Iglesias Fall 2019 Property I First Assignment

Welcome to the class! I look forward to getting to know you and working with you.

Please register for the Property I class TWEN course so that you can get access to class materials. The syllabus and first handouts are available there for you to download. If you do not know how to register for the TWEN website, please get help from one of the research librarians or the Westlaw representative.

Note that you must email your first essay to me at iglesias@usfca.edu by 5:00 pm on Tuesday, August 20th before our first class.

Required Course Materials:
1. Freyermuth, Organ & Noble-Allgire, PROPERTY AND LAWYERING 3rd edition (West 2011);
2. John Sprankling, UNDERSTANDING PROPERTY LAW 3rd (“Understanding Property”) (LexisNexis 2012);
3. Required handouts will be available on the class TWEN site;
4. Students will need to use iClickers during classes beginning on Tuesday, August 27th. There is an “iClicker Instructions” page on our TWEN site which includes sign-up and user information.

TUES. AUG 20: CLASS #1
TOPICS: CONCEPT OF PROPERTY & ITS PARAMETERS; RIGHT TO EXCLUDE

TOPIC #1: CONCEPT OF PROPERTY & ITS PARAMETERS
1. Write a brief response (a paragraph or two) to each of the questions below. The whole paper should be about two pages. Do this part of the assignment before you read anything in the casebook. Relax. This is not a test of any kind; it is an exercise to provoke reflection on your part and to give me a sense of what you think at the start of the course. Email the paper to me at iglesias@usfca.edu by 5:00 pm on Tuesday, August 20th before our first class.
   a) What is “property”?
   b) What is not “property”?
   c) What does it mean to “own” property?
   d) How do we know who is the “owner” of property?
   e) What is a “property right”? What are some examples of “property rights”?
   f) Do property owners have any “duties” or obligations by virtue of their property ownership? If so, what duties and to whom?
   g) How can “property rights” end or be terminated?
   h) Why do we (society and courts) recognize and enforce “property rights”?
2. Read the Preface (pp. v – vii only); read pp. 1 – 7 (end before introductory paragraph for “Right to Exclude”); From the “Class 1” folder on TWEN, print and bring to class “Property Law Questions and Property Policy Perspectives Chart” and Read “Statement of Progressive Property”; Browse the website https://inequality.org/facts/
TOPIC #2: RIGHT TO EXCLUDE

1. Read pp. 7 (introductory paragraph for “Right to Exclude”); Read pp. 11 – 28 (beginning with Jacque v. Steenberg Homes, Inc.); Read backgrounder on State v. Shack (from the “Class 1” folder on TWEN); Try to reconcile the “right to exclude” cases (Jacque and Shack) with each other. Read pp. 43 – 54 (beginning with section at bottom of page 43);
2. Prepare the Lawyering Exercise (“LE”) on pp. 28 – 29 for an in-class exercise.

Focus:
1. Note: The first writing assignment is due before our first class meeting.
2. Read the casebook Preface carefully to understand what the casebook editors are trying to accomplish with this text. It may be different from your other classes.
3. As you can imagine, Property law is heavily debated. The Concept of Property & Its Parameters section provides a very brief overview of some different approaches to property law. Consider which approach most closely aligns with your current view. We will consider future cases and notes in light of these policy perspectives.
4. Prepare any questions you have about the assigned material.

Please feel free to contact me if you have any questions by email at iglesias@usfca.edu.