**LAW 12**

**MARRIAGE MINI-CASES**

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| **NAME:** |

Determine whether or not the following scenarios include a valid or invalid marriage.

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| **SCENARIOS** | **VALID MARRIAGE? YES OR NO** | **IF NOT, WHY NOT?** |
| 1. Toshi and Barry plan to be married in an evening ceremony. On the afternoon of the wedding, friends take Barry out to a bar to celebrate. Barry consumes a great deal of alcohol and arrives at the ceremony completely intoxicated. |  |  |
| 1. Nadene is the youngest of six children. All of her siblings agree to arranged marriages, but Nadene wants to marry someone of her own choice. Her parents have been pressuring her to marry a man whose family has paid them a large dowry. Nadene finally gives in and reluctantly goes through with the wedding ceremony. |  |  |
| 1. Rick and Simone began dating almost two years ago. Rick is now 19, and Simone is 17. Simone becomes pregnant, and the two decide to elope. Simone lacks parental consent, but asks a friend to sign her mother's name on the marriage-license application. |  |  |
| 1. Sandi has been secretly dating Harold since the two were in grade 10. They are now both 20 years old and have decided to get married. Sandi's parents object because they do not approve of Harold. They insist that the marriage is invalid. |  |  |
| 1. Maude and Travis are married in a religious ceremony in June and in a civil ceremony in July. Travis is diagnosed with Alzheimer's disease in November of that year. |  |  |
| 1. Lisa is 19 years old. Her dad divorced her mom, and subsequently remarried. Lisa's new stepmom has a 20 year-old son named Fabio. Lisa and Fabio fell in love and plan to marry. |  |  |
| 1. Trish and Timmie had a perfect wedding ceremony. They are deeply in love, and excited to start their lives together. The couple have not been sexual partners. On their wedding night, Trish discovers that it is not physically possible for Timmie to consummate the marriage because of a BMX racing accident when he was 10 years old. |  |  |

**Read Merchant v. Dossani (2007) on page 491 of the text *Law in Action* and answer questions 8-10.**

1. Why would the courts be reluctant to declare a marriage invalid even if it were entered into for a fraudulent reason?
2. How did the issue of collusion enter into the Judge's decision?
3. If you were the Judge, how would you have determined the case?

**Read C.M.D v. R.R.S. (2005) on page 491 of the text *Law in Action* and answer questions 11-12.**

1. Explain the difference between a marriage that is void *ab initio* and a voidable marriage.
2. How could this marriage be ended?