

Special Topics: Protecting Family Land ENV 5901.01

Professor: Mavis Gragg
Email: mgragg@vermontlaw.edu
Phone: 828-712-4635 (text only)

Course Overview

Course Description

This course introduces students to the major legal issues that arise regarding intergenerational, family-owned real estate commonly referred to as heirs' property. The main topics will span owner rights and responsibilities, clearing title, policy, and succession planning. Also explores intersectional issues and how protecting heirs' property can address them.

Meet the Professor

Mavis is a self described “death and dirt” attorney and conservation professional empowering families to use real estate as a source for intergenerational resiliency and wealth. She currently serves as the CEO of HeirShares, which is building groundbreaking technology to facilitate affordable solutions for family real estate ownership and is the outgoing Director of the Sustainable Forestry and African American Land Retention program.

Mavis leverages her specialized skills and experience to seek sustainable impact and to empower others through various initiatives and serving as an advisor on initiatives related to heirs' property including the newly founded Heirs' Property Practitioner Network. In the conservation arena, Mavis chairs the North Carolina Parks and Recreation Trust Fund Authority and serves on the Land Trust Alliance's Conservation Defense Advisory Council and the Good Ground Initiative Advisory Committee for Triangle Land Conservancy where she previously served as board chair. She also. Mavis, also an art enthusiast, is the co-founder of Pop Box Gallery, a zero-commission art gallery. In her free time, Mavis enjoys swimming, hikes, and flying her drone.

Course Logistics

- Class Meetings: 10am to 12pm and 1pm to 3pm on June 9, 10, and 11
- Book: Heirs' Property and the Uniform Partition of Heirs Property Act: Challenges, Solutions, and Historic Reform. Other required texts listed below
- Optional Text: Texts not required will be indicated as optional
- Expectations and Attendance: I expect that you will be on time, prepared, and mentally and physically present for class.
- Class Discussion: The structure of class sessions will include regular discussions as a class and in small groups. Your participation in the discussion is both required and encouraged. Grading: This is a pass-fail course. I expect that you will be well prepared for class, participate meaningfully in class discussions, and complete assignments.

Agenda

June 9, 2023

Class Preparation:

- Chapters 1-2 of *Heirs' Property and the Uniform Partition of Heirs Property Act: Challenges, Solutions, and Historic Reform*
- [FEMA criteria](#) (section on verifying homeownership) [Full](#) (5 min read)
- [Vermont Partition Statute](#)
- [Uniform Partition of Heirs Property Act](#)
- <https://www.washingtonpost.com/nation/2021/07/11/fema-black-owned-property/> (30 min read)
- <https://www.washingtonpost.com/nation/2021/09/02/fema-policy-change/> (30 min read)
- https://ncseagrant.ncsu.edu/ncseagrant_docs/coa_stallaw/pubs/heirs_property.pdf (30 min read, optional)
- <https://www.npr.org/2021/06/30/1011901524/lower-income-survivors-are-less-likely-to-get-fema-aid-after-disaster-documents-> (six minute listen, optional)
- [Tenants in Common Default Rules Act](#) (32 min read, optional)

- [Arkansas Senate Bill 246 \(now enacted\)](#) (5 min read, optional)

10-10:20 (20 m)	Welcome and introductions
10:20-11:15 (55 m)	Heirs' Property 101
11:15-12 (45 m)	Policies
12-1	Lunch
1-3	Partition Action

June 10, 2023

Class Preparation:

- Chapters 1-2 of *Heirs' Property and the Uniform Partition of Heirs Property Act: Challenges, Solutions, and Historic Reform*
- [How to Fill Out Family Tree Template](#)
- [AMERICA'S FORESTS WITH CHUCK LEAVELL-South Carolina](#) (27 min. video)
- [Appalachia's "Big White Ghettos": Exploring the Role of Heirs' Property in the Reproduction of Housing Vulnerability in Eastern Kentucky](#) (optional)
- [Heirs' Property and Land Fractionation: Fostering Stable Ownership to Prevent Land Loss and Abandonment](#)

10-12	Clearing Title and the Family Tree
12-1	Lunch
1-3	Innovation- HeirShares' Pursuit of Transformative Change Succession Planning / Estate Planning

June 11, 2023

Class Preparation:

- *Listening is an Act of Love- StoryCorps [short film](#)* (22 min)
- VICE's [How Property Law is Used to appropriate Black Land](#) (21 minutes)
- *Unbundling legal services [link](#), [article](#)* (10 min)
- Center for Intersectional Justice [What is Intersectionality](#) (helpful explanation, time varies)
- [Basics of GIS Mapping](#) (optional, helpful if not familiar with mapping)
- [Applying GIS Mapping to Environmental Law](#) (optional, helpful if not familiar with mapping)
- [World Wildlife Fund Study](#) (section I required, Recommendations p 38, optional)
- [Identifying Potential Heirs Properties in the Southeastern United States](#) (optional, very interesting read)

10-12

Panel Discussion on the Practice

Topics include, heirs' property personas, client management, a day in the life of an heirs' property attorney.

1-3

Using Maps to Inform and Build Strategies
Heirs' Property and Intersectionality