

Family Law

University of Florida Levin College of Law

Fall 2025

Law # 6710, Class # 27250, 4 Credits

Prof. Elizabeth Katz

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Office Hours: Mondays & Wednesdays 3:30 – 4:30 PM. Additional times available by email appointment.

Class Meeting Time: Mondays & Wednesdays, 1:15 – 3:15 PM

Class Location: Holland Hall 285B

Course description. This course offers a survey of family law, including case law, statutory law, and constitutional limitations on regulation of the family. Students will learn to analyze specific areas of legal regulation including requirements for marrying, legal privileges and obligations imposed by marriage, grounds for and financial consequences of dissolving marriages, intimate partner violence, the treatment of nonmarital and other nontraditional family relationships, child custody adjudication, child support obligations, and parentage.

Beyond undertaking such topical analysis, students will become conversant with theoretical and policy inquiries, such as (1) how law shapes family behaviors and vice versa; (2) how family law has developed over time; (3) what role the state should play in supporting families and incentivizing particular family forms and conduct; and (4) how law should navigate political, social, and religious conflicts regarding values.

Learning outcomes. By the end of the semester, you should be able to:

- Articulate the legal principles and policy concerns fundamental to family law and formulate arguments based on both.
- Analyze and critique legal frameworks regulating the family, including marriage, divorce, parentage, and custody.
- Identify state law variations in family law and explain how they impact the outcome of a family law dispute.
- Predict how a court will divide property, award spousal maintenance, resolve custody disputes, and calculate child support.

Class readings. The required casebook is Douglas E. Abrams et al., *Contemporary Family Law* (6th ed.), ISBN 978-1642428605. Additional materials will be posted on Canvas. Note that the exam will be limited open book (no internet). Some students may prefer a hardcopy casebook.

Attendance. ABA standards require regular and punctual class attendance. Attendance is an essential function of legal education and a primary obligation of each student. Each student is allowed three unexcused absences. If a student exceeds three unexcused absences, their grade will be lowered by one-third of a letter grade (for example from B+ to B) for each additional absence. If a student exceeds six unexcused absences, they will be dropped from the course. All absences for religious holidays and illness are excused. Absences due to other serious and unavoidable situations, such as family emergencies, are also excused. Please do not attend class if you are ill. Class recordings will be available.

Attendance will be tracked using this online [attendance form](#). To register an absence (regardless of whether it is excused or unexcused), complete the form by noon on the day the class is meeting. Failure to register an absence in advance will count as two absences unless there are severe extenuating circumstances. Do not email me about the absence unless there is a specific question or issue that we need to discuss.

It is your responsibility to keep track of how many times you have submitted the attendance form, including whether the usage was for excused or unexcused absences.

Participation. All students should arrive prepared to participate in class discussions. Being prepared means completing and carefully considering the assigned materials and completing any tasks assigned for that day.

During class, I will take volunteers and “cold call” students using a panel system (starting with our second class meeting). Students will have advance notice about when their panel will be on call. I expect that everyone will speak multiple times throughout the semester. Learning in this class is a collaborative process. Every student’s contributions will be valuable for our discussion. Each class member is entitled to respect and a presumption that their views are being offered in good faith.

Many class sessions will include other types of engagement, such as a negotiation exercise, Q&A with guest speakers, polling, and small group discussions. Everyone is expected to participate in these alternative class formats, regardless of whether they are on the on-call panel for that day.

ABA out-of-class requirements. ABA Standard 310 requires that students complete at least 30 hours of out-of-class work per credit hour earned. Thus, you should expect to spend at least 120 hours completing work for this class outside of our regular meeting times (roughly 8 hours per week).

Divorce negotiation. All students are required to participate in a divorce negotiation exercise. This exercise is ungraded, but failure to fully participate in the negotiation will result in a reduction in your course grade due to poor participation. The negotiation will take place during a class meeting; there may be an option for groups to select other meeting times, depending on class size and other course logistics. I will provide more information in advance.

Court observation. All students are required to spend three hours observing family court proceedings. This may be a single block of three hours or divided into smaller blocks of at least one hour each. I will provide more information about the options for when and where you may observe these proceedings locally. (You may also choose to observe proceedings in another location with advance approval.)

Within five days of when you complete your observation, submit a short reflection paper (600-800 words) noting the date(s) of the visit, the name of the judge(s) you observed, and the type of proceedings. The remainder of the paper should contain reflections on the experience. The papers will be graded on a pass/fail basis. Use of AI (such as ChatGPT) is prohibited. Failure to complete the court observation and/or the paper will result in a reduction in your course grade due to poor class participation. Papers must be submitted on Canvas on or before Friday, November 7, 2025. You should also be prepared to speak about your observations during a class meeting after that date.

The court observation will count as 1.5 class meetings; regularly scheduled class meetings will be shortened or cancelled accordingly.

Office hours and communication. I hope to meet with all of you during office hours. Office hours topics can include course materials, family law issues in the news, career advice, clerkships, or whatever else you find interesting and productive. I will answer questions by email if they are short or related to class logistics. Substantive course-related questions typically are best addressed in office hours.

If you cannot meet during my regular office hours, I would be glad to find an alternative time. Please email me and include several options when you are available to meet. Office hours appointments can be in person or on Zoom.

Grading. Your grade in this course will be based primarily on an in-class three-hour, limited open book examination at the end of the semester. The exam will be comprehensive; everything assigned for class or discussed during class may be tested. The exam may include essay, short answer, and multiple choice questions. The questions will be designed to test your understanding of legal rules and principles, as well as your ability to apply them in new contexts and to critically analyze legal problems. During the exam you will be permitted to use your casebook, any materials I post to Canvas (EXCEPT videos or recordings), and any notes and outlines prepared by you or with a substantial contribution by you. You may not use any other materials, such as the internet or commercial outlines and treatises. (You should download any permissible materials you store in the cloud prior to the exam.) I will share more information about the exam at appropriate points during the semester.

