Emphasis in Child and Family Law

The legal system is called upon to solve a host of societal problems, but none more fundamental and complex than the problems of planning and adjustment of relationships within families. The demand for legal services for families is great: more people use an attorney to address family law issues than any other legal need; over half of all state court cases involve domestic relations matters. Moreover, these cases routinely require more than mere legal advocacy or negotiation. The field of family law requires an entirely different type of lawyer – one who can work collaboratively with professionals from a wide variety of disciplines to craft creative and just solutions and empower clients to work together toward long-term solutions.

The UMKC School of Law Emphasis in Child and Family Law prepares students to serve these pressing and unique legal needs. The program prepares students to serve the whole family -- from infants to elders -- and maintains a unique collaborative and interdisciplinary framework. The emphasis program requires that students master the basic doctrine and legal theories involved when the legal system interacts with families. In addition, however, students undertake study exposing them to the perspectives of other disciplines such as psychology and social work. Students study the unique ethical dilemmas of this area of law in specialized workshops and gain hands-on experience in representing children and families in the program’s clinical components. Finally, all students in the emphasis complete an in-depth capstone research and writing project.

Students who qualify for and successfully complete the credential requirements in the Child and Family Law program should be in an excellent position to pursue and succeed in careers serving children, families, and elders, whether in private or government practice or in other leadership roles.

Admission

Application for Admission to the Emphasis in Child and Family Law program:

Students may apply after completing their second semester (or 29 credit hours). Students who are close to completing the hourly requirements may petition for early admission for good cause shown.

An application form will be available and must be submitted by the deadline announced by the Child and Family Law Faculty. Decisions as to whether a student will be admitted to the Emphasis in Child and Family Law will be made in the semester in which the student applies.

Procedure and Criteria for Selection:

The Child and Family Law Faculty will select the students to be admitted to the program. Criteria to be considered may include previous general academic performance in law school, previous academic performance in courses seen as particularly relevant to the emphasis area, level of interest in serving children or families, and ability to identify an adviser willing to advise and supervise the student.

No student shall be admitted to the Child and Family Law program unless he or she has a grade-point average of 2.6 or above in all law school classes previously taken.
The Child and Family Law Faculty is authorized to make appropriate adjustments in the deadlines for part-time students or other students whose schedules do not substantially conform to the six semester paradigm.

**General Requirements**

**Minimum Total Hours Required**

Students must complete a minimum of fifteen credit hours of emphasis classes. All emphasis students must take the family law course and at least two additional core courses and must complete the child and family services clinic, or with special permission, two other clinical courses. The remainder of the fifteen credit hours may be selected from the core or elective course lists. All courses must be taken for a grade (with the exception of those courses for which a grade option is not available). A course (including Law 8746 or Law 8746R) used to satisfy the student's writing or clinical requirements may be counted toward the total hour requirement even if it is also used to satisfy J.D. requirements such as the student's Research and Writing Requirement.

**Research and Writing Requirement**

Each student in the Child and Family Law program must complete a written project, approved by a supervisor, on a topic dealing directly with children, families or elders and the legal system. The written project must be of a scope and quality that would satisfy the law school's research and writing requirement for a J.D. degree. The written project may satisfy both the requirement of the Child and Family Law program and the J. D. requirement. This requirement may be fulfilled in conjunction with any of the listed courses, as part of the Research and Writing requirement, as part of an Independent Study option or through one of the Law School's journals. Unless written to meet the R&W or journal requirement, the paper must be written for a grade. One of the Emphasis Faculty Advisors must approve the topic and serve as faculty supervisor for the paper. Each student in the Child and Family Law program must complete a research focus assignment on research materials and sources related to the legal system and Child and Family Law processes.

**Ethics Component**

Each student in the Child and Family Law program must fulfill an ethics component. This component may be fulfilled by completing a focus assignment (which may, but need not be, in conjunction with the professional responsibility course) or by writing a paper on a topic relating to ethical issues in representation of families.

