

## Locations:

Placer County and Sacramento County (see website for details)

## Assisting With:

- Mediation
- Collaborative Practice
- Divorce
- Child Custody
- Child Support
- Spousal Support
- Paternity
- Property Division
- Pre-Marital/Post-marital Agreements
- Legal Separation
- Stepparent Adoption

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# Ginter Family Law: Nullity and More

Friendly - Respectful - Caring

Summer 2014

## Let's Talk "Nullity"

A nullity action, also known as an "annulment," is a special family law action that terminates a marriage. A "dissolution" (i.e., "divorce") action terminates a valid marriage. On the other hand, a nullity is used when, at the time the marriage was entered into, circumstances existed that effect the validity of the marriage. In other words, with a nullity there was never a valid marriage in the first place.

A nullity can be based on a "void" marriage or a "voidable" marriage. A "void" marriage is one that is invalid as a matter of law. Circumstances that give rise to a void marriage are incest and bigamy. A "voidable" marriage, on the other hand, is a marriage that can be declared invalid if certain grounds are met. Examples of circumstances giving rise to a voidable marriage are inability to consent, bigamy when prior spouse was mistakenly believed to be absent or dead, and fraud.

Nullity actions are typically more costly and timely versus a divorce or legal separation action, and nullity actions are usually more difficult to prove, particularly with respect to voidable marriages. Additionally, unlike divorce actions, a judgment for nullity requires a court hearing with testimony provided.

While more difficult to obtain versus a divorce, nullities have some advantages. For example, since a judgment for nullity erases the legal existence of a marriage, certain individuals may feel compelled to opt for a nullity proceeding due to various religious beliefs. Additionally, spousal support and attorney's fees are unavailable to someone in a nullity where the requesting party induced the marriage by fraud or wrongdoing, or where there is no sincere belief that the marriage is valid.

Nullities are complex and offer many pitfalls. However, a nullity can be a great option if done correctly.



*"When You Are Ready, We Are Here"*

## ***We've Been Busy!***

There are many new happenings at Ginter Family Law! See the next page for details.

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Sacramento County  
(see website for  
details)

## Business Hours:

Monday - Thursday:  
9:00 am - 4:30 pm  
Friday:  
9:00 am - Noon

## Phone:

(916) 419-1161

GFL on the web:

[GinterFamilyLaw.com](http://GinterFamilyLaw.com)

Our dedicated mediation site:

[MediationFamilyLaw.com](http://MediationFamilyLaw.com)

Our dedicated Placer site:

[FamilyLawPlacer.com](http://FamilyLawPlacer.com)



Ginter Family Law

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### We've Expanded...A LOT!

To say we've been busy this Spring is an understatement! Here are the many new things that have occurred during Spring 2014:

**MEDIATION VIDEO:** Hosted by our own Bryan Ginter, check out our introduction to family law mediation video at [GinterFamilyLaw.com](http://GinterFamilyLaw.com).

**NEW AND UPDATED WEBSITES:** GFL now has a website dedicated to family law mediation: [MediationFamilyLaw.com](http://MediationFamilyLaw.com). Additionally, GFL has a website dedicated for family law services in Placer County: [FamilyLawPlacer.com](http://FamilyLawPlacer.com). For Natomas, Sacramento and other areas, we greatly expanded our main website, [GinterFamilyLaw.com](http://GinterFamilyLaw.com). In addition to a plethora of other information, our websites now contain a ton of self-help resources and links.

**ADDITIONAL LOCATIONS:** We now have physical meeting and mailing locations in Placer County (in Roseville) for those that are closer to that area that have chosen not to meet via web meeting. Speaking of "web meetings"...

**WEB MEETINGS:** While we have offered web meetings since the end of 2013, it bears repeating because this technology has been working out splendidly! Lives are so busy these days, who has extra time? And, if one has extra time, who wants to spend it on the road, and paying exorbitant gas prices to boot? With web meetings, you don't have to! You can now meet with us over an internet-accessible device, including a tablet, a mobile phone, a laptop and a desktop computer. Learn more by calling us or visiting us on the web.

**GINTER PROPERTIES:** Did you know that Bryan Ginter has been a licensed real estate broker since 2006? In June 2014, Bryan launched the residential real estate company, Ginter Properties. With a background as an attorney and mediator, Bryan Ginter has a set of skills he brings to selling or buying a home that most real estate agents simply do not have. Ginter Properties is an associate broker with one of the largest real estate companies in the country...Keller Williams Realty. More information can be found at [BryanGinterProperties.com](http://BryanGinterProperties.com).

**RELATIONSHIP RULES SHOW:** Family law attorney and mediator Bryan Ginter co-hosts a podcast show with behavioral health specialist, David Elliott, called the Relationship Rules Show. Entertaining and informative, new shows are released each week and can be downloaded from iTunes (featured in the "New and Noteworthy" section) and Stitcher. Follow the show by visiting the Relationship Rules Show Facebook page, and download Apple's free "Podcasts" app to effortlessly download and delete new shows. The Relationship Rules Show is interactive, meaning questions and/or thoughts can be emailed or called in to the hosts and guests can appear on the show. Learn more by visiting [RelationshipRulesShow.com](http://RelationshipRulesShow.com).

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### At GFL...

We offer **WEB MEETINGS!** Meet and share documents with an attorney or mediator on a computer or mobile device...iPhone, iPad, etc. No more wasted time and gas money on the road! If a physical meeting is preferred, GFL has physical meeting locations in Sacramento County (Natomas) and Placer County (Roseville). In addition to litigation services, GFL proudly offers out-of-court methods to help parties amicably resolve their private and sensitive family law issues. Call **(916) 419-1161** to schedule a consultation. We also encourage you to visit our comprehensive websites, including [www.GinterFamilyLaw.com](http://www.GinterFamilyLaw.com).

If you are thinking about hiring an attorney to help you with your family law issues, it is important that you understand the services that the attorney offers, so be sure to ask your potential attorney. Here are services that may be available with a family law attorney:

**Mediation:** The attorney sits as a neutral, assisting in the negotiations between the two parties. The parties have a series of meetings with the mediator until all issues are resolved, out of court. The mediator's office drafts legal documents and files and picks them up from the court so you don't have to. No court...just solutions.

**Collaborative Law:** With Collaborative Law



Process, both parties have their "own" attorneys, where the parties have a series of meeting until all issues are resolved, out of court. As with mediation, no court...just solutions.

**Partial Service:** This is where the attorney and the client somehow divide up the legal responsibility for a case. A Partial Service ar-

rangement can be done in a non-litigation or a litigation context.

**Full Service:** Full Service is where the attorney shoulders all of the legal responsibilities for the case, including court appearances, trial, legal research, negotiations, providing legal advice and drafting documents.

**Consult-Only:** Commonly, no retainer or fee agreement is required. When you are interested in speaking with the attorney and/or having the attorney review documents, you simply call and schedule an appointment. Payment is due at the time of the consultation.

*This newsletter is informational only and does not contain legal advice of any kind. Rather, the aforementioned is opinion only and should not be relied upon. Any information contained herein should be reviewed with a competent attorney to ensure its accuracy and/or validity. To unsubscribe from receiving these newsletters, please email us or call us at (916) 419-1161.*