CHAPTER 1

INTRODUCTION TO FAMILY LAW AND PRACTICE

CONTENTS

A. Chapter Competencies

At the beginning of each chapter discussion in this Instructor's Manual, you will find a list of competencies for the chapter. You may want to photocopy these competencies for distribution to students as a study guide.

After studying chapter 1 the student should be able to:

1. define family law.
2. give a brief statement of each of the five major developments that will affect the practice of family law in the twenty-first century.
3. identify, in a case involving a wife who has been threatened by her husband and who does not have all of her children with her, at least one question that may have to be pursued in the following areas of the law: criminal law, divorce law, separation law, annulment law, custody law, support law, contract law, agency law, real property law, personal property law, corporate and business law, tort law, civil procedure law, conflict of law, evidence law, juvenile law, tax law, estate law, professional responsibility and ethics.
4. identify several commonly performed paralegal tasks in the following areas of a client's family law case: commencement of the case in the office, pleadings, discovery, and trial preparation.
5. define holding.
6. state the two major categories of court opinions.
7. define common law.
8. empathize with clients without losing objectivity.
9. develop a realistic understanding of your own potential for bias in handling family law cases.
10. define conflict of interest.
11. be sensitive to the danger of being asked to give legal advice to relatives, friends, and acquaintances.
12. understand the potential for violence in a family law practice.
13. distinguish between primary and secondary authority.
14. identify the major sets of law books on family law.
15. name four commercial or free online options for finding and reading court opinions.

The student should also know:

1. the function of interrogatories.
2. how to avoid being judgmental while working on family law cases.
3. what to do when you sense the danger of your bias interfering with the needs of a client.
4. the meaning of court rules.
5. the relationship among court opinions, reporters, and digests.
6. what is contained in the caption, syllabus, and headnotes of an opinion.
7. how to use a key topic and number from a headnote to find additional cases in the digests of West Group.
8. the names of the two major national legal encyclopedias.
9. the meaning of legal treatise.
10. the meaning of legal periodical.
11. the meaning of annotation.
12. the function of the *Martindale-Hubbell Law Digest*.
13. the function of *Words and Phrases*.
14. the kinds of materials that a family law practitioner can find online.

B. AAfPE Model Syllabus

You may want to ask the American Association for Paralegal Education (AAfPE) to send you a copy of their thirteen-page Model Syllabus for "Family Law" courses. It was prepared by their Task Force on Model Family Law Syllabus under the guidance of the Education Committee. The syllabus may give you some ideas for planning the course. You can order it from:

American Association for Paralegal Education
Suite 105, 2965 Flowers Road South, Atlanta, GA 30341 Phone: (770) 452-9877 Fax: (770) 458-3314
World Wide Web site is: http://www.aafpe.org
Email: info@aafpe.org

C. Legal Analysis in Family Law

A discussion of the fundamentals of legal analysis in a family law context appears in Appendix A. There are also several assignments in this section on elements, issues, and memos. Throughout the book, the students are given legal analysis assignments and are told to see the general instructions for these assignments in Appendix A. Preceding these instructions, some of the fundamentals of legal analysis are provided.

You have two options with these materials in Appendix A:

1. Let the students examine the fundamentals on their own if they want to. They will be directed to the general instructions often. When there, they can decide if they want to read the fundamentals material that precedes the general instructions for the legal analysis assignments.
2. Spend in-class time on the fundamentals. You may want to go over some or all of the assignments there. See:

   Assignment A.4 (legal analysis: elements)
   Assignment A.5 (legal analysis: issues)
   Assignment A.6 (legal analysis: memos)

Model answers or suggested responses to these Appendix A assignments are found in this Instructor's Manual after coverage of chapter 17 below.

D. What's It Like to Work in a Family Law Practice?: Quotes from the Trenches

Here are some quotes from attorneys and paralegals who have had some experience working in a family law office. You might want to share some of them with the class early in the course. They supplement the comments made by paralegal Yasmin Spiegel in her chapter 1 article, "Our Job as Paralegals."

