

**Family Law**  
**Spring 2021**  
Professor Fenton

Law 136A  
Room A110

M., W.  
4:10-5:25pm

3 Credits

Course Materials

The required text for this course is Krause, Elrod, Oldham, Family Law: Cases, Comments, and Questions (8th ed., 2018) (ISBN:978-1-68328-451-2). Supplemental materials also will be distributed. A schedule for the semester is included at the end. You are responsible for all cases and materials assigned, regardless of whether each part of that assignment is specifically covered in class.

If your intention is to become a practitioner in the area of family law or if you just have an interest in a particular area, you may access Florida practice forms at: [http://www.flcourts.org/gen\\_public/family/forms\\_rules/index.shtml](http://www.flcourts.org/gen_public/family/forms_rules/index.shtml) . You might also consult <http://www.flcourts.org/> or <http://www.floridasupremecourt.org/>. Other states have similar databases if you intend to practice in a state other than Florida.

Class Structure and Participation

Class will be held on Mondays and Wednesdays on-line via Zoom. Please consult the Course Blackboard to access the class announcements, materials, and any class recordings. Blackboard is also where you should record your attendance.

Attendance and class participation are mandatory. For Zoom (or any other interactive video forum we use), your attendance will only be counted if you use your camera function.<sup>1</sup> Students will be called on **randomly** in each class. Participation on one day will not shield you from participation on the next. Thus, all students are expected to be prepared to field questions, especially those concerning basic doctrine and "black letter" applications. In addition, students should focus on understanding the broader theoretical implications and policy issues underlying the "black letter" applications. You should expect to field questions more than once during the semester. Passing is not permitted.

You should view class participation as an important part of your learning experience. Class is your opportunity to experiment with the materials before you are evaluated on them. Volunteered answers in class are always welcome. Family law is necessarily a policy-laden course; broad participation in class will assist you in grasping the intricacies of the potential policy issues and choices. Volunteered contribution is always welcome; however, the choice of whether or for how long someone may speak in class is in my sole discretion.

Video conferencing and technologically interactive fora, increasingly are integral to business and modern legal practice. The realities of COVID-19 have hastened the uses of these

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<sup>1</sup> For technology issues, you should send me a message of explanation to be counted.

technologies for human interaction, including for client interaction, multi-location conferencing, and in court rooms for hearings and trials.

Your Zoom class sessions are an opportunity for you to accustom yourself with these fora and to gain relevant competencies for your future practice. For days we have Zoom sessions for class, we may have guest lectures, group interactions and other activities. During main parts of these sessions, we will mimic class in how class is run to focus on the substantive material. I will disable the chat function during our session as I am unable to run class and field written questions at the same time.

If you miss class for any reason, you must discuss your absence with me. You must not miss more than four classes. Barring extenuating circumstances, refusal to comport with these requirements may be harmful to your final grade. I retain the option of lowering your grade by as much as a half grade (no more) for poor class attendance or participation.

### Class Assignments

There are two required class exercises. Participation in the Court Observation counts for ten percent (10%) of your grade; participation in the negotiation exercise counts for twenty percent (20%) of your grade. The Court Observation is available and should be completed early in the semester. The negotiation is a group-based exercise; the material for this exercise will be introduced in the second half of the semester.

### Religious Holy Days

The University of Miami, although a secular institution, is determined to accommodate those students who wish to observe religious holy days. Classes missed due to observances of religious holy days will count as excused absences *only if* you provide written notice of your intended absence(s) to me no later than the end of the first three meetings of our class.

### Academic Integrity Policy

Students are expressly prohibited from recording any part of this course. Meetings of this course may be recorded by the University. Any recordings made will be available on Blackboard to students registered for this class as they are intended to supplement the classroom experience. Students are expected to follow appropriate University policies and maintain the security of passwords used to access recorded lectures. Recordings may not be reproduced, shared with those not in the class, or uploaded to other online environments. If the instructor or a University of Miami office plans any other uses for the recordings, beyond this class, students identifiable in the recordings will be notified to request consent prior to such use.

### Final Examination

There will be an open-book final examination at the end of the semester. The final will consist of several parts and will cover both “black letter” issues and policy choices.

### Student Accessibility and Inclusion

For information about available opportunities, resources, and services for individuals managing a disability, or who suspect they need assistance managing one, the Law School encourages you to view the page for The Office of Student Accessibility and Inclusion (**at**

<https://www.law.miami.edu/students/student-accessibility-and-inclusion>) or contact access@law.miami.edu.

### Religious Holy Days

The University of Miami, although a secular institution, is determined to accommodate those students who wish to observe religious holy days. Classes missed due to observances of religious holy days will be excused absences, but only if you provide written notice (e-mail, preferred) of the dates of your religious observance to me no later than the end of the second week of classes.

### Office Hours

I will keep **Tuesdays and Wednesdays from 1:30-3:00** open for zoom sessions. (Meeting ID: 327 449 9400; Passcode: 1a246n (if phone: 1.646.558.8656 or 327.449.9400) For any zoom session, you should make an advance request to my e-mail ( you may make groupnrequests); I will then send you a zoom invitation. You may also seek an appointment with me for other times outside of office hours.

**You are encouraged to ask basic questions via e-mail; more extensive questions are best discussed in person/zoom.**

### Contact Information

Rm: G374.

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