Index

• Numerics •
401(k) plan, 244, 245, 248, 251
403(b) plan, 245

• A •
abortion, 74
abuse and neglect of children, 78, 141
accelerated life insurance benefits, 302
accidents, 103, 113–114
act of delinquency, 330
acting as your own attorney, 34, 46, 312
adjudicated delinquent, 330
adjudicated minor, 330
adjustable rate mortgage, 212
Administration on Aging (AOA), 262
administrative law, 11
adoption
fathers and, 81
options for adoptee, 82
overview, 79–80
traditional (or closed) versus open, 82
types of, 80–81
Adoption.com, 80
advance directive, 294
adversarial process, 15
affirmative action, 89
agreement. See also contract
cohabitation, 50–53
home listing, 203–204
joint custody, 65–66
partnership, 151–152, 343–344
reading before signing, 341
for separation, 59
written, 340–341
AIDS and HIV
discrimination, 229, 230
financing treatment for, 269
health insurance and, 231
hotline, 231
organizations for, 231
privacy rights, 229–231
testing for, 90, 223
workplace and, 229
alcohol testing, 114, 115
alibi, 318
alimony, 63
All Handicapped Children Act, 230
American Bankruptcy Institute
(Web site), 184
American Bar Association, 30
American Prepaid Legal Services Institute
(APLSI), 42
Americans with Disabilities Act, 105, 160
Annual Credit Report Request Service
(Web site), 174
annulment, marriage, 58
AOA (Administration on Aging), 262
appeal
criminal, 326–327
grounds for, 24
small claims court, 33
appellate court, 13
appraiser, home, 205
arbitration, 28, 30
arraignment, 315
arrest
avoid arguing with police, 342
being formally charged, 315–316
going to jail, 314–315, 327
interrogation and the Miranda
warning, 311
juvenile’s rights during, 330–331
legal help, 312
making your plea, 315, 316–317
overview, 309
phone call, making, 314
planning your defense, 317–320
posting bail, 319
search warrant, 311–313
warrantless, 310, 313
articles of incorporation, 153
assisted living residence, 271
assisted suicide, 303
assumable mortgage, 212–213
ATM card, 129, 135
attorney
  accrediting organizations, 38
  acting as your own, 34, 46, 312
  advertising and, 346
  avoiding a need for, 46
  bankruptcy, 159, 165
  benefits of using, 36–37
  business, 148–149, 151
  choosing, 37–38, 346–347, 350
  consumer law, 176, 181, 182, 227, 239, 261
  contracts, 349
  court-appointed, 312
  courtroom track record, 349
  dissatisfaction with, 44, 45
  divorce, 60–61
  elder law, 267
  employment, 94, 100, 106
  estate planning, 274–275, 279, 283, 285
  ethical standards for, 43–44
  expenses paid by client, 44
  fees, 37, 41–43, 275, 345–346
  finding, 39–41, 100
  firing, 37, 45
  first meeting with, 40–41
  free or low-cost, 39, 312
  invoices from, 37, 45
  labor, 159
  malpractice suit against, 44
  mistakes made when hiring, 345–350
  patent, 161
  public defender, 312
  qualification and experience of, 38
  real estate, 202, 206
  retainers, 37, 42
  tax, 159
  tips for working with, 44
  when to use, 35, 36–37
  winning by intimidation and, 347
  withholding information from, 312, 348
  at-will employee, 106
au pair, 85
automobile insurance, 115–116
avoiding legal problems, 339–344

• B •
background check, 88–89
bail, 319
balloon mortgage, 212
bank account, 135, 137–138
bankruptcy
  attorney, 184, 187
  business, 148, 164–165
  Chapter 7, 165, 175, 185–186, 251
  Chapter 11, 164, 165, 251
  Chapter 13, 164, 165, 175, 186
  child support and, 68
  filing for, 184–185
  liquidation, 184, 185
  pension plans and, 251
  rebuilding credit after, 186–188
  reorganization, 164–165
  types of, 164
bankruptcy attorney, 159, 165, 184, 187
bench trial, 23, 320
beneficiaries, 276, 279–281
benefits, job, 95–98
Better Business Bureau (BBB), 30, 196
beyond a reasonable doubt, 308
Bill of Rights, 10
board and care home, 271
board of directors, 153
Breathalyzer test, 114
burden of proof, 131
burial site restrictions, 297
burial societies, 300
burial vaults, 299–300
business
  bankruptcy, 148, 164–165
  copyright, 163
  corporation, 152–154
  employees, 159–160
  failure, 147–148, 159, 340
  franchise, 154–156
  home-based, 156–157
  partnership, 150–152, 343–344
  patents, 160–162, 163
  scams, 147, 156
  sole proprietorship, 149
  starting, 148–149, 340
  taxes and, 150, 153–154, 157–159
  trademark, 162
  Web sites, 154, 156
business attorney, 148–149, 151
business name, 149
Business Owners’ Idea Café (Web site), 148
Index

