

EMPIRE COLLEGE SCHOOL OF LAW

SYLLABUS

Course Number: F 140
Course Name: Torts
Professor: Joseph Stogner, Esq. 707/571-0110 jlstogner@hotmail.com
When: Thursday, 6:30 p.m. - 9:30 p.m.
Fall Semester, 2009
Units: 3 Units

Text and Hornbook: Torts, Cases and Materials, Schwartz, Kelly and Partlett, The Foundation Press (11th Ed., 2005) - ISBN 1587788748 text (required); The Law of Torts, Dobbs, West Group (2000) ISBN 031421187X - hornbook (recommended).

Grading:	90% - 100%	A	Outstanding
	80% - 89%	B	Superior
	70% - 79%	C	Satisfactory
	65% - 69%	D	Unsatisfactory
	Below 65%	F	Failing, No Credit

Grade Determination: The grade will be comprised of the results of a three hour midterm exam (25%) and a three hour final exam (75%).

Attendance: Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. A minimum of 80 percent attendance is required. (36 hours – 12 of 15 classes). Roll will be taken at each class.

Goals: This course will cover intentional wrongs to person and property; negligence; duty of persons in control of property; liability without fault; products liability; nuisance; defamation; privacy; misuse of legal process; misrepresentation; interference with contractual relations; and unclassified torts.

Students will learn the essential elements for the various torts, as well as their interrelationships. Fact patterns will be analyzed to ascertain the different theories of tort liability which may be applied.

Prerequisites: Completion of Introduction to Law and Legal Research and Writing

Assignments for the Class

Week 1	"Development of Liability Based Upon Fault" and "Intentional Interference with Person or Property". Read and prepare cases and problems for classroom discussion, Text, pages 1 - 30.
Week 2	"Intentional Interference with Person or Property". Read and prepare cases and problems for classroom discussion, Text, pages 30 - 64.
Week 3	"Intentional Interference with Person or Property" and "Privileges". Read and prepare cases and problems for classroom discussion, Text, pages 64 - 107.
Week 4	"Privileges" and "Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 107 – 145.
Week 5	"Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 145 - 185.
Week 6	"Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 185 - 229.
Week 7	"Negligence" and "Causation in Fact". Read and prepare cases and problems for classroom discussion, Text, pages 229 - 270.
Week 8	"Causation in Fact" and "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 270 - 319.
Week 9	"Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 319 - 361.
Week 10	"Joint Tortfeasors". Read and prepare cases and problems for classroom discussion, Text, pages 361 - 402.
Week 11	"Duty of Care" Read and prepare cases and problems for classroom discussion, Text, pages 403 - 449.
Week 12	"Duty of Care" and "Owners and Occupiers of Land". Read and prepare cases and problems for classroom discussion, Text, pages 450 - 507.
Week 13	"Owners and Occupiers of Land" and "Damages". Read and prepare cases and problems for classroom discussion, Text, pages 507 - 564.
Week 14	Review.
Week 15	Midterm Exam.

Midterm
and Final Exam:

3 Hours

Two essay questions and a series of multi-state/multiple choice questions will be given for both the midterm and final exams.

For the essay questions, students will be expected to identify the legal issues raised in the fact patterns, apply the appropriate rules of law, and arrive at a well reasoned conclusion.

For the multi-state/multiple choice questions, students will be expected to choose the best of alternative answers, according to generally accepted common law views, without consideration of any statutes.