

Advanced Family Law

Spring 2025

Professor Marcia Zug

Class hours: F 10:45-12:50

My Office: Room 232

Phone: 803-777-3615

Email: zug@law.sc.edu

Office hours: Tuesday 10:30-12:20, after class Friday or by appointment

Course Materials: Class readings and assignments will be taken from the course pack I have put together and made available on Twen.

Course Description: This course continues the examination of federal and state laws concerning familial relationships initially examined in the introductory family law class. Advanced Family law examines traditional family law issues such as parental rights, children's rights and adoption while also exploring many emerging family law issues particularly those related to the use of new reproductive technology, and gender rights. Many of the topics discussed in this class are controversial and should generate strong opinions. The goal is to have lively and respectful debate on these important issues while continuing to learn the underlying family law concepts that will ultimately decide these controversies.

Course Mechanics: All students are expected to do all the assigned reading for every class, to attend class regularly and to be prepared to participate in class discussion. Class attendance and participation will be 25% of each student's grade for the semester. All students are expected to participate every week. However, there will be an oncall system for cases. Students will be called on in alphabetical order by last name. we will average five cases per class session. I encourage all students to ask questions and participate in class discussion on all days. It is "voluntary" class participation that will have the greatest impact on the class participation grade.

Each student will also be required to write a 20 or 30 page paper for the class. Length of the paper depends on the number of credit hours registered for. These are substantial research papers that will require significant research outside the assigned course materials. Papers must be double spaced, 12pt times new roman font in the text and 10pt TNR font in footnotes. A 30

page paper is approximately 10,000 words. I expect a minimum of thirty sources. This should/can include cases, statutes, law review articles, newspaper or magazine articles, congressional records, etc. Websites may or may not be appropriate depending on the circumstances. If you are in doubt, just ask me. Lastly, please send everything as a word document and not a pdf. Deadline is midnight.

Paper Deadlines:

- Paper topics and a list of 10 sources are due Feb. 14. You may email me the topic and sources or turn it in after class. Feel free to send me topics prior to the deadline.
- 1 page outlines are due March 7th.
- 7-10 page rough draft is due March 28. They may be longer than 10 pages but not shorter than 7.
- Papers due April 20th.

Paper Grading Matrix

CRITERIA	EVALUATION				
	Excellent (A)	Good (B)	Fair (C)	Poor (D)	WTF?! (F) (usually includes lateness)
Understanding & Engaging with Legal Concepts (40%)	Demonstrates a complete and thorough understanding of the core principles and concepts relevant to the topic. Goes beyond the assigned readings and class discussions to find additional relevant sources and materials. Incorporates these external sources, ideas, or concepts.	Demonstrates a solid understanding of the key concepts and identifies most of the relevant legal arguments. Applies these legal principles in a mostly accurate manner but may lack depth or miss some nuanced connections between concepts.	Shows a basic understanding of the main legal concepts and ideas but fails to engage deeply with them. There may be minor errors in applying legal principles or a lack of engagement with the sources used.	Limited understanding of the concepts with significant misunderstandings or misapplications. Limited engagement with materials beyond the assigned readings. Misses essential legal concepts and arguments.	Lacks understanding of the legal principles discussed. Misapplies concepts or fails to demonstrate any understanding of how to apply them. No outside research. Makes up law or just presumes it.
Critical Thinking & Analysis (35%)	Demonstrates advanced critical thinking, showing the ability to analyze and critique legal arguments. Clearly identifies strengths and weaknesses in legal reasoning, and offers original insights or new perspectives. Effectively engages with counterarguments or alternative interpretations.	Offers a good level of analysis with some critical evaluation of arguments. Engages with alternative viewpoints but may not fully explore their implications or complexity.	Provides basic analysis, but lacks depth or nuance. Critical engagement with the material is limited, and counterarguments are either not considered or inadequately addressed.	Shows minimal analysis and critical analysis. Does not address or consider alternative viewpoints, and the argument is largely descriptive or overly simplistic.	Lacks analysis and critical thought.
Originality (15%)	Provides original thought and analysis that adds significant value to the topic. Might use class materials or other sources as a starting point, but demonstrates a fresh perspective on these.	Offers original insights and demonstrates solid independent thought, but relies to a significant extent on the ideas and arguments of others.	Demonstrates some originality, but substantially summarizes or reiterates existing arguments.	Offers minimal originality, offers little in the way of new contribution or insights. or new contribution to the topic.	Lacks originality. The paper is merely a regurgitation of class materials or outside sources without any meaningful analysis.
Organization & Structure (5%)	Well-organized and logically structured. Clear introduction, body, and conclusion. Thesis is obvious and persuasive. The argument flows smoothly, with each section contributing to the development of the thesis. Paragraphs are well-developed and focused.	Organization is generally clear and coherent. Most sections are well-structured, but there may be minor issues with flow or transitions between ideas. Thesis is clear if not fully supported.	The structure is somewhat disorganized, and the paper may lack clear transitions. The argument may be difficult to follow at times, or sections may feel disconnected. Unclear what the thesis is.	Disorganized or hard to follow. Ideas may be presented in a random order, and the argument is not clearly developed. Lacks discernable thesis.	Very poorly organized, with little or no structure. The paper is hard to follow and lacks a coherent argument or logical flow. I finish reading and still don't know what it is about.

