

L A K E H E A D U N I V E R S I T Y

DEPARTMENT OF POLITICAL SCIENCE

Political Science 2315 FDE

Law and Politics of the Family

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Fall 2016
On-Line

Office: RB 2050; Office Hours to be provided

Course Outline

- An overview of family law in Canada (primarily in Ontario), theory and procedure, including the political issues and controversies surrounding it.
- Topics to include:
 - Custody/Access
 - Child/Spousal Support
 - Child Protection
 - Divorce
 - Matrimonial Property
 - Domestic Contracts
 - Aboriginal People and the Law
 - Co-Habitational Relationships

Required Textbook

Canadian Family Law, (Sixth Edition), Julien D. Payne and Marilyn A. Payne (available at Lakehead University book store)

Course Requirements and Evaluation

Multiple Choice Examinations (Weeks of October 4 and November 8).25% each
Optional Essay (due October 25)..... 30%
Final Examination (Week of November 25).....50% (Final Examination worth 20% if optional essay is chosen)

The final examination is multiple choice and covers all course material from start to finish.

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Supplementary Course Outline

Fall, 2016

CFL (Canadian Family Law, Sixth Edition) is the primary text for this course. Other readings will be assigned. Lecture summaries are available on the D2L site for the course.

- September 6 Week 1: Introduction
Required reading: CFL, Chapters 1 and 6
- September 13 Week 2: Custody and Access
Required reading: CFL, Chapter 10 and page 57 and pages 606-651
- September 20 Week 3: Child Support
Required reading: CFL, Chapter 9 and pages 603-606
- September 27 Week 4: Spousal Support
Required reading: CFL, Chapter 8 and pages 600-603
- October 4 Week 5: Matrimonial Property 1
Required reading: CFL, Chapter 13
Multiple Choice Examination #1 (Material from September 6-October 4 on examination)
- October 11 No Assignment: Study Break
- October 18 Week 6: Matrimonial Property 2
Required reading: CFL, Chapter 13
- October 25 Week 7: Divorce
Required reading: CFL, Chapter 7
Optional Essay due

- November 1 Week 8: Domestic Contracts
Required reading: CFL, Chapter 4
- November 8 Week 9: Child Protection
Required reading: CFL, pages 119-129
Multiple Choice Examination #2 (Material from October 18-November 8 on examination)
- November 15 Week 10: Co-Habitational Relationships
Required reading: CFL, Chapter 3
- November 22 Week 11: Aboriginal People and Family Law
- November 25 Week 12: Final Examination by multiple choice examination
(Material from September 6-November 25 on examination)

The above is subject to change. Required readings, other than CFL, will be assigned or e-mailed to you.

2315- LAW AND POLITICS OF THE FAMILY- ESSAY OPTION-2016

K. Cleghorn

Prepare a 5-10 page, typewritten, double-spaced essay, using 12 point font, on one of the following topics:

(1) Alternative dispute resolution (ADR) in family law cases may be made mandatory as part of the court process. Write about the history of ADR in Canada, or Ontario. Review the advantages and disadvantages of ADR in family law. Offer your opinion on whether it should be made mandatory.

(2) The Government of Canada and the provincial governments have introduced child support guidelines as part of the law. Should spousal support guidelines be made mandatory as well? In your essay, review the history of child and spousal support law to provide the necessary historical context.

(3) “There are far too many children in the care of child protection agencies. More damage is done to children in the care of those agencies than if they are left in the care of their parents, with all of their shortcomings.” Discuss this idea and whether you agree or disagree. How culturally sensitive should we be in relation to the care of children or does the protection of children override all other concerns?

(4) “The reason why we have such a high divorce rate is that divorce is too easy to obtain.” Review the history of divorce law in Canada. Discuss why the divorce rate continues to rise and if you agree or disagree with the general proposition about the link between divorce law and the divorce rate.

Your essay should include citations and a complete bibliography. It is worth 30% of your final mark and is due no later than October 25, 2016. The essay is optional but will count toward your final grade once it is handed in. To obtain a good mark, you must not use merely internet sources- journal articles or texts are the legitimate research sources that must be utilized.