

HOFSTRA UNIVERSITY SCHOOL OF LAW  
JANUARY 4, 2011, SUBJECT TO REVISION

# Family Law with Skills:

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## Schedule of Topics, Skills Exercises and Reading Assignments

Professors DiFonzo and Schepard  
SPRING 2011



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**Class Meetings:**

Classes meet Tuesdays and Thursdays from 10:10 AM-12:00 PM and Fridays from 12:10-2:00 PM unless otherwise specified. **NOTE: The schedule sometimes changes, so be sure to check the schedule prior to each week's classes.**

**Materials for Class Assignments and Abbreviations:**

The following are the required materials for the Course from which reading assignments are made.

OV = ROBERT E. OLIPHANT & NANCY VER STEEGH, WORK OF THE FAMILY LAWYER (2d ed. 2008)

W = D. KELLY WEISBERG, FAMILY LAW CODE: SELECTED STATES AND ALI PRINCIPLES WITH COMMENTARY (2008)

NOTE: There will be updates on Twen for this book.

Date	Topic	Professor	Assignment	Comments
Thursday, January 13 <sup>th</sup>	The World of Family Law	DiFonzo & Schepard	OV 3-22 [Ch. 1] J. Herbie DiFonzo & Ruth C. Stern, <i>The Winding Road from Form to Function: A Brief History of Contemporary Marriage</i> , 21 JAMAML 1 (2008) Mary E. O'Connell & J. Herbie DiFonzo, <i>The Family Law Education Reform Project Final Report</i> , 44 FAM. CT. REV. 524,(2006)	First day of class Non casebook readings are available on course TWEN site.
Friday, January 14 <sup>th</sup>	No class			
Tuesday, January 18 <sup>th</sup>	The Constitution and the Family: An Overview	DiFonzo	OV 81-114 [Ch. 5: Constitutionalizing Marital	



			Relationships] W 601-603 [ALI Principles, Chap. 6. Domestic Partners]	
Thursday, January 20 <sup>th</sup>	Divorce: History and Grounds	DiFonzo	OV 61-79 [Ch. 4: Grounds for Divorce]  W 59-63; 75-77 [NY statutes of legal separation and divorce grounds and relationship of civil to religious divorce]  Read the updated version of DRL § 170 (includes the new provisions of no fault divorce) [available on TWEN]	
Friday, January 21 <sup>st</sup>	No Class			
Tuesday, January 25 <sup>th</sup>	The Family Lawyer and Ethics in Family Law Practice	Schepard	OV 747-774 [Ch. 26: Professional Responsibility]  W-72-73 [N.Y. matrimonial retainer agreement requirements]	
Thursday, January 27 <sup>th</sup>	The Family Court: History and Development	Schepard	<i>New York Law Journal</i> articles and associated materials on unified family courts (available on TWEN)	
Tuesday, February 1 <sup>st</sup>	Parenting After Divorce and	Schepard	OV 157-204 [Ch. 7: Child Custody	



	Separation: Custody & Parenting Plans I		and Parenting Plans] W 202-214 [California statutes]	
Thursday, February 3 <sup>rd</sup>	Parenting After Divorce and Separation: Custody & Parenting Plans II Parenting After Divorce and Separation: Custody & Parenting Plans III	Schepard	OV 205-228 [Ch. 8: Parenting Time and Visitation] W 214-229 [California statutes] OV 229-263 [Ch. 9: Modification of Child Custody] W 229-230 [California statutes]	
Friday, February 4 <sup>th</sup>	<u>Skills</u> : Introduction to interviewing. Panel discussion of client interviews and video	Schepard	Readings on interviewing (posted on TWEN)	<u>SKILLS EXERCISE</u> : Interviewing a client in a family law dispute; establishing a lawyer-client relationship- review of recorded interview segments with practitioner/senior partners
Tuesday, February 8 <sup>th</sup>	Parenting After Divorce and Separation: Child Support I	DiFonzo	OV 289-326 [Ch. 11: Establishing Child Support] W 145-163 [Texas statutes]	
Thursday, February 10 <sup>th</sup>	Parenting After Divorce and Separation: Child Support II	DiFonzo	OV 327-348 [Ch. 12: Modification and Enforcement of Child Support]	



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			W 163-179 [Texas statutes] W 455 [federal Child Support Recovery Act]	
Friday, February 11 <sup>th</sup>	No class			
Tuesday, February 15 <sup>th</sup>	Divorce: Property Distribution I	Schepard	OV 407-435 Ch. 15: Division of Property at Divorce]	
Thursday, February 17 <sup>th</sup>	Divorce: Property Distribution II <u>Skills Prep:</u> Introduction to client counseling	Schepard	OV 435-444 [Ch. 15 continued] W- 124-40 [NY Equitable Distribution statute] Readings on counseling [posted on TWEN]	
Friday, February 18 <sup>th</sup>	No class			
Tuesday, February 22 <sup>nd</sup>	Establishing Maintenance (a/k/a Alimony)	DiFonzo & Schepard	OV 349-382 [Ch. 13: Alimony] W 594-601 [ALI Principles: Compensatory Spousal Payments] NY statute and readings on maintenance guidelines [posted on TWEN]	
Thursday, February 24 <sup>th</sup>	Modifying Maintenance	DiFonzo & Schepard	OV 383-404 [Ch. 14: Modification of Alimony]	
Friday, February 25 <sup>th</sup>	<u>SKILLS EXERCISE:</u>			Materials for the exercise will be