Business Use of Your Home (IRS Publication 587), 157
Buyer’s affidavit, 217

Call for Action (consumer hotline), 30
car. See also driver’s license; driving
inspection/maintenance, 115
liability insurance, 115–116
police search of, 111–112
registration, 115
CARE (Ryan White Comprehensive AIDS
Resources Emergency) Act, 230
case law, 11–12
cash, using, 128
Casket Gallery (Web site), 300
caskets, 299–300
Centers for Medicare and Medicaid
Services (Web site), 234
Chapter 7 bankruptcy, 165, 175,
185–186, 251
Chapter 11 bankruptcy, 164, 165, 251
Chapter 13 bankruptcy, 164, 165, 175, 186
charitable donations
scams, 195–196
telemarketers soliciting, 194
will and, 281
Charmasson, Henri (Patents, Copyrights &
Trademarks For Dummies), 160
checks, 129, 135
child abuse, 78, 141
child care
au pair, 85
day care center, 84
home-based, 84–85
tax obligations, 85–86
child custody, 64–66
child support
collecting from deadbeat parent,
68–71, 343
overview, 67–68
unmarried women and, 71
Child Support Enforcement (CSE)
program, 70
Child Support Recovery Act, 70
children. See also juvenile justice system
abortion and, 74
abuse and neglect of, 78, 141
AIDS discrimination and, 230
child care, 84–86
custodial account for, 284–285
custody of, 64–66
discipline and, 76–77
education for, 75
estate inheritance and, 277, 280–281
kidnapping by parent, 66
legal obligations of parents, 66
living trust for, 286–287
medical care for, 68, 75–76
Choosing a Medigap Policy: A Guide To
Health Insurance For People With
Medicare (Medicare), 261–262
Citizenship and Immigration Services
(CIS), 159
civil law versus criminal law, 12
Civil Rights Act of 1991, 100
civil union, 51
“closed at the consumer’s request,”
134–135
CMS (Medicare & Medicaid Services), 251
COBRA ( Consolidated Omnibus Budget
Reconciliation Act), 107, 234
codicil, 283
cohabitation agreement, 50–53
collecting your money
child support from deadbeat parent,
68–71, 343
methods for, 33–34
common law, 11
civil union marriage, 54
community property states, 62, 168, 279
community service, 325
comp time, 93
complaint, filing
against your attorney, 44
discrimination, 99–100
against employer, 93–94, 98–99
against a financial institution, 125–126,
182–184
for fraud victims, 194, 198
housing discrimination, 214
identity theft, 136
medical rights violation, 227
privacy complaint form, 140
regarding credit report, 176
wage violation, 93–94
computer
  privacy issues, 138, 143
  program scams, 197
  software, 15, 104
  "wipe" utility for, 137
Computer Matching and Privacy Protection Act, 143
confidentiality agreement, 91
consent form (medical), 222–223
Consolidated Omnibus Budget Reconciliation Act (COBRA), 107, 234
constitutional rights
  Eighth Amendment, 319, 334
  Fifth Amendment, 311, 313, 324
  Fourth Amendment, 112, 311
overview, 10
  Sixth Amendment, 321
Consumer Credit Reporting Reform Act, 171
consumer issues. See also scams
  consumer hotline, 30
  Cooling-Off Rule, 190–191
door-to-door sales, 190–191
fraud alert, 132, 133
FTC complaint line, 29
Internet shopping, 190
mail order shopping, 190
product warranty, 198–200
telemarketers, 194, 196
consumer law attorney, 176, 181, 182, 227, 239, 261
Consumer Sentinel (Web site), 136, 194–195
Consumer World (Web site), 189
contingency, 42, 43
continuing care retirement community, 271
contraceptives, 74
contract
  attorney, 349
  breaking, 19–20
dos and don'ts, 20
Electronic Signatures for, 18–19
form, 18
franchise, 155
home purchase and sale, 208–210
home-based child care provider, 84
implied, 16, 18
making changes to, 20
new home, 218
nursing home care, 263
oral, 16
overview, 15–16
paper, 18
reading before signing, 341
with surrogate, 83
written, 17, 340–341
Cooling-Off Rule, 190–191
copyright, 163
corporate bylaws, 153
corporation, 152–154
court judgment, 175
court systems
  federal court, 14–15, 310
  overview, 12–13
  small claims court, 31–34
  state court, 13, 310
covenant not to compete, 90–91
credit. See also bankruptcy; credit report; credit reporting agencies
  applying for, 168–170
  benefits and dangers of using, 167–168
  billing statement problems, 177–179
  correcting problems with, 175–179
  debt collector, 179–182
  federal laws regarding, 167–168
  inability to pay bills, 179–181
  rebuilding after bankruptcy, 187–188
  rights violations, 182–184
  starting a business and, 149
  using and protecting, 170–175
credit card
  bankruptcy and, 187
  billing statement problems, 177–179
e-mail and, 137–138
privacy protection, 128, 129
Credit Repair Organizations Act (CROA), 187–188
credit report
  bankruptcy and, 185
  correcting, 175–177
cost of, 174
fraud alert and, 132, 133
free copies, 173–174
how it is used, 172
requesting a copy, 129, 172–173, 174
rights overview, 173–175
credit reporting agencies
child support debt reported to, 70
contacting, 172–173
credit scoring program, 177
described, 168
fraud alert, 132, 133
information sources for, 171–172
opt-out opportunities, 131
suing, 132, 175
credit score, 172, 175, 177
cremation, 299–300
crime. See also arrest; juvenile justice system; trial
being convicted, 308
drug-related, 309, 326
federal, 309, 310
overview, 307–308
pardons, 326
prisoner rights, 327
types of, 308–309
victims of, 327–328
criminal law, 12
CROA (Credit Repair Organizations Act), 187–188
CSE (Child Support Enforcement) program, 70
custodial accounts, 284–285