Some of the quotes reinforce themes presented in chapter 1, but in more stark and dramatic terms. You don't want to scare the students about the nature of family law practice. Yet they need to have a realistic understanding of all aspects of this area of practice. Even if some of these comments (particularly the harsh ones) don't apply across the board, they may be worth sharing:

- Bar Association report on what it means to practice family law today:

"Family law practice is a poor area to dabble in. It has a unique procedural setting and a unique set of substantive rules. It regularly implicates many other areas of specialized knowledge, including pensions, tax, real estate, social security, and welfare, among others. The field is intimidating for the nonspecialist, and for many it is emotionally wearing as well. It has a high incidence of [legal] malpractice claims, complaints to the bar association, and unpaid [attorney] bills."

Report of the Domestic Relations Task Force to the Board of Governors (Washington State Bar Association, 1991).

- Divorce attorney's comment on an oddity of a family law practice:

  "There is something strange about the condition of being married. Those that are in it want out . . . and those that are out, want in!"

  LXVIII The Florida Bar Journal 74 (February 1994).

- Brain surgeons vs. Divorce attorneys:

  "One lawyer is quoted as saying that brain surgeons have a distinct advantage over divorce lawyers in that the surgeons can anesthetize the patients while they operate."

  Elizabeth Baker, *Review of The Divorce Lawyers by Emily Couric*. LXVI The Florida Bar Journal 87 (October 1992).

- A paralegal perspective from a paralegal newsletter:

  "It can sometimes be very difficult to work in the Family law practice because of the strengths of emotions involved between divorcing parties or between parties fighting for custody/visitation of their children. I believe there is a tendency in this aspect of the law to get 'burned out'; so far, I've been able to get away from the stressful parts when needed so that I don't lose my desire to remain in this line of work."

  Paralegal Profile [of Karen Truax, family law paralegal] 17 Update (*Cleveland Association of Paralegals*, April 1995).

E. What Do Divorce Attorneys Say about Their Clients, Family Law, Judges, and Themselves?

Since this is a chapter about realities, you may want to share with the students some of the thoughts found in the following article. For example:

"To many members of the bar, divorce lawyers are a lower form of life, and divorce law, a 'gutter practice.' They say that not only can divorce bring out the worst in clients, it can have a similar effect on lawyers, goading them to cross the boundaries of zealous advocacy."

Jan Hoffman, *Sometimes, a Divorce Can Lead to War, Especially for the Lawyers*. New York Times, 16 (May 13, 1995).

You should consider reading some of these comments to the students during the course.

Here is a more extensive commentary from the *Yale Law Journal* that ends with the conclusion, "divorce lawyers . . . do not take seriously the professional obligation to 'maintain due respect for courts of justice and judicial officers.'" The authors of this Yale study, as you can see, do not reach very flattering conclusions about divorce lawyers. Here are extended excerpts from their empirical research:

Over a period of 33 months, we observed and tape-recorded 115 lawyer/client conferences in California and in Massachusetts. This effort consisted of following one side of 40 divorce cases, involving 20 different lawyers, ideally from the first lawyer/client interview until the divorce was final. . . . How do lawyers describe the law, particular laws, or legal processes to their clients? What characteristics are attributed to law and the legal system? . . . Lawyers . . . talk to clients in much the same way that they talk to each other. There is no acknowledgment that clients may not already understand the salience of rules. The normal conventions of lawyer-to-lawyer discourse are not translated for divorce clients, who most often bring an incomplete and unsophisticated understanding to their encounters with the legal process. There is no concerted effort to bridge the gap between professional and popular culture. . . .

[I]t is common for lawyers to mock rules as irrelevant or useless in governing the behavior of legal officials involved in the divorce process. Rules, according to one California lawyer, "do not give clear-cut answers. If they did we wouldn't even have to be talking." A Massachusetts lawyer spoke more generally about the irrelevance of rules in describing the way the local court system operated: "There really are no rules here, just people, the judge, the lawyers, the litigants." Another maintained that the scheduling of cases reflected the virtually unchecked power of the bailiff: "When you get heard is up to the court officer . . . he's the one who controls the docket. They don't have a list prepared and they don't start at the top and work down. They go according to his idea of when people should be heard."