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	Law firm meetings to plan counseling session			posted on TWEN See schedule of due dates for written assignments for when planning memo and self evaluations must be submitted.
Tuesday, March 1 <sup>st</sup>	Modifying Maintenance (continued) ADR in Family Law	DiFonzo & Schepard	OV 723-746 [Ch. 25 Mediation, Collaborative Law, Parenting Coordination, and Arbitration] W 244-249 [California statutes]	
Thursday, March 3 <sup>rd</sup>	ADR in Family Law II Domestic Violence	DiFonzo	OV 503-536 [Ch. 18: Domestic Violence] W 45-54 [Massachusetts statutes]	
Friday, March 4 <sup>th</sup>	<u>SKILLS EXERCISE:</u> Counseling Client about Divorce Options			Law firms will counsel clients on divorce options. Materials will be posted on TWEN. See schedule of due dates for written assignments for date when self evaluations must be submitted.
Tuesday, March 8 <sup>th</sup>	Child Abuse and Neglect	Schepard	OV 537-572 [Ch. 19: Child Abuse] W 329-358 [Texas Statutes]	
Thursday, March 10 <sup>th</sup>	Adoption: New Family Formation	DiFonzo	OV 661-686 [Ch. 23: Adoption]	Materials for the exercise will be



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			W: 250-71, 280, 284, 295, 297-298, 301 [California statutes]	posted.
Friday, March 11 <sup>th</sup>	No class			Report on Family Court Observation due by this date
Tuesday, March 15 <sup>th</sup>	Foster Care & Termination of Parental Rights <u>Skills Prep</u> : Drafting surrogacy contract	Schepard & Martinez	OV 573-588 [Ch. 20: Termination of Parental Rights] W 364-406 [Texas statutes] Materials on drafting [posted on TWEN]	See schedule of due dates for written assignment for this exercise is due.
Thursday, March 17 <sup>th</sup>	Alternative Reproduction	DiFonzo	OV 687-720 [Ch. 24: Alternative Reproduction] W 324-328 [Texas statutes]	
Friday, March 18 <sup>th</sup>	No class			NOTE: You have this time available to meet in your assigned groups to review the draft surrogacy agreement. Your group is free to schedule a different meeting time.
Tuesday, March 22 <sup>nd</sup>	Marriage and Its Alternatives I <u>Skills Prep</u> Direct and Cross examination of an expert witness in a child protection proceeding.	DiFonzo & Liebmann	OV 23-46 [Ch. 2: Marriage Requirements]; 445-470 [Ch. 16: Premarital Contracts] W 3-4 [Premarital Agreements]; 560-	Materials for the Hunter skills day exercise will be posted. See schedule of due dates for written assignments for when written assignment must



			563 [Uniform Premarital Agreement Act] <i>Google</i> at least 3 different sites for “prenuptial agreements” (it’s what your clients will be doing). Readings on direct and cross examination	be submitted
Thursday, March 24 <sup>th</sup>	Marriage and Its Alternatives II	DiFonzo		
Friday, March 25 <sup>th</sup>	No class			It is <u>important</u> that you use this day to prepare for and read the entire case file for the Skills Exercise tomorrow at Hunter College. There will be no time to read the file during the Skills Exercise.
Saturday, March 26 <sup>th</sup>	<b><u>SKILLS EXERCISE:</u></b> Enhancing Outcomes in Dependency Cases Through Effective Courtroom Advocacy and Collaborative Skill Building			In MANHATTAN at Hunter College School of Social Work, 129 East 79 <sup>th</sup> Street, N.Y., N.Y. 10075, from 8:45AM—4:45PM.  NOTE: Those students who are unable to attend and have been previously excused from attending this session will have



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				to complete a mandatory make-up assignment. See Statement of Course Philosophy and Policies.
Tuesday, March 29 <sup>th</sup>	Parentage	DiFonzo	OV 625-660 [Ch. 22: Parentage]	
Thursday, March 31 <sup>st</sup>	The Constitution and the Parent-Child  <u>Skills Prep:</u> Negotiation Theory and Introduction to Mediation Advocacy Relationship	Schepard & Boyarin	Wisconsin v. Yoder, 406 U.S. 205 (1972)  Parham v. J.R., 442 U.S. 584, 99 S.Ct. 2493, 61 L.Ed.2d 101 (1979).  W-407-14,424-28, 432-435  Readings on negotiation strategy and mediation advocacy [To be posted on TWEN]	
Friday, April 1 <sup>st</sup>	<u>SKILLS EXERCISE:</u> Negotiating a divorce settlement and representing a client in mediation of a divorce settlement.	Schepard & Boyarin		Materials for the exercise will be posted. See schedule of due dates for written assignments for when self evaluations must be submitted.
Tuesday, April 5 <sup>th</sup>	<u>SKILLS EXERCISE:</u> Review of draft surrogacy agreements			
Thursday, April 7 <sup>th</sup>	Panel Discussion on Family Court Observations			



Friday, April 8 <sup>th</sup>				Conference on Cyber Bullying
Tuesday, April 12 <sup>th</sup>	Jurisdiction in Divorce	Schepard	OV 115-154, 265-286 [Ch. 6: Jurisdiction & Chapter 10: Uniform Child Custody Jurisdiction and Enforcement Act] W 64-72 [NY statutes]	
Thursday, April 14 <sup>th</sup>	Review session for exam and overflow			
Friday, April 15 <sup>th</sup>	No class			
Tuesday, April 19 <sup>th</sup>	No class			Spring break
Thursday, April 21 <sup>st</sup>	No class			Spring break
Friday, April 22 <sup>nd</sup>	No class			Spring break
Thursday, April 28 <sup>th</sup>				Due dates for final examinations to be discussed in class.



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