<p>Clarity & Precision (5%)</p>	<p>Clear, concise, and precise writing. The paper is well-written and free of grammatical errors, with careful attention to sentence structure and word choice. Technical terminology is used correctly.</p>	<p>Writing is mostly clear, though some parts may be awkward or slightly unclear. Few grammatical or stylistic issues.</p>	<p>Writing is generally clear but contains noticeable grammar or stylistic issues. Sentence structure may be awkward at times, and clarity could be improved.</p>	<p>Writing lacks clarity, with frequent grammatical or typographical errors. Sentences may be difficult to understand, and ideas may not be clearly expressed.</p>	<p>Writing is unclear and difficult to understand due to poor grammar, sentence structure, or vocabulary. The paper is hard to follow.</p>
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Readings

(the exact pages may change if we find we need more or less discussion time per case)

Class 1: Role of the Family Lawyer

- Casebook pages 2-63

Class 2: Parental Rts.

- pp-

Class 3: Parental Rights Cont./Paternity

Class 4: Paternity/ enforcement

Class 5: Termination

Class 6: Termination cont.

Class 7: Gender

Class 8: Adoption

Class 9: New Reproductive Technologies

Class 10: Children's Rights

Class 11: Age/child labor/torts

Class 12: Immigration

Class 13: Immigration

Extra Class: ADR

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Organization & Structure (5%)	Well-organized and logically structured. Clear introduction, body, and conclusion. Thesis is obvious and persuasive. The argument flows smoothly, with each section contributing to the development of the thesis. Paragraphs are well-developed and focused.	Organization is generally clear and coherent. Most sections are well-structured, but there may be minor issues with flow or transitions between ideas. Thesis is clear if not fully supported.	The structure is somewhat disorganized, and the paper may lack clear transitions. The argument may be difficult to follow at times, or sections may feel disconnected. Unclear what the thesis is.	Disorganized or hard to follow. Ideas may be presented in a random order, and the argument is not clearly developed. Lacks discernable thesis.	Very poorly organized, with little or no structure. The paper is hard to follow and lacks a coherent argument or logical flow. I finish reading and still don't know what it is about.
Clarity & Precision (5%)	Clear, concise, and precise writing. The paper is well-written and free of grammatical errors, with careful attention to sentence structure and word choice. Technical terminology is used correctly.	Writing is mostly clear, though some parts may be awkward or slightly unclear. Few grammatical or stylistic issues.	Writing is generally clear but contains noticeable grammar or stylistic issues. Sentence structure may be awkward at times, and clarity could be improved.	Writing lacks clarity, with frequent grammatical or typographical errors. Sentences may be difficult to understand, and ideas may not be clearly expressed.	Writing is unclear and difficult to understand due to poor grammar, sentence structure, or vocabulary. The paper is hard to follow.

