SYLLABUS

TORTS I (3 HOURS)

LAW 508 – SECTION II

FALL SEMESTER, 2020

PROFESSOR WALTER CHAMPION
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THE PROFESSOR

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OFFICE LOCATION: Room-231K

OFFICE HOURS: Monday, Wednesday & Friday

11:30 a.m. to 11:55 a.m.

1:05 p.m. to 3:00 p.m.

Note From Professor: We are all in this pandemic together. Our motto is Peace, Love and Happiness. I can be reached anytime at 281-704-7454 (cell, chat or text) or wchampionjr@gmail.com. I will be teaching in a Hybrid Schedule, MWF, 12:00 p.m. to 1:00 p.m., Room 203.
COURSE BOOKS & OTHER MATERIALS

**Required Text**  
Schwartz, Kelly & Partlett, Prosser, Wade and Schwartz’s Torts,  
(Foundation Press, 14th ed., 2020).

**Reference Texts**


2. *Restatement of Torts*, Latest Editions, the Restatements of the Law are a set of treatises on legal subjects that seek to inform judges and lawyers about general principles of common law.


**Supplementary Reading**


COURSE DESCRIPTION & OBJECTIVES

This course addresses the judicial treatment of claims based on personal injuries and property loss where the complaining party utilizes one or more of the following three major bases of liability: intentional torts, negligence, and strict liability. More particularly, Torts I covers: 1) Development of Liability Based Upon Fault; 2) Intentional Interference with Person or Property; 3) Privilege; 4) Negligence; 5) Causation in Fact; 6) Proximate or Legal Cause; 7) Joint Tortfeasor; 8) Duty of Care; 9) Owners and Occupiers of Land; and 10) Damages.

Objectives: Introduction to basic theories of liability and defenses to liability in Torts, and public policy considerations involved in the establishment and development of torts, covered in Chapters 1-10 in the Prosser on Torts Casebook (14th ed.)
STUDENT LEARNING OUTCOMES

The following are the analytical skills you are expected to develop and master in order to achieve the course objectives or student learning objectives for Torts I. You will continue to sharpen these skills in your study and application of various concepts in your second and third-years as you prepare to take the bar exam.

I. Critical Reading, Case Analysis, and Thinking Skills
Upon completion of Torts I, these skills will help you to be able to:
Read, comprehend, analyze, synthesize, and assess court opinions by:
1. Dissecting them into components by identifying such elements as:
   
   (a) Litigation status of the parties in the trial and appellate court(s),
   (b) Cause(s) of action,
   (c) Defenses,
   (d) Elements of the cause(s) of action,
   (e) Procedural history of the case,
   (f) Facts,
   (g) Issue(s),
   (h) Holding(s),
   (i) Plaintiff's arguments,
   (j) Defendant's arguments,
   (k) Rule(s) of law,
   (l) Policy rationale,
   (m) Disposition, and
   (n) Add your own commentary.

2. Learning and understanding the meaning of the elements of each tort cause of action; and
3. Breaking rules of law or legal principles into parts in order to understand what the rules mean and how to apply them.
II. Problem Analysis and Oral Advocacy skills

Upon completion of Torts I, these skills will help you to be able to:

Read, comprehend, analyze, and argue (orally and in writing) tort problems by:

1. Identifying the relevant tort cause(s) of action;
2. Identifying the relevant issues;
3. Identifying the elements of the relevant cause(s) of action;
4. Identifying the relevant rule(s) of law;
5. Applying the rule(s) of law to the relevant facts completely;
6. Identifying pro-arguments, counter-arguments and rebuttal arguments;
7. Identifying relevant policy arguments; and
8. Articulating legal arguments clearly, efficiently, completely, and professionally.
GRADING

Your final grade will be based on the following:

September 11, Essay Exam 25%
October 9, Multiple choice Exam Mid-Term 25%
Final Uniform Examination 50%
ACCOMMODATIONS

If you require special accommodations, please fill out the necessary forms with the Dean’s office. Your application and documentation will remain confidential. Your prompt attention will allow the law school to accommodate you as soon as it has been made aware of your situation.

Contact Dean Virgie Mouton (Student Affairs) if you require any special accommodations regarding any of the assuagements, including, but not limited to, extensions, note-takers, etc. You must contact Dean Mouton before the related assignment is due.
PARTICIPATION

CLASS PARTICIPATION: Each student is required to read the assigned materials before they are discussed in class in order to contribute to the class discussion of the cases and related policy concerns. No points are awarded for the act of participating in the class discussion. Some of the cases may be assigned to individual students in advance.
ATTENDANCE

Students are expected to attend class on a regular basis. The grade of any person who has been absent from class more than five (5) times during the semester may be lowered one (1), two (2), or three (3) grades depending on the number of excess absences. Excessive absence from class may result in administrative withdrawal from the course. The number of absences a student may accumulate in a semester before the administration withdraws a student from class defines excessive absence. Absence is defined as a failure to attend class, or failure to be present at the start of class. The number of absences permitted in a three-hour course this semester is five. However, the above will be tempered as a result of the pandemic.
PROFESSIONALISM

**Electronic Devices:** Laptop computers, tablets, or mobile devices may be used for assessing your e-textbook and for class-related note taking and reference. During class, however, it is inappropriate to use those devices for any other purpose (e.g., to download music, play games, watch DVDs, access inappropriate websites, or to instant message others). Use of a laptop, tablet, or mobile device in class is a privilege. In addition to any other sanction, the use of these devices may be rescinded, individually or collectively, if it is abused. Cell phones, smart watches, and similar devices must have the ringer turned off (or the volume muted). Again, the above is tempered by the pandemic and the hybrid nature of teaching this course.

