



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

DOMESTIC RELATIONS

LAW 725 – SEC 3

FALL 2021

M/W

3:00 PM TO 4:15 PM

ROOM 107

THELMA L. HARMON

ASSOCIATE PROFESSOR

***“BEING UNPREPARED
IS
PREPARATION FOR FAILURE”***



PROFESSOR

Name: Thelma L. Harmon, Associate Professor

Email: thelma.harmon@tmslaw.tsu.edu

Telephone: 713.313.1144

Office: Room 100K

Office Hours

MONDAY: 12:00 PM – 2:00 PM

TUESDAY: 12:00 PM – 2:00 PM

WEDNESDAY: 12:00 PM – 2:00 PM

All Other Times by Appointment Only

Required Textbooks

Judith Areen, et al., *Family Law, Cases and Materials*, 7TH Edition (“Family Law”)

Joan Jenkins, et al., *O'Connor's Family Code*, latest version (“Fam. Code”)

Supplemental Materials (ON BLACKBOARD)

Texas Cases and Articles

Video(s): (ON BLACKBOARD)

Course Description

This course examines family law from various jurisdictions governing (including Texas): (1) formation of family relationship; (2) the family relationship itself; and (3) the dissolution of such relationships including the distribution of property upon dissolution and issues regarding the custody, support, and visitation of children of divorcing parent. The course will also look at the relevance of race and gender to families and the law. The material covered in this course cuts across constitutional, property, and contract laws.

Student Learning Outcomes:

Learning Outcomes	Assessment Description
Understand marital laws, divorce and issues related to divorce.	Exam and Court Observations
Understand how family law concepts work and apply in the real-world.	Court Observations
Recognize, analyze, and understand family issues presented by a fact pattern.	Exam

Supplemental Materials/Videos

We will make extensive use of the course's Blackboard site. Supplemental reading materials and videos will be available on Blackboard.

Family Court Observations

- 1. Observations.** This assignment will introduce you to the reality of family law in trial courts. You are responsible for observing FOUR (4) family law matters. You may attend any proceeding in any Harris County Family District Court or Title IV-D Master court held before the Presiding Judge or Associate Judge in any of the following: **trial or hearing (temporary orders or modification) involving divorce (with or without children), child custody, child support, spousal maintenance, paternity, and domestic violence.** Court proceedings are in-person and/or via Zoom (visit the court's website). If via Zoom, the public link should be available on the court's website. If in-person, dress appropriately introduce yourself to the judge. Also, treat all court personnel with courtesy and respect.



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2. **Court Observation Memorandum.** Papers will be evaluated in terms of the quality of your observations and your analysis, the use of readings to support your arguments, and writing mechanics, such as spelling errors, grammar and punctuation. Your papers should be 3-5 pages, double-spaced, in Times New Roman 12-point font. After your observation, prepare a memo following the format and content requirements as set forth in attached Exhibit B.
3. **Submission.** All court observation memos must be submitted via hard copy to Ms. Marilyn Epps in the Legal Clinic, Room 100. Emailed submissions will not be accepted. No exception(s).
4. **Due Dates**

Observation Memorandums	Date Due
No. 1	09/29/21
No. 2	10/13/21
No 3 & No. 4	11/23/21

Assignments. Completion of all assignments is a course requirement.

1. **Reading and Writing Assignments:** Writing assignments will form part of your class participation grade. Students are expected to complete the reading assignments from the text and supplemental materials before class. Students will submit all writing assignments to Ms. Marilyn Epps, Legal Clinic--Room 100 by 3:00 PM CST on the due date. All writing assignments must be submitted via hard copy--emailed submissions will not be accepted. No exceptions. Unless otherwise instructed, all writing assignments must be typed, double-space, 12-point font and 1-inch margins. As in the practice of law, the student must retain his or her own copy in case something should happen to the original.
2. **Class Structure:** The class is divided into "Law Firms." See Exhibit A for assignment of firm members. Each Firm will have primary responsibility for the materials in designated weeks. Although firms will be designated, you should always feel free to participate throughout the term. On occasions, students outside of the designated Firm will be called upon during class.
3. **Reading and Discussion Leaders:**

CLASS	LAW FIRM
1 and 2	Alpha, Beta
3 and 4	Gamma, Delta
5 and 6	Epsilon, Zeta
8	Eta
9 and 10	Theta, Iota
11	Kappa
12, 13, 14, and 15	Lambda, Mu, Nu, Alpha
16 and 17	Gamma, Delta
18 and 19	Theta, Iota
20	All Firms
21, 22, and 23	Epsilon, Zeta, Eta
24	Mu
25	Beta
26	Nu
27	Kappa
28	All Firms



