



# LAWS8022

## Family Law

Session 1, In person-scheduled-weekday, North Ryde 2025

*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>	5
<u>Unit Schedule</u>	6
<u>Policies and Procedures</u>	7

### Disclaimer

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## General Information

Unit convenor and teaching staff Esther Erlings <a href="#">via iLearn</a>
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

All written assessments submitted electronically must be submitted through the link provided in

iLearn. This unit will utilise Turnitin plagiarism detection software. Students should carefully check that they submit the correct file for an assessment, as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

The design, moderation and feedback of all assessments is in accordance with the Macquarie University Assessment Procedure (link provided under 'Policies and Procedures' below).

### **Late Submission Policy**

A maximum penalty of five (5) percentage points of the total possible marks will be applied per day to late submissions, for up to a maximum of seven calendar days. Tasks that have not been submitted within the maximum number of additional late days will receive a mark of zero. This provision does not apply to online exams or other assessment with a time limit of less than 24 hours.

Penalties for late submission will be applied consistently and equitably to all students enrolled in the unit. Where short-term, serious and unavoidable circumstances have affected their ability to submit an assessment task, a student must submit a formal application for Special Consideration as per the Special Consideration Policy. Students should not request an informal arrangement from their tutor, lecturer or Unit Convenor.

Where an application for Special Consideration is approved, and the outcome is an extension to the due date of a task, submissions that are received after the new due date will be subject to late penalties that are calculated from the new due date. This only applies where the outcome is an extension to the due date – see the Special Consideration Policy for a schedule of all possible outcomes.

### **Special Consideration**

Students should submit applications for Special Consideration electronically via the Service Connect portal, along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration Policy (link provided under 'Policies and Procedures' below).

## **Assessment Tasks**

Name	Weighting	Hurdle	Due
<u>Family Law Report</u>	30%	No	27/04/2025
<u>Essay</u>	50%	No	08/06/2025
<u>Professional Skills</u>	20%	No	Ongoing

### **Family Law Report**

Assessment Type <sup>1</sup>: Report

Indicative Time on Task <sup>2</sup>: 15 hours

Due: **27/04/2025**

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 <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 15 hours

Due: **08/06/2025**

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.

## Professional Skills

Assessment Type <sup>1</sup>: Practice-based task

Indicative Time on Task <sup>2</sup>: 0 hours

Due: **Ongoing**

Weighting: **20%**

Students will develop essential legal professional skills through structured classroom activities such as oral advocacy, critical reasoning, strategic problem-solving, collaborative work, team leadership, mooted, simulated client consultations, legal presentations or demonstrations, doctrinal analysis and problem solving, and/or collaborative legal research. These activities are designed to develop students' professional capabilities including capacity to communicate legal concepts clearly and engage professionally with diverse audiences in diverse contexts.

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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<sup>1</sup> 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.

<sup>2</sup> 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

### Delivery

Lectures: Each week, there are two 1h pre-recorded lectures, which can be accessed via Echo360 (on the iLearn site).

Tutorials: Face-to-Face tutorials are held for 1h every week, online tutorials are held for 2h every fortnight.

This unit is worth 10 credit points, which equates to 150 hours of work. Therefore, students should expect to commit an average of 10 hours per week to this unit, including all scheduled and unscheduled activities and preparing and executing the assessment tasks.

### Resources

The required textbook is:

- Donna Cooper et al, Family Law Principles (Thomson Reuters, 3rd Revised Edition, 2023).

Students can purchase this textbook online.

Additional readings will be accessible through iLearn.

Students require access to a computer, internet with decent speed and a secure/reliable server. The iLearn page contains all Unit requirements and a weekly schedule for teaching, readings and tutorials. Information about all assessment tasks is also available on iLearn.

## Unit Schedule

Week	Topic
1	<ul style="list-style-type: none"> <li>• What is a Family?</li> <li>• Family Law Institutions</li> </ul>
2	<ul style="list-style-type: none"> <li>• Family Violence</li> <li>• Trauma-Informed Practice</li> </ul>
3	<ul style="list-style-type: none"> <li>• Family Formation</li> <li>• Family Breakdown</li> </ul>
4	<ul style="list-style-type: none"> <li>• Property Procedures</li> <li>• What is Property?</li> </ul>
5	<ul style="list-style-type: none"> <li>• Property Steps</li> <li>• Property &amp; Inequality</li> </ul>
6	<ul style="list-style-type: none"> <li>• Spousal Maintenance</li> <li>• Private Ordering</li> </ul>
7	<ul style="list-style-type: none"> <li>• Children's Best Interests</li> <li>• Children Procedures</li> </ul>
Break	Report Due on 17 April 2025 (11:55pm)
8	<ul style="list-style-type: none"> <li>• Parenting Orders</li> <li>• Risk to Children</li> </ul>
9	<ul style="list-style-type: none"> <li>• Children's Views &amp; Experts</li> <li>• Indigenous Children</li> </ul>
10	<ul style="list-style-type: none"> <li>• Welfare and Protection</li> <li>• Broadening Jurisdiction</li> </ul>
11	<ul style="list-style-type: none"> <li>• Relocation and Abduction</li> <li>• Contravention and Enforcement</li> </ul>
12	<ul style="list-style-type: none"> <li>• Child Support</li> <li>• Social Welfare</li> </ul>
13	Paper due on 8 June 2025 (11:55pm)

## 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 [connect.mq.edu.au](https://connect.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto: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 Advocacy](#) provides independent advice on MQ policies, procedures, and processes

## Student Enquiries

Got a question? Ask us via the [Service Connect Portal](#), 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/](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.

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Unit information based on version 2025.02 of the [Handbook](#)