

Torts - Week 1

- I. Introduction
 - A. Jurisprudence of Tort Law
 - 1.
 - 2.
 - 3.
 - B. History:
 - 1. Early English law
 - 2. Then,
 - 3. Later,
 - 4. After Norman Conquest (1066–early common law)
 - 5.
 - a.
 - b.
 - 6. By the end of the thirteenth century–common law
 - 7. American tort law
 - C. Tort Definitions:
 - 1.
 - 2.
 - 3.

- 4. Common elements:
 - a.
 - b. Liability based on fault
 - (1)
 - (2)
 - (3)
- D. Crime and Tort Distinguished
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
- E. Burden of Proof or Persuasion:
 - 1. Criminal:
 - 2. Civil:
 - a.
 - b.
- F. Degree of Proof:
 - 1. Criminal:
 - a.
 - b.
 - c.
 - 2. Civil:
 - a.
 - b.
 - c.

II. Intentional Torts

A.

1. Persons:
2. Property:
 - a. Real property:
 - b. Personal property:

B. Act

C. Intent

1. Person torts:
2. Property torts:
- 3.
4. Minors
5. Insane persons
6. Intoxicated persons:
7. Mistaken persons
8. Transferred intent
 - a.
 - b. Definition:
 - c.
 - d.

D. Causation

- 1.

2.

E. Damages

F. Intentional Torts to Persons

1. Battery

- a. Definition:
- b. Intent
- c. Causation
 - (1) Direct
 - (2) Indirect
- d. Harmful or offensive
- e. Plaintiff's person

2. Assault

- a. Definition:
- b. Intent
- c. Reasonable apprehension
 - (1)
 - (2)
 - (3)
 - (4)
 - (5)
 - (6)
 - (7)
- d. Immediate battery

3. False Imprisonment

- a. Definition:
- b. Intent
- c. Confinement
 - (1)
 - (2)

(3)

(4)

(5)

(6)

(7)

(8)

(9)

d. Bounded area

(1)

(2)

4. Intentional Infliction of Emotional Distress

a. Definition: