

Course Outline

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<b>COURSE:</b>	<b>LAWS 3804 A - Law of the Family</b>
<b>TERM:</b>	<b>Fall 2014</b>
<b>PREREQUISITES:</b>	<b>LAWS 2201 &amp; 2202</b>
<b>CLASS:</b>	<b>Day &amp; Time: Mondays 6:00-9:00pm.</b>
	<b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Graciela Jasa Silveira</b>
<b>CONTACT:</b>	<b>Office: B442 Loeb Building</b>
	<b>Office Hrs.: By Appointment</b>
	<b>Telephone: N/A</b>
	<b>Email: Graciela.JasaSilveira@Carleton.ca</b>

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**Academic Accommodations**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

**Plagiarism**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of

calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:  
<http://www.carleton.ca/studentaffairs/academic-integrity/>

### ***Department Policy***

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

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## **COURSE DESCRIPTION**

This course surveys of the issues relating to the regulation of the family in Canada. Among the topics covered in this course are marriage and the prerequisites for a valid marriage, unmarried cohabitation, legal parentage, adoption, family protection and family violence, the divorce process and ADR, parenting after divorce, child custody and support, the economic consequences of divorce. Themes include the role of the state in the regulation of family law, the connection between social and legal change in the area of the family, how the private/public law, international/national, federal/provincial, boundaries influence family law; the relevance of gender, class, ethnicity, and status in family law. Although the primary focus is Ontario, the course takes on a comparative approach and examines family law issues in other provinces in Canada and to other jurisdictions, as well as to interdisciplinary and theoretical perspectives on law and families. In this course we will also explore the role of international courts and international law in the shaping of family law in areas such as marriage and cohabitation, parenting, violence, and property, among others.

## **REQUIRED TEXTS**

Textbook: Julien Payne and Marilyn A. Payne, *Canadian Family Law* (Toronto: Irwin Law, 2013) 5<sup>th</sup> edition.

## **SUPPLEMENTARY TEXTS**

**Below is a list of reference texts that may be of assistance to students who choose the research essay option, or to supplement an area of interest.**

- Katherine Arnup, *Close Personal Relationships between Adults: 100 Years of Marriage in Canada* (Law Commission of Canada 2001).
- Dorothy Chunn, *From Punishment to Doing Good: Family Courts and Socialized Justice in Ontario 1880 – 1940* (Toronto, University of Toronto Press, 1992).
- H.P. Glenn, *Legal Traditions of the World: Sustainable Diversity in Law* (Oxford, Oxford University Press, 2014) pp. 1-33.
- Blair et al., *Family law in the world community: cases, materials, and problems in comparative and international family law* (Carolina Academic Press, 2009) 3-28.
- Lisa M. Kelly, "Bringing international human rights law home: An evaluation of Canada's family law

