



**Semper Veritas
School of Law**
**Accelerated
Family Law**



<https://texaspra.org>

Lesson 1 – Learning the Real Law

<https://unitedcivilrights.org>

<https://parentalrightsclassaction.com>

<https://americans4parentalequality.com>

INTRODUCTION

The following begins an entire professional series of accelerated legal training Lessons primarily designed for all American so-called “noncustodial” parents (NCPs) and their supporters and various advocates, yet natural (biological) parents who were falsely victimized by CPS actions may well find that many aspects taught herein will also be frequently suitable for their own legal interests. Any average citizen may also benefit.

This custom legal education course is being generously provided as a free (pro bono) project of the above organizational group. Charitable donations are warmly welcomed.

Texas Parental Rights Association is spearheading massive reform efforts to the family courts by challenging the state child custody statutes as unconstitutional on their faces.

Constitutional Association of Parental Rights Advocates (CAPRA) supports both NCPs and false victims of CPS, has many legal resources, plus a central hub of social groups.

United Civil Rights Councils of America (UCRCOA) has continually provided various help to support NCPs for two decades now, and features a wealth of free member materials.

Americans for Parental Equality (AFPE) gives daily education, advocacy and outreach, raising wide awareness about the importance of shared parenting and parental equality.

All four (4) organizations have valuable resources and are worthy of your good support.

TABLE OF CONTENTS

Topic 1-1. About the Instructor	p2	Topic 1-7. Applying the Proper Court Rules	p12
Topic 1-2. Training Expectations	p4	Topic 1-8. Applying the Proper Case Law	p15
Topic 1-3. False “Silver Bullet” Theories	p6	Topic 1-9. Federal and State Regulations	p24
Topic 1-4. The American Hierarchy of Law	p8	Topic 1-10. Benchbooks, Practice Manuals, Etc.	p25
Topic 1-5. Constitutions and Treaties	p9	Topic 1-11. Vires in Numeris	p27
Topic 1-6. Federal and State Statutes	p10	Topic 1-12. Conclusion	p28

TOPIC 1-1. ABOUT THE INSTRUCTOR

Greetings – My name is Professor Torm Howse. I have taught law before, and now I am teaching law again. While this free custom course will obviously not break [your bank](#), you also need to know if this educational series will be actually worth [your time](#).

To answer that question, I must provide at least the major highlights of my experience.

In my 60s now, my legal experience includes 27+ years and 400+ cases for paid clients across the country, in state and federal courts of all levels, i.e., in 30ish States so far, in 2/3rds of the nation's 94 federal Districts, in all eleven of the numbered federal Circuit Courts of Appeal multiple times each, and also in the U.S. Supreme Court on several occasions (*using the professional level rules with 6.125" x 9.25" double-sided booklet format filings by the dozens of copies each time, not the mere pro se process*), as well as in state appellate and state supreme courts, naturally, plus I am also experienced with federal mass action and class action lawsuits, and in MDL (multi-district litigation).

About 85% of my practice has been for family law clients, most of those as NCPs, but also some CPS clients, and the other 15% encompasses socio-political-governmental law, variously specialized real estate issues (timber and mineral rights, border disputes, inheritance-title-deed disputes, and so forth), and a smattering of various other issues.

If you're looking for "national" wins, I will give just two (2) examples in public like this, starting with the famous CPS case of Justina Pelletier, a teenage girl with some serious biological conditions who was "medically kidnapped" by Boston Children's Hospital and [Massachusetts](#) DCF, after her [Connecticut](#) family took her there just to see a specialist, a very sad situation in which I was morally compelled to get involved, and this behind-the-scenes saga will provide everyone with a nice textbook example of how to navigate multiple competing jurisdictions, multiple court levels, of using both state and federal constitutions at the same time, and also all about the pair of related legal doctrines of [in personam jurisdiction](#) and also "[significant connections](#)" (to a given State, or not), all of which can be useful within UCCJEA, PKPA, and/or international child custody issues.

I also got involved behind the scenes with *Burwell v. Hobby Lobby*, a major ObamaCare case within the U.S. Supreme Court about government attempting to force faith-based companies to provide abortion services, to ensure that [did not](#) happen, and to kill two birds with one stone, because that work also caused former U.S. Attorney General Eric Holder to "suddenly" announce his job resignation (for "undisclosed personal reasons") within 90 days later. That experience will provide a combo textbook example about the [separation of powers](#) doctrine, about having actual "[proper parties](#)" within court cases, about using the law [to assign blame](#), and about invoking *more than just the law* to win.

I have also dabbled in criminal defense. Twice in that experience my drafted motions challenging an illegal conviction/sentence got the inmate suddenly released, one after mere formality hearing and the other, poof, no explanation given (two unrelated cases), but I concede that the facts in both cases were pretty outrageous, so that helped a lot.

Over the years, several semi-famous attorneys have somehow tracked me down to ask me for advice upon their own cases. I have forced multiple federal Districts to update (fix) their own Local Rules regarding all *pro se* cases. A number of my clients have suggested that I just go ahead and take the bar exam, but my response has always been the same – I will never *officially* become that which I so generally loathe and hate, as a class and type of nefarious people, for the widespread and false destruction of America's families, nor would I *ever* give any state bar *any* opportunity to get its unethical hooks into my back with required annual indoctrination, fees, and all the rest.

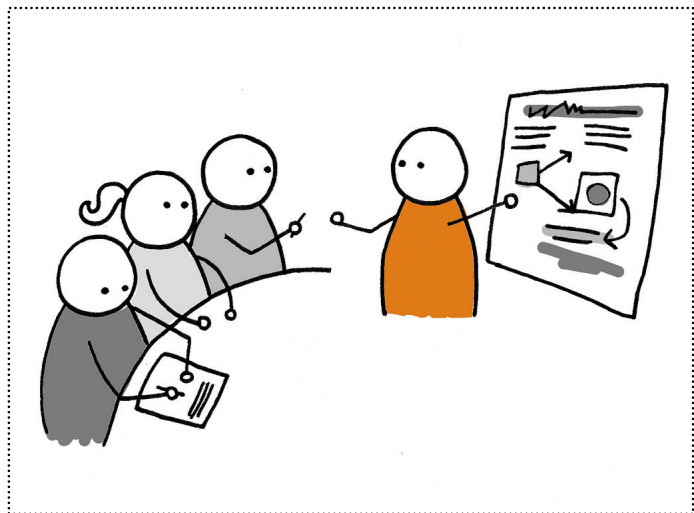
You see, I was a 1998 victim of family court myself, sued for all the usuals (*custody, support, visitation, and the family home*) by a totally fake "divorce" case, when we had never even been married.... I witnessed blatant family court dishonesty from the very first moment, so I swore a life goal, and began studying law intensely. I finally got my family court case dismissed and closed forever when my kids were 17, 15 and 10... **not** just "50/50" or better percentage of time *per some court order*, but got the family court *totally ejected* from all of our lives. Later on, I also forced them to finally dismiss their insane felony child support criminal case, because, after all, the kids had already all been living with me for years by then, plus it was clearly illegal to rack up child support at the rate of 185% of my *gross* pay (yeah, amounts that were triple the max limit of law), *and* it was a fake divorce. **I will teach you the law from your own perspective**, and that's something you will most likely never get from any bar-controlled attorney, all of which should ensure that this educational law series will be actually worth **your time**.

Lastly, and related, fyi, I have had two (2) different States turn tail and whimper away, after first threatening me with "UPL" criminal charges ("unauthorized practice of law"), following my response(s) pointing out that "it" (each State at the given time) was itself already *knowingly* allowing "UPL" by the thousands of incidents every day, due to all of the doctors, real estate agents, social workers, nutritionists, personal trainers, and more types all routinely "providing legal advice" to their customers/clients, and then also, let's DO talk about all of the domestic violence shelter workers who are "committing UPL" by actually doing legal paperwork for such clients - not only daily themselves, but further about the fact that the State itself is *knowingly* providing *funding* for those very same domestic violence shelter workers. That shut them up real fast.... Know this: You have an "**associational**" right to advise/discuss law with **any** person(s) having **the same legal interest(s)**, and just like the name implies, such rights flow from the First Amendment.

TOPIC 1-2. TRAINING EXPECTATIONS

This entire course will consist of multiple separate and increasingly advanced Lessons, published hopefully every several weeks or so. While primarily focused upon the entire realm of family law and related topics of constitutional law within the American legal system, the realm of family law tends to often bleed over into a variety of related issues, such as general due process rights, an array of property rights, interstate law, several different areas of directly related federal law, even criminal defense, gun rights, taxation interests, revocations of licenses, and so forth and so on, hence along the way we will also touch upon these main related sub-issues as part of the intended holistic approach of this overall course, and delve more deeply into certain topics as warranted.

