

LW888 — Financial Issues in Divorce

Spring 2018

Instructor: Joseph W. Booth
Wednesdays, 7-9 p.m., Room ???
joe@boothfamilylaw.com
913-469-5300
2 Hours

Course Goals

This course addresses financial issues associated with divorce including the identification, valuation, and division of property. Students will learn how to work with appraisers to value physical assets and complex intangible assets such as pensions, stock options, closely-held corporations, and businesses. The drafting, administration, and effect of pre-marital agreements will be addressed along with the taxation and planning aspects of divorce.

Prerequisite: Family Law.

Textbooks (Required)

None.

There will be a series of resources, cases and other references provided as the course moves along, but no books to buy.

Required Resources

A computer spreadsheet program, like Excel, Numbers, OpenOffice, GoogleSheets.

Resources and Assignments

The course schedule and resources will be posted and updated on line at <http://www.boothfamilylaw.info>

This site will be updated regularly. It is the shared responsibility of the students to check the site for updates and the faculty to notify students of important updates.

E-Mail

I use e-mail extensively. I will distribute through e-mail distribution list any assignment changes or announcements. If no change occurs, the schedule published

with this syllabus will be the schedule for assignments. Assignments will be turned in by e-mail to joe@boothfamilylaw.com. Please feel free to contact me by e-mail, I will respond as soon as is possible. If the matter is a private issue, please make that clear in the e-mail. Unless noted as private, particularly relevant questions pertaining to this course might be distributed to the other participants for their benefit as well. (A well placed question just might make you famous!)

It is your responsibility to make sure that I have updated e-mail addresses and to check your e-mail regularly.

Office Hours Contact

As a former Washburn student, I found that one of the better features of the school was the access and ability to talk with instructors. I want to be as available as I can be. My office number and e-mail are above. I encourage contact. Being an adjunct who has a private practice in Johnson County makes that a little more difficult but certainly not impossible. I will match your effort.

Attendance & Participation

This is a course that demands participation and attendance. Regular and punctual class attendance is required in accordance with the American Bar Association's *Standards for Approval of Law Schools*. In compliance with this rule, absences exceeding twice the number of credit hours of the course are presumptively excessive. This class meets only once a week. Missing more than two classes would be presumed to be excessive. If a student misses a class, I will provide you a notice, as a reminder, that consequences will flow from further absences, and a copy will be sent to the Academic Dean. Students who miss more than two classes may receive an "F" for excessive absences; however, they may withdraw from the course no later than noon on the business day before the last scheduled day of class (this course does not have a final). Again, failure to withdraw in a timely fashion will result in imposition of a grade of "F". If there is going to be an attendance issue contact me as soon as you are aware of the issue, and we will do what we can to deal with the situation.

Inclement Weather

We will follow the University and the Law School policies, but instead of canceling classes we will meet by video conference. Additionally, because this is an evening class, the instructor reserves the right to hold class by video conference, even if the Law School has not.

Grade

This course is graded in accordance with the *Grading Guidelines for Average Grades and Grad Distribution* policy at <http://washburnlaw.edu/policies/gradingguidelines.html>. The type of class and the smaller class size often allow for some deviation from the proposed distribution for Upper Level Courses. However, there is still a curve, the student's grades will be distributed between "A" and the lowest grade (usually a "C"). The curve is most often effected by students doing work well in excess of the course expectations.

Your grade will be based on the combination of your timely and professionally executed homework assignments and your class participation.

There will be written assignments, and projects. Unless otherwise agreed, all assignments will be delivered by e-mail to joe@boothfamilylaw.com. Written projects will be turned in using a format readable by Pages, Numbers, Word or Excel or the open source software "Open Office" so that they can be graded using the comment and track changes feature in Word or Excel.

Form of written assignments: Students are to assume that they are writing for a senior attorney in a supervisory role. Unlike research and writing that may require a specific style, the style of your writing is simply one of the ways in which you make an impression. If the assigned task takes the form of a pleading for a specific court, that court's rules need to be followed.

All class assignments are due the DAY BEFORE the class they are for. Late assignments may be assessed a 10% penalty, but any assignment completed will be considered for a grade. The instructor reserves the right to not assess the penalty based upon the circumstances.

There will be no final in this class.

General rules:

Unless specifically stated each assignment is due by the close of the day before the next class and sent by e-mail.

UNIVERSITY ADDITIONS – COURSE SYLLABUS

Accommodation of Disabilities

Washburn University School of Law strives to assure equal access and full participation by persons with disabilities. If you require services because of a disability, you may notify Joe Mastrosimone, Associate Dean for Academic Affairs, in Room 203, or by email (joseph.mastrosimone@washburn.edu). This voluntary self-

identification allows the University to prepare any necessary and appropriate support services to facilitate your learning.

Any requests for exam accommodations should be directed to Dean Alaka and must be made at least four weeks prior to the exam to allow adequate time to document and process the request.

Notice of Non-Discrimination/Safe Educational Environment

It is the policy of Washburn University School of Law to assure equal educational and employment opportunity to qualified individuals without regard to race, color, religion, age, national origin, ancestry, disability, gender, sexual orientation, gender identity, genetic information, veteran status, or marital or parental status. Equal educational opportunity includes, but is not limited to, admissions, recruitment, extracurricular programs and activities, housing, facilities use, access to course offerings, counseling and testing, financial aid, health services and employment. Equal employment opportunity includes, but is not limited to, recruitment, hiring, assignment of duties, tenure and promotion determinations, compensation, benefits, training and termination. This policy applies to all employees of the Law School.

The administration of Washburn University is committed to its support of the principles of equal opportunity for students, faculty and staff. Each unit within the University is charged with conducting its practices in conformity with these principles. The following person has been designated to handle inquiries regarding the non-discrimination policies: Dr. Pamela Foster, Equal Opportunity Director/Title IX Coordinator, Washburn University, 1700 SW College Avenue, Topeka, Kansas 66621, (785) 670-1509 or eodirector@washburn.edu.

Harassment & Discrimination

Washburn Law is required by federal laws to address complaints of discrimination and harassment. Faculty and administrators are considered responsible employees and as responsible employees, are required to report an incident of discrimination, sexual harassment, or sexual violence to Dr. Pam Foster. Faculty members and administrators are only required to report the name of the complainant, but may report more information at their discretion. A class assignment WILL NOT trigger an investigation or a report to Dr. Foster. Students and employees may file complaints with the Equal Opportunity Director/Title IX Coordinator, Dr. Pam Foster. Complaints may be filed in person, electronically, or by U.S. Postal Service, or with Washburn University Police at (785) 670-1509. See <http://www.washburn.edu/statements-disclosures/equal-opportunity/how-to-file-a-complaint.html>.

Confidential Resources

On campus, University Counseling Services offers free, confidential counseling to students on any topic, including experiences with sexual assault or relationship violence. Counselors are not designated as "Responsible Employees" under the EEO Policy. Any information shared in a counseling session will be kept confidential and only revealed with a student's permission. Other on and off-campus resources are found at: http://washburn.edu/statements-disclosures/equal-opportunity/_files/Emergency%20Resources_2017.pdf.