



WACO, TEXAS

COURSE SYLLABUS

AND

INSTRUCTOR PLAN

FAMILY AND PROPERTY LAW

LGLA 1391.001

KRISTY TURNER

NOTE: This is a 16-week course.

NOTE: This is a Face-to-Face course.

FAMILY AND PROPERTY LAW

LGLA 1391.001

Course Description:

Property topics include the nature of property, rights and duties of ownership, conveyances and document recording. Family law topics include marriage, divorce, marital property and the parent-child relationship.

Prerequisites and/or Corequisites:

Recommended: Passing score on the TSI Assessment or concurrent enrollment in INRW 0402.

Course Notes and Instructor Recommendations:

Follow Brightspace for information on this class and assignments.

Deadlines are important! In the working world, deadlines matter. Because students are being trained for the workforce, deadlines should be taken seriously and students should take steps to ensure deadlines are not missed. Students need to schedule time to complete assignments by the scheduled due date deadlines.

Instructor Information:

Instructor Name: Kristy Turner

MCC Email: kturner@mclennan.edu

Office Phone Number: 254-299-8261

Office Location: BT 220

Office Hours: Tuesday & Thursday 10:00 a.m. – 11:00 a.m. and 2:10 p.m. – 3:10 p.m.

Wednesday 7:00 p.m. – 8:00 p.m. via Zoom

I am available at other times by appointment.

Communication Policy:

Emails are returned within 24 hours of receipt except when received over the weekend or during holidays. Those will be returned the first business day the College is open.

Required Text & Materials:

Title: Family Law

Author: Statsky

Edition: Seventh

Publisher: Cengage

Title: Practical Real Estate Law

Author: Hinkel

Edition: Eighth

Publisher: Cengage

FAMILY AND PROPERTY LAW

LGLA 1391.001

ISBN: 978-1-337-91753-7

ISBN: 978-0-357-35837-5

Cengage Unlimited: 4-month access / 9780357700006; 12-month access / 9780357700013
or **24-month access / 9780357700020**

MCC Bookstore Website: <http://www.mclennan.edu/bookstore/>

Methods of Teaching and Learning:

Lecture, discussion groups, group projects, lab exercises, projects, written reports/papers, exams, quizzes, and/or tutorial software.

Course Objectives and/or Competencies:

The course is intended to introduce the student to the Practice of Family Law in the State of Texas as well as basic Real Property laws in the State of Texas. This introduction is accomplished by relying heavily on the study of actual Texas Statutes and focusing the student's legal reasoning skills including an introduction to the concept of statutory interpretation. The class includes an emphasis on document drafting, legal research, basic legal theory, and client interaction.

Define various marital relationships and their rights and responsibilities

Discuss divorce pleadings and orders

Discuss legal rights pertaining to the protection of the family and supportive documents

Identify the relevant issues in matters of child custody, child support, parental rights termination and Child Protective Services

Discuss documents relating to a Suit Affecting the Parent Child Relationship

Explain forms of real property ownership

Explain surveys and land descriptions, including various encumbrances

Explain contracts and deeds relating to real property

Delineate the process of financing real estate transactions

Describe title examinations and insurance

Discuss the steps of representation of a party at a real estate closing

Explain routine documents utilized in real estate closings

Course Attendance/Participation Guidelines:

If a student is not in attendance in accordance with the policies/guidelines of the class as outlined in the course syllabus as of the course census date, faculty are required to drop students from their class roster prior to certifying the respective class roster. A student's financial aid will be re-evaluated accordingly and the student will only receive funding for those courses attended as of the course census date.

FAMILY AND PROPERTY LAW

LGLA 1391.001

If a student fails to appear for face-to-face sessions in the period prior to the census date, the instructor will drop the student for failure to attend even if assignments are completed in Brightspace.

For a student to remain in a face-to-face course after the census date, the student must regularly attend class. If a student misses more than 25% of class meetings prior to the 60% point of the term, the instructor will withdraw the student from the course. If a student misses more than 25% of class meetings and the class is past the 60% point for the term, the instructor will NOT withdraw the student. The student is assigned the grade earned for the course.

If a student attends class meetings but does not complete assignments, the student will remain in the course and will be awarded the grade earned at the end of the term.

Absences are excused in accordance with MCC policy which includes (1) authorized participation in official College functions, (2) personal illness, (3) an illness or a death in the immediate family, (4) Pregnant or Parenting Protections under Title IX and/or Texas State Education Code Chapter 51, Subchapter Z, Section 51.982 or (5) any excused absences as outlined in Section IV of this policy. <https://www.mclennan.edu/employees/policy-manual/docs/B-II.pdf>

Students are required to file a written or electronic request with each instructor for an excused absence in a timely manner.

Course Outline or Schedule:

