

**STATE UNIVERSITY OF NEW YORK
COLLEGE OF TECHNOLOGY
CANTON, NEW YORK**



MASTER SYLLABUS

LEST 360-FAMILY LAW

CIP Code: 22.0000

Last Updated by: Jondavid DeLong

**SCHOOL OF BUSINESS AND LIBERAL ARTS
BUSINESS
SPRING 2024**

- A. **TITLE: FAMILY LAW**
- B. **COURSE NUMBER: LEST 360**
- C. **CREDIT HOURS: 3**

Credit Hours: 3
 # Lecture Hours 3 per Week
 # Lab Hours 0 Week
 Other 0 per Week
 Course Length (# of Weeks): 15

- D. **WRITING INTENSIVE COURSE: NO**
- E. **GER CATEGORY: NONE**
- F. **SEMESTER(S) OFFERED: FALL**
- G. **COURSE DESCRIPTION:**

Students will explore the core procedural and substantive concepts of family law, including legal aspects of adult family relationships and the law relating to the lives of children. Students will learn how family law principles are applied in a legal practice setting.

H. **PRE-REQUISITES/CO-REQUISITES:**

- a. Pre-requisite(s): The American Legal System (LEST 101), Business Law I (BSAD 201), or permission of instructor
- b. Co-requisite(s): NONE

I. **STUDENT LEARNING OUTCOMES:**

<u>Course Student Learning Outcome [SLO]</u>	<u>PSLO</u>	<u>GER</u>	<u>ISLO</u>
a. Understand and apply the meaning of, and legal issues surrounding marriage, civil unions and divorce.	Demonstrate ability to effectively and professionally communicate in writing. Demonstrate ability to effectively and professionally communicate orally. Understand and articulate the role of common law in the American legal system, including concepts of		Industry, Professional, Discipline Specific Knowledge and Skills Communication Skills Written [W]

	<p>mandatory (stare decisis) and persuasive authority.</p> <p>Demonstrate knowledge of Constitutional Law, Criminal Law and Procedure, Civil Litigation, and at least three of:</p> <ul style="list-style-type: none"> • Negligence and Intentional Torts • Family Law • Real Property • Immigration Law and Border Control • Wills, Estates and Trusts • Environmental Law • American Indian Law and Fed. Policy • Trial Courts and Rules of Evidence 		<p>Critical Thinking <i>Critical Analysis</i> [CA]</p>
<p>b. Understand and explain the Family Court’s approach to resolving issues involving children, such as custody, support, surrogacy, foster care and adoption.</p>	<p>Demonstrate ability to effectively and professionally communicate in writing.</p> <p>Demonstrate ability to effectively and professionally communicate orally.</p> <p>Understand and explain the roles of judges, attorneys, mediators, legal assistants, and others who act within the legal system.</p> <p>Understand and articulate the role of common law in the American legal system, including concepts of mandatory (stare decisis) and persuasive authority.</p>		<p>Industry, Professional, Discipline Specific Knowledge and Skills</p> <p>Communication Skills Written [W]</p>

	<p>Identify the ethical implications inherent in a particular situation, and evaluate the particular course of action to be taken in the face of countervailing pressures.</p> <p>Demonstrate knowledge of Constitutional Law, Criminal Law and Procedure, Civil Litigation, and at least three of:</p> <ul style="list-style-type: none"> • Negligence and Intentional Torts • Family Law • Real Property • Immigration Law and Border Control • Wills, Estates and Trusts • Environmental Law • American Indian Law and Fed. Policy • Trial Courts and Rules of Evidence 		<p>Critical Thinking <i>Critical Analysis</i> [CA]</p>
<p>c. Understand and explain issues involving domestic violence including child abuse and neglect, and family offenses.</p>	<p>Demonstrate ability to effectively and professionally communicate in writing.</p> <p>Demonstrate ability to effectively and professionally communicate orally.</p> <p>Understand and explain the structure and functions of the American legal system, including the interplay of</p>		<p>Industry, Professional, Discipline Specific Knowledge and Skills.</p>

	<p>constitutions, statutes, common law and administrative law.</p> <p>Understand and explain the roles of judges, attorneys, mediators, legal assistants, and others who act within the legal system.</p> <p>Demonstrate knowledge of Constitutional Law, Criminal Law and Procedure, Civil Litigation, and at least three of:</p> <ul style="list-style-type: none"> • Negligence and Intentional Torts • Family Law • Real Property • Immigration Law and Border Control • Wills, Estates and Trusts • Environmental Law • American Indian Law and Fed. Policy • Trial Courts and Rules of Evidence 		<p>Communication Skills Written [W]</p> <p>Critical Thinking <i>Critical Analysis</i> [CA]</p>
<p>d. Understand and explain issues involving juvenile misconduct including Juvenile Delinquency, Person in Need of Supervision, and age of criminal responsibility.</p>	<p>Demonstrate ability to effectively and professionally communicate in writing.</p> <p>Demonstrate ability to effectively and professionally communicate orally.</p> <p>Understand and explain the roles of judges, attorneys, mediators, legal assistants, and others</p>		<p>Industry, Professional, Discipline Specific Knowledge and Skills</p> <p>Communication Skills Oral [O], Written [W]</p>

who act within the legal system.

