

LAW 7103-03: TORTS I

SYLLABUS

Prof. Bell
Fall 2008

COURSE DESCRIPTION AND OBJECTIVES

Through tort law, a person who has suffered a wrong caused by another person can use civil litigation to exact legal remedies—most notably, compensation—from that wrongdoer. This semester, in Torts I, we will focus on: intentional torts and defenses to them; negligence; and principles of causation. Next semester, in Torts II, we will turn to strict liability, products liability, measuring damages, defenses to unintentional torts, and three particular types of torts: defamation; invasion of privacy; and nuisance.

Together with Torts II, Torts I should prepare you to analyze a wide variety of tort law issues at a general level. Dealing with particular types of torts, such as medical malpractice, may require additional, specialized study. This class should also help to polish your legal reasoning skills and introduce you to some of the practical and ethical concerns of a working attorney.

GRADING

Exams count for a total of 90% of your course grade. A final exam of essay and multiple-choice questions will count for 75% of your grade for the course. The essay portion will predominate. It will be partially closed-book; the multiple-choice part will be closed-book. A similarly formatted mid-term exam will count for 15% of your course grade.

Participation counts for 10% of your course grade. You can earn one participation point per class by signing a sheet indicating that you have prepared to discuss the assignment. You may lose some or all of the points allowed for classroom discussion if you sign up to speak but demonstrate lack of preparation. You may also earn participation points for various ungraded quizzes or projects.

Review teams give you the opportunity to earn 10 participation points. At the beginning of the semester, I will randomly assign you to such a team. You and your team members will be tasked to start a given class by orally reviewing the prior one. Your review team will also have to provide a written summary no longer than one page long, copies of which I will have distributed to your classmates. Your team will have to send an electronic copy of its written summary to my administrative assistant, Frank

Alvarado, at falvarad@chapman.edu, by 10 a.m. of the morning of your in-class presentation. Your team's review will receive a pass/fail grade worth 10/0 participation points to each team member. Please note that I will not police disputes among team members about how to share duties, but that any team member who fails to help orally present part of his/her team's review will receive no points for the exercise.

HOW TO CONTACT ME

You can find me in my office, room 438, each Monday from 11:30 a.m. to 1:00 p.m., and each Wednesday from 11:30 a.m. to 1:00 p.m. and from 2:30 until 5:30 p.m. I welcome you to drop by at those times or at other times by appointment. You can also call me at 714/628-2503 or email me at <tbell@chapman.edu>. At <<http://www.tomwbell.com/teaching.html>> you can find course materials, such as a copy of this syllabus.

READING ASSIGNMENTS

This syllabus sets forth the readings assigned from the course's primary text, TORTS: CASES AND QUESTIONS (Farnsworth & Grady, eds., 2004). Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it.

<u>class #</u>	<u>assignment</u>	<u>(# of pages)</u>
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Introduction

Class 1:	pp. xxxiii-xlvi, 1, 85, 121, 215, 307	(14)
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NB: No class on Wednesday, August 20

Ch. 1. Intentional Torts: The Prima Facie Case

Class 2:	pp. 1-16	(15)
Class 3:	pp. 16-28	(12)
Class 4:	pp. 28-41	(14)
Class 5:	pp. 41-55	(14)
Class 6:	pp. 55-70	(15)
Class 7:	pp. 70-84	(14)

Ch. 2. Intentional Torts: Privileges

Class 8:	pp. 85-97	(13)
Class 9:	pp. 97-111	(14)

Ch. 3. The Negligence Standard

Class 10:	pp. 121-126, 132 (n. 8)-140	(14)
Class 11:	pp. 140-158	(18)
Class 12:	pp. 158-159, 161 (n. 3)-166, 167-178 (n.10)	(15)
Class 13:	pp. 178 (n. 10)-187, 189-194	(14)
Class 14:	pp. 196 (n. 8)-199, 204-214	(13)

Ch. 4. Duties and Limitations (cont. below)

Class 15:	pp. 215-227	(12)
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Midterm Exam

Class 16:	(administered in-class on Wednesday, Oct. 15)	
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Ch. 4. Duties and Limitations (cont. from above)

Class 17:	pp. 227-243	(15)
Class 18:	pp. 243-258	(16)
Class 19:	pp. 258-268 (n. 7), 270-277	(16)
Class 20:	pp. 277-291	(15)
Class 21:	pp. 291-297 (n. 6), 299-305	(13)

Ch. 5. Cause in Fact

Class 22:	pp. 307-321	(14)
Class 23:	pp. 321-336	(15)
Class 24:	pp. 336-350	(15)

Ch. 6. Proximate Causation

Class 25:	pp. 351-367	(16)
Class 26:	pp. 367-377	(10)
Class 27:	pp. 377-391	(14)

Review

Class 28:	(review)	(0)
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