To compute your course grade, your final exam score may be adjusted for poor attendance (as described above) and/or based on your participation. Exceptional participation may result in increasing a borderline grade to the next level if the mandatory grading rules permit this adjustment (for example from B+ to A-). Your course grade may be lowered for poor participation by up to one full letter grade (for example from A to B). The following conduct

constitutes poor participation: (1) frequent or excessive lateness; (2) lack of preparedness when your panel is on call; (3) failure to participate in alternative class formats, such as polling and small group discussions; (4) failure to fully participate in the court observation and/or negotiation exercise; (5) use of laptops or other electronic devices in a manner that distracts other students; and (6) uncivil, disrespectful, or insensitive commentary or behavior that chills classroom discussion.

Universal UF Levin College of Law Policies. Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at [this link](#).

Syllabus

The syllabus indicates the order in which we will cover the topics in this course. I may adjust the syllabus to accommodate our pace, incorporate relevant news items, or in response to unforeseen developments. I will inform you promptly of any changes. You should read the material in the order listed for each day. If we do not complete material on the designated day, you should expect that we will return to it the following class.

"CB" refers to our casebook, *Contemporary Family Law* (6th edition). You should read any Notes and Questions in the assigned page range. We often will cover that material in class, and you will be accountable for it. Page ranges frequently also include Problems. Unless otherwise specified in the syllabus, we either will not review these Problems in class or I will allocate time in class to review a Problem before we discuss it. In other words, you can skim or skip the Problems. That said, the Problems provide useful opportunities for review. Some class dates include reading Florida statutes. Refer to the Florida Statutes PDF for this material. Other materials are posted to Canvas and/or linked.

At several points during the semester (approximately five times), you will be responsible for researching the relevant law for a particular state. Students will select a state at random once the course roster is stable. You may be asked to share your research findings with the full class, in small groups, through Canvas discussions, or in other formats. I will provide more information during a class meeting prior to the first time you complete the research.

Pre-Semester Tasks

- Read the syllabus
- Record your name using the Canvas "Name Coach" feature
- So that I can get to know you better, complete this survey by August 14:
<https://forms.gle/NMa2tQQtqQG7qP419>

Introduction

1. Defining Family and Family Law / Course Expectations (August 18)

- Family Forms and Family Law Purposes, CB 1-22
- Danielle Braff, From Best Friends to Platonic Spouses, New York Times, May 1, 2021 (Canvas).
- Introduction to Family Law Practice, CB 56-61

Regulating Adult Relationships

2. Criminal Regulation of Adult Relationships & Development of Sexual Freedom (August 20)

- Thomas v. State; Pace v. Alabama and notes 1-3 & 6 (Canvas)
- Criminal Regulation Cases PDF (Canvas), includes:
 - Griswold v. Connecticut
 - Eisenstadt v. Baird
 - Oliverson v. West Valley City, 875 F. Supp. 1465 (D. Utah, 1995)
- Lawrence v. Texas, CB 43-53, 55 (notes 4 & 5)

3. Eligibility to Marry: Constitutional Framework (August 25)

- CB 67-70, 77-101
- Obergefell v. Hodges (Canvas)
- Bigamy/Polygamy, CB 155-173
- Cara Buckley, *Gay Couples, Choosing to Say "I Don't,"* New York Times, Oct. 25, 2013 (Canvas).
- Zack Beauchamp, *Could Clarence Thomas's Dobbs Concurrence Signal a Future Attack on LGBTQ Rights?*, Vox, June 24, 2022 (Canvas).

4. Eligibility to Marry: Statutory Restrictions / Marriage Formalities (August 27)

- Incestuous Marriage, CB 174-181 (through note 3)
- Establishing a Valid Marriage: Capacity and Consent (Canvas)
- Annulment & Effects, CB 201-205
- License & Solemnization, CB 205-212
- Common Law Marriage, CB 213-217 (stop before B.), 218-243
- Putative Spouse Doctrine, CB 245-51
- Steven Kurutz, *Getting Married in the Metaverse*, New York Times, Dec. 8, 2021 (Read PDF on Canvas or listen to recorded version at: <https://www.nytimes.com/2021/12/08/fashion/metaverse-virtual-wedding.html>)

5. Marital Rights, Obligations, and Protections (September 3)

- Marital Roles and Support Obligations
 - CB 270-81
 - Marriage, Contracts, and Public Policy, Note, 54 Harv. L. Rev. 473 (1941) (excerpt on Canvas)
 - Cheshire Medical Center v. Holbrook; Borelli v. Brousseau and notes (Canvas)
- Intra-Family Torts, CB 526-537
- Intimate Partner Violence

- Introduction / Statistics, CB 481-492
- CPOs, CB 492-503, 512-514 (begin with 512 note 3 and conclude with 514 note 2)
- Florida Petition for Injunction for Protection Against Domestic Violence (you can skim this) (Canvas)
- Criminal Law, CB 515-520 (through Section 3)
- Andy Newman, *Barred from Her Own Home: How a Tool for Fighting Domestic Abuse Fails*, New York Times, June 17, 2021 (Canvas).
- Aya Gruber, *How Police Became the Go-to Response to Domestic Violence*, Slate, July 7, 2020 (Canvas).
- Optional: Jessica Klein, *How Domestic Abusers Weaponize the Courts*, Atlantic, July 18, 2019 (Canvas).

In the remainder of our course, we will cover divorce, property division, alimony, contracting for dissolution, parentage, child custody & visitation, and child support.