
Maymester 2005

MTWRF 9:00 – 11:10 AM

May 14 – June 1, 2007

Room 305

Assistant Dean Lorenzo A. Trujillo
(303) 492-6682

Course Description

This course will address the legal rules, procedures, and pleadings in family law in Colorado. Class will be delivered mostly in Spanish and all written assignments will be completed in Spanish. We will examine, in detail, the rules of marriage and divorce. Students are expected to be able to communicate in Spanish and to prepare written assignments and translations in Spanish. The course will focus on providing students with a working knowledge of handling a divorce in a Spanish-speaking family. We will consider cultures in conflict, use of language, society's values and policy goals in relation to class, gender and race. This course addresses family law from a practical point of view.

Course Objectives and Weekly Syllabus**OBJECTIVES**

1. To become familiar with the basic pleadings and some of the most common types of motions, orders, and other documents in family law litigation.
2. To learn how to draft various family law litigation documents in Spanish.
3. To improve writing skills in Spanish through frequent practice and feedback.
4. To gain practical knowledge and drafting skills useful in legal employment.
5. To enhance Spanish language skills for working with Spanish speaking families in the courts.

Throughout the course students will be expected to complete an on-going diary of legal terms used in-context.

Text

Bilingual Law Dictionary/Diccionario Jurídico Bilingue, Cuauhtemoc Gallegos, Editor, Merl Publications, Chicago, Ill. ISBN 1-886347-03-04

Reference: Colorado Revised Statutes

Writing Assignments

There are numerous writing assignments to be completed on a daily basis.

Pre-requisites

Students must have, at least, an intermediate level of proficiency in Spanish. The Foreign Service Institute thumbnail description of intermediate level proficiency is: ability to describe, give directions, question and respond, use the present tense, past tenses (imperative and preterit tenses), and future tenses in context: listening, speaking, reading, and writing at an intermediate level of proficiency. Higher levels of abilities to synthesize, evaluate, persuade and argue in Spanish are desired.

Enrollment Cap

20 students

How is the course graded?

50% - Students will be assessed based on several graded written assignments. Written assignments will be in Spanish. Daily classroom participation and attendance is required and will be counted in the overall grade assessment.
50% - Students will be responsible to complete a final project of pleadings in Spanish representing their learning and mastery of legal Spanish.

Daily Course Syllabus –

This is a tentative schedule and the Professor reserves the right to amend it according to the pace and needs of the class.

Exam on grammar, writing, and oral proficiency interview

Orientation to course and expectations

Translate to Spanish “Summons and Petition for Dissolution of Marriage”

Required Reading: C.R.S. §§14-10-101 to 133 Uniform Dissolution of Marriage Act

In re E.L.M.C., 100 P.3d 546, 124 A.L.R.5th 731 (Colo.App. Jul 01, 2004).

Translation of “Affidavit with Respect to Financial Affairs”
Mandatory Disclosure Form 35.1 and Financial Affidavit 35.2
And preparation of a “Child Support Calculation”
Child Support Guidelines

Prepare Child Support Request in Spanish based on
Guidelines and information provided

*Required Reading: C.R.S. §§14-10-115 Child Support-
Guidelines – Support, also, §§ 14-10-124, 14-10-116, CJD
2004-06.*

Draft *Guardian ad litem* report in Spanish based upon
information provided

*Required Reading: C.R.S. §§14-10-209 Information to be
submitted to court*

Exam on grammar, writing, and oral proficiency interview

Parental Responsibilities and Parenting Time: Petitions and
Agreements in Spanish

Draft a Petition and an Agreement in Spanish for Parental
Responsibilities and Parenting Time based on the Problem

*Required Reading: C.R.S. §§14-10-124 Best Interests of the
Child and Allocation of Parental Responsibilities,
Determination of Parenting Time and C.R.S. §§14-10.5-101
to 104 Parenting Time Enforcement Act*

*Required Reading: C.R.S. §§14-10-127 Evaluation and
Reports*

Roles and Functions: Special Advocate – Child and Family
Investigator-Parenting Coordinator-Decision Maker

Modification of Parenting Time and Disputes Concerning
Parenting Time

Draft Motion for Modification of Parenting Time, including resolution of disputes presented in sample problem

Required Reading: C.R.S. §§14-10-129 Modification of Parenting Time, C.R.S. §§14-10-129.5 Disputes Concerning Parenting Time

Prepare a GAL report in Spanish for the Court

Separation Agreement

Draft a Separation Agreement in Spanish based on the Problem and materials provided

Required Reading: C.R.S. §§14-10-120 to 120.3 Decree and Dissolution of Marriage Upon Affidavit - Requirements

Translate into Spanish a Stipulated Case Management Plan, Mandatory Disclosures, and a Certificate of Compliance

Required Reading: C.R.S. §§ Rule 16.2 Court Facilitated Management of Domestic Relations Cases and General Provisions Governing Duty of Disclosure

Draft Withdrawal and Substitution of Counsel Motions and Orders in Spanish

Draft a *Motion in Limine* [a pretrial motion requesting court to prohibit opposing counsel from referring to or offering evidence on matters so highly prejudicial to moving party that curative instructions cannot prevent predispositional effect on jury. The purpose of such a motion is to avoid injection into trial of matters which are irrelevant, inadmissible and prejudicial and granting of motion is not a ruling on the evidence and, where properly drawn, granting of motion cannot be error. See also Motion to suppress; Suppression hearing.

Argue Motion in Spanish

Draft Motion in Spanish for Use of Experts based on information provided

Draft an expert report based on information provided

Reference: Rule 16.2 (g) Use of Experts and C.R.E. 702 Testimony by Experts

Draft a Trial Management Certificate in Spanish based on information provided

Reference Rule 16.2 (h) Trial Management Certificates

Disability

If you qualify for accommodations because of a disability please submit to me a letter from Disability Services in a timely manner so that your needs may be addressed. Disability Services determines accommodations based on documented disabilities (303 492-8671), Willard 322, www.colorado.edu/disabilityservices) Course material moves very quickly in Maymester classes and you need to have your accommodations in place as quickly as possible.”

Religious Observances

Campus policy regarding religious observances requires that faculty make every effort to reasonably and fairly deal with all students who, because of religious obligations, have conflicts with scheduled exams, assignments or required attendance. In this class, attendance and participation is an important consideration in the overall assessment and grade. Please request, in advance, an excused absence for religious observances.

Honor Code

All students of the University of Colorado School of Law are responsible for knowing and adhering to the academic integrity policy and the Honor Code. Violations of these policies may include: cheating, plagiarism, aid of academic incidents of academic misconduct shall be reported to the Honor Code Council. Students who are found to be in violation of the Honor Code or academic integrity policy will be subject to both academic sanctions from the faculty member and non-academic sanctions (including but not limited to university probation, suspension, or expulsion).

Sexual Harassment

The University of Colorado Policy on Sexual Harassment applies to all students, staff and faculty. Sexual harassment is unwelcome sexual attention. It can involve intimidation, threats, coercion, or promises or create an environment that is hostile or offensive. Harassment may occur between members of the same or opposite gender and between any combination of members in the campus community: students, faculty, staff, and administrators. Harassment can occur anywhere on campus, including the classroom, the workplace, or a residence hall. Any student, staff or faculty member who believes s/he has been sexually harassed should contact the Office of Sexual Harassment or the Office Judicial Affairs.