

FAMILY LAW

Fall 2019

Professor Linda Elrod
Room 120

Mon. & Wed.
1:45 PM - 3:10 PM

Day #1 Assignment

For Monday, August 26, 2019

Book: Harry Krause, Linda Elrod, & Thomas Oldham, *Family Law: Cases, Comments, Questions* (8th ed. 2018)

Please read the first 19 pages. Look at the Pew Research Center tabulations for 1960 and 2010 Census data and 2014 American Community Survey (IPUMS). Be prepared to discuss the following questions:

A. Introductory materials

1. What is a family? Try a definition.
2. List five ways that family law differs from other areas of law. To what extent does it overlap other areas of law?
3. Why do families matter and to whom do they matter?
4. What role does public policy play in family law? Do the same public policy considerations that govern other areas, such as contract law, also apply to family law? Are there other considerations? Why?
5. What are some of the underlying themes in family law?

B. Changes in family law

Family law has changed over the past fifty years. Please look up current U.S. Census data to answer the following questions:

1. What percentage of American families have minor children living at home? (____)
2. What percentage of American children live with only one parent? (____)
Can you find the percentage lived with only one parent in 1960? (____)
3. What percentage of American children live with no parent? (____)

4. What percent of adult children (18-34) live with their parents? (_____)
5. What percentage of American men (_____) and women (_____) marry at some point during their lives?
6. Has the marriage rate risen or declined over the last fifty years? (_____)
7. What is the median age of first marriage for American women (_____) and men (_____) today? In 1960s?
8. How has the rate of cohabitation changed since the 1960s? How?
9. What percentage of cohabiting couples have children? (_____) Has that percentage risen or fallen since 1960? (_____)
10. Is the divorce rate going up or down? (_____).

C. How does the Mary Ann Glendon article help understand changes in the family?

1. Have kinship ties become more or less important?
2. What distinguishes the modern marriage?
3. How have parent/child relationships changed?
4. Do you think Glendon's article is still relevant for millennials?

D. Defining a family – Moore case will probably be first up on Wednesday.

1. Why do we need to define a family?
2. How do we define?
3. Who defines?
4. In *Moore v. City of East Cleveland*, how does the U.S. Supreme Court deal with the definition of family?