

EMPIRE COLLEGE SCHOOL OF LAW

SYLLABUS

Course Number: F140C
Course Name: Torts
Professor: Joseph Stogner, Esq. 707/571-0110 jlstogner@hotmail.com
When: Thursday, 6:30 p.m. - 9:30 p.m.
Spring Semester, 2011
Units: 3 Units

Text and Hornbook: Torts, Cases and Materials, 12th Edition; West/Foundation Press, Prosser Wade Schwartz's ISBN-13# 9781599417042 (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 - 37.
- Week 2 "Intentional Interference with Person or Property". Read and prepare cases and problems for classroom discussion, Text, pages 37 - 68.
- Week 3 "Intentional Interference with Person or Property" and "Privileges". Read and prepare cases and problems for classroom discussion, Text, pages 68 - 114.
- Week 4 "Privileges" and "Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 114 – 150.
- Week 5 "Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 150 - 187.
- Week 6 "Negligence". Read and prepare cases and problems for classroom discussion, Text, pages 187 - 238.
- Week 7 "Negligence" and "Causation in Fact". Read and prepare cases and problems for classroom discussion, Text, pages 238 - 267.
- Week 8 "Causation in Fact" and "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 267 - 319.
- Week 9 "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 319 - 373.
- Week 10 "Joint Tortfeasors". Read and prepare cases and problems for classroom discussion, Text, pages 374 - 405.
- Week 11 "Joint Tortfeasors" and "Duty of Care" Read and prepare cases and problems for classroom discussion, Text, pages 405 - 452.
- Week 12 "Duty of Care" and "Owners and Occupiers of Land". Read and prepare cases and problems for classroom discussion, Text, pages 452 - 509.
- Week 13 "Owners and Occupiers of Land" and "Damages". Read and prepare cases and problems for classroom discussion, Text, pages 509 - 585.
- Week 14 Review.
- Week 15 Midterm Exam.

Make-up classes to be scheduled as needed.

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.