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Course Expectations—Policies and Procedures

- 1. Class Preparation and Participation.** We will cover a lot of material and move quickly. It is in your best interest to stay on top of the material as the challenge to catch up can be almost insurmountable. The assigned reading for each class typically averages 20-30 pages of textbook material (including cases, excerpts from secondary sources, notes, and problems) with additional statutes and cases specific to Texas. The student's preparation for each class is critically important to his or her learning experience in this course. Students are expected to complete the reading assignments from the text and supplemental materials, to attend each class on time, and to participate in class discussions of readings, videos, and assignments. Bring to every class your text and access to supplemental material. 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 clients, employers, and courts. Furthermore, the student's adequate preparation for class will enable him or her to make valuable contributions to class discussions and 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.
- 2. Seating Chart, Class Discussion, Professionalism.** A seating chart will be distributed on the first day of class. Please sign the chart in the place where you intend to sit all semester. Please sit in your seating chart place for each class. On some occasions, I will use a set of index cards with your name on them for randomly selecting students to call on during class. This ensures everyone has an opportunity to speak in class and share their thinking on family law, as well as be evaluated for participation. Please be in your seat before class begins and throughout the class unless you have an exigent circumstance. Please turn off your cell phones, and please refrain from using your computer for anything other than taking notes or accessing the web for materials related to that day's class.
- 3. Final Exam.** The final exam will be given at the time and location assigned by the Dean's Office, unless a student requires accommodation, and the accommodation is approved and arranged through the Dean's Office. Exams will be based upon the reading materials, lecture(s), class discussion(s) and the Texas Family Code. The format of the exam is TBD.
- 4. Attendance and Admittance. Attendance is mandatory. There are no EXCUSED ABSENCES.** According to Article III.9 of the Student Rules and Regulations if a student misses more than the allotted number of classes under the said article, the student's grade may be reduced. Attendance will be called each day; students who are present should so answer. The attendance sheet will be considered final; if you do not answer when your name is called, you will be marked and considered absent. **NO LATE ADMITTANCE. NO EXCEPTIONS.** Five (5) minutes after the start of class is the deadline for class admittance the class. Thus, if the class is scheduled to start at 1:00 p.m., there will be no admittance 1:05 p.m. You will be counted absent. Late arrivals disrupt the class and any activity currently taking place.
- 5. Electronic Devices & Internet Usage.** Please turn off or silence your cell phone and do not take it out during class. Many of you use laptops in class to take notes and review statutes and cases. Such use of your laptops is permitted, however, PLEASE REFRAIN from internet surfing during class. Random surfing (involving anything other than materials directly related to that day's class) during class is not permitted; if you are discovered surfing during class,





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you will **LOSE** five (5) participation points for each infraction. Surfing during class is a distraction not only to you but also to everyone who can see your screen.

6. **ADA Policy.** Effective Fall 2021 semester, the TMSL administrative process for student disability accommodation will be carried out by the TSU Student Accessibility Services Office (SASO). SASO specializes in accommodation services and will provide efficient and professional services to Thurgood Law students who may need accommodations. The following is the transition process for accommodation services:

A. **Previously Approved Law Students** Law students who have been approved for accommodations in previous years by the Law School Student Affairs Office must complete the SASO [Accommodation Request Form](#) to request pre-approved accommodations for the Fall 2021 academic term. Students who have questions should contact SASO via email DisabilityServices@tsu.edu or phone 713-313-4210. Accommodation Request Form link <http://www.tsu.edu/students-services/departments/disability-services/forms/student-accommodation-request-form.html>.

B. **New Accommodation Requests**

1. Students must have a diagnosed disability and authentic documentation to apply. Once the applicant's disability information is received, SASO will contact the student to schedule an Intake (virtual) appointment for the student to self-report any disability challenges/barriers associated with the condition that impacts their functioning abilities in the learning environment.

2. SASO will next determine the student's eligibility status and accommodation plan based on the disability, historical documentation, and self-reporting data. SASO will send a notification letter indicating the applicant's service status. The notification letter requires the applicant's signature. Upon receipt of the signed notification letter, SASO will forward a copy of the accommodation letter to the student, with instruction on how to complete the accommodation process.

C. Students must meet with their professor(s) to discuss how accommodations will be implemented. The student and professor(s) must sign the accommodation letter. The student will return a copy of the signed accommodation letter to SASO electronically.

