



Complex Issues in California Family Law - Volume A: Fiduciary Duties—Nature and Effect

Dawn Gray, Stephen James Wagner

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Fiduciary Duties—Nature and Effect: Understanding Interspousal Fiduciary Duties in Current Family Law Practice

Understand new interspousal fiduciary duties, especially presumption of undue influence in every interspousal transaction and heightened postseparation duty to disclose. Delivers the reasoning to help resolve issues such as:

- *Money*: If money is involved, so are interspousal fiduciary duties. Explains basis and breadth.
- *Interspousal Agreement or Transfer*: Identifies basis in law for presumption of undue influence and invalidity.
- *Revised Uniform Partnership Act*: Explains rules that govern nonmarital business partners—and spouses.
- *Postseparation Duty of Disclosure*: Describes extent of duty that commences at separation—not when an attorney is hired or a Petition or Response is filed.

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