

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



**MASTER SYLLABUS**

**FAMILY LAW**

**LEST 360**

**Last Updated by: Jondavid DeLong**

**SCHOOL OF BUSINESS AND LIBERAL ARTS  
BUSINESS  
SPRING 2019**

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

<b><u>Course Student Learning Outcome [SLO]</u></b>	<b><u>PSLO</u></b>	<b><u>GER</u></b>	<b><u>ISLO</u></b>
a. Understand and apply the meaning of, and legal issues surrounding marriage, civil unions and divorce.	<p>Demonstrate ability to effectively and professionally communicate in writing.</p> <p>Demonstrate ability to effectively and professionally communicate orally.</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>Demonstrate knowledge of Constitutional Law,</p>		<p><b>Industry, Professional, Discipline Specific Knowledge and Skills</b></p> <p><b>Communication Skills</b> Written [W]</p>

	<p>Criminal Law and Procedure, Civil Litigation, and at least three of:</p> <ul style="list-style-type: none"> <li>• Negligence and Intentional Torts</li> <li>• Family Law</li> <li>• Real Property</li> <li>• Immigration Law and Border Control</li> <li>• Wills, Estates and Trusts</li> <li>• Environmental Law</li> <li>• American Indian Law and Fed. Policy</li> <li>• Trial Courts and Rules of Evidence</li> </ul>		<p><b>Critical Thinking</b> <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>Identify the ethical implications inherent in a particular situation, and evaluate the particular course of</p>		<p><b>Industry, Professional, Discipline Specific Knowledge and Skills</b></p> <p><b>Communication Skills</b> Written [W]</p>

	<p>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"> <li>• Negligence and Intentional Torts</li> <li>• Family Law</li> <li>• Real Property</li> <li>• Immigration Law and Border Control</li> <li>• Wills, Estates and Trusts</li> <li>• Environmental Law</li> <li>• American Indian Law and Fed. Policy</li> <li>• Trial Courts and Rules of Evidence</li> </ul>		<p><b>Critical Thinking</b>  <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 constitutions, statutes, common law and administrative law.</p> <p>Understand and explain the roles of</p>		<p><b>Industry, Professional, Discipline Specific Knowledge and Skills.</b></p> <p><b>Communication Skills</b>  Written [W]</p>

	<p>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"> <li>• Negligence and Intentional Torts</li> <li>• Family Law</li> <li>• Real Property</li> <li>• Immigration Law and Border Control</li> <li>• Wills, Estates and Trusts</li> <li>• Environmental Law</li> <li>• American Indian Law and Fed. Policy</li> <li>• Trial Courts and Rules of Evidence</li> </ul>		<p><b>Critical Thinking</b> <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 who act within the legal system.</p> <p>Understand and articulate the role of common law in the American legal system, including</p>		<p><b>Industry, Professional, Discipline Specific Knowledge and Skills</b></p> <p><b>Communication Skills</b> Oral [O], Written [W]</p>

	<p>concepts of mandatory (stare decisis) and persuasive authority.</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"> <li>• Negligence and Intentional Torts</li> <li>• Family Law</li> <li>• Real Property</li> <li>• Immigration Law and Border Control</li> <li>• Wills, Estates and Trusts</li> <li>• Environmental Law</li> <li>• American Indian Law and Fed. Policy</li> <li>• Trial Courts and Rules of Evidence</li> </ul>		<p><b>Critical Thinking</b>  <i>Critical Analysis [CA]</i></p>
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<b>KEY</b>	<b><u>Institutional Student Learning Outcomes [ISLO 1 – 5]</u></b>
<b>ISLO #</b>	<b>ISLO &amp; Subsets</b>
<b>1</b>	<b>Communication Skills</b> Oral [O], Written [W]
<b>2</b>	<b>Critical Thinking</b> <i>Critical Analysis [CA] , Inquiry &amp; Analysis [IA] , Problem Solving [PS]</i>
<b>3</b>	<b>Foundational Skills</b> <i>Information Management [IM], Quantitative Lit./Reasoning [QTR]</i>
<b>4</b>	<b>Social Responsibility</b> <i>Ethical Reasoning [ER], Global Learning [GL],</i>

	<i>Intercultural Knowledge [IK], Teamwork [T]</i>
<b>5</b>	<b>Industry, Professional, Discipline Specific Knowledge and Skills</b>

**J. APPLIED LEARNING COMPONENT: Yes X No \_\_\_\_\_**

**K. TEXTS: Wilson, M. (2017). *Family Law for the Paralegal (3<sup>rd</sup> 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**