 788-9.
- INTERSTATE PROBLEMS** (see **CONFLICT OF LAWS**)
- LEGAL READJUSTMENTS**
aligning law with social needs, 855; determining objectives of court proceedings, 856; irrelevance of moral guilt, 858; new sets of issues, 859; extension of court supervision, 859; closer interprofessional cooperation, 860; lawyer's cooperation, 862; law school's potential contribution, 862; law's potential contribution, 863; suggested lines of inquiry, 864.
- MAINTENANCE, IN TRIAL COURT**
general observations on maintenance law, 747; procedural presentation, 747; the initial allowance: procedure, 748; factors, 748; economics of the obligor, 749; factors influencing need, 750; flexibility, 750; permanent award, 751; prior claims on obligor's income, 751; illustrative instances, 752-5; solutions unaided by adjudicated cases, 756.
- MAINTENANCE, ON APPEAL**
under decree silent as to custody and maintenance, 757; under provisions for custody but silent as to maintenance, 758; under provisions for maintenance, 760; limitations on liability, 761; statutory provisions, 763; specific factors determining amounts, 763; legal standards, 764; evidentiary facts: ability to pay, 765 ff.; evidentiary facts: children's needs, 770 ff.; evidentiary facts: mother's ability, 772; miscellaneous evidentiary factors, 774; scope of appellate court review, 775.
- PSYCHIATRIST'S VIEW**
Essex County (New Jersey) Juvenile Clinic, data, 807; specific instances of impact of divorce upon the children, 809 ff.; divorce and insecurity, 812 ff.; psychiatric complications in family break-up, 814 ff.; security as the suggested goal, 816; undue emphasis on private obligations of support, 817; divorce need not weaken family life, 818.

SERVICEMEN'S CHILDREN

special problems of war disturbance of family life, 790; consequences of divorce while in service, 791 ff.; difficulty of adapting the federal statute to state court decrees, 792-3; hardships from substituted service without notice to the wife, 793; problem of the illegitimate child, 794 ff.; complications from international comity, 796; consequences of divorce prior to induction, 797 ff.; varying custody situations, 798; impact of wartime legislation, 798; local law complications, 799; the "multiple wife," 799; problems of relief from unjust family allowance payments, 800; protested allowances, 801; amending the Act, 802; criticisms of the Federal Act, 804 ff.; compulsory allowance feature, 804; allowances unadjusted to regional conditions, 805; general observations, 806.

SERVICEMEN'S DEPENDENTS ALLOWANCE ACT

various aspects, 792-3, 798 ff., 802, 804.

SOCIOLOGICAL ANALYSIS (see also COMPARATIVE LEGAL AND SOCIOLOGICAL VIEWPOINTS; also, LEGAL READJUSTMENTS)

the *immediate* family, in Western culture, 700; primitive society—the Ibo, 701; matrilineal societies, 702; the Chinese family, 703; the *extended* family, 701-4; divorce in the small family system, 704; emotional tension, small family, 705; equalitarian principle and custody, 705-7; factor of moral stigma, 707.

SPECIALISTS (see FRIEND OF THE COURT)

STATISTICAL ANALYSIS

number of legal divorces, 710; chart, rise in divorce rate, 711; number of children affected, 711; total number of children with divorced parents, 713; age distribution of the children, 714; future trends, 715; effect of war, 715-7; estimates to 1946, 717; estimated number of children affected, 1933-1946, 719; some statistical conclusions, 720.