**Advising and Portfolio Component**

Advising and Portfolio: Students must maintain a portfolio of their work in the concentration, with samples of writing, evaluations by the faculty advisor and others, and self-evaluations. All students approved for the concentration will be assigned a faculty advisor. All students must meet with their advisor before completing the emphasis program to review the student's portfolio.
Coursework Components

Of the fifteen hours required for the emphasis, the student must complete:

- the basic family law course (3 credit hours),
- the child & family services clinic (6 credit hours) (or substitute clinical courses with special permission)
- at least two courses from a list of core curriculum (listed below).
- at least two additional courses in order to achieve 15 hours of course work which may be taken from other core curriculum courses or a list of elective courses (listed below).

Prerequisite Courses

All students in the emphasis must take Family Law. Because this foundation course is a prerequisite for most other courses in the concentration, students accepted for the concentration will be given a priority in enrollment in the course.

Law 8751 Family Law (2-3)
Pre-marital contracts; marriage; annulment; paternity; parent and child; divorce; alimony; division of property; separation agreements; adoption.

Core Courses

Students must take at least two courses chosen from the classes listed below:

Law 8733 Children in the Law (2-3)
The ways in which the legal system treats children differently from adults and the justifications for such treatment, who should make decisions for the child, decisional authority that should be granted to parents, children and the state in various contexts (e.g., abuse and neglect, health care for the child, foster care, adoption and education).

Law 8733R Juvenile Offenders & The Law (2-3)
An examination of our justice systems' historical treatment of juvenile delinquent and status offenders, and how the goals and objectives of the past have evolved into today's juvenile offender laws; the rights of juvenile offenders in contrast to those of adult criminals; pre-trial and trial procedural issues under the juvenile code; certification of the juvenile offender as an adult; dispositional/treatment alternatives for juvenile offenders; schools and the juvenile offender.

Law 8751S Family Violence (2-3)
An in-depth examination of family violence from a legal perspective. Course topics will include interdisciplinary study of the dynamics and psychology of family violence, of historical and social policies, specialized problems of family violence (including intimated partner violence, child abuse and neglect, gay and lesbian battering, and elder abuse) and legal responses. Students will receive practical training in safety planning, intake, review of community resources, case logistics, and advocacy for temporary orders.

Law 8733E Elder Law (2) A course providing a basic foundation for legal practice with older persons, including the following substantive topics: The Older Americans Act, the delivery of legal services to the elderly, ethical considerations, consumer protection, discrimination, Social Security and Supplementary Security Income, Medicare, Medicaid, capacity issues, guardianship and alternatives to guardianship, elder abuse and neglect,
adult protective services, nursing homes, long term care, housing, healthcare decisions, end-of-life decisions, estate planning and grandparents' rights.

Law 8714 Gender and Justice (2-3)
Students will examine and discuss legal issues of special importance to women. Topics will include (among others) sexual discrimination, sexual harassment, domestic violence, reproductive autonomy, and pornography. The course seeks to present each topic in its social context by supplementing legal readings with materials drawn from the social sciences, literature, and film. Paper required. Enrollment limited to fifteen students. Recommended: Constitutional Law I.

Law 8714R Assisted Reproduction and the Law (2-3)
This course will examine the law that governs reproductive technologies, including the regulation of artificial insemination, in vitro fertilization, surrogacy, stem research and cloning, the determination of legal parenthood, and legislation and constitutional decisions addressing the moral status of the embryo.

Clinical Component

All students in the Child and Family Law program must complete six credit hours in the Child and Family Services Clinic.

Law 8752S Child & Family Services Clinic (2-3) (3-6 total hours)
Students represent families seeking to provide permanent homes for children in foster care or otherwise under family court jurisdiction as well as other cases involving direct representation of children. Cases may include guardianships, paternity, termination of parental rights and adoption. Students work under the supervision and direction of clinic faculty and faculty directors, receiving classroom instruction in the substantive law and procedure governing juvenile court actions. Students must be Rule 13 eligible or admitted to practice law in Missouri. Pass/Fail.