• D •
damages, 42
day care center, 84
deadbeat parent, 68–71
death and dying. See also wills
child support payments and, 68
durable power of attorney for health care, 53, 224, 289–290, 293–295
euthanasia and doctor-assisted suicide, 303
funeral, 296–302
hospice care, 254, 270
living will, 291–293
planning for incapacitation, 224, 289–290
without living will or durable power of attorney, 294–295
dead penalty, 326, 334
debt. See also bankruptcy
business partnership and, 150
dealing with collectors, 179–181
filing for bankruptcy, 184–187
minimizing, 341
rights violations and, 182–184
taxes, 160
unsecured, 186
Web site, 180
deductions, wages, 94–95
deed, 217
deed of trust (mortgage deed), 269
defendant, 12
defense, planning, 317–320
defined-benefit pension plan, 242, 243–244, 248
defined-contribution pension plan, 242, 243–244, 248
Department of Health and Human Services (DHHS), 227
Department of Labor, U.S., 87, 93–94, 159
Direct Marketing Association (DMA), 131
disability, employee with, 105, 160
disability insurance, 98
disability leave, 95–96
disciplining children, 76–77
disclosure statement, 155
discovery, 22
discrimination
AIDS and HIV, 229, 230
credit and, 167, 168
employment-related, 98–100
housing, 214
medical, 225
dispute resolution, 27–30, 31
divorce
attorney for, 60–61
child custody, 64–67
child support, 67–71, 343
community property states, 62, 168, 279
health insurance and, 233
no-fault, 60
overview, 59–60
pensions and, 62, 250
property settlement, 61–62
spousal support, 62–64
statistics, 56
will and, 62, 279
DMA (Direct Marketing Association), 131

do it yourself problem-solving
acting as your own attorney, 34, 46, 312
avoiding legal problems, 339–344
dispute resolution, 27–30, 31
easy solutions, 25–27
organizations and agencies for, 30–31
small claims court and, 31–34
Do Not Call registry, 131, 194
doctor
assisted suicide, 303
living will and, 292, 293
medical privacy rights and, 138–139
patient confidentiality and, 141
documentation, 26, 27
domestic partnership, 51
donating your body to science, 300
door-to-door salesperson, 190–191
double jeopardy rule, 324
double taxation, 153–154
drinking and driving, 114–115
driver’s license
alcohol testing and, 115
name change and, 57
obtaining, 109–110
privacy protection and, 129
Social Security number, keeping off, 129
suspended or revoked, 110
Driver’s Privacy Protection Act, 143
driving
accident, 113–114
being stopped by a cop, 111–112
drinking and, 114–115
license, 57, 109–110, 115, 129
ownership responsibilities, 115–116
rules of the road, 110
traffic and parking tickets, 112–113
drug cards for prescriptions, 259–260
drug screening test for employment, 90, 105
drug-related crime, 309, 326
DSL (high-speed Internet connection), 138
durable power of attorney for finances, 53, 224, 289–290
durable power of attorney for health care
dying without, 294–295
importance of, 224, 293–294
incapacitation and, 289–290
unmarried couples and, 53
Web site, 224

