

HDCF 425R – FAMILY LAW AND PUBLIC POLICY (3 CREDITS)

SPRING SEMESTER 2008

1130 WILLSON HALL

2:10-3:25 P.M. TUESDAYS AND THURSDAYS

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Course Description

This course examines the impact of government laws, policies, and programs on family life using a cross-national perspective. The course emphasizes the current state of families—or family trends—and the implications of such trends for family policy. We also explore the varied effects that policies and programs can have on different types of families and different aspects of family functioning and well-being. The course challenges students to get involved in the policy process and to begin advocating for family policies that are important to them. The course also challenges students to conduct family impact analyses in order to understand the intended and unintended consequences of policies for families. The course concludes with an examination of policy-related outcomes and attempts to answer the question, “Does family policy matter?” Comparing the US to other countries allows us to consider new directions that the US might take when developing earner-carer policies for the future.

Throughout the semester, students will be challenged to implement the analytical skills learned in the course. For example, students will be asked to conduct a family impact analysis of a given family policy. The course culminates in a policy research paper where students are asked to explore a policy of interest to them and research the policy’s history, the contexts in which the policy was developed and implemented, and, if possible, the policy outcomes for individuals and families.

Required Readings

1. The American Bar Association. (2006). *Guide to marriage, divorce, and families*. New York: Random House Reference.
2. Bogenschneider, K. (2006). *Family policy matters: How policymaking affects families and what professionals can do* (2nd Ed.). Mahwah, NJ: Lawrence Erlbaum Associates.
3. Gornick, J.C., & Meyers, M. K. (2003). *Families that work: Policies for reconciling parenthood and employment*. New York, NY: Russell Sage Foundation.
4. Additional readings can be found on reserve at the library or will be provided in class.

Suggested Readings

American Bar Association (2004). *Family Legal Guide* (3rd Edition). NY: Random House Reference.

- Barr, D.A. (2002). *Introduction to U.S. health policy: The organizing, financing, and delivery of health care in America*. San Francisco, CA: Benjamin Cummings.
- Dnes, A. & Rowthorn, R. (2002). *The law and economics of marriage and divorce*. New York: Cambridge University Press.
- Elving, R. (1995). *Conflict and compromise: How Congress makes the law*. New York: Simon & Schuster.
- Krause & Meyer. (2003). *Family law in a nutshell*. St. Paul, MN: Thomson West.
- Mason, Skolnick, & Sugarman. (2003). *All our families: New policies for a new century* (2nd Edition). NY: oxford University Press.
- Statsky, W.P. (2004). *Family law: The essentials* (2nd Edition). Clinton Park, NY: Thomson.
- Zimmerman, S. (2001). *Family Policy: Constructed solutions to family problems*. Thousand Oaks, CA: Sage.

Websites of Interest

- The White House: www.whitehouse.gov
- The US House of Representatives: www.house.gov
- The US Senate: www.senate.gov
- Library of Congress: www.loc.gov (also Thomas legislative search engine: <http://thomas.loc.gov/>)
- CNN Inside Politics: www.allpolitics.com
- C-Span: www.c-span.org
- The Policy Institute for Family Impact Seminars: www.uwex.edu/ces/familyimpact/index.htm
- Center for Law and Social Policy (CLASP): www.clasp.org
- The Research Forum on Children, Families, and the New Federalism: www.researchforum.org
- The Urban Institute: <http://www.urban.org/>
- Family Law Blog: <http://familylaw.typepad.com/>

Prerequisites

HDCF 263, SOC 101, POL 206 or permission by the instructor

Course Goals and Learning Objectives

The goals of this course are twofold. One goal is to provide students with a better understanding of families, policy making, and the legal and political processes that impact family life. The second goal is to facilitate students' implementation of course concepts and policy analysis tools by researching and conducting an assessment of an existing family policy. Class will be conducted using lecture, seminar-style, and group formats, where students will exchange ideas and information in a collaborative and informed manner. The course format is designed to facilitate student interaction, critical thinking, and analytical skills.

In this course, students will gain both content knowledge and analytical skills by achieving the following outcomes:

1. Develop an understanding of the ways in which families and government interact
2. Comprehend the definitions, approaches, and issues involved in family policy impact analysis and policy evaluation
3. Gain an understanding of family laws and policies that explicitly and/or implicitly impact families in US society by using policy research and analytical tools
4. Gain an understanding of family laws and policies in terms of their sensitivity to and supportiveness of diverse families using policy impact analyses
5. Develop an ability to apply a family perspective to policy-making and policy analysis

6. Expand their understanding of US policy by comparing and contrasting US family laws and policies to those of other countries
7. Improve their ability to utilize course concepts and tools in their research of family policies
8. Expand their intellectual curiosity, interest, and understanding of the ways in which policies impact or will impact their individual and family functioning

Course Requirements

1. Class Participation/Reading Summaries: 15%

The material in this course is most effectively mastered through careful reading, critical thinking, and lively debate and discussion. No issue is cut-and-dried and the success of this course depends on our ability to have thoughtful, respectful conversations about the course readings and lectures.

