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## Symposium: Community Property

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# COMMENTS

## SYMPOSIUM: COMMUNITY PROPERTY

Community of property between spouses has always existed in Louisiana. Some form of the marital community was recognized in the French and Spanish laws which governed colonial Louisiana. The first and each subsequent Civil Code continued the marital community, making it an integral part of our private law which determines not only the property rights of husband and wife *inter se* but also affects the rights of creditors, heirs, and others. Louisiana's experience with community property has been a pleasant one in general. Numerous legislative enactments and sympathetic judicial decisions have made the community a satisfactory regime of marital property in spite of social and economic change. Thus the community has survived sweeping changes in the economy of the state and social changes which culminated in the married women's emancipation acts. As a result of piecemeal legislation and thousands of judicial decisions, however, the Civil Code no longer accurately reflects current law. Since the legal profession encounters community property law daily and since the current law is not readily available, a comprehensive collection of current law seems desirable.

This Symposium, directed by Professor Carlos E. Lazarus, attempts to delineate the current law governing the Louisiana community property system. As knowledge of the past may suggest solutions to problems of the present, some attention is given to the historical development of community property in Louisiana and elsewhere. The emphasis, however, is on current Louisiana law. A series of Comments examines the composition of the community and classifications of property as community or separate. A second group of Comments examines control and management of the community. Other Comments study the nature of the wife's interest in the community, creditors' rights, and problems related to termination and settlement of the community. Space limitations preclude publication of the entire Symposium in this issue. Part II of the Symposium will be published in Issue II.