

Professor Robert Farley

BLAW 421 / 521 – Law of Property - Class Syllabus

Class One INTRODUCTION – COURSE OVERVIEW

Slide Set 01 Video 01

Class Two AN INTRODUCTION TO THE LAW

Part One: What is the Law?

Slide Set 02A Video 02A

- Definitions / Types of Laws / Priority of Laws

Part Two: What is a Right?

Slide Set 02B Video 02B

- Definitions / Natural Law / The Declaration

Part Three: Constitutions

Slide Set 02C Video 02C

- Federal and State
 - Government Structure / Rights / Stories of Creation

Case Study: Marbury v. Madison

Case 02/Brief 02 Video 02D

- The Start of Judicial Review

Class Three CREATION / ENFORCEMENT OF LAWS

Part One: The Executive Branch

Slide Set 03A Video 03A

- Federal and State / Powers / Regs / Exec Orders

Part Two: The Judicial Branch

Slide Set 03B Video 03B

- Federal and State / Powers / Cases

Part Three: The Legislative Branch

Slide Set 03C Video 03C

- Federal and State / Powers / Statutes

Class Exercise: How a Bill Becomes a Law

Exercise 03 Video 03D

Class Four THE MEANING OF PROPERTY

Part One: Rights in Property

Slide Set 04A Video 04A

- The Founders View of Property Rights
 - The Importance of Property
 - Why Recognize Rights in Property

Part Two: The Four Postulates

Slide Set 04B Video 04B

- Property is a Collection of Rights
 - Property and Law are intertwined
 - Property Rights are Inherent to Humanity
 - Property Rights: Exclude/Possess/Use/Transfer

Part Three: Types of Property

Slide Set 04C Video 04C

- Personal / Real / Intellectual

Case Study: Dred Scott v. Sandford

Case 04/Brief 04 Video 04D

- People Should Not Be Property

Class Five THE ACQUISITION OF PROPERTY RIGHTS

Part One: Personal Property

Slide Set 05A Video 05A

- The Meaning of Personal Property
 - Enforcement of EPUT Rights: A Factor of Evidence

Part Two: Wild Animals

Slide Set 05B Video 05B

- Wild Animals
 - Possession / Capture / Return / Regulation

Part Three: Acquisition of Property Rights

Slide Set 05C Video 05C

- Occupancy/Possession,
 - Purchase by Sale,
 - Adverse Possession,
 - Accession,
 - Confusion,
 - Judgment,
 - Found Property: Lost / Mislaid / Abandoned, and
 - Gift

Case Study: Pearson v. Post

Case 05/Brief 05 Video 05D

- Mere Pursuit is Not Possession

Class Six GIFTS, LIENS AND BAILMENTS

Part One: Gifts

Slide Set 06A Video 06A

- Elements of a Gift – Intent / Delivery / Acceptance
 - Gifts Inter Vivos
 - Gifts Causa Mortis
 - Gifts in Contemplation of Marriage

Part Two: Liens and Security Interests

Slide Set 06B Video 06B

- Definitions / Elements of a Lien
 - General Liens
 - Special Liens

Part Three: Bailments

Slide Set 06C Video 06C

- Definitions / Elements of a Bailment
 - Duties and Benefits

Case Study: Gruen v. Gruen

Case 06/Brief 06 Video 06D

- Conditional Delivery of Gifts

*** MIDTERM EXAM ***

Class Seven INTELLECTUAL PROPERTY

Part One: Copyrights

Slide Set 07A Video 07A

- Elements of a Copyright
 - Rights / Duration / Enforcement

Part Two: Patents

Slide Set 07B Video 07B

- Elements of a Patent
 - Rights / Duration / Enforcement

Part Three: Trademarks

Slide Set 07C Video 07C

- Definitions / Elements of a Bailment
 - Duties and Benefits

Case Study: A&M Records v. Napster

Case 05/Brief 05 Video 07D

- Peer to Peer Infringement

Class Eight THE CRIMINAL LAW

Part One: Structure and Purpose of Criminal Law

Slide Set 08A Video 08A

- Substantive and Procedural Criminal Law
 - Purpose of Criminal Law
 - Criminal Law and Civil Torts

