FAMILY LAW

J.D. Courses

Basic introductory courses in family law include Family Law I and Family Law II, which are independent courses that need not be taken in sequence. Family Law I: Marriage and Divorce focuses on the domestic relationships of adults. Topics include regulation of eligibility to marry, legal treatment of spouses in an ongoing marriage, the constitutional right of procreational privacy, divorce, child custody, child support, financial obligations at divorce, and intimate nonmarital relationships. Material generally is drawn from the social and behavioral sciences as well as from traditional legal sources such as case law, statutes, and model rules.

Family Law II: Parent, Child, and the State examines the distribution of authority and responsibility among parent, child, and the state. Selected topics include procreation, education, health care, treatment of disabled infants, child abuse and neglect, emancipation, and adoption. Prior or concurrent enrollment in Constitutional Law II is recommended for students taking Family Law II.

Professor Regan’s four-credit course, Family Law, covers material that is included in both Family Law I and Family Law II. The first half of the course deals with the law’s regulation of the intimate relationships of adults. The second half of the course deals with the rights and obligations involved in the parent-child relationship.

Sexual Orientation and the Law: Selected Topics in Civil Rights explores the legal treatment of sexual orientation. This course explores the life experiences of lesbians, gay men, and bisexuals, and examines how the legal system regulates: sexuality, particularly through sodomy laws; expressions of lesbian and gay identity; workplace issues; and personal and family relationships, including marriage, domestic partnerships, and parenthood. Readings from various areas of the law are examined and supplemented by material from history, fiction, psychology, sociology, feminist theory, oral history, and journalism.

J.D. Clinics

The Juvenile Justice Clinic offers students an opportunity to provide legal representation to children involved in criminal cases before the District of Columbia Superior Court, Family Division. Students are involved in developing interviewing and negotiation techniques, legal research and writing, and in-court advocacy skills.

The Domestic Violence Clinic provides students with the opportunity to represent victims of domestic violence seeking legal protection from abuse. Students bring actions to obtain injunctive relief in the form of civil protection orders, and may also be involved in filing contempt motions against abusers who violate such an order. The seminar also presents students with the substantive and procedural law relevant to their cases, including the local domestic violence statute, criminal law, family law, evidence, and procedural rules.

Related J.D. Courses

Several courses in the J.D. curriculum touch upon various aspects of family life or offer treatment of subjects that may be relevant for students interested in the practice or study of family law. These are grouped by general topic below.

Constitutional Law

Constitutional Law II

Law and Social Policy

Education Law and Policy
Health Law and Policy
Homelessness, Poverty, and Legal Advocacy Seminar
Poverty Law and Policy Seminar

Gender

Feminist Legal Theory Seminar
International and Comparative Law on Women’s Human Rights

Health

AIDS Law and Ethics
Public Health Law and Ethics

Financial Issues

Decedents’ Estates
Estate and Gift Taxation
Taxation I

Professional Skills

Alternative Dispute Resolution
Mediation Seminar
Negotiations and Mediation Seminar
Negotiations Seminar
Trial Practice

Search Family Law Courses (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW)

LAW 1787 v00 Adoption Law & Policy Seminar (https://curriculum.law.georgetown.edu/course-search/?cluster=cluster_13)

J.D. Seminar | 2-3 credit hours

Adoption Law & Policy is a seminar that addresses the fundamental and evolving issues that arise when adoptive families are created by law. Topics may include: (1) an overview of the history of adoption law and current trends in adoption policy and practice; (2) the adoption process including an examination of the differences between agency and independent adoption, and the form, timing and revocability of parental consent to adoption; (3) placement criteria (including the race and sexual orientation of the adoptive parent); (4) constitutional rights of nonmarital fathers; (5) adoption of Native American children and the Indian Child Welfare Act; (6) confidentiality and openness in adoption practice; (7) international adoption; and (8) and government law and policy on the adoption of children from foster care. Throughout the semester we will consider the broader historical, societal and political elements shaping adoption law.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. The paper requirements of the 2 credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.
LAW 277 v02 Aging and Law Seminar (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20277%20v02)
J.D. Seminar (cross-listed) | 2 credit hours
This seminar explores, through lecture, discussion, role playing, and problem solving, the range of legal challenges and public policy issues affecting older adults. Subject areas include health care benefits (Medicare, Medicaid); long-term services and supports (nursing homes, home and community-based services, long-term care insurance, state-based programs); income security programs (Social Security, SSI); aging and autonomy, including elder abuse, neglect and exploitation and advance planning related to incapacity (powers of attorney, guardianship and its alternatives, choices regarding life-sustaining medical treatment); housing and consumer issues affecting older adults; and ethical issues in representing older adults. Coursework will address systemic inequities faced by older adults of color, older women, LGBTQ older adults, older adults with disabilities, and older adults who are immigrants or have limited English proficiency. The seminar is both practice- and policy-oriented and integrative with respect to other coursework and related disciplines.