Week 1 8/22 & 8/24	Chapter 1 – Introduction to Family Law and Practice Identify the major themes of family law in the twenty-first century. List major terminology changes in family law. List other areas of law with which family-law practitioners should be familiar. State the tests used by a court when a family law is challenged as a violation of due process of law or of equal protection of law. State the impact of social media on the practice of family law. List the variety of paralegal roles in various family-law offices and settings. Identify the dangers of bias in the practice of family law. Be aware of the danger of violence in high-conflict family-law cases. Know the main legal-research sources of family law. Complete the Chapter 1 Case Study Quiz Complete the Chapter 1 Test
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FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Chapter 2 – Ethics in a Family law Practice</p> <p>Recognize the major ethical violations that can be committed in a family-law office.</p> <p>Know when an attorney-client relationship is formed.</p> <p>State the ethical dangers of attorney websites.</p> <p>Explain the ethical obligation of competence.</p> <p>List examples of digital competence.</p> <p>Distinguish unethical incompetence and legal malpractice.</p> <p>Know the ethical rules governing limited-scope representation.</p> <p>Define collaborative law.</p> <p>State when attorney fees and paralegal fees are ethical.</p> <p>Know whether an attorney can pay someone for a client referral.</p> <p>Explain the ethical duty of diligence.</p> <p>Identify when an attorney is allowed to reveal client confidences.</p> <p>List major conflicts of interest in a family-law practice.</p> <p>State the attorney’s ethical duty on safeguarding client property.</p> <p>Define the anticontact rule.</p> <p>State the ethics rules on attorney withdrawals from a case.</p> <p>State the duty to be truthful and to disclose adverse authority.</p> <p>Describe when Internet “friending” is unethical.</p> <p>Explain the ethical rules governing solicitation and advertising.</p> <p>Describe when attorneys and paralegals violate rules on the unauthorized practice of law (UPL).</p> <p>Complete the Chapter 2 Case Study Quiz</p> <p>Complete the Chapter 2 Test</p>
Week 2 8/29 & 8/31	<p>Chapter 3 – Compiling a Family History</p> <p>Recognize when a family history is needed in a family-law case.</p> <p>Understand the reasons a client is not always sure what he or she wants.</p> <p>Know the major guidelines for interviewing clients in a family-law case.</p> <p>List the major documents that the family-law office often needs to collect.</p> <p>Know the kinds of information that should be obtained to identify a possible conflict of interest.</p> <p>Identify the emergency concerns that may need to be addressed immediately.</p> <p>Know the facts that need to be obtained about the marriage, the children, prior marriages, contracts about the marriage, expenses, insurance, family assets and debts, and business assets and debts.</p> <p>Identify some of the major roles of paralegals in the compilation of a family history.</p> <p>Complete the Chapter 3 Case Study Quiz</p> <p>Complete the Chapter 3 Test</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Chapter 4 – Premarital, Postnuptial, and Cohabitation Agreements</p> <p>Define the four major kinds of agreements that can be entered into by persons in intimate relationships: (1) cohabitation agreement, (2) premarital agreement, (3) postnuptial agreement, and (4) separation agreement.</p> <p>Identify some of the major reasons couples enter into premarital agreements.</p> <p>Know what can and cannot be included in a premarital agreement.</p> <p>State the requirements for a valid premarital agreement.</p> <p>Distinguish between procedural and substantive fairness, and explain when an agreement is unconscionable.</p> <p>Know the malpractice dilemma faced by an attorney who represents the financially weaker party in a premarital agreement.</p> <p>Know what can be included in a postnuptial agreement.</p> <p>Know what can be included in a cohabitation agreement.</p> <p>State the holding and impact of Marvin v. Marvin on the law of cohabitation.</p> <p>List the remedies that are possible in cohabitation cases that agree with Marvin v. Marvin.</p> <p>Know why many courts are reluctant to provide remedies for cohabitants other than an action for breach of contract.</p> <p>Complete the Chapter 4 Case Study Quiz</p> <p>Complete the Chapter 4 Test</p>
<p>Week 3</p> <p>9/5 & 9/7</p>	<p>Chapter 5 – Marriage</p> <p>Explain whether causes of action can be brought for breach of promise to marry (or for inducing a breach).</p> <p>Know when gifts must be returned upon breaking off an engagement.</p> <p>Know when restraints on marriage are enforceable.</p> <p>Understand what is meant by marriage as a fundamental right.</p> <p>List the times when a person will likely want to know if he or she is married.</p> <p>Distinguish between ceremonial and common-law marriages.</p> <p>State the technical or procedural requirements for a ceremonial marriage.</p> <p>Know when a proxy marriage is allowed.</p> <p>State what is meant by the ABM (Anything But Marriage) movement.</p> <p>On what legal theory did the U.S. Supreme Court end the ban on same-sex marriage?</p> <p>Explain how a covenant marriage is entered into and terminated.</p> <p>List the requirements for a common-law marriage.</p> <p>State why common-law marriages are disfavored.</p> <p>Know how a conflict-of-laws issue is resolved in a state where common-law marriage is not allowed.</p> <p>Identify the elements of a putative marriage.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Explain marriage by estoppel and de facto marriage.</p> <p>Complete the Chapter 5 Case Study Quiz</p> <p>Complete the Chapter 5 Test</p> <p>Chapter 6 – Annulment</p> <p>Define and distinguish annulment, divorce, and legal separation.</p> <p>Identify the kinds of annulment cases brought in the era of no-fault divorce.</p> <p>Know why the phrase “annulled marriage” is technically incorrect.</p> <p>State the effective date of an annulment.</p> <p>Identify the two categories of annulment grounds.</p> <p>Distinguish between a voidable marriage and a void marriage.</p> <p>Identify who has standing to bring an annulment action.</p> <p>List and explain the capacity and the intent/state-of-mind grounds for annulment.</p> <p>Know the effect of the last-in-time and the Enoch Arden marriage presumptions.</p> <p>Explain how immigration officials treat green-card marriages.</p> <p>Distinguish between a civil annulment and a church annulment.</p> <p>Explain the conflict-of-laws rule in annulment cases.</p> <p>Describe the effect of marriage-evasion statutes.</p> <p>Explain the consequences of an annulment on the legitimacy of children, alimony and property division, child custody and child support, inheritance, bigamy, interspousal immunity, marital-communication privilege, and income-tax status.</p> <p>Complete the Chapter 6 Case Study Quiz</p> <p>Complete the Chapter 6 Test</p>
