I. INTRODUCTION:

A. This course presents fundamental concepts of family law including formal and informal marriages, divorce, annulment, martial property, and the parent-child relationship with an emphasis on the paralegal’s role in family law.

B. LGLA 1355, Family Law, is a required course in the Legal Assistant degree program.

C. This course is occupationally related and serves as preparation for careers in law.

D. Prerequisites: None

II. LEARNING OUTCOMES

General Objectives

Upon successful completion of this course, Family Law, the student will:

A. Define and properly use terminology relating to family law.

B. Locate, describe, and analyze sources of law relating to family law.

C. Describe the role and ethical obligations of the paralegal in family law.

D. Draft documents commonly used in family law.

Student Outcomes:

A. To demonstrate knowledge of the substantive and procedural laws and legal principles that governs the area of family law.

   Measure: Students will take quizzes, mid-term and final examinations following lectures and discussions relating to family law.

   Standard: At least 80% of all students will receive a grade of “C” or better for this project.

B. To demonstrate the ability to locate, analyze and apply relevant sources of law to legal issues in a family law case file.
Measure: Students will research primary and secondary sources of law on behalf of a hypothetical family law client and report their results in a properly formatted legal memorandum.

Standard: At least 80% of all students will receive a grade of “C” or better for this project.

C. To demonstrate the ability to apply critical thinking skills to a family law case file.

Measure: Students will utilize information obtained from a hypothetical client, as well as financial and other pertinent documents, to prepare an Original Petition for Divorce.

Standard: At least 80% of all students will receive a grade of “C” or better for this project.

III. INSTRUCTIONAL MATERIALS

A. The instructional materials identified for this course are viewable through www.ctcd.edu/books

B. Additional references may be required that are available in the Central Texas College library or as identified by the instructor.

IV. COURSE REQUIREMENTS

A. Reading Assignment:
As assigned by Instructor.

B. Projects, Oral Reports, Case Studies, Book Reports, Research Papers:
Students will be expected to complete and submit all assigned projects, reports, and other assignments as indicated by the Instructor.

C. Class Performance:
All students are required and expected to maintain the highest standards of scholastic honesty in the preparation of all course work and during examinations. For a description and consequences of scholastic dishonesty see the Central Texas College Catalog.

D. Class Participation:
The Student is expected to be on time for class, to have read the assigned materials, and be prepared to discuss the assignment in class. All persons must be present on exam day unless properly excused in advance. Students who are late for or absent from class have the absolute responsibility for obtaining the missed information. Students will be expected to take all scheduled examinations
in the class period in which they are assigned.

Students are expected to observe the Central Texas College policy for attendance as explained in the current catalog. ***Three unexcused absences warrant administrative withdraw at instructor’s discretion. If a student has more than three unexcused absences, it is the student’s responsibility to approach this issue with the professor.

***If a student is absent or anticipates being absent, he or she must send an email to the instructor (at instructors email address) with any supporting materials/excuses absence.

Please do not call me to inform me you may not be in class. All excuses and other correspondence about an absence need to be in writing, so I can keep a written record.

Please try to be ON TIME to class. A minute or two is permissible, but I will keep track of people who continually make me stop instruction to account for their presence. I will also do my very best to be prompt. In the event that I am a few minutes late, please remember that students should assume class will still take place unless they have heard from me or (since I am a professor with a doctoral degree) if I am more than 15 minutes late for class.

E. Each student is expected to act in a manner consistent with the College’s functions and goals as an institution of higher education. The Board of Trustees of Central Texas College states the following examples of misconduct constitute an interference with the lawful and orderly use of college premises, facilities, and activities for which students may be subject to disciplinary action. This is not an all-inclusive list of prohibited behavior.

a. Interference with teaching, research, administration or CTC’s other responsibilities through disorderly conduct or disruptive behavior. This includes the use of or ringing of cell phones in the classroom. The instructor has the right to ask the student to leave the classroom and if the incident is repeated, the instructor has the right to ask the student to leave the class.

b. Refusing to depart from any property or facility of the College upon direction by College officials.

c. Common Courtesy: Please do not text during class. It’s rude.

d. Food and drinks are prohibited in the classroom.

e. Cameras/Camera Phones/Webcams: Any video or photographic recording is strictly prohibited without prior express approval from the instructor.
For more information on Non-Academic Misconduct please see the Student Handbook.

F. Academic Dishonesty: The College and its official representatives may initiate disciplinary proceedings against any student accused of any form of academic dishonesty. Academic dishonesty includes, but is not limited to, cheating on academic work, plagiarism and collusion.
   a. Cheating on academic work includes:
      1. Copying another student’s test paper, research paper or term paper.
      2. Using materials during a test that are not authorized by the test administrator.
      3. Collaborating with another student during a test or in academic preparation without permission.
      4. Using, buying, selling, stealing, transporting, or soliciting the contents of an unadministered test.
   b. Plagiarism is defined as presentation for credit as one’s own idea or product derived from an existing source.
   c. Collusion is defined as the unauthorized collaboration with another person in preparing written work for credit.

