

**SOCIOLOGY 310
FAMILY AND THE LAW
SPRING SEMESTER 2007**

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(Please identify yourself as a student in the subject line until I learn names)
Office Hours By Appointment

Texts: D. Kelly Weisburg, Family Law, Emanuel Law Outlines, 2004
Robert E. Oliphant & Nancy Ver Steegh, Family Law, Examples & Explanations,
2004

Overview: Many contemporary scholars identify several principle areas as fundamental to the field of family law. First, family law addresses issues centered on the formation and dissolution of various family relationships, namely, marriage, divorce and, more recently, procreation and alternative families. Second, family law examines the law that governs the rights, obligations and responsibilities that flow from family relationships, including but not limited to relationships between parent and child, spouses, and other third parties, as well as medical decision-making, neglect and abuse.

Students will have an opportunity to learn how family law and related issues is formed, interpreted and practiced, and to learn how law emerges from the social fibers of our society, attempting to evolve as social standards, mores and technology evolves. Students are expected to read and understand the assignments, using analytical skills of legal reasoning. While some legal education will be helpful, it is not absolutely necessary.

Please note that attendance in class is a vital component if you expect to do well. This is an upper-level four credit course and a lot of ground is covered in each class, since we only meet once a week.

Course Requirements:

1. Examinations: There will be one mid-term examination and a final examination, based upon all reading assignments, lectures, class discussions, videos and guests lecturers. The mid-term is scheduled for February 27th. The college will schedule the final exam.

2. Quizzes: There will be 10 short quizzes, graded as 10 points each, for a total of 100 points. Some will be in class, some take home, some open book, some closed book.

Each will be announced in class prior to the quiz date. ANY OUT-OF-CLASS ASSIGNMENTS TURNED IN LATE WILL RESULT IN AN AUTOMATIC ONE POINT DEDUCTION FOR EVERY DAY THE ASSIGNMENT IS TURNED IN LATE.

3. Course Project/Term Paper: The instructions, a set of facts and team assignments will be distributed by the second class and the project is to be completed and turned in by the last class on March 24th. The fact pattern contained in the project will also be used throughout the course for discussion and resolution of potential issues, argument of positions on the issues and application of the law. The fact pattern is susceptible to change as additional information develops throughout the course and if the positions of the parties change (and possibly because parties don't always tell the whole story or disclose pertinent facts).

4. Class Participation: This is not strictly a lecture course. It is, therefore, very important for students to come to class prepared to discuss the assigned reading material. Please pay particular attention to the assigned readings as set forth on the Schedule of Classes below. Even though this class meets only once per week, the four course credits given dictate the amount of material to be covered. You should view the one class per week as if we were meeting twice per week. Remember the college rule of thumb – preparation time for the class should be at least double the amount of class time. BRING YOUR TEXTBOOKS AND ALL HANDOUTS TO CLASS. Remember – class participation is 10% of your final grade so, obviously, lack of attendance can result in a poor class participation grade.

Please note that since this is an evening class, daytime college events generally do not result in class being cancelled. I will do my best to notify everyone via email in the event class must be cancelled for any reason but do not assume that if daytime classes are cancelled, evening classes are cancelled as well. You should read your email regularly and also consult the college website, especially for weather-related cancellations.

GRADING:

	Percentage of Total Grade
Mid-term examination	25
Final Examination	25
Course Project/Term Paper	25
Quizzes	15
Class Participation	10

SCHEDULE OF CLASSES AND ASSIGNMENTS – 2007

January 16 – INTRODUCTION TO THE FAMILY, THE COURT SYSTEM AND THE FORMATION OF LAW

January 23 – HISTORY AND DEVELOPMENT OF FAMILY LAW: THE LAW OF MARRIAGE

Quiz 1

Emanuel - Chapter 1: pages 1-7

Chapter 2, section I: pages 9-14 (up to section II)

Chapter 2, section III A: pages 21-24

Chapter 2, section III B 2: pages 32-47

Oliphant - Chapter 1: pages 1-29 (1.1 - 1.35)

pages 34-36 (1.42 – 1.43)

January 30 – BEING MARRIED AND PARENTING; ALTERNATIVE FAMILIES

Quiz 2

Emanuel – Chapter 2, section III B: pages 24-32

Chapter 3, sections I, II, III, IV A: pages 55-76

Chapter 4, section I: pages 91-107

Oliphant – Chapter 1: pages 29-36 (1.36-1.43)

Chapter 15: pages 259-277

February 6 – ANNULMENT AND THE LAW OF DIVORCE: GROUNDS, JURISDICTION AND PROCEDURE

Quiz 3

Emanuel - Chapter 2, section IV and V, pages 47-50

Chapter 5, sections I-IV, pages 111-122

Chapter 5, sections VIII and IX, pages 127-134

Oliphant - Chapter 2: pages 36-52

Chapter 3: pages 53-71

Chapter 4: pages 73-88 (4.1-4.14)

February 13 - LAW OF DIVORCE: WHAT HAPPENS TO THE PROPERTY? WHAT IS SPOUSAL SUPPORT AND ALIMONY?

