

Family Law

Instructor: Anna M. Vick

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Office: Lesar Law Building, Room 226

Office Hours: By appointment

Meeting Time: Tuesdays and Thursday; 11:00 a.m.—12:15 p.m.

Description: Family Law is the study of the relationship between the state and the family including procedures for marrying, legal relationships within an on-going family, alternative forms of families, and problems in the dissolution of the family. Special emphasis is placed on problems of child support, adoption, and divorce, particularly child custody and property settlement agreements.

Course Materials: *Family Law: Doctrine and Practice*, Steve Berenson (Carolina Academic Press)

Learning Objectives and Goals: I hope to create and encourage a classroom atmosphere that is open to the thoughtful exchange of ideas and in which students can discuss the readings in a manner respectful of each other's opinions. Family law issues often provoke passionate responses based upon individuals' personal beliefs and experiences as members of a familial unit. My goal is for all of you to be able to share your own perspectives and beliefs while also hearing the experiences and beliefs of your classmates. This open exchange of ideas will lead to a deeper understanding of the law.

Upon successful completion of the course, students will:

- have basic knowledge and understanding of substantive family law;
- have introductory experience in drafting common family law documents;
- have a basic knowledge and understanding of how common law principles and statutory law shape family law and have evolved over time;
- possess the ability to perform legal analysis, reasoning, and problem solving concerning family law issues, and to convey such analysis, reasoning, and problem solving in written and in oral communication;
- understand the role of lawyers in family law matters and the proper professional and ethical responsibilities that lawyers engaged in family law practice have to clients and the legal system.
- be able to think critically about family law and its role in society; and
- understand how family law interrelates with other areas of law.

Classroom Participation: This course will be most effective if the entire class takes part in the classroom discussion of the assigned reading. I expect that everyone will be prepared for class. I will always take volunteers during class, but to ensure that classroom participation is shared by all students, I will use a "panel" system for class discussion. Students will be divided up into small groups (3-5 students per group) and will be assigned specific days in which the group will act as discussion panel leaders. The group will be responsible for giving detailed answers to the questions in the textbook or questions from me as I provide the general lecture for the day. The groups will also be given time to add their own takes from the readings. I encourage you to explore topics you found particularly

interesting or controversial and ignite a vibrant class discussion. Using the “Day-One Survey” when appropriate, may be a great way to spark a productive dialogue. I will assign the groups in a random manner, and they will, likely, be reshuffled after the midterm exam.

Special note on Covid and Zoom: If at some point, we are forced to return to Zoom for classes, I hope to maintain the same schedule and general flow of class. If I am forced to quarantine, I will offer class via Zoom. During Zoom classes, you will be required to have your camera on. If technical difficulties arise, we will discuss alternatives to this policy.

If you are absent from class, you can email me for a link to the ECHO recording. I do not plan to offer every class via Zoom at this point. However, if a significant number of students are out of class due to illness or quarantine, I will reassess the need for Zoom.

I ask that all of you consider the health of everyone at the law school when determining whether you should attend class or be tested for Covid. If you have symptoms, you should strongly consider staying home and seeking an alternative form of receiving the classroom instruction.

Grading: Points in this course will fall into two (2) categories: “Skills and Practice” and “Application and Assessment”. “Skills and Practice” points come from exercises meant to further your understanding of the reading materials and classroom lectures as you progress through the semester. These exercises will help you build a strong foundation of knowledge which you will then use to successfully complete the “Application and Assessment” portion of the course.

