



MASSACHUSETTS SCHOOL OF LAW at ANDOVER

FAMILY LAW ADVOCACY/CLINIC, SPRING 2025

---

**INSTRUCTORS:**

**Paula Kaldis, Esq., Professor, Assistant Dean**, Massachusetts School of Law  
[pota@msslaw.edu](mailto:pota@msslaw.edu)

**Jeanne E. Condurelli, Esq.**, Essex Probate & Family Court, Assistant Judicial Case Manager/Magistrate (retired), Adjunct Professor, Massachusetts School of Law,  
[condurelli@msslaw.edu](mailto:condurelli@msslaw.edu)

**Alexandra G. Roark, Esq.** Attorney in Charge, Children and Family Law Division Committee for Public Counsel Services, [aroark@publiccounsel.net](mailto:aroark@publiccounsel.net)

**INSTRUCTIONS:** Please email Dean Kaldis and indicate whether you have registered for the 3 credit Family Law Advocacy class or the **6 credit Family Law Advocacy class and clinic**. If you sign up for the clinic, also send us your resume. Please also sign up on TWEN (materials will be posted mid-December) for the class as the class materials and assignments will be posted there.

**PURPOSE:**

The purpose of this practical course in Family Law is twofold: (1) to give the upper-level student a working knowledge of practice and procedure in diverse areas of family law in Massachusetts; (2) to develop awareness and competence in public service areas of family law practice in the local community, specifically in domestic violence protection/prevention, divorce, and child welfare.

**COURSE DESCRIPTION:**

Students earn three (3) credits for enrolling only for the class component of this course. Students may earn (6) credits for enrollment in the class plus participation in the clinic component. The clinic involves working one (1) full workday in the field placement along with class time on Monday evenings, more fully described below. Some limitations to enrollment in the clinic may apply, so clearance with Dean Kaldis is required for application to the clinic component.

Three (3) hours weekly class time will serve as training sessions complementing clinical field placements. Classes will cover the filing, preparation and presentation of applications, pleadings, motions, memoranda, and other supporting documents in actions concerning domestic violence, child abuse and neglect, and divorce. There will be mock hearings, client interviews and drafting assignments. Readings will focus on statutes, case

law and regulations relating to practice in these areas in Massachusetts. There will also be assigned readings on interdisciplinary fields such as ethics and the role of counsel for children, family dynamics, and developmental psychology. Classes will also address resources for families and victims in domestic violence, child welfare and social services. Guest speakers may be invited to class to impart a unique and inside perspective on course topics. Professional conduct and civility, as officers of the court, will be an ongoing consideration at every level of instruction.

For students choosing to participate in the clinic portion of the course, field placements will be assigned with the aim of exposing them to a broad array of situations that comprise the family law area of practice in Massachusetts. Students who cannot commit to a clinical placement will be required to observe at the Probate & Family Court for one day, and to write a summary of the cases heard that day.

At least half of the semester's class time will be devoted to public service areas of family law, including the delivery of legal services to the indigent in the areas of abuse prevention and state intervention in custody cases. Students must come to class prepared with each week's assignment; they should be prepared to use all the resources in the library to do so, including Westlaw and other on-line resources, as if they were in actual private practice. For this reason, no casebook is used. The students will find it helpful, however, to have a copy of the Massachusetts Rules of Court.

### **PREREQUISITES:**

Students are required to have completed courses in Civil Procedure and Evidence. Completion of Family and/or Juvenile Law is recommended but not required. For students participating in the clinical component of this course, they are required to have maintained a cumulative grade point average of not less than 2.0, without having been on academic probation within the last year.

### **GRADING CRITERIA:**

Grades will be based upon performance on a final exam/project given during the last day of class, as well as class participation. Grades for the clinic component of the class will be pass or fail, based upon the input received from field supervisors.

The final for this course will be given during the last class, a three-hour session. Students will be given a fact pattern involving a hypothetical client, probably a parent, whose problems begin with domestic violence and end (or continue) in DCF (Department of Children and Families) involvement and divorce. Students will be asked to compile a case file containing the attorney notes and documents necessary for effective representation of the client. This file will be graded with respect to how well the student analyzes that which is required of him/her as counsel, and how well the student drafts required documents. The instructors utilize the grading curve.

