****

**MASSACHUSETTS SCHOOL OF LAW at ANDOVER**

**FAMILY LAW ON-LINE – Fall 2025 SYLLABUS**

**INSTRUCTOR:**

**Atty. Jeanne E. Condurelli, Adjunct Professor**

Asst. Judicial Case Manager, Essex Probate and Family Court (Ret.)

E-mail - condurelli@mslaw.edu

Tel. 978.681.0800

**Course Description:**

General Family Law is tested on the Multistate Essay Examination and Massachusetts also tests issues of Massachusetts’ Family Law on its online examination. It is also slated for inclusion in the NextGen Bar Exam. Therefore, this course will be examining family law generally, as well as examining specific practice issues in Massachusetts.

**On-Line Class Requirements & Class Participation:**

Please e-mail Atty. Condurelli and acknowledge your participation in this class upon registration for the course.

The packet of reading materials/cases (“Packet”) for the Family Law On-Line course will be available for electronic access on the Fall 2025 Family Law TWEN course and/or linked to the 2025 Family Law TWEN Dropbox. Please see both the Packet and the Supplemental Packet. The assigned readings that correspond to each section of the syllabus are largely contained in the original “Packet”, unless otherwise indicated herein. Pertinent audio and video recordings containing class materials, if any, may also be found on TWEN or in the 2025 Family Law TWEN Dropbox. An “Additional Cases List” will also available with this Syllabus on TWEN. This list will provide citations to other cases, mainly Massachusetts cases, that may be referenced by the instructor during the term. Students may find these cases on WESTLAW. However, students are not required to read or print each of these additional cases. The assigned cases appear here in the Syllabus. All assigned cases, of course, can always be accessed directly through Westlaw, as well.

In addition to completing all assigned readings and tasks, students are required to take a weekly quiz at *Socrative.com* where the room is FAMILYLAWBOOTCAMP**.** The Socrative quizzes are only open for one week.

So, after you complete each section’s reading, you should promptly take the Socrative quiz as the Socrative quiz will only be open for one week, usually from Monday until midnight the following Sunday. When the next quiz is posted, previous quizzes are unavailable to take. Students will receive a zero for any quizzes not taken in a timely manner.

Additional assignments may be given during the term on certain topics or procedures. These will also be posted on TWEN and/or in the Dropbox corresponding to that week or topic. They also may be handed out in class. Students must submit their responses to these assignments in writing on or before the due date posted or indicated in the assignment. Student submissions are expected to be thorough, well-written and well-reasoned. Legal analysis should be based on the principles addressed in the assignedreadings and class discussions.Students will not receive credit for late responses or submissions unless extenuating circumstances so warrant.

Please check your email religiously for TWEN notification of the posting of any weekly materials related to class discussions, and for other class information and updates. Also, please regularly check for group or individual email sent directly from the instructor. Your junk email filters should be reviewed and adjusted to allow you to receive group email sent via TWEN as well as, outside of TWEN.

Attendance in class is required. Classes are held on Mondays. Students will be expected to always be prepared to discuss assigned cases, statutes and materials.

**Grading Criteria:**

Your grade will be based upon your performance on the final examination, as well as on the weekly Socrative quiz scores. In addition, your final grade will take into consideration your work on any other assigned written problems, pleadings, and financial statements or worksheets that you have been asked to complete during the term. Missing assignments, quizzes or written responses may be the basis for a lower final grade.

**Preliminary Considerations:**

As you approach the materials and discussions in this course, think about the issues raised by the cases assigned and how you would deal with similar issues when you begin practicing law. Family law problems and the ethical and moral issues raised by these matters occur in abundance and are too often exhaustively litigated. For better or worse, it is an important practice area where skilled attorneys are always needed.

**SECTION 1**

8.18.2025 Family Law Overview (See TWEN Dropbox)

 NCBEX Overview and Modern Approach

 Families, Marriage, Divorce, and Children—The Basics

 What is a family?

