

## **FAMILY LAW**

### **Fall 2007**

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### **Course Description**

“The demographic changes of the past century make it difficult to speak of an average American family.”

*Troxel v. Granville*, 530 U.S. 57, 64 (2000)

As the Supreme Court has recognized, “family” is an elastic term today. In this course, we will explore the meaning of “family,” how the law shapes what society recognizes as a family, and the attendant implications of classifying– or refusing to classify – a grouping as a “family.”

This course examines the various constitutional and statutory doctrines that apply to families in their various iterations. In this connection, the course considers the social, political, and legal developments that have impacted the regulation of families, such as the women’s movement, the civil rights movement, and the gay rights movement. The course materials assist in this effort by integrating interdisciplinary perspectives from fields such as history, sociology, and social work.

Within this conceptual framework, this course helps students understand and apply the general principles of the laws governing families, examining such areas as marriage, divorce, child custody, and property division. An integral part of the course will be solving problems designed to help students develop the analytical skills necessary to practice in this rapidly changing area of the law.

### **General Information**

The required text is Weisberg and Appleton, *MODERN FAMILY LAW: CASES AND MATERIALS* (3d Edition) (Aspen 2006). Additional materials also will be posted on the course’s website, which is available through TWEN. To access the site, go to [www.lawschool.westlaw.com](http://www.lawschool.westlaw.com) and click the link for TWEN.

Although I do not have formal office hours, I am available to answer questions regarding the course. Please feel free to e-mail me to set an appointment.

## **Course Requirements and Grading**

The majority of your grade will be based on a three-hour exam. Additionally, class participation and attendance are essential. To that end, students are required to serve as discussion leaders throughout the course of the semester. In this regard, I ask students to partner with one another and volunteer to be responsible for starting off discussion about each day's reading assignment. Additionally, I will call on students from time to time to ensure full participation. I will calculate grades as follows:

Exam: 65% of your grade

Class attendance and participation: 35%

If you must miss class, please inform me ahead of time if possible by e-mail. Chronic absences and/or unpreparedness will result in a failing grade.

## **Reading Assignments**

Please read the following for the first week of class. I will post the next set of readings on our TWEN site.

<b>Date</b>	<b>Reading Assignment</b>	<b>Class Problem</b>
<b>I. Private Family Choices: Constitutional Protection for the Family</b>		
1. August 22	Evolution of the Right to Privacy: Casebook ("CB") 1 - 20	<b>Problem 1, page 14</b>