

Syllabus
Property 1, Section 1
Fall 2020

Class sessions: room 102
2:45 - 4:00pm, Mondays and Wednesdays

Teacher: Sheila Simon
Office: room 250
Email: ssimon@siu.edu
Office phone 618 536-8321
Cell phone 618 967-2062
Secretary: Cynthia Heisner
Teaching Assistant: Colton Trina

Textbook: *Property: A Contemporary Approach*, Fourth Edition, Sprankling and Coletta, (West, 2018), ISBN 978-1-63460-650-9

What you can expect to learn: This class is the first semester of a year-long course, a course that is taught to just about every first year law student in the United States. In this semester you will learn what kinds of property there are, how people can get that property, how they can get rid of the property, and how they can have the property taken away. That sounds pretty vague, right? To be more specific, you will learn to identify the kind of interest someone has in property, how that interest can be transferred to someone else, and what kind of challenges are posed when the package of property rights is split between different people. Some of these rights have taken on new importance in the pandemic.

And you will learn more than just the law of property. You will learn to identify sources of law, analyze statutes and cases, apply law to new facts, and explain what you have learned to others. Along with your other first year classes, this class will help form the foundation of your professional service to your clients and your community.

Attendance: Be here, be here virtually, however you swing it, be a part of class. I work hard to make sure class time is valuable to you. And if you miss more than six classes, you will not be allowed to take the final. But plan to do more than just attend class. Plan to be engaged in each class. The more you are actively engaged, the more you will be able to retain and use the law that we study.

One way that all students will be able to participate in class is by being one of the daily note-takers for class. Your notes and outline of the day will be shared with the rest of the class, and you will get to provide a quick recap of the class in the following class session.

Workload expectations: You might not have thought about how much work you will put into each class, but the American Bar Association has! According to ABA Standard 310(b)(1), “a “credit hour” is an amount of work that reasonably approximates: (1) not less than one hour of

classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time.” This is a three credit hour class, meaning that we will spend two 65 minute blocks of time together each week. The amount of assigned reading and out of class preparation should take you at least three hours for each class session and six hours for the week. So if that math is getting hard, plan on spending at least nine hours per week (three in class and six preparing for class) on course-related work. Sometimes it will take more, and sometimes it will just feel like more – but it’s worth it.

Grades: Your grade will be based on the following factors:

A quick oral quiz	5 points
Two short papers	10 points each
A mid-term exam	20 points
A final exam	55 points.

I will use your total points for the semester and apply the required median and required curve for a first year class to calculate your grade for the course.

D2L: Keep posted on news, assignments, any changes in the syllabus and other good stuff through D2L.

Office hours: I am a super nerd and I'm in my office a lot. Stop by any time to say hello and convince yourself that you can actually talk with a professor. Or email me with a question. Or call me. Or text me. Really. I want to get you to be able to tell me when you don't understand something. You don't need an appointment, but if it helps you to schedule yourself, make an appointment. I am happy to meet with you in my office, which has a window that I can open any time. I am also happy to meet anyone outside, weather permitting. If the school has to shut down in-person contact, I will be just as available by phone, text, Zoom, email or any other way that works.

Recording class sessions: Classes will be recorded and posted. My past experience with this is that the recording works most, but not all, of the time. If you know you are going to have to miss a class, have a friend take notes for you.

Final exam: The final exam in this class will be held on Friday, December 6, at 8:15am.

COVID-19. As a condition of on-campus enrollment, all SIUC students are required to engage in safe behaviors to avoid the spread of COVID-19, including the requirement that all students wear a mask in campus buildings, including classrooms, laboratories, and studios when others are present, regardless of social distancing. Students are expected to follow physical or social distancing guidelines by keeping at least 6 feet from others, and practicing good hand hygiene. Failure to comply with this policy may result in dismissal from the current class session. If the student refuses to leave the classroom after being dismissed, the student may be referred to the Office of Student Rights and Responsibilities. SIUC will follow federal, state and county public health recommendations and mandates in all decisions relating to university operation. Students should regularly review the link for the SIUC COVID-19 response: <https://siu.edu/coronavirus/>

Stress! What stress? Will anyone be stressed at all this semester? Ha!

