

PL201

Family Law

[Onsite]

Course Description:

Students study prenuptial agreements, marriage, adoption, annulment, dissolution of marriage and legal separation, alimony, property settlement, child custody and support, and paternity actions. This course will focus on practical aspects, such as investigation, preparation of pleadings and other documents, court procedures, settlement agreements, and post-decree modifications.

Prerequisite(s) and/or Corequisite(s):

Prerequisite: PL103 Technology in the Law Office

Credit hours: 4

Contact hours: 40 (40 Theory Hours)

Syllabus: Family Law

Instructor:	_____
Office hours:	_____
Class hours:	_____

Major Instructional Areas

1. The role of the paralegal in family law matters
2. Agreements including cohabitation, premarital and separation agreements
3. Marriage
4. Nonmarital families
5. Annulment
6. Divorce and legal separation
7. Discovery
8. Parentage including maternity, paternity, and adoption
9. Child custody
10. Child support
11. Alimony
12. Property division

Course Objectives

1. Describe the role of a paralegal as a member of a family law team.
2. Describe the nature, purposes, and scope of the most common kinds of agreements executed by parties in the family law context.
3. Identify major legal issues related to marital and nonmarital relationships.

4. Describe the most common methods of gathering information in family law cases.
5. Identify major issues relating to family violence relevant in a family law context.
6. Identify major legal concepts, issues, and procedures related to alteration of the marital relationship by annulment, legal separation, and divorce.
7. Identify major legal issues related to parenthood, including establishment of parentage and adoption.
8. Identify major legal concepts and issues related to child custody and child support.
9. Identify major legal concepts and issues related to spousal support and property division.
10. Analyze legal issues related to a variety of family law topics.
11. Draft basic documents common in a family law practice using appropriate formats and terminology.
12. Perform research on issues related to family law cases.
13. Apply rules, procedures, statutes, and case law governing a variety of family law matters in a given jurisdiction.

SCANS Objectives

SCANS is an acronym for Secretary's Commission on Achieving Necessary Skills. The committee, created by the National Secretary of Labor in the early 1990s, created a list of skills and competencies that the committee feels are necessary for employees to function in a high-tech job market.

1. Locate, understand, and interpret written information in various legal documents.
2. Communicate thoughts, ideas, information, and messages in writing.
3. Draft documents such as letters, memoranda, pleadings, affidavits, agreements, financial statements, and discovery requests.
4. Specify goals and constraints, generate alternatives, consider risks, and evaluate and choose the best alternative.
5. Use efficient learning techniques to acquire and apply new knowledge and skills.
6. Choose ethical courses of action.
7. Acquire, evaluate, organize, and maintain information.

8. Interpret and communicate information.
9. Use computers to process information.
10. Discover a rule or principle underlying the relationships between two or more issues and apply it when solving a problem.

Course Outline

Note: All graded activities, except the Project, are listed below in the pattern of <Unit Number>. <Assignment Number>. For example, Assignments: 2.1 refers to the first assignment in Unit 2.

Unit	Activities
1— Introduction to Family Law	<ul style="list-style-type: none">• Content Covered <p><i>Family Law for the Paralegal: Concepts and Applications:</i></p> <ul style="list-style-type: none">○ Chapter 1, “Introduction”
2— Marriage, and Nonmarital Families	<ul style="list-style-type: none">• Read from <i>Family Law for the Paralegal: Concepts and Applications:</i><ul style="list-style-type: none">○ Chapter 3, “Marriage”○ Chapter 5, “Nonmarital Families”• Writing Assignments: 2.1• Writing Assignments: 2.2
3— Premarital Separation Agreements	<ul style="list-style-type: none">• Read from <i>Family Law for the Paralegal: Concepts and Applications:</i><ul style="list-style-type: none">○ Chapter 2, “Premarital Agreements”○ Chapter 12, “Separation Agreements”• Writing Assignments: 3.1
4—	<ul style="list-style-type: none">• Read from <i>Family Law for the Paralegal: Concepts and Applications:</i>