   All questions of academic dishonesty are reviewed by the faculty member. If the student does not accept the decision of the faculty member, the student may appeal to the department chairperson. If the student disagrees with the decision of the department head, the student’s case will be referred to the Dean of the Central Campus. The student will be allowed to remain in class until the process is exhausted except when immediate suspension or expulsion is deemed necessary for the continuance of the educational mission or when the safety of persons or property is in jeopardy. (See Student Handbook for more details.)

G. Feedback is the return of data about the result of a process. Feedback will be provided via test scores, graded assignments, and/or instructor evaluation of the students’ progress. Each student is encouraged to take advantage of the many avenues for feedback available to them. For example, office hours are established primarily to provide students access to their instructors to discuss their academic performance, to answer their substantive questions, and in some cases, to give them other academic guidance. While adjunct faculties do not normally have office hours, they are generally available before or after class to meet with you. E-mail is another easily available medium to obtain feedback. Additional feedback may be provided at the discretion of the instructor or upon the request of the student.
V. EXAMINATIONS (CC1, 2) **This may be changed.**

There will be a minimum of two exams for this course. The Instructor may substitute a writing project or report for one or more exams.

VI. SEMESTER GRADE COMPUTATIONS

As per instructor’s notes

VII. NOTES AND ADDITIONAL INSTRUCTIONS FROM COURSE INSTRUCTOR

A. Withdrawal from course: There are occasions when it may be necessary to drop a course. In order to be officially withdrawn from the course, a student must obtain and complete a withdrawal form and have it signed thereon. The student's transcript will show "W" or "F", depending on whether the student is passing or failing in his course at the time of withdrawal.

- Friday of 3rd week for 5-week courses
- Friday of 4th week for 6-week courses
- Friday of 6th week for 8-week courses
- Friday of 7th week for 10-week courses
- Friday of 9th week for 12-week courses
- Friday of 12th week for 16-week courses

B. An Administrative Withdrawal: Results when a student is absent an excessive number of times, as defined in the current Central Texas College Catalogue and/or other published amendatory documentation. In such a case, the student is dropped from the course with a grade of "F".

C. An Incomplete Grade: May be given only in those cases where, because of personal illness, death in the immediate family, school sponsored trip, or military orders, the student is unable to complete the final examination for a course. Prior approval from the instructor is required before the grade of “IP” is recorded. A student who merely fails to show for the final examination will receive a zero for the final and “F” for the course.

D. Cellular Phones and Beepers: Cellular phones and beepers will be turned off while the student is in the classroom or laboratory.

E. American’s with Disabilities Act (ADA): Disability Support Services provides services to students who have appropriate documentation of a disability. Students requiring accommodations for class are responsible for contacting the Office of Disability Support Services (DSS) located on the central campus. This service is available to all students, regardless of location. Explore the website at [www.ctcd.edu/disability-support](http://www.ctcd.edu/disability-support) for further information. Reasonable accommodations will be given in accordance with the federal and state laws through the DSS office.
F. Instructor Discretion: The instructor reserves the right of final decision in course requirements.

G. Civility: Individuals are expected to be cognizant of what a constructive educational experience is and respectful of those participating in a learning environment. Failure to do so can result in disciplinary action up to and including expulsion.

H. Nonattribution Policy: In order to facilitate the free flow of information, no statements of personal opinion by the instructor concerning lawyers, judges, cases, or the legal system may be attributed to the speaker and is meant to be a confidential communication. This educational institution encourages complete freedom of expression in all academic endeavors. Comments made by instructors and students will not be attributed to them in any public forum or to any individual likely to transmit such statements to a public forum. However, participation in CTC academic events does not create a category of privileged communication. Our nonattribution policy protects all participants in our program—staff, faculty, students, speakers, and other guests—against having their remarks and opinions publicly quoted or otherwise attributed to them without their express consent; allows such statements to be discussed, away from CTC—provided care is taken to avoid publicly identifying the speaker; and encourages speakers to be responsible for the substantive content of their statements.

VIII. COURSE OUTLINE

A. Unit One: Chapters 1-3: Introduction to Family Law and Practice; Ethics and Malpractice; Compiling a Family History

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
   a. Discuss Family Law in the twenty-first century.
   b. Describe Family Law in your state
   c. Discuss the dynamics of working in a family law office.
   d. Describe being disciplined by the bar association for unethical conduct and other ethical considerations in a family law practice.
   e. Discuss being sued in court for malpractice.
   f. List questions, which could be asked during a preliminary interview.

