Course Syllabus

(Revised 1/6/2020)

**University of Baltimore School of Law**

**SPRING 2020**

**Course**: **Family Law**

LAW 716

Section 311

**Instructor**: **Professor Barbara A. Babb**

[bbabb@ubalt.edu](mailto:bbabb@ubalt.edu); 410-837-5661

Office: Room AL 534, Angelos Law Building, 1401 N. Charles Street

Office Hours: By Appointment

CFCC Program Administrative Specialist: Katrice Williams – (kwilliams2@ubalt.edu; 410-837-5615); AL 536 Angelos Law Center

**Days/Time:** Tuesday and Thursday

1:30pm – 2:45pm

**Location:**  AL 803

**Course Description**:

This course will explore legal issues relating to the formation, maintenance, and dissolution of family relationships. These issues include state and federal regulation of marriage and nonmarital cohabitation; legal, social, and economic consequences of marriage and divorce; parentage, custody, and support of children; domestic violence; and the processes for resolving family disputes. The course includes related constitutional issues.

**Course Materials:**

Areen, Spindelman & Tsoukala, *Family Law* (Concise 6th ed. 2012)

Spindeman & Tsoulala, *2017 Supplement to Family Law* (2017) [listed on Assignment as "Supp."]

Babb, *Supplemental Materials* (Spring 2020) [listed on Assignment as "Babb"]

**Student Learning Outcomes:**

1. Students will be able to identify family law issues and areas.
2. Students will understand the doctrinal legal theories underlying the many issues encompassed by family law.
3. Students will be able to apply the law to various factual scenarios.
4. Students will develop a contextual framework for analyzing family law issues.
5. Students will understand how family law interrelates with other areas of law.
6. Students will formulate policy goals to address the legal needs surrounding families and children.
7. Students will think critically about family law and the family justice system.
8. Students will increase their sensitivity to the differences and rich pluralism within our society.
9. Students will understand the roles of lawyers in family law matters.
10. Students will observe family law in action.

**Grades:**

Your final grade will be based on a final examination (75%) and class assignments, including class participation, a court observation, and written problems (25%).

**Course Expectations:**

American Bar Association Accreditation Standards establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and two hours of out-of-class work for each credit earned in a class.

You are expected to complete the assigned readings for each class, to attend class on time, and to participate consistently and meaningfully in class discussions. Please bring to each class your text and supplement. Each student is required to register for the TWEN site for the course.

I will record each class on Panopto for your convenience. OTS will automatically grant you access to my Family Law recordings. If you have any trouble accessing Panopto, please email OTS at [callcenter@ubalt.edu](mailto:callcenter@ubalt.edu).

Consistent with the nature of the legal profession, please be in your seat when class begins and remain in your seat throughout the class session, absent extraordinary circumstances. Please turn off cell phones.

**Attendance**:

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

|  |  |  |
| --- | --- | --- |
| Regular Semester Hours | | |
| Credit Hours | Meetings Per Week | |
|  | 1 | 2 |
| 2 | 2 absences | 5 absences |
| 3 | 2 absences | 5 absences |
| 4 | -- | 5 absences |

**Course Web Site:**

This course has a TWEN page that links to this syllabus, announcements, the class assignments, and other class materials. You are responsible for self-enrolling in the TWEN page and for checking it regularly for course information.

**Computers:**

Research shows that students are more effective learners when they take notes by hand. Studies show repeatedly that students using laptops tend to “write everything” rather than critically listening and evaluating. Nevertheless, I permit laptops for note taking. **Laptops must not be used to browse the Internet, check email, Tweet, etc.** I reserve the right to ban laptops if the temptations of the Internet cause disruptions or distractions.

**Class Cancellation:**

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

**Academic Integrity:**

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another’s book or study materials without consent; unapproved multiple submissions; material misrepresentation of one’s academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. [Reference to School of Law Honor Code, <https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm>]

**Course Evaluations:**

It is a requirement of this course that students complete a course evaluation. The evaluation will be available later in the semester and is entirely anonymous. Faculty members will not have access to the feedback provided on course evaluations until after all grades are submitted.

**Title IX Sexual Harassment and Sexual Misconduct Policy:**

The University of Baltimore’s Sexual Harassment and Sexual Misconduct policies are compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the University any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB’s nondiscrimination policies can be found at: http://www.ubalt.edu/titleix.

**Disability Policy:**

If you are a student with a documented disability who requires an accommodation for academic programs, exams, or access to the University’s facilities, please contact the Office of Academic Affairs at [ublawacadaff@ubalt.edu](mailto:ublawacadaff@ubalt.edu) or 410-837-4468.

**Assignments:**

| **Topic** | **Assignment** | **Dates** |
| --- | --- | --- |
| Introduction/Definition of Family | 1-11  377-386 | Week of Jan. 13 |
| Forming Families: Husbands, Wives, Lovers, & ParentsTraditional Model of Marriage; Rights and Responsibilities | 124-132 |  |
| **Martin Luther King Holiday, University Closed** |  | **Jan. 20** |

| **Topic** | **Assignment** | **Dates** |
| --- | --- | --- |
| Restrictions on Marriage | 40-48  Supp. 1-18  Supp. 18-49 | Week of Jan. 20 |
|  | Babb 1, 3-13  84-100 | Week of Jan. 27 |
|  | 48-54  118-123  Babb 181-182  (problems) | Week of Feb. 3 |
| Challenges to the Traditional Marriage Model | Supp. 50-59  135-137  343-347  826-830  258-265  100-109 | Week of Feb. 10 |
| New Reproductive Techniques | 425-437  437-462 | Week of Feb. 17 |
| Adoption | 273-289  300-307  Supp. 136-139  330-336 | Week of Feb. 24 |
| Family BreakupDivorce |  | Week of Mar. 2 |
| Traditional Fault Grounds and Defenses | 483-495  Babb 15-23, 83-87 |  |
| Non-Fault Divorce | 505-514 |  |
| Religious Divorce, Annulments, Separation | 529-533  Babb 183-184  (problems) |  |
| Jurisdiction | 527-529 |  |
| Domestic Violence | Babb 24-49  Babb 185-186  (problems) |  |
| Economic Consequences of Family Breakup |  |  |
| Marital Property | 674-686  692-697  Babb 101-111  Babb 187  (problems) | Week of Mar. 9 |

|  |  |  |
| --- | --- | --- |
| **Topic** | **Assignment** | **Dates** |
| **Spring Break** |  | **Mar. 16 – Mar. 20** |
| Property Claims of Unmarried Cohabitants | 347-354  Supp. 145-152 | Week of Mar. 23 |
| Alimony | 717-727  734-736  Babb 111-115  Babb 188-191  (problems) |  |
| **COURT OBSERVATION ASSIGNMENTS DUE THURSDAY, APRIL 2** | | |
| D. Child Support | 736-750  763-775  Babb 116-139  Babb 192-195  (problems) | Week of Mar. 30 |
| Placement of Children |  | Week of Apr. 6 |
| Best Interests Standard | Babb 50-82  534-550  558-562 |  |
| Visitation | Supp. 169-180  627-632  267-273 |  |
| C. Alternative Approaches | 562-569  584-587  599-610  Babb 88-99  Supp. 181-189 | Week of Apr. 13 |
| D. Modification of Custody and Visitation | 612-616 | Week of Apr. 20 |
| Private Ordering/Agreements/Alternative Dispute Resolution | 816-826  830-832  841-851  Babb 141 |  |