Besides all of the “normal” topics and sub-topics of family law, you will also learn a number of more advanced legal topics, such as deep dives into your variously related rights under the 1st, 2nd, 4th, 5th, 6th, 7th, 9th, 10th and 14th Amendments to the federal Constitution, also under the Preamble and Articles thereto, as well as about separation of powers, plus various abstention doctrines, preclusion doctrines, and several other legal doctrine types, property rights, civil rights, common law, natural law, tort law, contract law, the admission of evidence, statutory interpretation, the case law research and case law citation processes, and yet so much more, not to mention



that you will also receive an introductory level education upon the topics of world legal history that are related to modern family law, i.e., certain global historical developments in general human rights, women’s rights, and then finally children’s rights (in that same chronologically ascending historical order).

By the time you finish this course, if you study hard and retain knowledge well, you will be reasonably expected to have obtained the working proficiency level of any average four-year-degree family law student now in their 2nd or 3rd year as an average family law attorney employed by an average family law firm. If you are an exceptionally gifted student, particularly as to the deeper concepts of interrelated constitutional law, your proficiency level should be expected to reach well beyond that base target. If demand warrants, I may also provide especially advanced legal training for a reasonable fee to selected students by invitation only.

Regardless, the upper 33% of students formally registering for and then successfully completing this accelerated education course about American family law may also be considered for official alternative network legal scholar roles, corresponding for each of the first eleven (11) numbered federal Circuits, and for each of the 50 States, plus for the District of Columbia, to directly assist other *pro se* parents in their own personal quests for equal and fair treatment by the courts, likely by an online referral system using geography vs. state/federal case jurisdiction to match said clients to said scholars.

Except for familiar terms like “NCP” in referring to any so-called “noncustodial parent” and “CPS” in referring to any Child Protection Services case, my own standard “CSV” in referring to any Custody, Support and Visitation case betwixt a given pair of adversarial natural parents, as the two major types of all family court cases, plus also “C\$” as a frequent abbreviation used for Child Support, all other legal terms and phrases used throughout this entire course shall be as they appear within the Wex depository of Cornell Law School, which is an online glossary of all such legal terms and phrases, freely available to browse or search by keyword at this link:

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

Whenever this course uses a direct hyperlink to any part of federal law (Constitution, U.S. Code statutes, rules of federal courts, federal regulations, and/or etc.), said link provided shall always be that of Cornell Law School’s online Legal Information Institute, which homepage and drill-down starting point for all things is simply:

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

Whenever this course uses examples of particular state statutes, state court rules, and so forth, said direct hyperlink shall always be to that State’s officially published current law, *presuming all parts are freely available online to the general public at large*, or said link will be instead to my personally recommended online free alternative.

Upon the actual official group post thread of a given Lesson post (i.e., via one or more comments), you may freely ask any reasonable questions that pertain to the Topics of that same given Lesson, and I will try to answer and/or otherwise engage there as time permits, but I definitely encourage all participating students to mutually encourage and help guide and support each other towards correct understanding of those Topics. As I monitor these threads, I will silently be looking for faithful helpers as I consider any awarding of extra credit points, because a bird in the hand is worth two in the bush.

For ease of reference, each different Topic of every different Lesson is entitled thusly: “Topic” [Lesson#-Topic#]. [Short Description] And so, for example, right now you are reading within the *second* formally identified Topic of the very *first* Lesson, and the short description is that this Topic is about expectations regarding this training course.

This course will most definitely include recommended homework assignments, but not required or graded, yet regardless of how seriously you follow through with general Lesson study, with homework, and review of and/or interaction upon the official group Lessons' post threads, there will still be an online final exam, with a time limit..., and it will also be designed to preclude any possible cheating by someone just trying to use the web to simply copy and paste their answers. Law is a serious business, and this entire course – including the final exam – will be equally serious.

With that said, you may also freely choose to just “audit” this course, i.e., just passively watch and learn privately at your own pace as desired. But if you want the advantages of enjoying fellow study group members, to challenge yourself for passing the final exam, to be considered for legal scholar roles within the CAPRA groups network, and/or even just for the sporadic bonus legal tips and tricks delivered directly into your Inbox, then you should formally register for this customized course. Registration is simple and free via the following short online submission form link:

<https://form.jotform.com/241697096785172>

Note: Within this customized course there is really no need to go into the very small and rarely applicable nuances of fine law between the forty-six (46) States that each call themselves as a “State” versus the other four (4) States that each call themselves as a “Commonwealth” so we will just ignore that and refer to any and each as a State.

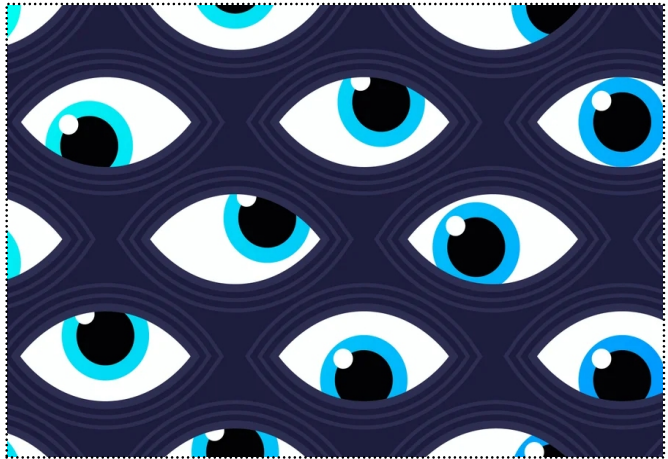
TOPIC 1-3. FALSE “SILVER BULLET” THEORIES

The very first order of regular business herein is immediately quashing any and all false “silver bullet” legal theories as the complete and total nonsense that they all actually are, for they have absolutely no place, whatsoever, within any valid course of proper education about true American law.

The state family courts across America, when they deal with CPS cases, are presumably acting reasonably within constitutionally compliant bounds, due to the certain ways those legal processes and statutes are written and performed, although the CPS system is certainly rife with “overzealous” social workers leading to many sad cases of very “exaggerated” or even outright false allegations against such unfortunately victimized parents, but the point here is simply and only that the CPS system of court due process, itself, is reasonably constitutional upon its *written* face.

But when the same family courts across America deal with CSV cases (again... Custody, Support and Visitation), they are **not** acting within reasonable compliance of required due process procedures over child custody rights that most natural parents instinctively feel and/or know as their constitutional rights, and so family court leaves many so-

called “noncustodial” parents as very confused, even shocked, as to “how” such results could actually be “legal” to happen to them. Many are, in fact, so perplexed about how such things could actually happen, and seem to happen everywhere, that their desperation of thought sometimes even leads to belief that the family courts must “therefore” be operating within some as yet unexplained alternate universe of law,



some kind of parallel dimension of different due process procedures, perhaps even a generally “hidden” type of court system, or whatever else imagined, all in desperation to figure out “how” what happened to them was actually “legal” in some strange way, and “if only” they could learn to speak in terms of their chosen form of magical hidden law, then they could “finally” win in their court.

These poor desperate souls end up engaging in what are totally false notions about such alternate realities and their corresponding “silver bullet” conspiracy theories, like “strawman” arguments, or that a person’s name in ALL CAPS or not somehow means different legal universes, that courts displaying gold fringed flags versus normal flags somehow means that you are operating within some parallel dimension of law, arguing that the UCC (Uniform Commercial Code, i.e., an area of business law) somehow applies within family law and/or individual rights, that just because a governmental unit like a state or county is listed as a corporation within the Dun & Bradstreet business data records it must somehow be a different legal entity with some special powers or whatever, any “sovereign citizen” arguments, or that the original USA is not the same as the current US federal government and so you are therefore only *either* a state citizen *or* a federal citizen but somehow not both, and so forth and so on. Yet, the reality is just that courts are run by humans, and some humans don’t play by the rules.

These “silver bullet” theories are all pure nonsense, they are so fraudulent as to be also dangerous, people that try that crap in their court filings are often then restricted by classification as a “vexatious litigant” and/or sent off for mental health evaluations, and rightfully so, and such conspiracy theories will not be tolerated anywhere within the [TexasPRA](#) groups network at all. Anyone attempting to raise or promote any such silver bullet theory nonsense may, or may not, be given merely a single warning before just being banned from the network outright, depending upon the severity of the offense.

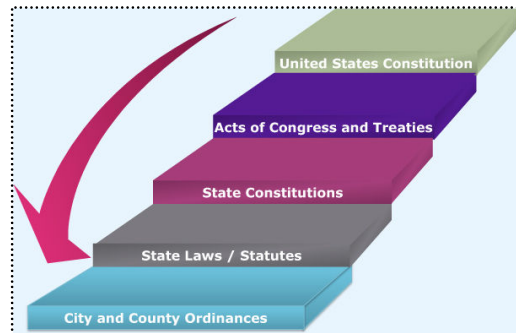
The practice of law is a very serious matter. Do not ever suppose it to be anything less.

