Law19-Spring2014

Duedates

Syllabus

Law 19 - Property & Creditor Rights – 3:00 Units

Spring 2014 - Hybrid - Section 3306
Meetings: Thursday, 8:30 - 9:55 pm, CMS 005

Instructor: Henry Soledad, Esq.
Office: Before or after Class, Thursday evenings
Office hours: Before or after Class, Thursday evenings
Phone:
Email: soledahm@lamission.edu
Calendar http://duedates.pbworks.com/w/page/72770303/Law19-Spring2014
Etudes Site http://etudes.org
Textbook: Business Law 12th ed.

Kenneth W. Clarkson, Roger LeRoy Miller, Gaylord A. Jentz, Frank B. Cross
ISBN: ISBN-13: 9780538470827

Course Description: Law 19 is a study of the law of personal property and real property including community property, joint tenancy, leases, deeds, contracts, escrows, deeds of trust, a study of the system of recording and search of public documents, a study of bankruptcy laws and forms.

Course Organization: Law 19 is organized into assignments, quizzes, forum

discussions, and two final projects, one a Chapter 7 Debtor Bankruptcy, and Eviction (Unlawful Detainer) forms for both Petitioner (Landlord) and Respondent (Tenant) .

Chapter Quizzes

Test #A Chp. Chp. 49 Personal Property and Bailments Quiz
Test #B Chp. Chp. 49 Personal Property and Bailments Quiz
Test #C Chp. 50 Real Property & Landlord-Tenant Relationships Quiz
Test #D Chp. 50 Real Property & Landlord-Tenant Relationships Quiz
Test #E
Test #F Chp. 30 Bankruptcy Law
Test #G Chp. 30 Bankruptcy Law
Test #H Chp. 28 Creditor's Rights and Remedies
Test #I Chp. 28 Creditor's Rights and Remedies
Test #J Chp. 29 Secured Transactions
Test #K Chp. 29 Secured Transactions
Test #L Chp. 31 Mortgages & Foreclosures
Test #M Chp. 51 Insurance
Test #N Chp. 52 Wills & Trusts

Student Learning Outcomes: Upon successful completion of this course, a student will be able to:

1. Brief law cases in property law including bankruptcy, secured transactions, creditors' remedies, real and personal property, and landlord-tenant matters.

2. Critically analyze and argue issues in property law including the issues listed above in #1.

3. Prepare legal documents, forms or papers for a Chapter 7 (no asset) bankruptcy, Unlawful Detain (Eviction) papers including summons, Complaint, 3 day notice to pay rent or quit, month to month lease, Answer to Unlawful Detainer along with affirmative defenses.

Students will read property law cases and write a case brief demonstrating their understanding and application of the essential facts and rules of law and legal

principles of the case. see case brief rubric
at http://missionparalegal.pbworks.com/briefing

Skill Level: College level reading and writing; ability to access the internet. Necessary skills include proficiency using a word processing program, including spell checker, using a web browser, sending and receiving email, saving documents as RTFs (rich text format), uploading and attaching documents.

Estimated Time per Week: 10 hours (see Carnegie Rule)

Class format: The class is a hybrid class, with meetings on campus on Thursday evenings, CMS 005, 8:30 - 9:55 pm. We use the etudes course management system. Carefully read our policies.

The class follows a weekly format. If you click on the links on the left side of your etudes classroom, you will see your assignments, quizzes, and discussions. There are many opportunities for you to participate and earn points to attain a good grade.

Online classes require your attention and effort. If you fail to log into the class during the first two weeks you will be excluded from the class. There are activities and assignments each week; you will need to log into the class several times a week.

To be a successful online/hybrid student, you need to do schedule a regular time for studying, read and complete on line activities, and more.

Technical Requirements: The minimum computer requirements are: Computer, either a Macintosh or IBM compatible; modem, minimum 28.8, broadband or high speed internet access is preferred and is required to view the videos. Software: Web browser software, preferably Firefox 3.5 or Internet Explorer 8, an e-mail address and a word processing program.

Get Firefox: http://www.mozilla.com/en-US/firefox/all.html

Get Internet Explorer: http://www.microsoft.com/windows/Internet-explorer/default.apx

Get a free email account at: www.mail.google.com

Students who do not have regular computer access may use computers in the campus Learning Resource Center. Be sure to save all your papers and assignments on a flash drive.

Course Login: http://etudes.org

First Assignment: Introduce yourself to the class under the forum discussions for the first week. This is where you will get to know your classmates. Post your introduction by Sunday evening, 11:59 pm, 2/23/14. You may be dropped from class if you do not post your introductions by the end of the 2nd week of class.

