

**Family Law  
Spring 2025  
Law 212 (001)  
M/W 1:50-3:15**

**Professor:** Helen Alvaré  
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**Office Hours:** Mondays after class, and by appointment

**Required Text:**

Elrod, Oldham, and Abrams, *Family Law: Cases, Comments and Questions* (West: 9th ed.)

**Grading:**

There will be a three-and-one-half-hour, closed book examination at the end of the semester on May 8 at noon. You will be responsible for the material covered during class discussions, as well as all of the readings, including those that are not discussed in class. Final grades may be raised or lowered by a single increment to reflect the quality of the class participation.

**Assignments and Participation:**

The syllabus below will be posted on the law school's web site and on TWEN. I will call on several students randomly during each class. Academic Regulation 4.1 governs attendance. I will take attendance at each class.

Should circumstances occur wherein you anticipate the possibility of missing a substantial number of class sessions (e.g., a serious illness), you should immediately contact the Associate Dean for Student Affairs and Academic Support, Annamaria Nields, Room 154.

**Learning Outcomes:**

1. Students will understand and be able to communicate, both orally and in writing, basic principles of U.S. Family Law
2. Students will be able to examine factual scenarios implicating one or more Family Law questions, to determine the precise legal questions raised, the possible legal outcomes, and the benefits and costs of each of these outcomes.
3. Students will understand the separation and interaction of governmental powers affecting the family, at both the federal and state levels, and how to read and understand Family Law statutes, cases and regulations.

**Exam Conflicts:** In accordance with AR 4-4.1 (a) “Excuses and requests for permission not to sit for an examination when scheduled must be presented, with appropriate documentation, to the Law School’s Associate Registrar. Except in emergencies, such requests should be presented no later than two weeks before the date of the examination. An exam may be delayed only in the circumstances listed in subsection (c). The Law School’s Associate Registrar shall specify the date and time when a student with an excused absence may sit for the examination.”

**Online Policies:** Students should not send or receive email or text messages or browse the Internet during class time.

**Class Recordings Prohibited:** Pursuant to Academic Regulation 4-2.2, “Unless expressly permitted in writing by an instructor, no portion of a class session or an examination may be preserved by means of a recording device (such as an audio recording device or a camera).” Any exceptions to this policy must be expressly permitted in writing by me. I will, however, be recording certain course sessions and making these available to students upon express direction from the Associate Dean for Administration and Student Affairs if necessary to accommodate a student for certain absences.

## **COURSE ASSIGNMENTS AND SCHEDULE:**

*Please realize that this schedule is subject to slight changes as classes actually unfold. At the end of each class, I will confirm what material I intend to cover in the following class. Also, if weather interferes with an in-person class, the class will transition to an online format.*

### **Assignments:**

1-Wed Jan 22 – **Lecture\*\***: 1-13; 21-37; and **Read**: Family Definitions 14-21; Privacy, Violence, Parental Chastisement 52-80.

(\*\*“**Lecture**” means you are not required to read the material, but are encouraged of course to do so. You will be held responsible on the exam only for the material covered in the class presentation of lecture material. Feel free during class to raise questions about the material.)

2-Mon Jan 27 – **Read**: Marriage Regulation: 102-144

3-Wed Jan 29 – **Read**: Marriage: Capacity, Consent, Procedures, Common Law, Putative Spouse 144-172; and Marital Rights and Obligations: **Lecture** - Evidence and Torts: 180-93

4-Mon Feb 3 – **Read**: Property During Marriage and at Death 193-213: Marital Agreements 221-24

*5-Wed Feb 5* – **Read:** Prenuptial Agreements 221 -63 (STOP AT NOTE 12); **Lecture:** 267-69; **Lecture:** Marital Agreements 275-288

*6-Mon Feb 10* – **Read:** Cohabitants: 289-311; **Lecture** 311 at 2. – 323; **Read:** Parenting: Contraception, Abortion and Substantive Due Process: 80-10

*7-Wed Feb 12* – **Read:** Parenting: Abortion: 350-365; Assisted Reproductive Technologies 398-421

*8-Mon Feb 17* – **Read:** Parentage determinations 423-55; 460-462; **Lecture:** Paternity actions and paternity disestablishment 468 – 84; **Read:** Assisted Reproductive Technology: 484-94

*9-Wed Feb 19* – **Read:** Parentage and Surrogacy 494- 519

*10-Mon Feb 24* – **Read:** Adoption, Consent and Revocation: 521 – 547; **Lecture** 547-58; **Read:** Open Adoption 558-68; 573-75

*11-Wed Feb 26* – **Read:** Child, Parent, and State: 577-98; Legal Rep of Children; **Lecture:** 598-601; **Read:** Child Abuse Neglect 602-04 & Middle of 607 to 629

*12-Mon March 3* – **Read:** Termination of Parental Rights: 630-43; Parents' Rights re: Education and Medical Care 647- 70

*13-Wed March 5* – **Read:** Divorce 753-67; and 770-89

### **SPRING BREAK MARCH 10 - 16**

*14-Mon March 17* - **Read:** Divorce Alternatives: 789-95; **Lecture** 796-802;  
**Read:** Jurisdiction: 805-31 (Divorce and Support)

*15-Wed March 19* – **Read:** Jurisdiction Custody 836-50; **Lecture:** Hague Convention: 852-65

*16-Mon March 24* – **Read:** Custody Determinations: 867-905

*17-Wed March 26* – **Read:** Joint Custody: 909-919; Visitation 923-28

*18-Mon March 31* – **Read:** Non-Parent Custody and Visitation 929-953; Modification: 953-65

*19-Wed April 1* – **Read:** Property Division: 967-1000

*20-Mon April 7* – **Read:** Property Division Appreciation and Transmutation: 1000-19; Distribution 1022-42

*21-Wed April 9* – **Read:** Property Division - Pensions 1042-55; Spousal Support: **Lecture:** History; 1057-60; **Read:** State Approaches: 1060—75; **Lecture** - Fault 1075-81(stopping at D)

*22-Mon April 14* - **Read:** Spousal Support: Duration and Value: 1082-1094; 1100, note 4 – 1103; 1108-27

*23-Wed April 16* – Child Support: **Lecture** (History) 1129-31; **Read** 1131-1161

*24-Mon April 21* - **Read:** How Much Child Support? 1162- 1195; **Lecture:** Geographic Differences: 1196-1200

*25-Wed April 23-* **Read:** Child Support Modification 1200-1217; **Lecture:** Enforcement 1217- 1228

*26-Thurs April 24 OBSERVE A MON SCHED* – **Read:** Separation Agreements 1229-64

**FINAL: MAY 8 – Noon**