Ideally, you will attend each class and read each and every article in depth before each class meeting.

- **READING SUMMARIES:** Every **Tuesday noted on the course schedule with an asterisk***, please submit a one-page summary which integrates the readings assigned for the week with previous course lectures. These summaries are NOT regurgitations of the readings—they should be reflective, critical, thoughtful. You might question some of the ideas raised in the readings or bring in materials from other classes to refute points. Rather than offer opinions, you might consider searching the web for alternative perspectives offered up by think tanks or professional organizations. **The summaries should be typed, single-spaced, checked for grammar and cohesion of thought, and should NOT exceed one page** (with the exception of Nov 20th—see tentative schedule). Summaries are solo efforts and should not be worked on in groups. They are to be your own original work. If you use ideas from other sources, you should cite those sources throughout (e.g., “According to ___”). Plagiarism will be dealt with according to university conduct codes. **Late summaries or email attachments of summaries will NOT be accepted.**

2. Midterm Exam: 20%

There will be one mid-semester essay exam in this course to examine your comprehension of family policy terms, historical underpinnings, conceptual frameworks, and family policy matters. This exam will also examine your understanding of family policy impact analyses and evaluative tools used in family policy research. A discussion of the exam and review of key issues will be held prior to the examination.

3. In-Class Group Exercises: 5%

During the semester, there will be a number of in-class exercises to apply what we learn or to dialogue about a specific policy matter. These group exercises will be written-up in class and turned in to the instructor at the end of class. Details about each exercise will be discussed in class. Because of the nature of the assignment, those who miss class will not be able to make up the work.

4. Letter to Policymaker: 5%

Select a cause, program, or pending legislation that is of interest to you. Write a 1-page letter to the appropriate public official at the local, state, or federal level to express your views and to ask for his/her support. Mail the letter and turn in a copy to the instructor. As an alternative, talk personally to this public official about your views. Attach his/her business card to your description of your communication (i.e., main points discussed, official's response). An example letter will be offered in class prior to this assignment. If you want to complete this assignment before the due

date—especially if the issue is pending in Congress and you want to act in a timely manner—please see me to discuss.

5. **Policy Paper Topic and Abstract: 5%**

As noted on the syllabus schedule, please submit a 150-word abstract detailing your paper topic and the tentative contents of your final paper. This abstract will likely change as you research your topic and further develop your ideas. However, this effort will facilitate forward movement with your work and will allow for our continued dialogue. All students are strongly encouraged to meet with me individually about your topic/paper outline.

6. **Policy Research Paper: 30%**

- Select a family policy (or family-based program). Review the literature relevant to your topic to identify the historical, social, and political issues which might impact your policy topic (e.g., political movements, social trends, philosophies). Provide a description of the policy and activities associated with it and consider the impact of the policy on families (e.g., consider the intended and unintended consequences of your chosen policy for family functioning and well-being). Use the evaluation tools and family policy impact questions provided in class as a framework for conducting this analysis.
- Your paper should be typed, double-spaced (using 12-point font) and up to a maximum of **15 pages** in length (including title page, abstract, and references). **You are required to use a minimum of 8 professional sources (refereed journal articles, book chapters)**. It is critical that you cite all sources (including government, think tank, and other related websites); understand what plagiarism means and how to avoid it. All citations should be referenced using APA format (5th edition)—if you are not familiar with this format, see me early on for pointers. This paper should be your own work, not a collaborative effort. Acts of plagiarism—whether intentional or unintentional—will be dealt with according to university policy.

Below is an example format that your research paper might follow; however, recognize that each topic will most likely require additional or alternative subject headers, etc.

- Abstract (150 word summary)
- Review of Literature
 - Historical and contextual underpinnings related to policy
 - Changing trends in family life/political climate
 - Family values—Perspectives from the Right and Left
- Policy Overview: Brief description of the policy
- Policy Research Methods—the tools and methods utilized to assess the policy
- Results: Impact of Policy on Families
 - Theoretical framework guiding analysis
 - Research findings related to policy evaluation/family impact assessment
- Recommendations for Future Family Policy/Conclusions
- References in APA format

7. **Final Exam: 20%**

There will be an optional final exam that wraps-up the course and asks you to think back over the semester and reflect on what you have learned. You will be asked to select a family law or policy that is of interest to you, answer a number of questions about that policy/law, assess the policy regarding family impacts, and discuss policy implications for families. We will discuss this exam in greater detail in class.

