

FAMILY LAW

Fall 2011

Professor Verna L. Williams
Office 423
Phone: 556-0866
E-mail: verna.williams@uc.edu

Course Description

“The demographic changes of the past century make it difficult to speak of an average American family.”

Troxel v. Granville, 530 U.S. 57, 64 (2000)

As the Supreme Court has recognized, “family” is an elastic term today. More Americans live in multigenerational homes today; fewer Americans choose to marry. What do these changes mean for the law? In this course, we will examine that question, as well as others, such as the role of law in shaping what society recognizes as a family, and the attendant implications of classifying– or refusing to classify – a grouping as a “family.”

This course examines the various constitutional and statutory doctrines that apply to families in their various iterations. In this connection, the course considers the social, political, and legal developments that have impacted the regulation of families, such as the women’s movement, the civil rights movement, and the gay rights movement. The course materials assist in this effort by integrating interdisciplinary perspectives from fields such as history, sociology, and social work.

Within this conceptual framework, this course helps students understand and apply the general principles of the laws governing families, examining such areas as marriage, divorce, child custody, and property division. An integral part of the course will be solving problems designed to help students develop the analytical skills necessary to practice in this rapidly changing area of the law.

General Information

The required text is Weisberg and Appleton, MODERN FAMILY LAW: CASES AND MATERIALS (4th Edition) (Aspen 2010). Additional materials also will be posted on the course’s website, which is available through TWEN. To access the site, go to www.lawschool.westlaw.com and click the link for TWEN.

My office hours are Tuesdays and Thursdays from 3:30 until 4:30. I also am available by appointment if you can’t make those times.

Course Requirements and Grading

The majority of your grade will be based on a three-hour exam. Additionally, class participation and attendance are essential. To that end, I will call on students throughout the semester. In addition, I may ask students to serve as discussion leaders at various times in the course. I will calculate grades as follows:

Exam: 65% of your grade

Class attendance and participation: 35%

If you must miss class, please inform me ahead of time if possible by e-mail. Chronic absences and/or unpreparedness will result in a failing grade.

Reading Assignments

Please read the following for the first week of class. I will post the next set of readings on our TWEN site.

Date	Reading Assignment	Class Problem
I. Getting Married		
1. January 18	Introduction, the Marriage Contract, and Premarital Controversies: Casebook ("CB") 103 – 118	Problem, page 113 – please do not pull the cited cases upon which the problem is based [this applies to all the problems in this book]
2. January 20	Premarital Contracts: CB 118-130	Note 10, parts a - g