Unit	Activities
Family Violence	<ul style="list-style-type: none"> ○ Chapter 15, "Family Violence" • Tests: 4.1
5— Annulment, Legal Separation, and the Divorce Process Part I	<ul style="list-style-type: none"> • Read from <i>Family Law for the Paralegal: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 4, "Annulment" ○ Chapter 6, "The Divorce Process," pp. 145-175 • Writing Assignments: 5.1 • Exercises: 5.1
6— The Divorce Process Part II, Discovery, and Financial Statements	<ul style="list-style-type: none"> • Read from <i>Family Law for the Paralegal: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 6, "The Divorce Process," pp. 175-201 ○ Chapter 7, "Discovery and Financial Statements" • Writing Assignments: 6.1 • Exercises: 6.1
7— Parenthood and Adoption	<ul style="list-style-type: none"> • Read from <i>Family Law for the Paralegal: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 13, "Parenthood" ○ Chapter 14, "Adoption" • Exercises: 7.1, 7.2
8— Child Custody	<ul style="list-style-type: none"> • Read from <i>Family Law for the Paralegal: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 8, "Child Custody" • Tests: 8.1
9— Child Support and Spousal Support	<ul style="list-style-type: none"> • Read from <i>Family Law for the Paralegal: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 9, "Child Support" ○ Chapter 10, "Spousal Support"

Unit	Activities
	<ul style="list-style-type: none">• Exercises: 9.1• Writing Assignments: 9.1
10– Property Division	<ul style="list-style-type: none">• Read from <i>Family Law for the Paralegal: Concepts and Applications</i>:<ul style="list-style-type: none">◦ Chapter 11, “Property Division”• Exercises: 10.1
11– Review and Submission of Project	<ul style="list-style-type: none">• Tests: 11.1• Final Project: Due• Recommended: Visit to Family Court Session

Instructional Methods

The Family Law course incorporates a variety of teaching methods designed to prepare you to successfully meet identified course objectives. Various methods are used to enhance the learning process including lectures and class discussions. You will be assessed through assignments, tests, and a course project. The course project allows you to apply many of the concepts learned in the course to prepare a separation agreement in a form used in your jurisdiction. You should include your project in the Paralegal Student Portfolio that you have been developing throughout the Paralegal Studies program. All course activities and assignments are designed to help prepare you to address situations and perform tasks commonly encountered in a family law practice.

Instructional Materials and References

Student Textbook Package

Wilson, Mary E. *Family Law for the Paralegal: Concepts and Applications*. Upper Saddle River, NJ: Pearson Prentice Hall, 2009.

References

ITT Tech Virtual Library

Log on to the ITT Tech Virtual Library at <http://library.itt-tech.edu/> to access online books, journals, and other reference resources selected to support ITT Tech curricula. You may use the “Search” function to locate resources on specific topics such as child custody or alimony.

Periodicals

You may click “Periodicals” or use the “Search” function on the home page to find the following periodicals.

- LexisNexis Academic

This extensive legal database is organized into five categories and provides access to cases and statutes as well as a wide range of legal newspapers, magazines, and journals. Statutes, codes, administrative regulations, court rules, and opinions of relevant jurisdictions are frequently available online in whole or part or through commercial resources such as LexisNexis.

Schools of Study

You may click on “Schools of Study” or use the “Search” function on the home page to find the following links.

- School of Criminal Justice> Law> Findlaw

This site provides a comprehensive set of legal resources for professionals, businesses, and individuals. These resources include Web search utilities, cases and codes, legal news, informational articles, and more.

- School of Criminal Justice> Law> Legal Information Institute

Maintained by Cornell Law School, this site provides information on legal topics and links to state and federal laws and court decisions.

- School of Criminal Justice >Law>Harvard Law School: Research Guides

This site is prepared and maintained by the Harvard Law School

Library and provides guides on a variety of legal topics.

Other References

The following resources may be found **outside** of the ITT Tech Virtual Library, whether online or in hard copy.

Books

- Legal encyclopedias such as *American Jurisprudence 2nd* (Lawyers Cooperative) are alphabetically organized and reference federal rules, uniform laws, and case law by state. *Am Jur Legal Forms 2nd* (West Group) and *Am Jur Pleading and Practice Forms Annotated* (Lawyers Cooperative Publishing) are resources for selected forms.
- Treatises such as Matthew Bender's six-volume *Family Law and Practice*, four-volume *Family Law Litigation Guide with Forms*, three-volume *Valuation and Distribution of Marital Property*, two-volume *Disputed Paternity Proceedings*, three-volume *Adoption Law and Practice*, five-volume *Child Custody and Visitation*, two-volume *Lindey and Parley on Separation Agreements and Antenuptial Contracts 2d Including Forms*
- States generally have state-specific practice manuals and resources on a variety of topics, often published by Bar Associations.
- Garner, Bryan A. *Black's Law Dictionary 9/E*. Washington, DC: Thomson/West, 2009.