<p>Week 4</p> <p>9/12 &</p> <p>9/14</p>	<p>Chapter 7 – Divorce Grounds and Procedure</p> <p>Know the three eras of divorce in our legal history.</p> <p>Distinguish between limited and absolute divorce.</p> <p>Explain why states added no-fault grounds for divorce.</p> <p>Describe the role of marital misconduct in a no-fault divorce.</p> <p>Describe the main no-fault grounds for divorce.</p> <p>Describe the main fault grounds for divorce and their defenses.</p> <p>Distinguish legal separation, separate maintenance, and divorce.</p> <p>Explain how domicile is determined.</p> <p>Know the meaning of full faith and credit.</p> <p>Explain what is meant by divisible divorce.</p> <p>Identify the three main kinds of jurisdiction.</p> <p>Know the kind of jurisdiction a court needs to dissolve a marriage and how it obtains this kind of jurisdiction.</p> <p>Know the kind of jurisdiction a court needs to order spousal support, child support, and property division and how it obtains this kind of jurisdiction.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Explain when a party will be prevented from attacking the jurisdiction of a court that issued a divorce judgment.</p> <p>Know when a state is a home state for purposes of child-custody jurisdiction.</p> <p>Know how venue is determined.</p> <p>Explain what a summary dissolution is.</p> <p>State the requirement of procedural due process in divorce cases.</p> <p>Describe the role of a guardian ad litem (GAL).</p> <p>Identify the components of a divorce complaint/petition.</p> <p>Know when a court will issue a default divorce.</p> <p>Explain what happens at a pretrial conference.</p> <p>Describe the main methods of discovery in divorce cases.</p> <p>List the major preliminary orders.</p> <p>Summarize what occurs in a divorce trial.</p> <p>Explain the main methods of alternative dispute resolution (ADR).</p> <p>Identify the major remedies available to enforce a divorce judgment.</p> <p>Describe divorce in the Jewish and Islamic traditions and know whether such traditions can be enforced in secular civil courts.</p> <p>Complete the Chapter 7 Case Study Quiz</p> <p>Complete the Chapter 7 Test</p> <p>Chapter 8 – Spousal Support, Property Division, and the Separation Agreement</p> <p>Define separation agreement.</p> <p>State when courts become involved in separation agreements.</p> <p>List the characteristics of an effective separation agreement.</p> <p>Identify the main checklists used in the preparation of a separation agreement.</p> <p>Give examples of when a court will refuse to approve/enforce a separation agreement.</p> <p>State a spouse’s duty of disclosure.</p> <p>List the main differences between alimony and property division.</p> <p>Explain the factors a court will use when deciding whether a clause in a separation agreement is alimony or property division.</p> <p>Distinguish the different kinds of alimony.</p> <p>Explain the criteria for awarding alimony.</p> <p>State when a court will modify an alimony award.</p> <p>Identify the main ways a payee can enforce an alimony obligation.</p> <p>State whether alimony and property-division debts are dischargeable in bankruptcy.</p> <p>Describe necessities.</p> <p>Explain the tactic of spousal refusal.</p> <p>List the main steps in property division.</p> <p>Describe the different categories of property.</p>
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FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>List the main kinds of separate property. Explain the differences between common-law and community-property states. Explain transmutation. Explain the criteria for equitable distribution. Distinguish between marital and economic fault. Explain when appreciation is divisible. Know the effect of commingling. Explain how property division occurs for pensions, degrees/licenses, businesses, and goodwill. Describe how a court will treat debts, taxes, wills, insurance, and legal expenses. Know the effect of mutual mistake in a separation agreement. Explain the role of alternative dispute resolution (ADR). Understand the consequences of reconciliation on a separation agreement. Complete the Chapter 8 Case Study Quiz Complete the Chapter 8 Test</p>
<p>Week 5 9/19 & 9/21</p>	<p>Chapter 9 – Child Custody Know how child-custody disputes were handled in our early history. Identify the major kinds of custody. List the major factors parents must consider when negotiating the custody terms of a separation agreement. Describe possible roles for a BIA, a GAL, a CASA, and a PC in child-custody cases. Know the main factors a court will consider when resolving a custody dispute between two biological parents. Know why legal preferences are disfavored. State the nexus test on lifestyle and morality in custody decisions. List the major components of an effective visitation schedule. Know how a court will resolve a dispute between a noncustodial parent and a custodial parent who wishes to relocate out of the area. List the major enforcement remedies for the violation of a custody order. Know how a court will resolve a custody dispute between a biological parent and a psychological parent. Understand when a court will modify its own custody order. Know how a court obtains jurisdiction to modify the custody order of another state. Identify when a court will refuse to use the custody jurisdiction that it has. Describe how international custody disputes are resolved. Complete the Chapter 9 Case Study Quiz Complete the Chapter 9 Test</p> <p>Chapter 10 – Child Support</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>State the role of state law and federal law on child support. Know who must pay child support, including persons other than biological parents. State when child support might continue after the age of majority. List the major issues divorcing parents should cover in the child-support clauses of their separation agreement. Explain how a state determines the amount of child support that is due. Know when income will be imputed for purposes of determining a child-support obligation. Identify the main kinds of assistance provided by an IV-D agency. List the methods of enforcing a child-support obligation. Explain when the government must pay for an attorney for an indigent obligor. Distinguish between obtaining jurisdiction over a resident and a nonresident parent in order to establish and enforce a child-support order. Explain how a support order can be enforced against a nonresident parent. Understand when a state will modify its child-support order. Know when one state can modify the support order of another state. Complete the Chapter 10 Case Study Quiz Complete the Chapter 10 Test</p>
