

EMPIRE COLLEGE SCHOOL OF LAW

SYLLABUS

Course Number: F140A
Course Name: Torts

Professor: David Carr
415/703-5538

When: Thursday, 6:30 p.m. - 9:30 p.m.
Fall Semester, 2010

Units: 3 Units/45 Hours

Text: Torts, Cases and Materials, Schwartz, Kelly and Partlett, The Foundation Press (11th ed., 2000) ISBN 1-58778-874-8 text (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 comprised of the results of a three hour midterm exam (30%) and a three hour 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% (36 hours — 12 of 15 classes) 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 Fall 2010 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 - 29.
- Week 2 "Intentional Interference with Person or Property". Read and prepare cases and problems for classroom discussion; Text pages 29 - 64.
- Week 3 "Intentional Interference with Person or Property" and "Privileges". Read and prepare cases and problems for classroom discussion; Text pages 64 - 106.
- Week 4 "Privileges" and "Negligence". Read and prepare cases and problems for classroom discussion; Text pages 106 - 145.
- Week 5 "Negligence". Read and prepare cases and problems for classroom discussion; Text pages 145 - 180.
- Week 6 "Negligence". Read and prepare cases and problems for classroom discussion; Text pages 180 - 222.
- Week 7 "Negligence" and "Causation in Fact". Read and prepare cases and problems for classroom discussion; Text pages 222 - 262.
- Week 8 "Causation in Fact" and "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion, Text, pages 262 - 308.
- Week 9 "Proximate or Legal Cause". Read and prepare cases and problems for classroom discussion; Text pages 308 - 360.
- Week 10 "Joint Tortfeasors". Read and prepare cases and problems for classroom discussion; Text pages 360 - 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 - 502.
- Week 13 "Owners and Occupiers of Land" and "Damages". Read and prepare cases and problems for classroom discussion; Text pages 502 - 564.
- Week 14 Review.
- 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.