**VISION**

Provide complete legal solutions to clients requiring support in family law, estate planning and related socio-legal issues.

**MISSION**

* Ensure satisfactory resolution of conflicts in family relations towards an amicable, harmonious and peaceful settlement ensuring optimal rights of clients through effective legal processes.
* Ensure preparation of legally compatible dynamic wills and trusts catering to futuristic needs of clients.

**VALUES**

* Keep Confidentiality of client matters
* Ensure Client satisfaction

**The Firm**

We provide the following services:

**Family Law and Litigation**

* Child Custody
* Visitation
* Child support
* Spousal Support
* Paternity
* Separation
* Nullity
* Same sex marriage
* Community Property
* Business & Asset Evaluation
* Complex Division of Asset
* Domestic Violence
* Prenuptial & Postnuptial Agreements
* Wills & Trusts

Our law office is centrally located within Orange Country, close to 5 & 55 freeway at **Contact Us (insert hyperlink)**

**The team**

The firm consists of a young team of professionals with highest qualification in the field of Legal education from renowned law institutions, who have experience over a decade, specializing in family litigations and estate planning**.**

**Maxine Uyen Ho**

Maxine Ho is the Principal Attorney. She has vast experience handling simple to complex divorce cases to the satisfaction of her clients. She takes pride in work and is dedicated to meeting each client’s needs. Maxine is an (AVVO rated) family law attorney in the Orange County region.

* She is very precise, meticulous and has the knack of picking up the correct leads to the advantage of her clients. Maxine has a success rate in trial and evidentiary courtroom processes. She takes difficulties in her stride and reach out the desired outcome.
* She is widely recognized for her professional knowledge, as she specializes in the arena of Family law and its sub litigation subjects. Apart from supporting a wide clientele, she is well acquainted in settling family disputes of Asian community clientele too, with knowledge of their cultural and behavioral practices.
* Her versatility extends to preparation of futuristic dynamic wills and trusts and assists in efficient estate planning.
* Maxine ensures pre and post legal support to her clients by engaging in Prevention of family conflicts through pre-nupital facilitations and ensures in post judgement compliance in favour of the client ensuring complete hand holding.

Once you are with her, you are in the best hands to get a legally complete solution to your family problems.

**Legal Services offered**

**Situation for Family litigation**

Family is a beautiful thing to happen in a progressive life as a result of a meaningful marriage. Life is a bliss with a peaceful family. This ideal situation, at times gets jeopardized due to misunderstanding, mistrust, feuds, skirmishes among the leading members of the family. It turns nastier when the emotions run high and nothing goes according to plan and the “marriage” breaks to end in divorce making it complicated. According to American Psychological Association, today about 40-50% of marital unions end in divorce. Well, few or more such situations can conclude amicably, many of them do not end so simply. On such complicated situations one requires expertise of lawyers specializing in the subject, who not only handle Divorce proceedings, but also can help in divide property, establish custody of children and determine grounds for separation and ensure conclusive solutions for financial and emotional issues involved during the process. Truly trying times. Yet there are solutions legally for all complicated problems through mediation, self-agreements and through court directives enabled through a qualified person understanding the nuances and tenets of law.

Our firm ensures customized solutions for all legal help with respect to family and deal with situations requiring assistance on the issues listed below:-

* Child Custody
* Visitation
* Child support
* Spousal support
* Division of assets/debts
* Paternity
* Separation
* Nullity
* Same sex marriage
* Domestic Violence

**Child Custody**

Child custody litigations generally are emotional and stressful for parents. On proceeding for divorce it is essential to know about the parental rights. There has to be an agreement between the parents of the children about their custody, visitation and it has to be made legally binding through a court directive to keep it free from future complication.

1. Legal custody determines the right and obligation of the parents to make decisions about a child's upbringing. It is legally determined who shall be responsible for the schooling, medical and dental care of children. Many parents choose to share joint legal custody, giving both parents the right and obligation to make the important legal decisions regarding their children
2. Physical custody determines the right and obligation of the parent with whom the children can live or have visitation. In California, a parent may request sole physical custody or joint physical custody. The standard for determining physical custody is determined by what is in the "best interest of the child." Joint physical custody is usually preferred after checking evidence for absence of physical violence, drug or alcohol abuse or other behaviors or conditions. If such conditions of abuse are found that would render the parent unfit.

**Visitation**

Visitation (also called “time-share”) is the plan for how the parents will share time with the children.  A parent who has the children less than half of the time has visitation with the children. Visitation orders are varied, depending on the best interests of the children, the situation of the parents, and other factors. The visitation is still decided by the courts looking into the best interests of the child.