<p>Week 6 9/26 & 9/28</p>	<p>Chapter 11 – Tax Consequences of Separation and Divorce Know what is meant by the “tax effect” of a clause in a separation agreement. Explain the tax consequences of alimony and child support. Give an example of how a payor can obtain the equivalent of a deduction for nondeductible alimony after 2018. Explain the tax consequences of a property division. State the basis of property in the hands of the ex-spouse transferee as part of a property division. Know which fees paid obtaining a divorce are deductible. State the innocent-spouse rule. Explain the impact of the marital deduction. State some of the other tax considerations relevant to divorced parties. Complete the Chapter 11 Case Study Quiz Complete the Chapter 11 Test</p> <p>Chapter 12 – Legal Rights of Women Know the disabilities faced by married women at common law. Explain what disabilities no longer exist under current law. State the impact of the married women’s property acts. Understand dower and curtesy and their substitute, elective share. Explain how a person can change a surname. List the prohibitions on discrimination against women in obtaining credit.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Understand when a job requirement is a BFOQ.</p> <p>Explain when wage discrimination is illegal.</p> <p>Know what kinds of questions are illegal in a job interview.</p> <p>Explain the employment rights of a female employee with regard to pregnancy, breast milk expression, family leave, and medical leave.</p> <p>Distinguish between the two categories of sexual harassment.</p> <p>Explain why Paula Jones lost her claim of sexual harassment against Governor Bill Clinton.</p> <p>Describe how sex discrimination laws are enforced.</p> <p>State the right of individuals to contraceptives.</p> <p>Know when a person can be sterilized.</p> <p>State a woman's abortion rights.</p> <p>List the major categories of domestic violence and the available remedies to respond to it.</p> <p>Explain the battered woman syndrome.</p> <p>State whether marital rape is a crime.</p> <p>List ways in which sensitivity should be shown when assisting victims of domestic violence.</p> <p>Complete the Chapter 12 Case Study Quiz</p> <p>Complete the Chapter 12 Test</p>
Week 7 10/3 & 10/5	<p>Chapter 13 – Illegitimacy and Paternity</p> <p>Describe the evolving terminology of illegitimacy and nonmarital children.</p> <p>Distinguish between marital and nonmarital children.</p> <p>Know the test used by the U.S. Supreme Court to determine whether a classification of nonmarital children violates equal protection of law.</p> <p>State the rights of nonmarital children in the areas of inheritance, wills, child support, wrongful death, workers' compensation, Social Security, annulment, and immigration.</p> <p>Explain the different types of artificial insemination and the paternity consequences of each.</p> <p>Describe medical and legal issues that arise in the operation of sperm banks.</p> <p>Identify the different ways that a child can be legitimated.</p> <p>Define the different categories of fathers.</p> <p>List the major reasons it is important to determine the paternity of a child.</p> <p>Know the federal requirements for paternity.</p> <p>State the standard of proof needed to determine paternity.</p> <p>Explain why it can be important to know whether a child had his or her own attorney in a paternity action.</p> <p>Know the type of jurisdiction a court needs to make a paternity determination and how it can obtain that jurisdiction.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Explain Lord Mansfield's rule.</p> <p>Explain the presumption of legitimacy and how it can be overcome.</p> <p>Explain the presumption of paternity and how it can be overcome.</p> <p>Understand how some courts resolve conflicting presumptions of paternity.</p> <p>Explain how blood-group and DNA testing are used in determining paternity.</p> <p>List what mothers and fathers affirm when they sign a voluntary recognition of parentage (ROP).</p> <p>Know whether a person has standing to assert his paternity of a child born to a woman married to another man.</p> <p>Explain paternity by estoppel.</p> <p>Complete the Chapter 13 Case Study Quiz</p> <p>Complete the Chapter 13 Test</p> <p>Chapter 14 – The Legal Status of Children</p> <p>Know in what sense minority is a disability.</p> <p>Explain emancipation and how a minor achieves it.</p> <p>List the contracts that a minor can and cannot disaffirm.</p> <p>State when, if ever, a parent has the right to keep a child's real and personal property (including earnings).</p> <p>State how a minor acquires a domicile.</p> <p>State when a child can write a will and what duties a guardian has when the parent of a minor dies and when a minor inherits property.</p> <p>Explain the requirement of compulsory education, when corporal punishment is allowed in school, and what constitutional rights students have.</p> <p>State the meaning of child maltreatment, child neglect, child abuse, dependency, and abandonment.</p> <p>Know when a parent's substance abuse can constitute child maltreatment.</p> <p>Explain the meaning of parens patriae.</p> <p>List the goals of the Child Abuse Prevention and Treatment Act (CAPTA).</p> <p>Explain mandatory reporting.</p> <p>Distinguish between the jurisdictional and dispositional stages of court proceedings on child maltreatment.</p> <p>Define juvenile delinquency and status offenses, and state how they are treated in the courts.</p> <p>Complete the Chapter 14 Case Study Quiz</p> <p>Complete the Chapter 14 Test</p>
Week 8 10/10 & 10/12	<p>Chapter 15 – Adoption</p> <p>Know the definition and effect of adoption.</p> <p>Define second-parent adoption.</p> <p>Distinguish the four major categories of adoption.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>List the possible adoption facilitators.</p> <p>Know when an adoption becomes a black-market adoption.</p> <p>Explain when a court will approve the adoption of an adult.</p> <p>List the criteria that a court will use when deciding whether an adoption is in the best interests of the child.</p> <p>Explain the effect of the Multiethnic Placement Act (MEPA).</p> <p>Describe the difficulties faced by gays and lesbians when they want to adopt.</p> <p>List the procedures involved in an adoption.</p> <p>Explain the notice and consent rights of an unmarried father of a child whom others want to adopt.</p> <p>State when consent can be revoked.</p> <p>State the grounds for a termination of parental rights.</p> <p>Identify the major procedural issues in a proceeding to terminate parental rights.</p> <p>Explain the effect of the Adoption and Safe Families Act (ASFA).</p> <p>Explain why it is legally impossible for children to “divorce” their parents.</p> <p>Explain the challenges that can be brought against an adoption decree.</p> <p>Describe the function of a putative father registry.</p> <p>Explain how the Interstate Compact on the Placement of Children (ICPC) operates.</p> <p>List the consequences of an adoption.</p> <p>Distinguish between a confidential adoption and an open adoption.</p> <p>Know when an equitable adoption is created.</p> <p>Explain what is meant by an embryo adoption.</p> <p>Complete the Chapter 15 Case Study Quiz</p> <p>Complete the Chapter 15 Test</p> <p>Chapter 16 – The New Science of Motherhood</p> <p>Define infertility and state its main causes.</p> <p>Define assisted reproductive technology (ART).</p> <p>Explain the process of in vitro fertilization (IVF).</p> <p>List the primary sources of eggs used in IVF.</p> <p>Explain how a court will resolve a dispute on the disposition of unused frozen embryos upon divorce.</p> <p>Distinguish between posthumous birth and posthumous conception or fertilization.</p> <p>Understand the ethical and legal controversy surrounding stem-cell research.</p> <p>Explain what is meant by a genetically altered embryo.</p> <p>What is the role of a surrogate mother?</p> <p>Define intended parent.</p> <p>Distinguish between traditional and gestational surrogacy.</p> <p>Explain the controversy involving Baby M.</p> <p>List the policy reasons for and against allowing surrogacy agreements.</p>
