: law12-fall2012

Paralegal Studies Program

Los Angeles Mission College

Syllabus

Law 12 - Torts – 3:00 Units

Fall 2012

Fall 2012 - Section 0302

Instructor: Manny Rose
Office: No on campus office
Office hours: Wednesdays 4:00 – 5:00 PM by phone, email, or by appointment.
Phone: (818) 384-1911
Email: legaleagle53@hotmail.com
Moodle Page: http://moodle.lamission.edu

Textbook: (Recommended Only)
Tort Law By: Linda L. Edwards J. Stanley Edwards Patricia Kirtley Wells
ISBN: 4th edition - 1428318496 ISBN-13: 9781428318496

Alternate: Lexis-Nexis Online Summary of Torts - click here

Course Description: Study of the law of torts including intentional torts, privileges, negligence, joint & several Liability, damages, defenses, liability without fault, product liability, strict liability, nuisance, trespass, economic torts, misuses of legal process, defamation, invasion of privacy, insurance, and workers' compensation.

Course Organization: Law I2 is organized into assignments, quizzes, and forum discussions. Read "Where to Start"

Student Learning Outcomes: Upon successful completion of this course, a student will be able to:

1. Brief law cases in Torts, including intentional torts, negligence, strict liability, defamation, invasion of privacy, and medical malpractice.

2. Critically analyze and argue issues of Torts, including the above matters listed in #1.

3. Prepare legal documents, forms or papers for initiating a tort lawsuit, along with a medical malpractice suit, suit for defamation, and invasion of privacy, along with preparing various motions including Motion to Dismiss, and Motion for Summary Judgment in a tort case.

Skill Level: College level reading and writing; ability to access the internet. Necessary skills include proficiency using a word processing program, including spell checker, using a web browser, sending and receiving email, saving documents as RTFs (rich text format), uploading and attaching documents.

Estimated Time per Week: 10 hours (see Carnegie Rule)

Class format: The class is entirely online. We use the Moodle Course Management System. Carefully readour policies.

The class follows a weekly format. If you click on "Section Links" in upper left corner of your moodle class, you will see the weekly assignments, quizzes, forums and activities. There are many opportunities for you to participate and earn points to attain a good grade.

Online classes require your attention and effort. If you fail to log into the class during the first two weeks you will be excluded from the class. There are activities and assignments each week; you will need to log into the class several times a week.

To be a successful online/hybrid student, you need to do schedule a regular time for studying, read and complete on line activities, and more.

Technical Requirements: The minimum computer requirements are: Computer, either a Macintosh or IBM compatible; modem, minimum 28.8, broadband or high speed internet access is preferred and is required to view the videos. Software: Web browser software, preferably Firefox 3.5 or Internet Explorer 8, an e-mail address and a word processing program.

Get Firefox: http://www.mozilla.com/en-US/firefox/all.html

Get Internet Explorer: http://www.microsoft.com/windows/Internet-explorer/default.apx

Get a free email account at: www.mail.google.com

Students who do not have regular computer access may use computers in the campus Learning Resource Center. Be sure to save all your papers and assignments on a flash drive.

Course Login: http://moodle.lamission.edu

First Assignment: Introduce yourself to the class under the forum discussions for the first week. This is where you will get to know your classmates. Post your introduction by Sunday evening, 11:55 pm, 9/16/12.

Contacting Your Instructor: I check my email several times a day and respond to emails within 24 hours. Please don't hesitate to contact me with any questions; email me at: legaleagle53@hotmail.com, in the subject line put: Law 12 #0302. I am also available on phone on Wednesdays, 4:00 – 5:00 PM, all other times by email.

Discussion Forums: The discussion forums are the main area for class participation. The weekly discussions open on Mondays and close the following Sunday at 11:55 PM. Initial posts are due by Wednesdays at 11:55 pm. Initial posts should be at least two paragraphs in length (approximately 120-150 words), respond directly to the topic in a reflective manner, referencing the topic link and content provided, and applying the law or case materials. Respond to at least *two* students to each forum by Sunday evening at 11:55 pm.

