TEXT: Franklin, Rabin & Green, Tort Law and Alternatives, 9th ed. (2011).

OBJECTIVES: To learn the basic rules and principles of tort law; to consider and debate the policies and justifications underlying those rules and principles; and to develop skills in critical analysis and problem-solving.

CLASS: Class attendance is mandatory. Students who miss class may be precluded from sitting for the examination; please refer to general law school policy. Please sign the roll each day that you are present.

I typically call on multiple students in each class to discuss the assigned reading materials and related questions and problems. Please be prepared for each class. Preparation will involve more than simply reading the materials. Please pay attention to the notes and materials following each case and think carefully about the questions included in the notes; you may find that re-reading is helpful. If you do not wish to be called on in a particular class, please see me or leave an explanatory note in advance of class. If you are unprepared without prior excuse, your course grade may be lowered by one-third grade (0.33).

Accessing this course through the West Education Network is also mandatory. Please check this site regularly. Notices, supplemental materials, and "virtual" class discussion will be posted on the site.

Your course grade may be raised by one-third grade (0.33) for excellent participation (consistent, valuable contributions) in class or on this site.

EXERCISES: The outline and practice examination indicated below on the assignments are required exercises. These exercises will not be graded. However, if you fail to submit these exercises, or if you submit them late, your course grade may be lowered by one-third grade (0.33). There may be additional required exercises.

EXAMINATION: There will be a four hour, limited open-book essay examination. You may bring only the following materials with you to the examination: your text book; your class notes; any outlines or summaries of the course prepared by you; any materials I distributed in class or on the class website.

You may handwrite or use a computer to take the examination. If you use a computer, it must be equipped with ExamSoft. You will receive further information about ExamSoft from the registrar's office and the Law School's technical support professionals before the examination period. Please direct any questions about ExamSoft to these individuals. I will provide additional instructions and information about the examination when we take the practice examination.

GRADES: Your performance on the examination (plus any one-third grade subtractions or additions described above) will determine your course grade.

CONTACTING ME: I encourage you to see me outside of class. My office is Room 314. I am available to discuss your questions and concerns during office hours (Wednesday 3 p.m. to 4:30 p.m.) or by appointment. Feel free to drop by my office by other times; I'll see you then if I can or we can schedule an appointment. My telephone

number is 348-1130; my email address is slyons@law.ua.edu. I will also be available on Monday and Tuesday mornings after class; I plan to meet with any interested students in the Law School Café for coffee and informal discussion. If you'd like to talk about the law over lunch, please get a group together (3 to 5 works best) and contact me to schedule a time.

COMPUTER USE, RECORDING DEVICES, INTERNET POSTINGS. In accordance with University of Alabama School of Law Policy, computer usage is permitted for note-taking and display of notes and briefs but not for any other purposes. Use of any type of electronic recording equipment in class is strictly prohibited. You may not directly or indirectly copy or circulate any materials distributed in class or posted on the class website or any material from or copies or summaries of class sessions, including class notes, summaries, or outlines.

SPECIAL ACCOMMODATIONS: The Law School provides appropriate accommodations to students with disabilities. Students with disabilities are encouraged to contact Claude Arrington, Associate Dean for Students/Academic Services, at (205) 348-5750 or carrington@law.ua.edu.

MISCELLANEOUS: Law School policy prohibits food in the classrooms and requires that drinks be in spill-proof containers. I expect you to adhere to this and all other Law School policies.

ASSIGNMENTS: We will cover the assigned materials in the order indicated in the Class Assignments. The dates are approximate only; we may move more slowly or quickly through the materials.

Week 1 8/13	Chapter 1. Introduction to Tort Liability	pp. 1-17
Week 2 8/17-8/20	Vicarious Liability	pp. 17-29
	Chapter 2. The Negligence Principle	
	The Standard of Care	pp. 39-49
	The Reasonable Person	pp. 49-60
	Roles of Judge of Jury	pp. 60-68

Week 3 8/24-8/27	Custom	pp. 68-74
	Statutes	pp. 75-85
	Proof	pp. 85-92
	Proof continued	pp. 92-106
Week 4 8/31-9/3	**Chapter 3. Duty: Physical Injuries**	
	Affirmative Obligations to Act	pp. 129-150
	Affirmative Obligations to Act continued	pp. 151-168
	No Duty: Policy Bases	pp. 168-188
Week 5 9/8-9/10	Duties of Landowners and Occupiers	pp. 188-211
	REVIEW and Discussion of Outlining	
	Reprise on Duty Intra-family Duties	pp. 211-217
	Intra-family Duties	pp. 218-227
Week 6 9/14-9/17	Government Entities: Municipalities and States	pp. 227-248
	Government Entities: The Federal Tort Claims Act	pp. 248-259
	Chapter 4. Duty: Nonphysical Harm	
	Emotional Harm	pp. 260-280
	Emotional Harm continued	pp. 280-298
Week 7 9/21-9/24	**OUTLINES DUE IN CLASS MONDAY September 22** Economic Harm	pp. 298-319
	Chapter 5. Causation	
	Cause in Fact	pp. 333-355
	Joint and Several Liability and Multiple Defendants	pp. 364-372
	Multiple Defendants continued	pp. 372-384
Week 8 9/28-10/1	Proximate Cause	pp. 393-408

	Proximate Cause continued	pp. 408-432
	Q&A	
	In-class practice examination THURSDAY October 1	
Week 9 10/5-10/8	**Chapter 6. Defenses**	
	Contributory Negligence and Comparative Fault	pp. 433-455
	Discussion of practice examination	REVIEW EXAM QUESTION and YOUR ANSWER (be critical)
	Express Assumption of Risk	pp. 458-470
	Implied Assumption of Risk; Statutes of Limitation	pp. 470-483; 505-506
Week 10 10/12-10/15	**Chapter 7. Strict Liability**	
	Abnormally Dangerous Activities	pp. 520-530, 535-550
	Chapter 8. Products Liability	

	Introduction	pp. 551-569
	Manufacturing, Design, and Warning Defects	pp. 569-572, 579-583 (notes 5-9), 599-610
	Review	No new reading
Week 11 10/19-10/22	**Chapter 10. Damages**	
	Compensatory Damages	pp. 710-742
	The Collateral Source Rule; Insurance	pp. 742-750
	Insurance	pp. 776-792, 798-803
	Punitive Damages	pp. 750-776
Week 12 10/26-10/28	**Chapter 12. Intentional Harm**	
	Intent; Assault and Battery	pp. 897-911

	False Imprisonment	pp. 911-917
	Intentional Infliction of Emotional Distress	pp. 918-938
Week 13 11/2-11/5	Property Torts: Trespass	pp. 674-681
	Property Torts: Conversion and Trespass to Chattels	pp. 938-945
	Defenses to Intentional Torts: Consent	pp. 945-949
	Defenses to Intentional Torts: Self-Defense, Defense of Others, Defense of Property	pp. 949-963
Week 14 11/9-11/12	Defenses to Intentional Torts: Necessity	pp. 957-963
	Government Liability for Intentional Torts	pp. 968-984
	Chapter. 15. Intentional Economic Harm	
	Misrepresentation	pp. 1233-1255
	Chapter 16. Alternatives	
	Tort Reform; Workers Compensation	pp. 820-852
Week 15 11/16-11/19	**REVIEW; Practice exams**	