- treatment of polygamy." (2007)65 U. Toronto Fac. L. Rev. 1.
- Ann Laquer Estin, "Unofficial family law." (2009) 94 Iowa Law Review 449.
  - Richard H Bartlett, "Indian self-government, the equality of the sexes, and application of provincial matrimonial property laws." (1986) 5 Can. J. Fam. L. 188.
  - Anna C. Korteweg, "The Sharia Debate in Ontario." (2006) 18 ISIM Review 2.
  - Bala, Nicholas, "The Charter of Rights and Family Law in Canada: A New Era" (2001) 18 Canadian Family Law Quarterly 373.
  - John Syrtash, "Alternative 'Cultural' Dispute Resolution" in *Religion and Culture in Canadian Family Law* (Toronto: Butterworth-Heinemann, 1992]
  - Katherine Arnup, *Close Personal Relationships between Adults: 100 Years of Marriage in Canada* (Law Commission of Canada, 2001).
  - Herman Robert Hahlo, *Nullity of Marriage in Canada: With a Sideways Glance at Concubinage and Its Legal Consequences* (Butterworths, 1979)
  - Nicholas Bamforth, "Benefits of Marriage in All but Name-Same-Sex Couples and the Civil Partnership Act 2004, The." (2007) 19 Child & Fam. L. Q 133.
  - Anne Barlow, Anne & Rebecca Probert, "Regulating Marriage and Cohabitation: Changing Family Values and Policies in Europe and North America – An Introductory Critique" (2004) 26(1) Law & Policy 1.
  - Martha Bailey, "Regulation of cohabitation and marriage in Canada." (2004) 26: 1 Law & Policy 153-175.
  - Nancy D. Polikoff, "Ending marriage as we know it." (2003) 32 Hofstra L. Rev. 201.
  - Ruth Deech, "The Case Against Legal Recognition of Cohabitation" in J. Eekelaar & S. Katz, eds., *Marriage and Cohabitation in Contemporary Societies: Areas of Legal, Social and Ethical Change* (Toronto: Butterworths, 1980) 300.
  - Megan E. Callan, "In Search of a Policy behind Eligibility for California Domestic Partnerships" (2003) 40 San Diego L. Rev. 427.
  - Amy Kaufman, "Polygamous Marriages in Canada" (2005) 21(2) Can. J. Fam. L. 315.
  - Status of Women Canada, *Polygamy in Canada: Legal and Social Implications for Women and Children: A Collection of Policy Papers* (Ottawa: Status of Women Canada, 2005)
  - Adoption in Canada in James Dickson et al. in *The Basics of Adoption: A Guide for Building Families in the U.S. and Canada* (Greenwood Publishing, 2006).
  - Roxanne Mykitiuk, "Beyond Conception: Legal Determination of Filiation in the Context of Assisted Reproductive Technologies" *Osgoode hall Law Journal* 39 (2001) 782.
  - Anne Lorene Chambers, *Misconceptions: Unmarried Motherhood and the Ontario Children of Unmarried Parents Act, 1921 to 1969* (Osgoode Society for Canadian Legal History Series, University of Toronto Press, 2007).
  - "Parenting in Canada" in Laura Beauvais-Godwin & Raymond Godwin, *Adopting in Canada in The Complete Adoption Book: Everything You Need to Know to Adopt a Child* (Adams Media, 2005) at 226 to 236.
  - Diane Marre & Laura Briggs, *International adoption: Global inequalities and the circulation of children* (New York: New York University Press, 2009).
  - Canadian Coalition for the Rights of Children. (n.d.). *Best interests of the child meaning and application in Canada*. Ottawa, Ont.: Canadian Coalition for the Rights of Children.
  - Zlotnik, Norman, "Judicial Recognition of Aboriginal Customary Law in Canada: Selected Marriage and Adoption Cases" (1984) 4 Canadian Native Law Review 1.
  - Bernd Walter, Janine Alison Isenegger and Nicholas Bala, "'Best Interests' in Child Protection Proceedings: Implications and Alternatives" (195) 12 Canadian Journal of Family Law 367.
  - Marilyn Callahan and Karen Callahan, "Victims and Villains: Scandals, the Press and Policy Making in Child Welfare" in J. Pulkingham & G. Ternowetsky, eds., *Rethinking Child and Family Policy: Struggles, Strategies and Options* (Halifax: Fernwood Press, 1997).
  - Philip Zylberberg, "Minimum Constitutional Guarantees in Child Protection Cases" (1992) 10 Canadian

Journal of Family Law 257.

- Christine Davies, “Native Children and the Child Welfare System in Canada” (1992) 30 Alberta Law Review 1200.
- Tae Mee Park, “In the Best Interests of the Aboriginal Child” (2003) 16 Windsor Law Review of Legal and Social Issues 43.
- Cynthia L. Chewter, “Violence Against Women and Children: Some Legal Issues” (2003) 20(1) Can. J. Fam. L. 99-178.
- Peter Jaffe, et al., Child Custody & Domestic Violence (Thousand Oaks: Sage, 2003)
- Julienne Patterson, “Spousal Violence” in Canadian Centre for Justice Statistics, Family Violence in Canada: A Statistical Profile 2003 (Ottawa: National Clearinghouse on Family Violence, Health Canada, 2003 at 4, online at: [www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/2003famvioprofil\\_e.pdf](http://www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/pdfs/2003famvioprofil_e.pdf)
- Ruthann, Robson, “Lavender Bruises: Intra-Lesbian Violence, Law and Lesbian Legal Theory” (1990) 20 Golden Gate University Law Review 567.
- Kerr and Jaffe, “Legal and Clinical Issues in Child Custody Disputes Involving Domestic Violence”
- McGillivray, Anne and Brenda Comaskey, Black Eyes All of the Time: Intimate Violence, Aboriginal Women, and the Justice System (Toronto: University of Toronto Press, 1999).

