

**Torts**  
**Course # L4610**  
**MW, 5:40-7:20**  
**Professor Smith**  
**Spring 2007**

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By Appointment

**Required Text**

Franklin and Rabin, Tort Law and Alternatives (8th ed. 2006)

**Suggested Reading**

W. Page Keeton et. al., Prosser and Keeton on Torts (5<sup>th</sup> ed. 1984)

**Reading Assignments**

The syllabus is a guide for class coverage of the fundamental principles of tort law. You should stay twenty pages or four cases ahead. Some days we may finish the assigned reading and move on to the next assignment; on other days we may not. Class attendance is essential to understanding the book and the course.

**I. Week One**

A.	W, Jan. 10	Liability	p. 1-9/intro
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**II. Week Two**

A.	M, Jan. 15	Intro to SOC	p. 31-49
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B.	W, Jan. 17	Reasonable Person	p. 50-60
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**III. Week Three**

A.	M, Jan. 22	Judge and Jury	p. 60-69
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B.	W, Jan. 24	Custom/Statutes	p. 69-87
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**IV. Week Four**

A.	M, Jan. 29	Proof of Negligence	p. 85-110
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B.	W, Jan. 31	Catch-up/Review	
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**V. Week Five**

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|----|-----------|---------------------|------------|
| A. | M, Feb. 5 | Vic. Liability      | p. 17-30   |
| B. | W, Feb. 7 | Medical Malpractice | p. 110-131 |

**VI. Week Six**

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|----|------------|---|------------|
| A. | M, Feb. 12 | Duty: Obligation to Others              | p. 132-157 |
| B. | W, Feb. 14 | Oblig. to Protect 3 <sup>rd</sup> Party | p. 157-195 |

**VII. Week Seven**

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|----|------------|--------------------------|------------|
| A. | M, Feb. 19 | Landowners and Occupiers | p. 195-211 |
| B. | W, Feb. 21 | Government Entities      | p. 229-246 |

**VIII. Week Eight**

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|----|------------|----------------|------------|
| A. | M, Feb. 26 | Emotional Harm | p. 264-286 |
| B. | W, Feb. 28 | Emotional Harm | p. 286-304 |

**IX. Week Nine**

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|----|-----------|--------------------------|------------|
| A. | M, Mar. 5 | Procreation and Death    | p. 326-338 |
| B. | W, Mar. 7 | Cause-in-Fact/Jt. & Sev. | P. 339-375 |

**X. Week Ten**

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|----|------------|--------------------------|------------|
| A. | M, Mar. 12 | Cause-in-Fact/Jt. & Sev. | p. 341-374 |
| B. | W, Mar. 14 | Multiple Defendants      | p. 374-399 |

**XI. Week Eleven**

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|----|------------|--------------|--|
| A. | M, Mar. 19 | Spring Break |  |
| B. | W, Mar. 21 | Spring Break |  |

**XII. Week Twelve**

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|----|------------|-------------------------------------|------------|
| A. | M, Mar. 26 | Proximate Cause:<br>Unexpected Harm | p. 401-416 |
| B. | W, Mar. 28 | Superseding Causes                  | p. 416-425 |

**XIII. Week Thirteen**

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|----|------------|--------------------------------------|------------|
| A. | M, April 2 | Unexpected Victim                    | p. 425-439 |
| B. | W, April 4 | Defenses:<br>Contributory Negligence | p. 440-445 |

**XIV. Week Fourteen**

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|----|-------------|------------------------|------------|
| A. | M, April 9  | Comparative Negligence | p. 445-466 |
| B. | W, April 11 | Assumption of Risk     | p. 466-490 |

**XV. Week Fifteen**

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|----|-------------|-----------------|------------|
| A. | M, April 16 | Assault/Battery | p. 884-897 |
| B. | W, April 18 | Damages         | p. 698-739 |

**XVI. Week Sixteen**

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|----|-------------|---------|------------|
| A. | M, April 23 | Damages | p. 698-739 |
| B. | W, April 25 | Damages | p. 739-762 |

**XVII. Week Seventeen**

- A. April 27 – May 3 Reading Period

**XVII. Week Seventeen/Eighteen**

- A. May 4-May 18 Exam Period