CLASS BIOGRAPHIES/INTRODUCTIONS : You will find your instructor's autobiography posted in the "Discussion Board" of the class website. Please post your bio/introduction in the discussion board by Friday of week one. In your bio, please be sure to include:

Your name (firstname only),
Academic/Career GoalsExpectations of the class
How you found out about the class/program
Other items of interest, and
Include any preliminary questions or concerns you have at this point.

DISCUSSION FORUMS: Every week a discussion questions posted to the website "FORUMS." You are required to post a answer to each discussion question by Wednesday of the forum week. Further, you are required to post, at least, one response to two or more of your classmates' initial responses. You are not required to respond to every classmate. You may, although this is a decision each student will make.

Minimum THREE different days per forum week. As we begin our online work together I want to discuss an important aspect of online learning, namely participation**. Participation** is an important part of this collaborative online learning environment. It is well documented that participation and collaboration does enhance learning & whether it be in-class or at a distance. You are encouraged to initiate and respond regularly and make sure ***your ideas are presented clearly and are substantive. Postings that lack substance will receive little or no credit. For example, "I agree," "Good posting," or similar messages that add little or nothing to the discussion will receive few, if any credits***. Discussions posted to the website are an important part of the learning that takes place in this class. In essence, we learn from each other. Share ideas or questions with your colleagues. Ask them questions. Share your own experiences.

SOME SPECIFIC EXPECTATIONS ABOUT PARTICIPATION:

Class Meeting Discussions:

- **Please read, review, and reflect on each message PRIOR to posting to the forums.** Remember: Others cannot get visual clues as to meaning, therefore, be careful in what and how you communicate.**Once posted, messages cannot be deleted!**
- All postings to any meeting in this class are to be considered CONFIDENTIAL and for consideration and discussion only by members of this class.
- Ask questions about areas of the subject that you wish to better understand or for clarification and/or amplification.
- Read your classmates comments and presentations, and respond constructively.
- Offer personal/professional experiences/observations relevant to the items being discussed.

The following rubric is used to measure participation in the discussion forums.

Participation Rubric:

	Unsatisfactory	**Satisfactory**	**Exemplary**
A minimum of 3 postings per forum on at least 3 separate days.	Less than 3 **substantial postings**.	Three required**substantial postings.**	More than the 3**substantial required posting.**
Answers by Wednesday - - - - - - - - - - - - - - Respond to classmates by Sunday	Posting answers after Wednesday	Posting answers on Wednesday	Posting answers before Wednesday
Well reasoned with appropriate analysis.	No response or lacks applicability.	Response is applicable, but may not be thorough or lacks depth.	Thorough response with appropriate depth.
Appropriate dialog with classmates	Responses do not clearly relate to topic.	Responses relate to topic.	Responses clearly relate to topic.
Appropriate grammar, spelling, and APA references.	Spelling and/or grammar errors.	No spelling or grammar errors..	No spelling, grammar errors, or punctuation errors.

Student deliverables should be submitted on the specified date by midnight of the student's time zone. For purposes of scheduling, each week or module begins on Monday 12:01 AM and concludes the following Sunday at Midnight.

EXPECTATIONS FOR WRITTEN WORK:

VOCABULARY - You are expected to read and understand the material presented in the assigned text and articles you locate.

FORMAT - Papers submitted should be written in accordance with the ***APA***, ***Bluebook***, or ***other recognized formatting style***.

GRAMMAR - Use active voice in your writing. Also use the spelling and grammar check feature of your Word Processor before submitting your papers.

Homework Assignments: Assignments require you to read and brief law cases. Read the information on"briefing law cases". Below is the grading rubric for your case "briefs"