D. **COVID Related Accommodations** TSU is completely re-opening for the Fall 2021 academic term for synchronous (in-person) courses. COVID accommodations will be processed for those who report testing positive or exposure to COVID. Documentation is required. Students will quarantine for 10 days. Students must submit Release of Care documentation from a licensed health care professional to Student Accessibility Services Office (SASO), return to class, and discuss missed assignment/exam make up plans with Instructors. Students will not engage in class activities during the quarantine period. Accommodation services are not to fundamentally alter course/program formats, requirements, standards, and/or guidelines. Consequently, no remote/online attendance or learning modalities will occur for synchronous (in-person) formatted courses for the Fall 2021 academic term.

7. **Not a Contract.** This syllabus is NOT a contract and is subject to change. Changes will be announced in class with as much warning as possible.



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8. **Sensitivity.** The class will be discussing some sensitive topics, so it is especially important that we show civility and respect to one another as we discuss these matters.

Evaluation/Grading Policy

1. 1/4 of the final grade will be based on 4 Court Observation Memos (100 max. points)
2. 1/4 of the final grade will be based on attendance and class participation. (100 max. points)
3. 2/4 of the final grade will be based on the final examination. (100 max. points)

Grading Rubrics

1. **Class Participation & Attendance -- See Exhibit C**
2. **Court Observation Memorandum -- See Exhibit C**

GENERAL INFORMATION

Class meets every Monday (M) and Wednesday (W). References to: "Reading Materials" means "articles"; "Family Law" mean the textbook Family Law, Cases and Materials; "Cases" mean case law; "Fam. Code" means the Texas Family Law Code; "Video" means videos posted on Blackboard. This schedule is subject to change due to court dates.

CLASS LECTURE, READINGS AND DUE DATES SCHEDULE

CLASS ONE & TWO --- "WE ARE FAMILY" by Sister Sledge

"PAPA WAS A ROLLING STONE" by The Temptations

WHAT IS A FAMILY? MON, AUGUST 16, 2021/WED, AUGUST 18, 2021

- A. What is a Family? Why do Families Matter?
- B. Types of Family Structure?
 1. Traditional (Nuclear Family) v. Modern (Non-Traditional Family)
 2. Depiction of the American Family on Television.
- C. What is the Relationship between Families and Law?

Class Reading(s):

1. Family Law: pp. 1-12
2. Reading Materials: Bowman, *The new family: challenges to American family law*
Needham, *Difficult Relationship Between Family Law and Families*
3. Case(s): **James v. Hubbard**, 21 S.W.3d 558, 561 (Tex. App.—San Antonio 2000, no pet.)
4. Fam. Code: Sec. 71.003
5. Video(s):
 - a. Types of Family Structures
 - b. The Evolution of the TV Family
 - c. **"WE ARE FAMILY" by Sister Sledge**
 - d. **"PAPA WAS A ROLLING STONE" by The Temptations**

Writing Assignments: Due Monday, Aug. 16, 2021—turn in during Class.

1. When you think of your family, whom do you think of? Please list all of those who are in your family and their relationship to you.





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2. Compare and contrast how “We Are Family” and “Papa was a Rolling Stone” depict family (there is no page limit).

CLASS THREE & FOUR – “BROWN-EYED WOMAN” by Bill Medley

MARRYING

MON, AUGUST 23, 2021/ WED, AUGUST 25, 2021

- A. What is Marriage?
 - 1. Requirements
- B. Perspectives on Marriage
- C. Constitutional Restrictions

Class Reading(s):

- 1. Family Law: pp. 61-110
- 2. Reading Materials: N/A
- 3. Cases: Interracial Marriage: **Loving v. Virginia**
Child Support Arrearage Marriage: **Zablocki v. Redhail**
Prisoner Marriage: **Turner v. Safley**
Same-sex Marriage: **Littleton v. Prange** (transsexual)
Obergefell v. Hodges
- 4. Fam. Code: Sec. 2.001
- 5. Video: N/A

Writing Assignment: N/A

CLASS FIVE & SIX – “YOUNG GIRL” by Gary Puckett & the Union Gap

MARRYING

MONDAY, AUGUST 30, 2021

WEDNESDAY, SEPTEMBER 1, 2021

- D. Traditional Restrictions
 - 1. Incest
 - 2. Age
 - 3. Pre-existing Marriage
 - 4. Mental Incapacity
- E. State of Mind Restrictions
 - 1. Fraud

Class Reading(s):

