

**BERGEN COMMUNITY COLLEGE
DIVISION OF BUSINESS, ARTS & SOCIAL SCIENCE
DEPARTMENT OF LEGAL STUDIES**

Instructor:

Telephone:

Email:

Office Hours:

Office:

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Course Title: LGL-208 Mechanics of Family Law

COURSE DESCRIPTION: An introduction to New Jersey family law. Topics of discussion include divorce, annulment, equitable distribution of assets, child custody, alimony, and support and visitation of children. New Jersey forms and procedures are reviewed. Students examine case studies and prepare matrimonial pleadings and pretrial memoranda.

PREREQUISITE: LGL-101, LGL-103 and LGL-220

CREDITS: 3

HOURS: 3

REQUIRED TEXT and other materials:

Gruber, Mark, JD, LLM, *Family Law*, New Brunswick, New Jersey: New Jersey Institute of Continuing Legal Education, 2010 (or most recent edition).

Practical Assignments: Legal Memoranda and other projects pertaining to the practice of family law in New Jersey (ie. Case Information Statements, Motion to Enforce Litigants, etc.)

Supplemental Materials:

New Jersey Rules of Court
Miscellaneous handouts and forms to be provided by professor

COURSE OBJECTIVES: The objectives of this course are to :

1. Provide an overview of the New Jersey Family Law System including the legislative, executive and judicial roles in the establishment, adjudication and enforcement of laws pertaining to the family.

Measure: Students will take exams and submit projects during intervals during the course. These projects will relate to analysis of the New Jersey Family Law System and the processes and procedures utilized and required by the respective components of the New Jersey Family Law System. Students will utilize and incorporate their course texts, case studies, and supplemental materials.

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

2. Examine the dynamics between the legal professional and client in the family law setting including client interaction, data acquisition, communication and needs. This objective will also explore the ethical standards and requirements of the legal professional in the family law setting.

Measure: Students will take exams and submit projects during intervals during the course. These projects will relate to analysis the relationship between the family law client and the legal profession. Students will utilize and incorporate their course texts, case studies, and supplemental materials. Students will utilize their legal research and writing skills.

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

3. Educate the student in family law forms and procedures including pleadings, motions and discovery.

Measure: Students will take exams and submit projects and homework assignments during the course. These projects will relate to analysis of forms, pleadings and court rules relating to family matters. Discovery matters will also be addressed.

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

4. Examine the family law system and its implications to children from a support and custody standpoint. This objective will also include examination of our juvenile justice system and its adjudication in the New Jersey Family Courts.

Measure: Students will take exams, submit projects and homework assignments during intervals during the course. These projects will examine custody, visitation, support and the juvenile justice system.

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

5. Examination of Alternative Dispute Resolution Systems in the New Jersey Family Law Framework.

Measure: Students will take exams, submit projects and homework assignments during intervals during the course. These projects will explore the alternative dispute resolution framework of the New Jersey Family Courts. Students will utilize and incorporate their course texts, case studies, and supplemental materials

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

6. Review of the trial and appeals process in family law matters.

Measure: Students will take exams, submit projects and homework assignments during intervals during the course. These projects will relate to the trial and appeals procedures in New Jersey family law matters. Students will utilize and incorporate their course texts, case studies, and supplemental materials

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

TOPICAL OUTLINE:

Detailed Outline of subject area with time for each topic:

1. Introduction to New Jersey Family Law (one week – 3 hours)
Gruber Intro. and Lecture.
2. Initial Client Interview, Data, Communication (one week – 3 hours)
Gruber Ch. 1

Assigned Research Paper #1
3. Substantive Laws and Procedural Rules (three weeks – 9 hours)
Gruber Ch. 2

Causes of Action for Divorce and Annulment
 No Fault Grounds
 Fault Grounds
 Other Causes of Action

 Research Paper Due
4. Child Custody and Removal (two weeks – 6 hours)
Gruber Ch. 2

 Definitions
 Statutory Criteria
 Tender Years Doctrine
 Procedures for determining custody
 Grandparent Visitation.
 Alternate Lifestyle Custody Issues

