CURRENT ISSUES IN FAMILY LAW SEMINAR
Fall 2012

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COURSE DESCRIPTION

This seminar is for students interested in family law. Broadly conceived, “family law” includes the law of marriage, divorce, child custody, child support, cohabitation, adoption, alternative reproduction, guardianship, paternity, child welfare, domestic violence, reproductive rights, social welfare, juvenile justice, international and comparative family law, and family negotiation and mediation, among other topics. The goal of this course is to introduce you to some of the general themes and debates that have emerged in the field. The course is also designed to help you enhance your legal research and writing skills. We will spend the first two-thirds of the semester examining family law through the lens of various theoretical perspectives. The final one-third of the semester will be devoted to oral presentations your research projects. Previous or concurrent coursework in family law is recommended for this seminar.

MATERIALS

Unless noted otherwise, all readings are available on Westlaw or Hein Online. For students desiring a more general background to family law, the following materials are recommended: HOMER H. CLARK, JR., THE LAW OF DOMESTIC RELATIONS IN THE UNITED STATES (2d ed. 1988); Symposium, Family Law at the End of the Twentieth Century, 33 FAM. L. QUARTERLY 435 (1999); FAMILY LAW STORIES (Carol Sanger, ed. 2008). You may also want to consult a recently published family law case book. Some of the leading case books are authored by Susan Appleton, Judith Areen, Naomi Cahn, Ira Ellman, Leslie Harris, Harry Krause, Carl Schneider, and Walter Wadlington. Finally, there is a link on the course TWEN site to CALI lessons on many family law topics.

REQUIREMENTS

To receive credit for the seminar, you must: 1) attend class and actively participate in class discussion; 2) lead two class discussions with a small panel of your classmates; 3) write a 2-3 page commentary on a fellow classmate’s paper (as assigned); 4) submit a draft paper; 5) write and present a final research paper; 6) comply with all course deadlines. Your specific grade will be calculated according to the school’s grading policies, taking into account: the quality of the initial draft of your research paper (20%); the quality of your comments on a fellow classmate’s draft paper (15%); your presentation (15%); the quality of your final research paper (50%); and general participation (a student’s final grade may be raised or lowered by one-half grade based on class participation).

OFFICE HOURS

I am generally available to meet with students during the hour before and after the seminar, and by appointment.
RESEARCH PAPER

The final product of the seminar will be a substantial research paper that is at least 7,000 words in length. The final paper must be a polished piece of original scholarship. It should have an introduction, body, and end; provide original, in-depth, and critical analysis of a significant issue or set of issues related to law; demonstrate substantial legal research, evidenced by extensive, relevant, and supportive citations to diverse sources; be written logically, clearly, and concisely, with proper grammar and spelling; and conform to THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (19th ed.).

The research project will be conducted in six distinct stages: (1) choosing a paper topic; (2) preparing an outline and bibliography; (3) submitting a first draft; (4) preparing comments on a fellow classmate’s paper (and receiving comments on yours); (5) presenting your research to the class; and (6) submitting your final paper. A detailed schedule outlining deadlines for each stage of the project follows below.

September 13, 2012: Deadline for choosing topics. Submit a short statement of your paper topic at the beginning of class.

September 27, 2012: Deadline to submit tentative outline and bibliography, due at the beginning of class. This should be a clear statement (one to two paragraphs) of your thesis or project, an outline of the basic sections of your paper, and a bibliography of at least five proposed sources that you have read. For each of the sources in your bibliography, you should provide a three to four sentence summary of the source and how it fits into your paper.

October 18, 2012: First draft of paper due. Please bring two copies to class, one for me, and a second copy to be distributed to a fellow classmate for comment. Failure without previous excuse to miss this deadline will be taken into account in your final grade.

October 25, 2012: Deadline for submitting written comments on your fellow classmate’s draft research paper. You should write comments directly on the paper, and type a two to three page summary of your impressions. Please bring to class the marked-up original paper and your typewritten comments for your classmate, as well as a copy of each for me.

Nov. 1 - Nov. 29: Oral presentations of research projects, approximately three students per class. Please sign up on TWEN for a slot for your oral presentation at your earliest convenience.

Dec. 18, 2012: Final papers must be emailed to me by 5:00 p.m. Failure without previous excuse to miss this deadline will result in automatic reduction of one half grade in the overall seminar grade for each day late.
COURSE WEB SITE

I have set up a course web site using Westlaw’s TWEN service. On the web site, you will find the course syllabus; my grading guidelines for your paper, comment, and presentation; sign-up sheets for discussion leaders and oral presentations; a family law news link; and any assigned materials not accessible on Westlaw or Hein. In order to access the TWEN web page, you will need to register as a course participant over Westlaw. If you have any technical difficulties accessing the TWEN course page, you can receive technical assistance by calling 1-800-Westlaw.

COMPUTER USE IN CLASS

You may use computers in class to take notes, and to look for relevant material on the Internet if you think it will help your understanding, or if it may help you add to class discussion. Computer use for purposes not related to class (e-mail, surfing the internet for other purposes, computer games, etc.) is not allowed. It is both unprofessional and distracting to other students, and a habit you should eliminate as you prepare for a professional career.

CLASS RECORDING POLICY

Classes may not be recorded, using any audio or video methods (including your laptops or smart phones), without instructor permission. Permission will be granted if you have a reasonable basis for the request and other class members do not object, but it is courteous to let others know when you are recording them, and I will announce to the class when the class is being recorded. Furthermore, class recordings may not be used for any purpose other than studying and reviewing by participants in this class. They may not be posted or reproduced in any form and on any medium without instructor permission.

AMERICANS WITH DISABILITIES ACT ACCOMMODATION NOTICE

The University of Utah seeks to provide equal access to its programs, services and activities for people with disabilities. If you will need accommodations in this class, reasonable prior notice needs to be given to Barbara Dickey, Associate Dean of Student Affairs, and to the Center for Disability Services (CDS), to make arrangements for accommodations. CDS is located at 200 S. Central Campus Drive (Union Building), Rm. 162, or you can call (801) 581-5020. All written information in this course can be made available in alternative format with prior notification.

READING ASSIGNMENTS

The seminar will proceed according to the schedule on the following pages, although I may modify assignments and deadlines as needed.
Week 1, 8/23/12: Introduction to Family Law


Week 2, 8/30/12: Feminism and the Family


Week 3, 9/6/12: Economics and the Family


Week 4, 9/13/12: Federalism and the Family


* Paper topics must be submitted by the beginning of class on this date *
Week 5, 9/20/12: Fundamentalism and the Family


Week 6, 9/27/12: Channeling the Family


* Deadline to submit tentative outline and bibliography *

Week 7, 10/4/12: Independent Research (No Class)

Week 8, 10/11/12: Fall Break (No Class)

Week 9, 10/18/12: Reconceiving the Family


* First draft of paper due. Bring two copies to class. *

Week 10, 10/25/12: Open Topic Based on Class Interest

Readings TBA

* Deadline for submitting written comments on a classmate’s draft research paper *
Week 11, 11/1/12: Paper Presentations

Week 12, 11/8/12: Paper Presentations

Week 13, 11/15/12: Paper Presentations

Week 14, 11/22/12: Thanksgiving (No Class)

Week 15, 11/29/12: Paper Presentations & Conclusion

12/18/12: FINAL PAPERS DUE by 5:00 p.m.