Earnest Money, 209, 211
EBSA (Employee Benefits Security Administration), 244, 247
ECOA (Equal Credit Opportunity Act), 75, 168–170
EEOC (Equal Employment Opportunity Commission), 98, 99
Eighth Amendment, 319, 334
Eldercare Locator (Web site), 262, 268
elective share, 279
Electronic Communications Privacy Act, 143
Electronic Signatures, 18–19
e-mail, 104, 131, 137–138
employee. See also wages
at-will, 106
classifying, 159–160
copyright law and, 163
exempt, 92
foreign workers, 159
independent contractor versus, 159–160
key, 97
monitoring by employer, 104
new hire registry, 71
nonexempt, 92
payroll tax, 158–159, 160
employee benefits. See also pensions
family and medical leave, 96–98
health insurance, 95
overview, 95–96
prepaid legal plan, 42
Employee Benefits Security Administration (EBSA), 244, 247
Employee Retirement Income Security Act (ERISA), 232–233, 239, 246–250
Employer’s Supplemental Tax Guide (IRS Publication 15-A), 160
employment. See also business; wages
affirmative action and, 89
AIDS and HIV persons and, 229
application, 87–91
background check, 88–89
benefits, 95–98
conditions and, 90–91
discrimination, 98–100
drug screening test, 90, 105
employer’s rights, 103–105
employer-supplied health insurance, 232–233
family and medical leave, 96–98, 160
foreign worker, hiring, 159
personnel file access, 105
pre-employment tests, 89–90
quitting, 106–107
references for, 88
safety issues, 102–103
sexual harassment, 100–101, 342–343
time off for legal problems, 26, 132
wages, 91–95
employment law attorney, 94, 100, 106
custodial accounts, 284–285
importance of, 344
insurance policies, employee benefit plans and IRAs, 278, 284
inter vivos gifts, 278, 284
overview, 273–274
taxes, 288, 289
trusts, 285–289
unmarried couples and, 52, 278
Web sites, 273
euthanasia, 303
executor, 276, 281–282
exempt employee, 92
Experian (credit reporting agency), 173, 177
Exxon (oil company), 244, 245
entrepreneurship. See business
Environmental Protection Agency, 11
Equal Credit Opportunity Act (ECOA), 168–170, 215
Equal Employment Opportunity Commission (EEOC), 98, 99
Equifax (credit reporting agency), 173, 177
equitble distribution, 61
ERISA (Employee Retirement Income Security Act), 232–233, 239, 246–250
estate planning. See also wills
attorney, 274–275, 279, 283, 285
custodial accounts, 284–285
importance of, 344
insurance policies, employee benefit plans and IRAs, 278, 284
inter vivos gifts, 278, 284
overview, 273–274
taxes, 288, 289
trusts, 285–289
unmarried couples and, 52, 278
Web sites, 273
Fair and Accurate Credit Transactions Act (FACTA), 130–131, 133, 134
Fair Credit Billing Act (FCBA), 178
Fair Credit Reporting Act, 10, 130
Fair Credit Transactions Act (FACTA), 171
Fair Housing Act (FHA), 214
Fair Isaac Corporation, 177
Fair Labor Standards Act (FLSA), 91–94
family allowance, 279
family and medical leave, 96–98, 160
family law, 49–50
FBI, 138, 142
Federal Citizen Information Center (Web site), 193
federal court, 14–15, 310
Federal Court of Appeal, 14
federal crime, 309, 310
Federal Drug-Free Work Place Act, 105
Federal Privacy Act, 105, 119–122
Federal Trade Commission (FTC)
consumer rights, 182
Consumer Sentinel, 136, 194–195
credit information brochures, 179
Do Not Call registry, 131, 194
filing a privacy violation complaint, 126
filing an identity complaint theft, 136
filing credit record complaint, 176
franchises and, 155
functions of, 29
funeral industry regulated by, 297
ID Theft: When Bad Things Happen to Your Name, 137
identity theft hotline, 136, 137
reporting fraud to, 198
Web site, 29, 179
felony, 308
fertilityplus.org, 83
FHA (Fair Housing Act), 214
FICO score (Web site), 177
fiduciary, 247
Fifth Amendment, 311, 313, 324
filing a complaint. See complaint, filing
fill-in-the blanks will, 280
financial institutions, 125–126, 182–184
financial privacy
filing a violation complaint, 125–126
financial services companies and, 123–126
opt-out opportunities, 124–125, 131
Patriot Act and, 143
Financial Services Modernization Act (FSMA), 123–126
FindLaw Web site, 12, 273
fingerprinting, 90
firewall protection, 138
FirstGov for Seniors (Web site), 242
fixed rate mortgage, 212
Flex Your Rights Foundation
( Web site), 311
FLSA (Fair Labor Standards Act), 91–94
foreign worker, hiring, 159
foster parent, 77
401(k) plan, 244, 245, 248
403(b) plan, 245
Fourth Amendment, 112, 311
franchise, 154–156
fraud. See also scams
alert, 132, 133
victims of, 194, 198
Web site, 193, 197, 198
FSMA (Financial Services Modernization
Act), 123–126
FTC (Federal Trade Commission). See
Federal Trade Commission (FTC)
funeral
accelerated life insurance benefits, 302
burial site restrictions, 297
burial societies, 300
caskets, burial vaults, cremations, 299–300
cost, 296, 297–298
cremation, 299–300
prepaying, 296, 298–299
viatical settlement, 269, 300–302
Funeral Consumers Alliance (Web site), 300
Funeral Rule, 297–298