TOPIC 1-4. THE AMERICAN HIERARCHY OF LAW

Now that we have dispensed with said nonsense theories, we will proceed forward with learning about the real law of American courts, beginning with what parts and pieces make up the total law, and their hierarchical relationships to each other, so that later we can apply the proper parts and pieces of the law to real world issues within a given court process, such as your own family court case being the most obvious example.

Please note that this course will only cover the two (2) regular, normal court systems within America, i.e., the regular state and federal court systems. Although there are, in fact, other established court systems, such as the military courts, the ecclesiastical courts, tribal courts, certain kinds of pure equity courts, and even private entity courts, we will be focusing only upon those regular state and federal courts of law, as they handle over 98% of all American cases.

The hierarchy of law within both major American court systems begins at the very top with the federal Constitution. After that next follows, in (mostly) descending order, treaties with other nations, then federal statutes, federal agency regulations (i.e., the CFR – the Code of Federal Regulations), the individual state constitutions, any state's own array of statutes, state agency regulations, and various laws at the local "municipal" (county, city, township) level. In this course, focused upon family law issues, there should really never be any reason to discuss law at the municipal level, as all family law is governed by federal and state law.



Treaties, rules (court rules), and case law (the common law) are strange creatures that can often "float" up and down the scale of relative hierarchy, sometimes deemed higher in legal authority priority yet sometimes deemed lower in legal authority priority, and it just depends upon the given subject at hand. However, speaking in general terms only, and referring only to courts of law instead of any agency administrative processes, the basic normal priority of legal authority goes down from a constitution to a statute to a court rule, notwithstanding that case law can modify those.

Your very first homework assignment is to consider each part of the overall American law above, and realize where it comes from – does that part of law originate from the **Executive** branch of (federal/state) government, or from the **Legislative** branch, or did it come from the **Judicial** branch? In future Lessons, the critical separation of powers between these three (3) branches of government will be touched upon more than once.

TOPIC 1-5. CONSTITUTIONS AND TREATIES

Again, for good measure, the hierarchy of law for both main court systems begins at the very top with the federal Constitution. Every other type, part and piece of all other law, whether in the nature of federal or state law, is always (1) lesser, and always (2) must be compliant to and fit with the federal Constitution, or else that such other piece of law is unconstitutional. The federal Constitution, by direct definition, is “the supreme law of the land” pursuant to Article VI, paragraph 2 of the U.S. Constitution, and that provision is properly referred to as the Supremacy Clause:

<https://www.law.cornell.edu/constitution/articlevi>


The Supremacy Clause establishes that the federal Constitution, and federal law generally, take precedence over state laws, and even state constitutions. It prohibits states from interfering with the federal government’s exercise of its own constitutional powers, and also from assuming functions that are exclusively entrusted unto the federal government.

Please note that the Supremacy Clause, time and again throughout this course, will always be our friend, *indeed our very good friend*, because the written mandates therein expressly command that “the judges in every state shall be bound thereby” which, of course, also includes the judges of every family court as well as all of the higher state judges in their appellate and supreme courts.

The federal Constitution also includes all Amendments thereto. The first ten (10) Amendments are also known as your Bill of Rights, and then there are all the rest of the Amendments (currently, another eighteen Amendments). The central core of most constitutional rights and issues related *to the family unit and to each and all family members* is enshrined via the First Amendment, i.e., family liberty rights, family privacy rights, and familial association rights, as well as each different family member’s own corresponding *individual* rights within the very same issues. Exploring the nine (9) different Amendments that are related to family law issues is an entire subject on its own, and a future Lesson in this course series will be earmarked solely to take a deep dive into each and all of them. Directly related, when we take a closer look into any given State constitution, we will typically find most or all of the above Bill of Rights provisions repeated or paraphrased via similar language.

The Supremacy Clause

- Establishes the Constitution as the “supreme law of the land”
- Federal law supersedes state laws when a conflict exists
- Also known as the “linchpin clause”



The “linchpin clause” guarantees federal supremacy

Under virtually all family law circumstances, the any related provisions of various international treaties, that the U.S. is a signatory nation to, will never be any valid part of legal argument within any mere, lowly family court case. I am not exactly teaching you that such angles of attack are not technically available to actually raise and pursue, but it's really a dual question of practicalities and perception. For one, there are just far more and far better ways to skin the family court cat, so to speak, and all of those ways are regular American law that any lowly family court judge should already be able to understand at least enough, instead of any delving into a totally unfamiliar realm of international law to finally and eventually get to the bottom of what is considered "right" and "wrong" under that different legal realm in regards to the situation at bar within your own case. And second, the very attempt as just described is guaranteed to quickly galvanize a perception in your case judge's mind that you are maybe one of those "silver bullet" conspiracy theorists mentioned within [Topic 1-3](#) above, and even if not, you have still annoyed your judge and his/her precious time enough towards probably losing your case, or your current motion(s), or whatever. Please just don't...

... *Unless*, however, if your child custody situation actually has an applicable and valid international element to it, i.e., there's either a divorce decree or other child custody instrument wherein the child/ren live part-time with one parent within one country and part-time with the other parent within another country, or a situation of international abduction/absconding of the family child/ren, or something similar.

In **those** situations, of course, such applicable treaty provisions instantly slide up the legal hierarchy scale to be suddenly the most important legal authority of all, together hand-in-hand with the laws of the two nations involved, and per which "direction" the situation is situated, i.e., is/are the child/ren currently within the nation of the any child custody court order, or within the "other recognized" nation for that other part-time of the year per any existing and allegedly binding court order, or does the situation now involve yet another brand new and different nation to deal with?

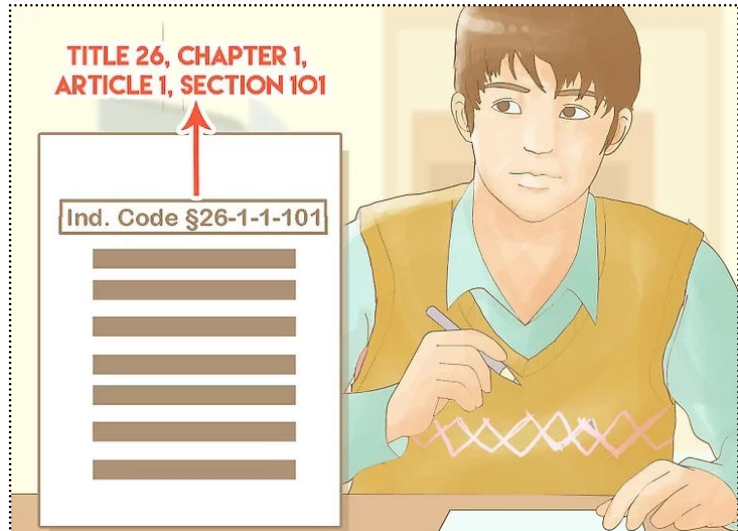
International child custody is, for obvious reasons, a highly specialized niche of family law, and so for the most part, we will constrain this course to dealing with family court situations wherein all the parties and issues are all domestic American matters.

[TOPIC 1-6. FEDERAL AND STATE STATUTES](#)

Next is the main bulk of all American law, i.e., the vast arrays of statutes. Whether you are talking about the entire United States Code, which is all the federal statutes, or the litany of statutes of any given State, the given entire collection of all statutes for the United States or any particular State is typically arranged in the following format:

(1) each main "Title" of statutory code covers an entire overall vast legal topical subject, like all of Labor, or all of Taxes, or all of Property, and so forth and so on;

(2) then under each main "Title" there is found each different "Article" or main subdivision area of law included under that general overall topic of law;



(3) then within each "Article" of law you will find the next level of subdivisions, each of which is called a "Chapter" of law;

(4) then you finally get down to the individual statute level, where each different standalone statute is called a "Section" of law;

(5) and usually whenever a single standalone statute needs more than just a couple or few short sentences to either prescribe or proscribe its own given legal issue, legal procedure, or what have you, then it will be broken down into as many different nested outline levels of "subsections" and/or "paragraphs" and even "subparagraphs" as is needed to cover the different aspects of that statutory issue, or the different possible conditions of a given legal posture or factual situation, or whatever is needed to try and organize the sub-issues of that given issue.