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FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Explain the relationship between surrogacy and the following areas of law: adoption, paternity, child custody, and contracts.</p> <p>List the major restrictions different states place on surrogacy.</p> <p>List the factors a court will consider when deciding who is the legal mother when a surrogate refuses to give the child to the intended parent(s).</p> <p>Complete the Chapter 16 Case Study Quiz</p> <p>Complete the Chapter 16 Test</p> <p>Chapter 17 – Torts and Family Law</p> <p>Explain why the legal system has historically disfavored intrafamily torts.</p> <p>List the different ways that states treat spouse-spouse torts and parent-child torts.</p> <p>State when spouses can sue each other for a sexual tort.</p> <p>Explain when prenatal torts can be brought.</p> <p>Explain when actions can be brought for wrongful life, wrongful birth, and wrongful pregnancy.</p> <p>Explain when an action for wrongful adoption can be brought.</p> <p>Describe the different kinds of consortium actions.</p> <p>Explain the action for loss of services and earnings.</p> <p>List the heart-balm actions.</p> <p>Explain the extent to which vicarious liability exists among family members.</p> <p>Complete the Chapter 17 Case Study Quiz</p> <p>Complete the Chapter 17 Test</p>
Week 9 10/17 & 10/19	<p>Chapter 1 - Introduction to the Law of Real Property</p> <p>Distinguish between real and personal property.</p> <p>Describe the rights and obligations an owner of real property has in regard to surface and subsurface water.</p> <p>Explain the rules for determining if property is a fixture.</p> <p>Summarize the legal rights an owner has in real property.</p> <p>Recognize and compare the estates of ownership in real property.</p> <p>Summarize the various ways of becoming an owner of real property.</p> <p>Identify and describe the legal principle of adverse possession.</p> <p>Explain the transfer of ownership to real property by conveyance.</p> <p>Describe the role of a paralegal in a real estate legal practice.</p> <p>Chapter 2 – Concurrent Ownership</p> <p>Describe each of the four types of concurrent ownership.</p> <p>Identify the rights, duties, and liabilities of common owners.</p> <p>Explain the difference between separate and community property.</p> <p>Draft a cotenancy agreement.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Summarize the issues a paralegal will experience in dealing with concurrent ownership.</p> <p>Describe each of the four types of legal entities that are used to own real property for investment.</p>
<p>Week 10 10/24 & 10/26</p>	<p>Chapter 3 – Surveys and Land Descriptions</p> <p>Describe the types of surveys and how they are prepared.</p> <p>Identify the three types of land descriptions.</p> <p>Outline the requirements for the preparation of each type of land description.</p> <p>Prepare a legal description from a survey drawing.</p> <p>Review a survey for the accuracy of a legal description.</p> <p>List the objectives of a paralegal when reviewing a land survey.</p> <p>Chapter 4 – Public Regulation and Private Encumbrances</p> <p>Describe the objectives and process for the zoning of private real property.</p> <p>Explain how the use of real property is regulated by environmental protection laws.</p> <p>Summarize the uses for the power of eminent domain and the due process for exercise of the power.</p> <p>Explain the government’s power to tax the ownership of real property.</p> <p>Identify the various types of private encumbrances.</p> <p>Outline the uses for a mechanic’s lien and the procedure for enforcing the lien.</p> <p>Describe how the use of real property may be restricted by private covenants.</p> <p>Chapter 5 – Easements and Licenses</p> <p>Describe the various types of easements and their uses.</p> <p>Identify the ways an easement can be created.</p> <p>Prepare an express easement.</p> <p>Identify the ways an easement can be terminated.</p> <p>Define a license and its use.</p> <p>Compare the difference between an easement and a license.</p> <p>Recognize the practical issues involved in preparing or reviewing an easement.</p> <p>Complete Chapters 1 & 2 Case Study Quizzes, Review Questions, Case Problems, Practical Assignments & Tests</p>
<p>Week 11 10/31 & 11/2</p>	<p>Chapter 6 – Contracts</p> <p>Explain the requirements of a valid real estate contract.</p> <p>Identify the remedies for default under a real estate contract.</p> <p>Describe the role of a real estate agent in the procurement of a real estate contract.</p> <p>Distinguish the three types of real estate agency listing agreements.</p> <p>Explain the federal tax consequences of a sale of real property.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Chapter 7 – Preparation and Review of a Real Estate Contract</p> <p>Describe the basic terms of a real estate contract.</p> <p>Define the legal doctrine of caveat emptor.</p> <p>Discuss the use of a short sale contract.</p> <p>Summarize special contract issues found in commercial real estate contracts.</p> <p>Identify how an option is different from a contract.</p> <p>Explain how technology and the Internet have changed the process for preparing and reviewing a real estate contract.</p> <p>Use checklists to assist in the preparation or review of a real estate contract.</p> <p>Complete Chapters 3, 4 & 5 Case Study Quizzes, Review Questions, Case Problems, Practical Assignments & Tests (there is no Case Problem for Ch. 3)</p>
Week 12 11/7 & 11/9	<p>Chapter 8 – Deeds</p> <p>Describe the historical development of the use of deeds.</p> <p>Identify the types of deeds used to transfer ownership of real property.</p> <p>Explain the basic requirements of a valid deed.</p> <p>Identify the sections of a deed.</p> <p>Write and complete the sections of a deed.</p> <p>Explain how mistakes in a deed are corrected.</p> <p>Apply the knowledge learned to prepare a deed.</p> <p>Chapter 9 – Financing Sources in Real Estate Transactions</p> <p>Identify the various sources of mortgage loans.</p> <p>Describe the difference between a conventional and an insured loan.</p> <p>Explain the role of the Federal Housing Administration (FHA) and Veterans Administration (VA) in real estate financing.</p> <p>Define the business practice of subprime lending.</p> <p>State the relationship between the primary and secondary mortgage markets.</p> <p>Recognize the difference between a permanent loan and a construction loan and describe their relationship to each other.</p> <p>Explain the term interest and how it is calculated and paid on a mortgage loan.</p> <p>Identify and describe the various forms of mortgage loan payment plans.</p> <p>Chapter 10 – Legal Aspects of Real Estate Finance</p> <p>Describe the basic provisions contained in a promissory note.</p> <p>Prepare a promissory note.</p> <p>Define what a guaranty is in regard to a promissory note.</p> <p>List the types of security instruments that pledge real property to secure a debt and the basic requirements of each of them.</p>

