

Course Outline

COURSE:		LAWS 3804-A Law of the Family
TERM:		Fall 2015
PREREQUISITES:		LAWS 2201 & 2202
CLASS:	Day & Time:	Mondays 6:05-8:55pm.
	Room:	Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)		Graciela Jasa Silveira
CONTACT:	Office:	B442 LOEB BUILDING
	Office Hrs:	By appointment
	Telephone:	
	Email:	Graciela.JasaSilveira@Carleton.ca

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published

or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at: <http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures.

Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

COURSE DESCRIPTION

We are living in a time of important changes in family law. Institutions and laws of the family that remained unquestioned for decades have experienced unprecedented transformation in these last few years. In doing so, courts and legislators in Canada and elsewhere have had to rethink and redefine many of the core institutions and principles underpinning family law and family law policy. Taking on a critical and policy-oriented approach, this course will explore the legal, social, political, and economic complexities that have arisen in Canada and in other jurisdictions as a result of the transformative changes currently taking place in family law policy around the world. While the course focuses mainly on Ontario as a way to provide an introduction to the legal regulations of the family in Canada, the course also examines family law issues in other provinces and in other countries as a way of providing a broader view of trends and counter-trends in law reform and policy issues. Among the topics covered in this course are: marriage and other state-regulated conjugal unions, legal parentage, adoption, family protection and family violence, the divorce process and ADR, parenting after divorce, child custody and support, and the economic consequences of divorce. Themes include the role of the state in the regulation of family law; the connection between social and legal change in the area of the family; how the private/public law, international/national, and federal/provincial boundaries influence family law; the relevance of gender, class, and ethnicity; and status in family law.

REQUIRED TEXTS

Textbook: Mary Jane Mossman et al., *Families and the Law: Cases and Commentary* (Concord, ON: Captus Press, 2015) (Available for purchase at the Carleton University Bookstore)*

*Please note there is a 2012 edition of this book that is also available. Be aware that if you choose to use the 2012, that are sections that both major and minor changes in the new edition.

SUPPLEMENTARY TEXTS

J. Eekelaar & R. George, *Routledge Handbook of Family Law and Policy* (New York: Taylor & Francis, 2014)

S.N. Katz, et al., *Cross Currents: Family Law and Policy in the United States and England* (Oxford University Press, 2000).

P. de Cruz, *Family Law, Sex and Society: A Comparative Study of Family Law* (New York: Taylor & Francis, 2010).

S. Gilmore & I. Glennon, *Hayes and Williams' Family Law* (Oxford: Oxford University Press, 2014).

R. George, *Ideas and Debates in Family Law* (Oxford: Bloomsbury Publishing, 2012).
 Mavis MacLean, Benoit Bastard and John Eekelaar, *Delivering Family Justice in the 21st Century* (United Kingdom: Hart Publishing, 2015)
 J. Murphy, *International Dimensions in Family Law* (Manchester: Manchester University Press, 2005).
 A.L. Estin & B. Stark, *Global Issues in Family Law* (St. Paul, Thomson/West Academic Publishing, 2007).
 E.E. Sutherland, *The Future of Child and Family Law: International Predictions* (Cambridge University Press, 2012).

