Your Legal Rights

MARRIAGE AND FAMILY

Many people live in family units. A family unit is the husband, wife and children. Sometimes a family only has one parent and a child or children. Sometimes grandparents or other relatives are part of the family unit.

There are rights and responsibilities that have to do with the family. There are laws for the protection of children who are small and unable to protect themselves.

This section gives information on laws for protection of family members.
Unit Seven
Marriage and Family

Vocabulary

**Abandonment** - to leave with no intent to return/to be left behind. *Abandonment of your children is against to law.*

**Ceremony** - a formal act or important occasion. *Our marriage ceremony will be Friday at the church.*

**Common Law** - law based on custom instead of written statutes. *A man and a woman who live together as husband and wife without going through a ceremony may have a common law marriage.*

**Consent** - to give permission. *I need my father's consent to go on the high school football game trip.*

**Education** - the process of getting knowledge. *It is very important for children to stay in school to get a good education.*

**Emotional** - has to do with a person's feelings, like love, hate, happiness, sorrow, or fear. *Emotional abuse is when someone threatens to hurt or kill you and these threats make you afraid all the time.*

**Endangerment** - to put in a dangerous situation. *Leaving your children in a locked car in a parking lot is an endangerment to their health.*

**Immunization** - medicine or shots that protect you from disease. *Children must have immunizations against measles before they start school.*

**Mental** - has to do with the mind. *Thinking is a mental process.*

**Physical** - has to do with the body. *A person with a physical handicap might be in a wheelchair.*
**Protective Order** - a legal order meant to keep a person safe. A *protective order can be ordered by the court to keep an abusive parent away from the children.*

**Spouse** - a husband or a wife. *Both spouses are responsible for the health and care of their children.*

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**REPEAT WORDS**

**Authority** - A judge has the *authority* to make decisions about the law.

**Contract** - A contract is an agreement between two people and each receives some benefit.

**Custody** - A court may decide who gets *custody* of the children in a divorce case.

**Deduct** - The court can order your employer to *deduct* money from your paycheck for your child support.

**Duty** - It is the *duty* of parents to provide food and clothing for their children.

**Guarantee** - This country *guarantees* a free education to all children.

**License** - A *license* gives permission to get married.

**Promotion** - A *promotion* at your job means you will make more money.

**Qualify** - Education will *qualify* you for a better job.

**Requirements** - Children must meet certain *requirements* to go to school, like age.

**Valid** - A *valid* license meets certain legal requirements.
Marriage

Marriage is a contract. The state makes laws that apply to the conditions of marriage. You can marry at age 18 without the consent of parents. A license is needed to marry. It is issued by the County Clerk where you live. To have a valid marriage, you must have a marriage license and a marriage ceremony. The marriage ceremony must be performed by a person with authority from the state. Persons with authority to perform marriage ceremonies are usually judges or ministers of a church.

It is possible in some states, as in Texas, to have a common law marriage. There must be proof that the two persons agree to be married, live together as husband and wife, and tell others or claim to others that they are married. Some other requirements are bills and leases in both names, and mail sent to the same address. If you meet these requirements, it is a common law marriage. You must get a divorce to end a common law marriage.

Children

Parents have a duty to provide support of each other and children to age 18. Support means food, clothing, a place to live, and health care. For example, there are laws that require children going to school for the first time to have immunizations against certain diseases. The local health office can give information about these laws.

It is a law that children have to go school. A free education is guaranteed to all children. This is one of the most important benefits of the United States. Education is very important. Parents can help their children with their school work.
Children learn better when parents help them at home with the things they learn at school, like reading. Many schools have help for parents, too. If you did not finish high school, you can study and get a **GED - General Educational Development - Test**. This will help you to get a better job, qualify for promotions at your job, enter college, and feel better about yourself. You can get information about a **GED Test** at your school district office or at an Adult Learning Center. Many agencies and job training businesses will help you pay the cost of getting a **GED**.

There are other duties concerning family and children. A father can be required to support a child of his even if he is not married to the mother. A lawsuit brought by the child, the mother, or a child support agency, can make the father pay support. The state will get a legal order where he works. The child support will be deducted from his paycheck. A court can require blood tests to prove a man is the father.

### Divorce

In a divorce, a judge will decide child custody, child support, and property division. Be prepared to prove that you have been providing proper care for your children. Keep records of the children's school attendance, immunizations and activities. Letters of recommendation from neighbors, landlord, church, and school teachers, can be important in a custody case. States have different laws about the reasons for granting a divorce. These are found in the **FAMILY CODE** of each state.

### Protection from Abuse

Children are protected from physical, mental, or emotional abuse by the laws. You cannot neglect your children - that is, fail to feed, clothe, and provide them a place to live.
If you neglect your children, the state can remove them from your home. If your spouse is hurting you or your children, you need to seek help. If your spouse abuses the children, and you do not seek help, the children can be taken away from you. Neighbors, relatives, or friends can report child neglect and abuse. In case of harm to a child, it is a law that the child can be taken away from the parents. This is called "Ending the parents' rights." A court may end parents' rights for these reasons: abandonment, endangerment of the physical or emotional wellbeing of the child, and failure to support the child.

Spouses also are protected by laws from abuse. If you or a member of your family or household are being abused, the court will help you. A protective order may be issued. Asking for a protective order shows you are trying to protect yourself and your children. It is a valid record that you did not agree with or cooperate in the abuse. The protective order means the person hurting you cannot come near you. Protection is given whether a divorce is pending or not. Both criminal and civil charges may be filed. Call police to report abuse. Help is available at many agencies for parents, abused spouses, and neglected children. The names of the type of agencies that are there to help are such names as the Department of Human Services, Children's Protective Services, Crisis Counseling Agency, and others. You will find these listed in the telephone book.