Welcome to the study of torts. We will be using a variety of sources and tools in order to not only learn the substantive law of torts, but also to understand the human, political, social, and economic variables that have helped fashion and which continue to modify the mechanisms that control disputes over injuries to people and property. The majority of the course grade will be based upon a closed book graded examination administered at the end of the fall term. In addition, there will be a number of short written assignments and exercises that will be taken into consideration in determining the application of class participation points toward your final grade in Torts. Finally, class attendance is mandatory, and I will take role during each class.

I have a number of learning objectives in this course which are listed below. However, my central goal is to provide you with the opportunity to capture the law of Torts sufficiently to pass the bar examination of your choice, provide competent legal representation to your clients, understand the theories of torts so that you can assist in its future development, and become aware of the many ethical questions involved in representing both plaintiffs and defendants in dispute resolution of alleged injuries. My specific learning objectives are:

1. Students will have extensive knowledge of the law and policy surrounding the law of Torts, including the three basic theories of liability: intent, negligence, and strict liability.
2. Students will be introduced to the theories underlying the legal system’s compensation systems for injuries to persons, chattel, and real property.
3. Students will gain extensive knowledge of the relevant terminology inherent in the Tort system of reparation and compensation.
4. Students will be able to analyze legal issues that arise in a variety of Torts contexts by applying relevant law to legally significant facts to suggest possible resolution of the issues.

READING ASSIGNMENTS FOR THE FIRST FEW WEEKS

{Please note that some of these “Assignments” may take more than one class to complete in order to provide sufficient time to address your interests and questions. After several weeks of classes I will provide the additional reading assignments for the semester.}

Assignment 1:
Read Epstein, pp. 3-21 [top]

Assignment 2:
Read Epstein, pp. 21-44;

Assignment 3:
Read: Epstein, 44-75;
Assignment 4:
Read: Epstein, 91-93; 103-114; 129-137[top];

Assignment 5:
Read Epstein, 145-152, 154-169;

Assignment 6:
Read Epstein, 169-173, 181-185(Notes 1 & 2), 190-194;

Assignment 7:
Read Epstein, 194-227;

Assignment 8:
Read Epstein, 234-247[top], 257-264[top];

Assignment 9:
Read Epstein, 271-283, 289-294[note 1], 301-304;

Assignment 10:
Read Epstein, 307-318[top], 320-340;

Assignment 11:
Read Epstein, 347-351[note 1], 355-372;

Assignment 12:
Read Epstein, 375-418[top];

Assignment 13:
Read Epstein, 422-425, 445-452[note 1], 455-456, 458-474;

Assignment 14:
Read Epstein, 475-487, 495-508;

Assignment 15:
Read Epstein, 511-514, 521-523 [note 3], 527-544[top];

Assignment 16:
Read Epstein, 551-564, 567-574;

Assignment 17:
Read Epstein, 578-587, 591-614.

Assignment 18:
Read Epstein, 615-625 and 626-646 [at least two classes to complete]