

PL208

Tort Law

[Onsite]

Course Description:

This course introduces civil tort liability, negligence, strict liability, and product liability, focusing on the role of the paralegal in personal injury litigation.

Prerequisite(s) and/or Corequisite(s):

Prerequisite: PL103 Technology in the Law Office

Credit hours: 4

Contact hours: 40 (40 Theory Hours)

Syllabus: Tort Law

Instructor: _____

Office hours: _____

Class hours: _____

Major Instructional Areas

1. Overview of tort law
2. Tort litigation
3. Negligence
4. Intentional torts and defenses
5. Misrepresentation and business related torts
6. Immunity and privilege
7. Doctrine of nuisance
8. Product liability
9. Vicarious liability
10. Premises liability

Course Objectives

1. Discuss the basics of tort law and its place in the U.S. legal system, pleadings, and the role of paralegals in client interviews and legal research.
2. Interpret intentional torts and how intent affects the legal outcome of an action.
3. Distinguish among defenses to intentional torts and remedies available to plaintiffs.
4. Define negligence, its elements, and damages.
5. Distinguish among the defenses to negligence and the remedies available to the plaintiff.

6. Examine strict liability as it pertains to harm caused by animals and other abnormally dangerous conditions.
7. Summarize products liability.
8. Describe strict liability defenses and remedies.
9. Explain and contrast defamation and disparagement; invasion of privacy, misrepresentation, tortious interference; and the *Prima Facie Tort Doctrine*.
10. Summarize the concepts of survival, wrongful death, birth, and life, joint tortfeasors, vicarious liability, and immunity from tort law.

SCANS Objectives

SCANS is an acronym for Secretary's Commission on Achieving Necessary Skills. The committee, created by the National Secretary of Labor in the early 1990s, created a list of skills and competencies that the committee feels are necessary for employees to function in a high-tech job market.

1. Acquire and evaluate information.
2. Use computers to process information.
3. Apply and adapt new knowledge and skills in both familiar and changing situations.
4. Demonstrate the ability to effectively and efficiently use the ITT Tech Virtual Library.
5. Select and analyze information and communicate the results.
6. Determine which set of procedures will produce the desired results and make clear recommendations, including rationale.
7. Analyze a system and develop new or alternative systems.
8. Demonstrate the ability to make a rational decision based on analysis of accepted theories, evidence, and logical thinking.

Course Outline

Note: All graded activities, except the Project, are listed below in the pattern of <Unit Number>.<Assignment Number>. For example, Quizzes: 8.1 refers to the first quiz in Unit 8.

Unit	Activities
1– Introduction to Tort Law; Tort Practice and Applications	<ul style="list-style-type: none"> • Content Covered: <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 1, “Introduction to Tort Law” ○ Chapter 2, “Tort Practice and Applications” • Internet Exercises: 1.1
2– Intentional Torts	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 3, “Intentional Torts” • Critical Thinking Exercises: 2.1 • Quizzes: 2.1
3–Defenses to Intentional Torts and Remedies	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 4, “Defenses to Intentional Torts and Remedies” • Case Studies: 3.1 • Quizzes: 3.1
4–Negligence	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 5, “Negligence” • Assignments: 4.1 • Quizzes: 4.1
5–Defenses to Negligence and Remedies	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 6, “Defenses to Negligence and Remedies” • Quizzes: 5.1 • Project: Part 1 Due
6–Introduction to Strict Liability	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 7, “Introduction to Strict Liability: Harm Caused by Animals and Other Abnormally Dangerous Conditions or Activities” • Critical Thinking Exercises: 6.1

