



Course Description for Family Law Across Borders, JU724A and JU724B, 15 credits

Welcome to FLAB!

Family Law Across Borders is an upper-level elective course given in English at the Department of Law, Stockholm University. The course director is professor Johanna Schiratzki. The course administrator is Rawaz Nermany. The email address for the course is: fla@juridicum.su.se. Please send any questions regarding the course, seminars, attendance, or the research papers to the course administrator at this address.

Course Objectives and Examination

This upper-level 15-credit elective course has the objective of providing students with an opportunity to gain deeper insight into family law from different scientific as well as legal perspectives. The grade in the course is based on class participation (Pass/Fail), the written and oral presentation of a research paper (20 points), and the written and oral opposition of another student's paper (4 points).

Course Content

The pedagogical approach of the course is Socratic, problem-based learning. The objective of the course is to convey a deeper theoretical and practical understanding of family law over national borders. The approach will also be interdisciplinary, for example looking to sociology and other sciences. The focus for the course will be the legal problems that can arise with respect to the construction, organization, function and dissolution of families in a global context. Issues explored include the legal regulation of family membership status, parenthood, pregnancy, custody and care of children, adoption, marriage and cohabitation as well as support and property division, in comparative and cross-border situations and related to normative structures, religious practices, family diversity, migration and gender roles at play, both in family law and in societies around the world.

Learning Outcomes

After completing the course, the student should be able to:

- demonstrate a deepened knowledge of legal theory and methodology as to family law from national, European and international as well as interdisciplinary perspectives,
- identify, apply, and analyze advanced and complex legal problems within the area of family law from national, European and international perspectives,
- demonstrate the ability to discuss, analyze, and assess the consequences of different legal solutions, from the perspectives of individuals and society,
- demonstrate the ability to, from theoretical knowledge in other sciences, analyze and evaluate the rules of family law in a normative and social context, as well as,
- independently plan, write and defend a legal essay (research paper) as well as be the opponent (commentator posing questions and giving feedback) with respect to another student's essay.

Structure and themes of the course

The course is structured around the following themes which are introduced at seminars by distinguished researchers:

- Comparative Family Law
- Normative Concepts of Family
- Migration Law as a Necessity for Families to Cross Borders
- Diversity of Family Law Legal Mechanisms
- Conflicts of Law and Private International Law
- Human Rights and Family Law Across Borders
- Legal research and writing skills “across borders” (beyond your national system, and in English).

Teaching

The course consists of seminars and active student attendance is required at all seminars. Active attendance means that students have prepared for the seminars (completing readings and assignments) and are prepared to participate actively in discussions at the seminars.

In the event a student misses any seminar, the student must complete a written assignment in the form of a short paper on the topic of the seminar (600 words, two A4 pages, 12 pt, 1.5 spacing) which is due no later than the due date of the research paper. These should be emailed to fla@juridicum.su.se. A student can miss up to three seminars without having to state a reason. After that, excused absences will only be for good cause, such as illness as attested by a physician's certificate.

All the teaching is in English.

Required Readings

Each seminar has a list of required readings and may have reading questions or exercises. These are posted in the folder for the seminar on the Athena course website. The course reading list (also posted on Athena) consists of a few recommended books on family law, on legal research, and on cross-border topics within family law, but the main texts students encounter will be those assigned from seminar to seminar—whether from the recommended materials or from other publications.

Examination and Grading Course

Grade:

A student's final grade for the course is based on the written and oral presentation of a research paper (20 points), the written and oral opposition of another student's paper (4 points), and class participation at the seminars are graded as Pass/Fail and a student must have passed all seminars via active participation or the make-up assignment described above. In order to pass the course, a student must demonstrate achievement of all of the course's intended learning outcomes and thereby pass the three graded components (paper, opposition and class participation in all seminars) to pass the course. All make-up assignments for missed seminars must be submitted and passed for a final course grade to be given.

Grading Scale:

Grades are given on either the Swedish four-grade scale or the European Credit Transfer System (ECTS) seven-grade scale. The Swedish grading scale is: Pass with Distinction (AB), Pass with Credit (BA), Pass (B), or Fail (U). Students who submit a request at least a week prior to the exam to the course administrator are entitled to a grade on the ECTS seven-grade scale. The ECTS seven-grade

scale is as follows: passing grades include A (Excellent), B (Very good), C (Good), D (Satisfactory), and E (Sufficient). Failing grades include Fx (Insufficient) and F (Wholly Insufficient).

The Research Paper Assignment:

The paper is to be approximately 4,500-6,000 words including all of its components (i.e. the title page, footnotes and bibliography are included in the word count). Further information about the requirements as to the course paper, presentation and opposition can be found in the separate document (on Athena) entitled Research Paper Assignment Instructions.

Group advisory sessions will be held in the early stages and mid-way through the course to assist students with writing their research papers. Prior to these sessions, students will be divided into small groups.

In the first session, each student will be asked to submit a 1–2 page outline of the proposed paper, including the legal issue to be investigated, the aim and research questions of the research, as well as their choice of method. Group members discuss each planned research paper at the group tutorial. Each student is expected to read the other students' outlines and prepare at least two constructive comments as part of the discussion of the topics and methods chosen.

In the second session, each student should submit their work to date. It is expected that approximately 50% will have been completed at this stage. Students should read all papers in their group prior to the seminar. The teacher will assign each student responsibility to lead the discussions for one paper. During the seminar, you will open discussions and provide the main constructive comments on the paper you are assigned. The author can choose whether to respond or not. Other students are then open to provide additional comments. The teacher will provide comments last. The author can again choose whether or not to respond.

Please note that the Department of Law at Stockholm University uses a text-matching (plagiarism prevention) system, at this time Urkund. All final essays are submitted to Urkund for analysis. Plagiarism is considered cheating and if discovered in a research paper, the paper will be failed immediately, and further disciplinary measures may be taken. Please, do inform yourself as to how to avoid plagiarizing, at for example <https://www.su.se/staff/organisation-governance/governing-documents-rules-and-regulations/education/guidelines-for-disciplinary-matters-at-stockholm-university-1.181>

The essay (and the written opposition) is to be submitted electronically on the date and time as stated in the schedule on the course website, on Athena, also regarding the oral presentations.

Miscellaneous:

Students who fail a regular graded component the first time are given the opportunity for reexamination. Students who have passed are not entitled to undergo re-examination for higher grades. Students who are failed twice by the same examiner have the right to demand a different examiner when doing additional re-examinations. This does not however apply if there are specific reasons for not appointing a different examiner.

Completed compulsory assignments are valid for two years. This also applies in cases where a student de-registers from the course by withdrawing.

A student has the right – for a period of two years after registration – to invoke the course requirements contained in the course syllabus applicable at the time the student first registered for the course.