

Unit 1 Assignment: “To be or not to be...a fixture”

Due Date: 11:59 p.m. EST, Sunday of Unit 1

Points: 100

Overview:

For this assignment, you will locate a case from your state where the court decided that an item of personal property is either a fixture or personal property, and discuss the Court’s reasoning for its conclusion.

Instructions:

The case you find must have at least one of the issues to be decided, whether some item is a fixture (*not* whether the property was improperly seized by the government, or another issue that has nothing to do with the item’s classification). In a *thoughtful, substantive* response complete the following:

- First, define a fixture, then personal property, with proper citations for each definition, either from the case or your textbook.
- Next, name the case (i.e., in *Town of Windsor v. Smith*).
- Then, summarize the item(s) in dispute (the parties were disputing whether the ceiling fan located within the premises was a fixture).
- Discuss: The court (reasoned, determined, concluded) that because the (item) ... (Read your case and describe the tests from which the court based its decision. Those tests should be familiar to you from the assigned reading).
- Conclude with what the court determined (The court found that the ceiling fan was in fact...).
- Finally, provide the citation - i.e., 19 Conn. 451 (2012).

Requirements:

- Your paper should be at least one (1) but not more than two (2) pages in length, double-spaced, 12 pt. font, Times New Roman.
- All work should be written in proper Bluebook format.
- A link to the case is provided with the assignment.

Be sure to read the criteria by which your work will be evaluated before you write and again after you write.

Evaluation Rubric for “To be or not to be...a fixture” Assignment

CRITERIA	Deficient (0 Points)	Needs Improvement (5 Points)	Exemplary (10 Points)
Define	<i>Fixture and Personal Property</i> are not defined or cited, or the definitions and/or citations are incorrect.	<i>Fixture and Personal Property</i> are defined and include citations, but may have small errors.	<i>Fixture and Personal Property</i> are accurately defined and include proper citations.
Name	The name of the case is missing or completely incorrect.	The name of the case has small errors.	The name of the case is written out correctly.
Summarize	Summarization of items in dispute is missing or incorrect.	Items of dispute are summarized, though small errors exist.	Items of dispute are accurately summarized.
	(0 Points)	(10 Points)	(20 Points)
Discuss	Discussion of the court’s reasoning is missing or inaccurate.	Discussion of the court’s reasoning is accurate, though key details could be expanded further.	Discussion of the court’s reasoning is accurate and well-written.
Conclude	Conclusion of the court’s findings is missing or inaccurate.	Conclusion of the court’s findings is accurate, though key details could be expanded further.	Conclusion of the court’s findings is accurate and well-written.
	(0 Points)	(5 Points)	(10 Points)
Cite	Citation of the case is missing or completely incorrect.	The citation has small errors.	The case is cited correctly.
Resource	Case is not provided with the assignment.	---	Case is provided with assignment.
Clear and Professional Writing and Format	Errors impede professional presentation; guidelines not followed.	Some errors that do not impede professional presentation.	Writing and format are clear, professional, compliant, and error-free.