



LAWS8022

Family Law

Session 1, Online-scheduled-weekday 2022

Macquarie Law School

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>General Assessment Information</u>	2
<u>Assessment Tasks</u>	3
<u>Delivery and Resources</u>	4
<u>Unit Schedule</u>	5
<u>Policies and Procedures</u>	6

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General Information

Unit convenor and teaching staff

Dr Henry Kha

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Credit points

10

Prerequisites

Admission to LLM or (Admission to JD and LAWS600 or LAWS8001)

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

Unless a Special Consideration request has been submitted and approved, (a) a penalty for

lateness will apply – 10 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted seven 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
<u>Class Participation</u>	20%	No	Ongoing
<u>Family Law Report</u>	30%	No	26 April 2022
<u>Essay</u>	50%	No	3 June 2022

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 2022**

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: **3 June 2022**

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.

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	Tutorial Topic
1	21-Feb	Studying Family Law - Concepts	NO TUTORIAL
2	28-Feb	The Family Law and its Institutions	NO TUTORIAL
3	7-Mar	Marriage and Marriage-Like Relationships	Studying Family Law - Concepts The Family Law and its Institutions
4	14-Mar	Divorce and Violence	NO TUTORIAL
5	21-Mar	Financial Relations	Marriage and Marriage-Like Relationships Divorce and Violence
6	28-Mar	Spousal Maintenance	NO TUTORIAL
7	4-Apr	Private Ordering in Property Proceedings	Financial Relations Spousal Maintenance
8	25-Apr	Child Related Disputes	NO TUTORIAL
9	2-May	Children in Court Proceedings	Private Ordering in Property Proceedings Child Related Disputes
10	9-May	Child Maintenance and Support	NO TUTORIAL
11	16-May	Dependency and the Law: Social Welfare	Children in Court Proceedings Child Maintenance and Support
12	23-May	Children and Family Formation	NO TUTORIAL
13	30-May	NO LECTURE	Dependency and the Law: Social Welfare Children and Family Formation

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](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](#)
- [Assessment Procedure](#)
- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](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 \(https://policies.mq.edu.au\)](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

Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

Student Support

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

The Writing Centre

The [Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the 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

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)

Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

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.