Points for both categories will be distributed as follows:

Skills and Practice Points (200 raw points or 20% of grade):

- **10 Day-One Survey Points:** You will submit this survey prior to the first class. You should keep your answers available throughout the semester as we discuss topics related to the survey. The survey should be completed individually and not as a group.
- **70 Quiz points which consist of 7 Quizzes worth 10 points each:** Points for these quizzes are awarded for timely completion of the quiz and not based on correct answers to the questions. All quizzes will occur during the first half of the semester. Students may work with their assigned group on the quiz, but each student must submit their quiz individually. Quizzes must be completed by 4:00 p.m. on Friday of the designated week. (For example, the Week 1 Quiz must be completed by 4:00 p.m. on Friday, January 14.) There will not be a quiz the week of the midterm exam.
- **24 Discussion Panel Points:** These points will be awarded for your group’s ability to lead a vibrant and productive discussion of the reading materials assigned for the day. Each group will be assigned two class periods during the semester in which they are responsible for leading the “discussion” portion of class. Groups will be awarded up to twelve (12) points for each assigned class for a total of twenty-four (24) points. The points earned by the group will be applied to a student’s individual raw points for the “Skills and Practice” portion of their grade.
- **80 Practice Points:** Practice points will consist of four (4) different drafting exercises which will occur during the second half of the semester. Each exercise will be worth 20 points.

Students will work in groups on these exercises but must turn in individual drafts of the exercises. The drafting exercise will coincide with the material we are covering in the textbook. Examples of drafting exercises which may be assigned include: a Petition for Dissolution, a Motion to Modify Parenting Time, a Child Support Calculation.

- **16 Roundtable Points:** Depending on the circumstances of Covid and my ability to secure participants, a roundtable of SIU Law Alumni that are experienced family law practitioners will be invited to one of our classes toward the end of the semester. Working in assigned groups, you will come up with questions to ask the roundtable participants. Each group will be given a general topic on which to focus when creating questions. More details on this assignment will come as the semester progresses.

Application and Assessment Points (800 raw points or 80% of grade):

- **300 Midterm Exam Points:** A midterm exam will be held on **March 1, 2022 from 11:00 a.m.-12:30 p.m. Please note that this extends your normal class period on this date.** The exam will consist of three (3) “bar exam” style essay questions and will be closed book.
- **200 WAC Assignment Points:** Students will complete one “Writing Across the Curriculum” assignment which will consist of an “MPT” style question. The assignment will be completed outside of class, but under timed conditions. The due date for this assignment is **April 15, 2022 at 4:00 p.m.** More details will be announced as the due date approaches.
- **300 Final Exam Points:** The final exam will occur on the date and time designated in the “Final Exam Schedule” published by the SIU School of Law. It will be closed book.

Attendance Policy: The School of Law Rules primarily govern students’ attendance requirements. Pursuant to those Rules, the maximum number of absences for this course is set at six (6). The sanction set out in Rule III.5(g)(iii)—a reduction in a student’s final grade of three-tenths (0.3) of a point per absence—is in effect for any student who exceeds the three permitted absences.

Workload Expectations: The American Bar Association (“ABA”) law-school-accreditation standards contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310, “a ‘credit hour’ is an amount of work that reasonably approximates not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks.” This is a 3-credit hour class, meaning that we will spend one 150-minute block of time together each week. The amount of assigned reading and out-of-class preparation should take you a minimum of 5 hours for each class session.

Electronic Devices: Please use responsibly. Don’t be a distraction to your fellow classmates.

Plagiarism and Collaboration: Collaboration with your panel group and fellow classmates is highly encouraged. Family law is often a very collaborative area of law and in that spirit, I encourage group work and discussion. All “Skills and Practice” assignments can be done collaboratively, but each student must submit their own assignment to receive points. “Application and Assessment” assignments must be completed individually.

General Disclaimer: Flexibility regarding this syllabus and the course will be required from both you and I. I reserve the right to modify assignments as we move through the semester. Be assured

that all modifications will be done equitably and in a manner to promote learning and understanding of the law.

