The community property regime has been lauded as one of the greatest achievements of the civil law, providing women with financial equality in marriage that had not before existed. Nine American states use the regime, necessarily rejecting the common law separate property scheme, and abroad, the community property regime is the preferred method of treating property acquired by spouses. But has the utility of the community property concept run its course? The adoption of doctrines requiring equitable division of property on divorce at common law has arguably brought gender equality to separate property states, such that the community property regime is no longer the only means of achieving such equality. And the advantage creditors achieve in debt collection from spouses in community property states suggests that it is no longer the spouses that the community property regime serves. This Symposium will explore the modern functions of the community property regime, analyzing the regime’s consequences at divorce, death, and bankruptcy. With these consequences in mind, the Symposium will pose the following question: Is the regime worth saving or is it an institution that should be recognized as outdated and perhaps discarded by all states?
The Future of Community Property: Is the Regime Still Viable in the 21st Century?

Friday, April 1, 2011

7:45-8:30 a.m. Registration and Continental Breakfast (provided)

8:30-8:45 a.m. Opening Remarks

Speaker A. Carroll

8:45-9:30 a.m. Opting In, Opting Out: Autonomy in Community Property States

Professor Turnipseed

9:30-10:15 a.m. Distribution of Community Assets and Liabilities at Divorce: Equitable Doesn’t Equal Equal

James R. Ratner

10:15-10:25 a.m. Break

10:25-11:00 a.m. What’s Fair in Divorce Property Distribution? Cross-National Perspectives

Marsha Garrison

11:00-11:55 a.m. How Community Property Jurisdictions Can Avoid Being Lost in Cyberspace

Sally Brown Richardson

11:55 a.m.-1:10 p.m. Lunch

1:10-1:55 p.m. Should Separate Property Gradually Become Community Property as the Marriage Continues?

J. Thomas Oldham

1:55-2:40 p.m. Family Law and Bankruptcy

The Honorable Margaret McGarity

2:40-3:20 p.m. Break

3:20-5:30 p.m. Community Property v. The Elective Share

Terry L. Turnerseed

5:30-6:45 p.m. Panel Discussion: Is the Community Property Regime Still Viable in the 21st Century?

Tony L. Turnerseed

The Future of Community Property: Is the Regime Still Viable in the 21st Century?

Friday, April 1, 2011

Registration Form (only one registrant per form)

NAME

TITLE

NAMETAG

ORGANIZATION

LAW SCHOOL

ADDRESS

CITY

PHONE

E-MAIL

State __ Zip __

FAX __

LA BAR #

WILL YOU ATTEND THE COMPLIMENTARY LUNCH?  □ YES □ NO

Register by fax 225/578-1685, scan & email to lawreview@law.lsu.edu, or print and return to:

LAW REVIEW

W114 Paul M. Hebert Law Center

1 E. Campus Dr., Louisiana State University

Baton Rouge, LA 70803

TIME

8:30 a.m.

Lunch will be available at no charge, however, pre-registration is required. The deadline to pre-register is March 25.

FOUR FREE REGISTRATION AND CLE CREDIT

LOCATION

LSU Law Center, McKernan Law Auditorium

1 East Campus Drive

Baton Rouge, LA 70803

For more information contact Vickie Landry, 225/578-1683.