 *Braschi v. Stahl* (See Packet, Section 3) *(1989 - New York Court of Appeals)*

 *Penobscot v. Brewer* (See Packet, Section 3). (1981- Maine SJC)

 Marrying, Limitations, and State Law

 \*Reference: *Loving v. Virginia, 388 US 1, 87 S.Ct. 1817 (1967)*

 *Zablocki v. Redhail*, [*434 U.S. 374, 384*](https://casetext.com/case/zablocki-v-redhail#p384)*,*[*98 S.Ct. 673*](https://casetext.com/case/zablocki-v-redhail)*,  (1978) \*not required reading*

 *Obergefell v. Hodges (2015- US Supreme Court)*

 *Singh v. Singh (1990- Supreme Court of Connecticut)*

 *Moe v. Dinkins*, *533 F. Supp 623 (S.D.N.Y. 1981)*

 *Bronson v. Swenson (2007- 10th Circuit US Court of Appeals)*

**SECTION 2**

8.25.2025 Marriage Validity, Annulment of Invalid Marriages and Non-Marriages; Common Law Marriages, Rights and Responsibility of Spouses

 *Lester*

 *Johnston*

 *In RE: Marriage of Oakley, 340 S.W. 3d 628 (2011)*

 *In Re Estate of Love*

 *McGuire*

*Southern N.H. Medical Center v. Hayes, 992 A. 2d 596, (NH*

*Sup. Ct. 2010)*

*Marvin* (see Packet Section 11)

**09.01.2025** **Labor Day – No classes**

**SECTION 3**

09.08.2025 Privileges, Family Privacy, Reproductive Choices and the Constitution

 See Professor Coyne’s Summary on Spousal Testimonial Privilege (Section 3 link to Dropbox course materials)

 *Trammel v. U.S.\**

 *Griswold v. Connecticut*

 *Eisenstadt v. Baird*

 *Ayotte v. Planned Parenthood*

 *Dobbs v. Jackson Women’s Health Organization, 597 U.S. 215 (2022)*

**SECTION 4**

09.15.2025 Domestic Violence Issues & Remedies

 Abuse/Violence Defined/Battering and its effects

 Reference: *M.G.L. c. 209A*

 *Commonwealth v. Gordon*, *407 Mass 340 (1990)*

 *C.O. v. M.M.*

 *Mitchell v. Mitchell*

 *Giovine*

 *Twyman*

Drafting Assignment – MA 209A Complaint for Protection from Abuse

**SECTION 5**

9.22.2025 Separation and Marital Dissolution— Grounds and Defenses for Divorce, Property Division and Alimony

 *In the marriage of* *Dennis D. Kenik*

 *Innerbichler*

 *Ferguson*

 *Postema*

 *Laing*

 *Niroo*

 *Siegel* (See Packet, Section 8)

**SECTION 6**

9.29.2025 Separation & Marital Dissolution continued

 Marital Property, Alimony, and Child Support

 Reference: *Massachusetts Child Support Guidelines*

[*https://www.mass.gov/info-details/child-support-guidelines*](https://www.mass.gov/info-details/child-support-guidelines)

