

SOCIOLOGY 310
FAMILY AND THE LAW
FALL SEMESTER 2008
Tuesday 6:30 - 9:30 pm

Professor: Frances G. Sonne, Esquire

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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, 2008

Robert E. Oliphant & Nancy Ver Steegh, Family Law, Examples & Explanations, 2008

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 guest lecturers. The mid-term is scheduled for October 14~. 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 December 9th. 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 - 2008

August 26- INTRODUCTION TO THE FAMILY, THE COURT SYSTEM AND THE FORMATION OF LAW

September 2- HISTORY AND DEVELOPMENT OF FAMILY LAW: THE

LAW OF MARRIAGE

Quiz 1

- Emanuel . Chapter 1: pages 1-7
Chapter 2, section 1: pages 9-13
Chapter 2, section III A only: pages 23-25
Chapter 2, section III B 2: pages 35-42
- Oliphant . Chapter 1: pages 1-7 (1.1 -1.7)
Chapter 2: pages 9-38 (2.1 —2.31)

September 9- BEING MARRIED AND PARENTING; ALTERNATIVE FAMILIES Quiz 2

- Emanuel . Chapter 2, section III B: pages 26-34
Chapter 3, sections I, II, III, IV **A,B & C1-3:**
pages 61-72; 75-79 (up to “Battered Women’s Syndrome”)
Chapter 4, pages 101-115

- Oliphant . Chapter 2: pages 38-45 (232-140)
chapter 15: pages 279-296

September 16 . ANNULMENT AND THE LAW OF DIVORCE: GROUNDS, JURISDICTION AND PROCEDURE

Quiz 3

- Emanuel . Chapter 2, section IV and V, pages 53-55
Chapter 5. section I, pages 121-131;133-134
Chapter 5, sections VIII and IX, pages 140-149
- Oliphant . Chapter 3: pages 47-58 (3.1-3.16) optional pages 58-61
Chapter 4: pages 63-67 optional pgs. 68-81
Chapter 4: pages 68-81 (4~12-43l) optional pgs. 63-68

September 23 . LAW OF DIVORCE: WHAT HAPPENS TO THE PROPERTY? WHAT IS SPOUSAL SUPPORT AND ALIMONY?

Quiz 4

- Emanuel . Chapter 6, section IA and B, pages 155-159;161-174
- Oliphant . Chapter **11: pages 209-224** Chapter 12: pages 225-238
Chapter 13: pages 239-252 (13.1-13.16) optional pgs. 252-260

September 30 .PREMARITAL AND POST-MARITAL AGREEMENTS

Quiz 5

Emanuel - Chapter 2, section II: pages 15-21
Chapter 6, sections IV and V: pages 190-192
Oliphant - Chapter 14: pages 261-278
Handout - Simeone v. Simeone

October 4 . October 8- BREAK! ENJOY! BE SAFE!

October 14 . Mid-term Examination (Absent genuine emergency, requests to reschedule will not be granted)

October 21- CHILD CUSTODY: PARENT V. PARENT V. THIRD PARTIES
(no quiz)
Emanuel . Chapter 7, sections 1, II, III, IV, V, VT: pages 197-21.

Oliphant . Chapter 5: pages 83-102 (5.1-5.21)
Chapter 8: pages 151-165
Handout - Troxel v. Granville

November 4 . CHILD CUSTODY: JURISDICTION, MODIFICATION,
ENFORCEMENT AND RELOCATION

ELECTION DAY . PLEASE VOTE!

Quiz 6
Emanuel . Chapter 7, sections VI, VII and VIII: pages 219-225
Oliphant . Chapter 6: pages 107-134 Chapter 7: pages 135-150
Handouts: Gruber v. Gruber, Plowman v. Plowman

November 11- CHILD SUPPORT: WHO SUPPORTS THE CHILDREN AND WHY

Quiz 7
Emanuel . Chapter 6, section I C: pages 175-188
Oliphant . Chapter 9: pages 167-188 Chapter 10: pages 189-207
Chapter 24: pages 452-453 (2411)

November 18- LEGAL RIGHTS OF WOMEN AND CHILDREN: DOMESTIC VIOLENCE AND CHILD MALTREATMENT

Quiz 8
Emanuel . Chapter 3, section IV C 4: pages 90-95
Chapter 9: pages 269-297
Oliphant . Chapter 20: pages 379-395 (2.01-20.25)
Chapter 19: pages 363-378

THANKSGIVING BREAK - RELAX

December 2 - LAW OF ADOPTION AND TERMINATION OF PARENTAL RIGHTS; PATERNITY

Quiz 9

Emanuel . Chapter 11; pages 323-344

Oliphant . Chapter 16: pages 297-315 Chapter 17: pages 317-337

Chapter 20: pages 395-400 (20.26-20.32)

December 9 - MAKING MEDICAL DECISIONS FOR THE FAMILY AND THE NEW SCIENCE OF MOTHERHOOD; REVIEW

Quiz 10

Emanuel . Chapter 8: pages 23 1-265

Oliphant . Chapter 18: pages 339-360

Handouts . Terry Schiavo cases

Final examination set by the college . Tentatively December 16

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, TESS.