Contacting Your Instructor: I check my email several times a day and respond to emails within 24 hours. Please don't hesitate to contact me with any questions; email me at: soledahm@lamission.edu in the subject line put: Law 19 #3306. I am also available in-person before or after the on campus class, or by phone or email.

CLASS BIOGRAPHIES/INTRODUCTIONS : You will find your instructor's autobiography posted in the "Discussion Board" of the class website. Please post your bio in the discussion board by Friday of week one. In your bio, please be sure to include:
Your name (firstname only),
Academic/Career Goals/Expectations of the class
How you found out about the class/program
Other items of interest, and
Include any preliminary questions or concerns you have at this point.

DISCUSSION FORUMS: Every week a discussion questions posted to the website "FORUMS." You are required to post a answer to each discussion question by Wednesday of the forum week. Further, you are required to post, at least, one response to two or more of your classmates' initial responses. You are not required to respond to every classmate. You may, although this is a decision each student will make.

Minimum THREE different days per forum week. As we begin our online work together I want to discuss an important aspect of online learning, namely participation**. Participation** is an important part of this collaborative online learning environment. It is well documented that participation and collaboration does enhance learning & whether it be in-class or at a distance. You are encouraged to initiate and respond regularly and make sure ***your ideas are presented clearly and are substantive. Postings that lack substance will receive little or no credit. For example, "I agree," "Good posting," or similar messages that add little or nothing to the discussion will receive few, if any credits***. Discussions posted to the website are an important part of the learning that takes place in this class. In essence, we learn from each other. Share ideas or questions with your colleagues. Ask them questions. Share your own experiences.

SOME SPECIFIC EXPECTATIONS ABOUT PARTICIPATION:

Class Meeting Discussions:

- **Please read, review, and reflect on each message PRIOR to posting to the forums.** Remember: Others cannot get visual clues as to meaning, therefore, be careful in what and how you communicate. **Once posted, messages cannot be deleted!**
- All postings to any meeting in this class are to be considered CONFIDENTIAL and for consideration and discussion only by members of this class.

- Ask questions about areas of the subject that you wish to better understand or for clarification and/or amplification.
- Read your classmates comments and presentations, and respond constructively.
- Offer personal/professional experiences/observations relevant to the items being discussed.

Participation Rubric:

	Unsatisfactory	**Satisfactory**	**Exemplary**
A minimum of 3 postings per forum on at least 3 separate days.	Less than 3 **substantial postings**.	Three required **substantial postings.**	More than the 3 **substantial required posting.**
Answers by Wednesday - - - - - - - - - - - - - - - Respond to classmates by Sunday	Posting answers after Wednesday	Posting answers on Wednesday	Posting answers before Wednesday
Well reasoned with appropriate analysis.	No response or lacks applicability.	Response is applicable, but may not be thorough or lacks depth.	Thorough response with appropriate depth.
Appropriate dialog with classmates	Responses do not clearly relate to topic.	Responses relate to topic.	Responses clearly relate to topic.
Appropriate grammar, spelling, and APA references.	Spelling and/or grammar errors.	No spelling or grammar errors..	No spelling, grammar errors, or punctuation errors.

Student deliverables should be submitted on the specified date by midnight of the student's time zone. For purposes of scheduling, each week or module begins on Monday 12:01 AM and concludes the following Sunday at Midnight.

EXPECTATIONS FOR WRITTEN WORK:

VOCABULARY - You are expected to read and understand the material presented in the assigned text and articles you locate.

FORMAT - Papers submitted should be written in accordance with the ***APA***, ***Bluebook***, or ***other recognized formatting style***.

GRAMMAR - Use active voice in your writing. Also use the spelling and grammar check feature of your Word Processor before submitting your papers.