The federal government and *most* of the 50 States follow the above statutory arrangement to breakdown and organize their *single* system of unified Code of all statutes. However..., there are also those fewer certain States that just seem like they always want to follow the path and beat of a different drum when it comes to legal things, and so those States basically forgo and replace the above main "Title" level by actually using *multiple* separate Codes of law, each such separate Code being formally named. Everyone in Texas already knows what I am talking about, with that separate standalone Family Code, that separate standalone Government Code, that separate standalone Civil Practice and Remedies Code, that separate standalone Property Code, and so forth and so on.

Yet, even within any of these different drumbeat States, the only real difference in organization of their statutes is just that top/first level, i.e., using entirely separate

Codes instead of different Titles under a single Code, because everything below that within all systems is pretty much still all the same, broken further down by Articles, then Chapters, and then Sections as the individual statute level, and then broken down even further if needed as was just described above.



However, just because the States and federal government use nearly identical systems of organizing statutes, that does **not** mean that a given numeric sequence under the laws of one State will lead to the same area of law in any other State (or federal Code), and indeed, every system is organized differently, as to which numbered Title covers which main topic of law, as to which Article under a given main topic will be

which under another State's system, and so forth and so on. The *numeric* system itself is all pretty much identical everywhere (i.e., the #-#-#-# format), but the *topic and issues* arrangement systems are quite different for each State (and federal Code), as however they each originally decided. In short, the Title or Chapter numbers from one State do **not** mean the same thing in another State. For example, Title 10 in Alabama is about Corporations, Partnerships, and Associations, while Title 10 in Indiana refers to laws about Public Safety. Most students of this course will of course only need to know about their own State's organization system of statutes, while those with UCCJEA issues will usually be interested in the statute organization systems of two (2) different States.

TOPIC 1-7. APPLYING THE PROPER COURT RULES

Whether you are talking about the federal court system or about any given state court system, and no matter what level of a court you are referring to, from the lower trial courts, through one or two appellate court levels, and/or the highest courts which are almost always called a "supreme" court, and regardless of either a civil or criminal case being your immediate interest, every court of law has *three (3) basic categories* of applicable court rules, i.e., the rules of court, and each of those categories typically includes two (2) or more entire collections of differently-named rule sets.

These basic categories are the: (a) administrative rules; (b) professional ethics rules; and (c) case procedural rules.

The **administrative rules** are established and maintained by your State's top court (again, usually called the Supreme Court of your State) for application by all levels of all state and local courts within your State, or likewise established and maintained by the U.S. Supreme Court for application by all levels of all the federal courts.

The administrative rules cover the general framework of all court cases, the general framework and identified divisional areas/levels of all courts within that same state or federal system, and so forth and so on, even including such relatively boring minutia like how many years a court clerk is to keep a certain type of case still in their physical paper files, before eventually sending all the papers of that particular case off to the state-run archival personnel, who will then microfilm ("microfiche") and/or digitally scan and convert all of those papers into permanent storage.

The administrative rules tell you how to decipher any court case number, which appellate court is over your lower trial/family court, and all such general-to-all-courts aspects of the overall state system. Rarely, if ever, will you be concerned with the administrative rules category, if you are just dealing with a family court case, but there can be



certain special circumstances of direct application of these rules, particularly for a motion for a change of judge or a change of venue, and sometimes regarding when either parent in a family court case wants to and/or has already moved their residence from one county within your State to another county within your same State.

The **professional ethics rules** category usually includes either two (2) or three (3) sets of rules, and like the category of administrative rules, the professional ethics rules are established and maintained by your State's top court (again, usually called the Supreme Court of your State) for application by all levels of all state and local courts within your State, or likewise established and maintained by the U.S. Supreme Court for application by all levels of all the federal courts.

There is always one set of ethics rules that apply to **all attorneys** (*note: a GAL, or guardian ad litem, is often an attorney*), and there is always another separate smaller set of ethics rules for **all judges** (typically called the "canons" of judicial conduct). Most people forget that because judges are also attorneys, some ethics rules for attorneys *also* apply to the judge. And then there is either also another third full set of rules that describe and cover the actual disciplinary proceedings conducted against an attorney or a judge who is the subject of an official ethics complaint filed, or those same details of disciplinary proceedings are already included within one or both of those main sets of professional ethics rules (i.e., the one for all attorneys and the other for all judges).

Similar to the administrative rules, hopefully you will rarely if ever have any real need to actually consult and invoke the professional ethics rules, but on the other hand, bad judges and bad attorneys do exist out there, so you might.

The vast bulk of consulting and applying rules for your case will be from the category of **case procedural rules**, which are for all of the ongoing day to day aspects of just litigating the case itself, like determining when and how to file a motion or other paper, when and how to file a response or reply to a new filing from your opposition, confirming the proper formatting and layout and contents of any given type of filing, whether there are any required attachments for a given type of filing, calculating deadlines and other timelines, and any and all of the other such regular and normal things about conducting your ongoing case – all such things are covered by and within the largest category, the case procedural rules.

There are always the two (2) main sets of procedural rules, i.e., a main set of **civil** case procedural rules (often instead named as the main “trial” rules), and a different main set of **criminal** case procedural rules. If your case is at an appellate review level (you are now in appeal...), the appellate courts have their own different main sets of procedural rules, and also as separate procedural tracks depending upon whether the case at hand is civil or criminal. Likewise again, if you are at the highest court (again, usually “Supreme”...), it will also usually have two (2) different procedural tracks for either civil cases or criminal cases and so again both main sets of procedural rules.

But we’re not done yet, not by any means, when discussing the actual full entire collection of all the sets of the variously different procedural rules category you will sporadically need to consider. The entire subject of evidence typically has its own standalone set of rules (“Rules of Evidence” or “Evidence Rules” or “Evidentiary Rules” or similar name), covering all possible aspects of dealing with evidence in attempting to

prove one or more facts, like whether a piece of evidence is “**relevant**” or not to the case, how much if any “**probative value**” does that piece of evidence have, is the evidence **confidential** and/or **privileged** in either some or all circumstances, even if normally confidential and/or privileged is there any “**exception**” under certain situations, and so forth and so on, with the goal of most evidence rules being towards the court’s ultimate decision to either “admit” or “deny” that particular piece or type of evidence, however there are also useful procedural tools contained in the evidence rules, such as a request for judicial notice of adjudicative facts (an alternative to summary judgment).

□ The Rules of Evidence exist to “filter” and remove from the huge volume of all available evidence those parts which should be excluded:

- To save the court’s time
- To prevent consideration of facts which may not be fair
- To prevent consideration of facts which can’t be established as reliable

Yet, there will always be multiple other sets of rules to consider together “in harmony” with your main civil rules or your main criminal rules. A separate set of rules regarding the basic notion of either in-person and/or digital access to court records might be a thing in your state court system (and/or that is covered by statutes). Your State will almost certainly have a separate set of rules for “small claims” courts, it will definitely have a separate set of rules regarding using a Jury within a trial-level court case, many of the States have by now created an entirely separate set of rules just for family court cases, some of those with even other separate rules for child support itself, most States have another different set of rules regarding ADR (alternative dispute resolution, i.e., mediation), plus separate rules for the tax courts, and so forth and so on.

Last but by no means least, and adding yet more to confusion within a virtual ocean of procedural rules, almost every lower court, *or more often as all of the lower courts together in their local area*, has its own separate single set of “Local Rules” or two (2) of those separately for local civil cases and local criminal cases, or it/they might even have additional sets of rules for some or most of the usual subjects, i.e., local rules about evidence, local rules for a jury trial, local rules regarding ADR/mediation, and etc.

But do not worry or freak out. You do not need to understand the vast world of rules yet, and we will be devoting at least one entire very large future Lesson to the overall subject of all rules, if not actually as a paired set, or possibly even a triplet of Lessons.

All you need to understand, at this early point in the course, is that there are **three (3) basic kinds of court rules**, i.e., administrative, professional ethics, and procedural rules, also that the latter category usually involves multiple sets of different rules to be considered together, and finally also that each different level of the courts almost always has its own sets of rules to add into that same overall consideration mix.

