

EMPIRE COLLEGE SCHOOL OF LAW

SYLLABUS

Course Number: S140A.3

Course Name: Torts

Professor: David Carr
415/703-5538

When: Thursday, 6:30 p.m. - 9:30 p.m.
Spring Semester, 2012

Units: 3 Units/45 Hours

Text: Torts, Cases and Materials Schwartz, Kelly & Partlett-- Foundation Press (12th ed.) ISBN: 9781599417042 (required).

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 a weighted average of the results of a midterm exam (30%) and a final exam (70%).

Attendance: Regular and punctual attendance is essential for the successful completion of law school. Students should plan to attend every class. Students must attend a minimum of 80% of the class sessions during each semester. 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 for practical application of the different theories of tort liability.

Prerequisites: Successful completion of Introduction to Law and Legal Research and Writing.

TORTS Spring 2012 Class Assignments

- Week 1 "Development of Liability Based Upon Fault" and "Intentional Interference with Person or Property". Read cases and appended 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 - 68.
- Week 3 "Intentional Interference with Person or Property" and "Privileges". Read and prepare cases and problems for classroom discussion; Text pages 68 - 108.
- Week 4 "Privileges" and "Negligence". Read and prepare cases and problems for classroom discussion; Text pages 108 - 145.
- Week 5 "Negligence". Read and prepare cases and problems for classroom discussion; Text pages 145 - 187.
- Week 6 "Negligence". Read and prepare cases and problems for classroom discussion; Text pages 187 - 230.
- Week 7 "Negligence" and "Causation in Fact". Read and prepare cases and problems for classroom discussion; Text pages 230 - 267.
- Week 8 "Causation in Fact" and "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 268 - 309.
- Week 9 "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion; Text pages 310 - 362.
- Week 10 "Proximate Cause; Joint Tortfeasors". Read and prepare cases and problems for classroom discussion; Text pages 362 - 405.
- Week 11 "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 - 493.
- Week 13 "Owners and Occupiers of Land" and "Damages". Read and prepare cases and problems for classroom discussion; Text pages 494 - 555.
- Week 14 Review and exam preparation.
- Week 15 Midterm Exam.

Make-up classes to be scheduled as needed.

Midterm
and Final Exams:

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.