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## Divorce, Annulment of Marriage and Separate Maintenance

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DIVORCE, ANNULMENT OF MARRIAGE AND SEPARATE MAINTENANCE.

By Warren R. Torrington, (privately printed, 1949) \$10.

The author of this book, a member of both the Colorado and New York bars, in the second sentence of his *Preface* makes a statement with which this reviewer is in complete accord. Therein he set forth, in commenting upon our Colorado law, as follows: "I discovered to my great surprise that very little had been written in the form of textbooks." He then makes a promise in the second paragraph of this *Preface* which this reviewer hopes he will be able to carry out. This expectation for the future is contained in the following language: "At last I . . . can realize my wish to write some treatises on the law of Colorado. The number of volumes which will be published will depend on the success of this first book. . . ." This review, therefore, is made with the thought in mind of what such a series should embrace, to be of maximum value to the profession, rather than simply as to what this particular little volume of 217 pages itself contains.

To me, Mr. Torrington has done an admirable job of succinctly covering his subject matter in an orderly fashion, using a minimum of words. His method of approach is to set forth briefly a summary of the decisions of the Colorado appellate courts under four general headings. Under the heading, *Divorce*, he discusses this matter in general, then each of the grounds, the defenses, practice and procedure, the decree, the problem of costs, attorneys' fees, alimony and other temporary relief, alimony, division of property, custody and support of minor children. *Annulment* is next treated in much the same manner. *Separate Maintenance* is discussed under similar subheadings. The fourth section deals with the important matter of *Separation Agreements*. The final subdivision is a collection of 73 forms, ranging from the familiar summons and ordinary form of complaint to commissioner's conveyances and separation agreements.

The author does not attempt to indulge in any philosophical or sociological approach to the subject or in any way comment on the decisions of our courts or to tell you how to present or try a case involving divorce. His approach is to say: here are the cases on the subject and here is briefly what these cases hold. It is akin to the treatment one finds in a digest of decided cases, such as our own Courtright's.

His handling of the forms is in the same vein. He merely sets forth the more essential forms which he tells us have been recognized, either in our trial or appellate courts. The provisions of our statutes are briefly summarized under each topic. Cases are cited in a most satisfactory way as not only the Colorado and Pacific citations are given, but A.L.R. references are also given where the Colorado cases appear therein.

To this reviewer, it is a handy and well-indexed volume for

any judge or lawyer who wants to find quickly what our appellate courts have said on the subjects of divorce, annulment or separate maintenance. It is not a book to be used in preparing an exhaustive brief or where the court's exact words must be used. It will help you locate the cases you may need, but you will then have to read the cases themselves. It is certainly not either a case book, nor a textbook, but is more nearly like a digest. The author's description of "a treatise" is certainly the most accurate description.

Now as to some items which this reviewer would have liked included, either in this or in any future volumes:

(1) An index of cases. Often we are familiar with a case and we would like to find quickly the places in the book where it and other similar cases are discussed by the author. Then, too, we could determine whether a thorough job has been done in considering all the adjudicated cases when a statement is made as to the Colorado judge-made law on a subject.

(2) A provision for a pocket-supplement. Most of us today are wedded to this device in keeping our libraries current. A supplement every five years would probably suffice in this field.

(3) The statutes should be set out in a separate portion of the book so a reader could refer to them without the necessity of going to another book. As these are subject to change with every legislature, it would be helpful to be able to know by a glance in the same book the laws on the subject with which the court is dealing in the cases discussed.

(4) A brief summary of the statutes, regulations, rulings and decisions of the Collector of Internal Revenue would be welcome in the chapter dealing with separation agreements, although it is to be admitted this subject might have been somewhat out of the scope of the treatise.

(5) Finally, citations as to where some of the forms were taken from might be of use, although for most of the forms, they are so simple and common that it is not necessary.

In conclusion, Mr. Torrington is to be congratulated on his first treatise which the bench and bar, particularly the younger members, in cases of this character will find a useful addition to their libraries. Let us hope he publishes others, whether they contain the changes the undersigned suggests or not. We need such books in Colorado.

JOHN E. GORSUCH

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Young attorney, with one to two years experience, wanted for association with established lawyer in rural county seat. May lead to partnership possibility. Qualified applicants who are interested should submit letter of application in duplicate to bar association office. The latter has a file of newly-admitted lawyers seeking placement and solicits requisitions for personnel from the members of the association who have openings.