



## UNSW Course Outline

# LAWS3391 Family Law - 2024

Published on the 28 Jan 2024

## General Course Information

Course Code : LAWS3391

Year : 2024

Term : Term 1

Teaching Period : T1

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Global and Public Law

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Undergraduate

Units of Credit : 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

In general, Family Law deals primarily with the legal principles, processes and institutions applicable to different types of domestic relationships, especially those arising from marriage and various forms of unmarried cohabitation (heterosexual or same-sex), and those arising between parents and children.

## Main Topics

- The constitutional framework of family law;
- Marriage and divorce, and the legal recognition and regulation of different types of domestic relationships and “families”;
- The resolution of disputes between married and unmarried domestic partners relating to care of and responsibility for children, personal protection (eg against violence), division of property, and maintenance;
- Legal status of children (including legal issues arising from assisted reproduction), and the rights and responsibilities of parents and others relating to children; and.
- Procedural aspects of family law, including the roles of lawyers, mediators and Family Consultants, and the development of alternative procedures for resolution of parenting disputes and other family law matters.

There are not normally any pre-requisites for this course, although it is generally regarded as a later year elective. Family Law mainly deals with topics not covered elsewhere in the curriculum, and the course is designed so as to avoid overlap with related subjects such as *Children and the Law*. It will be especially relevant to students with an interest in the legal regulation of family relationships, including issues arising from sex and gender and notions of children’s rights, and to students who wish to qualify themselves for general legal practice (especially in suburban and country firms) or for specialised family law practice.

## Course Aims

The aim of this course is to provide students with an in-depth understanding of the legal framework that governs familial relationships, including marriage, divorce, parenting matters, and property rights. Through this course, students will explore the complex and constantly evolving laws and policies that shape modern family structures.

By the end of the course, students will be able to analyze and evaluate the principles of family law, identify relevant legal issues and apply legal reasoning to real-world scenarios. The course will cover a broad range of topics, including the legal definition of marriage and family, spousal and child support, adoption, domestic violence, and alternative dispute resolution mechanisms.

In addition, students will be exposed to the social and cultural factors that influence family law, including changing societal norms, demographic trends, and political developments. The course will equip students with the knowledge and critical skills necessary to navigate the complex legal landscape of family law and to engage critically with current debates and issues in this field.

# Course Learning Outcomes

Course Learning Outcomes
CLO1 : Identify the ways in which law can affect parties to family and domestic relationships, both in the initiation and termination of those relationships, and in the resolution of disputes arising from those relationships (PLOs 1, 2 & 3)
CLO2 : Think critically about different juridical and philosophical approaches to the recognition of different family and domestic arrangements, and evaluate the effectiveness of these approaches (as reflected for example in state and federal legislation) (PLOs 3, 4, 5, 6, 7 & 8)
CLO3 : Recognise the institutions and persons relevant to the control and regulation of parties to different types of domestic relationships (PLOs 1 & 8)
CLO4 : Identify the ways in which law and policy can protect parties whether adult or children from abuse and exploitation in domestic and family situations (PLOs 1, 2, 3, 7 & 8)
CLO5 : Demonstrate an ability to think critically and to justify ideas in a reasoned manner, and to communicate effectively, in speaking and in writing (PLOs 4, 5, 6, 7, 8, 9 & 11)

Course Learning Outcomes	Assessment Item
CLO1 : Identify the ways in which law can affect parties to family and domestic relationships, both in the initiation and termination of those relationships, and in the resolution of disputes arising from those relationships (PLOs 1, 2 & 3)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Final Exam</li> <li>• Case Notes</li> </ul>
CLO2 : Think critically about different juridical and philosophical approaches to the recognition of different family and domestic arrangements, and evaluate the effectiveness of these approaches (as reflected for example in state and federal legislation) (PLOs 3, 4, 5, 6, 7 & 8)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Final Exam</li> <li>• Case Notes</li> </ul>
CLO3 : Recognise the institutions and persons relevant to the control and regulation of parties to different types of domestic relationships (PLOs 1 & 8)	<ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Case Notes</li> </ul>
CLO4 : Identify the ways in which law and policy can protect parties whether adult or children from abuse and exploitation in domestic and family situations (PLOs 1, 2, 3, 7 & 8)	<ul style="list-style-type: none"> <li>• Class Participation</li> </ul>
CLO5 : Demonstrate an ability to think critically and to justify ideas in a reasoned manner, and to communicate effectively, in speaking and in writing (PLOs 4, 5, 6, 7, 8, 9 & 11)	<ul style="list-style-type: none"> <li>• Final Exam</li> <li>• Case Notes</li> <li>• Class Participation</li> </ul>