**Classroom Conduct:** Students are expected to demonstrate professionalism while attending class. You must respect your classmates at all times. Refrain from excessive side conversations or other distracting conduct during class. Once class begins, you should remain seated and fully engaged in the discussion. If you have a medical condition that requires you to regularly leave after class has begun, please contact Dean Mouton for approval.
ACADEMIC CALENDAR 2020*

FALL SEMESTER 2020 (MODIFIED 13-WEEK SCHEDULE)

Orientation (online) Mon-Fri, Aug. 3 – 7, 2020
First Day of Class Mon., Aug. 10, 2020
Last Day to ADD/DROP Wed., Aug. 12, 2020
Labor Day (NO CLASSES) Mon., Sept. 7, 2020
Purge of all unpaid course selections Mon., Sept. 14, 2020

**Mid Term Examinations** Mon – Fri, Oct. 5-9, 2020
Last Day to Drop a Class with grade of “W” Fri., Oct. 30, 2020
Last Day of Classes Wed., Nov. 4, 2020
First Year Professors’ Grades due Wed., Nov. 4, 2020
Reading Period (NO CLASS) Thurs.- Sun., Nov. 5-8, 2020

**Final Examinations** Mon. – Thurs., Nov. 9 – 19, 2020
Commencement Exercises Sat., Nov. 21, 2020

*Please note that the calendar events and/or dates are subject to change. Updated July 1, 2020*
POLICIES & PROCEDURES

Student rules and regulations govern the management of the Thurgood Marshall School of Law. These rules and regulations are derived from requirements for the Accreditation of the law school by the American Bar Association. Texas Southern University and the Faculty of the Thurgood Marshall School of Law require compliance with these rules. The rules adopted by the Faculty are amendable by a majority vote of the Faculty. As law students and future lawyers, each of you should carefully read these rules and maintain the copy you received for future reference while enrolled as a student at the law school. A copy of this document is posted on the law school’s website at www.tsu.edu/academics/law under Students Affairs. It is also available on the flash drive distributed to 1L students during Orientation. The Thurgood Marshall School of Law is a full-time day program. Students are expected to devote full time to law study. Employment is strongly discouraged for first year students. In no event may any student work in excess of 20 hours per week during the academic year. If you should have any questions about these rules and regulations you are strongly encouraged to discuss them with your professors and/or any member of the administration of the law school.

Every law student, from the date of admission to graduation shall be charged with knowledge of all provisions of the student rules and regulations. A copy shall be posted on the law school’s website and remain there throughout each academic year. Hard copies will be placed in the office of the Student Bar Association, the office of each currently registered student organization, the Office of Assistant Dean for Student Development, the office of each administrative law school department, and to each member of the faculty.
ASSESSMENT DESCRIPTION

The first exam will be two essays, similar to a bar exam essay. The mid-term will be 30 MBE-type questions. All of the questions are designed to help develop the legal reasoning skills necessary to demonstrate effective legal argument. We will practice MBE questions every Friday. We will bring in Bar preparation experts to help develop appropriate bar exam essay writing techniques. Essay and multiple question exams will be reviewed and assessed. The Thurgood Marshall School of Law administers a uniform comprehensive examination for all sections of Torts at the end of the semester. When administered, the final uniform comprehensive examination is the same for all four sections of Torts.

Practice exams will be administered throughout the semester to support you in developing your legal analysis skills. The essay exam, the MBE mid-term, and the final uniform comprehensive exam are mandatory. Failure to take a mandatory exam may result in a reduced or failing final grade. Excessive absences and lack of preparation may also result in a lower grade.
READING ASSIGNMENTS

Week 1  Aug. 10-14  [We will cover about 15 pages a day. Read an extra 20 pages each week past the assignment. We hope to occasionally have guest lecturers, films, and practice writing sessions on Fridays.] Development of Liability based on fault; Intentional Interference with person or property. pp. 1-42

Week 2  Aug. 17-21  Intentional Interference with person or property. pp. 43-93

Week 3  Aug. 24-28  Conversion & Privileges pp. 94-132

Week 4  Aug. 31- Sept.4  Privileges & Negligence pp. 133-191

Week 5  Sept. 9-11  Negligence & Standard of Care pp. 192-233

Labor Day Holiday, Sept. 7


Week 7  Sept. 21-25  Causation in Fact pp. 288-334

Week 8  Sept. 28-Oct.2  Proximate or Legal Cause pp. 335-414

Week 9  Oct. 5-9  **Midterm Exam, Fri. Oct 9 pp. 415-454

Week 10  Oct. 12-16  Duty of Care pp. 455-535

Week 11  Oct. 19-23  Owners & Occupiers of Land pp. 537-578

Week 12  Oct. 26-30  Damages pp. 579-629

Week 13  Nov. 2-4  Review

Last Day of Classes, Wed., November 4
Reading Period, Nov. 5-8
Final Examinations, Nov. 9-19