Recommended: Prior or concurrent enrollment in one or more of the following courses: Administrative Law; Family Law I: Marriage and Divorce; Constitutional Law II: Individual Rights and Liberties; Professional Responsibility.

LAW 2028 v01 Assisted Reproductive Technologies and the Law (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%202028%20v01)
LL.M Seminar (cross-listed) | 2-3 credit hours
This 2 or 3 credit seminar will provide an overview of the underlying and competing laws and policies arising from the assisted reproductive technologies (ARTs) that continually make front page news. Since the 1980 opening of the country’s 1st IVF clinic amidst protests and pickets, courts and legislatures have struggled to create laws and policies in response to continually evolving reproductive advances. Topics will include: the legal status of the IVF embryo in the context of procreative rights; embryo cryopreservation, storage, disposition and mix-ups; legal implications of advances in egg freezing, reproductive genetics and oncogenes; posthumous reproduction; egg and sperm donation; traditional/genetic and gestational surrogacy; unique issues for single and same-sex couples, including the rapidly changing impact of same-sex marriage; and professional standards, economic and regulatory aspects of the ARTs.

New this semester will be the inclusion of two classes that will examine selected legal and policy aspects of comparative ART law perspectives on “third-party ART” and the impact these differences have on cross-border reproductive practices, with a particular focus on surrogacy.

National experts in their respective fields will provide guest lectures on: medical advances in ART (including a field trip to a locally based national IVF clinic); psychosocial aspects of donor egg and 3rd party ART; reproductive genetics; and regulation and public relations for ART providers.

Note: This seminar requires a paper. J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement for JD students. The paper requirements of the 2 credit section will not fulfill the Upperclass Legal Writing Requirement for JD students.

LAW 1079 v00 Child Welfare Law and Practice in the District of Columbia (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201079%20v00) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in weekly seminars and conduct related fieldwork at outside organizations. This practicum course will focus on the workings of the child welfare system in the District of Columbia. Students will participate in a two hour/week seminar and also undertake 10 hours/week of fieldwork at a child welfare-related organization.

SEMINAR: Students will study Supreme Court and District of Columbia cases defining the fundamental nature of the parent/child relationship and setting forth when state intervention is warranted to protect the best interests of the child. Students will gain an understanding of the various stages of child protection proceedings and the different roles, responsibilities and professional relationships of the attorneys representing the government, the child and the parents at each stage. Issues concerning interracial and gay adoption will be discussed, as will the overrepresentation of poor and minority youth in the child welfare system. Students will engage in simulation exercises, give an in-class presentation on a topic of their choosing, and will write a final paper.

FIELDWORK: Students will participate in fieldwork with a child welfare-related organization and share their experiences with the class and through written reflection memos. Some fieldwork sites require students to undergo police/background clearances, and others do not. If this is a concern for a student, the student should reach out to the professor before the beginning of the semester to discuss field placement options.

Prerequisite: J.D. students must complete the required first-year program prior to enrolling in this course (part-time and interdivisional transfer students may enroll prior to completing Criminal Justice, Property, or their first-year elective.)

Recommended: Family Law I: Marriage and Divorce or Family Law II: Child, Parent, and the State, Evidence.

Mutually Excluded Courses: Students may not concurrently enroll in this practicum and an externship or a clinic or another practicum course.

Note: This practicum course is open to LL.M. students, space permitting. Interested LL.M. students should email the Office of the Registrar (lawreg@georgetown.edu) to request admission.