TOPIC 1-8. APPLYING THE PROPER CASE LAW

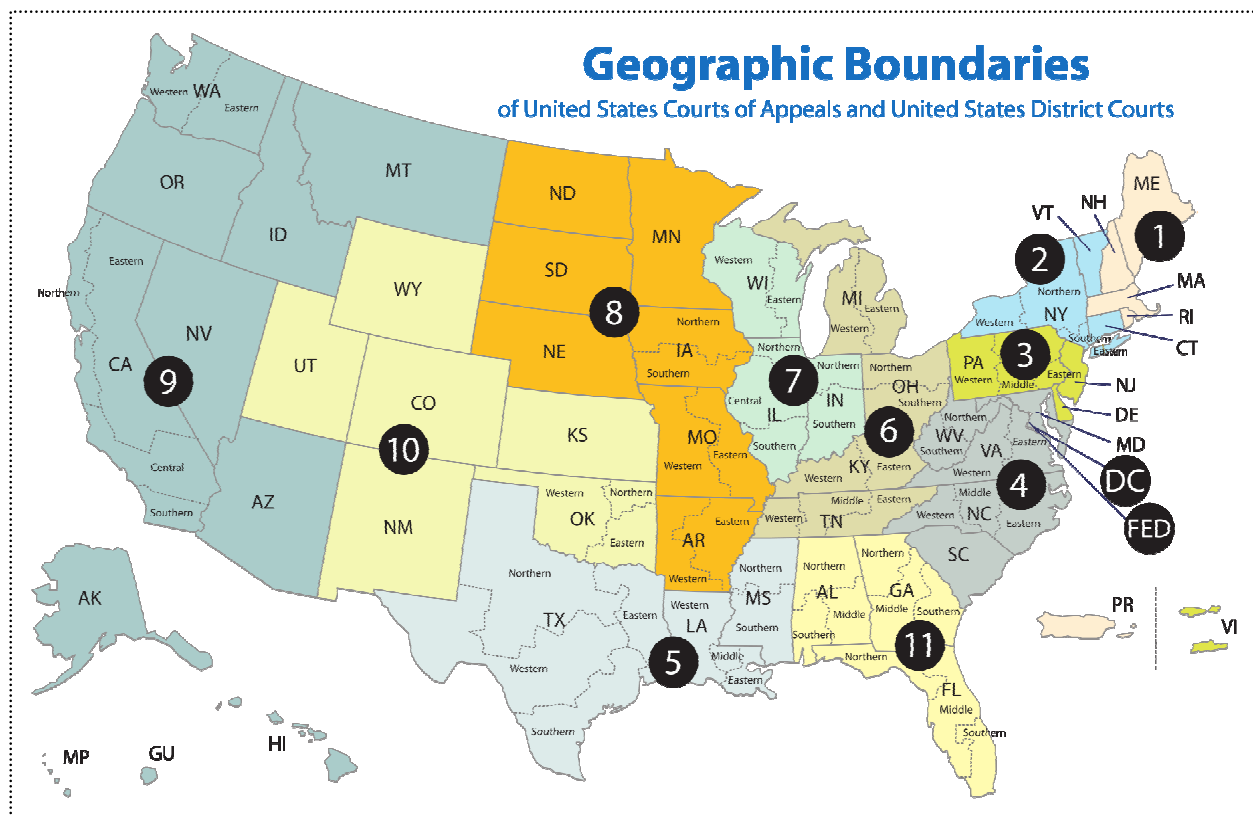
In future Lessons, we will dive deep into researching, citation, and proper application of the common law (“case law”) for various situations, and often those Topics are also where you will learn about different legal “doctrines” that are of interest to your various constitutional rights and due process aspects within the general realm of family law.

However, for this introductory Lesson, you first need to just learn and finally know *which* sets of case law validly apply to your own personal case as “**precedent**” rulings that are basically “**binding**” upon your court case judge to rule accordingly the same way upon the given issue at hand (also called “**stare decisis**” – which is one of those many legal “doctrines” you will learn more about), versus mere case law from anywhere else, which then only carries “**persuasive value**” by essentially only *recommending* or

suggesting your judge either *should* or *might* rule in your favor, but without actually “legally enforcing” your desired result. This is a critically important distinction that most *pro se* people have never understood yet, and it can literally make or break your case.

The exception is case law from the Supreme Court of the United States (the “SCOTUS” as it is often called), all of which case law rulings are binding as precedent upon all other court jurisdictions of all levels, i.e., binding upon all other federal and all state and all local courts, bar none (*if the ruling was designated as “published”... as opposed to “unpublished”... but virtually every SCOTUS merits decision **is** a “published” opinion*).

Referring to the below USA map, you see the geographical breakdown of the federal court system. There are thirteen (13) federal “Circuits” within the overall system. Each of the first eleven (11) numbered Circuits (i.e., the First Circuit through the Eleventh Circuit) comprises and jurisdictionally covers a given cluster of States. The “Twelfth” Circuit is just called the DC Circuit because it likewise covers just the District of Columbia (but it also handles many types of “national” cases). The “Thirteenth” Circuit is just called the Federal Circuit and it only includes specialized courts for issues like patent and trademark appeals, international trade disputes, and various other things that we will just never need to explore within this streamlined course about family law.



So, for example, you can see via the above USA map that the federal Seventh Circuit encompasses the three (3) States of Wisconsin, Illinois and Indiana. Each Circuit has a single Court of Appeals that is over all of the federal trial-level ("District") courts located within its own Circuit. The Court of Appeals for the Seventh Circuit is based in Chicago.

So, following along with the same example, if your family court (or other) case happens to be somewhere within Wisconsin, Illinois or Indiana, then when it comes to citing any federal case law in support of your legal issues, you want to focus upon case law from the SCOTUS (*because 99% of merits rulings are "published" opinions and apply across the USA to every court everywhere*) and from the Seventh Circuit Court of Appeals, as the latter is specifically binding upon all (state and federal) courts within those 3 States.

But trying to cite to any federal case law from **other** Circuits doesn't legally require that the judge in your own particular case must or must not rule any certain way, you see..., however, most older legal issues are already well established within all of the Circuits as their own case law agreeing upon the given subject, so if you find good case law from another federal Circuit that is already years old, chances are strong that you can find the same or similar case law from your own federal Circuit too. But then again, case law that is still fairly recent (just a few to several years) from a given Circuit might not yet be found within your own Circuit at all, or your Circuit might have ruled differently, in what they call "split-Circuit decisions" (newer issue ripe for decision by the SCOTUS).

Likewise, for citing to federal trial ("District") court decisions (not recommended – use only as last resort if you cannot find Circuit case law), if your above-example personal court case is located in a county of Illinois somewhere in within the "Central District" of Illinois (see the above USA map for those three divided areas of Illinois), then you can properly cite to case law from any District Court within the Central District, but the very same hierarchical limitation applies, so any case law from another District Court located within any other District of the Seventh Circuit (or anywhere else, for that matter) would only give you that lesser "suggestive" or "persuasive" value, but not as binding.

While the SCOTUS merits rulings are almost always "published" opinions, the same is **not** nearly so often true with any of the federal Circuit Courts of Appeal, who often have declined to "publish" a given ruling when they feel it doesn't provide much of any new guidance to lower courts or especially if they have already covered the issues prior.

And at the lower federal District Court level, seeing a "published" opinion is even rarer than at the Circuit level, yet many still do happen, particularly with newer legal issues.

So, citing to federal case law involves hierarchical geography (jurisdiction), and whether the ruling was "published" or not, to know if said case law is binding or just persuasive.

Case law materializes because courts make rulings. But the rulings/opinions are then gathered and assembled into per-court-level “reporter” volumes, i.e., physical books of an entire series devoted to a given level of the federal courts. The U.S. Supreme Court opinions are published in three (3) different case law reporters: *United States Reports* (the official reporter) – cited as “U.S.”, also the *Supreme Court Reporter* (published by West/Westlaw) – cited as “S. Ct.”, and the *Lawyers’ Edition* (published by Lexis) – cited as “L. Ed.” For example, let’s consider legal citation to the big *Troxel v. Granville* case:

Using colors to teach, the full formal legal case citation is... *Troxel v. Granville*, 530 U.S. 57, 120 S. Ct. 2054, 147 L. Ed. 2d 49 (2000); 137 Wash. 2d 1, 969 P. 2d 21, affirmed.

First is always the “familiar name” of the case. Since this is a SCOTUS case, it is okay, technically, to only use one or two of the full three “reporter” citations, but if you only use just one citation, it should be the “U.S.” citation as that is from the *official* reporter, and that should also be the *first* citation if you use more than one reporter within your given legal citation. The 530 U.S. 57 means that the very first page of the text of the ruling in this famous case starts on page 57 of volume 530 of the U.S. reporter series, while the 120 S. Ct. 2054 means that the very first page of the text of the ruling in this exact same famous case starts on page 2054 of volume 120 of the S. Ct. reporter series published by West/Westlaw, while the 147 L. Ed. 2d 49 means that the very first page of the same text of the same ruling in this exact same famous case starts on page 49 of volume 147 of the 2d (Second Edition) of the L. Ed. reporter series published by Lexis.

