

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



Course Outline

LEST 360-Family Law

Last Modified By: Alexander Lesyk

School of Business and Liberal Arts

March 2015

- A. **TITLE:** Family Law
- B. **COURSE NUMBER:** LEST 360
- C. **CREDIT HOURS:** 3
- D. **WRITING INTENSIVE COURSE:** NO
- E. **COURSE LENGTH:** 15 Weeks
- F. **SEMESTER(S) OFFERED:** Fall
- G. **HOURS OF LECTURE, LABORATORY, RECITATION, TUTORIAL, ACTIVITY:** 3 lecture hours per week
- H. **CATALOG 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.
- I. **PRE-REQUISITES/CO-COURSES:** The American Legal System (LEST 101), Business Law I (BSAD 201), or permission of instructor
- J. **GOALS (STUDENT LEARNING OUTCOMES):** By the end of the course, the student will be able to:

<i><u>Course Objective</u></i>	<i><u>Institutional SLO</u></i>
a. Understand and apply the meaning of, and legal issues surrounding marriage, civil unions and divorce.	1. Communication 2. Crit. Thinking 3. Prof. Competence
b. Understand and explain the Family Court's approach to resolving issues involving children, such as custody, support, surrogacy, foster care and adoption.	1. Communication 2. Crit. Thinking 3. Prof. Competence
c. Understand and explain issues involving domestic violence including child abuse and neglect, and family offenses.	1. Communication 2. Crit. Thinking 3. Prof. Competence
d. Understand and explain issues involving juvenile misconduct including Juvenile Delinquency, Person in Need of Supervision, and age of criminal responsibility.	1. Communication 2. Crit. Thinking 3. Prof. Competence

- K. **TEXTS:**

Wilson, M. (2011). *Family Law for the Paralegal*. 2nd ed., Upper Saddle River, NJ: Prentice Hall
- L. **REFERENCES:**

Ehrlich, J. (2010). *Family Law for Paralegals* (5th ed.). New York, NY: Aspen.

Luppino, G. & Miller, J. (2008). *Family Law and Practice: The Paralegal's Guide* (2nd ed.). Upper Saddle River, NJ: Prentice Hall

Statsky, W. (2002). *Family Law* (5th ed.). Albany, NY: Cengage Delmar Learning

- M. EQUIPMENT: Technology Enhanced Classroom**
- N. GRADING METHOD: A-F**
- O. MEASUREMENT CRITERIA/METHODS: Essays, Quizzes, and Tests.**
- P. DETAILED COURSE OUTLINE: See Attached**
- Q. LABORATORY OUTLINE: N/A**

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

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

NEW DEVELOPMENTS

- I. Domestic Partnerships
- J. Civil Unions/Gay Marriage
- K. Surrogacy/Emerging Reproductive Technologies