 Exam #1
5. Child Support (one week – 3 hours)
Gruber Ch. 2

 Child Support Guidelines – Basic Support Guidelines
 Modification of Child Support Awards
 Collection of Awards
 Filing Requirements
 Relevant Appendices to the New Jersey Court Rules
6. Alimony – Types – Termination - Palimony (one week – 3 hours)
Gruber Ch. 2

7. Equitable Distribution (one week – 3 hours)
Gruber Ch 2

Analysis of Relevant Law
Valuation
Marital Home
QDRO- Qualified Domestic Relations Order
8. Use of Experts in Family Law Cases (1/2 week – 2 hours)
Gruber Ch 2
9. Jurisdiction and Venue (1/2 week – 2 hours)
Gruber Ch 3

In General
How Acquired

Assigned Research Paper #2
10. Pleadings and Forms (one week – 3 hours)
Gruber Ch 4
11. Motions – Pendente Lite (one week – 3 hours)
Gruber Ch 5
12. Discovery – Interrogatories, Notice to Produce, Depositions, Requests for Admissions, Scope of Discovery (one week – 3 hours)
Gruber Ch 6
13. Domestic Violence (1/2 week – 2 hours)
Gruber Ch 7
14. Trials and Appeals of the Family Law Action (1/2 week – 2 hours)
Gruber Ch 10
15. The Uncontested Divorce (1/2 week – 2 hours)
Gruber Ch 11
16. Post Judgment Relief (1/2 week – 2 hours)
Gruber Ch 12
17. Final Exam (3 hours)

Methods of Evaluation: Students will be assigned (2) research papers, 1 quiz, a mid-term examination and a final examination. The grading shall be apportioned as follows:

Research Paper #1 (legal memo)	25%
Research Paper #2 (legal memo)	25%
Mid-term examination	25%
Final examination	25%
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TOTAL	100%

Grading Systems: All projects and examinations must be completed by semester end for course credit. If student has an excusable absence on the day of the exam, student must take examination on the first day back to class. If a student misses more than one examination, that student will receive an F grade for the semester. Late submission of projects shall be penalized a grade for each date that the project is late (ie. B+ to B). Grading scale shall be based upon the scale and allowable grades as established by the rules of Bergen Community College.

Homework: Homework assignments will be assigned during the semester. Completion will be required for course credit as assigned and required by the Professor.

Attendance: Will be taken at each session and is subject to the rules of the college. Attendance at lectures is imperative to acquisition and understanding of the substantive material of the course. Habitual absence (considered more than two unexcused absences) and/or tardiness may result in loss of credit for the course. Students are instructed to notify the professor prior to absences, if known and are responsible for the materials from classes which are missed. Students are required to take all examinations on the announced date or otherwise scheduled at the discretion of the instructor. All projects and examinations must be completed for credit for the course. Late submissions will be penalized a quarter grade for each day project is late.

Faculty absence: A daily listing will appear in the glass case located in the front lobby of the Administration Wing of the main building which will indicate all classes which are cancelled. Another listing will appear in the glass case adjacent to the Hotel/Restaurant bulletin board in East Hall and on the

Bergen Community College website. Students may consult these bulletin boards and website before going to class.

ADDITIONAL MATERIALS: TO BE PROVIDED BY PROFESSOR IN BOOKLET AND HANDOUT FORM. EACH STUDENT SHALL BE RESPONSIBLE FOR OBTAINING A COPY OF THESE MATERIALS AND THE COMPREHENSION OF THESE MATERIALS.

CELL PHONES and CLASS RECORDING: CELL PHONE USE IS NOT PERMITTED IN CLASS. CELL PHONES SHOULD BE OUT OF SIGHT AND EITHER TURNED OFF OR ON VIBRATE MODE. RECORDING OF CLASS LECTURE IS PROHIBITED.

LEGAL STUDIES NOTE: THIS COURSE IS CONSIDERED A LEGAL SPECIALTY COURSE. ALL LEGAL STUDIES STUDENTS MUST ATTAIN A "C" GRADE OR BETTER IN ALL LEGAL SPECIALTY COURSES AS A PREREQUISITE TO REGISTERING FOR REQUIRED COOP COURSE (LGL-462).

CLASS CONDUCT: STUDENTS ARE BOUND AND SUBJECT TO THE BCC CONDUCT RULES.