



WESTERN STATE COLLEGE OF LAW
— AT ARGOSY UNIVERSITY —

Community Property Syllabus

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Course Objectives

1. To introduce students to the substantive legal rules that courts and legislatures have developed in identifying, valuing, managing, and distributing property acquired during marriage.
2. To enhance the students' analytical skills through the use of cases and problems.
3. To enhance the student's statutory interpretation skills through the use of various community property statutes.
4. To effectively understand community property principles so you can advise future clients of their rights and responsibilities under California law. Even if you don't practice family law, many of your clients will be married, so this is important information to know. That's why community property is bar tested.

Required Texts

Casebook: Grace Ganz Blumberg's Community Property in California, Aspen Law & Business (6th Edition).

Attendance

Attendance is required for all classes. Any student missing more than 85% of the course will be academically disenrolled from the course and will receive a grade of "W" or "F" on their transcript as provided under the applicable attendance policies in your student handbook. It is your responsibility to keep track of the number of your absences. In the event an absence is unavoidable, please notify me by email in advance.

Please be punctual. We will start class promptly at 4:15 p.m.

Methodology

This course will use the case method of learning:

The case method: Your textbook contains cases, notes and questions. You are responsible for reading and briefing all assigned material.

Participation and Professionalism

Participation and Professionalism will be worth 20% of the course grade. Participation and professionalism is expected of all of the following and includes but is not limited to:

- Attending class consistently
- Being prepared when called upon
- Bringing the casebook to class
- Courtesy toward others
- Good-faith effort at all times

Quizzes and Assignments

From time-to-time there will be unannounced quizzes, in-class or outside-of-class assignments. These activities will be worth up to 10% of the course grade.

Examinations and Grading

All students will receive a numeric grade for the course. Course grades will be based upon a point system.

There will be a mid-term examination on that will be worth 20% of the course grade. This exam will largely consist of multiple-choice questions and may consist of a short essay question.

The final exam will be worth 50% of the course grade. The exam will be a closed book exam, which means that you will not be able to bring anything into the exam except a pen, a regular calculator, and a ruler. The exam is intended to mock a bar exam question or questions. To prepare for your exam, you should review sample community property questions that have been on past California Bar Examinations.

Course Web Page

All students will be expected to enroll in the course web page on Westlaw. Please check the course web page regularly for announcements and additional information such as handouts.

Reading Assignments

Our goal is to cover the material in our Community Property in California textbook as set forth below. You should always be at least 10 pages ahead of where we left off from the last class to be considered prepared. There may be times when we do not cover the entirety of the assigned reading or reading assignments will be modified as necessary. Nevertheless, you will be responsible for information contained within all reading assignments. Please read the relevant statute sections listed within your assigned reading.

DISABILITY SERVICES STATEMENT:

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Charles Sheppard at csheppard@wsulaw.edu or (714) 459-1152. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."

Class 1: June 2

Introduction: Chapter 1, pages 3-8

History of Community Property in California: Chapter 2, pages 53-59

Variations of the Statutory Scheme: Chapter 3, pages 67-77

Class 2: June 4

Variations of the Statutory Scheme: Chapter 3, pages 79-106 skip 93-96

Class 3: June 9

Variations of the Statutory Scheme: Chapter 3, pages 107 - 136

Marriage of Valli, 58 Cal. 4th 1396

Class 4: June 11

Definitional and Tracing Issues: Chapter 4, 139-155, skip Andrews

Evidentiary Presumptions: Chapter 5, skim 157-163, read pages 164-193

Class 5: June 16

Evidentiary Presumptions: Chapter 5, pages 193-248

Class 6: June 18

Property Classification: Chapter 6, pages 249-314

Class 7: June 23

Property Classification: Chapter 6, pages 320-365

Class 8: June 25

Property Classification: Chapter 6, pages 371- 404, skip 385-391

Class 9: June 30

Midterm: One-hour

Class 10: July 2

Management and Creditor's Rights: Chapter 7, 407-458

Class 11: July 7

Management and Creditor's Rights: Chapter 7, 459-471

Class 12: July 9

Inception and Termination of Economic Community: Chapter 8, pages 471-535 and 522-526, skip 488-499.

Class 13: July 14

Property Distribution at Divorce: Chapter 9, pages 537-577

Class 14: July 16

Property Distribution at Divorce: Chapter 9, pages 585-612

FINAL - TBD