

# LAW 7122-03: PROPERTY I

## SYLLABUS

Prof. Bell  
Fall 2010

### COURSE DESCRIPTION AND OBJECTIVES

Property law surrounds us, providing a fundamental framework for our social world. Property law determines what we own, how rights we enjoy, and how to transfer those rights to others. This semester, in Property I, we will focus on first possession, subsequent possession, possessory estates, future interests, co-ownership and marital interests, and leasehold estates. Next semester, in Property II, we will cover land transactions, title assurance, nuisance, servitudes, zoning, and takings.

Together with Property II, Property I should prepare you to analyze a wide variety of property law issues at a general level. Dealing with particular problems, such as commercial leases or foreclosures, may require additional, specialized study. This class will also give you the opportunity to polish your legal reasoning skills and introduce you to some of the practical and ethical concerns of a working attorney. Property law provides a fundamental framework for *all* of us; for some of you it will also provide a rewarding career.

### GRADING

**Exams count for a total of 90% of your course grade.** A final exam of essay and multiple-choice questions will count for 75% of your grade for the course. The essay portion will predominate. It will be partially closed-book; the multiple-choice part will be closed-book. A similarly formatted mid-term exam will count for 15% of your course grade.

**Participation counts for 10% of your course grade.** You can earn one participation point per class by signing a sheet indicating that you have prepared to discuss the assignment. You may lose some or all of the points allowed for classroom discussion if you sign up to speak but demonstrate lack of preparation. In most classes, I will utter a deliberate and substantial falsehood about the assigned materials. The first student who raises two hands in response, and correctly identifies the falsehood, will earn one class participation point (unless he or she has earned such a point earlier in the semester). You may also earn participation points for various ungraded quizzes or projects that I assign on an *ad hoc* basis.

**Review teams give you the opportunity to earn 4 participation points.** At the beginning of the semester, I will randomly assign you to a review team for a designated class session. You and your fellow team members will give an oral review of your assigned class at the start of the following class session and take questions from the audience. Although each reviewer can refer to a 3"x 5" card of notes during his or her presentation, no reviewer can speak while looking at it. Each qualifying team member will receive 4 class participation points. For more details, such as your team members and assigned class, please see the separate handout.

## HOW TO CONTACT ME

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. You can usually find me in my office, room 438, each Tuesday and Thursday from 9:00 until 10 a.m., from 11:30 a.m. until 1 p.m., and from 2:30 until 3:00 p.m. Also, I will stay until after 5 on Tuesday. I welcome you to drop by and chat at those times or at other times by appointment. You can call me at 714/628-2503 or email me at <[tbell@chapman.edu](mailto:tbell@chapman.edu)>. You can find course materials at both [www.tomwbell.com/teaching.html](http://www.tomwbell.com/teaching.html) and on Blackboard.

## READING ASSIGNMENTS

This syllabus sets forth the readings assigned from the course's only required text, PROPERTY (Dukeminier, Krier, Alexander, & Schill, eds., 7<sup>th</sup> ed. 2010). You should read all of these citations inclusively; "pp. 1-5," for instance, means "pages 1, 2, 3, 4, and 5." Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it.

<u>class #</u>	<u>assignment</u>	<u>(# pages)</u>
<b>Ch. 1. First Possession: Acquisition of Property</b>		
Classes 1 & 2:	pp. xxxi, 3-26, 33, 35-46	(32)
Class 3:	pp. 46-62, 65-66	(18)
Class 4:	pp. 70-84, 88-96	(21)
<b>Ch. 2. Subsequent Possession: Acquisition of Property by Find, Adverse Possession, and Gift</b>		
Class 5:	pp. 97-116	(18)
Class 6:	pp. 116-136	(20)
Class 7:	pp. 136-158, 161-163	(23)
Class 8:	pp. 164-181	(16)

<b>Ch. 3. Possessory Estates</b>		
Class 9:	pp. 183-207	(24)
Class 10:	pp. 208-225	(18)
Class 11:	pp. 226-242, 249-251	(18)
<b>Ch. 4. Future Interests</b>		
Class 12:	pp. 253-271	(21)
Class 13:	pp. 273-292	(19)
Class 14:	pp. 292-315	(20)
<b>Review of Estates and Interests</b>		
Class 15:		(0)
<b>Midterm Exam</b>		
Class 16 (October 14)		(0)
<b>Ch. 5. Co-Ownership and Marital Interests</b>		
Class 17:	pp. 319-337	(18)
Class 18:	pp. 337-356	(20)
Class 19:	pp. 356-377	(21)
Class 20:	pp. 378-395	(17)
Class 21:	pp. 395-418	(24)
<b>Ch. 6. Tradition, Tension, and Change in Landlord-Tenant Law</b>		
Class 22:	pp. 419-438	(17)
Class 23:	pp. 438-457	(20)
Class 24:	pp. 457-475	(18)
Class 25:	pp. 476-492	(17)
Class 26:	pp. 492-508	(17)
Class 27:	pp. 508-515	(8)
<b>Review</b>		
Class 28		(0)