COURSE INFORMATION

Section :001 Tuesdays/Thursdays 4:10 p.m.-5:25 p.m. HH2402

Instructor: Magistrate Alan Mutchler
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Office: Legal Specialties (3rd Floor)
Office hours: By appointment
Dept. Phone: (419) 530-2142

COURSE OVERVIEW/CATALOG DESCRIPTION (QM 1.2)

This course studies the law regarding formation of marriage, and all matters relating to marriage, termination of the marriage, including divorce and dissolution and other aspects of family law. Students will be trained to conduct client interviews, draft pleading and associated court forms, and calculate child support under state mandated guidelines.

COURSE OBJECTIVES (QM 2.1, QM 2.5, QM 2.3).

1. The student will be able to conduct a typical first interview with a client relative to a divorce, dissolution, legal separation action, annulment, domestic violence, parentage, adoption, custody, abuse, neglect, dependency, child/spousal support or visitation problem.

2. The student shall be able to determine after the interview which forms shall require execution, which pleadings will be preliminarily necessary for review by the attorney.

3. The student will be able to decide the appropriate jurisdiction and venue for the particular action. The student shall be able to prepare a draft of these pleadings.

4. The student shall be able to prepare a case calendar.

5. The student shall be able to be aware of the emotional and physical considerations attendant with domestic matters.

6. The student shall be able to gather and elicit information and evidence necessary for successful prosecution of the action.
REQUIREMENTS and PREREQUISITES (QM 1.5)

Prerequisite: LGL 1010 Introduction to Law and LGL 1160 Legal Research, Writing and Case Analysis

REQUIRED TEXTS AND MATERIALS (QM 4.3 and 4.6)

Ohio Cases: http://www.sconet.state.oh.us/ROD/docs/ (or Lexis)
Ohio Statutes: http://codes.ohio.gov/orc/ (or Lexis)

COURSE POLICIES EXPECTATIONS OF CLASSROOM BEHAVIORS (QM 1.4)

a. Class Communications: All email communication to me should be sent to my college email address, alan.mutchler@utoledo.edu. In addition, in order to organize my incoming email so I can better respond to your inquiry, use the subject line in the email to indicate the name of the class, “LGL: 2130:001 Family Law”. Furthermore, a brief description of the purpose of the email should appear after the class section name. For example, an email concerning a question about an assignment should read as follows in the subject line: “LGL: 2130:001 Family Law-Question about assignment”. This enables me to answer your question quickly and accurately. Please be advised that I do not open my email daily.

b. Attendance and Missed Class: Class attendance and participation are required. Please arrive to class on time and prepared. You are responsible for any work missed as a result of absences of any kind. Time management is a crucial skill in the paralegal field. Amidst very busy schedules, courts and employers will require prompt attendance. Therefore, the student’s prompt attendance at each class is required. The student must be on time for class and remain until its completion. Prompt attendance is also important because pop quizzes may be given at the beginning of class and assignments will be due at the beginning of class. The student’s attendance and participation will affect his or her grade for the course.

The University of Toledo Missed Class Policy (Approved by Faculty Senate, 1/22/02; approved by Student Senate, 1/22/02)

This policy provides for basic protections and reasonable accommodations for students who miss class with excused absences. Students are expected to attend every class meeting of courses in which they are registered. Only in specific, unavoidable situations does the University excuse absences from class: 1) personal emergencies, including, but not limited to, illness of student or of a dependent of the student [as defined by the Board of Trustees’ Policy on Family and Medical Leave], or death in the family; 2) religious observances that prevent the student from attending class; 3) participation in University-sponsored activities, approved by the appropriate University authority, such as intercollegiate athletic competitions, activities approved by academic units, including artistic performances, R.O.T.C. functions, academic field trips and special events connected with coursework; 4) government-required activities, such as military assignments, jury duty, or court appearances; and 5) any other absence that the professor approves.
Students are responsible for complying with the missed class policies of their instructors. Students bear the responsibility of notifying the instructor of a planned absence by one of the methods provided by the instructor. In the event of an emergency or an unavoidably short notice of absence, the student must present the instructor with an approved written excuse upon the student’s return to class. Approved written excuses will be at the instructor’s discretion, including, but not limited to, doctor’s notice, funeral programs, etc. It is strongly recommended that the student use two of the three aforementioned methods (email, writing, or voicemail) to insure that the instructor is properly notified of the planned absence. In the event that the instructor should not receive the student’s notification, the student should be prepared to present an alternative excuse. It will be at the instructor’s discretion to approve or disapprove of the alternative excuse.

