Course Syllabus - FINAL
Domestic Violence Law-WRC
University of Houston Law Center
Fall 2017 – M/W 5:30pm-7:00pm

Profs. Janet Heppard and Diane McManus

Course Description:

Students will work individually and in small groups as they learn about the State laws, Federal Laws, and case law related to issues surrounding Domestic Violence. The topics may include domestic violence in the family code, criminal laws dealing with family violence, employment laws relating to family violence, and immigration and domestic violence. Writing assignments may include short articles, letters (e.g., demand, opposing counsel, client, court), pleadings, motions, and one longer paper on a chosen topic related to domestic violence. Each student will complete three to five practical writing assignments, with total production of at least twenty-one pages, based on an average of 250-300 words per double-spaced page.

Course Materials:

Class reading materials can be found on Blackboard; please let us know if you have any problems accessing our class file. In order to cover the material in the allotted time, you are expected to read all assignments prior to class.

Laptops:

Students may bring their laptops to class as there may be times when they will be using them for class exercises.

Attendance Policy:

Students are expected to attend and be prepared for each class. The University of Houston Law Center has a minimum 80% attendance policy for students. Students who attend fewer than the minimum percentage of required classes may be automatically dropped from the course.

Grading:

Grades will be as follows: 5% class participation, 30% take home assignments (3), 5% paper presentation, 60% final paper.

Final Paper: 10-15 pages not including endnotes (use endnotes rather than footnotes): 12 point font; double spaced; 1” left and right margins, top and bottom margins;

Paper topics due by: Sept 8
First Outline due: Sept 27
First Draft due: October 25
Final draft due: December 1
Office Hours:
To meet with the professors with questions regarding the class, students should email them with available times. jheppard@uh.edu and dmmcmuan@central.uh.edu

Week 1 (August 21 and 23)

August 21: Overview of Class; What is Domestic Violence; History
Additional Assignment for first day of class: In a paragraph or two for a total of at least 200 words, please explain your interest in taking this course. Bring a printed copy to the first day of class.


“The Rule of Love”: Wife Beating as Prerogative and Privacy, 105 Yale L.J. 2117, June 1996

“20 Reasons Why She Stays” by Susan G.S. McGee

August 23: Types of DV; Protecting your client: Interviewing and Safety Planning

Safety Planning Information
Domestic Violence Screening and Interviewing Samples
Power & Control Wheel (Power and Control Wheel, Equality Wheel, Teen Dating Violence Wheel)
Article: Houston Chronicle August 2015: Search for Answers: Experts Sayy Rage Common Thread in Domestic Abuse Cases

Week 2 (August 28 and August 30)

August 28: Domestic Violence and Family Law
Divorce: Jurisdiction, Custody, Possession and Access

Selected Texas Family Code Statutes re: Domestic Violence and Family Law

Holley v. Adams, 544 S.W.2d 367 (Tex. 1982) (best interest standard)
Lewelling v. Lewelling, 796 S.W.2d 164 (Tex. 1990) (DV and custody)
In Re Stephanie Lee, 411 S.W.3d 445 (Tex. 2013) (Mediation)

August 30: Writing Skills - Professor Lauren Simpson: Writing a Demand Letter
Week 3 (September 4: no class (Labor Day) and 6)

September 6: Protective Orders

*Texas Family Code Statutes re: Protective Orders*
*Town of Castle Rock, Colorado v. Gonzalez, 545 U.S. 748, 125 S.Ct. 2796, 162 L.Ed.2d 658 (2005)*

TAKE-HOME ASSIGNMENT due Sept 13: Group Assignment (no more than 3 per group):
Draft application and order for protection based on hypothetical given; re-write due one week after draft is returned (ProDoc and Practice Manuals are available in the clinical program office)

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Week 4 (September 11 and 13)

September 11: Domestic Violence in the International Context: DV in other countries

*We’re All in this Together: A Global Comparison on Domestic Violence and the Mean Necessary to Combat It, 29 Alb. L. Rev. 297, 2015-2016*


*NOTE: read pages 1 -22 only.*

September 13: International Issues and Domestic Violence

Preventing International Abduction - Hague Convention;

Applicable Statutes: UCCJEA: Texas Family Code §§152+ and CPRC §§36+
42 U.S.C.A. 11601-11608 (International Child Abduction Remedies Act (ICARA))


