

## 730-316 Current Issues in Family Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	4 (Undergraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2009.
<b>Time Commitment:</b>	Contact Hours: One 2-hour seminar per week Total Time Commitment: Estimated total time commitment of 144 hours.
<b>Prerequisites:</b>	Legal Method and Reasoning; Principles of Public Law; Torts; Legal Theory; Family Law or in each case their equivalents.
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	<p>&lt;p&gt;For the purposes of considering request for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Student Support and Engagement Policy, academic requirements for this subject are articulated in the Subject Overview, Learning Outcomes, Assessment and Generic Skills sections of this entry.&lt;/p&gt; &lt;p&gt;It is University policy to take all reasonable steps to minimise the impact of disability upon academic study, and reasonable adjustments will be made to enhance a student's participation in the University's programs. Students who feel their disability may impact on meeting the requirements of this subject are encouraged to discuss this matter with a Faculty Student Adviser and Student Equity and Disability Support: &lt;a href="http://services.unimelb.edu.au/disability"&gt;http://services.unimelb.edu.au/disability&lt;/a&gt;&lt;/p&gt;</p>
<b>Subject Overview:</b>	<p>This subject builds on the material taught in Family Law 730-313 and aims to develop students' understanding of family law in its broader social context, including an understanding of the processes of law reform and policy development in this area from an interdisciplinary perspective. The course aims to encourage students to think critically and reflexively about current policy arguments and legal issues in relation to Australian family law, and to consider these in the context of developments in other countries, especially the United Kingdom and Canada.</p> <p>The principal topics to be covered will depend on current law and policy developments, but will be drawn from the following areas:</p> <ul style="list-style-type: none"> <li># the nature of the 'family': (eg. legal recognition of Indigenous family practices; the child's right to identity; marriage and adoption by same sex couples);</li> <li># family law reform: (eg. the role of empirical research and lobby groups; leading and responding to social change);</li> <li># public law regulation of family life (eg. child protection and human rights; school bullying; youth justice conferences);</li> <li># private law regulation of family life (eg. the implications of equal time arrangements for children and parents; the role of children's agency); and</li> <li># financial aspects of family law (eg. current child support issues; superannuation and family law; the financial implications of equal time arrangements for children; the links between paternity and child support obligations).</li> </ul> <p>Note: The essay in this subject is regarded as a substantial piece of legal writing for honours purposes.</p>
<b>Objectives:</b>	On successful completion of this subject, students should: 1. have developed a detailed understanding of the current policy issues and debates influencing family law developments in Australia; 2. be able to critically and analytically consider and assess family law policy developments in Australia; 3. be able to use relevant theoretical approaches to consider and assess family law developments in Australia; and 4. be able to consider Australian developments in the context of developments in other countries, especially the United Kingdom and Canada.

<b>Assessment:</b>	Oral class presentation of research in progress, worth 10% of the final mark for the subject; and Written research assignment-5000 words, due week 12 of semester, and worth 90% of the final mark for the subject.
<b>Prescribed Texts:</b>	Printed materials will be issued by the Faculty of Law.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> <li># attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage</li> <li># the capacity for close reading and analysis of a range of sources</li> <li># the capacity for critical and independent thought and reflection</li> <li># the capacity to solve problems, including through the collection and evaluation of information</li> <li># the capacity to communicate, both orally and in writing</li> <li># the capacity to plan and manage time</li> <li># intercultural sensitivity and understanding</li> </ul> <p>In addition, on completion of the subject, students should have further developed the following skills specific to the discipline of law:</p> <ul style="list-style-type: none"> <li># case reading and analysis, including an ability to: <ul style="list-style-type: none"> <li># extract important features from judgments;</li> <li># reconcile judgments;</li> <li># evaluate the development of legal principles; and</li> <li># apply legal principles arising from case law to new situations;</li> </ul> </li> <li># statutory reading, interpretation and analysis, including an ability to: <ul style="list-style-type: none"> <li># extract important features from statutes;</li> <li># evaluate the development of statutory rules; and</li> <li># use, interpret and apply statutory provisions to new situations.</li> </ul> </li> <li># legal research and writing skills, including an ability to: <ul style="list-style-type: none"> <li># identify and use caselaw, statute, and relevant secondary sources as part of a sophisticated legal analysis; and</li> <li># provide in-depth critical analysis of legal and policy responses to issues arising in family law</li> </ul> </li> <li># oral communication skills, by participating in class discussion and making a class presentation.</li> </ul>