Summary of Evaluation Criteria

Final grades will be determined on the basis of the student's performance in the following areas. There will be no extra-credit available.

1. Class Participation/Reading Summaries	15%
2. Midterm Exam	20%
3. In-Class Group Exercises	5%
4. Letter to Policymaker	5%
5. Research Paper Topic and Abstract	5%
6. Research Paper	30%
7. Final Exam (optional)	20%

Total	100%
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Final Grades: Final grades will be assigned as follows:

94 and Above	A	74-77	C
90-93	A-	70-73	C-
88-89	B+	68-69	D+
84-87	B	60-67	D
80-83	B-		
78-79	C+	Below 60	F

Course Policies

- Make sure all written assignments are typed, double-spaced (except summaries, which can be single-spaced), and proofread for correct grammar, spelling, punctuation, and coherence. Adhere to APA 5th Edition format whenever feasible. Significant points will be deducted for poorly written work. Contact the Writing Center on campus or see me if you need help.
- Make sure you plan for the semester assignment due dates accordingly. This course depends on your timely participation, therefore, **there will be no late assignments accepted**. In other words, if you know you will be traveling during the semester or missing a class, you are responsible for alerting the instructor ahead of time and making sufficient arrangements.
- If you miss a class, you are responsible to contact a classmate and find out what you missed. I will not share my lecture notes with you.
- As I want to make this class as inclusive and accessible as possible, students are encouraged to discuss special needs/challenges with the instructor. Together, we can determine how best to meet your needs and course demands.
- Familiarize yourself with the **University's Code of Conduct**. I will follow the code to the best of my ability and expect you to do the same. If you are uncertain about aspects of the code (definitions, application of code to behaviors), it is your responsibility to seek clarification from the instructor or from university officials (Dean of Students Office, 120 Strand Union Building, 406-994-2826).
- Note the definition of plagiarism in the University's Code of Conduct. To avoid plagiarism, **ALL** materials used in writing exams, papers, summaries, etc. **MUST BE** cited and referenced following APA's *Publication Manual* (5th Edition). It is expected that **ALL** students in this course recognize and understand how to apply APA reference formatting. Plagiarism will not be tolerated, whether intended or unintended, and will be sanctioned according to University guidelines.

TENTATIVE SCHEDULE AND READING ASSIGNMENTS

DATE	TOPIC	READING/ASSIGNMENT
	FAMILY POLICY: LAYING THE FOUNDATION	
WEEK 1 Jan 17 (B/S)	INTRODUCTIONS & EXPECTATIONS DEFINITIONS OF FAMILY POLICY	Bogenschneider pp. preface; 3-64
WEEK 2 Jan 22* & 24 (S)	HISTORICAL UNDERPINNINGS & THEORETICAL FRAMEWORKS: <ul style="list-style-type: none"> • An Overview of US Family Policies • Theoretical frameworks to guide policy development and analysis 	Kammerman & Kahn, “Child and family policies in the United States” [handout] Zimmerman, “Families as Social Systems” [handout] DUE 1/24: RESEARCH POLICY TOPIC
WEEK 3 Jan 29* & 31 (B)	THEORY AND ITS APPLICATION TO FAMILY POLICY: AN ECOLOGICAL PERSPECTIVE <ul style="list-style-type: none"> • Ecological perspective applied to marriage promotion as poverty solution 	Eileen Trzcinski, “An ecological perspective on family policy” [Available: http://www.montana.edu/ehhd/hhd/facultyandstaff/publications/ecological%20perspective%20ofamily%20policy2.pdf] Edin & Reed, “Why Don’t They Get Married?” http://www.futureofchildren.org/usr_doc/07_FOC_15-2_fall05_Edin-Reed.pdf
WEEK 4 Feb 5* & 7 (S)	THE POLITICS OF FAMILY VALUES: DOES THE US WALK ITS TALK? 2/7: FAMILY VALUES IN-CLASS EXERCISE	Bogenschneider pp. 97-159 DUE 2/7: FAMILY VALUES EXERCISE
WEEK 5 Feb 12* & 14 (B)	FAMILY POLICY EVALUATION—THE STEPS FAMILY IMPACT ANALYSIS <ul style="list-style-type: none"> • Family Impact Analysis as a Policy Tool 2/14: FIA IN-CLASS EXERCISE	Bogenschneider pp. 161-173, Appendix A-B [Optional]Theodora Ooms, “Taking families seriously: Family impact analysis” http://www.uwex.edu/ces/familyimpact/reports/pins2.pdf DUE 2/14: FIA IN-CLASS EXERCISE