In appropriate circumstances and with the approval of the emphasis faculty, students may substitute two other clinical courses for the clinic from the following list:

Law 8662F Family Law Clerkship (2-3)
Second or third-year students will serve as law clerks to judges and commissioners in the family court of Jackson County. Students work at least 80 hours at the court and attend review conferences over the course of the semester. Pass/Fail.

Law 8614 Estate Planning and Drafting (3-4) Continuation of Estates & Trusts I
Working in teams, students engage in the planning of estates for actual clients, proceeding through the entire process and culminating in the execution of wills, trusts or other appropriate instruments. Course is not open to students who have taken Estate Planning. Prerequisite: Estates & Trusts I.

Law 8790-A Legal Aid Clinic - Domestic Relations (2-3)
Students will sharpen their substantive knowledge of family law and develop interviewing, counseling, discovery, case preparation, negotiation and trial technique skills while working in the domestic unit of Legal Aid of Western Missouri under attorney supervision. Initial classroom instruction in the substantive law and procedure governing family court actions will be followed by representation of legal aid clients. Pass/Fail
Law 8746I Internship (1-3)
With the cooperation of a faculty advisor and supervising attorney, students may develop an specialized internship agreement in the family law area. Internship agreements will set out learning goals and experiences, written work product, a schedule of internship work and conferences with faculty advisor. Students may not be compensated for internship work, nor may their internship be in a firm or agency at which they also hold a paid position during the semester of internship work.

Law 8656C Jackson County Prosecutor’s Clinic: Family Law Prosecution (6) (two semesters)
As permitted by Missouri Supreme Court Rule 13, senior law students, under supervision, appear in court and assist the Jackson County Prosecutor's Office, Child Support Division, in prosecuting cases involving paternity establishment and child support. Support services are provided without charge to custodial parents living in Jackson County. Students enroll for two semesters and are required to devote at least 10 hours per week to formalized instructions, individual mentoring, and instruction and guidance from assistant prosecutors. Limited enrollment, Prerequisites: Rule 13 certification, Evidence, Professional Responsibility, Criminal Procedure I, and Family Law. Ungraded. Pass/Fail

Elective Courses

Law 8752G Guardian Ad Litem Workshop (1-2)
Advanced study of guardian ad litem practice. (GAL). Topics may include adult and child orders of protection, requirements for guardian ad litem appointments, role of the GAL, ethical considerations, working with social workers and other professionals, and best practices in investigation, recommendation, and representation. Students will partner with volunteer attorneys to act as guardians ad litem in order of protection cases. Prerequisites: Rule 13 eligible. Limited Enrollment, Instructor approval required.

Law 8752R Family Law Practice (2)
A practical skills course in family law in which students participate in all phases of family law practice, including the initial client interview; the drafting of questionnaires, pleadings, motions custody and discovery plans, support and maintenance proposals, orders and other documents; negotiation, and preparation for litigation. Students work in teams and perform exercises which simulate "real world" situations.

Law 8734 Mediation (2)
The process in which a neutral third party assists others in resolving a dispute or planning a transaction; introduction to the nature of the process, its possibilities and limitations, its current and future uses, and how lawyers can and should be involved in it; public policy and political issues surrounding the mediation movement; professional responsibility and malpractice. (The cross-campus mediation course may substitute)

Law 8778 Workshop on Current Issues in Family Law (2)
Under direction of professor, students provide editorial assistance in publishing Journal of the American Academy of Matrimonial Lawyers, write a paper on selected topics and prepare summaries and bibliography of current works.

Law 8732 Alternative Dispute Resolution (3)
An overview of the emerging trend towards alternative forms of dispute resolution and some reasons for it, methods of dispute settlement, such as negotiation, mediation,
arbitration and adjudication, the roles lawyers play in these various modes, problems and possibilities of non-adversarial methods of resolving conflict, particularly mediation.

