

Fred and Wilma were married in 1997. Fred had just graduated from Brown University. Wilma graduated from Rhode Island School of Design a year later. Fred was the scion of a wealthy Wall Street banking family. Wilma was the daughter of struggling artists from Los Angeles. Loving the Rhode Island seashore, they settled in Westerly. Fred, a marketing major, got a job with Citizens Bank and quickly progressed up the ranks. Wilma, a visual arts graduate, started a video production studio, *Flintstone Funnies, Inc.*, which bought a vacant building in Wakefield. The business made enough money to finance the enterprise, but little else. In 2001, Fred and Wilma had a daughter, Elsa. As the video production venture was not profitable, Wilma closed the studio and devoted herself to caring for Elsa. However, hoping to revive *Flintstone Funnies, Inc.* someday, she was able to rent the building, keeping up with mortgage, taxes and other expenses of the property. She also continued to receive royalties and residual payments on videos produced by *Flintstone Funnies, Inc.*

In 2005, Fred's father died. He left Fred a substantial inheritance. Fred and Wilma were thrilled. They could finally afford to buy their dream house. They purchased a waterfront home in Narragansett and used a portion of Fred's inheritance to make a substantial down payment. They took the deed in both Fred and Wilma's name. Fred split the balance of his inheritance, putting half in a joint bank account with Wilma and the rest in an investment account, in his name alone. In 2007, another baby came along - a son, they named Rocky. Rocky was a fussy baby. He cried incessantly. The fussier he was, the more cranky Wilma became and the later Fred would come home from work. To escape the chaos at home, Fred began stopping for cocktails after work. Soon one cocktail led to another. When Fred arrived home he was often inebriated. These drunken arrivals led to bitter arguments. On several occasions, Fred pushed Wilma away. Once she fell hard on the tile floor and suffered a concussion. Elsa would hear the loud voices and wander downstairs to investigate. Sometimes, her sad crying would shock her parents into silence. Obviously things were deteriorating at home.

Although Fred was drinking, his career did not suffer. After ten years at the bank Fred was promoted to regional manager and his pension vested. As the pressure at home and at work increased, his drinking increased. His investment account soared from 2005 to mid 2008. Although Fred and Wilma argued constantly, Fred was a good provider. Flush with money, Fred bought a Corvette. Elsa loved the Corvette. In July 2008, Fred took Elsa out for a ride in the Corvette. They stopped to eat and Fred had a two martini lunch. On the way home, Fred collided with another vehicle. Neither he nor Elsa were hurt, But Wilma smelled the alcohol on his breath when she came to the accident scene to pick up Elsa.

Wilma immediately made plane reservations for LA. She told Fred she was taking the children to her parents' home for a vacation. Before she left she signed a complaint for divorce. Shortly after she arrived, Fred was served. Wilma's parents were no longer struggling. They were successful in the movie business. They promised to get Wilma a job in the video production business and help her with childcare. Wilma wanted a divorce, equitable distribution, alimony, child support, custody and possession of the children and permission to relocate to LA. Fred vigorously opposes the relocation.

You are the judge:

1. What is in the marital estate? What, if anything, is not?
2. What factors will you consider in distributing the marital estate?
3. How will you distribute the marital estate? Why?
4. Should Wilma get alimony?
5. What are the factors you will consider in deciding the relocation issue?
6. What will you decide on the relocation issue and why?