This course is suitable for evening students who can commit to attending class and working 10 hours/week (during business hours) with their field placements. This is a four credit course. Two credits will be awarded for the two-hour weekly seminar and two credits for approximately 10 hours of fieldwork per week, for a minimum of 11 weeks, to be scheduled with the faculty. The fieldwork must be completed during normal business hours. The two credit seminar portion of this practicum will be graded. The two credits of fieldwork are mandatory pass/fail. Students will be allowed to take another course pass/fail in the same semester as the field work. Students who enroll in this course will be automatically enrolled in both the seminar and fieldwork components and may not take either component separately. After Add/Drop, a student who wishes to withdraw from a practicum course must obtain permission from the faculty member and the Assistant Dean for Experiential Education. The Assistant Dean will grant such withdrawal requests only when remaining enrolled in the practicum would cause significant hardship for the student. A student who is granted permission to withdraw will be withdrawn from both the seminar and fieldwork components. Default attendance rule for all practicum courses (unless the professor indicates otherwise). Regular and punctual attendance is required at all practicum seminars and fieldwork placements. Students in project-based practicum courses are similarly required to devote the requisite number of hours to their project. If a student must miss a seminar, fieldwork, or project work, the faculty will notify the student and provide the student with a reasonable opportunity to make up the missed work. If a student with a reasonable accommodation request misses seminar, fieldwork, or project work, the faculty will notify the student and provide the student with a reasonable opportunity to make up the missed work. If a student with a reasonable accommodation request misses seminar, fieldwork, or project work, the faculty will notify the student and provide the student with a reasonable opportunity to make up the missed work. If a student withdraws from a practicum course, the student will not be awarded any credit for that course.
LAW 518 v00 Domestic Violence Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20518%20v00)
J.D. Clinic | 10 credit hours
Please see the Domestic Violence Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/domestic-violence-clinic) for more information about the program.

For registration-specific supplemental materials, please see the Domestic Violence Clinic PDF (https://georgetown.app.box.com/s/28audmod35d2q1swtsroav5rwb2z2l7b).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3yqcuynepip3ytyrl6jn9pyv6).

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course.

LAW 173 v03 Family Law I: Marriage and Divorce (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v03)
J.D. Course | 3 credit hours
This course examines the legal regulation of the domestic relationships of adults, married and unmarried. Topics covered include marriage and other intimate relationships, divorce, custody disputes, alimony, child support, and division of property. We will also spend some time thinking about the big theoretical and policy questions of the field, especially in regards to Assisted Reproductive Technologies and their potential for changing traditional notions of the family.

LAW 173 v05 Family Law I: Marriage and Divorce (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20173%20v05)
J.D. Course | 3 credit hours
Family Law I: Marriage and Divorce is a survey course that introduces students to the fundamental legal concepts of family law. This course will examine the changing nature of the family and the state's role in recognizing and regulating personal relationships between adults and between adults and children. The covered topics include competing conceptions of the family and the values they reflect, regulation of entry into marriage, constitutional rights in the family context, the rights and obligations of nonmarital cohabitants, divorce and financial consequences of dissolution, including property division, spousal support, child custody and child support. Throughout the semester we will consider the broader historical, societal and political elements shaping family law.

Recommended: Prior or concurrent enrollment in Constitutional Law II: Individual Rights and Liberties.

LAW 1272 v00 Gender and Sexuality (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%201272%20v00)
J.D. Course (cross-listed) | 3 credit hours
This course will provide an introduction to the legal contexts and theoretical debates surrounding sex, gender, sexuality, and their intersections. We will explore the ways gender and sexuality have been debated, defined, and redefined in the contexts of gender identity and performance, sexual pleasure, reproductive rights, sexual violence, marriage, family organization, work, and education. In these contexts we will consider the evolution of the law, the discursive effects of law, and the ways feminist and queer theorists have challenged and reimagined prevailing legal rules and cultural norms. In short, the class will probe the ways that law is gendered, sexualized, and raced, and with what overall effects on social institutions and practices.

Key topics will include:
- The Mutual Influence of Identitarian Politics and Law
- Constitutional Law of Sex Equality, Liberty, and Religious Objection
- Regulation of Sexual Conduct
- Regulation of Reproduction
- The Evolving Meanings of Marriage & Family
- Sexual Harm & Consent
- Gender & Sexuality at Work, School and other Institutions

Strongly Recommended: Constitutional Law II.

