



## Western Technical College

# 10110106 Family Law

## Course Outcome Summary

### Course Information

<b>Description</b>	The Family Law course is designed to familiarize paralegal students with the basic legal concepts involved in the area of family relations and domestic relations law. The students will be able to compare how relationships and relationship issues are governed by the law including marital relationships, dissolutions, custody actions, child support actions, adoptions, paternity actions, and domestic violence relationships.
<b>Career Cluster</b>	Law, Public Safety, Corrections and Security
<b>Instructional Level</b>	Associate Degree Courses
<b>Total Credits</b>	3
<b>Total Hours</b>	54

### Textbooks

No textbook required.

### Program Outcomes

1. Apply ethical principles in a legal environment.
2. Process legal documents.
3. Perform legal research.
4. Apply critical thinking skills to address legal issues.

### Course Competencies

1. **Examine the fundamental principles underlying the marital relationship and the relevant sources of family law.**

#### Assessment Strategies

- 1.1. Research Project
- 1.2. Written Objective Test (score 70% or higher)

#### Criteria

*You will know you are successful when*

- 1.1. you locate primary and secondary sources of law.
- 1.2. you differentiate between primary and secondary sources of law that affect the marital relationship.
- 1.3. you complete a research project reflecting that difference.
- 1.4. you define the court structures that governs familial relationships.
- 1.5. you determine which structure governs familial proceedings.
- 1.6. you discuss ethical dilemmas encountered by the family law paralegal.
- 1.7. you explain the specific duties for a client contact, client interviewing, and document preparation.

#### **Learning Objectives**

- 1.a. Describe the different legal sources (Primary and Secondary) that affect the marital relationships.
- 1.b. Explore the various interests of government and their entities.
- 1.c. Describe the role of a paralegal and the ethical considerations involved in family law matters.

### **2. List the various types of family relationships and list the laws that affect them.**

#### **Assessment Strategies**

- 2.1. Legal memorandum

#### **Criteria**

*You will know you are successful when*

- 2.1. you describe the different types of family relationships.
- 2.2. you identify the correct law(s) associated to the type of family structure involved.
- 2.3. you complete a legal memorandum reflecting a blended family and current case law.

#### **Learning Objectives**

- 2.a. Describe between single-parent families, step-families, blended families, gay or lesbian parent families and foster parent families.
- 2.b. Describe how each type of family is governed by different laws and some of the same laws.

### **3. Differentiate between marital and non-marital property.**

#### **Assessment Strategies**

- 3.1. Written Products

#### **Criteria**

*You will know you are successful when*

- 3.1. you describe marital, non-marital, and inherited property.
- 3.2. you research resources to value property.
- 3.3. you value select property and categorize the property according to recent case law.
- 3.4. you dissect the criteria for marital property according to statute.
- 3.5. you apply criteria to a marital agreement property and a marital balance sheet.
- 3.6. you complete a marital property agreement and marital balance sheet with 70% or more accuracy.
- 3.7. you complete a financial disclosure statement required by statute.

#### **Learning Objectives**

- 3.a. Determine community property states from non-community property states regarding to marital property.
- 3.b. Determine the non-marital property along with inherited property.
- 3.c. Use and locate resources to value property and determine the consequences of those valuations.

### **4. Analyze the laws governing various degrees of support and maintenance.**

#### **Assessment Strategies**

- 4.1. Written Product

#### **Criteria**

*You will know you are successful when*

- 4.1. you interpret information on a report from the support agency.
- 4.2. you determine the amount of arrears a payor owes.
- 4.3. you describe the options available to enforce payment.
- 4.4. you draft documents to enforce payments.

### **Learning Objectives**

- 4.a. Explain how to enforce new and old support/maintenance orders.
- 4.b. Define contempt statutes and the civil procedure to enforce such statutes.

## **5. Evaluate same sex marriage with current family law.**

### **Assessment Strategies**

- 5.1. Oral Presentation
- 5.2. Legal Memorandum

### **Criteria**

*You will know you are successful when*

- 5.1. you identify laws governing same sex marriage.
- 5.2. you identify laws governing divorce of same sex marriages.
- 5.3. you complete a legal memorandum and present the summary of a same sex couple divorce scenario.

### **Learning Objectives**

- 5.a. Describe how the laws (common and statutory) apply to same sex marriage.
- 5.b. Determine outcomes for a same sex couple divorce.