- 1. Family Law: pp. 110-141; 155-157
Mead, *Anomalies in American Post-Divorce Relationships* excerpt
Levi-Strauss, *The Family* excerpt
- 2. Reading Materials: N/A
- 3. Cases:
 - Incest: **State v. Sharon H.** (half-brother/sister; sister adopted by another family)
Back v. Back (stepdaughter)
 - Minor: **In re J.N.M.**
 - Pre-existing **Collier v. Fox**



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Marriage: **Hovious v. Hovious** (Texas case)

Mental Incapacity: **Kerckhoff v. Kerckhoff** (Texas case)

Fraud: **Johnston v. Johnston**

4. Fam. Code: Sec. 6.201 (Consanguinity); Sec. 2.101 (Age Requirement); Sec. 6.202 (Marriage During Existence of Prior Marriage); Sec. 6.205 (Marriage to Minor-void). Sec. 6.206 (Marriage to Stepchild/Stepparent).
5. Video: Alliance Theory of Kinship by Levi-Strauss: Incest Taboo

Writing Assignment: N/A

CLASS SEVEN LABOR DAY HOLIDAY MONDAY, SEPTEMBER 6, 2021

**CLASS EIGHT – “KISSIN COUSIN” by Elvis Presley
MARRYING WED, SEPTEMBER 8, 2021/MON, SEPTEMBER 13, 2021**

- C. Traditional Restrictions
 1. Incest
 2. Age
 3. Pre-existing Marriage
 4. Mental Incapacity
- D. State of Mind Restrictions
 1. Fraud

Class Reading(s):

1. Family Law: pp. pp. 110-141; 155-157
2. Reading Materials: N/A
3. Cases:
 - Incest: **State v. Sharon H.** (half-brother/sister; sister adopted by another family
Back v. Back (stepdaughter)
Levi-Strauss, The Family excerpt
Mead, excerpt
 - Minor: **In re J.N.M.**
 - Pre-existing Marriage: **Collier v. Fox**,
Hovious v. Hovious (Texas case)
 - Mental Capacity: **Kerckhoff v. Kerckhoff** (Texas case)
 - Fraud: **Johnston v. Johnston**
4. Fam. Code: Sec. 6.201 (Consanguinity); Sec. 2.101 (Age Requirement); Sec. 6.202 (Preexisting Marriage); Sec. 6.205 (Marriage to Minor); Sec. 6.206 (Marriage to Stepchild/Stepparent).
5. Video: Alliance Theory of Kinship by Levi-Strauss: Incest Taboo

Writing Assignment: N/A



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CLASS NINE & TEN – “COMMON LAW MARRIAGE” by George Clinton MARRYING “SHOTGUN WEDDING” by Roy ‘C’

WEDNESDAY, SEPTEMBER 15, 2021

MONDAY, SEPTEMBER 20, 2021

- E. Common Law Marriage
- F. Consequence of Noncompliance with Legal Requirements to Marry
 - 1. **Void marriages:** Related by Blood; Pre-existing Marriage.
Minor-15 yrs. or younger.
 - 2. **Voidable marriages:** Mental Incapacity; Fraud/Duress/Force; Concealed Divorce
Minor—16 years/older; Impotency; Under Influence of Alcohol/Narcotics

Class Reading(s):

- 1. Family Law: pp. 160-170
- 2. Reading Materials: Prebenda. *Civil Consequences of Marriage within Statutory Prohibition*
- 3. Cases: Common Law Marriages:
 - Hargrave v. Duval-Couetil** (domicile in foreign jurisdiction)
 - Coon v. Turek** (removal of impediment to marriage)
 - Russell v. Russell**, (Texas case)Cases: **Void Marriages – Texas cases**
 - Prior Existing Marriage: **Hovious v. Hovious**Cases: **Voidable Marriages in Texas**
 - Under Influence of Alcohol or Drugs: **Hooter v. State**
 - Fraud/Duress/Force: **Manjlai v. Manjlai**
 - Impotency: **T. v. M.**
 - Mental Incapacity: **Kerckhoff v. Kerckhoff**
 - Minor: **Creel v. Martinez** (under 18 years old)
 - Concealed Divorce: **Galbraith v. Galbraith**
- 4. Fam. Code: **Common Law Marriages**
 - Sec. 2.401 (Proof Informal Marr.); Sec. 2.402 (Declaration/Registration Informal Marr.)Fam Code: **Void Marriages**
 - Sec. 6.201 (Consanguinity); Sec. 6.202 (Pre-existing marriage; Sec. 6.205 (Minor)Fam. Code: **Voidable Marriages**
 - Sec. 6.102 (Minor); Sec. 6.105 (Alcohol/Drugs); Sec. 6.106 (Impotency); Sec. 6.107 (Fraud/Duress/Force); Sec. 6.108 (Mental Incapacity); Sec. 6.109 (Concealed Divorce); Sec. 6.110 (Marr. During 72 hrs. Waiting Period); Sec. 6.206 (Marr. Stepchild/Stepparent)