 In general, visitation can be:

* **Visitation according to a schedule:** Generally, it helps the parents and children to have detailed visitation plans to prevent conflicts and confusion, so parents and courts often come up with a visitation schedule detailing the dates and times that the children will be with each parent. Visitation schedules can include holidays, special occasions (like birthdays, mother's day, father's day, and other important dates for the family), and vacations.
* **Reasonable visitation:** A reasonable visitation order does not necessarily have details as to when the children will be with each parent. Usually, these orders are open-ended and allow the parents to work it out between them. This type of visitation plan can work if parents get along very well and can be flexible and communicate well with one another. But if there are ever disagreements or misunderstandings, this kind of an open schedule can cause issues between the parents, and the children may suffer as a result.
* **Supervised visitation**: This is used when the children’s safety and well-being require that visits with the other parent be supervised by you, another adult, or a professional agency. Click for [more information on supervised visitation](http://www.courts.ca.gov/1190.htm). Supervised visitation is sometimes also used in cases where a child and a parent need time to become more familiar with each other, like if a parent has not seen the child in a long time and they need to slowly get to know each other again.
* **No visitation**: This option is used when visiting with the parent, even with supervision, would be physically or emotionally harmful to the children. In these cases, it is not in the best interest of the children for the parent to have any contact with the children.

**Child support**

Child support is the amount of money that a court orders a parent or both parents to pay every month to help pay for the support of the child (or children) and the child’s living expenses.

Each parent is equally responsible for providing for the financial needs of his or her child. But the court cannot enforce this obligation until it makes an order for support. When parents separate, a parent must ask the court to make an order establishing parentage (paternity) and also ask the court to make an order for child support.

Child support payments are usually made until children turn 18 (or 19 if they are still in high school full time, living at home, and cannot support themselves).

Either parent can ask the judge to make a child support order as part of one of these types of cases:

* Divorce, legal separation, or annulment (for parents who are married or in a registered domestic partnership);
* A Petition to Establish Parental Relationship (for unmarried parents);
* A domestic violence restraining order (for married or unmarried parents);   
       OR
* A Petition for Custody and Support of Minor Children (for parents who have signed a voluntary Declaration of Paternity OR are married, or registered domestic partners, and do not want to get legally separated or divorced)

**Spousal support**

When a couple legally separates or divorces, the court may order 1 spouse or domestic partner to pay the other a certain amount of support money each month. This is called “spousal support” for married couples and “partner support” in domestic partnerships. It is sometimes also called “alimony.”

An order for spousal or partner support to be legally established and officially start, there must be a court case.

A spouse or domestic partner can ask the judge to make a spousal or partner support order as part of 1 of these types of cases:

* Divorce, legal separation, or annulment; or
* A domestic violence restraining order.

You can ask for spousal or partner support to be paid while your case is going on. This is called a “temporary spousal support order” or a “temporary partner support order.” Support can also be ordered once the divorce or legal separation becomes final, as part of the final divorce or separation judgment. When it is ordered once the case becomes final, it is called “permanent (or long-term) spousal or partner support.”

For further information visit http://www.courts.ca.gov/1038.htm

**Division of assets/debts**

Normally, separating couples can work out a separation of property that they both feel is fair. But remember, until a judge signs off on your agreement and issues a final order, your community property and debts still belong to the two of you and do not become separate even if you have agreed on how to divide them between yourselves.

When you divide your property and debt, you should come up with an agreement that divides everything fairly equally, so that you each end up with roughly the same value of your property (and debt). Dividing your property does not necessarily mean a physical division.

For example, if you and your spouse or partner have 2 bank accounts, you do not have to split 1 account down the middle, split the money, and then do the same with the other account. Instead, you can see if the accounts have more or less the same amount of money. If they do, 1 of you can agree to take over 1 account and the other 1 takes the other account. If, in this same example, 1 account has a lot more money than the other, 1 of you can keep the bigger account, and the other can keep the smaller account but also get something else that, together with the money in the smaller account, adds up to roughly what is in the bigger account.

You can also use debt to balance out someone getting more of the property.

***For example,*** if 1 spouse or domestic partner is taking something with a high value, like a house in which there is equity (value), it may be possible to equalize or balance out the division by giving that spouse or domestic partner the credit card debt.

Keep in mind that when you divide your property and debt, you are looking to come up with a roughly equal “net” share. This means that you add up the value of all of the property (assets) and then subtract the total amount of debt. What is left is the net value of the community estate to be divided between the parties.

For further information visit <http://www.courts.ca.gov/1254.htm>

**Paternity**

If parents are married when a child is born, there is usually no question about parentage. The law assumes that the husband is the father and the wife is the mother, so paternity is automatically established in most cases.

But for unmarried parents, parentage of their children needs to be established legally.

