Law

LAWGENRL 433 : Family Law (15 POINTS)

2021 Semester Two

Course Prescription
The law relating to cohabitation and marriage, the establishment of parenthood, and the relationship between parent and child. Study of the interrelationship between the state, the family and child protection and support.

Course Overview
The course covers all aspects of Family Law including an introduction to relationship property. The course covers both the theory and practice of Family law. The family file provides the opportunity to develop; client interviewing skills, communication skills, legal research skills, writing legal opinions skills, negotiation skills, drafting legal agreements and documents, teamwork skills and the ability to self reflect on one's own work.

Course Requirements
Prerequisite: LAW 211  Restriction: LAW 426, LAWGENRL 402

Capabilities Developed in this Course

Capability 1: Disciplinary Knowledge and Practice
Capability 2: Critical Thinking
Capability 3: Solution Seeking
Capability 4: Communication and Engagement
Capability 5: Independence and Integrity
Capability 6: Social and Environmental Responsibilities

Graduate Profile: Bachelor of Laws

Learning Outcomes
By the end of this course, students will be able to:

1. Identify, articulate and apply key legal principles and concepts to all aspects of family law – children, violence in the home, finances, relationship property, care and protection, adoption and surrogacy (Capability 1.1, 1.2, 1.3, 2.3, 3.2, 4.1, 4.2, 4.3 and 6.1)
2. Critique the underlying assumptions and values that family law is based on. (Capability 2.1, 2.2, 3.1, 3.2, 3.3, 4.1, 5.1, 5.2, 6.1, 6.2 and 6.3)
3. Demonstrate effective written and oral communication skills, including demonstrating the ability to research advocate, negotiate, write a legal opinion, and draft legal agreements and documents. (Capability 4.1, 4.2, 4.3 and 5.1)
4. Demonstrate team work skills by working with other members of the class on the family file (Capability 4.1, 5.1, 5.2, 6.2 and 6.3)
5. Apply professional ethics when acting for a client. (Capability 5.1, 6.2 and 6.3)

Assessments

<table>
<thead>
<tr>
<th>Assessment Type</th>
<th>Percentage</th>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family file</td>
<td>70%</td>
<td>Group &amp; Individual Coursework</td>
</tr>
<tr>
<td>Optional research essay</td>
<td>20%</td>
<td>Individual Coursework</td>
</tr>
<tr>
<td>Final Exam</td>
<td>10%</td>
<td>Individual Coursework</td>
</tr>
<tr>
<td>3 types</td>
<td>100%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assessment Type</th>
<th>Learning Outcome Addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Family file</td>
<td>✔</td>
</tr>
<tr>
<td>Optional research essay</td>
<td>✔</td>
</tr>
<tr>
<td>Final Exam</td>
<td>✔</td>
</tr>
</tbody>
</table>

There will be a reflection that carries no marks but is to be submitted early in the semester to give you an opportunity for feedback.

The 20% essay is optional and gives the opportunity to critically explore a topic of your choice and come up with well researched and well justified solutions to how the law can be improved. If the optional essay is done the exam will be worth 10% otherwise it will be worth 30%. The Family file counts for LAW 498 -the piece of research and writing that is at least 4,000 words.

Workload Expectations

1. This is a standard 15-point course. There will be around 36 hours of lectures in this course. As a general guide, you should expect a workload of three hours outside of the classroom for each hour spent in class. The guideline for the total workload for this course is 150 hours.

Delivery Mode

Campus Experience
Attendance is expected for lectures.

Lectures will be available as recordings. However much of the learning will not be gained through listening to the recording only and the more interactive parts of the class will not necessarily be picked up in the recordings.

The activities for the course are scheduled as a standard weekly timetable. Attendance is required for the final exam.

Learning Resources

A case book is available on Canvas. Family Law in New Zealand, Lexis Nexis, 2019, Mark Henaghan and others, is recommended for the practical aspects of the course. It is also available via the Lexis Nexis Family Law Service which is available online through the Davis Law Library. Family Law Policy in New Zealand, Lexis Nexis, 2020, Mark Henaghan and Bill Atkin, is recommended for the theoretical parts of the course.

Student Feedback

At the end of every semester students will be invited to give feedback on the course and teaching through a tool called SET or Qualtrics. The lecturers and course co-ordinators will consider all feedback and respond with summaries and actions.

Your feedback helps teachers to improve the course and its delivery for future students.

Class Representatives in each class can take feedback to the department and faculty staff-student consultative committees.

Digital Resources

Course materials are made available in a learning and collaboration tool called Canvas which also includes reading lists and lecture recordings (where available).

Please remember that the recording of any class on a personal device requires the permission of the instructor.

Academic Integrity

The University of Auckland will not tolerate cheating, or assisting others to cheat, and views cheating in coursework as a serious academic offence. The work that a student submits for grading must be the student's own work, reflecting their learning. Where work from other sources is used, it must be properly acknowledged and referenced. This requirement also applies to sources on the internet. A student's assessed work may be reviewed against online source material using computerised detection mechanisms.

Inclusive Learning
All students are asked to discuss any impairment related requirements privately, face to face and/or in written form with the course director, lecturer or tutor.

Student Disability Services also provides support for students with a wide range of impairments, both visible and invisible, to succeed and excel at the University. For more information and contact details, please visit the Student Disability Services’ website http://disability.auckland.ac.nz

Special Circumstances
If your ability to complete assessed coursework is affected by illness or other personal circumstances outside of your control, contact a Student Academic and Support Adviser as soon as possible before the assessment is due.

If your personal circumstances significantly affect your performance, or preparation, for an exam or eligible written test, refer to the University’s aegrotat or compassionate consideration page https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during-exams/aegrotat-and-compassionate-consideration.html.

This should be done as soon as possible and no later than seven days after the affected test or exam date.

Learning Continuity
In the event of an unexpected disruption we undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions the University has contingency plans to ensure that access to your course continues and your assessment is fair, and not compromised. Some adjustments may need to be made in emergencies. You will be kept fully informed by your course co-ordinator, and if disruption occurs you should refer to the University Website for information about how to proceed.

Student Charter and Responsibilities
The Student Charter assumes and acknowledges that students are active participants in the learning process and that they have responsibilities to the institution and the international community of scholars. The University expects that students will act at all times in a way that demonstrates respect for the rights of other students and staff so that the learning environment is both safe and productive. For further information visit Student Charter https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html.

Disclaimer
Elements of this outline may be subject to change. The latest information about the course will be available for enrolled students in Canvas.
In this course you may be asked to submit your coursework assessments digitally. The University reserves the right to conduct scheduled tests and examinations for this course online or through the use of computers or other electronic devices. Where tests or examinations are conducted online remote invigilation arrangements may be used. The final decision on the completion mode for a test or examination, and remote invigilation arrangements where applicable, will be advised to students at least 10 days prior to the scheduled date of the assessment, or in the case of an examination when the examination timetable is published.