• H •
health care. See also medical record
for children, 68, 75–76
dealing with rights violations, 227–228
durable power of attorney for, 53, 224,
289–290, 293–295
home, 254, 269–270
legal rights of patients, 222–228
living will for, 291–293
managed, 223, 235–237
medical malpractice and, 231–232
nursing home, 262–269
paying for, 232–240
privacy rights, 138–141
public hospital and, 225
refusing treatment, 226
Web site, 222
health care directive, 292. See also
living will
health care proxy. See durable power of
attorney for health care
Health Information Privacy Complaint
form, 140
health insurance. See also Medicaid;
Medicare
AIDS and HIV and, 231
COBRA benefits, 107, 234
divorce and, 233
employer-supplied, 232–233
health care rights, 229–231
Health Savings Account (HSA), 237–238
for high risk people, 333
inadequate or going without, 222, 223–225
long-term care, 268–269
medical leave and, 97
Medigap, 260–262
pre-existing conditions and, 239
problem with claims, 238–240
Web sites, 222
Health Insurance Portability and
Accountability Act (HIPAA), 138–141,
227, 232, 239
Health Maintenance Organization (HMO),
139, 235, 236–237
Health Privacy Project (Web site), 226

• G •
gag clauses, 223, 236
gay or lesbian couple. See same-sex couple
geriatric care managers, 264
graduated payment mortgage, 212
grand jury, 143, 311, 316
group home, 271
guardian
for children, 77
health care, 295
property, 277, 280
Health Savings Account (HSA), 237–238
HealthCareCoach (Web site), 222
hearing
    grand jury, 143, 311, 316
    juvenile, 331–332
    preliminary, 316
heirs, 276
high-speed Internet connection, 138
HIPAA (Health Insurance Portability and Accountability Act), 138–141, 227, 232, 239
HMO (Health Maintenance Organization), 139, 235, 236–237
home
    building, 217–218
    buying, 201–202, 208–211, 215–218
    closing the deal, 215–217
    contracts, 208–210
    divorce settlement and, 62
    insurance, 157, 341
    mortgage, 211–215, 269
    real estate lingo, 217
    search warrant and, 310
    selling, 203–208, 216
    senior’s options, 241
    working out of, 156–157
home health care, 254, 269–270
home-sale party, 190–191
homeschooling, 75
hospice care, 254, 270
house hunting, 201–202
Household Employer’s Tax Guide, 86
Housing and Urban Development (HUD), 213, 214
HSA (Health Savings Account), 237–238
hotline, 136, 137
online transactions and, 137–138
police report, 133–134, 136
preventing, 127–130
recovering from, 130–137
Identity Theft and Assumption of Deterrence Act (ITADA), 126–127
Identity Theft Resource Center, 132, 134
immigration and citizenship, 159
immunization, 76
implied
    consent for alcohol testing, 115
    contract, 16, 18
    warranty, 199–200
incapacitation
    living trust and, 287
    planning for, 224, 289–290
income tax, 158
independent contractor, 159–160
Independent Contractor vs. Employee (IRS Topic 762), 160
industry trade associations, 30–31
infomercials, 192
informed consent, 222–223
injunctive relief, 12
insanity plea, 318–320, 324
insurance. See also health insurance
    adequate, 341
    car, 115–116
    credit score and, 175
    home, 157, 341
    home-based business and, 157, 341
    life, 269, 300–302
    unemployment, 107
inter vivos gifts, 278, 284
Inter-Law’s ’Lectric Law Library (Web site), 15
Internal Revenue Service (IRS). See also taxes
    Business Use of Your Home (Publication 587), 157
e-mail access by, 138
Employer’s Supplemental Tax Guide (Publication 15-A), 160
ignoring, result of, 342
Internal Revenue Service (IRS) (continued)

Independent Contractor vs. Employee
(Topic 762), 160
Starting a Business and Keeping Records
(Publication 583), 158
Web site, 86, 157
Internet
house-hunting with, 201
preventing online identity theft, 137–138
privacy issues, 129, 142
scams, 195
shopping on, 190
IRAs, 278, 284
ITADA (Identity Theft and Assumption of
Deterrence Act), 126–127

• J •
jail, 314–315, 327
job. See employment
joint custody, 65–66
joint owners with the right of
survivorship, 53
joint property, 53
joint tenancy, 278
judicial separation, 59
judicial waiver, 334
jury
defined, 23
deliberation, 323
grand, 311, 316
hung, 323
selecting, 321–322
juvenile detention center, 332, 333, 335
juvenile justice system
age limits, 330, 333
being tried as an adult, 332, 334–335
found guilty of a crime, 332–334
harsher treatment and, 334–335
hearings, 331–332
overview, 329–330
parental accountability, 335–336
rehabilitation and probation, 332
rights when arrested, 330–331