Writing Assignment: N/A

CLASS ELEVEN–TRADITIONAL MARRIAGE WEDNESDAY, SEPTEMBER 22, 2021

A. Gender Roles

Class Reading(s):

- 1. Family Law: p. 182; 199-201



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2. Reading Materials: Feinberg, *Exposing the Traditional Marriage Agenda* \t pp. 302-304; 313-316; 321-323; 328-330
3. Cases: Gender Roles:
Bradwell v. Illinois (admission to state bar)
Graham v. Graham (post-nuptial agreement circa 1940)
Orr v. Orr (husbands not wives pay alimony)
Bennis v. Michigan (coverture—husband and wife are one person in law)
4. Fam. Code: N/A
5. Video: N/A

Writing Assignment: N/A

CLASS TWELVE & THIRTEEN – “PARENTS JUST DON’T UNDERSTAND” CLASS FOURTEEN & FIFTEEN – “GRANDMA’S HANDS” by Bill Withers

PARENTING **MON, SEPTEMBER 27, 2021/WED, SEPTEMBER 29, 2021**
MON, OCTOBER 4, 2021/WED, OCTOBER 6, 2021

A. Parental Authority and Its Limits

1. Education
2. Neglect/Care/Discipline

B. Unmarried Fathers

C. Extended Family

Class Reading(s):

1. Family Law: pp. 363-366; 382-386; 390-398; 405-409; 424-436; 448-457
2. Reading Materials: Godsoe, *Redefining Parental Rights* (pp. 1, 290-295)
Brock, *Beyond D & E: A Look at Other 18 Grounds for Termination* (parental authority)
Bowman, *The New Family: Challenges to American Family Law* (extended families)
3. Cases:
Education: *Pierce v. Society of Sisters*
Jeffrey v. Bd. Of Trustees of Bell ISD (Texas case)
Neglect/Care/Discipline: *Dept. of Children, Families v. E.D.O.*
In re Pope
In re. M.C. (Texas case)
People v. Carroll
Chronister v. Brenneman
Unmarried Fathers: *Stanley v. Illinois*
Lehr v. Robertson
Extended Family: *Troxel v. Granville*
4. Fam. Code: Sec. 151.001(a)(2) (right to discipline child).
Sec. 161.001 et.al (Termination of P-C Relationship).
Sec. 261.001(1)(C)-(D) (Investigation of Child Abuse)
Sec. 160.401-403 (Paternity Registry/Notices)



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Writing Assignment: N/A

CLASS SIXTEEN & SEVENTEEN-- "SHACKING UP" by Barbara Mason

"LOVE CHILD" by The Supremes

NON-MARITAL FAMILIES MON, OCTOBER 11, 2021/WED, OCTOBER 13, 2021

- A. Unmarried Adults
- B. Unmarried Parents & Their Children

Class Reading(s):

1. Family Law: pp. 559-560; 568-570; 579-598; 609-623; 631-637
Unmarried Adults: Waggoner, *Marriage on Decline Cohabitation on Rise*
Unmarried Parents & Their Children: Clare Huntington excerpt, *Post-marital Family*
2. Reading Materials: Day, *Living in Sin*
3. Cases:
Unmarried Adults: *Marvin v. Marvin*
Blumenthal v. Brewer
Zaremba v. Cliburn (Texas case)
Unmarried Parents & Their Children
Lalli v. Lalli
Clark v. Jeter
Gomez v. Perez (U.S. Supreme Ct – Texas Case)
4. Fam. Code: Sec. 160.607 (Time Limitation: Child Having Presumed Father)
5. Video: Marvin v. Marvin: Case Brief Summary

Writing Assignment: N/A

CLASS EIGHTEEN thru TWENTY-- "BUST YOUR WINDOWS" by Jazmine Sullivan

DIVORCE
A. Fault Grounds & Defenses
B. No Fault Grounds
C. Access to Divorce

MONDAY, OCTOBER 18, 2021
WEDNESDAY, OCTOBER 20, 2021
MONDAY, OCTOBER 25, 2021

Class Reading(s):

1. Family Law: pp. 775-778; 780-785; 788-792; 795-796; 801-803; 807-810; 812-816; 838-840
Friedman, *A History of American Law* excerpt (fault grounds)
2. Reading Materials: Robbins, *Have We Found Fault in No Fault Divorce?*
3. Cases: Fault Grounds & Defenses :
Edwards v. Edwards (adultery)
Jenkins v. Jenkins (abandonment/desertion)
Benscoter v. Benscoter (cruelty)
Hollis v. Hollis (connivance)





