



LAWS5020

Family Law

Session 1, Weekday attendance, North Ryde 2020

Macquarie Law School

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General Information

Unit convenor and teaching staff

Convenor

Francesca Dominello

francesca.dominello@mq.edu.au

Contact via francesca.dominello@mq.edu.au

6 First Walk, 619

TBA

Credit points

10

Prerequisites

(80cp in LAW or LAWS units) or (130cp including LAWS2060 or LAWS260 or GEND2000 or GEN210)

Corequisites

Co-badged status

Unit description

This unit covers the study of legal regulation of family relations. Although a great number of laws have a bearing on the 'family', this unit focuses on the Marriage Act 1961 (Cth) and the Family Law Act 1975 (Cth). The unit is divided into five main parts: the concept of family and its historical development; the concept of marriage; dissolution of marriage; financial relationships, especially when they breakdown; children and their rights under family law. An interdisciplinary approach to family law will enable students to analyse the interrelationship between the state, law and society.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO2: explain and analyse how multidisciplinary ideas about the family shape state family policies and laws and, in turn, how these policies and laws regulate family life.

ULO1: describe and explain links between sociological, historical, philosophical and political perspectives on the family and developments in areas of family policy and law.

ULO3: critically evaluate legal mechanisms relating to the resolution of family disputes, including alternative dispute resolution mechanisms.

ULO4: critically evaluate legal principles (statute and case law) and consider the role of law reform in the area of Family Law in relation to inequality in society.

ULO5: communicate arguments related to the area of Family Law effectively in written and verbal form appropriate to a range of audiences.

Assessment Tasks

Coronavirus (COVID-19) Update

Assessment details are no longer provided here as a result of changes due to the Coronavirus (COVID-19) pandemic.

Students should consult [iLearn](#) for revised unit information.

[Find out more about the Coronavirus \(COVID-19\) and potential impacts on staff and students](#)

General Assessment Information

Class Participation

Due: **Weeks 2-6 and 8-12** Weighting: **20%**

Reading the prescribed materials and preparing for class discussions as per the weekly tutorial questions available on iLearn.

Attendance: Tutorials begin in Week 2. As there is a public holiday on Good Friday 10 April 2020 class participation will not be assessed that week (week 7). Students who miss a tutorial and meet the Special Consideration policy should apply for special consideration through Ask.mq.edu.au. If your circumstances meet the policy it is advisable that you apply for special consideration for every tutorial you miss. If a student misses a tutorial/s due to special consideration they should contact the unit convenor and other arrangements will be made to make up for the missed tutorials.

A mark out of 10 will be given to students mid-semester and a final mark out of 10 at the end of semester.

A detailed rubric on how class participation will be assessed will be available on iLearn.

Research Essay 1

Due: **20 April, 6pm** Weighting: **40%**

Research essay on a set topic based on Lectures 1-6 and related readings in the prescribed text. The topic will be available on iLearn in the Assessment tab in Week 2.

The maximum word length is 2000 words. The word limit will be strictly applied and work above the word limit will not be marked.

Footnotes and Bibliography are not included in the word count.

Footnotes and Bibliography are required in AGLC4 style. Referencing that does not follow the AGLC4 style will be **penalised**.

The essay should be double spaced in 12 pt Times New Roman. The footnotes can be in 10 pt Times New Roman. The bibliography can be single spaced with a space in between each reference.

Research: Students may use the prescribed readings but are expected to research beyond these materials. Each student must determine for themselves how many additional references they need to support the development of their argument. The essay will not be assessed on how much research has been done, but on how well the research materials are used to advance the argument.

Note the new Special Consideration policy on submission of written assignments:

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline.

Further instructions on how to complete the assignment and how it will be assessed will be available on iLearn.

Research Essay 2

Due: **5 June, 6pm** Weighting: **40%**

Research essay on a set topic based on Lectures 7-12 and related readings in the prescribed text. The topic will be available on iLearn in the Assessment tab in the mid-semester break

The maximum word length is 2000 words. The word limit will be strictly applied and work above the word limit will not be marked.

Footnotes and Bibliography are not included in the word count.

Footnotes and Bibliography are required in AGLC4 style. Referencing that does not follow the AGLC4 style will be **penalised**.

The essay should be double spaced in 12 pt Times New Roman. The footnotes can be in 10 pt Times New Roman. The bibliography can be single spaced with a space in between each reference.

Research: Students may use the prescribed readings but are expected to research beyond these materials. Each student must determine for themselves how many additional references they need to support the development of their argument. The essay will not be assessed on how much research has been done, but on how well the research materials are used to advance the argument.

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Further instructions on how to complete the assignment and how it will be assessed will be available on iLearn.

Submission

The written essays are to be submitted electronically by way of Turnitin on the iLearn page. Plagiarism detection software is used in this unit.

Word Limits

Where there is a specified word limit it will be strictly applied and work above the word limit will not be assessed.

Moderation

Detailed marking rubrics will be made available on iLearn. If there are other markers assisting the convenor then a process of 'blind marking' to establish a common marking standard will be adopted and all Fail papers will be double marked.

Style

The research essays should comply with the latest edition of the AGLC.

Delivery and Resources

Coronavirus (COVID-19) Update

Any references to on-campus delivery below may no longer be relevant due to COVID-19.

Please check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Delivery and Resources

Delivery:

The learning activities in this unit include attending 12 x 2 hour lectures and attending a 1 hour tutorial each week.

Lectures commence in Week 1 of the semester. Tutorials commence in Week 2.

The location and times for the lectures and tutorials can be found at <https://timetables.mq.edu.au/2020/>

Lectures will be recorded and available through echo360 on iLearn.

Class Participation is assessed for weeks 2-6 and 8-12.

Students will be required to use a computer to interact with online research databases and web based research tools.

The unit uses an ilearn website. Students should check iLearn regularly for announcements and updates.

Resources:

The Unit is structured around the text:

Archana Parashar and Francesca Dominello *The Family in Law* (Cambridge University Press 2017).

Details on how to purchase this text will be available on iLearn.

Tutorial questions and additional readings will also be on iLearn.

Unit Schedule

Coronavirus (COVID-19) Update

The unit schedule/topics and any references to on-campus delivery below may no longer be relevant due to COVID-19. Please consult [iLearn](#) for latest details, and check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Unit Schedule

This is the schedule for lectures in the unit. Note that the lectures commence in Week 1; the tutorials in Week 2.

Week 1	Studying Family Law - Concepts
Week 2	The Family Law and its Institutions - history and institutions
Week 3	Marriage and Marriage like Relationships
Week 4	Divorce & Violence
Week 5	Financial Relations
Week 6	Spousal Maintenance
Week 7	Private Ordering in Property Proceedings
Week 8	Child Related Disputes
Week 9	Children in Court Proceedings
Week 10	Child Maintenance and support
Week 11	Dependency and the law - social welfare support

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Students seeking more policy resources can visit the [Student Policy Gateway](https://students.mq.edu.au/support/study/student-policy-gateway) (<https://students.mq.edu.au/support/study/student-policy-gateway>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central) (<https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central>).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/study/getting-started/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study

strategies to help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.