

FAMILY LAW LAB SPRING 2021

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My law school office is Nunn Hall 545. I will respond to e-mail within 24 hours and am flexible with meeting times.

Meeting Time and Recommendations

Family Law Lab meets on Thursdays from 3:45 to 4:35 p.m. via Zoom. The Zoom link is 778 151 0121.

You must have taken, or be concurrently enrolled in, Family Law to take this course.

Course Materials

The book for this course is Client Letters for the Family Lawyer by Mark Sullivan. We will also use supplementary materials that will be made available to you via TWEN.

Class Expectations and Requirements

Everyone is expected to act in a professional matter, arriving on time and remaining for the entire class.

Regular attendance is required. Attendance will be recorded. If you are more than 15 minutes late, it will count as an absence. There are no excused absences; you either attend or you don't. If you miss more than three (3) classes, you will fail the course.

Preparation is essential for meaningful participation in this class. I will post a specific assignment for the class each week. You must read or prepare what is due each week in advance of class in order to successfully pass the course.

This will be a lesson-based discussion-oriented class. Every member of the class is subject to being called on for every topic. You must be prepared to participate in every class discussion.

Course Goals

This course will focus on the practice of family law. Lessons, assignments and activities will include topics such as antenuptial agreements, marriage, divorce, separation agreements, child custody and parenting time, grandparent visitation, paternity, abuse and neglect, and orders of protection. The goal of this course is to give you a snapshot of the fundamental legal principles which control and non-marital family relationships, and to give you practical tools for representing clients in these matters.

This course is a **Mayerson Student Philanthropy** course. Students will conduct research on community services and meet virtually with 501(c)(3) service providers in order learn about community supports available people involved in Family Court matters. The goals of the Mayerson Student Philanthropy Project are to:

- *enhance students' awareness of social problems and nonprofit organizations in the community;*
- *influence students' attitudes, interests, intentions and behaviors related to social responsibility and civic engagement;*
- *enhance students' understanding of the academic content of the course by integrating theory and practice; and*
- *improve students' critical thinking, communication, leadership and other work-life skills.*

The Mayerson project has granted our class \$2,000 to donate to nonprofit organizations in the Northern Kentucky/Greater Cincinnati area. Over the course of the semester, you will research and meet with organizations that serve court-involved families in Northern Kentucky. Class members will have the opportunity to send a Request for Proposals for grants of \$1,000-\$2,000 to 4-6 of the agencies. You will evaluate the applications and ultimately determine which agency or agencies will receive the grant(s) of up to \$2000. Additionally, the group may choose to fundraise so that additional funds may be awarded.

Desired Learning Objectives

By participating in this course, you will learn the following:

1. To understand the major legal issues that may arise when representing clients in private family law matters;
2. To understand and build some of the skills and abilities that a lawyer who works in family court must possess, including: drafting pre-marital and separation agreements; preparing financial disclosures; appearing in basic hearings; drafting motions; and examining witnesses;
3. To develop and practice oral and written communication skills; and
4. To develop an awareness of and reflect on social challenges and community needs that affect court-involved families and the community-based agencies that may provide supports for them; and
5. To reflect on the lawyer's role in ensuring access to justice for court-involved families.

Assessment Methods

For Desired Learning Objectives 1, 2 and 3, students will be assessed by written assessment of four drafting assignments.

For Desired Learning Objectives 2 and 3, students will be assessed additionally by oral feedback by the professor and peers during on formal in-class exercises.

For Desired Learning Objectives 4 and 5, students will receive oral and written feedback by the professor on their Mayerson discussions and presentations.

Students with Disabilities

The University is committed to making reasonable efforts to assist individuals with disabilities in their efforts to avail themselves of services and programs offered by the University. To this end, NKU will provide reasonable accommodations for persons with qualifying disabilities. If you have a disability and feel you need accommodations in this course, you are required to register with the Office for Student Accessibility (OSA). OSA is located in SU 303, and its contact information is osa@nku.edu or 859-572-5401. Once you have received your accommodation letter from OSA, you must present the letter to me. Students should make every effort to meet with the OSA office and have the accommodation approval at least two weeks before the beginning of the exam period.

Student Evaluation of Faculty

The Chase College of Law takes instructor and course evaluations very seriously as an important means of gathering information for the enhancement of learning opportunities for its students. It is an important responsibility of Chase students as citizens of the College to participate in the instructor and course evaluation process. Students who complete an evaluation for a particular course (or opt out of doing so within the evaluation instrument) will be rewarded for their participation by having access to their course grade as soon as that grade is submitted by the instructor. Any student who does not complete the course evaluation (or opt out of doing so during the appropriate evaluation period posted on the Schedule page) should expect to incur a delay in access to his or her course grade. Students who experience extenuating circumstances in evaluating faculty or opting out may file a “Petition to Release Grade Access Restriction,” found on the webpage of the Chase Registrar, with the Associate Dean for Academics.

Workload

The course is a 1-credit class. The American Bar Association standards for accrediting law schools contain a formula for calculating the amount of work that constitutes one credit hour. According to ABA Standard 310(b)(1), “a “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.” Classroom hours are counted on the basis of a 50-minute class unit, and out-of-class hours are counted as 60 minutes per hour.

If you are taking 1 credit hour, you should plan on doing not less than 45 hours of course-related work per semester, including class time. As a result, you should be spending the following amount of time (per week) for your courses: 2 hours outside of class and 1 hour in class.

Grading

Your final grade in the course will be determined as follows:

Assignment	Percentage of Final Grade
Drafting Assignments	60%
Motion Outline	20%
Witness Examinations	20%

Assignments

You will be asked to complete three brief drafting assignments over the course of the semester. The topics will include prenuptial agreements, separation agreements, and child custody and parenting time.)