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~~THURGOOD MARSHALL~~ SCHOOL of LAW *In re Marriage of Dowd* (what is separation)

Bippus v. Bippus (condonation-Texas case)

No Fault Grounds:

Grimm v. Grimm (what constitutes irretrievable breakdown)

In re Marriage of Richards (insupportability-Texas case)

4. Fam. Code: Sec. 6.001-6.007 (divorce grounds: Sec. 6.008(b) (defenses).
TRCP 145 (payment of costs not required (access to divorce)
5. Video: N/A

Writing Assignment: N/A

CLASS TWENTY-ONE, TWENTY-TWO & TWENTY-THREE – CUSTODY

WEDNESDAY, OCTOBER 27, 2021

A. Best Interest of the Child Standard

MONDAY, NOVEMBER 1, 2021

1. Uniform Marriage and Divorce Act

WEDNESDAY, NOVEMBER 3, 2021

2. ***Holley*** Factors (Texas)

B. Application of Best Interests Standard Factors

Class Reading(s):

1. Family Law: pp. 859-956; 974-976; 978-983
Rose v. Rose transcript; ***Pearson, Sexuality in Child Custody Decisions***
Bala, et.al, ***Children's Voices in Family Court***
2. Reading Materials: ***Judge Alan Rubenstein, Temporary Custody Order --- Transcript***
3. Cases: ***Holley v. Adams***
Arneson v. Arneson (fitness)
Hollon v. Hollon
Hogue v. Hogue (Tex.--lifestyle)
Palmore v. Sidoti (race)
In re S.N. (Tex.—child's preference)
Rivero v. Rivero (joint custody)
Martinez Jardon v. Pfister (Tex.—JMC)
4. Fam. Code: Sec. 153.002 (best interest); 153.003 (sex/marital status not considered);
153.005 (SMC/JMC); 153.009(a) (Chamber interview-child's preference);
263.307 (BIC factors)
5. Video: N/A

Writing Assignment: N/A

CLASS TWENTY-FOUR – PARENTING PLANS- “HIGHWAY 20 RIDE” by Zac Brown

“EVERY OTHER WEEKEND” by Reba McEntire

A. Parenting Plan/Visitation

MONDAY, NOVEMBER 8, 2021



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Class Reading(s):

1. Family Law: pp. 1011-1031
2. Reading Materials: Foreman Family Law, *What Constitutes a Parenting Plan in Texas?*
Texas Standard Possession Order (Possession & Access or Visitation)
3. Cases: *Huelskamp v. Huelskamp*
In re Marriage of Butts (Texas)
4. Fam. Code: Sec. 153.005–153.075; 153.131–153.134; 153.191–153.192 (Conservatorship)
Sec. 153.311–153.317 (Possession and Access or Visitation)
Sec. 153.601(4) (parenting plan defined)
5. Video: N/A

Writing Assignment: N/A

CLASS TWENTY-FIVE— “CHILD SUPPORT” by Barbara Mandell

Property, Alimony, Child Support

A. Child Support & CS Guidelines

WEDNESDAY, NOVEMBER 10, 2021

Class Reading(s):

1. Family Law: pp. 1209-1228; Brito, *The Welfarization of Family Law* excerpt
2. Reading Materials: N/A
3. Cases: *Kraisinger v. Kraisiner*
Miller v. Miller
Escue v. Escue (Texas)
4. Fam. Code: Sec. 154.001–154.002; 154.061–154.062; 154.121; 154.125; 154.128-154.128
5. Video: N/A

Writing Assignment: N/A

CLASS TWENTY-SIX -- Property, Alimony, Child Support

“SHE GOT THE GOLDMINE, I GOT THE SHAFT” by Jerry Reed

MONDAY, NOVEMBER 15, 2021

B. Property Division

1. What is Marital Property (separate or community/marital)
 - a. Separate/Community
 - b. Inception of Title Rule--Texas
2. Methods of Property Division
 - a. Equitable distribution (not necessarily 50-50 split)
 - b. Community Property (Texas) – (50-50 split)
3. Retirement Benefits

Class Reading(s):

