

FAMILY LAW
Law 322

Faculty of Law, University of Victoria
Instructors: Trudi L. Brown, Q.C., Kay Melbye and Aesha Faux

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Course website: Moodle

COURSE OUTLINE
Fall 2010

1. COURSE DESCRIPTION

The course will survey the legal framework surrounding familial relationships and family breakdown in Canada. We will cover the legal framework of starting the relationship, defining the family, custody issues, domestic violence and power imbalance, child protection, child support, spousal support, matrimonial property, the Divorce Act and some of the processes including collaborative law, mediation, negotiation and court applications.

We will discuss the role of the state in families and the changing definitions of 'families' and their connectivity to the community. The province may be in the midst of a significant change in its matrimonial property legislation and we will look at what has been and what may be in the future.

2. COURSE OBJECTIVES

This is an introductory course into a complex and constantly changing area of law.

- It aims to stimulate your interest in family law and the various legal and social issues involved
- to convey the basic principles that underlie and inform state regulation of families
- to enable you to find relevant legislation and case law and identify current family law issues in order to make persuasive family law arguments
- to introduce procedural and other practice issues unique to family law, and
- provide you with an opportunity to examine and discuss some of the theory that shapes and changes family law in Canada.

3. ADMINISTRATIVE DETAILS

Class location and times: Mondays and Wednesdays, 9:00 – 10:30
Room 158

Contact Information:

We are all lawyers with a full-time family practice so the best way to contact us is by email. Email address for each Instructor are listed on page one.

4. MATERIALS REQUIRED

Huddart Brown	B.C. Family Law Practice
Bill Eddy	High Conflict People in Legal Disputes
Moodle	

5. TEACHING METHODOLOGY, ATTENDANCE AND PARTICIPATION

This course will be taught through a combination of lectures, class discussion, and small group work. The goal is to have an active and engaged classroom environment. It is our expectation that students will have read and thought about the assigned materials before each class and will be prepared to participate in debates, client interviews, mock court applications and the like.

There will be no taping of lectures without prior permission.

6. EVALUATION AND EXPECTATIONS

Evaluation

In-class role plays and participation (including debate, client interviews and court application) for *20% of the grade*

Take-home essay for *20% of the grade*

Final, open-book Exam for *60% of the grade*, will be held on **December 6, 2010**.

Detailed Assessment Expectations

A. Class Participation

It is expected that students will attend and actively participate in class discussions and work with fellow students to prepare for and participate in the debate, client interviews and court application.

B. Take Home Essay *Length not to exceed 5 pages* *

Students will be expected to write on a topic to be assigned. This assignment will be handed out and discussed in detail during class on October 6th.

* "Pages" mean letter-size (8 ½" x 11") paper, double-spaced, typed with 12 point font and 1" margins. Students must use Times New Roman Font. Any assignments that exceed the page limit will be docked one grade level (for example, "A" down to "A-") for each partial page over the limit. Any assignment that is handed in late will be docked one grade level (as noted above) for each partial day past the due date. *

7. REGULATIONS

- A. Students should obtain and review all regulations and policies contained in the University of Victoria Calendar, 2010-2011 ("U Vic Calendar") both generally and specifically for the Faculty of Law.
- B. There is no recording of this class without the express permission of the instructors.
- C. The assignments and examinations in this course will all be open book.
- D. The assignments will come with instructions that stipulate time, date and location for the return of those assignments. These instructions must be followed carefully with particular attention to those penalties for late submission or for assignments that exceed page limits.
- E. Academic integrity is expected of all participants in the University Community. Please familiarize yourself with the University's Policy on Academic Integrity set out in the U Vic Calendar and on line at:
<http://web.uvic.ca/calendar2009/FACS/UnIn/UARe/POAcl.html>