

ADVANCED FAMILY LAW LITIGATION

Spring 2010

Professor Dalton

COURSE EXPECTATIONS

If you are thinking of taking this course, please read this memo, and the draft course syllabus, carefully, so that you are making an informed decision.

The memo, syllabus, and other course materials as they become available will be on TWEN. The password is 'famlit'. We will be making heavy use of TWEN to organize ourselves as the course progresses.

This course is not for the faint of heart. It is a LOT of work. On the other hand, you will come out of it with a real feel for how a divorce case involving allegations of domestic violence might play out in court, and with solid experience of both written and oral advocacy – under the guidance not just of myself, but of our DVI faculty and staff, and of a number of experienced Boston-area practitioners, whom you will get to talk with about their own practices and experiences.

Bottom line: if you are prepared to put a lot into it, you will get a lot out of it. If you are NOT prepared to put a lot into it, or if the other demands on you this quarter will make it impossible to put a lot into it, **YOU SHOULD NOT SIGN UP**. Once the litigation is under way, it proceeds apace: deadlines are inflexible, and the work simply has to get done.

Here are some specific commitments you need to make if you enroll:

1. To attend every class session. If you know at the very beginning of the quarter that ONE session is going to be impossible for you, we may be able to work around it. But if it's a court hearing, you'll miss your chance at oral advocacy, and I'll have one less performance to evaluate. And if it's a crucial preparation session, you'll be robbing yourself of the opportunity to give your client your best efforts in the next phase of the case.
2. To meet every deadline for the submission of written work. Sometimes that work will be a pleading, a motion, or a draft order, that has to be in front of the judge in time for him or her to read it before a hearing. Sometimes it will be a draft that comes to me, so that I can turn it around in time for you to have a polished final version to submit to the court. Sometimes it will be an outline that will help shape our class discussion. Whatever it is, it has to be submitted **ON TIME**.
3. To be available for an occasional face-to-face meeting with a team member, or opposing counsel, or a witness, or even a client **OUTSIDE** of our weekly class time. Be prepared for that need to intensify as the quarter progresses: there will

be pressure from the court to settle, which will involve negotiations with opposing counsel, and if any of the issues goes to trial there will be witnesses to prepare. My commitment to you is that it will be over by week TEN: the final week will involve only a debriefing and a class celebration, so that you have 'down-time' at least from this course, before exams are upon you.

4. To be a responsible partner or team member when joint efforts are required, both in terms of doing a fair share of the work, and in terms of making reasonable accommodations to others' schedules, just as they will be making reasonable efforts to accommodate yours.
5. To make appropriate use of MY availability. You will have access to work space in the clinics, the primary tools you will need for research and writing will be gathered there, and I will be on site, as a general matter, at least three days a week, with my door open. I WANT to help, but I can't always divine when that help would be useful – you have to tell me. Sometimes we will schedule appointments to discuss drafts, and advocacy strategy, but I would also like to see you drop in without an appointment with questions or concerns that come up as you work.
6. To dress appropriately when we have guests with us in class. If it's a court hearing, dress for court. If we have a visitor whom you could imagine being your future employer, live up to the image you would like an employer to carry away with him or her!
7. To treat yourself well enough that you aren't going to suffer extreme hunger pangs or dehydration during class. We will have (short) breaks because three hours is a long time. Bring water. Bring snacks (as long as they're tidy, and don't smell so tantalizing that the rest of us can't concentrate).
8. TO ENJOY THE PROCESS. This goes back to the beginning. If it sounds to you as if this is going to be overwhelming to the point where you can't enjoy it, don't sign up.

FOR ALL WHO CAN READ THE ABOVE, AND DECIDE IT'S A JOURNEY THEY WANT TO TAKE: WELCOME! I LOOK FORWARD TO TAKING IT WITH YOU.