Students are responsible for all material covered in classes they miss, even when their absences are excused as defined above. Students must make arrangements with instructors to complete missed assignments, labs, examinations or other course requirements. In turn, instructors are not to penalize students with excused absences.

c. **Class Preparation and Participation:** My goal is to make this class enjoyable and informative. Your job is to come to class prepared. The student’s preparation for each class is critically important to his or her learning experience in this course. The student’s preparation for class is also critically important to his or her training for a career where adequate and timely preparation will be expected by courts and employers. Furthermore, the student’s adequate preparation for class will enable him or her to make valuable contributions to class discussions and define questions that are raised by course materials that can then be addressed in class. Therefore, the student’s consistent and adequate preparation for class will be considered in the determination of his or her course grade.

The ability to communicate through the written and spoken word is essential to success in a paralegal career. A paralegal must be able to clearly and persuasively communicate his or her research, ideas and arguments to attorneys, clients, colleagues and courts. The student’s participation in every class is a valuable opportunity to develop those crucial communication skills.

d. **Work Product:** Assignments, quizzes and exams must be the original work of each student. Students may not collaborate with regard to these matters. If such collaboration is discovered, all students involved will receive a zero for the particular assignment, quiz or exam. Neither plagiarism nor cheating will be tolerated and will be addressed in accordance with the applicable policy of the University of Toledo. Academic Dishonesty will not be tolerated. Please read The University’s Policy Statement on Academic Dishonesty available at [http://www.utoledo.edu/dl/students/dishonesty.html](http://www.utoledo.edu/dl/students/dishonesty.html).

e. **Assignments:** Assignments are given in class. Completion of all assignments is a course requirement. Students are expected to complete and submit all assignments by the due date assigned. Late assignments will not be permitted unless arrangements are discussed and
approved well before the required due date. Ask questions as soon as possible by email if you do not understand an assignment.

Unless otherwise instructed, all assignments must be typed and must follow the proper format as announced in class for the particular assignment. As in the practice of law, the student must retain his or her own copy in case something should happen to the original.

Unless otherwise notified by the Instructor, assignments are due at the beginning of class on the date assigned as the deadline. Emailed assignments are not accepted.

Only a severe emergency constitutes a valid excuse for submitting a late assignment. Problems with typists, broken typewriters, downed computers or similar issues are not valid excuses for missing deadlines in the practice of law and they will not be accepted as valid excuses for the submission of late assignments in this course. If a severe emergency that would prevent the timely submission of an assignment should arise, the student must contact the Instructor immediately in order to make alternative arrangements. The Instructor may ask for verification/documentation of the emergency. If the Instructor determines that a valid excuse did exist, the Instructor will set a new deadline for the student and there will be no penalty if the assignment is submitted before the new deadline.

f. Pop Quizzes: Students may be given unannounced quizzes throughout the course.

g. Exams: The mid-term exam will only be administered at the time and location indicated herein, unless a student requires accommodation and the accommodation is approved and arranged through the Office of Accessibility. Otherwise, the mid-term exam will not be given at any time or location other than that indicated herein. The final exam will only be given at the time and location assigned by the university which is noted herein, unless a student requires accommodation and the accommodation is approved and arranged through the Office of Accessibility. Otherwise, the final exam will not be given at any time or location other than that indicated herein. The quizzes and exams will be based upon the Ohio Rules of Civil Procedure, Ohio Revised Code, materials provided in class, lectures and class discussion.

h. Cell Phones and electronic devices: Cell phones must be off and out of sight during class. Anyone using their phone without instructor permission will be asked to leave the class. Inform your professor in advance if you are a primary caregiver or have a family emergency and need to have your cell phone on during class.