## **6. Analyze the types of property agreements used prior to and after marriage.**

### **Assessment Strategies**

- 6.1. Written Product

### **Criteria**

*You will know you are successful when*

- 6.1. you define a premarital / prenuptial agreement and an anti-nuptial agreement.
- 6.2. you discuss statutes and case law that govern these agreements.
- 6.3. you create an agreement according to statute using a set of facts.

### **Learning Objectives**

- 6.a. Analyze a premarital agreement and determine its specific purpose and necessity according to statute and current case law.
- 6.b. Analyze an antenuptial agreement and determine its validity according to statute and current case law.
- 6.c. Discuss the consequences of each.

## **7. Complete the procedures involved in the divorce and legal separation procedure.**

### **Assessment Strategies**

- 7.1. Written Product
- 7.2. Written Objective Test

### **Criteria**

*You will know you are successful when*

- 7.1. you differentiate between a divorce and a legal separation.
- 7.2. you prepare the required documents to process a divorce.
- 7.3. you demonstrate proper ordering of the divorce processing statutory requirements.

### **Learning Objectives**

- 7.a. Describe in detail the jurisdictional and procedural filing requirements.
- 7.b. Determine the order of procedures involved in completing a divorce and legal separation.

## **8. Evaluate the custody procedure for divorces and paternity actions.**

### **Assessment Strategies**

- 8.1. Oral Presentation
- 8.2. Written Objective Test

### **Criteria**

*You will know you are successful when*

- 8.1. you identify the different procedures used in a custody dispute.

- 8.2. you describe the different outcomes of a custody dispute.
- 8.3. you orally present the steps involved in a formal custody dispute process.
- 8.4. you complete an examination of the custody dispute process.

**Learning Objectives**

- 8.a. Determine what procedure is best for a custody dispute: mediation, guardian ad litem or custody assessment team.
- 8.b. Determine the outcome of a custody disputes (custody, placement and visitation) and determine when modification of the outcome can occur.

**9. Examine the criteria surrounding an annulment.**

**Assessment Strategies**

- 9.1. Written Product

**Criteria**

*You will know you are successful when*

- 9.1. you define annulment.
- 9.2. you identify statutes and case laws that govern annulments.
- 9.3. you complete an internal memorandum outlining the annulment process including procedural requirements.

**Learning Objectives**

- 9.a. Determine which situations qualify for a statutory annulment.
- 9.b. Describe the procedural requirements for filing an annulment.

**10. Analyze the different types of alternative dispute resolution (ADR).**

**Assessment Strategies**

- 10.1. Written Objective Test

**Criteria**

*You will know you are successful when*

- 10.1. you explain the elements of each type of alternative dispute resolution.
- 10.2. you determine when an ADR is appropriate in various actions.

**Learning Objectives**

- 10.a. Define the types of ADR.
- 10.b. Differentiate how they affect the negotiation process in various case scenarios.

**11. Examine the legal process of establishing paternity.**

**Assessment Strategies**

- 11.1. Written Objective Test

**Criteria**

*You will know you are successful when*

- 11.1. you explain why establishing paternity is important.
- 11.2. you explain methods for determining paternity.
- 11.3. you describe the different processes of a paternity action.

**Learning Objectives**

- 11.a. Describe in detail the procedure to adjudicate paternity including genetic testing and admissions.
- 11.b. Describe the process following the adjudication of paternity including custody, placement and child support.

**12. Summarize the elements of a child in need of protective services and define the process of parental terminations and adoptions.**

**Assessment Strategies**

- 12.1. Written Product

**Criteria**

*You will know you are successful when*

- 12.1. you explain situations for needed termination of parental rights.
- 12.2. you identify the statutory requirements for termination of parental rights.
- 12.3. you identify the statutory requirements for adoption.
- 12.4. you complete the documents to process a tpr and adoption.
- 12.5. you identify the criteria for a termination of parental rights and adoption.

**Learning Objectives**

- 12.a. Describe the statutory and procedural requirements for terminating parental rights.
- 12.b. Describe the statutory and procedural requirements for an adoption.

**13. Compare the different torts involved in family relationships, including domestic violence, incest and abuse.**

**Assessment Strategies**

- 13.1. Oral Presentation

**Criteria**

*You will know you are successful when*

- 13.1. you identify the statutory guidelines for torts, domestic abuse, and incest.
- 13.2. you complete a memorandum summarizing a familial actions involving torts.
- 13.3. you present findings of your case study research for domestic violence and incest.

**Learning Objectives**

- 13.a. Determine what affect torts have on families including custody, visitation, supervised visitation and the placement of children.
- 13.b. Compare the types of torts that occur in the family law realm.