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	<p>Explain the difference between buying real property subject to or assuming an existing mortgage.</p> <p>Describe the risks of being a second mortgage lender.</p> <p>Describe the methods of foreclosure and other remedies a lender has to collect on a mortgage loan that is in default.</p> <p>Identify the legal effect of a valid foreclosure sale.</p> <p>Outline a borrower's defenses to foreclosure and remedies for a wrongful foreclosure.</p> <p>Complete Chapters 6 & 7 Case Study Quizzes, Review Questions, Case Problems, Practical Assignments & Tests</p>
Week 13 11/14 & 11/16	<p>Chapter 11 – Mortgage Forms and Provisions</p> <p>Describe the covenants contained in a Fannie Mae residential mortgage form.</p> <p>Outline provisions that are generally contained in a commercial loan mortgage form.</p> <p>Explain the importance and use of a security agreement and financing statement.</p> <p>Identify the provisions contained in a construction loan agreement.</p> <p>Summarize the role of a paralegal in the preparation of mortgage loan documents.</p> <p>Chapter 12 – Title Examinations</p> <p>Describe the bona fide purchaser for value rule.</p> <p>Explain the three types of recording statutes.</p> <p>Prepare an order for a title examination.</p> <p>Outline the procedures involved in examining title.</p> <p>Identify the types of title defects or problems reported in a title examination.</p> <p>Prepare a summary review of a title examination report.</p> <p>Describe how technology has changed the title examination process and the recording of legal documents.</p> <p>Chapter 13 – Title Insurance</p> <p>Recognize the importance of title insurance.</p> <p>Describe the insurance coverage provided in an owner's title insurance policy.</p> <p>Identify the exceptions and exclusions to insurance coverage provided for in an owner's title insurance policy.</p> <p>Describe the insurance coverage provided in a mortgage or loan title insurance policy.</p> <p>Prepare a commitment for title insurance.</p> <p>Review a commitment for title insurance.</p> <p>Prepare a title insurance policy.</p> <p>Review a title insurance policy.</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	Complete Chapters 8, 9 & 10 Case Study Quizzes, Review Questions, Case Problems, Practical Assignments & Tests
Week 14 11/21 11/23 - Holiday	<p>Chapter 14 – Real Estate Closings Describe a closing in connection with a real estate transaction. Recognize the differences between a residential and commercial real estate closing. Prepare a closing checklist from a review of a real estate contract. Identify the steps that must be completed before a closing. Summarize the general terms and conditions contained in a mortgage loan commitment. Prepare a loan closing checklist from a review of a mortgage loan commitment. Describe special conditions contained in a construction loan commitment. Describe special conditions contained in a leasehold loan commitment. Outline the procedures followed to close a real estate transaction. Summarize real estate closing procedures that take place following the closing. Explain the Truth-in-Lending right of rescission rules. Recognize the issues and concerns relating to using email communications.</p> <p>Chapter 15 – Real Estate Closing Forms and Examples Prepare various kinds of affidavits. Prepare various real estate closing documents such as deeds, bills of sale, assignment of warranties, assignment of leases, and assignment of contracts. Identify the importance and particular use of such real estate documents as corporate resolutions, agreements regarding survival of loan commitments, indemnities of fees, attorney’s opinions, and compliance agreements. Prepare a Settlement Statement. Describe the documentation involved in the closing of a sale and loan transaction.</p> <p>Complete Chapters 11, 12 & 13 Case Study Quizzes, Review Questions, Case Problems, Practical Assignments & Tests</p>
Week 15 11/28 & 11/30	<p>Chapter 16 – Condominiums and Cooperatives Describe the condominium form of property ownership. Outline the requirements for condominium declarations and condominium plats. List the requirements for an articles of incorporation and bylaws of a condominium association. Summarize a condominium owner’s obligation to pay condominium assessments. Define the cooperative form of property ownership. Identify the difference between the condominium and the cooperative form of ownership. Describe the time-sharing form of property ownership.</p> <p>Chapter 17 – Leases</p>