## **EVALUATION**

**(All components must be completed in order to get a passing grade)**

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

<b>Evaluation Component</b>	<b>Value</b>	<b>Due Dates</b>
<b>ATTENDANCE AND PARTICIPATION</b> Attendance is <b>mandatory</b> . There are 12 classes scheduled. Students must attend at least 10 of these classes. Attendance account for 5% and participation for the other 5% of the grade. Participation will be graded based on in class activities and exercises covering class themes. Participation will be graded on students work and in class submission of this material. Details to come.	<b>10%</b>	<b>Weekly</b>

**LECTURE QUIZZES**

There are 10 Lecture Quizzes that are based on the content discussed in the lectures and a designated reading for each lecture. They are posted on CUOL. Each Quiz gets activated after the lecture and stays open for one week only. All Quizzes open the day after the Weekly Lecture at 11:00am - and close the Sunday at midnight before the next lecture. Students will have one hour to complete each Quiz.

Important Note:

Each Quiz is worth 2 marks out of your final grade. Only marks from the best 7 Quizzes will be counted towards the final grade. This means that students may choose to only complete 7 of the Quizzes if they are satisfied with their marks from these 7 Quizzes.

**14%**

**Lecture 2 Quiz** – open from Tuesday, **September 16, 2014**

**Lecture 3 Quiz** – open from Tuesday, **September 23, 2014**

**Lecture 4 Quiz** – open from Tuesday, **September 30, 2014**

**Lecture 5 Quiz** – open from Tuesday, **October 7, 2014**

**Lecture 6 Quiz** – open from Tuesday, **October 21, 2014**

**Lecture 7 Quiz** – open from Tuesday, **November 4, 2014**

**Lecture 8 Quiz** – open from Tuesday, **November 11, 2014**

**Lecture 9 Quiz** – open from Tuesday, **November 18, 2014**

**Lecture 10 Quiz** – open from Tuesday, **November 25, 2014**

**Lecture 11 Quiz** – open from Tuesday, **December 2, 2014**

**Final Exam:**

Closed book. All multiple choice and short answer. The final exam will be discussed further in class.

**26%**

**Scheduled during the formal exam period December 10-21, 2014.**

**ASSIGNMENTS**

There are THREE WRITING COMPONENTS in this course. Each is submitted through the specific CULearn Assignment Tab. Full instructions will be provided with the Assignment Sheets which will be posted on the Assignment Tab on CULearn.

**Blog Post:**

Each student will contribute to the weekly class blog, posting an approximately 500-word response to the week's readings. The post can be approached in different ways. To ensure that everyone has a chance to read the blog before class, post your response by midnight the evening before class. There are 12 Lectures in total and each student will be graded on 8 blog posts. Only your

**10%**

**WEEKLY. Deadline for online submissions are Mondays at NOON, beginning Monday, September 15, 2014.**

marks from your best 8 best post will be count towards the final grade. This means that students may choose to only complete 8 of the blog post if they are satisfied with their marks.

**Assignment 1: Essay Proposal, Outline & Annotated Bibliography**

A three page research essay proposal with annotated bibliography providing an explanation of topic of choice, value and purpose of the research, conceptual framework(s) to be used, and proposed methodology, a tentative outline, and a list of 10 relevant bibliographic sources reflecting the research to date. An Annotated Bibliography should be provided for 5 of the key sources. Each annotation should provide a brief summary of the author's approach and subject matter and explain why the source is relevant to your project.

10%

**Due October 20, NOON, online submission). Bring 3 copies to class.**

**Assignment 2- Final Research Essay:**

A term paper of 15-20 pages (excluding bibliography) based on the initial Essay Proposal, Outline & Annotated Bibliography submission. Topics and guidelines will be discussed in class within the first few weeks of the term. Students will have an opportunity to get early feedback by submitting rough draft of their papers on November 24, 2014, deadline for online submission NOON. The due date for final submission of Assignment 2 is on Monday, December 8, 2014, deadline for online submission NOON.

30%

**Rough drafts due November 24, 2014, deadline for online submission NOON.**

**Final submission - Monday, December 8, 2014, deadline for online submission NOON.**

**Important Notes on Evaluation:**

You must complete all components of Evaluation to receive a passing mark in the course. This includes the Preparation Exercises.