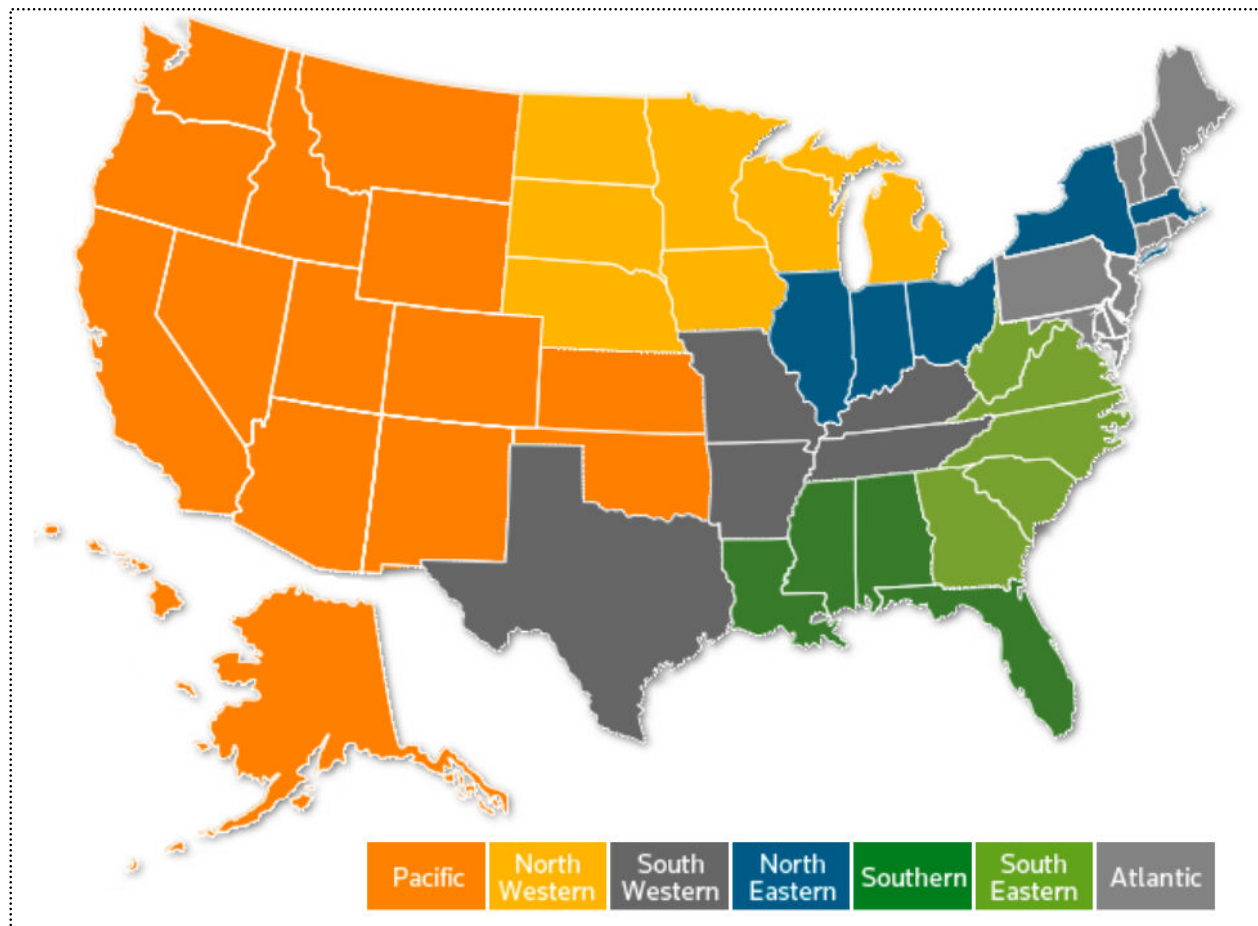
In the above Lexis *Lawyers’ Edition* citation (147 L. Ed. 2d 49), there is a “2d” tacked onto the “L. Ed.” because Lexis had already went through 999 volumes published under their First Edition series, so by the time of *Troxel*, Lexis was into their Second Edition.

After the year of said case law ruling “(2000)” you can normally stop, but the full entire formal citation includes the lower court case(s) that were either reversed, affirmed, or otherwise ruled upon. In this situation, the review path to the SCOTUS was from the highest court of a given State, in this case that was the State of Washington, and so the 137 Wash. 2d 1 and 969 P. 2d 21 also included in the full formal citation are different state-level “reporters” both referring to the State of Washington Supreme Court case where this famous SCOTUS case comes from (*not the original state trial-level family court where it all started for Ms. Granville and her dead ex-husband’s parents, the Troxels, who had petitioned for increased grandparent time with their granddaughters, but the final court of the state court system, i.e., the Supreme Court of Washington*).

Had this SCOTUS case originated in a federal trial (District) court, then appealed to the given federal Circuit Court of Appeals, the full formal case citation would instead refer to that Circuit appeal as the “lower” case being either affirmed, reversed, or otherwise.

The fact that the 137 Wash. 2d 1 and 969 P. 2d 21 citations to the State of Washington Supreme Court case both include a “2d” tacked on simply means the same thing as it does for the federal Lexis case citation, i.e., both of those state-level “reporters” were already into their respective **Second** Edition series of volumes at the time of this case.

The State of Washington is one of roughly half of all States that have their own state case citation “reporters” each, whereas all 50 States are grouped into clusters of States that use “regional reporters” as shown upon the following color-coded USA map image:



THE most important thing to know about the seven (7) “regional reporters” above is that a ruling by a high court in any of the States sharing that same regional reporter is also binding as precedent upon all of the courts of all of the other States in that group.

So, for example, the SCOTUS ruled in *Troxel* to **affirm** the ruling of the Supreme Court of the State of Washington. That single ruling is the same state-level citations above, i.e., the 137 Wash. 2d 1 and 969 P. 2d 21 citations. Citing to the 137 Wash. 2d 1 case law is only binding upon other State of Washington courts, but citing to the 969 P. 2d 21 case law is binding on all other courts of all the States in the Pacific reporter group.

Likewise, for another example, a ruling by a high court in Illinois is also binding as valid precedent upon any court in Massachusetts, because both States are part of the North Eastern regional reporter group, and likewise again for a Louisiana high court ruling being precedent to a Florida court because those States are part of the Southern group.

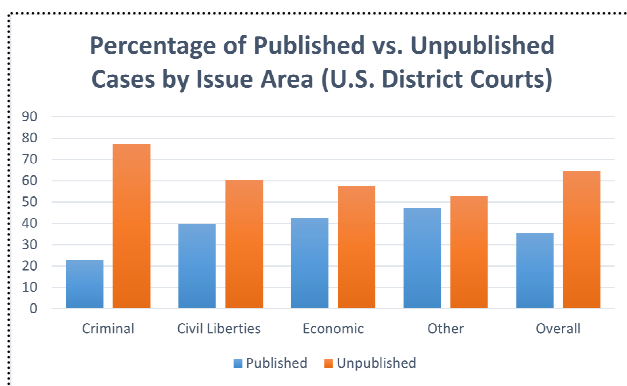
And here's where it gets even more interesting... combining both federal case law and state case law, via different reporters, into a single equation to support your own case.

So then, we'll use the just above pair of examples again to expand further. Let's say there is a parent with an Illinois case, and a parent in a similar situation and case in the State of Massachusetts. Both of those parents can cite to that same Illinois high court case law because both States are within the North Eastern regional reporter group, but if either said parent also wants to cite to *federal* case law as binding precedent then that Illinois parent must cite to federal case law from the **Seventh** Circuit, whereas the parent in Massachusetts must cite to **First** Circuit case law to use as binding precedent.

Likewise, another similarly-situated pair of two different parents has cases in Louisiana and Florida, respectively. Each of those parents can cite to that same Louisiana high court case law as binding *state* case law precedent, but if they also want to include any *federal* case law, then the parent in Louisiana must cite to **Fifth** Circuit case law, while the parent with the personal Florida state case must cite to **Eleventh** Circuit case law.

Naturally, **all** of the above hypothetical parents can also cite to any U.S. Supreme Court case law without ever having to even consider any geographical-jurisdictional borders.

Still, there are yet two (2) additional considerations regarding the overall vast ocean of case law that you either **can** or **cannot** cite to. Most state *courts of appeal* and federal *courts of appeal* have their own series of respective "reporters" to consider in the mix. Finally also, most (state and federal) courts have their rules prohibiting citation to "unpublished" and



similarly-designated case law opinions ("unpublished" or "not for publication" or "non-precedential" or "not precedent" or the like). Normally, if you want to cite to any unpublished opinion, you need to first check the rules of court applicable to that court, which **may** allow you to so cite as long as you provide a full copy of that case opinion. The sole exception is when you are in any **federal court of appeal** and citing to a **federal** unpublished court decision from **after** January 1st, 2007 – now freely allowed pursuant to the SCOTUS creating newer Federal Rule of Appellate Procedure 32.1 ("FRAP 32.1").

