

**SAN DIEGO COMMUNITY COLLEGE DISTRICT
CITY, AND MIRAMAR COLLEGES
ASSOCIATE DEGREE COURSE OUTLINE**

SECTION I**SUBJECT AREA AND COURSE NUMBER:** Legal Assistant 165**COURSE TITLE:** Family Law**Units: 3**
Grade Only**CATALOG COURSE DESCRIPTION:**

This course presents a legal specialty option in the Legal Assistant program. The family law course provides legal assistants exposure to domestic relations law and its application to family situations. The course encompasses formation of the marital relationship, dissolution, child custody and support, adoption, abortion, paternity, and domestic violence.

REQUISITES:

Advisory: Completion of or concurrent enrollment in:
LEGL 100B with a grade of "C" or better, or equivalent

Limitation on Enrollment:

This course is not open to students with previous credit for BUSE 265: Family Law

FIELD TRIP REQUIREMENTS: May be required**TRANSFER APPLICABILITY:** Associate Degree Credit & transfer to CSU and/or private colleges and universities**TOTAL LECTURE HOURS:** 48 - 54**TOTAL LAB HOURS:****STUDENT LEARNING OBJECTIVES:**

Upon successful completion of the course the student will be able to:

1. Identify and apply the state jurisdictional requirements relating to various family law matters
2. Evaluate various types of family law proceedings to determine the appropriate process to be utilized
3. Collect and organize the data necessary to commence the appropriate proceeding
4. Prepare the necessary court documents for filing family law proceedings
5. Formulate various types of pre and post marital agreements
6. Locate, analyze, and apply relevant sources of law to legal issues in a family law case file
7. Review financial and other pertinent documents used to calculate child support payments.

SECTION II**1. COURSE OUTLINE AND SCOPE:****A. Outline Of Topics:**

The following topics are included in the framework of the course but are not intended as limits on

content. The order of presentation and relative emphasis will vary with each instructor.

- I. Introduction to family law
 - A. The California family law court structure
 - B. Review the family law code and local rules
 - C. Overview of types of family law matters
 - D. The role of the paralegal in a family law environment
 - E. Determining jurisdiction and venue
 - F. Service of process
- II. Determining choice of actions
 - A. Dissolution requirements
 - B. Legal separation
 - C. Nullity - void versus voidable
 - D. The initial filing - summons, petition and Uniform
- III. Child Custody Jurisdiction Act
- IV. Issues regarding parents and children
 - A. Minors - civil considerations and emancipation
 - B. Paternity actions
 - C. Adoptions
- V. Custody and Visitation
 - A. Preliminary considerations
 - B. Jurisdiction
 - C. The Uniform Child Custody Jurisdiction Act
 - D. Legal and physical custody
 - E. Statutory considerations
 - F. Mediation and family court services
 - G. Visitation
- VI. Child Support
 - A. Rights and responsibilities
 - B. Statutory considerations
 - C. Optional considerations
 - D. Modification and termination
 - E. Wage assignments and collection methods
 - F. Security for payment
- VII. Spousal Support
 - A. Rights and responsibilities
 - B. Statutory considerations
 - C. Optional considerations
 - D. Tax considerations
 - E. Temporary and permanent awards
 - F. Wage assignments and other collection methods
 - G. Security for payment
 - H. Modification and termination
- VIII. Property rights and obligations
 - A. Characterizations - definitions and presumptions
 - B. Tracing, transmutation and comingling
 - C. Division and confirmation
 - D. Apportionment and reimbursement claims
 - E. Special considerations
 - F. Declarations of disclosure
- IX. The litigation process
 - A. The initial filing
 - B. The order to show cause
 - C. Restraining orders - automatic, temporary and permanent
 - D. Motions
 - E. Pendente Lite orders and stipulations
 - F. Default proceedings
 - G. Discovery overview
 - H. Judgments
 1. Litigated judgments

- 2. Marital settlement agreements
 - I. Domestic violence proceedings
 - J. Civil harassment proceedings
- X. The discovery process
 - A. Interrogatories
 - B. Document requests
 - C. Depositions
 - D. Subpoenas
 - E. Requests for admission
- XI. Additional considerations
 - A. Joinder
 - B. Contempt proceedings
 - C. Enforcement proceedings
 - D. Civil collection methods
 - E. Attorneys' fees and costs
 - F. Uniform Reciprocal Enforcement of Support Act
 - G. Registration of foreign orders
 - H. Bankruptcy
 - I. Pre-marital and post-marital agreements

B. Reading Assignments:

Reading assignments are required and may include but, are not limited to, the following:

- I. 1. Chapters assigned in textbook
- II. 2. Reports from state agencies such as California Forms of Pleading and Practice
- III. 3. Cases in domestic relations that evaluate a variety of legal issues
- IV. 4. Supplemental readings from handouts provided in class.

C. Appropriate Assignments that Demonstrate Critical Thinking:

Critical thinking assignments are required and may include, but are not limited to, the following:

- I. 1. Analysis and evaluation of family situations that become legal cases
- II. 2. Selection and preparation of appropriate family law documentation
- III. 3. Analysis of legal cases that appraise various family law matters.

D. Appropriate Outside Assignments:

Outside assignments may include, but are not limited to, the following:

- I. 1. Reading and writing assignments as specified in course syllabus
- II. 2. Utilizing library, electronic and other research on family law procedures
- III. 3. Analyzing fictional situations and actual cases in family law
- IV. 4. Reviewing current periodicals and professional publications that cite current family law decisions
- V. 5. Participating in field trips
- VI. 6. Completing analytical semester project

E. Writing Assignments:

Writing assignments are required and may include, but are not limited to, the following:

- I. 1. Analyzing fictional and actual cases
- II. 2. Preparing court forms
- III. 3. Constructing non-standard declarations
- IV. 4. Formulating pre and post marital agreements
- V. 5. Diagramming relevant sources of family law for semester analytical project.

2. METHODS OF EVALUATION:

A student's grade will be based on multiple measures of performance unless the course requires no grade. Multiple measures may include, but are not limited to, the following:

I. In-class quizzes that test ability to use legal terminology
Essay examinations that demonstrate understanding of legal concepts as related to family law
Presentation of news articles and homework as assigned
Final written semester project.

3. METHODS OF INSTRUCTION:

Methods of instruction may include, but are not limited to, the following:

- * Lecture
- * Distance Education
- * Distance Education

4. REQUIRED TEXTS AND SUPPLIES:

Textbooks may include, but are not limited to:

TEXTBOOKS:

1. Miller & Urisko. West's Paralegal Today, Comprehensive ed. West Publishing Co, 2000,
2. State of California. California Forms of Pleading & Practice, West Publishing Co., 2000,
3. Waller & Little. California Family Law for Paralegals, 2 ed. Brown & Co., 2001,

MANUALS:

PERIODICALS:

SOFTWARE:

SUPPLIES:

1. Local Rules of Court, San Diego County Superior Court
2. ProForma or LegalSolutions (computer programs which generate Judicial Council approved court forms)

ORIGINATOR: Darrel Harrison

CO-CONTRIBUTOR(S)

DATE: 02/04/2002