

**COLLEGE OF SOUTHERN NEVADA
BUSINESS ADMINISTRATION DEPARTMENT
COURSE SYLLABUS
FALL 2010**

COURSE NO: LAW 204

COURSE TITLE: Torts

CREDITS: 3 credits

LOCATION: C227@West Charleston Campus

Day/Time: Thursdays 6:00 PM – 8:50 PM

Prerequisites: Law 101

Required Text: Tort Law for Paralegals, Third Edition, Bevens, Neal R.

ISBN: 0-7355-5837

INSTRUCTOR: Professor Patrick W. Lindemann

OFFICE: C250P, West Charleston Campus

PHONE: 651-7531

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OFFICE HOURS: 4:30 PM – 6:00 PM Tuesdays, Wednesdays, and Thursdays
8:00 AM-8:30 AM Saturdays

Appointments available upon request

COURSE DESCRIPTION: Students will become familiar with the major torts of negligence, trespass to land, defamation, strict liability, wrongful death and conversion. Prerequisite: LAW 101.

OBJECTIVES:

1. Introduction of the law of torts, its theories and underlying principles.
2. Familiarize student with major torts of negligence, trespass to land, defamation, strict liability, wrongful death and conversion.

ADDITIONAL OBJECTIVES:

3. Students will learn the elements of all the intentional torts-battery, assault, false imprisonment, trespass to land and chattels and how to identify possible defenses to these torts in given factual scenarios.
4. Students will learn the types of negligence (simple negligence, gross negligence, professional negligence and malpractice and how to prove negligence in given situations.
5. Students will learn how to bring a tort action.
6. Student will be able to distinguish the types of damages that may be available to a plaintiff in a tort action.

INSTRUCTIONAL METHODS: Lectures, class discussion, case briefs, case studies

GRADING POLICY: Grades will be based on the successful completion of a midterm and final examination, and 3 take-home case studies. The point breakdown is listed below:

Case Studies (3	75 points
Midterm Exam	100 points
Final Exam	100 points
Participation/Attendance	<u>25 points</u>
Total Possible points	300 points

*Class participation is required of all students. Class participation is defined as students being randomly called upon by the instructor and providing an answer that shows the student has read the assigned material.

GRADING STANDARD:

300 – 270 points	A
269 – 240 points	B
239 – 210 points	C
209 - 180 points	D
179 – below	F

NOTE: This instructor does not use the Plus (+) and Minus (-) in the grading scale.

PRACTICAL ASSIGNMENTS: Students will be required to complete 3 comprehensive case studies involving multiple tort issues. In these case studies, students will need to identify all possible torts and defenses in a given fact scenario.

INSTRUCTOR POLICIES ON LATE ASSIGNMENTS AND/OR MAKEUP

WORK: All tests/assignments are due on the date assigned. Assignments/tests may be made up or accepted after the date of the class period that the test or assignment was due if approved by the instructor, but the student will receive at least one grade lower. If a student fails to complete the assignment or exam on the scheduled due date, the student **MUST** notify the instructor within 48 hours of the assignment or exam explaining the reason for the absence and to schedule a makeup date. Students **MUST** complete the makeup assignment or exam within one week of the originally scheduled assignment or exam or the student will not be given credit for the assignment or exam.

COURSE CONTENT WITH TIME ALLOCATION:

September 2, 2010	Introduction
September 9, 2010	Chapter 1
September 16, 2010	Chapter 2
September 23, 2010	Chapter 3
September 30, 2010	Chapter 11
October 7, 2010	Chapter 14/Midterm Review

October 14, 2010	Midterm Examination
October 21, 2010	Chapters 4, 5
October 28, 2010	Chapters 6, 7
November 4, 2010	Chapters 8, 9
November 11, 2010	VETERAN'S HOLIDAY
November 18, 2010	Chapter 10
November 25, 2010	THANKSGIVING
December 2, 2010	Chapter 12
December 9, 2010	Chapter 13/Case Studies Reviewed/Final Examination Review
December 16, 2010	Final Examination

NOTE: WRITTEN CASE STUDIES DUE ON DECEMBER 2, 2010

Week 1 (September 2nd): Class introductions; Course overview, Review of Syllabus, General discussion of tort law 3 hours

Week 2 (September 9th): Torts and legal wrongs, cause of action, tort law compared to criminal law, history of tort law, bringing a tort case, discovery in tort cases, discovery in tort cases, trial of a civil case, alternative dispute resolution, appeals 3 hours

Week 3 (September 16th): Intentional torts, assault and battery, false imprisonment, defense to false imprisonment-consent, alienation of affection, intentional infliction of emotional distress, malicious prosecution, tort immunity for families, trespass, nuisance actions, trespass to chattels 3 hours

Week 4 (September 23rd): Defenses to intentional torts, self-defense, limitations on self-defense, consent, duress, coercion, necessity, compulsion, intoxication-voluntary and involuntary, mistake, age, insanity, immunity, privilege, statute of limitations, joint and several liability, vicarious liability, defamation, libel, slander, defense to defamation 3 hours

