



**HAMLINE UNIVERSITY**  
 School of Law  
 COURSE SYLLABUS

Faculty: **Professor Roberts**  
**East Hall 218**  
**651-523-2123**  
**mroberts@gw.hamline.edu**

Course: **Torts II**

Semester: **Fall 2010**

Meeting Schedule: **9:30 – 10:45 Tuesday and Thursday**

Room: **103**

Textbook	Primary Text	Primary Text	Recommended not required
Author	Dobbs, Hayden, Bublick		
Title and edition of text	Torts and Compensation: Personal Accountability and Social Responsibility for Injury, Sixth Edition (Not Concise)		
Publisher/year	West 2009		
ISBN	9780314184900		

***Learning Outcomes for the Course:***

1. Identify and define the essential elements for tort causes of action and defenses involving limited duties, strict liability for abnormally dangerous activities, vicarious responsibility, products liability, and defamation, among others, and know the policies those doctrines seek to promote.

2. Demonstrate the capacity to understand and apply in a torts context varying perspectives on the law, while appreciating law as an instrument of public policy and social change, observing the development of the common law, and understanding arguments regarding tort reform.
3. Construct persuasive legal arguments in support of a position and respond to arguments made by others, and recognize gaps, conflicts and ambiguities in the law of torts
4. Become further accustomed to the expectations, culture, and ethics of the legal profession. We will have practicing tort lawyers as guests to provide current information on these topics and insights about tort doctrine and practice.

***Course Expectations:***

***HUSL Policies on attendance, lateness and preparation***

The program of instruction at the School of Law is based on an active and informed exchange between instructor and student and between student and student. Regular, prepared class attendance helps develop skills essential to the competent practice of law. A student who violates the attendance policy, including the instructor's specification of class expectation described below, may lose his or her right to take the exam in the course, to receive course credit or may receive other penalties described below and in Academic Rule 108. Persistent or frequent lateness or lack of preparation may also be the basis for reduction of the grade awarded in a course. See Academic Rule 108 for further details.

**Attendance Policies in this Course**

Attendance will be taken by passing the sheets prepared by the Law Registrar. Attendance is for the full class session; do not plan to leave early without prior approval. Academic Rule 108 requires that you attend class regularly, be punctual, and be prepared. I will enforce this rule.

**Punctuality/Preparation Policies in this Course**

Academic Rule 108 requires that you attend class regularly, be punctual, and be prepared. I will enforce this rule.

### **Policy on Laptop Use in Class:**

I encourage you to take handwritten notes, then to create and regularly update an electronic outline outside of class. This complements studies proving that people learn better when they are not distracted by electronics. You may also be less likely to have positive initial interactions with employers and clients if using a laptop.

If you do choose to use a laptop, only word processing programs may be open during class, and the material must be related to the Torts II course. Do not use web browsers, e-mail, instant messaging, or games. An individual violating this policy may not be permitted to bring a laptop to class for the duration of the course. Turn off phones, PDAs, Blackberries, etc.. Do not text during class.

### **Other Classroom Policies:**

Law is an advocacy profession. To present your client's case, you must be heard. One of your classroom responsibilities is to speak loudly enough for all to hear you. That may take practice for some of you. You are welcome to let people know when you can not hear them. If you can not speak loudly enough while seated, you will be asked to stand.

### ***Grading Components***

<i>Final examination:</i>	Three hour essay
Date/Time:	Self-scheduled
Requirements:	Covering all material assigned during course
Component(s) of your grade:	100%

<i>Mid-term exam or quizzes</i>	None
Dates/Times:	
Requirements:	
Component(s) of your grade:	None

<i>Written Assignments:</i>	
Dates/Times:	
Requirements:	
Component(s) of your grade:	

<i>Oral Presentation(s)</i>	None
Dates/Times:	
Requirements:	
Component(s) of your grade:	

### *Participation/Other Grade Components*

Requirements:	See discussion of class participation above.
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Component(s) of your grade      Active participation on a regular basis may be used to increase a student's grade by a half grade, especially if he/she is on the margin of the next grade. Lack of participation will result in no increase for students on the margin, or the grade may be decreased by half a grade.

Initial reading assignments (first two weeks):

1.      August 24      346-372      Remind yourself of the basic structure of a negligence case. Part 2 of this text presented Fault-Based Liability for Physical Harms to Persons and Property, and Topic B was The Scheme of Negligent Wrongs. Part 3, where we begin Torts II, is about Limiting or Expanding the Duty of Care According to Context or Relationship. Topic A is Limiting Duties According to Class or Status of Parties. Chapter 13 presents a portion of this topic, Duties of Medical and Other Professionals. We begin by examining duties of health care providers. We will also review res ipsa Loquitur, as applied in the medical context.
2.      August 26      372-395      Continuing discussion of medical malpractice, including considering whether there is a "crisis." Special mention of nursing homes and long-term care facilities, and how society can respond to allegations of elder abuse. During the semester we will have at least one guest to discuss current issues in medical malpractice.
3.      August 31      399-405; 406-419      Another form of Limiting or Expanding the Duty of Care traditionally dealt with immunities for Family Members and Charities, the topic of Chapter 14. This material is closely related to Immunities for Governmental Entities and Officers, Chapter 15, and we will begin their study together.
4.      Sept 2      419-435      Complete chapter on Governmental Entities and Officers