You will draft a Motion and prepare witness examinations for family-law based hearings.

More thorough descriptions of each assignment will be posted on TWEN when we get close to the assignment date.

AWR-Drafting

You may choose to submit materials from this course for AWR Drafting credit. In order to be eligible for AWR credit, you must comply with all requirements described in the Student Handbook. You must notify the professor at the beginning of the term if you intend to seek AWR credit for your work in this course.

GENERAL ASSIGNMENTS (SUPPLEMENTS WILL BE PROVIDED WEEKLY)

1.14.2021	<p>INTRODUCTION</p> <p>Review the websites for the ABA Section on Family Law, the KBA Section on Family Law, the American Academy of Matrimonial Lawyers, and the Association of Family and Conciliation Courts.</p> <p><i>MAYERSON:</i> We will also do a brief introduction to the Mayerson Student Philanthropy Project that we will complete as a class this semester. We will begin a brainstorm of local community services for court-involved families. By the end of class, students will have identified two nonprofits each to research and report back to the group on 2/4/2021.</p>
1.21.2021	<p>PRENUPTIAL AGREEMENTS</p> <p>Sample Client Letter: Firm Procedures Read pp. 10-24</p> <p>Prenuptial Agreements Review Prenuptial Form, Sample and Instructions posted on TWEN.</p> <p><i>MAYERSON:</i> A staff member from the Scripps Howard Center at NKU will conduct preliminary evaluations for our Mayerson project.</p>

1.28.2021	<p>PRENUPTIAL AGREEMENTS</p> <p>In advance of class, you will draft a Prenuptial Agreement based on a problem provided in class.</p> <p>In class, we will discuss and peer edit your drafts.</p>
2.4.2021	<p>MARRIAGE REQUIREMENTS</p> <p>Read KRS 402.005 through KRS 402.990 Review forms posted on TWEN.</p> <p><i>MAYERSON:</i> Students will present their research to the class and agree on 4-6 nonprofits to send a Request for Proposal (RFP) and a grant application. Volunteer students will draft and send out the RFPs.</p>
2.11.2021	<p>DIVORCE</p> <p>Client Letters: Marriage and Divorce Read pp. 160-202</p> <p>Client Letters: Discovery and Trial Read pp. 40-63</p> <p>Client Letters: Separation and Negotiation Read pp. 270-305</p> <p>Divorce Basics and Separation Agreements Read KRS 403.010 through 403.250, review sample posted on TWEN</p>
2.18.2021	<p>DIVORCE FINANCIALS</p> <p>Client Letters: Property Division Read pp. 194-202</p> <p>Client Letters: Property and Pension Division Read pp. 254-268</p> <p>Client Letters: Financial Checklists Review pp. 270-283</p> <p>Review KRS 402.190 and forms posted on TWEN</p>

2.25.2021	<p>DIVORCE SPOUSAL SUPPORT</p> <p>Client Letters: Alimony and Child Support Read pp. 91-95</p> <p>Review Alimony section pp. 19</p> <p>Review KRS 403.200 and forms posted on TWEN.</p>
3.4.2021	<p>DIVORCE CHILD SUPPORT</p> <p>Client Letters: Alimony and Child Support Read pp. 96-106</p> <p>Review KRS 403.211 through 403.215 and forms posted on TWEN.</p> <p><i>MAYERSON:</i> Student groups will be assigned to evaluate one proposal each this week. Students will conduct virtual site visits with agencies within the next two weeks.</p>
3.11.2021	<p>SEPARATION AGREEMENTS</p> <p>In advance of class, you will prepare a Separation agreement based on a problem provided in class, including provisions for financials, spousal support and child support.</p> <p>In class, we will discuss and peer edit your drafts.</p>
3.18.2021	<p>CUSTODY AND PARENTING TIME</p> <p>Client Letters: Child Custody and Visitation Read pp. 116-135</p> <p>Review KRS 403.270 through 403.355 and forms posted on TWEN.</p> <p><i>MAYERSON:</i> Student groups will make 5-10 minute presentations to the class about the proposals they reviewed and the agencies they researched. Groups will make persuasive proposals about why the whole group should decide to fund the organization they are pitching. The full group will make final decisions about which nonprofit organizations to fund. Volunteer students will draft and send out letters to applicants letting them know whether their proposals have been funded.</p>

3.25.2021	<p>CUSTODY AND PARENTING TIME 2</p> <p>In advance of class, you will draft a Parenting Time Agreement based on a problem provided to you.</p> <p>In class, we will discuss and peer edit your drafts.</p>
4.1.2021	<p>NO CLASS AT REGULAR TIME. You will watch and asynchronous lecture this week on how to do witness examinations.</p> <p>Client Letters: Trial Read pp. 48-63</p> <p>Review Witness Examination Handout provided on TWEN.</p>
4.8.2021	<p>CUSTODY AND PARENTING TIME MOTIONS</p> <p>In advance of this class, you will draft a Motion for Custody and Parenting Time based on a problem provided to you.</p> <p>In class, we will discuss and peer edit your drafts.</p>
4.15.2021	<p>CUSTODY AND PARENTING TIME WITNESS EXAMINATIONS</p> <p>In advance of this class, you will draft direct and cross examinations of the parties in a Custody and Parenting Time matter.</p> <p>In class, we will discuss and peer edit your drafts.</p>
4.22.2021	<p>FINAL CLASS: SEMESTER WRAP UP AND FINAL REFLECTIONS</p>
DATE TBD	<p>MAYERSON COMMUNITY GRANT PRESENTATION: Students will present the grant award(s) to the chosen non-profit(s) during a ceremony in the NKU Student Union</p>