

COURSE	LAW 322 Family Law
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTOR	Gillian Calder
TERM OFFERED	Spring 2023
CLASS TIMES	See Schedule
PREREQUISITES/COREQUISITES	LAW 105 or LAW 105I is a required prerequisite for this course.

COURSE DESCRIPTION

This course surveys the legal framework surrounding familial relationships and family breakdown in Canadian society. Topics include cohabitation, marriage, adoption, family policing, separation, divorce, parenting plans, property division, spousal and child support. Themes include state regulation of families through law; the relationship of law to social change such as shifts in familial forms; the use of social context in legal argument; socio-economic and cultural implications of family law; and the relevance of factors such as racism, gender, sexual orientation, culture, and class to family law. Particular attention is paid to the impact of family law on Indigenous families in British Columbia and the course is designed to be responsive to the calls to action of the Truth and Reconciliation Commission of Canada. Family law is a wide and rapidly evolving area of law. Therefore, the course is designed to provide an overview of key legal issues in each topic, many of which may be explored in advanced course offerings.

COURSE OBJECTIVES

In order to invigorate the ethical imaginations of students, this course will be taught through a combination of lectures, class discussion, small group work and take-home exercises – and will primarily be delivered synchronously at our assigned time. The goal is to have an active and engaged class room environment. In this regard, it is my expectation that students will have read and thought about the assigned materials before we meet. Each class will be taught on the assumption that students are prepared to discuss the assigned materials.

Family law is a challenging area of law to learn. A trauma-informed lens that pays attention to the exigencies of the pandemic and our lived experiences of “the family” will be explicitly and carefully employed.

EXPECTED EVALUATION METHODOLOGY

1. Essay or Project – 40%

Students will be required to write an essay not to exceed 10 pages or a project of similar weight. Students will be expected to write on a topic of their choice that critically examines an issue raised in Volume One of the materials (Family Formation). Students may do independent research, depending on their topic, in order to explore an aspect of family law that is engaged by our discussion of the legal regulation of the family in Canadian law. **Anticipated due date: end of February, 2023**

2. Take-home Examination – 60%

The second component of the evaluation for this course will be open-book, examination, due at the assigned date for the Family Law exam. The exam will enable students to draw on materials assigned for the year, but will emphasize Volume Two (Family Breakdown) and will require students to engage comprehensively with the profound shifts in BC’s family law and the new Divorce Act. Although the exam schedule is not finalized, practice has been to hand out the exam on the last day of classes and have it due on the assigned date for the family law exam. **Anticipated distribution date: Thursday, April 6, 2023. Anticipated due date: TBD (likely one week).**

June 2022

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the Instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).