

Family Law

Stage		2					
Semester		1 or 2					
Module Title		LLBH-FL					
Module Number		14					
Module Status		Elective					
Module ECTS Credits		5					
Module NFQ level		7					
Pre-Requisite Module Titles		None					
Co-Requisite Module Titles		None					
Capstone Module?		No					
List of Module Teaching Personnel		Lynne McDonagh					
Contact Hours				Non-contact Hours			Total Effort (hours)
24				76			100
Lecture	Practical	Tutorial	Seminar	Assignment	Placement	Independent Work	
24						76	100
Allocation of Marks (Within the Module)							
	Continuous Assessment	Project	Practical	Final Examination	Total		
Percentage Contribution				100	100		

Intended Module Learning Outcomes

On successful completion of this module learners will be able to:

1. Outline and discuss the family unit in Irish law;
2. Identify and appraise the rights and duties that flow from marriage;
3. Examine and discuss the grounds for the dissolution of marriage, procedures for attaining a judicial separation or divorce, and attaching ancillary reliefs;
4. Demonstrate understanding of the key areas of child law, including guardianship, custody, access, and the exercise by the State of its powers to interfere with the family unit;
5. Research, interpret and apply the constitutional, statutory and international rules relating to the family unit.

6. Apply the concepts of the law relating to the family and individuals within the family unit so as to provide an informed and reasoned opinion as to the current status of Irish family law and possible modes of reform.

Module Objectives

1. To provide the learner with an understanding of the nature of family law in Ireland, having regard to both the constitutional foundation and statutory framework;
2. To provide the learner with an understanding of the core elements of family law, including the fundamental rights and duties of the State, the family unit and individuals within it ;
3. To enable the learner to develop an understanding of the key areas of family law, both in theory and practice, ranging from marriage to the possible breakdown of marriage and
4. To familiarise learners with theory and practice of family law in relation to children.

Module Curriculum

- Introduction:
 - The family in history and society
 - Definition of family
 - The Constitution and the family
- Marriage:
 - Formalities and capacity to marry
 - The legal implications of marriage
 - Proposals for reform
- Nullity:
 - Void and voidable grounds
 - Barriers to relief
 - Consequences of decree
- Separation and Divorce:
 - Historical background
 - Separation Agreements
 - Grounds for Judicial Separation
 - Consequences of a decree
 - Grounds for divorce
 - Effect of a decree
- Ancillary Relief:
 - Family Law Act 1995 and Family Law (Divorce) Act 1996
 - Statutory Factors
 - Judicial Discretion
 - Modes of Ancillary Relief
 - Variation

- Domestic Violence:
 - Orders available in domestic violence proceedings
 - Grounds for relief
 - Standing of applicants for different orders
 - Role of Health Boards
 - Enforcement of orders

- Child Law:
 - The Constitution and children's rights
 - The welfare principle
 - Guardianship, custody and access
 - Child protection

Reading lists and other learning materials

Primary Reading:

Crowley, L. (2013) *Family Law*. Dublin: Round Hall
 Kilkelly, U. (2014) *Children's Rights in Ireland: Law, Policy and Practice*. Dublin: Bloomsbury
 Nestor, (2007) *An Introduction to Family Law*. Dublin: Gill and MacMillan
 Shannon, G. (2011) *Family Law*. Dublin: Round Hall

Secondary Reading:

Kennedy, D. & Maguire, E. (2011) *Irish Family Law Handbook*. Dublin: Bloomsbury
 Shannon, G. (2004) *Child Law*. Dublin: Round Hall
 Shannon, G. (2007) *Divorce Law and Practice*. Dublin: Round Hall
 Shannon, G. (2000) *Family Law Practitioner*. Dublin: Round Hall
 Shatter (1997) *Shatter's Family Law*. Dublin: Butterworths

Module Learning Environment

Accommodation

Lectures and workshops take place in a classroom setting. Participants also have access to online teaching resources and Moodle

Library

All learners have access to an extensive range of "physical" and "remote access" library resources. The library monitors and updates its resources on an on-going basis, in line with the College's Library Acquisition Policy. Lecturers collaborate with the library in updating reading lists for this course on an annual basis as is the norm with all programmes run by Griffith College.

Module Teaching and Learning Strategy

This module is delivered through a series of lectures which consist of tutorial-style discussions, group work sessions and exercises. The lectures are supplemented by structured on-line resources and reading. The final two lectures consist of workshops seeking to directly enforce the module learning outcomes by engagement of practical application of Family law to factual scenarios.

Learners also engage in collaborative work in pairs or groups to brainstorm what learning has been achieved at the end of lectures. In order to support learners through the exam process they engage in the answering of sample exam questions and correction of their own or peers papers, thereby familiarising themselves with the marking criteria. Learners also engage in activities whereby they draft their own exam question in order to recap and reconsolidate a particular topic.

Module Assessment Strategy

Element No.	Weighting	Type	Description	Module Learning outcomes
1	100%	Exam	Essay style questions place emphasis on the learners' demonstrating their understanding of the fundamental principles of family law, thereby assessing learning outcomes 1, 2, 3 and 4. Problem style questions enable learners to apply principles of family law to a factual scenario, thereby assessing learning outcome 5. Formative assessment is provided in the form of interactive exercises such as directed class discussion topics and reference current affairs pertaining to family law at the time of instruction.	1-6

Sample Assessment with Rubrics - see Annex 2