

Syllabus  
**Torts – Fall 2022**  
3 Credit Hours

CONTACT INFORMATION:

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**Goals and Learning Objectives**

- Combine and integrate case study with class lessons in order to assess theory and application of U.S. tort law.
- Analyze and contrast the various duties established in tort law, including duties of care (negligence) and duties regarding intentional harmful conduct (intentional torts).
- Assess defenses, privileges, and immunities applicable to negligent and intentional torts in order to apply existing legal knowledge and analytical skills to formulating defense strategy for clients facing tort lawsuits in U.S. courts.
- Analyze, contrast, and compare theories of causation in order to assess claims and evaluate defenses for clients who are asserting or defending tort claims in U.S. courts.

**Required Materials**

Prosser/Wade/Schwartz, *Prosser, Wade, and Schwartz's Torts Cases and Materials* (14th ed. 2020)

**Assigned Reading**

The assigned textbook is excellent, particularly in the extent to which it covers key materials that are both important to practitioners and also tested on the Multistate Bar Exam. While some of the reading assignments may appear to be quite long, it is important to note that you do NOT need to memorize or be prepared to discuss the details of the cases excerpted or discussed in the text. The textbook does a nice job of explaining the important principles and lessons to be gleaned from the cases, which we will cover further in the class lectures, so you should be able to read the cases in the textbook quickly.

**Class Meetings**

Except as noted, this class will meet once per week – each Thursday night from 6:05 to 9:00 pm Eastern Standard Time. I will call for a break somewhere near the middle of the session, but if you need to step away at any other time, please feel free to do so – no need to say anything. Attendance requirements are governed by Scalia Law's attendance policy. I understand that students may have no option but to miss all or part of a class meeting for various reasons, and I trust your judgment in that regard. While I am happy to hear from you if you need to miss a class, you do not need to notify me (or to ask permission) if you must miss a class meeting. Each class meeting will be recorded and made available for students to watch offline for any

reason – whether because you couldn’t attend the class meeting live or if you just want to review some part of the lecture. And I am happy to respond to emails or to questions posted on Blackboard – don’t hesitate to reach out with any questions.

### **Class Participation**

Class participation is encouraged but not mandatory or graded. I will mostly teach through lecturing, but I always encourage and appreciate students commenting, asking questions, and otherwise participating in the discussion. The study of tort law is, I think, one of the more interesting aspects of legal education in the US – it is fascinating to learn and to evaluate how the law came to acknowledge duties owed by each of us to others in society and the public policy considerations that factor into defenses, privileges, and remedies. I’ll try to make the lectures as enjoyable as I can, but I’ll be grateful for your help in that regard!

### **Exams and Grading**

Course grades will be based on a final exam consisting of 40 multiple choice questions. There are no other graded assignments – the final grade will be based on the score on the final exam.

<b>Classes</b>	<b>TOPICS</b>	<b>READINGS</b>	<b>EXAMS/EXCERSISESPLES</b>
<b>Aug. 25 &amp; Sept. 1</b>	<ol style="list-style-type: none"> <li>1. Introduction to Torts</li> <li>2. Intentional Interference with Person or Property</li> </ol>	pp. 17-106	
<b>Sept. 8 &amp; Sept. 15</b>	<ol style="list-style-type: none"> <li>1. Privileges</li> <li>2. Defenses</li> <li>3. Interference with Advantageous Relationships</li> </ol>	pp. 107-150 pp. 659-692 p. 1233-1283	
<b>Sept. 22 &amp; Sept. 29</b>	<ol style="list-style-type: none"> <li>1. Negligence</li> <li>2. Privacy</li> </ol>	pp. 151-288 p. 1071-1124	

	<ol style="list-style-type: none"> <li>1. Causation in Fact</li> <li>2. Proximate or Legal Cause: Scope of Liability</li> </ol>	<p>pp. 289-334 pp. 335-414</p>	<p>Midterm Exam TBA</p>
<b>Oct. 6 &amp; Oct. 13</b>	<ol style="list-style-type: none"> <li>1. Joint Tortfeasors</li> <li>2. Duty of Care</li> <li>3. Misrepresentation</li> <li>4. Owners and Occupiers of Land</li> </ol>	<p>pp. 415-454 pp. 455, 470-520 pp. 1171-1232 pp. 537-578</p>	
<b>Oct. 20 &amp; Oct. 27</b>	<ol style="list-style-type: none"> <li>1. Vicarious Liability</li> <li>2. Nuisance</li> <li>3. Damages</li> </ol>	<p>pp. 751-782 pp. 911-942 pp. 579-629</p>	
<b>Nov. 3 &amp; Nov. 10</b>	<ol style="list-style-type: none"> <li>1. Strict Liability</li> <li>2. Products Liability</li> <li>3. Defamation</li> </ol>	<p>pp. 415-454 pp. 455, 470-520 pp. 943-1054</p>	
<b>Nov. 17</b>	Makeup and Review or TBA		Final Exam Dec. 5 6:00 pm or TBA