CASE BRIEF GRADING RUBRIC

	Outstanding A	Proficient B	Adequate C	Inadequate D/F
Case Name and Citation	Complete case name and properly formatted citation appear at the top of the case brief	Complete case name is provided but citation is incomplete	Complete case name is provided but no citation is give	Neither the case name nor the citation appears at the top of the case brief OR both case name and citation are incorrect.
Operative Facts	Operative facts are relevant to the issue being examined by the court and are logically organized.	Facts are relevant to the question being answered but lack coherence or organization.	Irrelevant facts are included. Lack of logical organization.	Relevant facts are omitted or lost in discussion of unrelated information.
Procedural Facts	Procedural history of the case is clearly and logically presented in proper chronology.	Procedural history of the case is presented but chronology is confusing.	Some procedural history is presented.	No procedural history is presented.
Issue/Short Answer	Includes all elements (applicable law, issue being examined and relevant facts) in a well crafted, grammatically correct question. Answer responds to question being posed.	Issue is separately articulated, but does not include all elements; applicable law, issue being examined and relevant facts. Answer responds to question being posed.	Issue is not separately articulated, but implied through description of facts or discussion of law. Answer does not respond to question being posed.	Issue is not articulated No answer is given.
Law	Law is correct and is relevant to the question being answered. Rule(s) of law succinctly paraphrased rather than quoted.	Law is correct and is relevant to the question being answered, but is not paraphrased	Rules of law are used in providing answer, but it is unclear if writer understands the law and is properly applying it.	Rules of law are omitted from answer or incorrect law is used.
Rationale	The court's reasoning is presented in a clear and logical fashion, leading the reader to an understanding of the rationale behind the law.	Law is applied to the facts, but the underlying rationale is not clear.	Analysis is unclear, causing the reader to question whether the law is correct.	No analysis of the law is given.
Writing Mechanics	Sentence structure, grammar, punctuation are substantially correct. Each component's material is logically organized and presented in a clear, concise manner.	Sentence structure, grammar, punctuation are substantially correct. Organization is logical but needs better consistency and clarity.	Adherence to rules of writing is poor. Material lacks organization and/or is unclear, making it difficult to understand.	Rules of writing are ignored or misunderstood. No apparent logic to the organization of the material. Writing lacks clarity.

**above adopted from case grading rubric - AAFPE.org website

Students who plagiarize will receive zero credit on the assignment.

Quizzes: The class is divided into weekly tests which require you to read information and apply it. This is worth 40% of your grade.

Late Assignments Our "Late Work" Policy is firm.

Dropping your class/Exclusion: November 18, 2012 is the last day to drop the class with a "W"

College regulations state that a student **may be excluded** from a course following accumulation of absences equal to a week of course work. The 12th week of class is the last date a student may drop a class with a "W". (or the 8th week in a "Late Start" class). Thereafter, the student must receive a grade in the class.

If a student has a accumulated score of 50 or below in the 12th week (or the 8th week in a "late Start" class) , it is deemed that the student has accumulated absences in excess of a week of course work, and the instructor MAY, but is NOT required to DROP the student from class, with or without notice. **It is the sole responsibility of the student, and not the instructor, to drop the class.**

In addition, students who fail to login and post their introduction to class within the first (ten) days of class may be dropped

from their online class.

Grading Policy: Letter grades will be determined based upon the following:

Grade Distribution

Tests = 40% of your grade
Assignments = 45% of your grade
Forum Discussions - 15% of points

Grade Scale:		
	A	90-100
	B	80-89
	C	70-79
	D	60-69
	F	≤ 60

Please note that a grade of C or higher is required for each of the 12 paralegal certificate classes.

Points will be posted on the class website after each activity closes.

Reasonable Accommodation: For students requiring accommodation the DSPS office provides special assistance in areas like: registering for courses, specialized tutoring, note-taking, mobility assistance, special instruction, testing assistance, special equipment, special materials, instructor liaisons, community referrals, and job placement. The phone number for the Office of Students with Disabled Student Programs and Services is: (818) 364-7732. There website is http://lamission.edu/dsps

Important Dates

August 26, 2012 Residency Determination Date.
August 27, 2012 DAY AND EVENING CLASSES BEGIN.
September 01, 2012 Saturday Classes Begin
September 07, 2012 LAST DAY TO ADD FULL TERM CLASS.
September 07, 2012 LAST DAY FOR REFUND.
September 07, 2012 LAST DAY TO RECEIVE A "W" (IN PERSON)
September 09, 2012 LAST DAY TO DROP ON LINE

