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# FLORIDA FAMILY LAW TRIAL NOTEBOOK

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**Thomas R. Eineman**

Editor: Donna Cole, Esq.

Production: Taylor Hudson and  
Amanda Winkler

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## ABOUT THE AUTHORS

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**Thomas R. Eineman** was a James B. Angell Scholar at the University of Michigan and earned a Bachelor of Arts degree with High Distinction in 1979. He received his Juris Doctor degree from Wayne State University in Detroit, Michigan, in 1985. Mr. Eineman is Board Certified in Marital and Family Law by The Florida Bar. He is a member of The Florida Bar, the State Bar of Michigan, the Bar of the United States Supreme Court, the American Bar Association, and the Hernando County Bar Association. He previously served on the Marital and Family Law Certification Committee of The Florida Bar and was a member of the Steering Committee for The Florida Bar's publication "Florida Dissolution of Marriage," Sixth Edition. Mr. Eineman is "AV" rated by *Martindale-Hubbell*. He limits his practice to the area of Marital and Family Law.



## **WHAT THIS BOOK IS:**

This Family Law Trial Notebook is designed for use “in the trenches,” in other words, in court or during a recess or whenever quick access to an argument or an objection is needed. It is a guide to assist the family law practitioner to locate answers to evidentiary rules and substantive law questions, in family law cases.

## **WHAT THIS BOOK IS NOT:**

This Family Law Trial Notebook is *not* a treatise of the law. It was designed to be as succinct as possible, so that it can be regularly brought into the courtroom as an aid. Therefore, the “Substantive Law” section contains summaries of cases that address the types of issues likely to be raised in argument, with respect to evidentiary or procedural matters. This Family Law Trial Notebook is not a complete analysis of the entire field of marital and family law.

## **HOW THIS BOOK IS DESIGNED:**

The Family Law Trial Notebook is divided into sections pertaining to the types of issues and questions that arise in court during a proceeding. A citation is provided on the right hand side of each title, as to each area for which there is a specific provision in the Evidence Code, other statute, or rule.

Each area discussed in this Family Law Trial Notebook is followed by a section entitled “Noteworthy Cases,” in which cases addressing the subject area are summarized.

This Family Law Trial Notebook is printed in a three-ring binder so that the user can add copies of his or her “favorite” cases, relevant statutes or rules following each section, for personal use or even to have ready for presentation to the trial judge.

In the “Hearsay Exceptions” section, a topic entitled “Family Law Applications” is included in which specific areas relevant to family law cases are listed as considerations (although possibly subject to other objections) for the application of a hearsay exception.

## **ACKNOWLEDGEMENTS**

I would like to acknowledge Cynthia Greene, Esq. for creating the Florida Family Law Trial Notebook and Roberta Stanley, Esq. for preparing the second edition.

In addition, I would like to thank my daughter, Emily Elizabeth Eineman, Esq., who provided research and assisted with the case updates for the 2009 supplement, and I would like to thank my wife Wanda, who supported me in this new endeavor just as she has supported me in all of my prior undertakings during our 30 years together.

Thomas R. Eineman, Esq.

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