LAWS8022

Family Law

Session 1, Special circumstances, Other 2021

Macquarie Law School

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Disclaimer

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Notice

As part of Phase 3 of our return to campus plan, most units will now run tutorials, seminars and other small group activities on campus, and most will keep an online version available to those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face activities for your unit, please go to timetable viewer. To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

General Information

Unit convenor and teaching staff Dr Henry Kha
Credit points 10
Prerequisites (Admission to JD and 80cp in LAW or LAWS units at 6000 level or above) or (admission to LLM)
Corequisites
Co-badged status
Unit description Family law is about the legal formation of family relationships, the resolution of family disputes and the influence of public policy on family affairs. The course covers both parenting and relationship property issues. The focus of the course is on the doctrine, theory and practice of family law in Australia. Family law is a major area of legal practice that impacts individuals, families and society. A key outcome of this course is the appreciation of the challenges that arise for married and de facto couples, parents and children in family law disputes. The course examines the theory of family law in the context of sociology, history, philosophy and politics. The role of public policy in shaping the development of family law is also considered.

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:

ULO1: Critically analyse the legal doctrines and principles of family law.

ULO2: Critically evaluate the role of public policy in shaping the development of family law.

ULO3: Critically analyse the theory of family law in the context of sociology, history, philosophy and politics.

General Assessment Information

Late Submission Penalty

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. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

Assessment Tasks

Name	Weighting	Hurdle	Due
Class Participation	20%	No	Ongoing
Family Law Report	30%	No	26 April 2021
Essay	50%	No	4 June 2021

Class Participation

Assessment Type [1]: Participatory task
Indicative Time on Task [2]: 12 hours
Due: **Ongoing**
Weighting: **20%**

Students will contribute to class discussion through a range of oral and online activities.

On successful completion you will be able to:

- Critically analyse the legal doctrines and principles of family law.
- Critically evaluate the role of public policy in shaping the development of family law.
- Critically analyse the theory of family law in the context of sociology, history, philosophy and politics.

Family Law Report

Assessment Type [1]: Report
Indicative Time on Task [2]: 35 hours
Due: **26 April 2021**
Weighting: **30%**

Students will prepare a report on an aspect of family law.

On successful completion you will be able to:

- Critically analyse the legal doctrines and principles of family law.
- Critically evaluate the role of public policy in shaping the development of family law.
- Critically analyse the theory of family law in the context of sociology, history, philosophy and politics.

Essay

Assessment Type [1]: Essay
Indicative Time on Task [2]: 35 hours
Due: **4 June 2021**
Weighting: **50%**

Students will write an essay on family law issues.

On successful completion you will be able to:

- Critically analyse the legal doctrines and principles of family law.
- Critically evaluate the role of public policy in shaping the development of family law.
- Critically analyse the theory of family law in the context of sociology, history, philosophy and politics.

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[1] If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the Writing Centre for academic skills support.

[2] Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Compulsory Text

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

Lectures

The weekly lectures will be delivered by Dr Francesca Dominello and the recordings will be made available for LAWS8022 students.

Online Learning

Class participation will be assessed through online Zoom meetings.

Online Content

Online content can be accessed on iLearn. Personal computer and Internet access are required.

Unit Schedule

Week	Week Commencing	Lecture Topic
1	22-Feb	Studying Family Law - Concepts
2	1-Mar	The Family Law and its Institutions
3	8-Mar	Marriage and Marriage-Like Relationships
4	15-Mar	Divorce and Violence
5	22-Mar	Financial Relations
6	29-Mar	Spousal Maintenance
7	19-Apr	Private Ordering in Property Proceedings
8	26-Apr	Child Related Disputes
9	3-May	Children in Court Proceedings
10	10-May	Child Maintenance and Support
11	17-May	Dependency and the Law: Social Welfare
12	24-May	Children and Family Formation
13	31-May	**NO LECTURE**

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://policies.mq.edu.au). 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

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

To find other policies relating to Teaching and Learning, visit Policy Central (https://policies.mq.edu.au) and use the search tool.

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/admin/other-resources/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.