Homework Assignments: Assignments require you to read and brief law cases. Read the information on "briefing law cases". Below is the grading rubric for your case "briefs"

CASE BRIEF GRADING RUBRIC

	Outstanding A	**Proficient B**	**Adequate C**	**Inadequate D/F**
Case Name and Citation	Complete case name and properly formatted citation appear at the top of the case brief	Complete case name is provided but citation is incomplete	Complete case name is provided but no citation is give	Neither the case name nor the citation appears at the top of the case brief OR both case name and citation are

				incorrect.
Operative Facts	Operative facts are relevant to the issue being examined by the court and are logically organized.	Facts are relevant to the question being answered but lack coherence or organization.	Irrelevant facts are included. Lack of logical organization.	Relevant facts are omitted or lost in discussion of unrelated information.
Procedural Facts	Procedural history of the case is clearly and logically presented in proper chronology.	Procedural history of the case is presented but chronology is confusing.	Some procedural history is presented.	No procedural history is presented.
Issue/Short Answer	Includes all elements (applicable law, issue being examined and relevant facts) in a well crafted, grammatically correct question. Answer responds to question being posed.	Issue is separately articulated, but does not include all elements; applicable law, issue being examined and relevant facts. Answer responds to question being posed.	Issue is not separately articulated, but implied through description of facts or discussion of law. Answer does not respond to question being posed.	Issue is not articulated No answer is given.
Law	Law is correct and is relevant to the question being	Law is correct and is relevant to	Rules of law are used in providing	Rules of law are omitted from answer or

	answered. Rule(s) of law succinctly paraphrased rather than quoted.	the question being answered, but is not paraphrased	answer, but it is unclear if writer understands the law and is properly applying it.	incorrect law is used.
Rationale	The court's reasoning is presented in a clear and logical fashion, leading the reader to an understanding of the rationale behind the law.	Law is applied to the facts, but the underlying rationale is not clear.	Analysis is unclear, causing the reader to question whether the law is correct.	No analysis of the law is given.
Writing Mechanics	Sentence structure, grammar, punctuation are substantially correct. Each component's material is logically organized and presented in a clear, concise manner.	Sentence structure, grammar, punctuation are substantially correct. Organization is logical but needs better consistency and clarity.	Adherence to rules of writing is poor. Material lacks organization and/or is unclear, making it difficult to understand.	Rules of writing are ignored or misunderstood. No apparent logic to the organization of the material. Writing lacks clarity.

**above adopted from case grading rubric - AAFPE.org website

Students who plagiarize will receive zero credit on the assignment.

Bankruptcy The class is divided into a final project in the preparation of a Chapter 7 Bankruptcy Petition and accompanying schedules, and documents. This is 20% of your grade

Eviction papers **This class is divided into a final project in the preparation of Eviction (Unlawful Detainer) papers for both petitioner (landlord0 and the respondent (tenant). This is 15% of your grade**

Quizzes: The class is divided into weekly quizzes (20 multiple choice questions each). This is 25% of your grade.

Forum Discussions: The class is divided into weekly discussion forums. This is 15% of your grade.

Assignments The class is divided into weekly assignments. This is 25% of your grade.

Late Assignments Our "Late Work" Policy is firm.

Grading Policy: Letter grades will be determined based upon the following:

Grade Distribution

Assignments = 25% of your grade
Tests = 25% of your grade
Bankruptcy papers = 20% of your grade
Eviction papers = 15% of your grade
Forum Discussions = 15% of your grade

Grade Scale:

A	90-100
B	80-89
C	70-79
D	60-69
F	≤ 60

Please note that a grade of C or higher is required for each of the 12 paralegal certificate classes.

Points will be posted on the class website after each activity closes.

Reasonable Accommodation: For students requiring accommodation the DSPS office provides special assistance in areas like: registering for courses, specialized tutoring, note-taking, mobility assistance, special instruction, testing assistance, special equipment, special materials, instructor liaisons, community referrals, and job placement. The phone number for the Office of Students with Disabled Student Programs and Services is: (818) 364-7732.

Check the Academic Calendar for Important Dates

After **September 8, 2013** please note : This is an earlier and revised deadline. A "W" will appear on your transcript record after this date. This is a new LACCD enrollment limit. The limit is now three times to take a class and includes both substandard grades and withdrawals.
Drop classes with a "W" - Letter grade is required after this date and forward

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If you stop attending a class (or wish to drop a class), **YOU MUST DROP THE CLASS YOURSELF ONLINE– OFFICIALLY – on or before the specified date. Failure to do so may result in a grade of "F" in that class.**
REGISTRATION INFORMATION Website – http://www.laccd.edu (Student Information System)

Admission Regular Office Hours (Subject to change) Monday and Thursday – 8am-5pm Tuesday and Wednesday – 8am-7pm Friday – 8am-12noon

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If you stop attending a class (or wish to drop a class), YOU MUST DROP THE CLASS YOURSELF – OFFICIALLY – on or before the specified date). Failure to do so may result in a grade of "F" in that class

New 3 Repeat Rule
IMPORTANT NOTICE
All Students Please Read
Beginning Summer 2012: New 3 Repeat Rule

EFFECTIVE SUMMER 2012, course withdrawal ("W") or a substandard grade ("D," "F," or "NP") count as an attempt at a course. Only three attempts at any one course will be allowed, with some exceptions. Listed below are the new rules that all students need to know about.

