CHALLENGING STATUS JURISDICTION

I. Husband and wife met in Tennessee (while attending the University of Tennessee), were married in Kentucky (her home), accepted jobs in Cleveland, and have lived in Ohio all five years of their marriage. All their property is in Ohio.

A) Husband sues for divorce in Ohio. Wife is served personally in Ohio. Can the Ohio court grant a divorce and divide the property?

B) Wife returns to Kentucky and sues for divorce in Kentucky. Husband in Ohio is served by mail. He ignores the lawsuit.

(i) Can the Kentucky court grant a divorce?

(ii) Can it divide the property in Ohio?

(iii) Can it order the husband to pay alimony?

C) Same as (B), but the husband is served in Ohio by an Ohio sheriff.

D) Same as (B), but the husband in a special appearance objects to Kentucky's assertion of in rem and in personam jurisdiction.

E) Same as (B), but the husband answers the action by denying that he has committed any acts that permit Kentucky to grant a divorce.

F) Wife goes to Hawaii for a vacation, stays and sues for a divorce. Can the Hawaii court grant a divorce?

II. Arkansas woman goes to Bolivia, marries a citizen of Bolivia and resides there. Two years later she returns to Arkansas and sues for divorce. Can the Arkansas court grant a divorce?

III. In all of the above, if the court grants a divorce, what must the court find so that the divorce will be valid in the other 49 states?

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