

**SOCIOLOGY 310**  
**FAMILY AND THE LAW**  
**FALL SEMESTER 2010**  
**Tuesday 6:30 - 9:30 pm**

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Office Hours By Appointment

Text: D. Kelly Weisburg, Family Law, Emanuel Law Outlines, 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.

**GOALS:** 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.

**ATTENDANCE POLICY:** Please note that attendance in class is vital if you expect to do well. Students who do not attend this class regularly generally grade poorly. 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. There may be times when an emergency (illness, family problem) may prevent attendance. In this case, you have the responsibility to contact me if you want to make up missed assignments.

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 is 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.

**ACADEMIC HONESTY:** Students are expected to consult and follow the policies of the college as set forth in the current edition of the Student Handbook. Any student found violating these policies will be dismissed from the course and given a failing grade.

**CLASS PARTICIPATION:** This is not strictly a lecture course. It is very important for students to come to class prepared to discuss the assigned reading material. Even though this class meets only once per week, the four course credits given dictate the amount of material to be covered. 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 lack of attendance can result in a poor class participation grade.**

Remember that knowledge increase with challenge. Knowledge occurs when you come to class with preparation as well as your life experiences. Thus, this class will hopefully be both challenging and enjoyable for you!

**TEXTING AND THE USE OF CELL PHONES IN CLASS IS STRICTLY PROHIBITED.**

**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 19<sup>th</sup>. The college will schedule the final exam.
2. Quizzes: There will be 4 short quizzes, graded as 25 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. IF A TAKE-HOME QUIZ IS NOT TURNED IN THE FOLLOWING CLASS, YOU WILL RECEIVE ZERO FOR THAT QUIZ.
3. Course Project/Term Paper: The instructions, a set of facts and “party” assignments will be distributed by the third class and the project is to be completed and turned in by the last class on December 7th. 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).

**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 – 2010**

August 31 – INTRODUCTION TO THE FAMILY, THE COURT SYSTEM AND THE FORMATION OF LAW

September 7 – HISTORY AND DEVELOPMENT OF FAMILY LAW: THE LAW OF MARRIAGE

Chapter 1: pages 1-7

Chapter 2, section I: pages 9-13

Chapter 2, section III A only: pages 23-25

Chapter 2, section III B 2: pages 35-42

September 14 – BEING MARRIED AND PARENTING; ALTERNATIVE FAMILIES

Quiz 1

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

September 21 – ANNULMENT AND THE LAW OF DIVORCE: GROUNDS,  
JURISDICTION AND PROCEDURE  
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

September 28 - LAW OF DIVORCE: WHAT HAPPENS TO THE PROPERTY?  
WHAT IS SPOUSAL SUPPORT AND ALIMONY?  
Chapter 6, section I A and B, pages 155-159;161-174

October 5 - PREMARITAL AND POST-MARITAL AGREEMENTS  
Quiz 2  
Chapter 2, section II: pages 15-21  
Chapter 6, sections IV and V: pages 190-192  
Handout - Simeone v. Simeone

October 9 - October 13 - BREAK! ENJOY! BE SAFE!

October 19 - Mid-term Examination (Absent genuine emergency, requests to reschedule will not be granted)

October 26 - CHILD CUSTODY: PARENT V. PARENT V. THIRD PARTIES  
Chapter 7, sections I, II, III, IV, V, VI: pages 197-219  
Handout - Troxel v. Granville

November 2 - CHILD CUSTODY: JURISDICTION, MODIFICATION,  
ENFORCEMENT AND RELOCATION  
Chapter 7, sections VI, VII and VIII: pages 219-225  
Handouts: Gruber v. Gruber; Plowman v. Plowman

November 9 - CHILD SUPPORT: WHO SUPPORTS THE CHILDREN AND WHY  
Quiz 3  
Chapter 6, section I C: pages 175-188

November 16 - LEGAL RIGHTS OF WOMEN AND CHILDREN: DOMESTIC  
VIOLENCE AND CHILD MALTREATMENT  
Chapter 3, section IV C 4: pages 90-95  
Chapter 9: pages 269-297

November 23 - LAW OF ADOPTION AND TERMINATION OF PARENTAL  
RIGHTS; PATERNITY  
Chapter 11; pages 323-344

November 30 - MAKING MEDICAL DECISIONS FOR THE FAMILY AND THE  
NEW SCIENCE OF MOTHERHOOD  
Quiz 4  
Chapter 8: pages 231-265  
Handouts - Terry Schiavo cases

December 7 - This class is set aside for review, questions and answers and to catch up for material not able to be covered in previous classes.

Final examination set by the college - Tentatively December 14

**PLEASE NOTE THAT DURING THE COURSE OF THIS CLASS, YOU CAN ALSO EXPECT THE FOLLOWING:** Videos, Guest Speakers, Interactive Class Exercises and Role Play and Additional Handouts. All will be announced in advance.

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.