• Students who drop or are excluded after the last day to drop without a grade of "W" will have a "W" appear on their transcript. The "W" will count as an attempt for that course.

• For the Fall Semester, September 8, 2013 is the last day to drop a 16-week semester length class without a "W." Students will be able to drop a class online until this date. Contact the office of Admissions and Records for deadlines on late start, short-term and special program classes.

• A course in a student's transcript which currently shows a recorded "W" counts as an attempt for that course.

• Students will not be allowed to register for any course within the LACCD if there are three recorded attempts for that course in any combination of W, D, F, or NP grades.

• Add permits for a course within the LACCD will not be processed if there are three recorded attempts for that course in any combination of W, D, F, or NP grades.

• For courses specifi cally designated as "repeatable," students may repeat up to three times (See Title 5 California Code of Regulations sections 55040, 55041, 58161).

• Where the student's number of enrollments in a course exceeds the allowable amount, the student may petition for an additional enrollment in cases of extenuating circumstances.

What students should do:

• Be sure you are academically ready for classes you enroll in.

• If you must drop a course, drop before the specifi ed deadline for dropping a class without a grade of "W."

Calendar of Activities

Distribution of Grades
Assignments = 25% of your grade
Tests = 25% of your grade
Bankruptcy papers = 20% of your grade
Eviction papers = 15% of your grade
Forum Discussions = 15% of your grade

A = 90% or above
B = 80 - 89
C = 70 - 79
D = 60 - 69
F = below 60

A grade of C or greater is required to pass the class

Chapter Quizzes
Test #A Chp. 30 Bankruptcy Quiz (#1)
Test #B Chp. 30 Bankruptcy Quiz (#2)
Test #C Chp. 29 - Secured Transactions (#1)
Test #D Chp. 29 Secured Transactions Quiz (#2)
Test #E Chp. 28 - Creditors' Rights & Remedies Quiz (#1)
Test #F Chp. 28 - Creditors' Rights & Remedies Quiz (#2)
Test #G Chp. 48 Real Property & Landlord-Tenant Relationships Quiz (#1)
Test #H Chp. 48 Real Property & Landlord-Tenant Relationships Quiz (#2)
Test #I Chp. 47 Personal Property & Bailments Quiz (#1)
Test #J Chp. 47 Personal Property & Bailments Quiz (#2)
Test #K Chp. 44 Consumer Law Quiz (#1)
Test #L Chp. 44 Consumer Law Quiz (#2)
Test #M Chp. 27 Checks in the Digital Age
Test #N Chp. 46 Antitrust Quiz

Week 1 - Due 2/16/14

- Read the syllabus for the class and order the textbook - West Business Law - **West Business Law 11th edition** - http://lamission.edu/law/textbooks/

- Review property-resources
- Read Dear Online Student
- Post your Introduction
- Discuss Law Study
- Discuss Legal Argumentation
- Discuss Learning Ethics
- Discuss Strategies against Procrastination
- Discuss Reading Law Cases-Codes

Week 2 - Due 2/23/14

- Read Chapter 30 on Bankruptcy
- #1 Bankruptcy Codes - summarize (3)
- #2 Chp. 30 Case Problem - Automatic Stay
- Test #A - Chp. 30 Bankruptcy (#1)
- weekly discussion forum

Week 3 - Due 3/2/14

- no chapter to read
- #3 Summarize Steps in a Bankruptcy
- #4 Summarize the bankruptcy forms
- Test #B Chp. 30 Bankruptcy Quiz (#2)
- weekly discussion forum

Week 4 - Due 3/9/14

- Read Chapter 29 on Secured Transactions
- #5 California Exemptions - listen to podcast
- Test #C - Chp. 29 - Secured Transactions (#1)
- weekly discussion forum

Week 5 - Due 3/16/14

- no chapter to read
- #6 Chp. 29 Case Problem - Priority of Disputes
- Test #D Chp. 29 Secured Transactions Quiz (#2)
- weekly discussion forum

Week 6 - Due 3/23/14

- Read Chapter 28 on Creditors' Remedies

- #7 Chp. 28 Case Problem - Subrogation Rights
- Test #E Chp. 28 - Creditors' Rights & Remedies (#1)
- weekly discussion forum