1. Family Law: pp. 1119-1120; 1128-1133; 1134-1137



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2. Reading Materials: N/A
3. Cases: **Camp v. Camp**, 972 S.W.2d 906 (Corpus Christi-1998) (inception of title)
Holman v. Holman (equitable division)
Parnell v. Parnell, 811 S.W.2d 267 (Tex. App. – Houston [14th Dist.] 1991)
Cameron v. Cameron, 641 S.W.2d 210 (Tex. 1982) (community pty)
Hilliard v. Hilliard, 725 S.W.2d 722 (dividends, interest, rent from separate property are community property)
Laing v. Laing (pension)
Cearly v. Cearly 544 S.W.2d 661 (1976) (pension controlling law)
Lipsey v. Lipsey (Texas—retirement)
Harris v. Harris (Texas---retirement)
4. Fam. Code: Sec. 3.001–3.002; 3.007
5. Video: N/A

Writing Assignment: Problems #1 to #4, p. 1120 of Family Law.

CLASS TWENTY-SEVEN --Property, Alimony, Child Support

WEDNESDAY, NOVEMBER 17, 2021

C. Reimbursement Claims

Class Reading(s):

1. Family Law: pp. 1119-1120; 1128-1133; 1134-1138
2. Reading Materials: Enos Law Firm, *Reimbursement*
3. Cases: **Holman v. Holman** (equitable distribution/reimbursement)
In re Marriage of McCoy & Els, 488 S.W.3d 430 (2016) (Texas-reimbursement)
4. Fam. Code: 3.402 (Reimbursement Claims)
5. Video: N/A

Writing Assignment: N/A

CLASS TWENTY-EIGHT --Property, Alimony, C. Support “ALIMONY” by Bobby Bare

MONDAY, NOVEMBER 22, 2021

D. Alimony/Spousal Maintenance

Class Reading(s):

1. Family Law: pp. 1167-1174; 1177-1179
2. Reading Materials: Enos, *Spousal Maintenance (Alimony) in Texas*
3. Cases: **Gnall v. Gnall**
Dykman v. Dykman
Alexander v. Alexander, 982 S.W.2d 116
Lopez v. Lopez, 55 S.W.3d 194 (inability to meet minimum needs)
4. Fam. Code: Sec. Section 8.051
5. Video: N/A

Writing Assignment: N/A



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Exhibit A

LAW FIRMS

Law Firms	Firm Members
The Alpha Law Firm	Alford, Bell, Berdofe, Boston
The Beta Law Firm	Carey, Carter, Jr., Caruthers, Chivers
The Gamma Law Firm	Cook, Crabtree, Edwards, Enajero
The Delta Law Firm	Foust, Garner, Garza, Gleaton-Stallings
The Epsilon Law Firm	Gonzalez-Garcia, Graham, Grandoit, Gul
The Zeta Law Firm	Henry-Handy, Holmes, Hooper, Ibrahim
The Eta Law Firm	Johnson, Jones, Joubert, King
The Theta Law Firm	Linan, Loeb, Lovallo, Mentis
The Iota Law Firm	Murphy, Norwood, Palma, Perez
The Kappa Law Firm	Pezina, Reyes, Roberts, Rodriguez
The Lambda Law Firm	Rozier, Sepulveda, Sexton, Smith
The Mu Law Firm	Swinney, Thomas, Thompson, Tostado
The Nu Law Firm	Trujillo, Whitaker, Wilburn, Young



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Exhibit B

COURT OBSERVATION MEMORANDUM

To: Prof. Thelma L. Harmon
From: [Student Exam No.]
Date: [Month/Date/Year]
Subject: Court Observation and Report Assignment

INTRODUCTION

The "Introduction" section of your memo should include the following information, in narrative sentences (not a list): the day, date and time of your observation, the court's full name, including the County (e.g., "245th Family Court, Harris County") and its address; the times you arrived at and left the court house; the name and title of the judge; the cause number of the case (see docket sheets); you may need to ask courtroom staff); the parties' names and their titles in the action ("petitioner," "respondent," etc.); the attorneys' names and who they represent.

OBSERVATION

This section should describe, in detail, what you experienced and observed while you were in the courthouse. Explain everything that happened from the time you entered until you left, including how you chose the proceeding; what the proceeding was about (e.g., what the parties were arguing about, or the subject of the witness's testimony), and how the various participants interacted. You should also identify the court personnel in the courtroom, including their titles, judge's name only and descriptions of what they did during your visit. You must refer to at least three of the readings, detailing how the proceedings you observed relate to what we have learned in class. Cite all applicable provisions of the Tex. Fam. Code.