**You must provide meticulously correct citations** compliant with the *Canadian Guide to Uniform Legal Citation*, 7<sup>th</sup> edition (the McGill Guide) in Assignments. Marks will be deducted in each assignment if citation is not fully correct. Marks will also be allocated for effective writing.

**Submission:** Due dates are always on a **Mondays**. Due time for all work is **NOON**.

- This is set during University working hours so you can contact CCS if you have a problem with submission.
- There is a 'grace period' or leeway of a few minutes in case you have technical issues (this means 30 minutes maximum and it is at our discretion).
- You will be subject to **heavy late penalties** if you do not submit on time (see later information on this).

**Feedback:** You will receive a marking feedback and evaluation sheet with your marks and some comments when your marks are posted. You should wait 48 hours before emailing me with questions. Please make your queries specific and detailed so that the TA can review your points and get back to you. If necessary, your TA will set up an appointment to meet with you.

**Timelines:**

- It will take about 1 week to mark and return Assignment 1 to you through the Assignments Tab.
- Assignment 2 will be marked within the timeframe for finalizing the Final Grade Report. You will receive your mark around the same time as the FGR is submitted to the Dean's Office.
- Marks for other submissions will be input by me using Grade Book. These are likely to be posted 'en bloc' near the end of the semester. You will know if you have obtained the associated marks in any case, by submitting on time.

**Grade Book:** Initially, you will obtain your mark through the Assignments Tab on cuLearn. After a short time, we will also release the marks onto grade book. Please check from time to time so we can catch any errors or omissions early and make corrections.

**Good advice:** Keep a copy of all assignments and other submissions until your final grade is confirmed.

**Individual work only!** See later discussion of Academic Integrity.

**POLICIES****LATE PENALTIES****ASSIGNMENTS**

Late Assignments will be penalized as follows:

- Deduction of 5% marks if the assignment is handed in on the due date after the deadline of NOON but before midnight.
- A further 5% if the assignment is handed-in anytime the 'next day' - from 12:01am to 11:59 pm.
- A further 10% is deducted at beginning of each following day (at 12:01am) including weekend days.

- In other words, if a paper is due at NOON on Monday and you submit it anytime on Wednesday, the penalty is -20% -
- If an Assignment is handed in more than seven days late, it will be accepted towards course completion but will receive **zero** marks.

### **EXTENSIONS FOR THE ASSIGNMENTS**

Students can request an extension on Assignments for serious illness or family and personal emergencies. They will be required to provide official supporting documentation. Students requesting an extension should contact the course Instructor prior to the assignment deadline as soon as possible.

Extensions will not be granted for computer problems of any kind. We URGE you to back up your work as you go along: email a draft to yourself whenever you finish a segment of work on it or copy it to a USB thumb-drive or an external hard drive.



**SCHEDULE**

Session	Week/Theme	Topics/Readings/
1	Monday, September 8, 2014  Introduction to the Course	<p><b>I. DEFINING THE FAMILY AND APPROACHING THE STUDY OF FAMILY LAW</b></p> <ul style="list-style-type: none"> <li>- Introduction</li> <li>- Syllabus</li> <li>- Definitions</li> <li>- History</li> <li>- Legal Framework</li> </ul> <p><b>Readings:</b> None (we will touch on Textbook: Chapter 1: Family Structures and Canadian Family Law)</p>
2.	Monday, September 15, 2014  Histories, Culture and Legal Change	<p><b>II. The Regulation of the Family</b></p> <ul style="list-style-type: none"> <li>- Legal Change</li> <li>- Jurisdiction</li> <li>- Sources</li> </ul> <p><b>Readings:</b> Textbook: Chapter 1: Family Structures and Canadian Family Law &amp; Convention on the Rights of the Child</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON,</b></p> <p><b>Due after class: Lecture 2 Quiz – open from Tuesday, September 16, 2014</b></p>
3	Monday, September 22, 2014  The Regulation of Intimate Relationships I	<p><b>III. MARRIAGE</b></p> <ul style="list-style-type: none"> <li>- The significance of marriage</li> <li>- promise of marriage</li> <li>- Marriage</li> <li>- Requisites for valid marriage</li> <li>- Same Sex marriage</li> </ul> <p><b>Readings:</b> Textbook: Chapter 2: Marriage, Chapter 3: Cohabitation Relationships, (pg. 37-41) Legislation: Marriage Act &amp; Family Law Act Part IV</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON.</b></p> <p><b>Due after class: Lecture 3 Quiz – open from Tuesday, September 23, 2014</b></p>
4	Monday, September 29, 2014  The Regulation of Intimate Relationship	<p><b>IV. COHABITATION AND OTHER CONJUGAL RELATIONSHIPS</b></p> <ul style="list-style-type: none"> <li>- Unmarried cohabitation</li> <li>- Domestic partnerships</li> <li>- Polygamous relationships</li> <li>- Customary Marriage</li> </ul> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON.</b></p>

