



LAW 102 - TORTS COURSE SYLLABUS 2020 (14 weeks - 7 semester units)

DESCRIPTION:

This course is a survey of civil causes of action for which an injured party may seek redress and compensatory relief in court. Students will learn various theories of tort liability including intentional torts to person and property such as assault, battery, false imprisonment, trespass and infliction of emotional distress. Students will also examine the law relating to causes of action for ordinary and professional negligence, wrongful death, products liability, and dignitary torts such as invasion of privacy, defamation, constitutional torts and nuisance. They will also examine strict liability causes of action such as pet ownership and products liability. Finally, students will examine tort defenses of privilege, mistake, self-defense, consent, necessity, immunity, contributory and comparative negligence and assumption of the risk.

OBJECTIVE:

The student is to learn how to apply the learned principles and concepts of torts to various fact patterns.

EVALUATION:

In addition to the midterm and final, students are to construct their own course outlines. The student's answers for the midterm and final essay examinations should demonstrate his/her ability to analyze the facts, to tell the difference between material facts and immaterial facts, and to discern the points of law and fact upon which the case turns. The student's answers should show that he/she knows and understands the pertinent principles and theories of law, their qualifications and limitations, and their relationships to each other. The student's application should evidence his/her ability to apply the law to the given facts and to reason in a logical, lawyer-like manner from the premises he/she adapts to a sound conclusion.

CLASS CONTENT AND SCHEDULE:

The classes consist of the teaching of the substantive law through the traditional casebook method and lecture, and multiple-choice workshops and essay workshops that include the analytical application of the substantive law to various multiple-choice and essay fact patterns.

The substantive law lectures will begin the first (1) week of class. There will be two substantive law lectures per week. The first lecture will be of two-hour duration. The second lecture will be of two-hour duration for weeks one (1) through three (3) and week fourteen (14). The second lecture will be of one-hour duration for weeks four (4) through thirteen (13).

Multiple-choice workshops will begin during the fourth (4) week of class and end on the fourteenth (14) week.

Essay workshops will begin the fourth (4) week of class and end on the thirteenth (13) week. These classes follow directly after the second, one-hour substantive lectures.

There will be no multiple-choice workshops or essay workshops during the weeks of the midterm exam, final study week and final exams.

HOMEWORK, MIDTERM AND FINAL EXAMS, AND FINAL GRADING:

1. HOMEWORK:

- a. WEEKLY CASE BRIEFS:** All students must submit assigned briefing homework. A student's briefing homework will count towards 5% of the final grade. If a student does not submit all of their briefs in a timely manner, their 5% credit will be adjusted in proportion to the total class briefs assigned and the total briefs submitted on time.

Briefs must be submitted by two deadlines. The first eight (8) weeks of briefs (24 briefs) must be submitted by the Saturday of midterm exams. The remainder of the four (5) weeks of briefs (15 briefs) must be submitted by the Saturday of final exams week. However, students should keep up with their weekly reading assignments and should be submitting their briefs on a weekly basis.

Briefs must be submitted in weekly groups (e.g., all three briefs for Torts Week One must be in one document and labeled accordingly [i.e. "Torts Week 1 Briefs"]) for the content and subject matter in email). Briefs **MUST** be submitted through email attachment using either a ".doc" or ".rtf" format. The briefs should be sent directly to Homework@InstituteOfLaw.com and should be submitted on a weekly basis.

- b. STUDENT STUDY LOG:** Each student will be **REQUIRED** to keep a personal study log that will accurately reflect the actual time that student spend in the study of law. This will include reading the casebook and summary, briefing cases, creating the own course outline, study groups, exam preparation, etc. It will be due the Saturday of final exam week.

- 2. MIDTERM EXAM:** The midterm exam will consist of one essay and twenty multiple-choice questions. The midterm is a closed-book exam; no notes, whatsoever, are allowed. The midterm exam will be given during the entire week of the twenty-ninth (29) week of the first-year, which is the ninth (9) week of Law 102. The midterm will be given in two (2), one-hour time blocks, one for the essay and one for the multiple-choice. Students will have two hours total to complete the midterm exam. The student need not take the exam in any given order or any particular day (e.g., a student may take the essay portion [one hour] on Sunday and then take the multiple-choice portion [one hour] on Saturday). The midterm exam will be worth 35% of the final grade (20% for the essay and 15% for the twenty multiple-choice questions). The midterm exam is to be taken online and the student can access the exam at any time during the entire week. The midterm exam questions will only be accessible through the AIL's website.

3. **FINAL EXAM:** The final exam will consist of two essays and thirty multiple-choice questions. The final is a closed-book exam; no notes, whatsoever, are allowed. The final exam will be given during the entire week of the forty-sixth (46) week. The final will be given in three (3), one-hour time blocks, one for each essay and one for the multiple-choice. Students will have three hours total to complete the final exam. The final exam will be worth 60% of the final grade (20% for each essay and 20% for the thirty multiple-choice questions). The final exam is to be taken online and the student can access the exam at any time during the entire week. The final exam questions will only be accessible through the AIL's website.
4. **FINAL GRADE:** A student's final grade will consist of Briefing Homework: 5%, Midterm Exam: 35%; Final Exam: 60%.

REQUIRED CASEBOOK:

TORTS: Schwartz, Victor E.; Kelly, Kathryn; Partlett, David F.; *Prosser, Wade & Schwartz's Torts: Cases and Materials (12th Edition)* New York, NY: Foundation Press, 2010. (ISBN: 978-1-59941-704-2)

THIS BOOK IS READILY AVAILABLE, NEW AND USED, ON www.amazon.com. THERE IS A NEWER EDITION (13TH EDITION) AVAILABLE FOR THIS BOOK. HOWEVER, TO SAVE STUDENTS THE COST OF THE NEWER EDITION AND PROBLEMS WITH AVAILABILITY OF A MATCHING OUTLINE, WE WILL BE USING THE 12TH EDITION.

JUST ENTER THE ISBN NUMBER EXACTLY AS INDICATED FOR THE CASEBOOK. WHEN IN DOUBT ABOUT EDITIONS, JUST BE SURE THE ISBN NUMBER MATCHES.

REQUIRED SUMMARY:

TORTS: Steven Emanuel; *Emanuel Law Outlines: Torts, Keyed to Prosser Wade Schwartz Kelly & Partlett 12th Edition*, New York, NY; Aspen Publishers, 2011. (ISBN: 978-0-73550-874-3)

OTHER RECOMMENDED MATERIAL:

Kimm Walton and Steve Emanuel; *Strategies and Tactics for the MBE*, New York, NY: Aspen Publishers, 2005. (ISBN: 978-0-73555-872-4)

and/or

Steven Finz; *Strategies and Tactics for the Finz Multistate Method (3rd Edition)* New York, NY: Aspen Publishers, 2013. (ISBN: 978-1-45482-506-7)