FAMILY AND PROPERTY LAW

LGLA 1391.001

	<p>Describe the common law treatment of leases.</p> <p>Outline the key provisions of a commercial lease.</p> <p>Define the various ways rent can be computed in a lease.</p> <p>State the landlord's remedies for a tenant's default of a lease.</p> <p>Identify the legal differences between an assignment and a sublease of a lease.</p> <p>Recognize the risks for a tenant when a landlord has mortgaged the leased premises.</p> <p>Explain the use of a lease guaranty.</p> <p>Summarize the basic provisions of the Uniform Residential Landlord and Tenant Act.</p> <p>Complete Chapters 14 & 15 Case Study Quizzes, Review Questions, Case Problems, Practical Assignments & Tests</p>
Week 16 12/2 by 11:59 p.m.	Final Exam - Chapters 16 & 17 Case Study Quizzes, Review Questions, Case Problems, Practical Assignments & Tests

Course Grading Information:

Grading will be based on the following standard:

A = 90 – 100

B = 80 - 89

C = 70 - 79

D = 60 - 69

F = Below 60

1. Tests (50%)

No makeup tests are allowed.

2. Assignments/Case Studies (40%)

You will complete case studies in Cengage/MindTap for each chapter.

4. Professionalism/Participation (10%)

Students will receive a professionalism/participation grade in this course. This grade is based on attendance, participation in class, assignment completion, and professional communication. Each student begins with 100 and points are deducted as follows:

- 1 point for every missing assignment, exam, or quiz
- 5 points of each absence

- 5 point for communication that does not meet professional standards. (E-mails must include course name in the subject line, a greeting, body, and closing with signature. Complete sentences and correct grammar are required).

Notwithstanding anything to the contrary, because all assignments are considered necessary to your success in preparation for your career, it is within the instructor's discretion to require that all assignments be completed for you to receive a final grade in the course; if an assignment remains undone, the instructor may assign a final grade of "incomplete", which over time automatically changes to an "F" if the assignment remains uncompleted.

A grade of C or better in all required LGLA courses is a prerequisite to graduation with a Paralegal degree.

Late Work and Make Up Work Policies:

All assignments must be completed on time. **No assignments will be accepted after the due date.** A makeup period may be offered towards the end of the course for a discounted grade. Exceptions are rarely granted. Any variance from this policy is within the instructor's discretion. Any late work that is accepted will have 5 points per day deducted for each day it is late.

Student Behavioral Expectations or Conduct Policy:

In general, students are expected to maintain classroom decorum that includes respect for other students and the instructor, prompt and regular attendance, and an attitude that seeks to take full advantage of the education opportunity.

Students should demonstrate courtesy and respect to all instructors, guests, and fellow learners. While honest discussion and debate of topics is expected and encouraged, such interactions should not involve aggressive, derogatory, or hostile behaviors (verbal or otherwise). The instructor reserves the right to act to protect the decorum of the learning environment and the image of MCC.

[Click Here for the MCC Attendance/Absences Policy](https://www.mclennan.edu/highlander-guide/policies.html)

(<https://www.mclennan.edu/highlander-guide/policies.html>)

Click on the link above for the college policies on attendance and absences. Your instructor may have additional guidelines specific to this course.

Updated 07/18/2023



ACADEMIC RESOURCES/POLICIES

Accommodations/ADA Statement:

Any student who is a qualified individual with a disability may request reasonable accommodations to assist with providing equal access to educational opportunities. Students should contact the Accommodations Coordinator as soon as possible to provide documentation and make necessary arrangements. Once that process is completed, appropriate verification will be provided to the student and instructor. Please note that instructors are not required to provide classroom accommodations to students until appropriate verification has been provided by the Accommodations Coordinator. For additional information, please visit www.mclennan.edu/disability.