SUBSTANTIVE ASPECTS OF FAMILY LAW & PUBLIC POLICY		
PARTNERSHIP ENTRANCES & EXITS		
WEEK 6 Feb 19* & 21 (B)	<p>Marriage Policies & Marriage Promotion:</p> <ul style="list-style-type: none"> • Healthy Marriage Initiative; Defense of Marriage Act; Covenant Marriage <p>Alternatives to Marriage:</p> <ul style="list-style-type: none"> • Cohabitation, Domestic Partnerships, and Civil Unions <p>2/21: VIDEO: "Tying the Knot"</p>	<p>ABA pp. 1-64</p> <p>Meezan & Rauch, "Gay Marriage..." http://www.futureofchildren.org/usr_doc/06_FOC_15-2_fall05_Meezan-Rauch.pdf http://www.unmarried.org/</p> <p>DUE 3/21: RESEARCH POLICY TOPIC AND ABSTRACT</p>
WEEK 7 Feb 26* & 28 (B)	<p>Divorce:</p> <ul style="list-style-type: none"> • No Fault Divorce Laws Property Division, Alimony, Child Support, Custody 	<p>ABA pp. 79-195</p> <p>June Carbone, "A feminist perspective on divorce" http://www.futureofchildren.org/usr_doc/vol4_no1ART11.pdf</p>
WEEK 8 Mar 4 & 6 (B/S)	<p>3/4: DISCUSSION OF POLICY RESEARCH PAPER & MIDTERM REVIEW</p> <p>3/6: MIDTERM EXAM</p>	DUE 3/6: MIDTERM EXAM
WEEK 9	Spring Break!! No Classes	
POLICIES FOR CHILDREN & FAMILIES		
WEEK 10 Mar 18* & 20 (B)	<p>Welfare Reform (TANF)</p> <p>3/20: VIDEO: "A Day's Work, A Day's Pay"</p>	<p>Mark Greenberg, et al. "The 1996 Welfare Law" http://www.futureofchildren.org/usr_doc/1-greenberg.pdf</p> <p>DUE 2/28: REVISIONS OF ABSTRACT</p>
WEEK 11 Mar 25* & 27 (B)	<p>Foster Care, Kinship Care, and Adoption Indian Child Welfare Act (ICWA)</p> <p>***Reminder: Make an appointment to discuss progress on research papers***</p>	<p>ABA pp.65-78</p> <p>Allen & Bissell, "Safety & Stability for Foster Children: The policy context" http://www.futureofchildren.org/usr_doc/4-allen.pdf</p> <p>Carol Tebben, "A family lawyer's guide to the Indian Child Welfare Act" (available: InfoTrac database, MSU)</p>

WORK, FAMILY & HEALTH		
WEEK 12 Apr 1 & 3 (S)	Work and Family: The Conflicts Between Earning and Caring	Gornick & Meyers (pp.1-184)
WEEK 13 Apr 8* & 10 (S)	Ensuring Time to Care: <ul style="list-style-type: none"> • Family Leave Policy • Work Regulatory Policies • Providing Public Care: Child Care, Preschool, and Public Schooling 	Gornick & Meyers (pp. 185-303) DUE 4/10: Summary of Gornick and Meyers book (2 pages – worth 2 summaries)
WEEK 14 Apr 15 & 17 (B)	Food Insecurity and Nutrition Programs: <ul style="list-style-type: none"> • School Lunch Programs, Food Stamps, Women, Infants & Children (WIC) Health Care and Child Well-Being <ul style="list-style-type: none"> • Medicaid/CHIPS 	“Obesity, food insecurity and the federal child nutrition programs: Understanding the linkages” http://www.frac.org/pdf/obesity05_paper.pdf Cindy Mann et al., “Historical overview of children’s health care coverage” http://www.futureofchildren.org/usr_doc/tfoc_13-1c.pdf
PARTICIPATING IN THE POLICY PROCESS: Influencing the Future of Family Policy		
WEEK 15 Apr 22 & 24 (B/S)	THE ROLE OF EDUCATORS & ADVOCATES <ul style="list-style-type: none"> • How to Engage in the Policy Process • To Educate or To Advocate? 	Bogenschneider pp.177-244 [Optional: Bogenschneider pp. 245-297] DUE BY 4/25 AT 5PM: POLICY RESEARCH PAPER
WEEK 16 Apr 29 & May 1 (B/S)	COURSE WRAP-UP <ul style="list-style-type: none"> • Discussion of Final Exam & Grades • Papers returned by 5/1 	DUE BY 4/29: LETTER TO POLICY MAKER
MAY	FINAL EXAM	FINAL EXAM—OPTIONAL

*DUE: Summary of readings assigned for the week