TORTS SYLLABUS

Fall 2007
Monday, Tuesday, Thursday: 1:00-2:15

Associate Professor Maxine Burkett
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Email: maxine.burkett@colorado.edu
Office Hours: Tuesdays and Thursdays, 3-4pm

Text: Franklin and Rabin, Tort Law and Alternatives (8th ed., 2006)

Course Requirements & Grading: The final grade will be based upon a final examination, class participation and class attendance.

Final examination: The exam will be open book to the extent that you can bring with you to the exam the casebook, any supplementary materials that I may distribute, and any of your own class notes. Nothing else.

Class participation and attendance: I will add points to the final exam grade of those who participate consistently and thoughtfully in class discussion. Grades will not be adjusted downward due to lack of participation.

Course Content: Much of the material studied in the first year Torts course concerns these ten questions:

1. What does it mean to engage in misconduct and how is that proved?
2. When and why are proof burdens shifted?
3. How should “causation” conundrums be resolved?
4. When is a risk outside the scope of the risk taken?
5. What policy reasons justify “no duty” in tort?
6. How are losses shared where more than one party is responsible for the injury?
7. How are damages determined?
8. When and why is tort liability imposed in the absence of fault?
9. What social goals are meant to be served by our tort law system?
10. And what alternative (or complimentary) systems do we have, or might we have, to serve the goals of tort law?

Assignments: Below is the schedule of topics and assignments we will cover during the semester. Unless told otherwise, please be prepared to discuss the next assignment for the next class. Please realize, however, that there will be several occasions on which we spend more than one day on a single assignment. And there will be some partial carry-over as well. Any supplementary materials will be made available in hard copy and/or on TWEN. (If for some reason you are unable to access TWEN, please email me).
## Table of Chapters

### CHAPTER I. **INTRODUCTION TO TORT LIABILITY**

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