And so, the last few pages have been dedicated to explaining to the average amateur *pro se* person the critical differences of case law from different reporters that are either **binding precedent**, or only **persuasive/suggestive**, depending on applicable geography, and all that only applies to **published** opinions, versus rare citation to **unpublished** ones.

For your next corresponding homework, consider the above information about case law and reporters, while visiting the following Wikipedia page to assemble your own listing of all possible case law reporters (federal and state) that are **primary sources of binding precedent case law** to your own family court case, i.e., via the geographical jurisdiction: https://en.wikipedia.org/wiki/National_Reporter_System

Now we'll turn to the other main mistake of *pro se* amateurs when it comes to case law, and that is the failure to actually give legal citations that properly point to exact quotes.

In other words, most amateurs will, using *Troxel* again for example, usually only get it "half right" in citing to some defining case law statement within *Troxel* that they are trying to use in supporting their own personal case position, status, or whatever. They will get the easier part done sufficiently, i.e., directly quoting a case law statement in verbatim terms and/or paraphrasing the controlling legal idea, but then they will only give just the basic "index" citation to *Troxel* as their mistaken idea of a proper citation.

For detailed example, roughly one-third (1/3rd) of the way down into the court opinion of *Troxel*, there is a supporting statement worthy of use within any family court case:

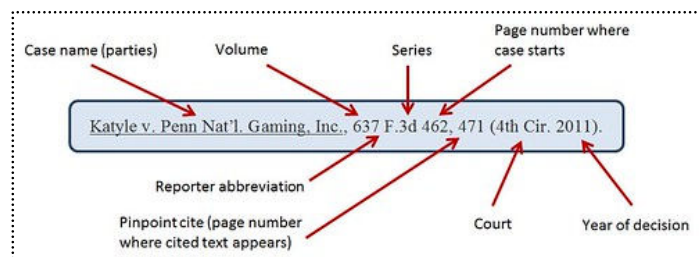
The liberty interest at issue in this case-the interest of parents in the care, custody, and control of their children-is perhaps the oldest of the fundamental liberty interests recognized by this Court.

The typical *pro se* amateur will either repeat the above statement verbatim and/or they will paraphrase the statement into fewer words, but then they will mistakenly just use only the plain "index" citation, like this...

[*the statement or paraphrase language*] *Troxel v. Granville*, 530 U.S. 57 (2000)

But giving *only the starting page* of an entire long case opinion is **NOT** legally sufficient. It is not the job of either the judge, or of any opposing attorney, to read and also dissect an entire case law just to figure out

where exactly you *might* be trying to cite to. **INSTEAD**, you must actually provide the **FULL** legal citation in order for it to be an actual *valid* authority, like in the above image.



The problem usually arises because amateurs are using any free online resources they can find (*including stuff posted by other amateurs out there who make all of the same mistakes...*), plus many of the free online law resources **don't even tell you the page numbers**, which is a big problem that amateurs just don't even realize they're missing.

If you go online to the [FindLaw.com](https://caselaw.findlaw.com/court/us-supreme-court/530/57.html) case of *Troxel v. Granville* at the following link, the opinion is all there, sure, but there are **no indications of opinion page numbers** in that: <https://caselaw.findlaw.com/court/us-supreme-court/530/57.html>

If you go online to the [vlex.com](https://case-law.vlex.com/vid/troxel-et-vir-v-885015557) case of *Troxel v. Granville* at the following link, the opinion is all there, but again there are **no indications of opinion page numbers** in that: <https://case-law.vlex.com/vid/troxel-et-vir-v-885015557>

My personal research favorite for almost anything legal is usually [Cornell Law School's Legal Information Institute](https://www.law.cornell.edu/supct/html/99-138.ZO.html). When you go to their basic version of *Troxel v. Granville* at the following link, they provide several options, and while again there are **no indications of opinion page numbers** in that basic html webpage version first seen <https://www.law.cornell.edu/supct/html/99-138.ZO.html>

if you click instead at the page top to view the original PDF version of the opinion <https://www.law.cornell.edu/supct/pdf/99-138P.ZO>

you see the actual opinion in its official (6.125" x 9.25") format **with page numbers** *but* displayed as "brand new" page numbers (i.e., starting with fresh page "1" every time).

And so, you can see that the statement we were looking for is located near the bottom of page "6" in this standalone PDF formal opinion. But you must also realize that page "1" in this standalone PDF formal opinion is **not** the same as page "57" in the basic "index" citation starting page number, [*Troxel v. Granville*, 530 U.S. 57 (2000)], since there are usually from two to three pages "burned up" in the beginning of a published decision, with including the syllabus. In other words, you can't just simply add "5 pages" to the "57" and come up with "page 62" as the pinpoint citation for your statement because that is not correct....

Justice O'Connor's Opinion

- Justice O'Connor, joined by The Chief Justice, Justice Ginsburg, and Justice Breyer, concluded that §26.10.160(3), as applied to Granville and her family, violates her due process right (14th Amendment) to make decisions concerning the care, custody, and control of her daughters.

Held: The judgment is affirmed.

Looking at the [Justia.com](https://supreme.justia.com/cases/federal/us/530/57) version of this exact same *Troxel v. Granville* case, you finally can see how all of the above comes together in reality. Let's review **this** link together: <https://supreme.justia.com/cases/federal/us/530/57>

Although the full formal published case law DOES begin on “page 57” of this particular reporter volume (Volume #530 of the U.S. reporter), you see how the first few pages get used up on providing the overview “syllabus” of the case. Note that a “syllabus” or case summary provided by the publishing company is **not** part of the actual ruling opinion by the given court, but just “headnotes” to help the reader digest the full case points/sections, particularly helpful when rulings span many pages. Nevertheless, *the entire thing together is what is officially published*, using consecutive page numbering.

The PDF linked above from [Cornell Law School](#), you see, did NOT include the syllabus but was **just** the opinion, yet the [Justia](#) page link shows it all together... *as published*.

So, using the [Justia](#) version (or anything that shows page numbers “in-line”), we see that our intended statement is actually found on page “65” of this reporter case law, and so that gives us the correct and full legal citation to this exact same statement as: *Troxel v. Granville*, 530 U.S. 57, 65 (2000). [add the comma and “pinpoint” page(s)]

I will rephrase, and say that I prefer [Cornell Law School](#) stuff for any and every type of federal statute, federal rule and federal regulation, and even for quick researching of any federal case law, but when it comes to case law *citation*, I check other resources.

For relevant example, if not [Justia](#), it is probably because I am already on the case law research platform of [Google Scholar](#), which is a fine **free** case law research engine, and the particular case of *Troxel v. Granville* shows all page numbers on [Google Scholar](#) (but also take notice that it totally skips the syllabus and so just “begins” on page 60...): https://scholar.google.com/scholar_case?case=10935528927815644277

And so by now we have sufficiently covered both of the two main mistakes most often made by *pro se* amateurs when it comes to case law and case law citation – that only certain case law “reporters” are geographically-jurisdictionally matched to each given State so don’t try to use just *any* case law from *anywhere*, but focus upon case law that carries “precedent” and is therefore normally “binding” upon your own court of interest, not to mention there is a big difference between “published” opinions versus any “unpublished” opinions; and that when it comes to proper legal citation to a given statement within a case opinion, you must use **full** legal citation by adding the comma plus direct page number references (using correct “in-line” page numbers *as published*).

But do not worry or freak out. You do not need to understand the world of case law yet, and we will be devoting at least one entire very large future Lesson to the overall subject of case law, if not actually as a paired set of Lessons, similar to the full intention for thoroughly exploring [Topic 1-7](#) above (about the three categories of court rules).

All you need to understand, at this early point in the course, is that there are different “reporters” of case law, that these various reporters each cover certain kinds of courts and/or cover only certain geographical/jurisdictional areas (except the U.S. Supreme Court, which covers the whole country), that you only want to use case law matching your personal court case as “precedent” to be “binding” and that you only want to use “published” opinions whenever and wherever possible, unless you are actually within some highly unusual circumstances (like involving a newer, fairly unexplored legal topic) and so wanting to cite to an “unpublished” opinion (which may or may not be allowed).

TOPIC 1-9. FEDERAL AND STATE REGULATIONS

When the federal Congress or any given State Legislature passes new whatever laws, which happens only in the form of statutes, regarding stuff for any “agency” to handle (any department or agency or other sub-unit of government), that agency gets to promulgate various “regulations” about that subject. Regulations are basically “junior” statutes, and are arranged under an “administrative code” format effectively identical to the arrangement systems of statutes as are described within [Topic 1-6](#) above.

While there actually do exist rarer “independent” regulatory agencies, almost all agencies are units of and under the government’s Executive branch (regardless of whether you are talking about either the federal agencies or the state agencies).