## Learning and Teaching Technologies

Moodle - Learning Management System

# Assessments

## Assessment Structure

Assessment Item	Weight	Relevant Dates
Class Participation Assessment Format: Individual	20%	
Final Exam Assessment Format: Individual	50%	
Case Notes Assessment Format: Individual	30%	

## Assessment Details

### Class Participation

#### Assessment Overview

#### Class Participation

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

#### Course Learning Outcomes

- CLO1 : Identify the ways in which law can affect parties to family and domestic relationships, both in the initiation and termination of those relationships, and in the resolution of disputes arising from those relationships (PLOs 1, 2 & 3)
- CLO2 : Think critically about different juridical and philosophical approaches to the recognition of different family and domestic arrangements, and evaluate the effectiveness of these approaches (as reflected for example in state and federal legislation) (PLOs 3, 4, 5, 6, 7 & 8)
- CLO3 : Recognise the institutions and persons relevant to the control and regulation of parties to different types of domestic relationships (PLOs 1 & 8)
- CLO4 : Identify the ways in which law and policy can protect parties whether adult or children from abuse and exploitation in domestic and family situations (PLOs 1, 2, 3, 7 & 8)
- CLO5 : Demonstrate an ability to think critically and to justify ideas in a reasoned manner, and to communicate effectively, in speaking and in writing (PLOs 4, 5, 6, 7, 8, 9 & 11)

### Final Exam

#### Assessment Overview

#### Final Exam

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

### Course Learning Outcomes

- CL01 : Identify the ways in which law can affect parties to family and domestic relationships, both in the initiation and termination of those relationships, and in the resolution of disputes arising from those relationships (PLOs 1, 2 & 3)
- CL02 : Think critically about different juridical and philosophical approaches to the recognition of different family and domestic arrangements, and evaluate the effectiveness of these approaches (as reflected for example in state and federal legislation) (PLOs 3, 4, 5, 6, 7 & 8)
- CL05 : Demonstrate an ability to think critically and to justify ideas in a reasoned manner, and to communicate effectively, in speaking and in writing (PLOs 4, 5, 6, 7, 8, 9 & 11)

## **Case Notes**

### Assessment Overview

5 Case Notes - 30% (5 x 6% per case note).

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

### Course Learning Outcomes

- CL01 : Identify the ways in which law can affect parties to family and domestic relationships, both in the initiation and termination of those relationships, and in the resolution of disputes arising from those relationships (PLOs 1, 2 & 3)
- CL02 : Think critically about different juridical and philosophical approaches to the recognition of different family and domestic arrangements, and evaluate the effectiveness of these approaches (as reflected for example in state and federal legislation) (PLOs 3, 4, 5, 6, 7 & 8)
- CL03 : Recognise the institutions and persons relevant to the control and regulation of parties to different types of domestic relationships (PLOs 1 & 8)
- CL05 : Demonstrate an ability to think critically and to justify ideas in a reasoned manner, and to communicate effectively, in speaking and in writing (PLOs 4, 5, 6, 7, 8, 9 & 11)

## **General Assessment Information**

More details about the assessments and due dates are available on Moodle.

### Grading Basis

Standard

## **Course Schedule**

## **Attendance Requirements**

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information

field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Course Resources

### Prescribed Resources

The required textbook is Alexandra Harland et al, *Family Law Principles* (Thomson Reuters, 3<sup>rd</sup> edition, 2021). This in addition to readings prescribed for each class (usually, but not always, Court judgments).

### Course Evaluation and Development

Students feedback is collected formally and informally, including surveys at mid-course and end-of-course. The teacher encourages open communication through class discussions, online forums, and individual consultations.

Past feedback indicated a need for clearer assignment instructions, and this has been done. Course materials were revised with detailed guidelines, leading to reduced confusion and improved task comprehension.

## Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
Convenor	Noam Peleg					Yes	Yes

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.

- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

## UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law &](#)

## Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

## Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

## Course improvement



Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## **School Contact Information**

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.