



Children in Virtualand

By Mora Prestinary

The *National Health Statistic Report* indicates that "Current estimates of divorce indicate that about half of first marriages end in divorce". ((<https://www.cdc.gov/nchs/data/nhsr/nhsr049.pdf>)

Unhappily, hundreds of children of noncustodial parents, separated by long distances from one parent, could be deprived of visitation.

The PEW Research Center reports that "Fewer than half (46%) of U.S. kids younger than 18 years of age are living in a home with two married heterosexual parents in their first marriage". (<http://www.pewresearch.org/fact-tank/2014/12/22/less-than-half-of-u-s-kids-today-live-in-a-traditional-family>)

Today's solution is Virtual Visitation. Unlike other states, California has no Virtual Parenting law. This type of visitation must either be approved by a judge, or written into their official custody agreement. Both ex-spouses must come to an arrangement allowing the non-custodial parent contact by electronic visitation.

Orange County divorce lawyer Jeffrey Lalloway, who is helping draft a California bill, states "Physical contact is still crucially important for a child. If you can supplement that with Instant Messaging, e-mail, [video calls] on the computer screen, that's great. Any contact is always better than no contact."

The **Family Law Practice Guide**, (Rutter Group) Chapter 7:569.4 indicates that "Where the parties' economic circumstance permit, a court may facilitate "contact visitation" by ordering each party to obtain computers with e-mail and video conferencing technology (to enable the nonmoving parent to "see" and "interact" with the children). "

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Cutting your own Christmas Tree

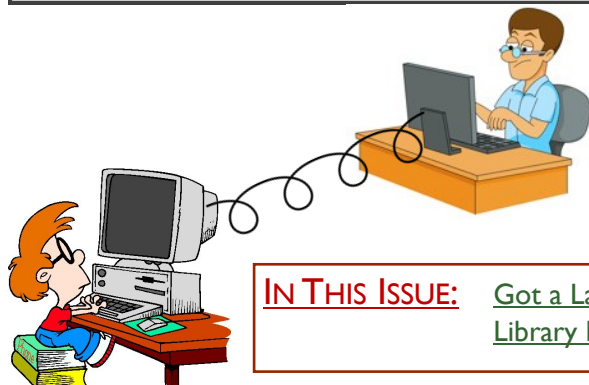
By Elizabeth Harmon

On the U.S. Forest Service website under "Tree Cutting", it states "Most national forests allow users to harvest trees for personal use firewood and Christmas trees". It goes on to say that a person must obtain a permit from the Forest Service and observe certain regulations depending on the forest or wilderness area where a tree will be cut for personal use. These include certain specifications: Not cutting a tree to sell; choosing a tree that is 200 feet or more from the campgrounds, recreational areas, or main roads; choosing a tree that has a trunk that is no bigger around than six inches and cut the tree no more than a maximum of six inches above the ground. Further specifications state that a tree should be cut down in an overstocked thicket and restricted areas should be avoided. Additionally, permits must be kept with the person at all times, only one tree per tag is allowed, and cutting just the top of a tall tree is never allowed.

There are also guidelines to protect the ecosystem and suggestions for the safety of the permit holder. Among these are: Never journey to the forest without noting current warnings, which may include closed roads, unusual weather conditions, or fire danger; dress appropriately, allowing for cold temperatures, snow, and visibility; plan to enter the forest early to allow enough time to be finished before it gets dark; make sure someone knows where you are going and when you will reasonably return – it is not unusual to reach an area where there is no cell phone service. Plus, avoid areas that are next to wet areas like lakes, creeks or rivers and areas where fire, insects, or storms may have weakened trees. Always bring supplies needed in an emergency such as a first-aid kit, water, food, a compass, a map that you have become familiar with and a reliable flashlight. Make sure you remember where you park your vehicle and consider bringing a tarp and rope to help move the tree there.

The U.S Forest Service has offices throughout the country, so any person interested in cutting a tree in a wilderness area, should contact or visit the office or ranger station that oversees that forest area. This is especially important in California where tree cutting policies vary throughout the state and a num-

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Children in Virtualand
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J.M. v. G.H. (2014) 228CA4th 925.

Already familiar with the technology, children growing up today, don't remember a time before the internet. It has given them the opportunity to learn complex databases. Internet visitation likewise, allows a child to virtually spend time and interact with his or her noncustodial parent:

- Read bedtime stories
- Help with homework
- Day- to day- activities
- Special events
- Transmit documents via a scanner

California Child Custody Practice (CEB), Chapter 4.59 states: "When parents and children are separated, telephone calls, video chats, e-mail, texts, and instant messaging can help ameliorate the loss of day-to-day caregiving experiences. Once challenging and costly, these technologies are now commonplace features of most mobile phones, tablets, and computers."

Although never a substitute for personal visitation, the present-day reality of high divorce rates, has enabled today's technology to fill-in the gaps between those person-to person visits.

More information on electronic visitation can be found in The Virtual Visitation Handbook, 2013 edition. It outlines the who, which, where and why of internet visitation. <http://www.circuit7.net/familycourt/virtualvisit/default.aspx>

A comprehensive article, *Scheduling Skyping with Mom or Dad: Communicative Technology's Impact on California's Family Law*, can be found in 31 Loy. L.A. Ent. L. Rev. 143, 174 (2010).



Cut your own Christmas Tree
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ber of forest areas do not allow for Christmas tree cutting. More information can be found, including local office phone numbers and addresses on the Forest Service website at: www.fs.fed.us

Interested parties may also want to check with the Bureau of Land Management. The Forest Service is part of the Department of Agriculture while the BLM is part of the Department of Interior. The BLM website is: www.blm.gov

It is important to understand and follow all the rules and guidelines before cutting down a tree - failure to do so could result in fines of up to \$5000.00 or six months in jail or both.



