

LEX 240 Family Law

COURSE DESCRIPTION:

Prerequisites: ENG 090 or DRE 098, or satisfactory score on placement test

Corequisites: None

This course covers laws governing domestic relations. Topics include marriage, separation, divorce, child custody, support, property division, adoption, domestic violence, and other related topics. Upon completion, students should be able to interview clients, gather information, and draft documents related to family law. Course Hours Per Week: Class, 3. Semester Hours Credit, 3.

COURSE OBJECTIVES:

Upon the completion of the course, the student should be able to:

1. Identify the elements of a valid marriage, premarital agreement, separation agreement, divorce, and custody agreement
2. Interview clients and prepare various domestic documents, such as premarital and separation agreements, divorce and custody complaints,
3. Assist attorney in preparation of domestic cases for trial

OUTLINE OF INSTRUCTION:

- I. Marriage
 - A. Elements of a valid marriage in North Carolina
 - i. Statutory marriage only
 - ii. No common law marriage in North Carolina
 - iii. Same-sex marriage
- II. Separation
 - A. Separation agreements: legal elements
 - B. Negotiating and drafting separation agreements
 - C. Divorce from bed and board: statutory grounds
 - D. Alimony without divorce
- III. Divorce
 - A. History of divorce and present statutory grounds for divorce
 - B. Equitable distribution of marital property
 - C. Alimony and alimony pendente lite
 - D. Preparation of case for trial
- IV. Child custody
 - A. Separation agreements and support agreements for child
 - B. Standards of determining custody
 - C. Review and revision of custody arrangements
- V. Domestic violence
 - A. Statutory remedies for victims of domestic violence
 - B. Tort remedies for victims of domestic violence

REQUIRED TEXTBOOK AND MATERIAL:

The textbook and other instructional material will be determined by the instructor.