Several [lawyers] suggested that judges refuse to be guided by rules of evidence and that such rules therefore have no bearing on the way hearings are conducted. One Massachusetts lawyer explained that he would not be able to prevent the opposing spouse from talking about his client's alleged adultery even though such testimony would be technically inadmissible according to the literal rules: "I think we just have to realize that it is going to come out. We just have to take that as a given. You know, they teach you in law school about how to object to that kind of testimony: 'I object, irrelevant,' 'I object, hearsay.' But then when you start to practice you realize that judges, especially in divorce cases, don't pay any attention. They act as if there were no rules of evidence."

Moreover, statutes concerning property division are, as lawyers tell it, often irrelevant to actual outcomes. Lawyers in both Massachusetts and California regularly criticized judges for failing to pay attention to those statutes or to the case law interpreting them. As one Massachusetts lawyer told her client in a case involving substantial marital property, "[i]n this state the statute requires judges to consider fifteen separate things, things like how long you were married, what contributions you and Tom made, whether you have good prospects. It is a pretty comprehensive list, but I've never seen a judge make findings on all of those things. They just hear a few and then divide things up. Things generally come out roughly even, but not because the rules require it."

The message to the client is that it is the judge, not the rules, that really counts. What the judge will accept, what the judge will do is the crucial issue in the divorce process. . . .

A second way in which lawyers denigrate rules is by characterizing them as unnecessarily technical. They claim that, as a result, even judges and lawyers frequently do not know what they mean. For example:

> **Client:** "Tell me the mechanics of this."
>
> **Lawyer:** "You should know. It's your right to know. But whether or not I'm going to be able to explain this is questionable. . . . It's sort of simple in practice, but it's very confusing to explain. I've an awful lot of really smart people who've . . . who've asked me after the divorce is over, now what the hell was the interlocutory judgment?"

Criticism of judges does not end with issues of competence and qualification; it also includes issues of motivation, sensitivity, and concern. Many judges are said to be lazy, insensitive, concerned more with their own convenience than with the issues, and generally uninterested in justice. As one lawyer put it, they "don't want to make tough decisions." Another suggested that "[j]udges are not tolerant of subtleties. . . . All they want you to do is, they want you out the door and the rulings are usually gross. They're gross rulings. They don't consider and factor in the subtleties of what the people are trying to do." . . .

These explanations describe the legal system as idiosyncratic and personalistic, and, in so doing, they endow lawyers with a mystique of insider knowledge and experience that is unavailable to even well-educated, well-read clients. They suggest that the skilled lawyer is more than a good legal technician; he is someone who knows the back corridors of legal institutions, the personalities of judges and how to present client desires in such a way as to appeal to the judges' proclivities. They highlight a "private knowledge," the full details of which cannot be shared with clients, and, at the same time, serve to shift responsibility for bad results from lawyers to powerful and unapproachable legal authorities. The critique of judges thus works to empower lawyers at the expense of their clients. . . .

Many of these same [criticisms] are repeated when lawyers and clients discuss the behavior of other lawyers. . . . [C]ondemnation of other lawyers occurs frequently and tends to promote client cynicism. As a result, clients might increasingly perceive legal professionals as insufficiently self-disciplined or as excessively self-interested, or simply as insensitive and unethical. The legal process of divorce is thus presented as a game where rules are abused and ignored by major participants. . . .

What do lawyers say to clients about the efficiency, fairness, and social utility of law in general, and about the legal process of divorce in particular? Again, one begins by noting the relative absence of positive characterizations. Lawyers, at least in the divorce context, do not defend the legal order in which they participate as either the critics would predict or the organized bar would prescribe. Instead, law talk suggests distance between lawyer and legal order, with the former portrayed as struggling valiantly within the confines of a process that seems neither equitable nor just. In numerous instances, moreover, lawyers suggest that their clients are being "victimized" rather than being well-served by the legal process. Here, the goal of law talk is to initiate the client into a jaded professional world, disabused of the illusions of formalism.