 *Hoffman, 727 A.2d 1003 (1999) NH*

 *Massar*

 *Schmidt*

 *Clapp v. Clapp*

 *In re Marriage of Bush*

 *Solomon*

 *Little*

**SECTION 7**

10.06.2025 Custody, Best Interests Standards, Lifestyle, and the Impact of Domestic Violence

 Reference: *M.G.L. ch. 208, sec. 31 and 31A*

 *Hollon*

 *Jones*

 *Kendall*

 *McMillen*

 *Garska*

 *Squires*

 *Young v. Hector*

 *Custody of Vaughn*, *422 Mass. 590 (1996)*

Essay Assignment RE: Custody/Divorce/Domestic Abuse Hypothetical

**10.13.2025 Indigenous People’s Day - No Classes**

**SECTION 8**

10.20.2025 Economic Issues and Entanglements; Attempts at Private Determination of Property Division

 *Farmer*

 Uniform Premarital Agreement Act

 *Edwardson*

 *DeMatteo*

 *Austin II*

 *In RE: Estate of Hollett, 834 A. 2d 348 (NH Sup. Ct. 2003)*

 *Craven v. Ansin-Craven*, *457 Mass 283 (2010)*

**SECTION 9**

10.27.2025 Jurisdiction and Recognition of Foreign Decrees

 *Sosna (See Packet, Section 5)*

 *Ackenbrandt v. Richards 504 U.S. 689 (1992)*

 *Kulko*

 *US v. Bongiorno*

 *Chaddick v. Monopoli*

 *Thompson*

 *Silverman*

 *Vanderbilt*

 *CSE v. Brenckle*

 *Miller v. Miller*, *448 Mass 320 (2007)*

**SECTION 10**

11.03.2025 Court Orders and Judgments, Relocation, Modification and Contempt

 *In re Marriage of Carney*

 *Hassenstab*

 *Palmore v. Sidotti*, (See Packet, Section 13)

 *Wetch*

 *Baures*

 *Henderickson,* 603 N.W. 2d. 896 (2000)

 *D’Ascanio*

 *Ainsworth*

 \*Reference: Aroesty v. Cohen, 62 Mass. App. Ct. 215 (2004)

 *\*not required reading*

**SECTION 11**

11.10.2025 Rights and Responsibilities of unmarried parents, stepparents, and other third parties—paternity by blood or otherwise

 *Lehr*

 *Michael H. v. Gerald D.*

 *Troxel v. Granville*

 *Youmans v. Ramos*, 429 Mass 774 (1999)

 *Kinnard*

 *Simons*

 *V.C. v. M.J.B.*

 *Miller*

 *Quinn v. Mouw-Quinn*

 *Lalli (see Packet Section 8)*

**SECTION 12**

11.17.2025 Caregiving, Fitness, Parent, Child, and the State

 *Kelley*

 *Knussman v. MD*

 *State v. McNight*

 *Curran v. Bosze*

 *Santosky v. Kramer\**

 *Chronister v. Brenneman*, 742 A.2d 190 (Penn. 1999)

 *Commonwealth v. Dorvil,* 472 Mass 1 (2015)

Reference: *M.G.L. ch. 119, secs. 51A, 51B, 24, and 26 and M.G.L. ch. 210, sec. 3*

 “Dreamers” – Reference: *M.G.L. ch. 119, sec. 39M*

**SECTION 13**

11.24.2025 Ethical Issues in Divorce, Custody & Cohabitation Matters and Domestic Relations Practice

 *Jones*

 *Aflalo*

 *Schult*

 *Wolf*

 *Matter of Petrie*

 *Board of Bar Overseers of the Bar v. Dineen, 500 A 2d 262, (Maine 1985)*

**SECTION 14**

12.01.2025. Last Day of Classes

 Adoption and Procreative Parents; Agency, Private Adoption, Technologically Assisted Reproduction and Children born after Divorce/Death

 *In re Marriage of Witbeck-Wildhagen*

 *K.M. v. E.G.*

 *In Re C.K.G.*

 *Vela v. Marywood*

 *Adoption of CDM*

 *J.B. v. M.B.*

Reference: The Massachusetts Parentage Act M.G.L. Ch. 209C, entitled, “Nonmarital Children and Parentage of Children” effective January 1, 2025

**SECTION 15** Recorded and Available Beginning November 11th

 Alternative Dispute Resolution; Mediation, Arbitration, Collaborative Law, and Cost-Effective Resolution Strategies

 Reference: *SJC Rule 1:18*

 *Toni*

 *Kelm*

 *Crupi*

 *Bixler v. Masterson/Scientology*

 Uniform Collaborative Law Act Prefatory Note