

LAW 7115-03: TORTS II

SYLLABUS

Prof. Bell
Spring 2010

COURSE DESCRIPTION AND OBJECTIVES

Through tort law, a person who has suffered a wrong caused by another person can use civil litigation to exact legal remedies—most notably, compensation—from that wrongdoer. Last semester, in Torts I, we focused on: intentional torts and defenses to them; negligence; and principles of causation. This semester, in Torts II, we will turn to strict liability, products liability, measuring damages, defenses to unintentional torts, and three particular types of torts: defamation; invasion of privacy; and nuisance.

Together with Torts I, Torts II should prepare you to analyze a wide variety of tort law issues at a general level. Dealing with particular types of torts, such as medical malpractice, may require additional, specialized study. This class should also help to polish your legal reasoning skills and introduce you to some of the practical and ethical concerns of a working attorney.

GRADING

Exams count for a total of 90% of your course grade. A final exam of essay and multiple-choice questions will count for 75% of your grade for the course. The essay portion will predominate. It will be partially closed-book; the multiple-choice part will be closed-book. A similarly formatted mid-term exam will count for 15% of your course grade.

Participation counts for 10% of your course grade. You can earn one participation point per class by signing a sheet indicating that you have prepared to discuss the assignment. You may lose some or all of the points allowed for classroom discussion if you sign up to speak but demonstrate lack of preparation. You may also earn participation points for various ungraded quizzes or projects. I will aim, for instance, to include in each class a statement that contradicts something in the readings. The first student to catch me in such a falsehood, and who raises both hands to indicate as much, will receive one class participation point.

Review teams give you the opportunity to earn 4 participation points. At the beginning of the semester, I will randomly assign you to a review team and will assign each team a class session. Each review team will write a review of its assigned class,

which it will present at the start of the following class session. Each qualifying team member will receive 4 points for that exercise. For details, please see the separate handout.

HOW TO CONTACT ME

I encourage you to contact me if you have questions or comments about what we discuss in class or about law school in general. Look for me at my office, room 438, each Monday and Wednesday, from 9 a.m. until 10:10 a.m., and again from 11:40 a.m. until 1 p.m. I also hold office hours each Wednesday from 2:30 p.m. until 4:00 p.m. I welcome you to drop by and chat at those times or at other times by appointment or chance. You can also call me at 714/628-2503 or email me at <tbell@chapman.edu>. You can find course materials at <www.tomwbell.com/teaching.html>.

READING ASSIGNMENTS

This syllabus sets forth the readings assigned from the course's text, TORTS: CASES AND QUESTIONS (Farnsworth & Grady, eds., 2nd ed., 2009). You should read all of these citations inclusively; "1-5," for instance, means "1, 2, 3, 4, and 5." Please note that while I will make a good faith effort to follow this syllabus, I reserve the right to change it.

<u>class #</u>	<u>assignment</u>	<u>(# of pages)</u>
Introduction		
Class 1:	pp. 395, 462-465, 517, 571, 613, 693-96, 749	(9)
Ch. 7. Strict Liability		
Class 2:	pp. 396-406	(11)
Class 3:	pp. 406-16	(9)
Class 4:	pp. 416-429 (note 6), 430-32 (note 9)	(14)
Class 5:	pp. 433-34, 437-448	(12)
Ch. 8. Products Liability		
Class 6:	pp. 449-462	(13)
Class 7:	pp. 462-470 (n. 1), 473-479	(15)
Class 8:	pp. 479-486, 489 (n.4)-494	(13)
Class 9:	pp. 494-503	(9)

Ch. 9. Damages

Class 10:	pp. 517-529 (n. 2)	(14)
Class 11:	pp. 538-552	(14)
Class 12:	pp. 552-561 (n. 4)	(10)
Class 13:	pp. 561 (n. 5)-569	(8)

Midterm Exam

Class 14:	(administered in-class on Wednesday, March 10)	
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Ch. 10. Defenses

Class 15:	pp. 571-587	(16)
Class 16:	pp. 587-596	(10)
Class 17:	pp. 596-602 (n. 3), 603 (n.5)-607, 609-611	(11)

Ch. 11. Defamation

Class 18:	pp. 613-626	(13)
Class 19:	pp. 626-627, 631 (n.6)-644 (n. 1)	(13)
Class 20:	pp. 644 (n. 2)-647 (n. 6), 650-659	(14)
Class 21:	pp. 659-676	(17)
Class 22:	pp. 676-687 (n.4), 691-92	(11)

Ch. 12. Invasion of Privacy

Class 23:	pp. 693-696, 705-716, 722 (n. 10)	(16)
Class 24:	pp. 723-734	(12)
Class 25:	pp. 737-748	(11)

Ch. 13. Nuisance

Class 26:	pp. 749-761, 765-769	(17)
Class 27:	pp. 773-774, 780 (n. 7)-782 (n. 8), 784-791	(11)

Review

Class 28:	(review)	(0)
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