October 05, 2012 Last day to Petition for Credit/No-Credit.
October 19, 2012 Deadline to Petition for Fall 2012 GRADUATION.
November 02, 2012 Last Day for Section Transfer.
November 16, 2012 LAST DAY TO WITH "W" (IN PERSON)
November 18, 2012 LAST DAY TO DROP ON LINE WITH A "W".
December 08, 2012 Classes End.
December 10, 2012 - December 15, 2012 FINAL EXAMS
December 16, 2012 SEMESTER ENDS

Website opens Sunday 8/26/12 at 6 pm

Calendar of Activities

Week 1 - Due 9/2/12

- Read the syllabus for the class. There is no textbook for the class.
- Read Dear Online Student
- Review torts-resources
- Post your Introduction
- Read Dear Online Student
- Discuss "How to Study Law and post to moodle
- Discuss Good Legal Writing and post to moodle
- Discuss The Uses of Argument and post to moodle
- Discuss Analytic Thinking and post to moodle
- Discuss "Character Counts" and post to moodle
- Discuss Differences between a "Case" and a "Code" (10 Hour Law School) and post to moodle
- Discuss "Recognizing Plagarism" and take the test

Week 2 - Due 9/9/12

- read Overview of Tort Law
- #2 Joist v. Mason case
- #3 Three (3) Broad Categories of Torts
- Test A - Letter of Representation
- forum discussion

Week 3 - Due 9/16/12

- read Overview of Torts
- #4 Ashcraft case
- Test #B - Barris case analysis
- forum discussion

Week 4 - Due 9/23/12

- Read Intentional Torts -http://www.lexisnexis.com/lawschool/study/outlines/html/torts/torts01.htm
- #5 PI Complaint - under "assignments" - listen to podcast
- #6 Tort Problems - under "assignments" - listen to podcast
- Test #C - Kahn case - under "tests" - listen to podcasting
- forum discussion

Week 5 - Due 9/30/12

- read Intentional Torts -http://www.lexisnexis.com/lawschool/study/outlines/html/torts/torts01.htm
- #7 - Defamation Cases
- #8 - Madge v. Strident case
- Test #D - Intentional Torts quiz
- forum discussion

Week 6 - Due 10/7/12

- Read Negligence and Duty -http://www.lexisnexis.com/lawschool/study/outlines/html/torts/torts03.htm
- #9 - Negligence and Duty - Rowland case - listen to podcast -
- Test #E - Negligence Torts problems - listen to podcast
- Test #F - Measuring Negligence - listen to podcast
- forum discussion

Week 7 - Due 10/14/12

- read Duty
- #10 - Attractive Nuisance
- Test #G Dillon and Chen cases
- Test #H Palsgraph case
- forum discussion

Week 8 - Due 10/21/12

- Read Causation
- #11 Cahoon v. Cummons
- Test #I - Bailor and Salvation Army
- forum discussion

Week 9 - Due 10/28/12

- Read Defenses to Negligence
- #12 - Defenses to Negligence Hypotheticals
- #13 - Damages - Colson case
- Test #J - State Farm v. Cambell
- forum discussion
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Week 10 - Due 11/4/12

- Read Damages and Strict Liability
- #14 Strict Liability Hypotheticals
- Test #K - Bowers v. Wurzburg
- forum discussion

Week 11 - Due 11/11/12

- Read Product Liability
- #15 Discuss Product Liability Hypotheticals
- Test #L - Merrill v. Navegar
- forum discussion

Week 12 - Due 11/18/12

- Read Defamation

- #16 Tort Teasers - Defamation
- forum discussion

Week 13 - Due 11/25/12

- Read Vicarious Liability
- #17 Tort Teasers - Vicarious Liability
- #18 - Bad Faith Case
- forum discussion

Week 14 - Due 12/2/12

- read Insurance and Bad Faith
- #19 - Federal Preemption case
- Test #M - Comparative Bad Faith as an Affirmative defense - Kransco case
- forum discussion

Week 15 - Due 12/9/12

- read Invasion of Privacy
- #20 - Invasion of Privacy
- forum discussion

Week 16 - Due 12/16/12

- read Abuse of Process
- #21 - Abuse of Process
- forum discussion

- updated: 7/1/12