Reading Schedule

Week One

- Tuesday, January 11, 2022
 - Chapter 1: Introduction (pgs. 1-6)
 - Chapter 2: Premarital Controversies (pgs. 1-28)
- Thursday, January 13, 2022
 - Chapter 3: Premarital Agreements—Validity and Enforcement (pgs. 29-53)

Week Two

- Tuesday, January 18, 2022
 - Chapter 4: Pre- and Post-Marital Agreements (pgs. 53-73)
- Thursday, January 20, 2022
 - Chapter 5: Family Privacy—Part I (pgs. 73-97)

Week Three

- Tuesday, January 25, 2022
 - Chapter 6: Family Privacy—Part II (pgs. 97-123)
- Thursday, January 27, 2022
 - Chapter 7: The Right to Marry (pgs. 123-149)

Week Four

- Tuesday, February 1, 2022
 - Chapter 8: Substantive Limits on the Right to Marry—Same Sex Marriage (149-171)
- Thursday, February 3, 2022
 - Chapter 9: The Right to Marry—Other Substantive Restrictions (pgs. 171-195)

Week Five

- Tuesday, February 8, 2022
 - Chapter 10: Substantive Limits on the Right to Marry—State of Mind Restrictions (pgs. 195-219)
- Thursday, February 10, 2022
 - Chapter 11: Procedural Requirements in Order to Marry (pgs. 219-245)

Week Six

- Tuesday, February 15, 2022
 - Chapter 12: Alternative Forms of Marriage (pgs. 245-271)
- Thursday, February 17, 2022
 - Chapter 13: Rights and Responsibilities of Marriage—Part I (specific pages TBD)
 - Chapter 14: Rights and Responsibilities of Marriage—Part II (specific pages TBD)

Week Seven

- Tuesday, February 22, 2022
 - Chapter 15: Domestic Violence—Part I (specific pages TBD)
 - Chapter 16: Domestic Violence—Part II (specific pages TBD)
- Thursday, February 24, 2022
 - Chapter 17: Unmarried Couples—Economic Issues (specific pages TBD)
 - Chapter 18: Unmarried Couples—Parentage (specific pages TBD)

Week Eight

- Tuesday, March 1, 2022
 - Midterm Exam
- Thursday, March 3, 2022
 - NO CLASS

Week 9: March 5th through March 13th Spring Break

Week 10

- Tuesday, March 15, 2022
 - Chapter 19: Divorce—Jurisdiction (pgs. 423-445)
- Thursday, March 17, 2022
 - Chapter 20: Divorce—Grounds, Defenses, and Practice (pgs. 445-467)

Week 11

- Tuesday, March 22, 2022
 - Chapter 21: Child Custody (pgs. 467-491)
- Thursday, March 24, 2022
 - Chapter 22: Child Custody—Limits on Visitation (pgs. 491-517)

Week 12

- Tuesday, March 29, 2022
 - Chapter 23: Child Custody—Process and Decision Making (pgs. 517-539)
- Thursday, March 31, 2022
 - Chapter 24: Child Support (pgs. 539-563)

Week 13

- Tuesday, April 5, 2022
 - Chapter 25: Spousal Support (pgs. 563-587)
- Thursday, April 7, 2022
 - Chapter 26: Property Division (pgs. 587-609)

Week 14

- Tuesday, April 12, 2022
 - Chapter 27: Adoption (specific pages TBD)
 - Chapter 28: Assisted Reproductive Technology (specific pages TBD)
- Thursday, April 14, 2022—TBD

Week 15

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SPRING 2022
SIU School of Law

- Tuesday, April 19, 2022—TBD
- Thursday, April 21, 2022—TBD

SYLLABUS ATTACHMENT
SIU SCHOOL OF LAW – SPRING 2022

EMERGENCY PROCEDURES: We ask that you become familiar with Emergency Preparedness at SIU. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness at SIU website and through text and email alerts. To register for alerts, visit: <http://emergency.siu.edu/>.

DISABILITY SUPPORT SERVICES. SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval, please contact DSS immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Upon completion of a Disability Accommodation Agreement with DSS, students should use the DSS Student Portal to notify their faculty members and the School of Law Registrar's Office of their accommodations.

