

PROPERTY SYLLABUS

Professor Akilah N. Folami

Spring 2016

REQUIRED TEXTS

Casebook: Dukeminier & Krier, *Property* (8th Ed.) (“DK”).

OFFICE HOURS By scheduled appointment. Although I am usually in my office with closed door, it is best to email me to schedule an appointment.
Office: Room 104A (in the library)
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Course Overview

The purpose of this class is to provide you with a solid introduction and overview of the various aspects of property law. Through case analysis, statutory interpretation, and drafting exercises, that will be distributed in class or posted on TWEN, you will become familiar with many of the core concepts of property law.

GRADING POLICY

Your grade will be based upon the score that you earn on your final exam. Subject to my discretion, grades may be adjusted up to account for consistent and exceptional class participation, or down to account for repeated absences, passes, or overall failure to be properly prepared.

CLASS PARTICIPATION AND ATTENDANCE

Attendance: The rules of the New York State Court of Appeals and the American Bar Association require law students to be in good and regular attendance in the courses for which they are registered. To comply with these rules, you must attend at least 85% of the regularly-scheduled classes in this course. Thus, you may not have more than four (4) absences of this class.

I will provide sign-in sheets for each regularly-scheduled class, which shall be the dispositive evidence regarding your absence from a given class. Each student is responsible for signing in. Falsification of sign-in sheets is a violation of the Code of Academic Conduct.

If you exceed the permitted absences by failing to sign in, you will be administratively withdrawn from the course. No prior notice may be given, and you will

receive notification from the Office of Academic Records indicating the withdrawal. Any such withdrawal may have serious ramifications for your financial aid, academic standing, and date of graduation. If you are excessively absent from several classes, you may face additional sanctions, including but not limited to denial of certification of good and regular attendance to the New York State Board of Law Examiners, or other state bar examiners.

If you believe you must be absent from class for more than the permitted number of classes, you should contact the Office of Student Affairs as soon as possible. Accommodations may be made for students who must be absent for religious reasons and in cases of truly compelling hardship. Any request for an exception must be accompanied with appropriate documentation.

Tardiness: I will circulate the sign-in sheet at the beginning of each class. If you are not present at that time, you will be marked absent. If you are late, please see me at the end of class and before I leave the classroom to ask me to change your absence mark to a tardy mark. For purposes of this policy, two tardies may affect your final grade and/or may be counted as one absence.

Class Participation: Each of you should be prepared to participate in every class discussion. By random selection, I will call on students to answer some questions and ask for volunteers for others. **In the event of an emergency or if you are not prepared for class on a given day, please email me at least 30 minutes before class indicating that you do not wish to participate.** Again, it is at my discretion to determine to what extent, if any, the repeated submission of such notes will have on your final grade.

I would like to recognize each student who has a question or comment, but sometimes we must move forward to another topic when there are hands still in the air. When this happens, please feel free to ask me your question after class as I usually remain after class for several minutes to provide opportunity for any such questions, to ask me during my office hours, or to contact me to set up an appointment to discuss your question further.

Being prepared for class shall include not only reading the designated reading assignment but also completing any handouts/exercises that may be distributed during the course.

TWEN SITE

The class TWEN (The West Education Network) site contains the class syllabus and will contain any updates/announcements, including the reading assignments for this class that will be posted on a weekly or bi-weekly basis. (To access the TWEN site, go to the lawschool.westlaw.com website and follow the links through TWEN to the Folami Property page.) I may post other items to TWEN, so it is incumbent upon you to register on the class TWEN site, with a working e-mail address, so that you will receive all of the necessary class materials and updates.

ASSIGNMENTS:

Depending on the topic, we will read and discuss 15 to 35 pages each class session. You may often find that you need to read the material more than once, so plan accordingly. The specific reading assignments for the following week of class will be posted by me or my secretary (Fran Avnet in Room 104) in the “Reading Assignments” link on TWEN, on a weekly basis. TWEN will send you an email indicating when the assignment has been posted.

Additional readings may be provided in class as handouts or website addresses. I do, however, reserve the right to change and adjust this outline and assignments based on the pace and progress of the class, the topics of particular interest to the class, and otherwise, as I deem necessary. Any changes will also be announced in class and/or posted on TWEN. The pages listed for each assignment refer to the Dukeminier casebook, except where otherwise noted.

Part I: Acquisition of Property other than by Purchase

1. Introduction: Ownership, Possession, the Fundamentals of Property
 - a. Acquisition by Discovery (3-17) **(1/11)**
2. Acquisition by Capture
 - a. Wild Animals: Possession and Ownership (17-26) **(1/11)**
3. **Acquisition by Discovery**
 - a. Custom and capture cont'd (26-39) **(1/13)**
 - b. Economic Theory of Property, Externalities, and the Commons (26-56) **(1/13)**
4. Acquisition by Creation
 - a. Property in One's Ideas and Expressions (56-70) **(1/18)**
 - b. Extent of Property Rights and Bundle Of Rights (70-110) **(1/20)**