Law 8617R Elder Law For Estate Planners (1)
An examination of the legal tools available for the elderly client for decision-making, both health care and financial, in the event of incapacity, and asset preservation, including Medicare and Medicaid qualification. The course will cover the use of trust; durable powers of attorney, and advance directives for health care and living wills and the relationship to court guardianship.

Law 8815R Disabilities and the Law (2-3)
An interdisciplinary study of the law relating to disabled persons in the areas of employment, education, and access to transportation, health, welfare and social services to provide an understanding of how the law affects individuals with disabilities and public and private entities. Legislation considered include the American with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, the individuals with Disabilities Education Act, the Family and Medical leave Act, the Fair Housing Act, the Voting Accessibility for the Elderly and Handicapped Act, and the Title VII of the Civil Rights Act of 1964. The enrollment of graduate students from other disciplines, such as education, business, and health sciences is encouraged to allow for interdisciplinary discussion of the topics involved.

Law 8751P Interdisciplinary Perspectives On Women & Violence (1) Jointly-taught by Law School, Medical School, Nursing School and Graduate School of Social Work faculty, this interdisciplinary approaches to problems of violence and women, such as domestic violence, sexual assault, child abuse, women as perpetrators of violence, and others. Using a combination of readings, simulations, skills trainings, team preparations and presentations of case studies and individual reflective papers, the Course is designed to engage professional students in understanding each discipline's approach to describing the problem, interacting with patients/clients in identifying the problem and sharing perspectives on developing plans to prevent and address the problem with and on behalf of these patients/clients. Through interactive exercises the students from each discipline will learn to effectively collaborate with other professionals to provide coordinated responses to issues of violence.

Law 8761M Law, Medicine and Bioethics (2-3)
A study of bioethics and selected legal and ethical issues in medicine with focus on decision-making at the beginning and end of life; reproductive rights and assisted reproductive technologies; the patient-provider relationship (fiduciary, treatment, confidentiality, and disclosure obligations); physician obligations of informed consent and patient care issues; potential hospital and physician liability for medical malpractice; and end of life decision-making (withdrawal and refusal of life sustaining treatment by individuals and their surrogates) and physician-assisted suicide.

Law 8738 Immigration Law and Process (2-3)
Admission, exclusion, deportation, and naturalization of aliens; structure and powers of relevant federal agencies; categories of immigrant and non-immigrant visas and visa application procedures; asylum, extradition, and refugee status; rights of aliens; public policy issues and proposals for reform; practical problems in immigration.
Law 8870R Education Law: Government & Legal Aspects of Education (2-3)
This course is designed to give students an introduction to the major legal doctrines that affect K-12 schools, as well as the policies that underlie or are changing those doctrines. Students should gain a working understanding of the impact of federal and state law on the operation of schools, the rights and responsibilities of teachers and administrators, and the rights of the students who attend those schools.

Law 8746R Independent Study (if approved by student's Child and Family Law adviser on the basis that the course of study relates directly to the emphasis area) Law Review (if approved by student's Child and Family Law adviser on the basis that the student's note or comment relates directly to the emphasis area)

Any other law school course if, before beginning the course, the students obtains written approval from the Child and Family Law Faculty. Such approval shall not be granted unless the Child and Family Law Faculty find that, in light of the student's other courses and the student's goals in the emphasis study, the course will advance the student's study of Child and Family Law to an extent equivalent to other Child and Family Law electives. Transfer students may have courses taken in other schools certified by the emphasis faculty as equivalents to any of the above curricular requirements.

Courses may be added or deleted from the lists contained in sections A through C above with approval of the Child and Family Law Faculty and the Law School faculty.

**Graduation**

For a student to be recognized as having graduated with an Emphasis in Child and Family Law, students must have

• timely completed all concentration requirements
• receive the approval of the Child and Family Law faculty of the student's portfolio and
• earn a 3.0 grade point in concentration course work (required and elective courses).

This grade-point average shall be computed considering all Required and Elective Courses in the emphasis taken by the student, including any that exceed the minimum hour requirements for the Emphasis.