Week 5 (September 30th): Fraud, negligent misrepresentation, interference with a contract 3 hours

Week 6 (October 7): Deceptive trade practices, consumer protection laws, sexual harassment, dram shop liability, worker's compensation, midterm review 3 hours

Week 7 (October 14th): Midterm Examination 3 hours

Week 8 (October 21st): Introduction to negligence, elements of negligence, negligence cases in the law firm-plaintiff's and defense firms, obtaining information from the client Duty in negligence cases, legal definition of duty, standard of care for professionals, special relationships, social host liability, premises liability, classifying visitors, trespassers, attractive nuisance doctrine, licensees vs. invitees, guest statutes, duty to third parties 3 hours

Week 9 (October 28th): Breach of duty under negligent cases, objective standard, standard of care, professional standard of care, res ipsa loquitur, negligence per se, expert evidence, proximate cause, foreseeability, “but for” test, “substantial factor” test, pleading proximate cause, multiple defendants and proximate cause, intervening causes, superceding causes, acts of God or acts of nature 3 hours

Week10 (November 4th): Overview of damages- compensatory damages, general and special damages, proving damages, collateral source rule, emotional distress, loss of consortium, punitive damages, nominal damages, Defenses to negligence, contributory negligence, last clear chance doctrines, assumption of risk, comparative negligence, pure and modified comparative negligence, defenses to comparative negligence, multiple defendants and comparative negligence 3 hours

Week 11 (November 11th): VETERAN’S HOLIDAY

Week 12 (November 18th): Strict liability and products liability, ultra-hazardous activity, strict liability for animals, theories for product liability, warranties and product liability, standard of care in product liability cases, inherently dangerous objects, defenses to products liability actions 3 hours

Week 13 (November 25th): THANKSGIVING HOLIDAY

Week 14 (December 2nd): Definition of malpractice, medical malpractice defined, basis for a medical malpractice action, standard of care approaches to medical malpractice, damages, informed consent, defenses to medical malpractice actions, statute of limitations, contributory negligence by patients, legal malpractice 3 hours

Week 15 (December 9th): Insurance, impact of policy limits on civil suits, history of insurance, the insurance contract, automobile insurance, uninsured motorist coverage, subrogation, no-fault insurance, settlement, case studies review, final examination review 3 hours

Week 16 (December 16th): FINAL EXAMINATION 3 hours

TAKE HOME CASE STUDIES 6 hours

TOTAL: 45.0 hours

EXTRA CREDIT: None

ATTENDANCE POLICY: Students are responsible for all course work whether in class or absent. Attendance in this class is critical; therefore, **three** or more absences from class will lower a student’s grade one letter grade. Excessive tardiness or leaving early will have a negative impact on a student’s grade.

TUTORIAL SERVICES: Students are entitled to 12 hours free tutoring per semester. For appointments call 651-4232 (Cheyenne), 651-5732 (Charleston), and 651-3125 (Henderson).

ACADEMIC INTEGRITY POLICY: Scholastic dishonesty will not be tolerated and will be prosecuted to the fullest extent. You are expected to have read and understood the current issue of the student handbook (published by Student Services) regarding student responsibilities and rights, and the intellectual property policy, for information about procedures and about what constitutes acceptable on-campus behavior.

ADA STATEMENT (DISABILITY RESOURCE CENTER): If you have a documented disability that may require assistance, you will need to contact the Disability Resource Center (DRC) located in the Student Service Center on each campus. The DRC can be contacted at the following numbers: Cheyenne Campus (651-4045), Henderson (651-3086), and West Charleston (651-5089). For those students that would like to earn some additional income, stop by the Disability Resource Center to fill out a job interest card. The DRC hires students as note takers, readers, proctors, lab assistants, and research assistants as needed.

SAFETY PROCEDURES: Approved classroom safety procedures are posted in each classroom and are to be followed.

DISRUPTIVE AND ABUSIVE BEHAVIOR: Students are expected to conduct themselves in a professional manner in the classroom and on campus at all times. Disruptive and abusive conduct will not be tolerated. Students who fail to adhere to behavioral standards may be subject to discipline per CSN's Disruptive and Abusive Student policy. Examples of disruptive behavior include: repeated side conversation in the classroom, consistently arriving to class late or consistently leaving class early, repeated emotional outbursts in class, exchange of personal insults between students in class or through electronic media, fighting words exchanged among students in class or through electronic media or physical altercations between students. A copy of the complete Student Conduct Code and Disruptive and Abusive Student Policy is available for review on the CSN web page under the Student Affairs link or the Policies and Procedures link under "Quick Links" or "Administration."

FINAL REMARKS: If you must have a cellular phone, please set it on the "vibrate" mode. Unless it is an emergency, students are expected not to answer their cell phones during class.

Any information contained in this syllabus, other than the Academic Integrity Policy and the ADA statement may be subject to change with advance notice, as deemed appropriate by the instructor.