*The Hague Convention and International Child Abduction – Blog by Brad Reid (Huffington Post - April 6, 2016)*

*Ermini v. Vittori, 758 F.3d 153 (2d Cir. 2014)*

Hague Convention Helps and Powerpoint
Week 5 (September 18 and 20)

September 18: DV and Criminal Law


   “What’s Love Got to Do With It?: Examining Domestic Violence as a Public Health Issue Using Their Eyes Were Watching God”, 81 UMKC L. Rev. 867 (Summer 2013)

   “Why Do Women Use Force or Violence in Intimate Partner Relationships – National Coalition Against Domestic Violence

   Article: Houston Chronicle August 2015: Problem with rogue drones hits new heights

September 20: Termination (and Adoption) as related to domestic violence


   Article: Houston Chronicle August 2015: State tried to remove children

Week 6 (September 25 and 27)

September 25: DV in Criminal Court con’d: student group work

September 27: Property and Landlord/Tenant Laws and Domestic Violence


   Texas Property Code §92.016: Right to Vacate
   Housing Info Client Helps
   Experiential Legal Writing by Diana Donahoe (Client Letters)

TAKE-HOME ASSIGNMENT due Oct 11: Demand letter to Landlord and case update letter to client; re-write due: one week after first draft returned
Week 7 (October 2 and 4)

October 2: Employment Law and Domestic Violence


EEOC FAQ’s: The Application of Title VII and the ADA to DV in the Workplace

Tx. Labor Code § 411.103. Duty of Employer to Provide Safe Workplace


Experiential Legal Writing by Diana Donahoe (Memos)

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**TAKE-HOME ASSIGNMENT**: first draft due Oct 18: Memo to Human Resources; re-write due: one week after draft returned

October 4: DV and Immigration Law (VAWA and Asylum) – Speaker: TBA

Recognizing Domestic Violence as a Basis of Asylum article

Week 8 (October 9 and 11)

October 9: DV and Immigration Law (U VISA, T VISA, SIJS) – Speaker: TBA

Victims of Trafficking and Violence Protection Act of 2000 (Disability eligibility article)

October 11: Diversity and Domestic Violence

Animal Law/LGBT/Teen/Male Victims

Safety Planning for Pets (SAF-T Program)

Expanding DV Protective Orders to Include Companion Animals, ABA Commission on Domestic Violence, Vol 8 – Summer 2007

DV and Pets: List of States that Include Pets in Protective Orders – 2017

Description of Power and Control Wheel in relation to Animal Abuse

Teen Power & Control Wheel

Dating Abuse and Teen Violence Facts – National Coalition Against Domestic Violence

Male Victims of Intimate Partner Violence - National Coalition Against Domestic Violence

Power & Control Wheel for LGBTQ victims

BuzzFeed News Article: This is What Domestic Violence Looks Like When You’re LGBT by Patrick Strudwick

**Week 9 (October 16 and 18)**

**October 16: Technology and DV**

*Technology Helps from National Network to End Domestic Violence, Safety Net Project*


**October 18: Best Practices and DV – Speaker: Maisha Colter: Director of Legal Advocacy at Aid to Victims of Domestic Abuse (AVDA) in Houston**


**Week 10 (October 23 and 25)**

**October 23: Student Presentations (3)**

**October 25: Student Presentations (3)**

**Week 11 (October 30 and November 1)**

**October 30: Student conferences re: final paper**

**November 1: Student conferences re: final paper**
Week 12 (November 6 and 8)

November 6: Student Presentations (3)

November 8: Student Presentations (3)

Week 13 (November 13 and 15)

November 13: Professionalism; Managing Difficult and High Maintenance Clients
Ethical Issues Attorney re: DV -- Speaker: Judge Judy Warne

High-Conflict Divorce: Legal and Psychological Challenges, Houston Lawyer
March/April 2008

Dealing with Manipulative People (excerpt from “In Sheep’s Clothing” by George K. Simmon)

November 15: Secondary Trauma and Dealing with Stress
Compassion Fatigue and Attorneys, Texas Bar Journal, September 2010.

Week 14 (November 20)

November 20: Law Practice Management: Speaker: Mary Quinn

Being the “Lincoln Lawyer” – Law Practice Management on the Road by Kenneth Raggio

November 27: Final Class >> “Sleeping with the Enemy” movie