Mutually Excluded Courses: Students may not receive credit for this course and Sexual Orientation and the Law: Selected Topics in Civil Rights.

LAW 532 v02 Juvenile Justice Clinic (http://curriculum.law.georgetown.edu/course-search/?keyword=LAW%20532%20v02)
J.D. Clinic | 9 or 14 credit hours
Please see the Juvenile Justice Clinic website (https://www.law.georgetown.edu/experiential-learning/clinics/juvenile-justice-clinic) for more detailed information about the program.

For registration-specific supplemental materials, please see the Juvenile Justice Clinic PDF (https://georgetown.app.box.com/s/p8nbfhk8ibi0jsgoarf6oxt7wa5tn1l).

For information about clinic registration generally, please see the Clinic Registration Handbook (https://georgetown.box.com/s/y9f8wg3yqcuynepip3ytyrl6jn9pyv6).

Mutually Excluded Courses: Students may not concurrently enroll in this clinic and an externship or a practicum course in the first semester.
LAW 1606 v00 Motherhood and the Law Seminar ([here](http://curriculum.law.georgetown.edu/course-search/?keyword=law%201606%20v00))
J.D. Seminar (cross-listed) | 2-3 credit hours
This course will examine society's notions of motherhood and how various laws affect becoming and being a mother. Specific topics include laws that affect reproduction, pregnancy, leave from work following childbirth, parenting decisions, when to legally punish mothers and lastly navigating motherhood and professional identity as a lawyer. Some of the questions that will run through this course include:

1. Given the importance of caring for children, how should the law construct expectations of parenthood?
2. How does the law shape our notions of the responsibility of motherhood?
3. Is there common ground among political opponents on issues related to law and motherhood?
4. What laws should be implemented to better support mothers in the United States?

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement. The 3-credit section is open to J.D. students only and non-degree students may not enroll.

LAW 1522 v00 Parent, Child, and State: Constitutional Rights and Familial Responsibilities ([here](http://curriculum.law.georgetown.edu/course-search/?keyword=law%201522%20v00))
J.D. Seminar | 3 credit hours
No area of the law arouses more controversy than state regulation of the family. This course examines the law of parent-child relations with a focus on constitutional concerns. What, constitutionally speaking, is a family? What is the source of parental authority? What rights do parents enjoy to direct the educational and religious upbringing of their children? What are the limits on such rights? Do children hold rights of their own? Should they? What is the scope of the state's authority to protect children? We will look at how these questions (and many more) have been answered historically (with some surprising discoveries) as well as the current state of the law, and we will consider what future might await the evolving family. The shifting “settlement” of individual, family, and state interests will lead us to a rich universe of topics and to broader philosophical considerations (questions about the nature of individual and group rights, identity and assimilation, the proper boundaries of civic discourse, etc.)—and a host of questions that are intensely personal and problematic.

Note: This course will be enrolled via waitlist.

FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first class session in order to be eligible for a seat in the class.

LAW 1537 v00 Practicum on Helping Pro Se Litigants ([here](http://curriculum.law.georgetown.edu/course-search/?keyword=law%201537%20v00)) (Fieldwork Practicum)
J.D. Practicum | 4 credit hours
In fieldwork practicum courses, students participate in a weekly seminar and engage in related fieldwork at outside organizations. This fieldwork practicum course will focus on assisting those representing themselves in divorce, child custody, and child support matters in D.C. Superior Court. Working under the supervision of attorneys at the DC Affordable Law Firm who are involved with the Family Law Assistance Network (FLAN), students will be responsible for handling client intake and providing family law related information and community education services to individual and groups of D.C. residents in areas of the city such as Ward 8. Ward 8 is an area with a 36% poverty rate, where its residents largely address their legal problems without the benefit of counsel. The assistance may be hybrid for the Spring 2023 Practicum, with some services at DC Superior Court and some virtual. Students will also be preparing information about family court law and procedure for self-represented parties. Students will participate in a two hour/week seminar and carry out up to 10 hours/week of fieldwork with DCALF lawyers.