REACTION

This section should discuss and analyze your observations in terms of what you expected to see, and what actually happened. Also describe your reactions to the experience, in detail, including the reasons for your reactions. You should describe how your experience reinforced, or changed, or otherwise affected your views of our legal system and/or your interest in a career in law. It should also address other issues, such as anything that surprised you, or that you did not understand, or that you found noteworthy for any reason.

CONCLUSION

This section should include two or three sentences concluding your report, such as an overall summary of your experience or any final thoughts.



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Exhibit C
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Grading Rubrics

1. Class Participation & Attendance

TASK	EXCELLENT 90 to 100	GOOD 80 to 89	SATISFACTORY 70 to 79	POOR < 70
Prepared	Always comes to class on time, brings needed materials to class and is always in seat ready to work before start of class.	Rarely late, almost always brings needed material to class, almost always ready to work by start of class.	Sometimes late to class, often brings materials but sometimes needs to borrow/share. Usually in seat ready to work by start of class.	Frequently late to class, rarely brings needed materials and/or is rarely ready to get started by the start of class.
Class Discussion	Regularly asks or answers questions or makes relevant observation(s). Regularly volunteers.	Often asks or answers questions or makes relevant observations. Often volunteers	Sometimes asks or answers questions or make relevant observations. Sometimes volunteers.	Rarely or do not or unable to ask or answer questions or make relevant observations. Rarely, if ever volunteers.
Class Absence	Attends class regularly	Misses 1 class with prior arrangement	Misses no more than 2 classes w/o prior arrangement	Misses class often (up to the maximum amount)
Writing Assignments	Turned in at least 90% of Writing assignments.	Turned in least 80% of Writing assignments.	Turned in at least 70% of Writing assignments.	Turned in less than 70% Writing assignments.



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Exhibit C
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2. Court Observation Memorandum

TASK	EXCELLENT 90-100	GOOD 80-89	SATISFACTORY 70-79	POOR <70
Introduction: Includes all required information in enough detail; explained in a way the reader can understand, proper grammar & spelling; carefully proofread	Paper is insightful. It presents a clear and well written description of your observation. Three readings, of which you demonstrate a good understanding, are used to strongly support your analysis, which is thoughtful and well-articulated. There are few, if any, mechanical errors.	Paper meets the basic requirements of the assignment. Either the description of observations, or the use of readings to support an argument are under developed. There may also be several mechanical errors.	Paper does not completely cover the required elements or contains little insight or analysis, illustrates a minimal understanding of the issues and/or has multiple mechanical errors.	Paper misses major elements, presents little insight or analysis, and/or contains significant mechanical errors
Reaction: Explain how your experience supported or changed your views of our legal system and/or interest in a career as an attorney with reasons and other details; proper grammar & spelling, carefully proofread	Paper is insightful. It presents a clear and well written description of your observation. Three readings, of which you demonstrate a good understanding, are used to strongly support your analysis, which is thoughtful and well-articulated. There are few, if any, mechanical errors.	Paper meets the basic requirements of the assignment. Either the description of observations, or the use of readings to support an argument are under developed. There may also be several mechanical errors.	Paper does not completely cover the required elements or contains little insight or analysis, illustrates a minimal understanding of the issues and/or has multiple mechanical errors.	Paper misses major elements, presents little insight or analysis, and/or contains significant mechanical errors
Observation: Includes all required information in enough detail, particularly three ways the proceeding relates to what we learned in class; explained in a way the reader can understand; proper grammar & spelling, carefully proofread.	Paper is insightful. It presents a clear and well written description of your observation. Three readings, of which you demonstrate a good understanding, are used to strongly support your analysis, which is thoughtful and well-articulated. There are few, if any, mechanical errors.	Paper meets the basic requirements of the assignment. Either the description of observations, or the use of readings to support an argument are under developed. There may also be several mechanical errors.	Paper does not completely cover the required elements or contains little insight or analysis, illustrates a minimal understanding of the issues and/or has multiple mechanical errors.	Paper misses major elements, presents little insight or analysis, and/or contains significant mechanical errors
Conclusion: Appropriately summarizes or provides final thoughts on your observation; proper grammar & spelling, carefully proofread	Paper is insightful. It presents a clear and well written description of your observation. Three readings, of which you demonstrate a good understanding, are used to strongly support your analysis, which is thoughtful and well-articulated. There are few, if any, mechanical errors.	Paper meets the basic requirements of the assignment. Either the description of observations, or the use of readings to support an argument are under developed. There may also be several mechanical errors.	Paper does not completely cover the required elements or contains little insight or analysis, illustrates a minimal understanding of the issues and/or has multiple mechanical errors.	Paper misses major elements, presents little insight or analysis, and/or contains significant mechanical errors





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