Torts
PLS 354 - 3 credits
Doane College – Spring Term
March 10, 2016 to May 5, 2016

Description:
An examination of the remedies provided by law for recourse when an injurious act is committed by one person or entity against another. Students learn 1) the basic differences between criminal law and tort law; 2) the distinguishing features of intentional torts, negligence torts, and strict liability torts; 3) the elements for a cause of action; 4) the determining factors for foreseeability, cause in fact, and proximate cause; and, 5) the categories of basic business torts.

Location and Times:
Doane College, Lincoln
Thursday, 6:00 pm to 10:00 pm

Instructor:
Prof. Jason W. Hayes, J.D.
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Textbook Materials:
ISBN: 978-0-13-306794-1

Course Objectives:
After completing the course instruction, the student should have a heightened awareness of the component parts and processes of Tort civil litigation. This awareness will be achieved by mastering the following areas contained within the course material:

1. Basic differences between criminal law and tort law;
2. Distinguishing features of intentional torts, negligence torts, and strict liability torts;
3. Elements for a cause of action;
4. Determining factors for foreseeability, cause in fact, and proximate cause; and,
5. Categories of basic business torts.

Assessment of Student Performance and Grading:
Students will be able to obtain a total of 300 points from assignments, discussions and examinations conducted during the course. The number of points that a student will be able to earn, is as follows:

  Final Examination          200 points
  Tort Assignment            100 points
Summary of Examinations and Assignments:

Final Examination: The exam will consist of essays and short answer questions that will cover the entire content of the course. The exam will be a take home test.

Tort Assignment: The student will choose a topic and write a paper regarding a specific tort action that he or she finds of interest. The topic should encompass an area of tort law regarding substantive content, and should include case law and statutory materials as reference sources. (Paper should be no greater than 5 pages).

Course Policies:

Attendance: Student attendance at all class meetings is expected. If a student will be unable to attend a class meeting, it is the responsibility of the student to notify the instructor and perform any necessary makeup or additional assignments given to the student by the instructor. Students should obtain class notes from a fellow classmate, and the absent student is responsible for all material covered on the day of the absence. Two or more unexcused absences may result in a failing grade.

Grading Scale: The grading scale is based on a nine point, A, B, C, D, F plus scale, and is as follows:

- A+ 100 - 96
- A 94 - 90
- B+ 89 - 85
- B 84 - 80
- C+ 79 - 75
- C 74 - 70
- D+ 69 - 65
- D 64 - 60
- F 59 - below

Late Assignments: Assignments that are turned in late during the duration of the course prior to May 5, 2016 are downgraded by one letter grade. For each additional week the assignment is late, an additional letter grade is reduced off the original score given. All assignments must be completed and handed in by May 5, 2016 to receive any credit.

Academic Integrity: The Doane College Academic Integrity Policy will be adhered to in this class. All projects and tests will represent your own work. Any use of others’ ideas and words without proper citation of sources is plagiarism and will result in penalties to be determined by the instructor and/or the dean of undergraduate studies.

Format of Writings: All assignments should be typed, double spaced, with one-inch margins, and using a font no larger than 12 pt. in Times New Roman, Arial or Courier. If you have any questions regarding this requirement, please contact your instructor.
Course Schedule and Readings:

Mar 10
   Chapter 1  Foundations of Tort Law
   Chapter 2  Litigating a Cause of Action in Tort Law

Mar 17
   Chapter 3  The Tort of Negligence
   Chapter 4  Proof of Negligence
   Chapter 5  Defenses to Negligence
   *Pick Tort Assignment topic*

Mar 24
   No Class

Mar 31
   Chapter 6  Premises Liability
   Chapter 7  Intentional Torts
   Chapter 8  Misrepresentation . . . other Business Related Torts

Apr 7
   Chapter 9  Doctrine of Nuisance
   Chapter 10 Defenses to Intentional Torts

Apr 14
   No Class

Apr 21
   Chapter 11 Privilege and Immunity from Tort Liability
   Chapter 12 Strict Liability
   Chapter 13 Product Liability

Apr 28
   *Tort Assignment Due*
   Chapter 14 Vicarious Liability
   Chapter 15 Torts and Relationships; Loss of Consortium
   *Final Exam Handed Out*

May 5
   *Final Exam Due*
   No Class