

# FOREWORD

**George E. Bushnell, Jr., President, American Bar Association**

DEFINING THE LEGAL profession seems to be increasingly more difficult. While engineers build bridges and doctors help the sick, lawyers do a wide range of tasks, depending on the client or the situation. Although it is usually clear when to consult a physician, it is not always readily apparent when to seek counsel from a lawyer. This book was written to help make clear what lawyers do and when one should consult a lawyer.

We are acutely aware of the depth and breadth of the obstacles facing those who need to use the justice system. Recently, the ABA released the “Comprehensive Legal Needs Study,” the result of more than three thousand interviews with lower and moderate income families across the nation. The survey reveals that most lower and moderate income families’ legal needs are related to basic, everyday issues of life: housing, personal finance, family and domestic concerns (such as divorce and child support), employment-related issues, personal injury and community problems. This book separates the many areas of law into chapters that specifically deal with these types of issues.

The chapters are further classified by specific points to make the book as readable and handy as possible. The authors use plain, direct language rather than difficult to understand and intimidating “lawyeresque.”

The American Bar Association is dedicated to ensuring that all Americans have a full range of options when confronted with a problem that might require a “legal” solution. I hope this book is worthwhile in helping its readers feel more comfortable with the legal system and that it will help eliminate much of the mystery and fear surrounding the legal process.

Hundreds of members of the association have contributed to the book. The Standing Committee on Public Education was the primary force behind this massive undertaking. The research was conducted by the ABA’s Consortium on Legal Service and the Public and released in the Comprehensive Legal Needs Study.

This book is a big step forward in our continuing efforts to bring the law to the people, and I congratulate all those who participated.

# INTRODUCTION

by **Hilarie Bass, Chair, ABA Standing Committee on Public Education**

AMERICANS HAVE LONG BEEN fascinated - and mystified - by the law. For years we have been delighted by the courtroom theatrics depicted in television programs and movies, but at the same time we have often feared the prospect of being personally involved in a legal case. Sometimes the very prospect of consulting with a lawyer causes us alarm. The purpose of this book is to remove some of that fear and mystery from the law. The American Bar Association has written *The American Bar Association Family Legal Guide* to help explain law, legal processes, and legal situations. It is our hope that this book will make you, the reader, better informed about the law, and better able to make decisions about legal matters.

Today we are bombarded with news stories about the law, ranging from sensational criminal trials to class action lawsuits involving defective products. The law has leapt into the public consciousness.

However, the law does not affect only the famous. It affects each of us in our daily lives - when we make a purchase, start a family, or go to work. To function effectively in our complex society, we must understand how law governs our rights and responsibilities.

That is the purpose of *The American Bar Association Family Legal Guide* - to explain the law to you in simple, easy-to-understand language. This book uses a straightforward question-and-answer format. It avoids legal jargon and technicalities; rather, it explains in everyday words how the law affects you at home, at work and at play.

For example, you will learn many of the important legal issues about marriage, separation, and divorce. You will explore the legal aspects of buying and selling a home, the law that affects you in owning a home, and the many legal considerations of renting an apartment for yourself or to others. This book helps you understand contracts, big and little. It also gives you tips on avoiding hassles in buying consumer products. You will learn how the law affects older Americans, and get answers to frequently asked questions about major legal topics, such as personal injury and wills and estates. There is even a glossary that explains the meaning of commonly used legal terms.

*The American Bar Association Family Legal Guide* is organized so you can easily find information about those areas of law that you need to know. The question-and-answer format gives you details about the most common issues raised by each legal topic.

Other features enhance this basic approach. In every chapter, you will find brief articles on topics of great interest, which appear alongside the questions and answers. These explanations and examples give you further insight into the legal topics covered.

Even a book such as this cannot answer all the questions you might have on the law. To help you find additional answers, sections at the end of each chapter tell where to get more information. These sections refer you to web sites and any free or inexpensive

publications, and suggest services that government agencies, bar associations, and other groups can provide at either no or minimal cost.

When reading *The American Bar Association Family Legal Guide*, please keep several important points in mind. First, this book cannot and does not pretend to provide legal advice - only a lawyer who understands the facts of your particular case can do that. Although every effort has been made to present material that is as up-to-date as possible, laws can and do change. Decisions by state and federal courts, as well as regulations from government agencies at all levels, change how laws are interpreted and applied.

Thus, the information included in this book should be considered an introduction to the law in each area. It is not the final word. If you are thinking about pursuing any legal action, consult first with a lawyer, bar association or lawyer referral system to assure yourself of knowledgeable assistance. Armed with the knowledge and insights provided in *The American Bar Association Family Legal Guide*, you may be confident that the legal decision you make will be in your best interests.