Week 7 - Due 3/30/14

- Read Chapter 48 on Real Property & Landlord-Tenant Relationships
- #8 Chp. 48 Case Problem - Mechanic Liens Procedure
- Test #F Chp. 28 - Creditors' Rights & Remedes (#2)
- weekly discussion forum

Week 8 - Due 4/6/14

- no chapter to read
- #9 Eviction Procedures
- Test #G Chp. 48 Real Property & Landlord-Tenant Relationships Quiz (#1)
- weekly discussion forum
- Spring Break 4/7 - 4/13

Week 9 - Due 4/20/14

- no chapter to read
- #10 Method of 3 day service
- Test #H Chp. 48 Real Property & Landlord-Tenant Relationships Quiz (#2)
- weekly discussion forum

Week 10__Due 4/27/14

- Read Chapter 47 on Personal Property & Bailments
- #11 3 day notice to pay rent or quit
- Test #I Chp. 47 Personal Property & Bailments Quiz (#1)
- weekly discussion forum

Week 11 - Due 5/4/14

- no chapter to read
- #12 Rules on Repair and Deduct
- #13 Green case and "habitability"
- Test #J Chp. 47 Personal Property & Bailments Quiz (#2)

- weekly discussion forum

Week 12 - Due 5/11/14

- Read Chp. 44 Consumer Law
- #14 Chp. 47 Case Problem - Bailments
- #15 Equal Credit Opportunity
- Test #K Chp. 44 Consumer Law Quiz (#1)
- weekly discussion forum

Week 13 - Due 5/18/14

- no chapter to read
- #16 - Submit Eviction (Unlawful Detainer) Project
- #17 Chp. 44 Case Problem
- Test #L - Chp. 44 Consumer Law Quiz (#2)
- weekly discussion forum

Week 14 - Due 5/25/14

- Read Chp. 27 on Checks and the Banking System
- #18 - Submit Chapter 7 Bankruptcy Project
- #19 Chp. 27 case problem
- Test #M - Chapter 27 Checks and the Banking System
- weekly discussion forum

Week 15 - Due 6/1/14

- Read Chapter 46 on Antitrust Law
- #20 - Chp. 46 case problem
- Test #N - Chapter 46 - Antitrust Law
- weekly discussion forum

Week 16 - Due 6/8/14

- Complete class survey

- What did you learn?

SPECIAL ACCOMMODATIONS

If you require special accommodations for a disability, religious holiday, or any other reason please inform your instructor(s) within the first week of the course and we will accommodate you if at all possible. For accommodations due to disability, you must consult with the Disabled Students Programs and Services Office after which we will abide by their recommendations.

COLLEGE RESOURCES FOR LAMC STUDENTS

see http://lamission.edu/de/student-resources

Admissions and Records: Students can register for classes, request transcripts, file
petitions for graduation, and drop classes at this office. For more information call 818-833-3322 or visit:http://www.lamission.edu/admissions/

Assessment Center: Offers student assessments in English, English-as-a-Second-Language (ESL) and Mathematics. Please contact the Assessment Center at (818) 364-7613 for more information or visithttp://www.lamission.edu/assessment/

Bookstore: For hours of operation, book availability, buybacks, and other information call 818-364-7767 or 7768 or visithttp://eagleslanding.lamission.edu/default.asp

Counseling Department: For appointments and information call 818-364-7655 or visit
http://www.lamission.edu/counseling/

Disabled Students Programs and Services (DSP&S): For appointments, eligibility and
information call 818-364-7732 or visit http://www.lamission.edu/dsps/

Extended Opportunity Programs and Services (EOP&S): For appointments, eligibility and information call 818-364-7645 or
visit http://www.lamission.edu/eops/

Financial Aid: For information and applications call 818-364-7648 or visit http://www.lamission.edu/financialaid/

Library: For information on hours, resources, workshops, and other services contact 818-364-7106 or visithttp://www.lamission.edu/library/

STEM Office: For information on free tutoring, resources and academic counseling for
STEM (Science, Technology, Engineering, and Technology) students
visit: http://www.lamission.edu/stem

Tutoring Services in Learning Center: Laboratories for Learning, Writing, Math & Science. Walk-in and appointment services offered. Call 818-364-7754 or visit www.lamission.edu/learningcenter/

Three Attempt Limit
A new state policy in effect as of 2012 limits students to **three attempts per course**.
Receiving a grade or a "W" for a course counts as an attempt, **regardless of when the course was taken**. Withdrawal by the deadline to avoid a "W" will not count as an attempt.

updated: 1/30/14