• L •
labor attorney, 159
lawsuit, civil
avoiding, 339–344
heard by Supreme Court, 14
overview, 21–24
lawyer. See attorney
legal aid, free, 39
legal guardians role, 77
Legal Services Corporation, 39
legal system
civil law versus criminal law, 12
contracts, 15–20
court systems, 12–15
federal courts, 14–15, 310
laws, 9–12
lawsuits, 21–24
Web site, 15
Library of Congress, 163
license
business, 149
driver’s, 57, 109–110, 129
home health care, 269
marriage, 55–56
nursing home, 264
residential care home, 271
lie detector test, 90, 105
lien
defined, 217
on property, 33, 69
tax, 175
Life Advice About Selling a Home
(MetLife), 206
life insurance, 269, 300–302
limited liability company, 154
limited partnership, 151
liquidation bankruptcy, 184, 185
listing agent, 204
living together, 50–54, 63
living trust, 174, 286–288, 290
living will
dying without, 294–295
form, 224, 292
overview, 224, 291–293
long-term care insurance, 268–269
• M •

mail order shopping, 190
malpractice

cal medical, 231–232

suing your attorney for, 44
managed care organizations

gag clauses, 223
HMOs, 139, 235, 236–237
PPOs, 236
marriage. See also divorce

annulment, 58
breaking up, 57–68

ceremony, 54–55
common law, 54
license, 55–56
name change and, 57

prenuptial agreement, 56–57

same-sex, 49, 51

separation, 58–59
maternity leave, 95–96
media, 30
mediation, 22, 28, 99–100

Medicaid. See also Medicare

benefits and services, 235
enrolling in, 234–235, 257

nursing home care and, 264, 267–268

medical and family leave, 96–98
Medical Information Bureau, 139
medical record

correcting, 227
privacy rights, 138–141
requesting a copy, 139–140

right to see, 226–227

Medicare. See also Medicaid

approved charges and providers, 256–257
benefit periods, 256
denied claims and, 258–259
enrolling in, 234, 255
filing claims, 257–258
financial difficulties and, 257

lifetime reserve days, 256
Medigap insurance, 260–262
nursing home care and, 267
overview, 251–252

Part A, hospital insurance, 252–254
Part B, medical insurance, 254–255

Part C, advantage plan, 252, 261

prescription drug card, 259–260

publications, 261–262

Web site, 252

Medicare & Medicaid Services (CMS), 251

Medicare Savings programs, 257

Medicare-Participating Physician

Directory, 256

Medigap insurance, 260–262

mentally incompetent, 320

MetLife (Life Advice About Selling

a Home), 206

minimum wage, 91, 92, 94

minor. See children

Miranda warning, 311

mistrial, 323

money issues. See also collecting your

money; wages

child support, 67–71, 343

cohabitation agreement, 52

inter vivos gifts, 278, 284

restitution, 325

spousal support, 62–64

mortgage, 211–215, 269

mortgage deed (deed of trust), 217

motion to dismiss, 22

• N •

NACA (National Association of Consumer

Advocates), 181, 261

name

of business, 149

change after marriage, 57

nanny taxes, 85

National AIDS Hotline, 231

National Association for Home Care &

Hospice (Web site), 270

National Association of Consumer

Advocates (NACA), 181, 261

National Association of Exclusive Buyer

Agents (Web site), 202

National Association of Insurance

Commissioners, 126

National Center for Retirement Benefits

(NCRB), 250

National Center for Victims of Crime (Web

site), 328

National Consumer Law Center

(NCLC), 181
National Council on Aging (NCOA), 268, 270
National Employment Lawyers Association (Web site), 100
National Fraud Information Center (Web site), 193, 197, 198
National Health Law Program (NHeLP), 222
National Long Term Care Ombudsman Resource Center (Web site), 262
National Partnership for Women and Families (Web site), 98
NCLC (National Consumer Law Center), 181
NCOA (National Council on Aging), 268, 270
NCRB (National Center for Retirement Benefits), 250
new hire registry, 71
NHeLP (National Health Law Program), 222
no bill, 316
no-fault divorce, 60
no-fault insurance policy, 116
nolo contendere, 315, 317
nonexempt employee, 92
nursing home care
cost of, 267
dealing with problems, 266–267
looking for, 262–264
Medicaid and, 264, 267–268
Medicare and, 253–254, 267
ombudsman program, 262, 266
paying for, 267–269
residents’ bill of rights, 265
Nursing Home Reform Act, 264–267

• O •
Occupational Safety and Health Administration (OSHA), 102–103
Office of Civil Rights (OCR), 141
Office of Juvenile Justice and Delinquency Prevention, 334
Office of Management and Budget (OMB), 122
officers of a corporation, 153
ombudsman program, 262, 266
on your own recognizance, 314
Online Women’s Business Center, 156
open adoption, 82
opening statements in a trial, 322
opt-out opportunities, 124–125, 131
oral will, 280
overtime pay, 91–93