Money, clients are advised, is the chief determinant of legal results. Legal rights are "absolute" to the extent that clients "want to invest the time, effort, energy and money" necessary to assert or defend them, but, at the same time, clients are often advised that they cannot afford to do so. As a result, lawyers suggest that clients should settle for less than the client initially perceives as fair. . . .

Lawyers often suggest that their most important contribution is knowledge of the ropes, not knowledge of the rules; they describe a system that is not bureaucratically rational but is, nonetheless, accessible to its "priests."

Lawyers frequently go to great lengths to impress clients with their range of contacts and importance on the local legal scene. Such references take many different forms. One Massachusetts lawyer, trying to reassure his client in a difficult case, noted: "By the way, the judge has been appointing me on all the guardianship and guardian ad litem cases up here where an attorney is needed from out of town. So maybe that is a sign that he likes me. And maybe that's a sign that he's inclined your way anyway." Other references to the importance of reputation are even more blatant: "Now I think I have a good reputation with the registrar of probate here. Judge Murdoch is married to, no, what am I saying, Judge Murdoch's sister is married to Bob's wife. My God, try again. His sister is Bob's wife. Okay. They talk all the time. Bob likes me very, very much. We get along very, very well. And I have a good reputation in this court and I think it's going to get through to the Judge." . . .

At the same time that they create doubts about the legal process, divorce lawyers give clients reasons to rely on them by emphasizing the importance of their insider status. In this posture, the interests of the professional depart from those of the legal system. Lawyers construct a picture of the legal process which creates individualized client dependency while it jeopardizes trust in the legal system and may damage the legitimacy of the legal order.

In a legal order whose legitimacy rests on the claims of formalism and, to a lesser extent, on those of equity, the law talk of the divorce lawyer's office may be partially responsible for the common finding that people who use legal processes tend, no matter how favorable the results of their encounter, to have a less positive view of the law than those with no direct experience. Law talk in the divorce lawyer's office, as it interprets the internal workings of the legal system, exposes law as failing to live up to the expectations which people have about it. The law talk of the divorce lawyer's office is replete with "rule skepticism." Moreover, while it acknowledges the importance of discretion, and of the particular proclivities of the actors who exercise it, it is highly critical of their motivations, capacities, commitments, and concerns. If the presentation of a formalist front, or of a legal system whose officials are fully committed to doing substantive justice, is necessary to legitimate the legal order, then the presentation of the legal process at the street level may work to unwind the bases of legitimation that other levels work to create. . . .

Nevertheless, if mass legal consciousness has, in fact, taken a turn toward cynical instrumentalism, the pattern of practice that we observed in the divorce context may be a contributing factor. On the other hand, if the American public is mystified by the pretenses of legal formalism and is, as a result, allegiant, it remains so in spite of the law talk of the divorce lawyer's office. But, no matter what its impact, law talk suggests that divorce lawyers, at least, do not take seriously the professional obligation to "maintain due respect for courts of justice and judicial officers."

Austin Sarat & William L.F. Felstiner, *Lawyers and Legal Consciousness: Law Talk in the Divorce Lawyer's Office*, 98 Yale Law Journal 1663 (1989).

F. A Day in the Life of a Family Law Paralegal

You might consider inviting a family law paralegal (or a panel of paralegals) to the class to describe a "day in the life of" a family law paralegal, with an emphasis on recommendations to maximize the learning potential of being a paralegal and on overcoming any frustrations that are likely to arise in the real world. You might also ask such guest(s) to comment on the accuracy of the Yale study just quoted.

At a different class, you may want to invite a separate panel of family law attorneys (or an individual family law attorney) to come to class to give their "day in the life of" overview and to highlight what they think constitutes a good paralegal and indeed a good supervisor.

