

SYLLABUS

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|--------------------------------|---|-------------------|---|-------------|-----------|---|----------|-----------|---|--------------|-----------|---|----------------|-----------|---|-------------------|
| COURSE NAME: COURSE NUMBER: | COMMUNITY PROPERTY F340 | | | | | | | | | | | | | | | |
| PROFESSOR: | Lawrence A. Moskowitz Phone 707-525-8800 Email: moskowitz@perrylaw.net | | | | | | | | | | | | | | | |
| WHEN: | Thursdays 6:00 p.m. to 9:00 p.m. Spring 2011 | | | | | | | | | | | | | | | |
| UNITS: | 3 | | | | | | | | | | | | | | | |
| TEXT: | Bird, <i>Cases and Materials on California Community Property</i> (9 th Ed. 2008) ISBN:978-0-314-18028-5 NOTE: It is not necessary to separately purchase a copy of the California Family Code. All of the necessary code sections will be found in the Course Materials. | | | | | | | | | | | | | | | |
| GRADING: | <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">90% - 100%</td> <td style="width: 33%;">A</td> <td style="width: 33%;">Outstanding</td> </tr> <tr> <td>80% - 89%</td> <td>B</td> <td>Superior</td> </tr> <tr> <td>70% - 79%</td> <td>C</td> <td>Satisfactory</td> </tr> <tr> <td>65% - 69%</td> <td>D</td> <td>Unsatisfactory</td> </tr> <tr> <td>Below 65%</td> <td>F</td> <td>Failing/No Credit</td> </tr> </table> | 90% - 100% | A | Outstanding | 80% - 89% | B | Superior | 70% - 79% | C | Satisfactory | 65% - 69% | D | Unsatisfactory | Below 65% | F | Failing/No Credit |
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| 80% - 89% | B | Superior | | | | | | | | | | | | | | |
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| Below 65% | F | Failing/No Credit | | | | | | | | | | | | | | |
| GRADE DETERMINATION: | The grade will be based on the results of the final examination, with up to five points added as appropriate for classroom participation. Classroom participation includes being prepared to brief cases when called upon, and making concise, cogent contributions to class discussions. | | | | | | | | | | | | | | | |
| CLASS PREPARATION: | Students must come to class prepared to discuss the material assigned. They will be asked to brief cases in alphabetical order based on the class roll list. Students are expected to prepare the first assignment before the first class session. | | | | | | | | | | | | | | | |
| ATTENDANCE: | A minimum of 80% attendance is required (11 classes). This means that no more than 20% of the total class hours can be missed (2 classes). | | | | | | | | | | | | | | | |
| GOALS: | To give the student a working knowledge of California Community Property law, including but not limited to the following: identification and characterization of marital property and debts; valuation of community property assets; division of marital assets and debts upon dissolution of marriage; management and control of community property; special issues concerning non-marital cohabitation, real estate, business assets, deferred compensation, bankruptcy, and tax consequences of community property division. | | | | | | | | | | | | | | | |

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| PREREQUISITES: | Satisfactory completion of all first and second year courses. |
| PLAN: | The assignments for the class are as follows (assignments include text and statutes before each case and notes after each case): |
| WEEK 1: 1/6/11 | Pages 1-82 (except <i>Stewart v. Stewart</i>), plus <i>Marriage of Barneson (1999) 69 Cal.App.4th 583, and <i>Marriage of Holtemann (2008) 166 Cal.App.4th 1166</i></i> |
| WEEK 2: 1/13/11 | Pages 83-136 (except <i>Horsman v. Maden</i> and <i>In re Marriage of Ashodian</i>), plus <i>Marriage of Perkal (1988) 203 Cal.App.3d 1198</i> |
| WEEK 3: 1/20/11 | Pages 139-256 (except <i>Marriage Cases</i>). |
| WEEK 4: 1/27/11 | Pages 256-309 (except <i>Grappo v. Coventry Financial Corporation</i> and <i>In re Marriage of Roesch</i>). |
| WEEK 5: 2/3/11 | Pages 310-360, plus <i>Egelhoff v. Egelhoff (2001) 532 U.S. 141 and <i>Marriage of Green (1989) 213 Cal.App.3d 14</i></i> |
| WEEK 6: 2/10/11 | Pages 360-361 and pages 369-422, plus <i>Raphael v. Bloomfield (2003) 113 Cal.App.4th 617, and <i>Marriage of Sherman (2005) 133 Cal.App.4th 795</i></i> |
| WEEK 7: 2/17/11 | Pages 423-473, plus <i>Marriage of Wright (1983) 140 Cal.App.3d 342 and <i>Marriage of Cornejo (1996) 13 Cal.4th 381</i></i> |
| WEEK 8: 2/24/11 | Pages 474-541 (except <i>Marriage of Duffy and Wilcox v. Wilcox</i>), and pages 721-728, plus <i>Marriage of Nelson (1986) 177 Cal.App.3d 150 and <i>Marriage of Delaney (2003) 111 Cal.App.4th 991</i></i> |
| WEEK 9: 3/3/11 | Pages 542-614, plus <i>In re Marriage of Feldman (2007) 153 Cal.App.4th 1470</i> |
| WEEK 10: 3/10/11 | Pages 582-638 (except <i>Marriage of Braendle</i>). Plus <i>Marriage of Oropallo (1998) 68 Cal.App.4th 997</i> |
| WEEK 11: 3/17/11 | Pages 638-671 (except <i>Muckle v. Superior Court</i> and <i>Marriage of Andresen</i>), plus <i>Marriage of Braud (1996) 45 Cal.App.4th 797</i> |
| WEEK 12: 3/24/11 | Pages 671-736 (except <i>Marriage of Harrington, Henn v. Henn, and Marriage of Varner</i>), plus Internal Revenue Code sections 121 and 1041, <i>Marriage of Cates and Iredale (2004) 121 Cal.App.4th 321, <i>Marriage of Hokanson (1998) 68 Cal.App.4th 987 and <i>Marriage of Brewer & Federici (2001) 93 Cal.App.4th 1334</i></i></i> |
| WEEK 13: 3/31/11 | Review Session |