

TORTS B – FORELL
cforell@uoregon.edu
FALL 2009
SYLLABUS

Required Materials:

Schwartz, Kelly & Partlett, Prosser, Wade & Schwartz's Torts (11th Ed. 2005)
Glannon, The Law of Torts (3d Ed. 2005)
Supplementary Cases & Materials (Fall 2009)
Stern, The Buffalo Creek Disaster (to be read over semester break)

Other texts on tort law, available in the law library, may be helpful in the areas covered in this course. They include:

Prosser & Keeton, The Law of Torts (5th ed. 1984)
Dobbs, The Law of Torts (2000)
Harper, James & Gray, The Law of Torts (2d ed. 1986 - 6 volumes)
Restatement (Second) of Torts, Volume 1, §§1-280 (1965)
Oregon State Bar CLE on Torts (2006)

Office Hours: Tuesdays 4-5pm; Wednesdays 10:30-11:30am, Room 354.

ACE Tutor: Eric Blaine, eblaine@uoregon.edu

Midterm and Final Exam

There will be a one-hour midterm essay exam, counting for 20 percent of your final grade, on **Monday, November 2d from 9 to 10am in Room 184. It will cover material through October 28th**. There will also be a final comprehensive exam, one-half multiple choice/ one-half essay, counting for 80 percent of your grade. Both the midterm and final exams will be closed book. They must be written on your computer.

Laptop Policy

Laptops may be used on the first day of class, August 26th. **Laptop use will be prohibited on the 2d, 3d and 4th days of class (8/28, 9/2, 9/4)**. The rest of the semester laptop use will be optional. The purpose of this policy is to give all of you an opportunity to take notes by hand. Many educators believe this is a more effective way to learn the material and get the most out of class. Here is a testimonial from Credence Sol, former UO law student and current UO Law School Director of Communications: "My grades SHOT UP, along with my class rank, after my laptop was stolen and I had to take notes the old-fashioned way. Taking notes by hand forced me to think! Eventually I replaced the computer (it was stolen partway through first semester of my second year), but never took it to class again."

Date & Topic	Prosser Text Pages	Supplement Pages	Glannon Pages
8/26 Introduction	1-4		
8/28 Policy & History	5-6		
9/2 Intent and Children	17-20	1-4	Ch.1, pp 3-21
9/4 Intent v. Negligence; Offensive Battery	20-23	5-9	
9/9 Intent & Insanity	25-28	10-19	
9/11 Transferred Intent; Battery	28-30; 34-37	20	
9/16 Battery; Respondeat Superior		21-34	Ch.21, pp 477-85
9/18 Assault; Loss of Consortium	37-40	35-42	Ch.2, pp 23-41 Ch.11, pp 245-46
9/23 False Imprisonment	40-42	43-45	
9/25 False Imprisonment	42-44; 46 (notes only); 48-50	43-50	
9/30 Intentional Infliction of Emotional Distress (IIED)	50-57; 58(Restatement 2d §46 only); 60-64(notes only)	51-61	
10/2 IIED		52-70	
10/7 Trespass to Land; Trespass to Chattels	75-81	71-84	
10/9 Read Dobbs on Conversion, pp.125-154 (on reserve under Forell – Torts B – Conversion) Conversion; Mistake	85-86 24 (Ranson)	85-96 (conversion); 97-101 (mistake)	
10/14 Mistake; Consent	91-92; 94-99	102-121	Ch.3, pp 43-66
10/16 Consent	99-103	122-141	
10/21 Self-Defense; Defense of Property	103-113; 113-115 (read only)	142-155	

Date & Topic	Prosser Text Pages	Supplement Pages	Glannon Pages
10/23 Shopkeepers' Privilege; Public Necessity	115-121	156-164	
10/28 Private Necessity; Discretionary Immunity; History of Negligence	121-124; 124-128 (read only); 648-57 (read only); 131-133; 6-10	165-178	
10/30 Duty		179-190	Ch.10, pp 211-14
11/2 9-10am MIDTERM Rm 184			
11/4 Negligence Formula; Breach	133-141	191	Hypo #7, p.81 & pp.86-87; Ch.4, pp 69-92
11/6 Risk v. Utility; Reasonable Person	141-148	192-200	Hypo #5, p.79-80 & pp.84-86
11/11 Custom; Emergency No Class 11/13	148-150; 153-157	201-204	
11/18 Physical & Mental Disability; Child Standard of Care	157-168 (focus on <u>Robinson</u>)	205-211	
11/20 Professional Standard of Care; Atty & Med Malpractice	168-177	212-219	
11/20 Makeup 10:30-11:45 Medical Malpractice; Loss of a Chance	177-181; 270-274; 181-191 (read only); 191-197	220-233	Ch.8, pp170-72
11/25 Medical Malpractice; Negligent Infliction of Emotional Distress (NIED); Rules of Law	197-200 (read only); 200-204 (read only)	234-290	Ch.11, pp 237-45
12/2 Negligence Per Se	204-210; 215-229	179; 291-294	Ch.5, pp 93-112

If you have a documented disability and anticipate needing accommodations in this course, please make arrangements to meet with me soon. Please request that the Counselor for Students with Disabilities send a letter verifying your disability.