

**Professor John Weeks**  
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**Property**  
**Fall Semester 2010**  
**Syllabus**

(The class meets on Sundays, 8:15-11:15 in Room 103)

**Required Course Materials:**

Dukeminier, Krier, Alexander & Schill, Property, (7<sup>th</sup> Ed. 2010 – Aspen)

Makdisi & Bogart, Estates In Land And Future Interests, (5<sup>th</sup> Ed. 2008 – Aspen)

**Course Goals & Objectives:**

A study of the law of property in the American legal system primarily is a study of the process by which society facilitates the legal protection of what are called “property rights”, under circumstances where “property” is owned in a variety of forms.

The preface to the Dukeminier, et. al. course book succinctly states: “The primary objective of this course book is to help students learn the complicated structure and functions of property doctrine and something of legal method, legal reasoning and legal analysis.”

Property is the oldest branch of Anglo-American private law. In order to grasp the fundamentals of property law it is necessary to explore both the history and traditional doctrine as well as new developments. This exploration is pursued through a study of the complex interaction among private-party agreements, common law doctrine, and legislative enactments, with a particular focus on the policy choices that face judges and legislatures. All, of course, is and historically has been influenced by general socio-economic conditions.

**Attendance Policy:**

I will take attendance by circulating the Registrar’s attendance sheet at the beginning of each class. Regular attendance is required of all students in the class. Since this course meets only once a week, missing one session is the same as missing an entire week. As a result, missing two classes is presumptively excessive. In the event a student’s absences are excessive, I will, in my discretion require make-up work or, in an extreme case, the withdrawal of the student from the course.

**Computer Use Policy:** Students are permitted to use a laptop computer in the classroom for class-related purposes only.

**Testing and Grading:**

The grade for the course will be based upon a three-hour open book examination at the end of the semester.

## Assignments

(All page references are to the Dukeminier course book)

<b>Class</b>	<b>Pages</b>	<b>Chapter Topics</b>
1) Aug. 15	Preface to the first edition, p. xxxi and pp. 1-55	First Possession.
2) Aug. 22	pp. 56-96	First Possession.
3) Aug. 29	pp. 97-150	Subsequent Possession.
4) Sept. 12	pp. 151-201	Subsequent Possession; Possessory Estates.
5) Sept. 19	pp. 202-251	Possessory Estates.
6) Sept. 26	pp. 253-317	Future Interests.
7) Oct. 3	pp. 319-358	Co-ownership – concurrent interests.
8) Oct. 10	pp. 419-469	Landlord – Tenant Law.
9) Oct. 17	pp 469-508 731-749	Landlord-Tenant Law; Judicial Land Use Controls: The Law Of Nuisance.
10) Oct. 31	pp. 763-820	Private Land Use Control: The Law of Servitudes.
11) Nov. 7	pp. 820-876	Private Land Use Controls: The Law of Servitudes.
12) Nov. 14	pp. 876-924	Private Land Use controls The Law of Servitudes.
13) Nov. 21	pp. 925-968	Legislative Land Use Controls: The Law of Zoning.