Attendance and participation in class and in the field is mandatory. Failing to participate and attend class will negatively impact group interaction in mock hearings and assignments and will adversely affect the quality of our training sessions. Students with more than three unexcused absences will receive a reduction in the final course grade by one-third of a point, for example from a C+ to a C. "No shows" in the field may be grounds for a failing grade in the course.

## Assignments and Class Topics

- 01/27 First hour: Introduction to course topics and goals.  
  
Second hour: Dynamics of domestic violence; identifying domestic violence issues in custody and visitation cases in the Probate, District and Juvenile Courts.
- 02/03 The Abuse Prevention Act: Jurisdiction, 209A practice and procedure in District and Probate Court.
- 02/10 Mock 209A hearings, motions, strategies, and critiques.  
Marriage prerequisites and annulment as a civil remedy for the “doubted” marriage.  
Introduction to divorce.  
Handout of “ABC’s of Divorce Practice and Procedure” and distribution of first divorce assignment for 02/12.
- 02/17 Divorce case study. Identifying the needs of the client.  
Discussing available grounds and defenses with the client.  
Filing for divorce and preparing responsive pleadings, emergency, and other requests for relief, including emergency custody requests and procedural concerns.  
Mass. Rules Dom. Rel. Pro. 3, 4, &5.  
Mass. Gen. Laws ch. 208, sec. 1, 1A, 1B, 17, 18, 19, 20, 31, 31A, 34B.  
Mass. Rules Dom. Rel. Pro 12 & 13.  
Supp. Rule 411
- 02/24 Motion practice in the Probate and Family Court: Temporary orders, drafting, filing, and presenting motions, financial statements and child support guidelines.  
Mass. Rules Dom. Rel. Pro. 6; Supp. Rules 401, 410.  
Child Support Guidelines, Mass. Gen. Laws, ch. 211B, sec. 15.
- 03/03 Ethical considerations in family law cases.  
Attorney conduct relative to presentation of motions and memoranda.  
Mock hearings on motions for temporary orders  
Property Division Mass. Gen. Laws, ch.208 sec. 34.  
Alimony – Mass. Gen. Laws ch.208 sec 48-55
- 03/10 Pre- and Post-Nuptial Agreement Discussion  
Pre-nups:  
[DeMatteo v. DeMatteo, 436 Mass. 18 \(2002\)](#), 762 NE 2d 797.  
[Austin v. Austin](#), 445 Mass 601, (2005)  
Appeals Court opinion March 30, 2023: [Rudnick v. Rudnick \(AC 22-P-133\)](#)
- Post-nups:

[Kenneth S. Ansin VS Cheryl A. Craven-Ansin. 457 Mass. 283 \(2010\).](#)

Discovery Requests, Mass. Rules Dom. Rel. Pro. 26, 30, 33 & 34, 37.  
Supp. Rule 410.

Receive Pre-trial Assignment

03/17 **No class – spring break**

03/18 ADR in the Probate & Family Court: Pathways Program.

Mock 4-way and pretrial conference.

Trial preparation; mock hearings and uncontested divorce actions.

SJC Rule 1:18 Uniform Rules on Dispute Resolution.

03/24 What happens to the children? Mass. Gen. Laws, Chapters 119 and 210 - state intervention in custody cases; dealing with DCF; defining child abuse and neglect, understanding agency reporting and investigating procedures; role of counsel, ethical issues.

03/31 Custody cases in Juvenile and Probate court.

Begin mock hearing with case study.

04/7 Continue mock hearing.

04/14 Finish mock hearing, with discussion on possible dispositions.

Termination of parental rights as disposition.

Assign Adoption research questions.

04/21 Patriot's Day - no class

04/28 Adoption discussion.

Adoption research presentations.

Discussion re preparation for final assignment.

**05/05 Final Assignment - In Class - 3 hours.**