

**Fall 2013**  
**Property Syllabus**  
**Prof. Szto<sup>1</sup>**  
(3 credits)

Tues/Thurs 9.40-11.10 AM  
Classroom: Law 105



**1) Course Description**

We will examine the concept of real and personal property in our legal system. We will emphasize real property, including estates in land, future interests, landlord-tenant law, servitudes, and an introduction to the real estate transaction.

**2) Learning Objectives**

- a. To articulate fundamental principles of justice in property law;
- b. To hone case analysis, legal reasoning and problem-solving;
- c. To sharpen collaborative learning and public communication prowess.

**3) Required Text**

Dukeminier, Krier, Alexander, and Schill, Property (Aspen, 7<sup>th</sup> Edition).  
ISBN: 978 -0- 7355 -8899 -8

**4) Recommended Text**

John Sprankling, Understanding Property Law (Matthew Bender/Lexis Nexis, 2<sup>nd</sup> Edition) ISBN 0-8205-7071-0.

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<sup>1</sup> Pronunciation: SEE' tow

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### 5) *First Reading Assignments (all readings from Dukeminier)*

#### Thursday, August 22

Chapter 1 First Possession: Acquisition of Property by Discovery

1. Acquisition of Property by Discovery, 3-18  
*Johnson v. M'Intosh*

#### Tuesday, August 27

2. Acquisition by Capture, 18-35  
Wild Animals  
*Pierson v. Post, Ghen v. Rich, Keeble v. Hickeringill*

#### Thursday, August 29

No Class; University Convocation

#### Tuesday, September 3

Chapter 2 Subsequent Possession: Acquisition of Property by Find, Adverse Possession, and Gift

3. Subsequent Possession: Acquisition of Property by Find, 97-116  
Mislaid, Lost and Abandoned Property  
*Armory v. Delamirie, Hannah v. Peel, McAvoy v. Medina*

#### Thursday, September 5th

4. Acquisition by Adverse Possession, Tacking 116-134  
*Van Valkenburgh v. Lutz*  
Mechanics of Adverse Possession, *Howard v. Kunto*, 142-149  
Adverse Possession of Chattels, *O'Keefe v. Snyder*, 151-163

Subsequent assignments will be posted on our TWEN site (available *after* class begins).

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### 6) *Learning Environment and Procedures*

#### *HUSL Policies on attendance, lateness, and preparation*

The program of instruction at the School of Law is based on an active and informed exchange between instructor and student and between student and student. Regular, prepared class attendance helps develop skills essential to the competent practice of law. A student who violates the attendance policy, including the instructor's specification of class expectation described below, may lose his or her right to take the exam in the course, to receive course credit or may receive other penalties described below and in Academic Rule 108. Persistent or frequent lateness or unpreparedness may also be the basis for reduction of the grade awarded in a course. See Academic Rule 108 for further details.

Welcome to Property! I look forward to a great semester together!

Our time together is preparation for a challenging and rewarding professional life. This includes honing wise judgment, deep analytical skills, and superb public communication abilities.

My pedagogy will include case discussions, explanations of legal principles and class exercises, including ungraded quizzes (may be unannounced). Attendance, punctuality, and preparedness are required.

#### *Participation*

I will call on students during class. Each of you is a vital part of our community and in addition to sharing case analysis, will have insights and life experiences to share. Some of you are more quiet or talkative than others; however, my aim is to have active participation from as many people as possible. Although I will call on students, I prefer students volunteering. In addition to discussing cases, we will also rely heavily on class exercises, some of which may be collaborative group exercises. Collaboration is essential to effective professional practice, and often leads to confidence building for other class participation.

To facilitate full participation, each of you will have a **name card**. Display your card in each class. If you misplace your name card, please provide a substitute. Nonuse of your name card will be included in evaluation of your participation. If you cannot hear another speaker, please let the class know.

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If you have any special circumstances concerning participation, please also let me know so we can arrange the appropriate accommodations.

### *Profile Forms*

Kindly submit one with photograph by Tuesday, September 24 (form will be available on TWEN). Late submission or non-submission will affect evaluation of your participation. At your discretion, in addition to providing me a hard copy, you may also post this on our TWEN site for class viewing.

### *Attendance*

You may not miss more than four classes. No make-up work will be permitted. We will take attendance beginning Tuesday, September 10. Attendance will be verified by signatures on sign-in sheets. Falsification of sign-in sheets is a violation of the Code of Conduct.

If you exceed the number of permitted absences, you may be administratively withdrawn from the course. Accommodations may be made for students who must be absent for religious reasons and in cases of truly compelling hardship. Please inform me of this as soon as possible in person and by email to [mszto01@hamline.edu](mailto:mszto01@hamline.edu)

### *Laptop use/Technology*



Laptops may be used only for taking notes and directed class exercises. Laptop privileges may be withdrawn for violation of the laptop policy. No other technology may be used.

### *Grading*

We will have a practice ungraded midterm.

Your **final grade** will be based on a final examination at the end of the semester. The format of the exam will be essay and multiple-choice. I may adjust your grade up or down a half-step (e.g., B+ to A-) for either superior or inferior class participation (e.g., attendance, punctuality and preparedness; violation of laptop/technology policy).

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### *Feedback*

You will have an opportunity to provide formal feedback mid-way and at the end of the course. Please let me know if you have any questions, comments, or suggestions at any other time!

### *Office Hours/Availability*

I am available right after class on Tuesdays, and by appointment. My office is 234 East Hall. My email address is [mszto01@hamline.edu](mailto:mszto01@hamline.edu) My phone number is (651) 523 2850.

*This syllabus is subject to change.*