

**Community Property
in the
United States**

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Community Property in the United States

Eighth Edition

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Preface

According to the 2010 Census, more than 308 million people live in the United States. Of that population, approximately 92 million people reside in Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, and Wisconsin. Put another way, almost thirty percent of the United States population lives in a community property or marital property jurisdiction. Given the nomadic nature of modern society, even more individuals are impacted by community property laws. As spouses move from state to state, they acquire community property while working in Houston, Los Angeles, New Orleans, or Seattle, even if they do not ultimately remain in the city. A son living in Oklahoma may be affected by community property when his mother passes away in New Mexico. A New York investor who acquires a mineral interest in northern Louisiana may not realize that community property laws may affect her profits. Understanding how community property operates is of growing importance for lawyers and laymen alike.

This book strives to provide an in-depth analysis of community property law in each of the eight community property states—Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, and Washington—and the one marital property state—Wisconsin. In doing so, readers may view the book as being grouped into five main subjects: Chapters 1 and 2 give an overview of what is community property; Chapters 3 through 13 examine different issues that arise in classifying property as community or separate; Chapters 14 through 17 highlight topics concerning the management of community property; Chapters 18 through 20 concern how community property is divided at the dissolution of the community; and Chapters 21 and 22 address external impacts on community property regimes.

As with past editions, the cases and statutes have been edited to facilitate teaching. Editorial omissions from cases are not noted by ellipses in order to save space and minimize confusion. Pertinent footnotes in cases have been retained by using the same number the footnote had in the original opinion. Notes of the editors are denoted by an asterisk.

Sally Brown Richardson
January 2015

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