In parentage cases, also called "paternity cases," the court makes orders that say who the child's legal parents are.

Establishing parentage is very important for a child. First, the child gets the emotional benefit of knowing who both of his or her parents are. And, legally, it entitles the child to the same rights and privileges as those of a child whose parents are married.

These legal rights and privileges are:

* Financial support from both parents;
* Legal documentation identifying both parents;
* Having the names of both parents on the child’s birth certificate;
* Access to family medical records and history;
* Health and life insurance coverage from either parent;
* The right to inherit from either parent; and
* The right to receive social security and veteran’s benefits, if available.

Once parentage is established, the court can make orders for child support, health insurance, child custody, visitation, name change, and reimbursement of pregnancy and birth expenses. Without establishing parentage, the court cannot make orders regarding these issues, so if one parent needs child support and the other will not pay voluntarily, the court will not be able to order child support until parentage is established.

And even if one of the child’s biological parents does not have any money or a job to support the child or does not want to be involved in the child’s life, it is still a good idea to establish parentage. The benefits to a child of establishing parentage go far beyond the financial issues as the list above shows and include things like allowing the child to get child support or health insurance later on, when the other parent gets a job or is in a better financial situation.

For further information visit <http://www.courts.ca.gov/selfhelp-parentage.htm>

**Separation**

There are three options for ending a marriage or a registered domestic partnership in California: divorce, legal separation, and annulment.

**Divorce**

A divorce (also called “dissolution of marriage” or “dissolution of domestic partnership”) ends your marriage or domestic partnership (or both if you are both married and in a domestic partnership with your spouse). After you get divorced, you will be single, and you can marry or become a domestic partner again.

You can get a divorce if you say you have “irreconcilable differences” with your spouse or domestic partner. You do not have to give the court any other reason or prove anything. There is no “guilty” or “non-guilty” person, from the court’s point of view. That is why California is called a “no-fault” divorce state.

The only thing the court is interested in is helping the separating spouses or partners reach a fair agreement about how their life will be restructured after the divorce so they can move ahead to rebuild their lives.

When you start a divorce case, you can ask the judge to make orders about:

* Custody and visitation;
* Child support;
* Spousal or partner support;
* The division of your property; and
* Who will be responsible for paying debts.

If lawyers are involved, you may be able to get orders about who will pay their fees. You can also ask the judge to make other orders about things like domestic violence.

The divorce process will take at least 6 months from the date the person filing for divorce officially lets his or her spouse or domestic partner know about the divorce. The case can take longer. BUT it cannot be faster than the 6 months. This is a mandatory waiting period required by California law and no couple can be divorced faster than 6 months. You will be able to get all your paperwork turned in to the court and your divorce judgment approved, but the divorce itself will not be final until at least 6 months after starting the case.

**Legal Separation**

If you cannot (or do not want to) get a divorce, you can ask the judge for a legal separation.

A legal separation does not end a marriage or domestic partnership. You cannot marry or enter into a partnership with someone else if you are legally separated (and not divorced). If you ask for a legal separation, you may be able to change to a divorce case later if you meet certain requirements.

A couple may decide they want to file for legal separation instead of divorce because:

* They do not want to get a divorce but want to live apart and get orders from the court about money, property, and parenting issues.
* They do not want to get a divorce for religious reasons.
* They do not want to get a divorce because of their personal beliefs.
* They do not meet the required residency requirements to file for divorce in California, and they cannot or do not want to wait to get the process of separating started.
* They do not want to divorce because of financial reasons (like, to keep 1 spouse or partner on the other’s health insurance plan or to keep certain benefits that require a couple to remain married).

Like with a divorce, when you get a legal separation, you can ask the judge to make orders about:

* Custody and visitation;
* Child support;
* Spousal or partner support;
* The division of your property; and
* Who will be responsible for paying debts.

If lawyers are involved, you may be able to get orders about who will pay their fees. You can also ask the judge to make other orders about things like domestic violence. Learn more about [domestic violence and staying safe](http://www.courts.ca.gov/selfhelp-domesticviolence.htm).

To get a legal separation, you follow the same basic process used for a divorce.

There is a quick, easy way to get divorced called “summary dissolution”, which is rather a shorter method. You will not have to go to court and you may not need to hire a lawyer. But remember: it is in your best interest to see a lawyer about ending your domestic partnership.

Not everyone can get a summary dissolution. Most people have to get a regular divorce.

Remember, with domestic partnerships registered in California, you do not need to meet any residency requirements, so you can file your summary dissolution in California even if neither one of you still lives in California.

Keep in mind that a summary dissolution is a divorce, NOT a legal separation.