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Evaluation Components	Value	Due Dates
ATTENDANCE AND PARTICIPATION		
Attendance is mandatory . There are 12 classes scheduled. Students must attend at least 10 of these classes. Attendance accounts for 5% and participation for the other 5% of the grade. Participation will be graded based on in-class activities and exercises covering class themes. Details to come.	10%	Weekly
EXAMS: There are two exams in this course.		
MIDTERM EXAM: A midterm exam will take place MONDAY, OCTOBER 19 th during regularly scheduled class time. This exam will cover the material and discussions from the beginning of the course up to the week of OCTOBER 5 th . The midterm will account for 15% of your final grade.	15%	EXAM DATE: MONDAY, OCTOBER 19th, 2015 during regularly scheduled class time
FINAL EXAM: The final exam will cover material and in-class discussions from the entire semester. The FINAL EXAM will take place MONDAY, DECEMBER 21 st , during regularly scheduled class time. The FINAL EXAM will account for 15% of your final grade.	15%	EXAM DATE: During the Formal Exam Period, December 9-21, 2015
WRITTEN ASSIGNMENTS: There are three writing components to the course		
ASSIGNMENT 1: ANNOTATED BIBLIOGRAPHY FOR FAMILY LAW POLICY BRIEF (See Assignment Instructions on cuLearn for more information)	10%	Due NOVEMBER 2nd, NOON (online submission via cuLearn)
ASSIGNMENT 2: FAMILY LAW POLICY BRIEF (See Assignment Instructions on cuLearn for more information)	30%	EARLY FEEDBACK OPPORTUNITY: Rough drafts due November 30 th , 2015 at noon (online submission via cuLearn) FINAL SUBMISSION: Monday, December 7 th , 2015 at noon (online submission via cuLearn)

<p>OP-ED OF FAMILY LAW ISSUES: Each student will contribute three Op-Ed submissions during the semester. The Op-Ed will be based on an indicated issue and should showcase critical analysis of the issue, bringing in what you have learned in the course as well as research on the issue. Word count: ~300. (See Assignment Instructions on cuLearn for more information)</p>	<p>10%</p>	<p>Multiple deadlines: Op-Ed 1: Monday, September 28th, 2015 Op-Ed 2: Monday, October 5th, 2015 Op-Ed 3: Monday, November 9th, 2015 Op-Ed 4: Monday, November 23rd, 2015</p> <p>(Submission: (online submission via cuLearn and bring one copy to that week's class))</p> <p>OPTIONAL OP-ED'S TO IMPROVE GRADE Two deadlines for submission: Monday, October 19th, 2015 Monday, November 2nd, 2015</p> <p>Grade will be calculated based on the best 3 Op-Ed grades.</p>
<p>ORAL POLICY BRIEF PRESENTATION</p>		
<p>Assignment 3: Family Law & Policy Brief Presentation</p>	<p>10%</p>	<p>All presentations will take place on Monday, December 7th, 2015.</p>
<p>TOTAL</p>	<p>100%</p>	

Important Notes on Evaluation:

You must complete all components of Evaluation to receive a passing mark in the course. This includes the Preparation Exercises.

Feedback: You will receive a marking feedback and evaluation sheet with your marks and some comments when your marks are posted. You should wait 48 hours before emailing me with questions.

Timelines:

- It will take about 1 week to mark and return Assignment 1 to you through the Assignments Tab.
- Assignment 2 will be marked within the timeframe for finalizing the Final Grade Report. You will receive your mark around the same time as the FGR is submitted to the Dean's Office.
- Marks for other submissions will be input by me using Grade Book. These are likely to be posted 'en bloc' near the end of the semester. You will know if you have obtained the associated marks in any case, by submitting on time.

Grade Book: Initially, you will obtain your mark through the Assignments Tab on cuLearn. After a short time, we will also release the marks onto grade book. Please check from time to time so we can catch any errors or omissions early and make corrections.

Individual work only! See later discussion of Academic Integrity.

Course Schedule: Available in separate document via cuLearn.

IMPORTANT:

- **PLEASE NOTE THAT THE FIRST DAY OF CLASS IS FRIDAY, SEPTEMBER 4, 2015**
 (September 4th follows a Monday schedule - <http://calendar.carleton.ca/academicyear/undergrad/#fall2015text>)

ALSO NOTE: THERE IS NO CLASS ON THE FOLLOWING DAYS

- **MONDAY SEPTEMBER 7, 2015 IS A STATUTORY HOLIDAY, THERE IS NO CLASS!**
- **MONDAY, OCTOBER 12, 2015 STATUTORY HOLIDAY-NO CLASS**
- **MONDAY, OCTOBER 26, 2015, READING WEEK- NO CLASS**