2. Learning Activities:
   a. Classroom lecture and discussion (FA4, 5)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)
3. Lesson Outline:
   a. The scope and skills of a Family Law practice.
   b. The dynamics of working in a Family Law Office.
   c. Ethics and malpractice
   d. Preliminary Legal Interview

B. Unit Two: Chapters 4 - 6: Premarital Agreements and Cohabitation Agreements; Traditional Marriage and Alternatives; Annulment

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
   a. List possible kinds of arrangements that are made prior to and during a marriage.
   b. Discuss premarital agreements and cohabitation agreements.
   c. Distinguish between traditional marriages and alternatives
   d. Discuss the legal issues prior to a marriage.
   e. Define annulment, divorce and legal separation

2. Learning Activities:
   a. Classroom lecture and discussion (FA4, 5)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)

3. Lesson Outline: Follow the sequence of the unit objectives.
   a. Breach of promise to marry
   b. Marriage
   c. Annulment

C. Unit Three: Chapters 7 & 8: Divorce Grounds and Procedure, Spousal Support, Property Division, and the Separation Agreement

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
   a. List the grounds for divorce.
   b. Discuss judicial separation.
   c. Discuss the jurisdictional and domicile issues involved in divorce
   d. List the steps in a divorce proceeding
   e. Draft legal documents involved in divorce
   f. Discuss alternative dispute resolution.
   g. Discuss spousal support, property division, and separation agreements.
2. Learning Activities:
   a. Classroom lecture and discussion (FA4, 5)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)

3. Lesson Outline: Follow the sequence of the unit objectives.
   a. No fault grounds for divorce
   b. Fault grounds for divorce
   c. Defenses
   d. Domicile and jurisdiction
   e. Pre-trial matters
   f. Trial
   g. Enforcement
   h. Alternative Dispute Resolution (ADR)
   i. Separation Agreements
   j. Tax consequences of separation

E. Unit Four: Chapters 9 & 10: Child Custody; Child Support

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
   a. Discuss child custody and support.
   b. Apply state guidelines to fact situations
   c. Discuss the custody decision-making factors
   d. Discuss visitation issues and the law

2. Learning Activities:
   a. Classroom lecture and discussion (FA4, 5)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)

3. Lesson Outline: Follow the sequence of the unit objectives.
   a. Child Custody
   b. Child support

F. Unit Five: Chapters 11 – 12: Tax Consequences of Separation and Divorce, and the Legal Rights of Women.

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
   a. Analyze and discuss the role of Tax Law in the bargaining process.
   b. Discuss Alimony and property division.
   c. Discuss legal and related fees in obtaining a divorce, innocent spouse relief and marriage penalty.
   d. Analyze and discuss the status of women at common-law.
2. **Learning Activities:**
   a. Classroom lecture and discussion (FA4, 5)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)

3. **Lesson Outline:** Follow the sequence of the unit objectives.
   a. Tax Law
   b. Alimony and property division
   c. Legal and related fees innocent spouse relief and marriage penalty
   d. Women at common-law

G. **Unit Six:** Chapters 13 - 15: Illegitimacy and paternity proceeding; The Legal Status of Children and Adoption

1. **Learning Outcomes:** Upon successful completion of this unit the student will be able to:
   a. Analyze and discuss illegitimacy and its legal effects
   b. Discuss legitimation and paternity.
   c. Analyze and discuss the legal status of children
   d. Distinguish between the various methods of adoption
   e. Describe the adoptive process
   f. Discuss the consequences of adoption.

2. **Learning Activities:**
   a. Classroom lecture and discussion (FA4,5)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)

3. **Lesson Outline:** Follow the sequence of the unit objectives.
   a. Illegitimacy and Paternity Proceedings
   b. The legal status of children
   c. Adoption

H. **Unit Seven:** Chapter 16: The New Science of Motherhood.

1. **Learning Outcomes:** Upon successful completion of this unit the student will be able to:
   a. Analyze and discuss the status of frozen embryos.
   b. Describe Stem-Cell research
   c. Discuss surrogacy contracts.

2. **Learning Activities:**
   a. Classroom lecture and discussion (FA5, FB3, 4)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)
3. **Lesson Outline:**
   a. The status of frozen embryos
   b. Stem-cell research
   c. Surrogacy contracts

I. **Unit Eight: Chapter 17 Torts and Family Law**

1. **Learning Outcomes:** Upon successful completion of this unit the student will be able to:
   a. Describe Intrafamily Torts
   b. Discuss Wrongful Live, Birth, and Pregnancy
   c. Describe and discuss vicarious liability of family members

2. **Learning Activities:**
   a. Classroom lecture and discussion (FA4, 5)
   b. Student homework and study (CA1, CC1, 2, CA1)
   c. Reading Assignments (FA1, CA1)

3. **Lesson Outline:**
   a. Different intrafamily torts
   b. Wrongful Life, Birth, pregnancy, wrongful adoption
   c. Other torts and vicarious liability of family members

Other time blocks not specifically allocated above are spent with introductory topics, administrative matters, exams, and review classes (both before and after exams).
SUGGESTIONS FOR ASSIGNMENTS

1. Have students brief several family law cases and discuss them in class.

2. Guests. Invite adoption agency personnel, social worker, Planned Parenthood/Right-to-Life speakers, or a family law judge or paralegal.

3. Draft a petition for divorce.

4. Draft a petition for adoption.

5. Draft a cohabitation agreement.

6. Draft a premarital agreement.