Understand and articulate the role of common law in the American legal system, including concepts of mandatory (stare decisis) and persuasive authority.

Identify the ethical implications inherent in a particular situation, and evaluate the particular course of action to be taken in the face of countervailing pressures.

Demonstrate knowledge of Constitutional Law, Criminal Law and Procedure, Civil Litigation, and at least three of:

- Negligence and Intentional Torts
- Family Law
- Real Property
- Immigration Law and Border Control
- Wills, Estates and Trusts
- Environmental Law
- American Indian Law and Fed. Policy
- Trial Courts and Rules of Evidence

Critical Thinking
Critical Analysis
[CA]

KEY	<u>Institutional Student Learning Outcomes [ISLO 1 – 5]</u>
ISLO #	ISLO & Subsets
1	Communication Skills

	Oral [O], Written [W]
2	Critical Thinking <i>Critical Analysis [CA], Inquiry & Analysis [IA], Problem Solving [PS]</i>
3	Foundational Skills <i>Information Management [IM], Quantitative Lit, /Reasoning [QTR]</i>
4	Social Responsibility <i>Ethical Reasoning [ER], Global Learning [GL], Intercultural Knowledge [IK], Teamwork [T]</i>
5	Industry, Professional, Discipline Specific Knowledge and Skills

J. **APPLIED LEARNING COMPONENT:** Yes ___X___ No _____

If yes, select one or more of the following categories:

Classroom/Lab ___X___	Civic Engagement___
Internship___	Creative Works/Senior Project___
Clinical Practicum___	Research___
Practicum___	Entrepreneurship___
Service Learning___	(program, class, project)
Community Service___	

K. **TEXTS:** Wilson, M. (2017). *Family Law for the Paralegal (3rd Edition)*. Pearson Education, ISBN: 9780133779714

L. **REFERENCES:** Articles of current interest and other resources placed on the course online learning site.

M. **EQUIPMENT:** Technology Enhanced Classroom.

N. **GRADING METHOD:** A-F

O. **SUGGESTED MEASUREMENT CRITERIA/METHODS:** Participation, in-class exams, final exam, and assignments.

P. **DETAILED COURSE OUTLINE:**

- I. Introduction to Family Law
 - A. Ethics
 - B. Adversarial System as Applied to Families
 - C. Role of Law Guardian/Attorney for the Child
 - D. Interviewing Clients
 - E. Use of Technology in a Family Law Practice
 - F. Financial Disclosure

- G. Discovery
- H. Legal Malpractice

II. Issues Involving Adults

A. Marriage

- 1. Premarital and Cohabitation Agreements
- 2. Formation of Marriage
 - a) Legal Marriage
 - b) Ceremonial Marriage
 - c) Common Law Marriage

B. Termination of Marriage

- 1. Legal Separation
- 2. Annulment
- 3. Divorce
 - a) Grounds/No Fault
 - b) Procedure
 - c) Financial Considerations
 - d) Tax Consequences
 - e) Distribution of Property

III. Issues Involving Children

C. Paternity

- 1. Child of Marriage
- 2. Children Born Out of Wedlock
 - a) Acknowledgment of Paternity
 - b) Orders of Filiation

D. Child Custody/Visitation

- 1. Jurisdiction
- 2. Standards for Determining Custody
- 3. Sole Custody
- 4. Joint Custody
- 5. Guardianship
- 6. Best Interests of the Child
- 7. Grandparent/Relative Rights

8. Modification of Custody
9. Enforcement of Custody
- E. Child/Spousal Support
 1. Jurisdiction
 2. Establishing Support
 3. Modifying Support
 4. Enforcing Support Orders
 5. Interstate Child Support Cases
- F. Adoption
 1. Qualifications to Adopt
 2. Closed Versus Open Adoption
 3. Notice/Consent Parents
 4. Post-Adoption Issues
- G. Domestic/Family Violence
 1. Family Offenses
 - a) Criminal versus Civil Proceedings
 - b) Issues for Fact-Finding
 - c) Alternatives at Disposition
 2. Child Abuse/Neglect
 - a) Reporting and Investigating Abuse/Neglect
 - b) Determining Whether a Child Is Neglected/Abused
 - c) Foster Care
 - d) Permanency Planning
 - e) Termination of Parental Rights
- H. Regulating Juvenile Conduct
 1. Persons In Need of Supervision
 - a) Introduction
 - b) Preliminary Considerations
 - c) Fact-Finding
 - d) Dispositional Alternatives
 2. Juvenile Delinquents
 - a) Introduction
 - b) Preliminary Considerations
 - c) Fact-Finding
 - d) Disposition Alternatives

IV. New Developments

A. Domestic Partnerships

B. Civil Unions/Gay Marriage

C. Surrogacy/Emerging Reproductive Technologies

Q. **LABORATORY OUTLINE:** N/A