

LAW325 Family Law and the Family Justice Courts - 1

Level: 3

Credit Units: 10 Credit Units

Language: ENGLISH

Presentation Pattern: EVERY JAN

Synopsis:

LAW325 Family Law and the Family Justice Courts 1 introduces students to how the law in Singapore regulates the formation of marriage, the spouses in their conduct towards one another, the termination of their marriage and the ancillary orders a court may make upon the termination of marriage. The companion course LAW327 Family Law and the Family Justice Courts 2 introduces students to how the law regulates parenting, how it protects children, the provision of maintenance by parents and selected non-parents, the legitimacy or otherwise of the parent-child relationship, the adoption of children and orders of guardianship and custody made between parents or for non-parents.

LAW325 will introduce both substantive law regulating these areas and the Family Justice Courts providing relief to family members who have disputes with one another. Each topic is presented so the students gain a holistic view of how substantive law regulates while the courts buttress the law by providing relief in disputes. From studying both law and procedure in an integrated manner, students gain an appreciation of the ethics of caring that permeate the jurisprudence of substantive family law as well as therapeutic justice meted out by the Family Justice Courts. By this holistic treatment, students gain some familiarity with statutory provisions as well as court rules, court documents and processes.

Topics:

- Development of family law and the Family Justice Courts including the core ideals of the family justice system and the courts' embrace of therapeutic justice
- Interpretation of statutory provisions and the role of public policy including the scope of application of statutory provisions and relevant contacts with foreign legal systems
- Formation of marriage
- Valid, void and voidable marriages and non-marriage
- Regulation of spouses in their behaviour including the making of marital agreements and protection from family violence
- Regulation of spouses in ownership of property and the provision of maintenance
- Termination of marriage by death or by judgment of divorce
- Divorce litigation
- Division of matrimonial assets: Deferred community of property and extension to parties divorced abroad
- Division of matrimonial assets: Identification of matrimonial assets as material gains
- Division of matrimonial assets: Just and equitable proportions of division
- Maintenance to supplement division of assets, other ancillary orders and procedural considerations

Textbooks:

Elements of Family Law in Singapore 3rd Leong Wai Kum LexisNexis
ISBN-13: 9789814798341

Learning Outcome:

- Indicate the various sources of the relevant law, how it is made and developed; of the institutions within which that law is administered and the personnel who practice law
- Demonstrate understanding of legal concepts, values, principles and procedures of Singapore law and explain the relationship between them in a number of subject areas, as well as to apply them
- Analyse fact patterns to identify relevant issues of law, fact and procedure
- Interpret the relevant rule of substantive law, procedure or evidence relevant to the issues identified
- Apply the relevant laws and principles to come to a conclusion on the issues
- Formulate an opinion, provide a solution and advise based on the conclusions
- Discuss critically, competing arguments in literature or in a group situation and make a reasoned choice between alternatives
- Examine ideas, concepts and arguments in the English language and legal terminology with care and accuracy
- Employ information technology in an office environment for the search for information, the preparation of documents and presentations

Assessment Strategies - Regular Semester (Evening Class):

Components	Description	Weightage Allocation (%)
Overall Continuous Assessment	PRE-CLASS QUIZ 1	5
	TUTOR-MARKED ASSIGNMENT 1	5
	TUTOR-MARKED ASSIGNMENT 2	10
	TUTOR-MARKED ASSIGNMENT 3	15
	TUTOR-MARKED ASSIGNMENT 4	15
Overall Examinable Components	Written Exam	50
Total		100

*The information listed is subject to review and change.