If you invite the paralegal(s) and attorney(s) to come on the same day, the attorney(s) may dominate the session, especially if the paralegal(s) are employed by these attorneys.

Also ask each guest to comment on the paralegal job descriptions found in chapter 1. What would they add or subtract?

G. Key Terminology

At the end of each chapter there is a list of key terminology. Here is an idea you may want to consider: Tell the students to read the key terms first. Start at the end of the chapter. Before studying anything in the chapter, have the students collect definitions of the key terms. They can use the glossary at the end of the book as well as flip through the chapter itself to find definitions. Once they have the definitions, they then start careful reading of those sections of the chapter that you assign.

This approach has the benefit of giving the students an edge before confronting the sometimes difficult substantive material in the chapter. To be sure, collecting the definitions first will not give them a full understanding of

what the definitions mean. But they will be better able to grasp the material in the chapter if they have gotten a head start on the definitions—at least in an introductory manner.

H. Course Project: Divorce from A to Z

Here is an idea for a course-long project or assignment you could give the students. Have the assignment due in the last or second-to-last week of the course. If you decide to use it, the students would need considerable guidance from you on what kind of detail you want and what format you want them to use. Photocopy the following instructions for distribution to the students:

Course Project

Instructions to Student:

You have been asked to write a report for a local community organization. The subject of your report will be "Divorce in this State from A to Z." Your report will walk the readers through a typical divorce case. Do not simply list all of the applicable laws in the abstract. Instead describe the law and give concrete examples of every law that you explain. The best way to do this is to present the law in the context of a hypothetical fact situation. Tell your readers that you will present the law by using an example. Here are the facts that you can use for the example:

> *Rita and Paul Smith were married in this state ten years ago. They have two children, Paul Jr. (age 6) and Helen (age 3). They are in the process of a divorce. Rita wants sole custody of both children. So does Paul. As of the date of the divorce, the parties have a home (bought during the marriage), two cars, five bank accounts, as well as stocks and bonds. The house is in Paul's name only. Both cars are in Rita's name only. Everything else is in their joint names. Paul is a doctor with a high income. He has his own patients. He also is an employee of a hospital where he has an excellent pension. Rita is an accountant. For health reasons, however, she will not be able to return to any kind of work for about six years. Soon, she will have major surgery from which she will need years to recuperate. In addition to the disagreement over child custody, Rita and Paul also disagree over dividing marital property, and about alimony and child support.*

Copy this fact situation at the beginning of your report and then tell your readers that you will explain the law by using the facts in this illustration.

You will need additional facts about Rita and Paul Smith as you write the report (e.g., what kind of pension does Paul have, whether they have medical insurance). You *can make them up* so long as they are reasonably consistent with the facts given above.

There are seven topics you need to cover in your report on how such a divorce case would be handled in this state:

1. the grounds for divorce in our state;
2. the great variety of documents that are sometimes involved in divorce cases and the function of each document;
3. how property that was acquired or improved during the marriage is divided between the parties;
4. spousal support;
5. child support;
6. child custody;
7. the enforcement of the divorce decree when one of the parties fails to comply with any part of the decree.

Use the Rita/Paul Smith case as the point of departure in your report. You do not have to limit yourself to the law that would apply to the Smith case. You can go beyond the facts of the Smith case in order to cover facts that may not be in the Smith case. Cover the law that would apply to the Smith case, but it is permissible for you to deviate occasionally from the facts of the Smith case in order to cover the law of important facts that may not be in the Smith case.

Be specific and be detailed. Assume that the community group members who will be reading your report are hungry for information, but know nothing about the law. Hence you must define all legal terms.

There is a lot of material to cover in your report. While you must cover all seven topics, give your greatest attention to those topics your teacher wants you to emphasize.

Print your name at the top of each sheet of paper you hand in. At the top right-hand corner of *each* sheet of paper that you submit, *print* your full name and a page number. The page number should include the page you are on plus the total number of pages you are submitting for the report. For example, if your report is eight pages long, the first page would be "1 of 8," the second page would be "2 of 8," the third, "3 of 8, etc. The last page is "8 of 8."