	s II	<b>Due after class: Lecture 4 Quiz – open from Tuesday, September 30, 2014</b>
5	<b>Monday, October 6, 2014</b>  <b>The Regulation of the Parent-Child Relationship</b>	<b>V. PARENTING AND THE PARENT/CHILD RELATIONSHIP</b> <ul style="list-style-type: none"> <li>- Legal Concept of Parentage</li> <li>- Introduction to Adoption: eligibility, Placement, Consent, effects</li> <li>- Reproductive Technologies</li> </ul> <b>Readings:</b> Online material: Adoption Council of Canada, <a href="http://www.adoption.ca/who-we-are">http://www.adoption.ca/who-we-are</a> ; Adoption Council of Ontario, < <a href="https://www.adoption.on.ca/how-to-adopt">https://www.adoption.on.ca/how-to-adopt</a> >; Ontario, Ministry of Children and Youth Services <a href="http://www.children.gov.on.ca/htdocs/English/topics/adoption/index.aspx">http://www.children.gov.on.ca/htdocs/English/topics/adoption/index.aspx</a> Ontario's Child and Family Services Act, published at <e-laws.gov.on.ca>. <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON.</b></p> <b>Due after class: Lecture 5 Quiz – open from Tuesday, October 7, 2014</b>
	<b>Monday, October 13, 2014</b>  <b>Statutory Holiday-No Class</b>	<b>Statutory Holiday-No Class</b>
6	<b>Monday, October 20, 2014</b>  <b>Family Protection &amp; Violence</b>	<b>VI. THE REGULATION OF FAMILY LIFE</b> <ul style="list-style-type: none"> <li>- Family Autonomy</li> <li>- Child protection</li> <li>- First Nations and Child Protection</li> <li>- Domestic Violence</li> <li>- Violence against women</li> </ul> <b>Readings:</b> <b>Textbook:</b> Chapter 5: Family Violence, (pg. 86-122) <p><b>Legislation:</b> Criminal Code of Canada; Divorce Act; Children’s Law Reform Act (Ontario); Child and Family Services Act (Ontario); Family Law Act (Ontario)</p> <p><b>Due- Assignment 1: Essay Proposal, Outline &amp; Annotated Bibliography (Due October 20, NOON, online submission).</b> Bring 3 copies to class.</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON.</b></p> <b>Due after class: Lecture 6 Quiz – open from Tuesday, October 21, 2014</b>

	<b>Monday, October 27, 2014</b> Reading Week- No class	<b>Reading Week- No class</b>
<b>7</b>	<b>Monday, November 3, 2014</b>  <b>Family Breakdown</b>	<p><b>VII. SEPARATION, DIVORCE AND COROLLARY ISSUES</b></p> <ul style="list-style-type: none"> <li>- Divorce and Legal Process</li> <li>- Marriage Breakdown</li> <li>- Alternative Dispute Resolution</li> </ul> <p><b>Readings:</b> Textbook: Chapter 7: Divorce: Jurisdiction; Judgments; Foreign Divorces; Grounds for Divorce; Bars &amp; Textbook, Chapter 6: The Crises of Marriage Breakdown and Processes for Dealing with Them Legislation: Divorce Act</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON,</b></p> <p><b>Online Return of Graded and Commented Assignment 1: Essay Proposal, Outline &amp; Annotated Bibliography.</b></p> <p><b>Due after class: Lecture 7 Quiz – open from Tuesday, November4, 2014</b></p>
<b>8</b>	<b>Monday, November 10, 2014</b>  <b>Parenting After Divorce</b>	<p><b>VIII. PARENTAL ARRANGEMENT OF CARE, CUSTODY, AND UPBRINGING OF CHILDREN AFTER SEPARATION AND DIVORCE</b></p> <ul style="list-style-type: none"> <li>- Child custody: access, mobility, abduction, remedies</li> <li>- The best interests of the child</li> <li>- The relevance of conduct, race and lifestyle</li> <li>- Joint custody and the primary caregiver</li> <li>- The access parent</li> <li>- grandparents</li> <li>- Mobility</li> <li>- Abduction (Hague Convention)</li> <li>- Law reform efforts</li> </ul> <p><b>Readings:</b> Textbook: Chapter 10: Parenting Arrangements After Divorce; Chapter 11: Remedies Available under Provincial and Territorial Legislation. (pg. 552-595)</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON.</b></p> <p><b>Due after class: Lecture 8 Quiz – open from Tuesday, November 11, 2014</b></p>