SALUKI CARES. The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotion, financial, or personal. By working closely with faculty, staff, students, and their families, SIUC will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or siucares@siu.edu, <https://salukicare.siu.edu/index.php>. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu and her phone number is 618- 453-3135.

COVID-19. SIUC'S policy on face masks and social distancing is consistent with the guidance from the Centers for Disease Control and Prevention and the Illinois Department of Public Health. For up-to-date information, students, faculty, and staff should visit SIUC's COVID website (siu.edu/coronavirus), which includes the Saluki Safety Plan. People can also send an email to pandemicinfo@siu.edu.

Syllabus Attachment

Spring 2022

MISSION STATEMENT FOR SOUTHERN ILLINOIS UNIVERSITY CARBONDALE

SIUC embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives.

IMPORTANT DATES

<u>Semester Classes Begin:</u>	01/10/2022
<u>Last day to add full-term course (without Dean's signature):</u>	01/16/2022
<u>Last day to withdraw from the University with a full refund:</u>	01/21/2022
<u>Last day to drop a full-term course for a credit/refund:</u>	01/23/2022
<u>Last day to drop a full-term course (W grade, no refund):</u>	03/27/2022
<u>Final examinations:</u>	05/02-05/06/2022

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at <http://registrar.siu.edu/calendar>. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at <http://registrar.siu.edu/schedclass/index.php>

SPRING SEMESTER HOLIDAYS

Martin Luther King, Jr.'s Birthday 01/17/2022
Spring Break 03/05-03/13/2022

DIVERSITY

Southern Illinois University Carbondale's goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: <http://diversity.siu.edu>. Additional [informational flyer](#).

DISABILITY SUPPORT SERVICES

SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at (618) 453-5738 or <https://disabilityservices.siu.edu>. You may request accommodations at any time, but timely requests help to insure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty.

MILITARY COMMUNITY

There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at <http://veterans.siu.edu/>.

STUDENT MULTICULTURAL RESOURCE CENTER

The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at <https://smrc.siu.edu/>.

SALUKI CARES

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SAFETY AWARENESS FACTS AND EDUCATION

Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>

COVID-19

SIUC's policy on face masks and social distancing is consistent with the guidance from the Centers for Disease Control and Prevention and the Illinois Department of Public Health. For up-to-date information, students, faculty, and staff should visit SIUC's COVID website (siu.edu/coronavirus), which includes the Saluki Safety Plan. People can also send an email to pandemicinfo@siu.edu.

WITHDRAWAL POLICY ~ Undergraduate only

Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar's office. For the proper procedures to follow when dropping courses and when withdrawing from SIUC visit: <http://registrar.siu.edu/students/withdrawal.php>

SIUC'S EARLY WARNING INTERVENTION PROGRAM (EWIP)

Students enrolled in courses participating in SIUC's Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the University Core Curriculum's Overview webpage: <http://corecurriculum.siu.edu/program-overview/>.

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CATALOGS

catalog.siu.edu
gradcatalog.siu.edu

Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

CENTER FOR LEARNING AND SUPPORT SERVICES

Tutoring: <http://tutoring.siu.edu/>
Math Labs: <http://math.siu.edu/courses/course-help.php>

WRITING CENTER: <http://write.siu.edu/>

PLAGIARISM

See the Student Conduct Code: <http://sry.siu.edu/student-conduct-code/>

INCOMPLETE POLICY~ Undergraduate only

<http://registrar.siu.edu/grades/incomplete.php>

REPEAT POLICY: <http://registrar.siu.edu/students/repeatclasses.php>

MORRIS LIBRARY HOURS: <http://libguides.lib.siu.edu/hours>

ADVISEMENT: <http://advisement.siu.edu/>

SIU ONLINE: <http://online.siu.edu/>

Need additional help with an issue? Visit SALUKI SOLUTION FINDER at <http://solutionfinder.siu.edu/>