

EX POST

No magician – not David Copperfield, not even Harry Houdini – can produce a rabbit from a hat unless the rabbit is in the hat to begin with. Moreover, if a hat does not contain such an animal, a magician cannot claim that anything he is able to produce from it is in fact a rabbit, no matter how sincere he may be or how great his forensic skills.

Stephen S. Trott

Compassion in Dying v. State of Washington, 85 F.3d 1440 (9th Cir. 1996) (dissenting from denial of rehearing en banc)



SUM JUSTICE

SMITH V. SMITH, 938 N.E.2D 857 (IND. App. 2010)

Bob Rains

Consider the saga of Morgan and Bruce, Who were wed twenty years before he cut her loose.

Although they had children, there wasn't a fight Over who'd be the parent to get them at night.

No, the issue, of course, which made their teeth gnash Was: how would the court distribute their cash?

Before he could figure how much to allot To each, the judge tallied the marital pot.

After two decades of conjugal life, There was only six thousand 'twixt husband and wife.

The judge did his best to be generous and Awarded to Morgan eleven-plus grand.

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Bob Rains

Thus, sadly for Bruce, all he got to survive Was the remaining negative five.

Bruce didn't think this was a very fair deal And directed his lawyer to file an appeal.

He wanted a higher court to declare That Morgan could not get more than was there.

The Indiana State Court of Appeals Agreed Bruce had gotten the rawest of deals.

It ruled a divorce court, no matter how kind, Cannot grant one spouse more than it can find.



So, husbands and wives, before you've recourse, To benevolent judges in courts of divorce,

Remember they're bound by the principle that They can't conjure money out of a hat.