The University and the School of Law recognize that there are lots of potential stressors in your life. Here is some information on Saluki Cares, a campus-wide effort to be there to support you: The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-5714, or siucares@siu.edu, <http://salukicare.siu.edu/index.html>. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu, and her phone number is 618-453-8135.

Disabilities and accommodations: I want everyone in this class to succeed. If a disability is challenging you, here is some information about how to seek accommodations: SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Disability Support Services coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact DSS immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to insure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Upon completion of a Disability Accommodation Agreement with DSS, students should bring the agreements for each course to the School of Law Registrar's Office to ensure the School of Law provides the proper classroom and examination accommodations. Accommodation request and renewal forms can be found here: <https://law.siu.edu/academics/>.

Tornado? Flood? We ask that you become familiar with Emergency Preparedness @ SIU. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit: <https://emergency.siu.edu/>

Tentative schedule:

This is the target schedule for the semester. I expect it will change some over the course of the semester. As those changes are made I will post the revised syllabus on D2L. For each class day I have noted a summary of the topic, the reading assignment from our text, and a musical reference that has almost no educational purpose. ☺

August 17 **Evictions - starting with who owns what** Read Pierson v Post, pages 8-13 in our textbook. Bring or have access to your lease if you can. Song of the day: What Does the Fox Say, Ylvis.

- August 19 **Theories of owning property** pages 1-25 (You've already read 8-13, sweet!)
Fame, David Bowie.
- August 24 **The right to sell it** pages 25-49. Conquest, The White Stripes.
Oral quiz this week
- August 26 **The right to keep people away** pages 49-68. Queen of My Double Wide Trailer,
Sammy Kershaw.
- August 31 **The right to use or destroy it** pages 68-94. Here Comes the Sun, The Beatles
Introduction to live client meeting
- September 2 **Capture** pages 161-174. First paper will be assigned today. Caught Up, Majid
Jordan
- September 7 Labor Day – no class! Get popcorn ready and watch a movie - details later.
- September 9 **Finding** pages 175-195. Finders Keepers, Miriam Bryant
- September 14 **Stolen** pages 196-209. Rachel Barton Pine, NPR Music Tiny Desk Concert
- September 16 **Gifts from the living and the dead** pages 209-227. Turn in first paper at the
start of class today, in person or online. Giving You the Best That I Got, Anita
Baker
- September 21 **Adverse Possession** pages 95-114. Should I Stay or Should I Go, The Clash
- September 23 **Intent and proof in adverse possession** pages 114-133. Intentions, Macklemore.
- September 28 **Air, underground, and water** pages 134-160. Up Down, Morgan Wallen
- September 30 **Speeding through intellectual property** pages 259-277, 293-301 How Deep is
Your Love, The Bee Gees
- October 5 & 7 No classes this week -- MidTermFest!
- October 8 mid-term in the morning, review in the afternoon
- October 12 **How we own property** pages 303-325 Not That Simple, Mike Posner
- October 14 **Extending control over property** pages 325-344 Change, Tracy Chapman
- October 19 **Future interests** pages 344-356 Unforgettable, French Montana
- October 21 **Rules to fix some old problems** pages 356-375 Yuve Yuve Yu, The Hu
Introduction of second writing assignment

October 26 **Owning together** pages 377-401 Severed, The Decembrists

October 28 **Owning as a married couple** pages 401-439 D-I-V-O-R-C-E, Tammy Wynette

November 2 **Leases** pages 441-463 I'll Cover You, from the musical Rent

November 4 **Condition of housing** pages 463-482 Turn in second writing assignment today at the start of class. Just Dropped In (To See What Condition my Condition Was In), The First Edition

November 9 **More on conditions, and transferring rights** 482-510 I Never Promised You a Rose Garden, Lynn Anderson

November 11 Veterans Day – no class! There will be an assignment to replace this class.

November 16 **Tenants leave** pages 511-520 Security, Otis Redding

November 18 **Eviction** pages 520-534 The End, The Beatles

November 23 & 25 Thanksgiving break – oh yeah!

December 1 through December 11 - finals weeks