Please silence all electronic devices prior to the commencement of class. Please give your full and undivided attention to what is going on in class; therefore, do not read or write text messages, emails, etc., during class. If you take notes on a laptop, please do only that and do not use other applications and/or the internet during class unless otherwise permitted. If you are observed by the instructor doing any of the foregoing, ten points will be deducted from your final grade for the course for each instance.
i. **Accessibility and Special needs**: Student who qualify for services approved by the Office of Accessibility are to provide documentation to the instructor the first week of classes. Students who have accessibility needs should feel free to discuss those needs with the Office of Accessibility and the Instructor in private. A student’s accessibility needs will be accommodated in accordance with university policy. Any student requiring accommodation for purposes of class, quizzes, exams or assignments must contact the Office of Accessibility and notify the Instructor by the second class of the semester. Any student wishing to discuss such issues with the Instructor should do so privately before or after class.

The UT Learning Enhancement Center provides students with academic assistance and support. The website can be located at: http://www.utoledo.edu/success/lec/. A full range of additional student services is provided through the Office of Student Services.

j. **Statement of Diversity and Inclusion**: In concert with the University of Toledo’s values and expectations, the faculty within the College of Social Justice and Human Services upholds the tenets pledged by the University to respect and value personal uniqueness and differences. Specifically, we will actively participate in the initiatives of the University to attract and retain diverse faculty, staff, and students; to challenge stereotypes; and to promote sensitivity toward diversity and foster an environment of inclusion in all curricular and extra-curricular activities. Hence, all students enrolled in this course will be expected to:

- Be considerate of the thoughts and ideas of others
- Demonstrate accountability, integrity and honor in all course-related activities
- Promote a collaborative and supportive educational environment
- Treat every individual with kindness, dignity, and respect regardless of:
  - Gender,
  - Race/ethnicity,
  - Religion,
  - Sexual orientation,
  - Impairment(s)/Disability(ies),
  - Political views, and
  - Other element(s) of uniqueness

### SCHEDULE

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<td>Introduction to Course</td>
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<td>Introduction to Family Law</td>
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<td>3</td>
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<td>Jurisdiction and Venue</td>
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<td>Interview Process</td>
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<td>Grounds for Annulment/Grounds for Legal Separation/Dissolution/Proceedings</td>
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<td>Divorce Complaint and Other Pleadings</td>
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<td>Child Support</td>
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<td>The Role of the Guardian ad Litem</td>
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<td>Spousal Support</td>
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<td>24</td>
<td>11/10/16</td>
<td>Reproduction/Surrogacy/Parentage</td>
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24  11/15/16  Modification of Parenting Rights
25  11/17/16  Modification of Visitation
26  11/22/16  Modification of Child Support
        11/24/16  NO CLASS-THANKSGIVING
27  11/29/16  Dependency, Neglect and Abuse
28  12/01/16  Adoption
29  12/06/16  Open
30  12/08/16  Open/Review

FINAL EXAM - :001   DECEMBER 15, 2016, 5:00 p.m. – 7:00 p.m.

ASSIGNMENTS

<table>
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<tr>
<th>Item</th>
<th>Total Available</th>
<th>What you need to do</th>
<th>My Grade</th>
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<tr>
<td>Critical Thinking Assignments 1-17</td>
<td>5 points each for a total of 85 points (Review Grading Rubric)</td>
<td>A perfect score is 5 for each of the 17 Critical Thinking Exercises. If you do not turn a Critical Thinking Assignment in by the assigned due date you earn Zero points for that Critical Thinking Assignment. (Place your points in My Grade).</td>
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<td>Assignment #18-Preparation of Court Schedules</td>
<td>15 points (Review Grading Rubric)</td>
<td>A perfect score is 15 If you do not turn it in by the assigned due date you earn Zero points. (Place your points in My Grade).</td>
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Both the Critical Thinking Assignments and the Preparation of Court Schedules Assignment can be found at: http://www.utoledo.edu/csjhs/legal/course_syllabi.html

Please review the assignments and bring them with you to the first class.
GRADE CALCULATIONS

2 Exams (100 points each) = 200 points
Class Assignments/Participation = 100 points
Total Possible Points = 300 points

Grading Scale

279-300 = A (93%)  
270-278 = A- (90%) 
261-269 = B+ (87%)  
252-260 = B (84%) 
243-251 = B- (81%) 
234-242 = C+ (78%) 
225-233 = C (75%) 
216-224 = C- (72%) 
207-215 = D+ (69%) 
198-206 = D (66%) 
189-197 = D- (63%) 
188-0 = F

THIS SYLLABUS IS SUBJECT TO CHANGE