

Special circumstances required for annulment

By Shelley Stall
Student Legal Services Lawyer

Question: I have a friend who got married last June. She recently left her husband and believes the marriage is finished. She was told by a relative who claims to know a lot about legal matters that she could get the marriage annulled since she has been married less than one year. Is this true? How is annulment different from divorce?

Answer: No, your friend cannot get an annulment based on the fact that she has been married less than a year.

Divorce vs. Annulment. An action for divorce asks the court to dissolve a valid marriage. The judge grants the divorce if the marriage is irretrievably broken and reasonable efforts at reconciliation have been made. The marriage is officially dis-

solved six months after the date the judge signs the divorce decree.

An annulment destroys the existence of the marriage from the date of the wedding. The grounds for annulment are limited to specific unusual circumstances that are spelled out in the Revised Statutes of Nebraska.

Void Marriages. An annulment can be obtained in Nebraska when a marriage is void or invalid based on the following reasons: 1) either person had a husband or wife living at the time of the marriage, 2) either person is insane or mentally incompetent at the time of the marriage, 3) when the people are related as parent and child, grandparent and grandchild, brother and sister, first cousins, uncle and niece or aunt and nephew.

Voidable Marriages. In some instances, marriage is regarded as

"voidable," which means that although unusual circumstances exist, the law will allow the marriage to be valid unless one of the parties takes action to void it. Grounds to annul voidable marriages include:

- One or both parties is younger than 17 years old, they do not have parental consent and they do not cohabit.



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- One of the parties is afflicted with a venereal disease or is impotent at the time of marriage.
- One of the parties agreed to marry under the threat of force or fraud and the parties do not cohabit voluntarily.

In these situations, cohabitation after the innocent party becomes aware of the grounds for annulment can destroy the chance of obtaining one.

If your friend's marital problems do not fit any of these categories, she will not be able to get an annulment. She should discuss her legal options with

an attorney.

Question: Until last July, I shared an apartment with someone. We didn't get along, and I moved out after the lease expired. My ex-roommate continued to live there alone. Since the utilities were in my name, I called the gas, electric and phone companies a week before I moved and told them to terminate service on my move-out date.

I just received a bill for service at the old apartment for July and August. I wasn't even living there then. I called the electric company and they say there is no record that I ever called and terminated service. They said I have to pay the bill.

A few days later I received notice that they're going to cut off service at my new apartment. I called my ex-roommate and told him to pay the bill. He hung up on me. Do I have to pay this bill? What can I do?

Answer: Immediately write your ex-roommate a business-like letter explaining the situation. Attach a copy of the bill and notice and ask that he pay the bill by a specific date. Explain that if the bill is not paid in full by that date, a small claims lawsuit will be filed. The ex-roommate used the electricity and he should pay for it.

A consumer has the right, before the

disconnection date, to request a conference with the utility company regarding any dispute over the proposed disconnection (see 19-2702 to 19-2715, Nebraska Revised Statutes). The request must be in writing and should include information regarding date you called the company, the date you moved out, your ex-roommate's name and address. The electric company will have to meet with you before shutting off service.

If your roommate doesn't pay the bill and the matter is not resolved at the conference with the electric company, two possible courses of action remain. Pay the bill and sue your ex-roommate in small claims court or talk with an attorney about appealing the conference decision and possibly filing a lawsuit against the company.

Your problem is a good example of why it is wise to terminate utility service by a dated letter, keeping a copy for your own file. The letter can be used as proof that you notified the company if this type of problem arises.

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If you have a legal problem or question for this column, send a letter to Ask Your Attorney, c/o Shelley Stall, Student Legal Services, Nebraska Union 335.

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THE AIR FORCE HEALTH CARE TEAM

Roskens visits Chinese schools

By Ann Harrell
Senior Reporter

NU President Ronald Roskens says Chinese universities differ from U.S. campuses, despite efforts to pattern higher education after U.S. models.

Roskens returned Sept. 8 from a 17-day tour of China at the invitation of the Chinese Ministry of Education and several Chinese universities. It was his fourth trip to China.

Suppression of academic freedom during the Cultural Revolution caused

Chinese universities to lag behind those in the United States, Roskens said. Ten years ago, China's universities were used as indoctrination centers for political purposes, and the faculty simply was dismissed. As a result, facilities on Chinese campuses are not as up-to-date as those in the United States.

"They're having a difficult time catching up," he said.

However, Roskens said, recent construction and rapid advances in buying new technology mean Chinese universities are moving ahead rapidly.

"The government has placed a very high priority on education," he said.

Roskens described one incident in which two officials of the Inner Mongolia Agricultural College rode 37 hours by train to meet with him in Shanghai because bad weather prevented him from flying to Inner Mongolia.

"I think that suggests some dedication and commitment," he said. Roskens said the governor of Inner Mongolia visited Nebraska.

"Their climate and geography are very similar to Nebraska's," he said. "They would like very much to have a sister relationship with the state of Nebraska."

Contact between students and faculty follows a different pattern in China, Roskens said. Not only do Chinese students and faculty members live on campus, but the ratio of faculty to students is much more favorable. In China, there are six students for every professor, he said. At NU, there are about 23 students for every professor. But despite the increased opportunity for student/faculty contact, the Chinese process is much more formal.

Chinese college students are typically the same age as U.S. students, Roskens said, but there are more older students on Chinese campuses. Many people who were denied a college education during the Cultural Revolution are returning to school now, he said.

Chinese campuses lack an organized social life. They have no sorority and fraternity system, Roskens said.

During his visits to major Chinese universities, Roskens spoke about U.S. organization and administration of higher education. He also discussed the possibility of faculty exchanges between NU and China. Although most of these exchanges still are being discussed, Roskens said, several NU faculty members already have visited East China Normal University in Shanghai, and several professors from that institution have been at NU.

During his visit, Roskens was given the title of "Honorary Distinguished Professor" by East China Normal. This distinction is comparable to an honorary degree in the United States, he said.

"I was deeply honored and very moved by the ceremony," he said. "The president (of the university) spoke very enthusiastically and knowledgeably about the University of Nebraska and about our exchange program."

A growing U.S. and Japanese influence is particularly noticeable in China today, he said. Music, clothing, taxis and private cars are among the signs of Western culture that are increasingly visible.

"Obviously they have concluded that the Western orientation is the tilt they're going to take in the years ahead," he said.

Roskens said his interest in foreign universities developed from an interest in international education.

"I think we must do everything we can to widen the horizons of our people so we come to understand that the globe is a very small place," he said.

Roskens said he was interested in China because it is a major country that has been open to the United States for only a short time.

"When it's one-fifth of the world's population, it seems imperative to me that we understand their culture like we do (that of) the western world," he said.

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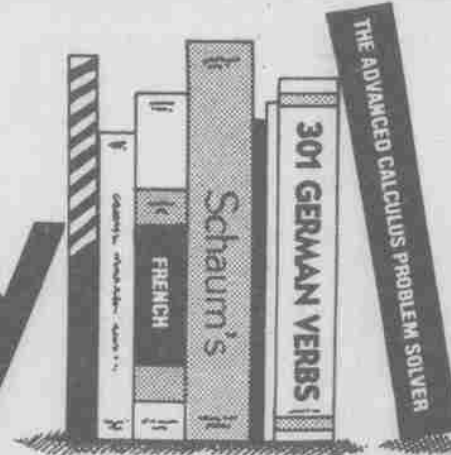
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