I. Assignment 1.1 (bias)

To demonstrate to the students that the fact situations in the assignment are real, you might want to read them the following comment from a paralegal about a real case:

> *"Judith Baxter, a paralegal . . . in Aurora, CO, was asked to be taken off a divorce case in which she suspected the client was hiding a substantial amount of money in an effort to decrease the settlement amount. 'He was doing things that would deprive his ex-wife and children of money they deserved,' Baxter says. 'I found the whole situation distasteful.'"*
>
> Shari Caudron, *Crisis of Conscience*, 12 Legal Assistant Today 73, 74 (September/October 1994).

Of course, speaking up might pose difficulties for the paralegal. You may want to discuss this concern with the class as well:

> *"There is a career risk when asking to be removed from a case, especially in small law firms."*
>
> Shari Caudron, *Crisis of Conscience*, 12 Legal Assistant Today 73, 75 (September/October 1994).

(a) Mr. Smith appears to be the "bad guy." Yet he is the one your office represents. It is perhaps easy to dislike him and to feel that Mrs. Smith should have custody—after she has recovered. It's easy to be judgmental in this kind of case and to play the role of the social worker or the judge. This could pose difficulties in giving Mr. Smith 100 percent of your energies.

(b) You may be inclined not to trust prostitutes. You may feel morally outraged by their conduct. This case also poses some potential ethical problems. If Mrs. Jones is going to contest the adultery allegation of her husband, does the law firm have the obligation to let the court know that she is a prostitute? Can the law firm allow her to lie? No—as we shall see in chapter 2. It will not be easy to represent someone whom you suspect is not telling the truth.

(c) Can a paralegal (or indeed, an attorney) who is intensely opposed to abortion on religious grounds help someone obtain an abortion? Is objectivity possible in such a case? What should the person with religious scruples about abortion do? Try to get assigned to some other case? Does the client have the right to know about such religious beliefs?

(d) Same problem. This fact situation is real as indicated by the following news item: "A lesbian paralegal working at a southern law firm . . . was recently assigned to work on a case in which [the clients of the firm were] plaintiffs . . . seeking to overturn local gay rights legislation."

> Shari Caudron, *Crisis of Conscience*, 12 Legal Assistant Today 73, 74 (September/October 1994).

(e) It's easy to say that you need to try to convince Tom that you are competent. But the underlying personality clash may prevent this from happening. Is there a danger that you may consciously or unconsciously hope that Tom will lose?

J. Assignment 1.2 (bias)

This assignment presents a good number of opportunities for class discussion on the theme of this section of chapter 1: employee bias that might surface—consciously or unconsciously—against a client.

Note that the assignment does not specify how the irritations called for in (a) or the wrongs to be identified in (b) can get into the legal system so that a client would be exhibiting or committing them. For purposes of the assignment, let the students simply assume that the matters come up during the paralegal's work on a client's case in a law office. In this assignment, the law is less important than the personality or emotional dimension or conflict that the assignment seeks to bring out. Hence, you can be somewhat lenient or flexible on this point.

K. My Sister's Divorce

Before discussing the issues in the My-Sister's-Divorce section of the chapter, you may want to wait until you discuss unauthorized practice of law in chapter 2. The topic is timely, however, and may deserve coverage as soon as the course begins. It may be that your students have already been asked for legal advice in family law cases once someone learned that they were going to take a course in family law. Ask the class if this is so: "Have any of you been solicited for advice?"

You might consider conducting some in-class role playing on how to decline giving legal advice without being rude or insensitive.

Here is a comment by one family law paralegal on how she handles this sensitive topic. Read it to the class:

"[W]hen asked questions about my area of employment I frequently respond that I work in the social services area. This glib answer is given for two reasons: (1) to avoid putting myself in the uncomfortable position of having to go through the explanation that I am not an attorney and cannot give legal advice, and (2) to avoid the inevitable question about 'my sister is going through a divorce and I was wondering. . . .'"