**Nullity**

An annulment (or “nullity of marriage” or “nullity of domestic partnership”) is when a court says your marriage or domestic partnership is NOT legally valid. After an annulment, it is like your marriage or domestic partnership never happened because it was never legal.

A marriage is NEVER legally valid when it is:

* Incestuous (between close blood relatives), or
* Bigamous (where a spouse is already married to, or in a domestic partnership with, someone else).

Other marriages and partnerships can be declared “void” (invalid) because:

* One of the people was under 18 years old at the time of the marriage or domestic partnership.
* One of the people got married or registered a domestic partnership as a result of force or fraud or while physically or mentally incapacitated.
* Either side was already legally married or in a registered domestic partnership. This is different from bigamy (which is automatically illegal) because in this case, the marriage or domestic partnership took place after the former spouse or domestic partner was absent for 5 years and not known to be living or generally thought to be dead.

To get an annulment, you must be able to prove to the judge that 1 of these reasons is true in your case. This makes an annulment case very different from a divorce or a legal separation. “Irreconcilable differences” are not a reason for getting an annulment.

Keep in mind that getting an annulment does not depend on how long you have been married. Even if you have been married only a very short time, you may not be able to prove to the judge that your case has 1 of the legal reasons that makes your marriage invalid.

**Same sex marriage**

Relationships are not routine they are different and lead to many path. Similarly, marriage works for some couples, domestic partnership or cohabitation may work better for others. Fortunately, California law is evolving to provide protection to couples and individuals in these situations.

Same-sex marriage refers to a legally recognized marriage between two spouses of the same gender. Since the Supreme Court's decision same-sex spouses have the same rights and benefits as [legally married](http://family.findlaw.com/marriage/marriage-law-overview.html) opposite-sex couples, including tax relief, [emergency medical decision-making power](http://dictionary.findlaw.com/definition/power-of-attorney.html), access to domestic relations laws, spousal benefits (including workers' compensation), [inheritance rights](http://estate.findlaw.com/wills/inheritance-law-and-your-rights.html), and spousal testimonial privilege.

If you have a legal issue related to California same-sex marriage and domestic partnership laws, speak with us. As a Certified Family Law Specialist, we know how to make sure your rights are protected as an individual or a couple, no matter what your relationship looks like. We extend paid legal services to same-sex couples and domestic partners in orange county and neighboring areas.

**DOMESTIC VIOLENCE**

**Other Services**

**Estate planning**

We assist clients requiring support in Estate Planning to execute wills and Trust deeds. We enable to evolve customized estate plan, draft a will, health care directives and draft other essential documents to keep it legally compatible, futuristic in tune with the evolving laws and stipulations.  As we plan estates we suggest methods that are reasonable approach to a specific estate planning problem or issue. We enable the following:

**Wills**

A will is a document that expresses where you would like your property to go at your death. These documents require strict formalities to be valid.  If a formality is not followed, the will can be void. The manner in which it is signed must adhere to a very strict procedure.  This is not the place for do-it-yourself documents. The plan outlined in your will does not become operative until your death and your will only works on property that stands in your name alone.  Wills can be amended or revoked before death as long as you are competent. Additionally, it can name guardians and conservators for minors and/or can establish a trust to protect minors or disabled children.  A will is not effective unless probated at death.  This probate process does involve both the court and lawyers. The wills could also include designation of beneficiaries and the tenancy of ownerships.

**Revocable living trusts**

A revocable living trust is a signed agreement between you and whoever will be your trustee.  You can be your own trustee if you wish. It states what happens to your property during your lifetime (the trustee will hold it, invest it, pay your bills, give back to you if you want it back, etc.)  Then, at disability or death the trust designates a new trustee or trustees to take over, and at death the trust instructs trustee to pay your final bills, pay taxes, and distribute what is left to your beneficiaries.

An estate plan using these trusts have a two stage process.  First, you must get documents correct and signed. Secondly, you must transfer all of your assets to the trust.  It is very important to get all assets transferred as major benefits are lost if assets are missed.

All plans involving revocable trusts should also have a pour over will.  This is a will that leaves everything to your trust.  This will serve as a safety net in case you forget to place some assets in your trust, but it is generally hoped that this will is not needed at death because all assets will already be in the trust.

You are welcome to visit or contact us for planning your estate and preparation of requisite documents as detailed above.

**Contact us**

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| The Team | family law litigationspecializes in  child custody, visitation, child support, spousal support, division of assets/debts, paternity, separation, nullity, same sex marriage, etc | Government Legal agencies in California |  | Law Office of Maxine Ho  The Theme Building  540 N. Golden Circle Dr. Suite 214, Santa Ana, CA 92705  Tel. 714-340-7282  Fax. 714-242-9831 Maxine@MaxLaws.com |
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| Values | Other specializations |  |  |  |