Students with questions or who require assistance with disabilities involving physical, classroom, or testing accommodations should contact:

disabilities@mclennan.edu 2542998122 Room
319, Student Services Center

Title IX:

We care about your safety, and value an environment where students and instructors can successfully teach and learn together. If you or someone you know experiences unwelcomed behavior, we are here to help. Individuals who would like to report an incident of sexual misconduct are encouraged to immediately contact the acting Title IX Coordinator at titleix@mclennan.edu or by calling, Dr. Claudette Jackson, (Accommodations/Title IX) at (254) 299-8465. MCC employees are mandatory reporters and must report incidents immediately to the Title IX Coordinator. Individuals may also contact the MCC Police Department at (254) 299-8911 or the MCC Student Counseling Center at (254) 299-8210. The MCC Student Counseling Center is a

confidential resource for students. Any student or employee may report sexual harassment anonymously by visiting <http://www.lighthouse-services.com/mclennan/>. Go to McLennan's Title IX webpage at www.mclennan.edu/titleix/. It contains more information about definitions, reporting, confidentiality, resources, and what to do if you or someone you know is a victim of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence.

Student Support/Resources:

MCC provides a variety of services to support student success in the classroom and in your academic pursuits to include counseling, tutors, technology help desk, advising, financial aid, etc. A listing of these and the many other services available to our students is available at <http://www.mclennan.edu/campus-resource-guide/>

Academic Support and Tutoring is here to help students with all their course-related needs. Specializing in one-on-one tutoring, developing study skills, and effectively writing essays. Academic Support and Tutoring can be found in the Library and main floor of the Learning Commons. This service is available to students in person or through Zoom. You can contact the Academic Support and Tutoring team via Zoom or email (ast@mclennan.edu) by going to our website (<https://www.mclennan.edu/academic-support-and-tutoring/>).

College personnel recognize that food, housing, and transportation are essential for student success. If you are having trouble securing these resources or want to explore strategies for balancing life and school, we encourage you to contact either MCC CREW – Campus Resources Education Web by calling (254) 299-8561 or by emailing crew@mclennan.edu or a Success Coach by calling (254) 299-8226 or emailing SuccessCoach@mclennan.edu. Both are located in the Completion Center located on the second floor of the Student Services Center (SSC) which is open Monday-Friday from 8 a.m.-5 p.m.

Paulanne's Pantry (MCC's food pantry) provides free food by appointment to students, faculty and staff. To schedule an appointment, go to https://mclennan.co1.qualtrics.com/jfe/form/SV_07byXd7eB8iTqJg. Both the Completion Center and Paulanne's Pantry are located on the second floor of the Student Services Center (SSC).

MCC Foundation Emergency Grant Fund:

Unanticipated expenses, such as car repairs, medical bills, housing, or job loss can affect us all. Should an unexpected expense arise, the MCC Foundation has an emergency grant fund that may be able to assist you. Please go to

<https://www.mclennan.edu/foundation/scholarships-and-resources/emergencygrant.html>

to find out more about the emergency grant. The application can be found at

https://www.mclennan.edu/foundation/docs/Emergency_Grant_Application.pdf.

MCC Academic Integrity Statement:

Go to www.mclennan.edu/academic-integrity for information about academic integrity, dishonesty, and cheating. The unauthorized use of artificial intelligence (AI) for classwork can be a violation of the College's General Conduct Policy. Whether AI is authorized in a course and the parameters in which AI can be used in a course will be outlined by each instructor.

Minimum System Requirements to Utilize MCC's D2L|Brightspace:

Go to <https://www.mclennan.edu/center-for-teachingandlearning/FacultyandStaffCommons/requirements.html> for information on the minimum system requirements needed to reliably access your courses in MCC's D2L|Brightspace learning management system.

Minimum Technical Skills:

Students should have basic computer skills, knowledge of word processing software, and a basic understanding of how to use search engines and common web browsers.

Backup Plan for Technology:

In the event MCC's technology systems are down, you will be notified via your MCC student email address. Please note that all assignments and activities will be due on the date specified in the Instructor Plan, unless otherwise noted by the instructor.

Email Policy:

McLennan Community College would like to remind you of the policy (<http://www.mclennan.edu/employees/policy-manual/docs/E-XXXI-B.pdf>) regarding college email. All students, faculty, and staff are encouraged to use their McLennan email addresses when conducting college business.

A student's McLennan email address is the preferred email address that college employees should use for official college information or business. Students are

expected to read and, if needed, respond in a timely manner to college emails. For more information about your student email account, go to www.mclennan.edu/studentemail.

Instructional Uses of Email:

Faculty members can determine classroom use of email or electronic communications. Faculty should expect and encourage students to check the college email on a regular basis. Faculty should inform students in the course syllabus if another communication method is to be used and of any special or unusual expectations for electronic communications.

If a faculty member prefers not to communicate by email with their students, it should be reflected in the course syllabus and information should be provided for the preferred form of communication.

Email on Mobile Devices:

The College recommends that you set up your mobile device to receive McLennan emails. If you need assistance with set-up, you may email Helpdesk@mclennan.edu for help.

You can find help on the McLennan website about connecting your McLennan email account to your mobile device:

- [Email Setup for iPhones and iPads](#)
- [Email Setup for Androids](#)

Forwarding Emails:

You may forward emails that come to your McLennan address to alternate email addresses; however, the College will not be held responsible for emails forwarded to an alternate address that may be lost or placed in junk or spam filters.

For more helpful information about technology at MCC, go to [MCC's Tech Support Cheat Sheet](#) or email helpdesk@mclennan.edu.

Disclaimer:

The resources and policies listed above are merely for informational purposes and are subject to change without notice or obligation. The College reserves the right to change policies and other requirements in compliance with State and Federal laws. The provisions of this document do not constitute a contract.