Quiz 4

Emanuel - Chapter 6, section I A and B, pages 139-158

Oliphant - Chapter 4: pages 93-95 (4.18-4.20)

Chapter 11: pages 197-212

Chapter 12: pages 213-224

Chapter 13: pages 225-241

February 20 - PREMARITAL AND POST-MARITAL AGREEMENTS

Quiz 5

Emanuel - Chapter 2, section II: pages 14-20

Chapter 6, sections IV and V: pages 175-178

Oliphant - Chapter 14: pages 243-258

Handout - Simeone v. Simeone

February 27 - Mid-term Examination (Absent genuine emergency, requests to reschedule will not be granted)

March 3 - March 12 - SPRING BREAK - ENJOY! BE SAFE!

March 13 - CHILD CUSTODY: PARENT V. PARENT V. THIRD PARTIES

(no quiz)

Emanuel - Chapter 7, sections I, II, III, IV, V: pages 183-207

Oliphant - Chapter 5: pages 97-113

Chapter 8: pages 147-158

Handout - Troxel v. Granville

March 20 - CHILD CUSTODY: JURISDICTION, ENFORCEMENT AND RELOCATION

Quiz 6

Emanuel - Chapter 7, sections VII and VIII: pages 207-215

Oliphant - Chapter 6: pages 115-131

Chapter 7: pages 133-146

Handouts: Gruber v. Gruber; Plowman v. Plowman

March 27 - CHILD SUPPORT: WHO SUPPORTS THE CHILDREN AND WHY

Quiz 7

Emanuel - Chapter 6, section I C: pages 158-175

Oliphant - Chapter 9: pages 159-178

Chapter 10: pages 179-196

April 3 - LEGAL RIGHTS OF WOMEN AND CHILDREN: DOMESTIC VIOLENCE AND CHILD MALTREATMENT

Quiz 8

Emanuel - Chapter 3, section IV C 4: pages 80-85

Chapter 9: pages 253-280

Oliphant - Chapter 20: pages 349-360

Chapter 21: pages 361-374

ON RESERVE IN THE LIBRARY: Movie: "Sybil" - based on a true story

(Please note that two copies of the movie will be on reserve shortly after the spring break so that there will be plenty of time to view it)

April 10 - LAW OF ADOPTION AND TERMINATION OF PARENTAL RIGHTS;
PATERNITY

Quiz 9

Emanuel - Chapter 11; pages 303-323

Oliphant - Chapter 16: pages 279-294

Chapter 17: pages 295-313

Chapter 21: pages 374-378 (21.25-21.29)

April 17 - MAKING MEDICAL DECISIONS FOR THE FAMILY AND THE NEW
SCIENCE OF MOTHERHOOD

Quiz 10

Emanuel - Chapter 8: pages 217-249

Oliphant - Chapter 18: pages 315-335

ON RESERVE IN THE LIBRARY - Nancy Beth Cruzan, by her
Parents and Co-Guardians v. Director, Missouri Department of
Health

(This will also be on reserve shortly after the spring break and
there will be several copies)

April 24 - GETTING UP TO DATE! REVIEW!

Final examination set by the college

PLEASE NOTE THAT DURING THE COURSE OF THIS CLASS, YOU CAN ALSO
EXPECT THE FOLLOWING:

1. Videos
2. Guest Speakers
3. Interactive Class Exercises and Role Play
4. Additional Handouts

All will be announced in class.

I WELCOME OUT-OF-CLASS QUESTIONS. IN ADDITION, IF ANYONE NEEDS
EXTRA HELP, I WILL MAKE ARRANGEMENTS TO MEET WITH YOU. I CHECK
MY EMAIL DAILY SO PLEASE DO NOT HESITATE TO CONTACT ME. IN THE
EVENT OF AN EMERGENCY, FEEL FREE TO CONTACT MY OFFICE AND
ADVISE MY SECRETARY.