Got a Law Degree? What can you do? Or, why training in the law is good for you, and for us.

Andrea Bocelli. University of Pisa. He spent one year as a court-appointed lawyer...Singer.

Geraldo Rivera. Was one of the top five in his Brooklyn Law School class in 1969...Reporter, Talk Show Host.

John Cleese. Read law at Cambridge...Monty Python.

Howard Cosell. NYU School of Law. Practiced law in Manhattan...Sports Reporter.

John Grisham. Studied at University of Mississippi School of Law and practiced law...Writer.

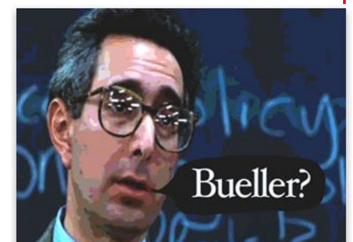
Washington Irving. Studied in New York, passed the bar in 1806...Writer.

Francis Scott Key. Studied at St. John's College, Annapolis, Maryland in 1796. He was a leading attorney in Frederick, Maryland, and Washington, D.C. for many years...Star Spangled Banner composer.

Henri Matisse. Studied law in Paris, 1887, worked as a court administrator...Painter.

Ozzie Nelson. The Adventures of Ozzie and Harriet star graduated from Rutgers School of Law in 1930...Radio & Television star.

Ben Stein. Valedictorian of his Yale Law School class in 1970. Trial lawyer at the FTC, speech writer for Richard Nixon & Gerald Ford...*And, of course...*



Holiday Recipe

Gingerbread Trifle

Total Time: 1hr. 25 min.

Servings: 15 servings, 2/3 cup each

Heat oven to 350°F.

Ingredients

- 1 pkg. (14.5 oz.) gingerbread mix
- 2 pkg. (3.4 oz. each) Butterscotch Flavor Instant Pudding
- 1 tsp. each ground cinnamon and ground ginger
- 1/4 tsp. ground nutmeg
- 3 cups cold milk
- 8 oz. Cool Whip, thawed, divided
- 1 pkg. (4 oz.) Baker's White Chocolate
- 6 gingerbread men cookies (3 inch)
- 1/2 cup Kraft Jet-Puffed Gingerbread Marshmallows



Prepare gingerbread mix as directed on package; spoon into 12 muffin pan cups sprayed with cooking spray.

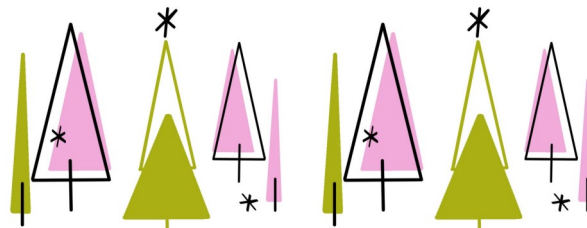
Bake 25 min. or until toothpick inserted in centers comes out clean. Cool in pan 10 min. Remove to wire rack; cool completely.

Meanwhile, beat pudding, spices and milk in medium bowl with whisk 2 min. Stir in 1 cup Cool Whip. Refrigerate until ready to use.

Melt chocolate as directed on package. Cut cupcakes horizontally in half. Reserve bottom halves of cupcakes for next step. Spoon melted chocolate into piping bag; use to pipe some of the chocolate into swirl pattern on cupcake tops as shown in photo. Decorate gingerbread cookies and marshmallows with remaining melted chocolate as desired. Refrigerate decorated cupcake tops, cookies and marshmallows until chocolate is firm.

Cut reserved cupcake bottoms into quarters; place half in trifle bowl. Stand single layer of cupcake tops, decorated sides out, alongside of trifle bowl. (Depending on size of trifle bowl, some cupcake tops might not fit. Cut into quarters and reserve them for next step.)

Spoon pudding mixture into trifle bowl; top with remaining cupcake bottoms and any unused cupcake tops. Top with remaining Cool Whip, gingerbread cookies and marshmallows.



Looking at the Web

by Mora Prestinary



Business & Professions Code § 17531.1. Labeling packages of unassembled toys.

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=BPC§ionNum=17531.1

Toy Inventor & Design Guide

http://www.toyassociation.org/App_Themes/toyassociation_resp/downloads/resources/TIAToyInventorDesignerGuide.pdf

The Toy Association Safety Laws by State

<http://www.toyassociation.org/ta/advocacy/state/toys/advocacy/state/state-home.aspx>

California Style Manual (free)

<http://www.sdap.org/downloads/Style-Manual.pdf>

Cite Genie (free) Automagically copy text with correct citations from WestLaw, Lexis, other websites.

<http://citegenie.com/>

Cornell University Law School: Basic Legal Citation (free). Also available on Kindle and iPad.

<https://www.law.cornell.edu/citation/>

New York University School of Law Guide to Foreign & International Legal Citations (free).

http://www.law.nyu.edu/sites/default/files/upload_documents/Final_GFILC_pdf.pdf

The Bluebook A Uniform System of Citation (buy). www.legalbluebook.com/

2017 Book Tree!

Stop by to see our fabulous 2017 Book Tree!
On Floor 3 near the Reference Desk



Created and assembled by Diane Whitaker & Elizabeth Harmon

Library Holiday Hours:

12/25/2017	Mon	Closed
12/26/2017	Tues	Open 8-5
12/27/2017	Wed	Open 8-5
12/28/2017	Thurs	Open 8-5
12/29/2017	Fri	Open 8-5
1/2/18	Mon	Closed

Orange County Public Law Library

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www.ocpll.org

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