Part Two: Theories of Criminal Punishment

Slide Set 08B Video 08B

- Theories of Criminal Punishment / Sentencing
 - Enforcement
 - Classification of Crimes

Part Three: The Common Law Felonies

Slide Set 08C Video 08C

- Current Day Criminal Statutes
 - Crimes at Common Law - Felonies

Case Study: Regina v. Dudley and Stephens

Case 08/Brief 08 Video 08D

- Necessity and Mens Rea

Class Nine REAL PROPERTY – INTRODUCTION

Part One: Real Property – Introduction

Slide Set 09A Video 09A

- Definitions
 - Importance of Real Property
 - The Nature of Real Property – Interests in Land
 - Liverty of Seisen

Part Two: Shared Interests in Land

Slide Set 09B Video 09B

- Tenants in the Entirety
 - Joint Tenants
 - Tenants in Common

Part Three: Real Property Taxes

Slide Set 09C Video 09C

- Applied Against Value of Real Property
 - Very Repressive and Regressive
 - Finances Local Govts / School Districts / Schools

Case Study: Hellerstein v. Assessor

Case 07/Brief 07 Video 09D

- Challenge to Assessing Practices

Class Ten REAL PROPERTY – SECTION TWO

Part One: Real Property – Estates in Land

Slide Set 10A Video 10A

- Definitions
 - Possession and Time
 - Types of Estates in Land
 - Possessory v Non Possessory Interests

Part Two: Future Interests

Slide Set 10B Video 10B

- Reversions
 - Possibility of Reverter
 - Right of Re-entry

Part Three: Title Limitation Rules

Slide Set 10C Video 10C

- Rule in Shelley's Case
 - Doctrine of Worthier Title
 - Rule Against Perpetuities
 - Rule Against Restraints on Alienation

Case Study: Crown v. Susannah North Martin

Case 10/Brief 10 Video 10D

- The Salem Witch Trials and Property Forfeiture

Class Eleven REAL PROPERTY – SECTION THREE

Part One: Real Property – Non Possessory Interests

Slide Set 11A Video 11A

- Definitions
 - Easements / Profits / Covenants / Servitudes

Part Two: Fixtures

Slide Set 11B Video 11B

- Definitions
 - General Principles / Challenging Items

Part Three: Adverse Possession

Slide Set 11C Video 11C

- Definitions
 - COACHEN

Case Study: Red Hill Outing Club v. Hammond

Case 09/Brief 09 Video 11D

- Tentativeness of Property Restraints

Class Twelve REAL PROPERTY – SECTION FOUR

Part One: Real Property – Conveyances and Security

Slide Set 12A Video 12A

- Definitions – Conveyances and Security Interests
 - Contracts
 - Mortgages
 - Deeds
 - Recording

Class Exercise: Who Wants to Be a Home Owner

Exercise 02 Video 12B

Class Thirteen REAL PROPERTY – SECTION FIVE

Part One: Real Property – Title Security

Slide Set 13A Video 13A

- The Value of Title Searches

Part Two: Interference With Property Rights

Slide Set 13B Video 13B

- Nuisance
 - Trespass and Ejectment

Part Three: Land Use

Slide Set 13C Video 13C

- Definitions and General Principles
 - Zoning and Planning
 - Eminent Domain and Takings

Case Study: Kelo v. City of New London

Case 10/Brief 10 Video 13D

- Economic Development v. Property Rights

Class Fourteen LANDLORD AND TENANT LAW

Part One: Real Property – The Law of Tenancy

Slide Set 14A Video 14A

- Role Models / The Spirit of Adventure
 - Definitions
 - Leasehold Interests
 - Leases
 - Tenants Duties and Remedies
 - Landlord Duties and Remedies

*** FINAL EXAM ***

CAREER SERVICES RESOURCES:

Whether you are planning for employment or graduate school, take advantage of the School of Business state-of-the-art professional development resources. (You can access them using your UAlbany email address).