• P •
palimony, 63
paper contracts, 18
pardon, 326
parents
abuse and neglect of child, 78
adopting a child, 79–82
child care, 84–86
child support, 67–71, 343
choosing to have a child, 73–74
discipline and, 76–77
education for child and, 75
legal guardians and foster parents, 77
legal obligations, 75
liability for child’s actions, 77, 335–336
medical care for child, 68, 75–76
using a surrogate, 82–84
parole, 326, 327
partnership, 150–152
Partnership for Caring, 224, 292
password safety, 138
Patent and Trademark Office, U.S., 161, 162
patent attorney, 161
patents, 160–162, 163
Patents, Copyrights & Trademarks For Dummies (Charmasson, Henri), 160
Patient Advocacy Groups (Web site), 228
Patient Self-Determination Act, 292
Patient’s Bill of Rights, 228
Patriot Act, 141–143
payroll service company, 159
payroll tax, 158–159, 160
Pension Benefit Guaranty Corporation (PBGC), 243
Pension Rights Center (Web site), 249
pensions
being vested, 245–246
defined-benefit plan, 242, 243–244, 248
defined-contribution plan, 242, 243–244, 248
divorce settlement and, 62, 250
employee rights, 246–249
facts about, 250–251
401(k) plan, 244, 245, 248
403(b) plan, 245
handling problems with, 249–250
people’s court. See small claims court
Personal Responsibility and Work
Opportunity Reconciliation Act (PRWORA), 71, 84–85
personnel file, 105
pets, 281
 petty offense or citation, 308
phone and direct mail solicitations, 131
photographs, 90
PIN number, 129, 135, 137–138
plaintiff, 12
Planning for Long Term Care (National Council on Aging), 268
plea bargain, 320
plea, making, 315, 316–317
police
 avoiding arguments with, 342
 being stopped by, 111–112
 identity theft report, 133–134, 136
 searching your car, 111–112
 searching your person, 112
politeness, 26
polygraph exam, 90, 105
Preferred Provider Organization (PPO), 236
preliminary hearing, 316
prenuptial agreement, 56–57
prepaid legal plan, 42
prescription drug coverage, 259–260
prison time, 326
prisoner rights, 327
privacy. See also financial privacy;
identity theft
AIDS and HIV persons and, 229–231
attorney-client relationship, 43–44
employer’s rights and, 103–105
federal agencies and, 118–122
jail and, 314–315
juvenile hearings and, 331
medical, 138–141
opt-out opportunities, 124–125, 131
overview, 117–118
Patriot Act and, 141–143
privacy-related federal laws, 143
workplace, 103–105
Privacy Act, 119–122
probable cause, 111, 310
probate process, 282–283
probation, 325, 332–333
problem-solving. See do it yourself
 problem-solving
product warranty, 198–200
profit-sharing pension plan, 248
proof, 26, 131
property. See also home
 bankruptcy and, 187
 children inheriting, 280–281
 cohabitation agreement, 52
 divorce settlement, 61–62
 equitable distribution, 61
 lien on, 33, 69
 palimony and, 63
 prosecutor, 312
property guardian, 276, 278–279, 286
public defender, 312
public hospital, 225
 quartered estimated tax payment, 158
quid pro quo sexual harassment, 101
real estate agent, 202, 203–205
real estate attorney, 202, 206
real estate broker, 204
Real Estate Settlement Procedures Act (RESPA), 212–213, 215
realtor, 204
reasonable cause, 100
reasonable suspicion, 310
references for job, 88
rehabilitation of juveniles, 332
relationships. See also marriage; same-sex couple
 breaking up, 57–68
living together, 50–54, 63
unmarried couples, 49
reorganization bankruptcy, 164–165
representing yourself, 34, 46, 312
residential care home, 271
residential options for seniors, 271–272
resolution, 27
RESPA (Real Estate Settlement Procedures Act), 212–213, 215
restitution, 325, 328
retainers, 37, 42, 261
retirement. See also death and dying; seniors
financing, 242–251
home health care, 254, 269–270
Medicare, 251–260
Medigap insurance, 260–262
nursing home care, 262–269
planning, 241–242
residential options, 241, 271–272
retirement benefits, 62
retirement community, 271
reverse mortgage, 269
right of rescission, 170
Right to Financial Privacy Act (RFPA), 122–126
right to sue letter, 100
Roe vs. Wade, 14, 74
Roper vs. Simmons, 334
rules of the road, 110
Ryan White Comprehensive AIDS Resources Emergency (CARE) Act, 230