Periodicals

- Literally hundreds of law-related periodicals are available, usually published by law schools such as the *Harvard Law Review* and organizations and professional associations such as the American Bar Association's *Family Law Quarterly* and the *Journal of the American Academy of Matrimonial Lawyers*.

Web sites: Government Sites

- Administration for Children and Families (ACF)

<http://www.acf.hhs.gov> (accessed Mar. 9, 2010)

From the U.S. Dept. of Health and Human Services, this site provides links to a number of topics related to family law including adoption and foster care, child abuse and neglect, and child support.

- Office of Child Support Enforcement

<http://www.acf.hhs.gov/programs/cse> (accessed Mar. 9, 2010)

A wealth of material available on this site includes a list of and links to child support enforcement (IV-D) agencies in all states.

- U.S. Census Bureau

<http://www.census.gov> (accessed Jan. 25, 2010)

A number of statistical reports relevant to family law topics are available on this government site.

- Child Information Gateway

<http://www.childwelfare.gov> (accessed Mar. 9, 2010)

This site contains links to federal and state laws, fact sheets, statistics, and publications on a variety of child-related topics including adoption, abuse, termination of parental rights, and safe-haven laws.

- Internal Revenue Service

<http://www.irs.gov> (accessed Jan. 25, 2010)

This home page of the Internal Revenue Service provides access to general tax information, forms, and treasury regulations.

Web Sites: Topical Sites

- Child Support

<http://www.supportguidelines.com/main.html> (accessed Jan. 25, 2010)

This comprehensive resource on child support guidelines provides links to state material.

- Domestic Violence

<http://www.lrcvaw.org> (accessed Mar. 9, 2010)

This is the site for the Legal Resource Center on Violence Against Women. It features links to national and state resources on several topics and provides state-by-state links to child custody jurisdiction statutes (UCCJEA and UCCJA), long-arm statutes, and relocation statutes.

- Ethics: [legalethics.com](http://www.legalethics.com)

<http://www.legalethics.com> (accessed Mar. 9, 2010)

This site abstracts and provides links to articles on topics related to legal issues associated with the use of technology by legal professionals. It also provides links to other ethics-related sites.

- Ethics: National Association of Legal Assistants

<http://www.nala.org/code.aspx> (accessed Mar. 9, 2010)

This is the site for the National Association of Legal Assistants (NALA).

- Model Code of Ethics

<http://www.paralegals.org/displaycommon.cfm?an=1&subarticlenbr=133> (accessed Mar. 9, 2010)

This is the site for the National Federation of Paralegal Associations (NFPA).

- Ethics: ABA Center for Professional Responsibility

<http://www.abanet.org/cpr> (accessed Jan. 25, 2010)

This page provides links to many ethics-related resources from the American Bar Association.

- Forms

At the end of Appendix D in your textbook, you will find a number of links to sites in more than three dozen states where selected family law forms can be located

- Legislation: National Conference of State Legislatures
<http://www.ncsl.org> (accessed Jan. 25, 2010)

This site provides summaries of enacted and proposed legislation in the various states.

- Legislation: National Conference of Commissioners on Uniform State Laws

<http://www.nccusl.org> (accessed Mar. 9, 2010)

This site provides copies of the various uniform acts and indicates which states have adopted each in whole or part.

- Research: Divorce Laws: Child Custody, Support, Visitation

<http://www.divorcelinks.com> (accessed Mar. 9, 2010)

This site features direct links to state and federal divorce laws by topic.

Note: All links to Web references outside of the ITT Tech Virtual Library are always subject to change without prior notice.

Course Evaluation and Grading

Evaluation Criteria Table

The final grades will be based on the following categories:

CATEGORY	WEIGHT
Writing Assignments	30%
Exercises	25%
Final Project	15%
Tests	30%
Total	100%

Note: Students are responsible for abiding by the Plagiarism Policy.

Grade Conversion Table

The final grades will be calculated from the percentages earned in the course, as follows:

A	90-100%	4.0
B+	85-89%	3.5
B	80-84%	3.0
C+	75-79%	2.5
C	70-74%	2.0
D+	65-69%	1.5
D	60-64%	1.0
F	<60%	0.0

(End of Syllabus)