Family Law

Professor Douglas E. Abrams

The casebook is Douglas E. Abrams et al., Contemporary Family Law (5th ed. 2019). We will also use a Missouri statutory supplement, which I will send you by email attachment.

The assignment for the first class session is to read pages v-vii of the casebook’s Preface (stop at “Chapter authorship”); the casebook’s Summary of Contents (pages xv-xvii); and the casebook’s pages 1-3 (stop at the first full paragraph on page 3); 4-9; 9-11 (omit Notes and Questions; stop at “Defining the Family”).

Based on this reading and your general intuition and experience, please be ready to discuss these questions in class:

Why should the state regulate the creation, maintenance, and dissolution of marriage?

Why are marriage and divorce any of the state's business?

If people want to live together (and perhaps have children) without following the state's prescriptions for getting married, why should the state withhold some benefits and protections that people receive for following these prescriptions?

The reading assignment for the second class session will include pages 87-98 (only the Obergefell majority opinion’s first two paragraphs, Part II.A and B, and the majority opinion’s last paragraph).