• S •
salesperson
door-to-door, 190–191
telemarketer, 194, 196
same-sex couple
adoption and, 79
child custody and, 66
cohabitation agreement, 52–53
funeral and, 296
marriage and, 49, 51
scams
avoiding, 196–197
business, 147, 156
charitable, 195–196
dealing with, 198
Internet, 195
Medigap insurance and, 261
overview, 189, 191–192
signs of, 192–195
Web sites, 193, 194–195
Schiavo, Terri (brain damaged woman), 295
search and seizure
automobile and, 111–112
Fourth Amendment rights, 112, 311
searching your person, 112
warrantless, 310, 311, 313
in your home, 310
search warrant, 112, 311–313
self-defense, 318
self-employment tax, 158
seller’s affidavit, 217
selling
door-to-door, 190–191
telemarketer, 194, 196
your home, 203–208, 216
seniors. See also death and dying; retirement
home health care, 254, 269–270
Medicare, 251–260
residential options for, 271–272
Web sites, 242, 272
separate property states, 61–62, 279
separation (marriage), 58–59
Settlement Costs and You (HUD), 213
severance pay, 106–107
sexual harassment, 100–101, 342–343
shareholders, 152–153, 154
Sixth Amendment, 321
Small Business Administration (Web site), 154, 156
small claims court, 31–34
Social Security number, 57, 128–129, 137–138
retirement and, 242
taxes, 158
software
legal, 15
for monitoring employees, 104
scams, 197
sole proprietorship, 149
specific intent, 308
spending down, 267
sperm bank, 84
spouse
  child care payment, 63–64
divorce settlement, 62–63
living trust and, 287
Starting a Business and Keeping Records
  (IRS Publication 583), 158
state attorney general’s office, 31, 131
state court, 13, 310
state law
  abortion restrictions, 74
  funerals and, 297
  juveniles and, 329–330
  overview, 10–11
  privacy rights and, 141
  on same-sex marriage, 51
state or federal regulatory agency, 31
statute law, 11
statute of limitation, 21
statutory exclusion, 335
stock bonus pension plan, 248
stock certificate, 153
student loan, 180
Subchapter S corporation, 154
suicide, assisted, 303
summons, 21
Supreme Court, U.S.
  famous cases, 14
  Roe vs. Wade, 14, 74
  Roper vs. Simmons, 334
surrogate parenting, 82–84
suspended or revoked driving license, 110
suspended sentence, 325

• T •

Talking About Your Choices (Partnership for Caring), 292
tax attorney, 159
tax lien, 175
taxes
  business partnership and, 150
capital gains, 216
child support payments and, 68
corporation and, 153–154
estate, 288, 289
forms to download, 157
home-based business and, 157–159
in-home child care and, 84, 85–86
IRS Web site, 157
property inheritance and, 279
sole proprietorship and, 149
spousal support payments and, 64
tax debt, 160
Telecommunications Act, 143
telemarketers, 194, 196
telephone, 129, 314
tenant by the entirety, 278
tenant in common, 278
terminal illness. See also death and dying
  hospice care, 254, 270
  living will and, 291–293
testamentary trust, 287
tests
  AIDS and HIV, 90, 223
  drug screening, 90, 105
  lie detector, 90, 105
  pre-employment, 89–90
  sobriety, 114–115
tickets, driving, 112–113
Title, 217
title insurance, 214–215, 217
Title search, 217
TLA (Truth in Lending Act), 170
trade associations, 30–31
trademark, 162
traffic laws, 110
traffic ticket, 112–113
TransUnion (credit reporting agency), 173, 177
trial
  appeal, 326–327
  bench, 23, 320
  closing argument, 323
days or months leading up to, 320
decision, 323–324
grand jury, 143, 311, 316
jury deliberation, 323
opening statements, 322
overview, 320–321
selecting jurors, 321–322
sentencing, 324–326
small claims court, 31–34
true bill, 316
trusts
  advantages, 286–287
cost, 288–289
creating, 285–286
living, 174, 286–288, 290
testamentary, 287
wills and, 286
Truth in Lending Act (TLA), 170

• U •
unemployment insurance, 107
Uniform Interstate Family Support Act (UIFSA), 70, 71
Uniform Partnership Act, 151
United States Information Agency (USIA), 85
unmarried couples
  estate planning and, 52, 278
  living together, 50–54, 63
  statistics, 49
  wills and, 276, 277
unmarried women, 71
unsecured debt, 186

• V •
variance, 157
venire, 321
viatical settlement, 269, 300–302
victims
  of crime, 327–328
  of fraud, 194, 198
Video Privacy Protection Act, 143
video will, 280
virus protection software, 138

• W •
Wage and Hour Division (WHD), 93–94
wages
  deductions, 94–95
  garnishing, 33, 181
lost, 26, 27
minimum, 91, 92, 94
overtime, 91–93
violations, 93–94
waiving the excess, 32
warrant, search, 311–313
warranty
  new home, 218
  product, 198–200
  regulations, 29
WHD (Wage and Hour Division), 93–94
wills. See also living will
  alternatives to, 283–289
  beneficiaries, 276, 279–281
  changes to (codicil), 283
  child support and, 68
  cost of preparing, 275
  divorce and, 62, 279
  dying without, 276–277, 344
  executor for, 276, 281–282
  legal validity of, 277–278
  probate process, 282–283
  property and, 276, 278–279, 286
  spouse and, 279–280
  trusts and, 286
types of, 280
women
  building credit history, 169–170
  maternity leave, 95–96
  name change after marriage, 57
  Online Women’s Business Center, 156
  unmarried mothers and child support, 71
  workers compensation, 103
writ of habeas corpus, 313