WESTERN STATE COLLEGE OF LAW

PROPERTY I – Spring 2016

SYLLABUS AND COURSE POLICIES

Professor Todd Brower e-mail: tbrower@wsulaw.edu

Office hours: Monday: 2:00 PM – 5:00 PM

The Third Floor Receptionist makes all my appointments. Please do not call me to cancel or to schedule an appointment. Evening students may make a call-in appointment, if you set it up in the appointment book when you make the original appointment.

I will also be in class approximately 30 minutes before the starting time. These are office hours created especially for this class. This is an open session in which you can always ask questions. There are no appointments needed; first-come, first-served.

Required books: Dukeminier & Krier, Property, (8th ed. 2014).

The required text is to be brought to all classes. Additional handouts may be assigned.

There is a required course webpage available at http://webcourses.lexisnexis.com/ You will need a password to access it. The password is "password". You are also responsible for checking the course webpage and doing any assignments online in the time allotted. Online assignments have deadlines for completion. Once assignment and submission deadlines have passed, you will not be able to submit or access those materials.

Course description and objectives:

Property I is a three-unit, graded course. It is part of the basic required curriculum for all students.

The purpose of this course is to explore the system of real property ownership in the United States. We will focus on the system of estates and rules regarding land ownership, on private land-use planning devices, and other doctrines concerning the rights and duties of property ownership.

Examinations and Grading

Property I is taught and graded separately from Property II. Grading in this class shall be numerical on a 4.0 scale.

Each student will receive a numeric grade for the course 4.0 to 0.0. Course grades will be based on the final examination and successful completion of other exercises that may possibly be given throughout the semester.

Written Exercises: There may be mandatory, graded, written exercises and/or exams throughout the semester. Failure to satisfactorily complete all these assignments will result in a lowering of your final course grade by 0.3-0.4 depending on the original grade. For example, if your grade would ordinarily have been 3.3 in the course, you will receive a 3.0; if your grade would have been a 2.7, you will receive a 2.3.

Midterm and Final Exam: The midterm will count as 25% of your final course grade. The date will be March 21, 2016. Format to be announced later.

The final examination will count 75% of the course grade. The final exam will consist of a multiple-choice section that counts for 25% of the course grade, and an essay section that counts for 50% of the course grade.

Class Participation: Normally, class participation will not count towards the overall course grade. However, consistent lack of preparation over the semester may result in a reduction of up to 10% of the overall course grade.

Copies of my previous examinations will be available in the library on reserve. Students are encouraged to take practice examinations. I will be happy to review practice examinations in my office during office hours.

Attendance and Participation

A seating chart will be distributed at the beginning of the first class. Please print your name legibly in the seat you choose for your permanent seat. If you wish to change your seat, please notify me so that the seating chart can be adjusted accordingly.

I strongly encourage you to choose a seat near the front of the classroom. Educational studies show that students sitting near the front benefit most from the classroom experience. Because all students will be required to participate, your seat choice will not enhance or reduce the likelihood of your being chosen to recite in class. Because I make every effort to learn the names of each student in my classes, your choice of seat will not assure you of anonymity either.

Classes begin promptly at the scheduled time. Please be in your seat for the start of class. Students who arrive late disrupt the learning process for others. If you are unavoidably late, please enter quietly through the rear entrance and take your assigned seat.

I will take attendance at the beginning of each class. *In accordance with* the Western State student handbook, if you miss more than six hours of classes, you will be academically dismissed from the course. Additionally, if you arrive late or depart early without permission, you may be marked absent for the entire session.

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 "

Assignments:

I have listed the reading assignments for the entire semester. Please read the entire assignment <u>before</u> the first class for each topic.

You will note that there are not that many pages assigned in the casebook. That is because most of the work that you will do outside of class will be regular mandatory problem sets and assignments that will be found on the course webpage and must be turned in online. Therefore, although it may take multiple weeks to finish a block of assigned material, you will be working with all the material as a group in class and on your written online assignments and it is necessary to read the entire assignment initially.

COURSE SCHEDULE

Topics/Reading/Assignments Pages

Introduction and The estate system	104-110; 209-258; 264-271
Future interests	275-295; 303-315
Concurrent estates	343-359; 361-382
Land-Use: Private Arrangements,	809-844, 856-875, 887-889
Easements/Licenses	
Land-Use: Private Arrangements,	892-921, 927-931
Covenants/Servitudes	
Final Examination	