Unit	Activities
	<ul style="list-style-type: none"> • Quizzes: 6.1
7–Products Liability	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 8, “Products Liability” • Research Assignment 7.1 • Quizzes: 7.1 •
8–Strict Liability Defenses and Remedies	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 9, “Strict Liability Defenses and Remedies” • Case Studies: 8.1 • Quizzes: 8.1
9–Defamation and Disparagement; Invasion of Privacy; Misrepresentation; Tortious Interference and the <i>Prima Facie Tort Doctrine</i>	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 10, “Defamation and Disparagement” ○ Chapter 11, “Invasion of Privacy” ○ Chapter 12, “Misrepresentation, Tortious Interference, and the <i>Prima Facie Tort Doctrine</i>” • Critical Thinking Exercises: 9.1 • Internet Exercises: 9.1 • Quizzes: 9.1 • Project: Part 2 Due
10–Survival, Wrongful Death and Wrongful Birth and Life; Joint Tortfeasors and Vicarious Liability; Immunity from Tort Law	<ul style="list-style-type: none"> • Read from <i>Tort Law: Concepts and Applications</i>: <ul style="list-style-type: none"> ○ Chapter 13, “Survival, Wrongful Death, and Wrongful Birth and Life” ○ Chapter 14, “Joint Tortfeasors and Vicarious Liability” ○ Chapter 15, “Immunity from Tort Law” • Critical Thinking Exercises: 10.1

Unit	Activities
	<ul style="list-style-type: none"> • Internet Exercises: 10.1 • Quizzes: 10.1
11—Course Review and Final Exam	<ul style="list-style-type: none"> • Final Exam

Instructional Methods

This course introduces you to one of the backbone areas of our legal system. Tort Law is considered a “core course” in most programs. You will use a variety of learning tools and methods, such as utilizing internet resources to research and answer questions associated with real case studies in accordance with concepts covered in this course.

There is a two-part project in this course designed to help you learn how to draft a Complaint and Response. In Part 1, you will draft a Complaint using causes of action you have studied. Part 2 requires you to answer your own Complaint applying the defenses you studied. This project will give you practical and applicable job skills.

A variety of short case studies and Internet research assignments as well as quizzes and a final exam will assess your learning. Of course you will hold discussions in class and expand on the unit topics using current events or historical cases.

Instructional Materials and References

Student Textbook Package

Michaud, Hillary J. *Tort Law: Concepts and Applications*. Upper Saddle River, NJ: Pearson Prentice Hall, 2011.

Other Required Resources

In addition to the student textbook package, the following is also required in this course:

- Internet Explorer or other Internet browser

References

ITT Tech Virtual Library

Log on to the ITT Tech Virtual Library at <http://www.library.itt-tech.edu/> to access online books, journals, and other reference resources selected to support ITT Tech curricula.

Books

You may click “Books” or use the “Library Catalog” function on the home page to find the following books.

NetLibrary

- Elias, Steven, and Susan Levinkind. *How to Find and Understand the Law*. 14th ed. Berkley, CA: Nolo, 2007.

Periodicals

You may click “Periodicals” or use the “E-Journal Look-up” function on the home page to find the following periodicals.

- ABA Journal

Reference Resources

You may click “Reference Resources” or use the “Search” function on the home page to find the following reference resources.

Law

- FindLaw
- Guide to Law Online

School of Study

You may click School of Study> School of Criminal Justice or use the “Search” function on the home page to find the following resources.

- General> LLRX: Law and Technology Resources for Legal Professions
- Law> American Law Sources online

- Law> Findlaw.com
- Law> Legal Information Institute
- Databases> LexisNexis

Other References

The following resources can be found outside of the ITT Tech Virtual Library.

Web sites

- Quizlet

<http://quizlet.com/594459/tort-law-flash-cards> (accessed 8/12/10)

A free site with flashcards and other self-assessment tools for students

- LawInfo

<http://resources.lawinfo.com/en/Videos/Torts/index.html>

(accessed 8/12/10)

A site containing short videos on tort law

All links to Web references outside of the ITT Tech Virtual Library are always subject to change without prior notice.

Course Evaluation and Grading

Evaluation Criteria Table

The final grades will be based on the following categories:

CATEGORY	WEIGHT
Quizzes	20%
Final Exam	15%

CATEGORY	WEIGHT
Project	25%
Internet Exercises	10%
Critical Thinking Exercises	5 %
Assignments	5 %
Case Studies	10%
Research Assignment	10%
Total	100%

Note: Students are responsible for abiding by the Plagiarism Policy.

Grade Conversion Table

The final grades will be calculated from the percentages earned in the course, as follows:

A	90-100%	4.0
B+	85-89%	3.5
B	80-84%	3.0
C+	75-79%	2.5
C	70-74%	2.0
D+	65-69%	1.5
D	60-64%	1.0
F	<60%	0.0

(End of Syllabus)