

Legal assistance offered in family relations cases

By Eric Peterson

Editor's Note: This is the sixth in a series of articles that will be printed in the Daily Nebraskan dealing with student legal problems. Stories will appear every Friday.

Shelly Stall, attorney for the UNL Student Legal Services office, said she handles a moderate number of cases dealing with domestic relations and family law in her job.

Although divorces are the largest category, with as many as four cases a month, Stall also talks to people whose child-support payments are past due and to those needing help with paternity, adoption, child custody or guardianship cases.

Some people want to alter or reduce the child support or alimony payment they have to pay under court order. Stall said many students have child-support agreements that stay in effect until they complete their educations.

Because the student legal services attorney currently is not authorized by the university to argue cases in court, Stall said much of her job is giving background on legal questions that later may be continued with another attorney.

"People want an overall view of what the law is," Stall explained. "I often direct people to other legal aid sources." Cases that don't have to go to court, such as uncontested divorces, can be handled entirely through her office, she said.

New system proposed

Stall said the Nebraska Bar Association will vote next week whether to establish a "pro bono" (for the benefit of the public) legal aid system.

"It's a system where private attorneys will be taking on cases for people who qualify for federal aid," Stall said. The attorneys would work for free or for low negotiated fees. Stall noted that 400 lawyers across the state already have volunteered to work for such a program.

Stall usually advises clients who are in the initial stages of divorce.

"Often they have no idea of what the legal process involves," she said. She added that divorce in this state

has been simpler since 1972.

"In 1972 a no-fault divorce law was passed, which took the place of the old law where you had to prove grounds for a divorce," she said.

Now, Stall said, there are only two requirements for a divorce decree. First, the marriage must be "irretrievably broken." Second, every effort for reconciliation must have been made.

If one party disagrees that the marriage is over, the process is delayed but not stopped, she said.

"Usually one of the couple will go after some more counseling, but that's about it," Stall said. Although some people who have resisted a divorce have carried their case all the way to the Nebraska Supreme Court, the divorce itself is not usually the controversial part, she said.

"The controversy is not whether the marriage is irretrievably broken, but on how to divide up the property," the attorney said.

Divorce costs

The simplest divorces in terms of property are the least costly, she said. She added that student divorces are usually very cheap. If student clients can't agree on a property or custody settlement, Stall said she can help them find an attorney and guide them through the legal stages. She noted it is possible, but not advisable, for a person to represent himself or herself in a divorce suit.

On the first visit to an attorney, a client should bring along financial records, such as listing of each spouse's property and its value, and records of mortgages, debts, insurance and tax returns.

Child custody has undergone some changes, Stall noted.

"It used to be a settled thing that the child would stay with the mother and the father would pay support," she said.

For students who need help concerning rape or spouse or child abuse, one of the best sources of aid is the Rape/Spouse Abuse Hot Line at 475-7273, Stall said. The UNL Women's Resource Center offers person-to-person counseling in the Nebraska Union and has a Rape Crisis Line at 475-2597.

Protest is set for Saturday

A day of international protest against U.S. intervention in El Salvador is scheduled for Saturday.

LASCO, the Latin American Solidarity Committee at UNL, will sponsor a rally at 11 a.m. on the north steps of the state Capitol, as part of the international protests demanding an end to U.S. military aid to El Salvador.

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