Carol Zweifel, *Family Law*, Recap 11 (California Alliance of Paralegal Associations, Fall 2000).

L. Violence in a Family Law Practice

This would be a good place for a war story or two if you know any that pertain to this occupational hazard of being a family law practitioner.

M. Finding Family Law

It is recommended that you bring some law books to class for "show and tell." Identify the books that you feel are essential to the practice of family law in the state, e.g., state code, court rules, reporters, and digests for your state courts, standard practice manuals, legal newspaper, etc. For multi-volume sets, you could bring in one of the volumes in the set.

If some of your students now work in a family law office, you might invite those students to ask attorneys in the office to identify what they feel are the two or three most important law books to the family law practitioner, and to ask their permission to bring one or more of these volumes to class for the day. Also ask what they feel are the most valuable internet sites for a family law practice.

You might consider giving the entire class at least momentary exposure to each of these books. You could design one simple "find" question for each book. For example:

- for book "x": what is the latest copyright date?
- for book "y": what is the title of the first section in the book?
- for book "z": compare § 000 in the bound volume and § 000 in the pocket part and state whether there has been any change in the section, etc.

Have every student go through every question that you design so that everyone has at least some contact with all the books.

The example used in chapter 1 involves a surrogacy contract. You might consider bringing to class as many of the books mentioned in chapter 1 as possible. For example, the Doe case is in 487 N.W.2d 484. If you have this volume, it would be very helpful to pass the volume around the class so that every student gets a chance to find the case on page 484 and to briefly compare it to the excerpt in the chapter.

Alternatively, ask the students to go to a large law library and prove to themselves that they can find every page from a bound volume that is excerpted on the surrogacy example in chapter 1.

N. Assignment 1.3 (library resources on family law)

There are eighteen parts to assignment 1.3 (a to r). One way to do this assignment is in a law library with all students or with small groups of students at different times. Here is how you might proceed:

- Give each student a sheet of paper that has (a) to (r) written on it in three rows. At the top of the sheet leave room for the student to write his or her name. The sheet would look roughly like the following:

Checklist for Completion of Assignment 1.3

Name of Student _____

(a) _____	(g) _____	(m) _____
(b) _____	(h) _____	(n) _____
(c) _____	(i) _____	(o) _____
(d) _____	(j) _____	(p) _____
(e) _____	(k) _____	(q) _____
(f) _____	(l) _____	(r) _____

- You go to the law library with the students—all together or in small groups.
- Each student works on all eighteen parts of assignment 1.3. You are in the library with them as they are working. As a student finishes a part, he or she brings the book to you to show you that he or she has found material that fulfills the requirements of the part. You quickly determine that the student has accurately completed the part. When you have done so, you write your initials next to the letter for that part in the checklist.
- A student is finished when he or she has your initials next to all eighteen parts of the assignment.
- There is no need for the students to be all working on the same parts at the same time. They can go to the set of volumes that happen to be free at any given point in time.
- Some of the questions simply ask the student to give the name of a volume, e.g., that contains the statutory code of your state. For these parts, all that the student needs to do is to bring one of the volumes to you. When this is done, insert your initials for that part.
- When a question asks the student to write something down, e.g., a citation or a quote, have the student write down what is needed on a scrap piece of paper and bring the appropriate volume to you so that you can check what he or she has written against what is in the volume.
- It should take you very little time to verify the correctness of an answer and to sign off on it with your initials. What might be time consuming are the mini-one-on-one lessons you may find yourself giving the individual students as they raise questions and or run into difficulties.
- This format should be fairly stimulating for the students. They get instant feedback as they proceed. And they "see" family law in the law books themselves. This should be an excellent supplement to whatever they have already learned in research courses or whatever they will learn in research courses later.

O. Assignment 1.4 (internet resources on family law)

If the students have access to a printer, you might require them to print out the first page (home page) of every site they consult in doing assignment 1.4.

Also tell the students about how legal listservs on the Internet can be used by family law paralegals to obtain practice tips and research leads.