

# LAWS40007 Family Law

<b>Credit Points:</b>	12.50
<b>Level:</b>	4 (Undergraduate)
<b>Dates &amp; Locations:</b>	2010, Parkville This subject commences in the following study period/s: Semester 1, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: One 2-hour lecture per week. Total Time Commitment: 144 hours.
<b>Prerequisites:</b>	Legal Method and Reasoning; Principles of Public Law; Torts; Legal Theory; Property 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>	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: <a href="http://www.services.unimelb.edu.au/disability/">http://www.services.unimelb.edu.au/disability/</a> .
<b>Coordinator:</b>	Dr Richard Ingleby
<b>Contact:</b>	Melbourne Law School Student Centre Email: <a href="mailto:law-studentcentre@unimelb.edu.au">law-studentcentre@unimelb.edu.au</a> (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
<b>Subject Overview:</b>	The central aim of this subject is to consider how, why, and in whose interests the law intervenes in family relationships on relationship breakdown. The subject aims to develop students' understanding not only of 'black letter' law (case law and statute), but also of family law in its broader social context, including an understanding of the processes of social policy reform.  The subject is divided into three topic areas: <ul style="list-style-type: none"> <li># Overview of the family law system;</li> <li># Children and parents;</li> <li># Financial aspects of relationship breakdown.</li> </ul>
<b>Objectives:</b>	On successful completion of this subject, students should be able to: <ul style="list-style-type: none"> <li># Demonstrate an understanding of the legal frameworks that regulate the rights and responsibilities of family members in Australia on relationship breakdown;</li> <li># Apply analytical, critical, theoretical and evaluative skills to legal and social policy issues associated with the family;</li> <li># Apply the relevant case law and legislation to hypothetical problems;</li> <li># Demonstrate an understanding of the application of family law in practice;</li> <li># Demonstrate an awareness of the factors relevant to the processes of law reform as it applies to the family.</li> </ul>
<b>Assessment:</b>	Final written examination three hours (worth 100% of the final mark in the subject). The written examination will be open-book. Duration 30 minutes reading time and 3 hours writing time.
<b>Prescribed Texts:</b>	Belinda Fehlberg and Juliet Behrens, Australian Family Law: The Contemporary Context (Melbourne, OUP, 2008).

<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 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> <li># Sensitivity and understanding of issues confronting families affected by violence.</li> </ul> <p>In addition, on completion of this subject students should have 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;</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;</li> <li>- Use, interpret and apply statutory provisions to new situations.</li> </ul> </li> <li># Hypothetical problem solving, including an ability to: <ul style="list-style-type: none"> <li>- Identify legal issues arising in complex fact situations;</li> <li>- Identify and apply relevant case law and statutory principles;</li> <li>- Provide advice as to the rights and obligations of the parties.</li> </ul> </li> </ul>