<p><b>9</b></p> <p><b>Monday, November 17, 2014</b></p> <p><b>Economic Consequenc es of Family Breakdown, Part I</b></p>		<p><b>IX. ECONOMIC OBLIGATIONS TOWARDS THE CHILDREN AFTER SEPARATION AND/OR DIVORCE</b></p> <ul style="list-style-type: none"> <li>- Child support</li> <li>- Responsibility for child support</li> <li>- Defining the parent-child relationship</li> <li>- Introduction to federal child support guidelines</li> <li>- Application of child support principles</li> <li>- Retroactive Child Support</li> </ul> <p><b>Readings:</b> Textbook, Chapter 9: Child Support On or After Divorce; Chapter 11: Remedies Available under Provincial and Territorial Legislation (pg. 546-552) Legislation: Children’s Law Reform Act Part III; ss. 16 and 17 Divorce Act</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON,</b></p> <p><b>Due after class: Lecture 9 Quiz – open from Tuesday, November 18, 2014</b></p>
<p><b>10</b></p> <p><b>Monday, November 24, 2014</b></p> <p><b>Economic Consequenc es of Family Breakdown, Part II</b></p>		<p><b>X. Spousal Support On or After Divorce</b></p> <ul style="list-style-type: none"> <li>- Spousal Support: Principle, Models, Contract and Guidelines</li> <li>- Rationales and principles</li> <li>- Competing models of support</li> <li>- Self-sufficiency model Compensatory model</li> <li>- Non-compensatory model</li> <li>- Fault</li> <li>- Separation agreements and variations</li> <li>- Spousal Support Advisory Guidelines</li> </ul> <p><b>Readings:</b> Textbook: Chapter 8: Spousal Support On or After Divorce; Chapter 4: Domestic Contracts (pg. 56-70). Legislation: Family Law Act Part III; ss. 15, 15.2, 17 Divorce Act</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON,</b></p> <p><b>Due: Assignment 2- Final Research Essay -Rough drafts due November 24, 2014, deadline for online submission NOON.</b></p> <p><b>Due after class: Lecture 10 Quiz – open from Tuesday, November 25, 2014</b></p>
<p><b>11</b></p> <p><b>Monday, December 1, 2014</b></p>		<p><b>XI. Property Rights Between Spouses Upon Marriage Breakdown or Divorce</b></p> <ul style="list-style-type: none"> <li>- Matrimonial Property</li> </ul>

	<b>Economic Consequences of Family Breakdown, Part III</b>	<ul style="list-style-type: none"> <li>- Rationales and principles</li> <li>- Property claims of Unmarried cohabitants</li> <li>- Constructive trusts</li> <li>- Family assets</li> <li>- Ordinary use for a family purpose</li> <li>- Hobbies</li> <li>- Debts</li> <li>- Pensions</li> <li>- Ventures</li> <li>- Business assets</li> <li>- Valuation of assets</li> <li>- First Nations and provincial property law</li> <li>- Division of assets and spousal support</li> </ul> <p><b>Readings:</b> Textbook: Chapter 12: Matrimonial Property Rights (597-660)</p> <p>Legislation: Family Law Act Part I &amp; II</p> <p><b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON.</b></p> <p><b>Due after class: Lecture 11 Quiz – open from Tuesday, December 2, 2014</b></p>
12	<b>Monday, December 8, 2014</b>	<b>XII. Final Review</b>  <b>Due: Assignment 2- Final Research Essay - Final submission - Monday, December 8, 2014, deadline for online submission NOON.</b>  <b>Due before class: Weekly Blog Post, Deadline for online submissions are Mondays at NOON,</b>