SEMINAR: In the seminar, students will learn about: (i) family law and procedure in the District; (ii) the best means for helping self-represented persons in crisis situations; (iii) various laws that affect becoming and being a mother. This course will examine society's notions of motherhood and how various laws affect becoming and being a mother. Specific topics include laws that affect reproduction, pregnancy, leave from work following childbirth, parenting decisions, when to legally punish mothers and lastly navigating motherhood and professional identity as a lawyer. Some of the questions that will run through this course include:

1. Given the importance of caring for children, how should the law construct expectations of parenthood?
2. How does the law shape our notions of the responsibility of motherhood?
3. Is there common ground among political opponents on issues related to law and motherhood?
4. What laws should be implemented to better support mothers in the United States?

Note: This seminar requires a paper. J.D. students must register for the 3-credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the 2-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement. The 3-credit section is open to J.D. students only and non-degree students may not enroll.

LAW 1522 v00 Parent, Child, and State: Constitutional Rights and Familial Responsibilities ([here](http://curriculum.law.georgetown.edu/course-search/?keyword=law%201522%20v00))
J.D. Seminar | 3 credit hours
No area of the law arouses more controversy than state regulation of the family. This course examines the law of parent-child relations with a focus on constitutional concerns. What, constitutionally speaking, is a family? What is the source of parental authority? What rights do parents enjoy to direct the educational and religious upbringing of their children? What are the limits on such rights? Do children hold rights of their own? Should they? What is the scope of the state's authority to protect children? We will look at how these questions (and many more) have been answered historically (with some surprising discoveries) as well as the current state of the law, and we will consider what future might await the evolving family. The shifting “settlement” of individual, family, and state interests will lead us to a rich universe of topics and to broader philosophical considerations (questions about the nature of individual and group rights, identity and assimilation, the proper boundaries of civic discourse, etc.)—and a host of questions that are intensely personal and problematic.

Note: This course will be enrolled via waitlist.

FIRST CLASS ATTENDANCE IS MANDATORY. All enrolled and waitlisted students must be in attendance at the first class session in order to be eligible for a seat in the class.
The deaths of black men and women at the hands of white police officers in places like Ferguson, Missouri, New York City, North Charlestown, South Carolina, and Baltimore has launched a conversation about race in the United States unlike any we have seen in recent decades. Recent debates have focused on racial bias, discrimination and disadvantage, but have largely ignored the effects of law in the racial inequality context. This course looks to correct that omission. It offers students an opportunity to explore the ongoing role that law plays in both shaping notions of race and in fostering structural racial inequality in the United States. Launching an inquiry that emphasizes history, as well as scholarly critique and social science insights, the course invites students to consider the racial contours and function of law in a host of contexts, including criminal justice, education, family, and housing.

Note: J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the J.D. Upperclass Legal Writing Requirement. The paper requirements of the two-credit section will not fulfill the J.D. Upperclass Legal Writing Requirement.

Reproductive Justice is a concept developed by Black Women activists in the 1990s to provide a different framework to explore how systemic oppression impacts reproductive decision-making. Acknowledging that abortion and contraception were often not the primary reproductive concerns of many marginalized women, including women of color, young women, women with disabilities, undocumented women, and queer women, activists adopted a framework that considers the contexts in which reproductive decisions are made. This approach centers social, racial and economic justice, and focuses as much on the rights to have and raise children as it does on the right to not have them though access to safe and legal abortion care and contraceptive access.

This course will focus on the rights to not have a child, to have a child, and to raise a child. While abortion will be discussed in several of the units in which it is relevant, due to the truncated semester, the course will not focus on abortion or contraception. Students may, however, focus their writing requirement on abortion or contraception. The course will take an interdisciplinary approach to the issues, incorporating various bodies of law (family law, welfare policy, criminal law) along with an historical analysis, social science, and current events.

Note: NOTE FOR THE SUMMER 2021 SECTION: This professor has committed to teaching this course from the classroom on campus. Students may participate in-person or remotely.

J.D. students must register for the 3 credit section of the seminar if they wish to write a paper fulfilling the Upperclass Legal Writing Requirement. This course will be enrolled via waitlist.

Full-time and Visiting Faculty
Deborah Epstein
Wallace J. Mlyniec
Ladislas M. Orsy
Milton C. Regan
Philomila Tsoukala