A related and disturbing trivia fact is that, for the federal government, the Executive branch and all of its various departments and agencies consume over 95% of the entire annual federal budget, while the Legislative branch (including all of Congress, all legislative staffers, and all of Congress’ assisting sub-units) consumes roughly 3.5% of the annual federal budget, and the entire Judiciary branch gets to try and live and fund all needs of all federal courts with only the roughly 1.5% leftover of the annual federal budget, hence every federal District (trial-level) court judge has a tremendous case load, usually several hundred to even over a thousand pending cases at any given moment. And so, the actual “read between the lines” point that I am trying to make here is that the court systems are actually the last in line to get their parts of the annual governmental budgets, and so the corresponding result is still always the same to this very day – the case loads of most judges are high.

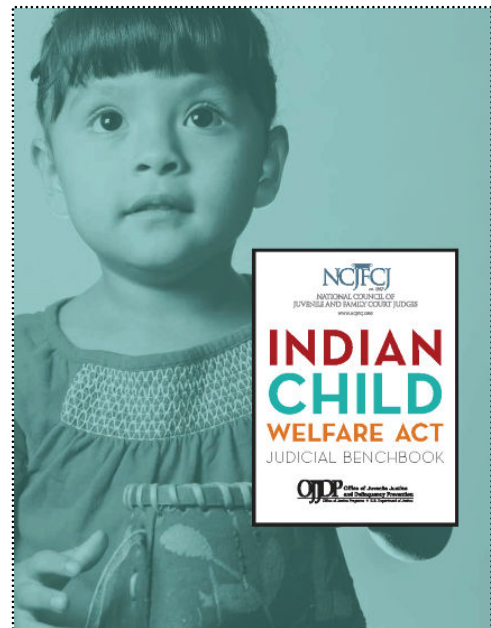
Because this custom education course focuses upon family law, which is controlled by the parts and pieces of federal and state law described within the earlier Topics of this Lesson, we will basically have no real need to delve into any regulations at all, with the only pair of relevant exceptions to that general guidance being administrative licensure revocation and/or licensure suspension actions by an agency over alleged arrearages of child support amounts, and in rare situations about the existence of child support itself.

TOPIC 1-10. BENCHBOOKS, PRACTICE MANUALS, ETC.

Judges often use “benchbooks” while attorneys often use “practice manuals” but they are essentially the same thing – a prepared legal resource guide about a collection of related/interrelated legal issues and/or legal procedures. They always include “on the fly” annotations of relevant law, i.e., annotations (further legal guidance) provided either directly in-line as it goes and/or as added into the margins on that same page, or by similar method. These prepared books or booklets or pamphlets or full-blown manuals provide the judge, or the attorney, with the variously “current” relevant points of law upon the given subject or procedure, and to stay current, *because you don’t want to be caught with your pants down citing old law that has since changed*, they must routinely replace them with the latest, newest versions.

Most benchbooks and practice manuals are put together by “the big three” of American legal/law publishers, which are West/Westlaw, Thompson-Reuters, and Lexis-Nexis, and these books and manuals are also usually very expensive after all the painstaking legal research put into them. A brand new, current judicial benchbook upon a given topic of legal interest can easily cost \$750 or more.

However, many of last year’s versions (let alone the older versions) of such benchbooks and practice manuals can be found for **free** download from the web. And for another important example, the U.S. Department of Justice freely and openly publishes practice manuals for all U.S. Attorneys and Assistant Attorneys right on the web, and so there are various kinds of practice manuals for them upon an entire array of legal subjects. The DOJ also freely publishes many individual webpages and downloadable PDFs chock full of “practice manual” like legal information presented more in “layman’s terms” for the average citizen. While this DOJ material rarely touches on family law, it is a valuable resource for constitutional/civil rights law.



Using a benchbook or practice manual – even an edition that is not brand new but still fairly recent – is an invaluable jump start resource to learning everything you need to know about a particular legal subject and/or a particular legal procedure.

Furthermore, beyond these benchbooks and practice manuals, judges themselves frequently provide all attorneys and parties (and the entire general public, for that matter) with their own particulars of preferred and/or required legal practice within their own court. For example, as a very quick 1-2 minute homework assignment, please take that moment to check out the personal particulars of federal District Court Judge Matthew J. Kacsmaryk at this link:

<https://www.txnd.uscourts.gov/judge/judge-matthew-kacsmaryk>

Judge Kacsmaryk is a very “transparent” judge when it comes to the court record, and so he tells you right up front that he disfavors “sealing” any part of the record, and that you’d better be damn well prepared to meet or exceed ALL of the legal requirements, which he has also provided..., if you actually want to try a motion to seal anything. He also requires any proposed order to be emailed directly to him as a Microsoft Word document (that he can then edit), and he further tells everyone what kinds of clothing to *never* wear within his courtroom. His latest addition to his “specific requirements” is a brand new section about dealing with cases involving AI (artificial intelligence).

Likewise, you now get another quick 1-2 minute homework assignment to examine the similar specific requirements of a randomly chosen state court judge. Judge Danielle L. Brewer is one of the several judges for Florida’s 12th Judicial Circuit, which covers those three (3) southwestern FL counties. Upon her own judicial homepage, she has included *lots* of various requirements, preferences, and procedures that cover so many things, all depending upon what kind of case it is, or what kind of motion you are planning to file, or how to schedule hearings within her court, and so much more:

<https://www.jud12.flcourts.org/About-the-Court/Judges-Magistrates/Judge-Danielle-Brewer>

When dealing with a panel of appellate or supreme court justices, you normally will not, by definition, be concerned with any of the particular personal preferences of any single particular justice, precisely because your case review will be jointly handled by that assigned panel of justices acting together. But once in a blue moon you might find yourself in need of requesting emergency relief at that level of the courts, and in some of those rarer circumstances, such emergency motion or petition might get filed with just a single such justice who is “assigned” jurisdictionally (geographically) over the lower court(s) that you’ve been dealing with, and so in that kind of rarer situation, yes, you would then certainly seek out the personal preferences of that particular justice.

TOPIC 1-1 1. VIRES IN NUMERIS

While not technically being “legal education” in the normal sense, the title of this Topic is Latin for “*strength in numbers*” and that veritable maxim applies to almost every aspect of dealing with the American family courts – as basic as knowing the law itself.

Many hands make light work, as the saying goes, and that is part of the point of this course – to engage any and all students with their fellow students *together in mutual support and mutual learning discussions* upon the official Lesson group post threads, all as described within *Topic 1-2* above.

Related, of course, is the very existence of variously-branded network systems of state-by-state groups upon the Facebook platform. If you haven’t yet, you really should join your own such state group(s), for networking with others in your same State(s), for tips and tricks, and more, so go to the central hub page and choose your group link(s):

<https://parentalrightsclassaction.com/contact.html>

Likewise, mutual law support groups per *local* geography (city) should be created and grown with more and more members, to provide for people to physically attend as a group of “court watchers” at any given member’s own family court hearing, as when you have to, or you need to, or you even want to attend such a court hearing, for any



significant legal reason, it should go without saying that the more citizens who show up at court to support you, the straighter in his or her fancy chair will your judge sit, and with (much) more adherence to the law will said judge then rule (much) more fairly in your case. If you run any state group on social media, consider making city groups too.

Likewise again, *strength in numbers* is the core reason behind building a wide network of legal scholars to assist other *pro se* parents with their state and federal cases, all as was also described within *Topic 1-2* above, and indeed, *strength in numbers* was and is the ultimate core reason behind the original creations of any and all social media platform pages and groups everywhere, including those touted herein, and even also of any other family/parental rights support groups upon any social media, for that matter.

For another example, the eventual emergence of family/parental rights as a formidable political party is based upon the possibilities of leveraging *strength in numbers* by citizens all across America, because after a half-century of family courts separating families, parents and children by the millions, virtually everyone has been impacted either directly or indirectly by now, and so such a new political party is not out of the question – it could actually happen with strong and passionate leadership to follow.

TOPIC 1-12. CONCLUSION

I trust that, by the significant education presented above, you have now secured your understanding of what the real law within America actually is (and is not), and also of the relative importance, or hierarchy, of each part of the law, i.e., with the federal Constitution at the top. Please reference any and all of the same again and again, as needed, until you are quite confident that you have fully mastered this foundational knowledge, as most future Lessons will build upon the legal education of prior Lessons.

Next time, we will go much more in-depth to fully explore the everyday workings and processes of the target subject for Lesson #2 – Federal and State Court Systems.

Semper Veritas,
Professor Torm Howse
Executive Secretary-Treasurer
Texas Parental Rights Association
<https://TexasPRA.org>
torm.howse@texaspra.org