

**FALL SEMESTER - 2011**  
**LAW 136**  
**TORT AND INSURANCE LAW**

**TEXT:** PRINCIPLES OF TORT LAW, Second Edition  
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Office hours: after class or by appointment

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**DESCRIPTION OF THE COURSE**

Through a series of textbook reading assignments, cases, materials posted online, and lectures, the student will gain an understanding of tort law, elements of specific torts, learn how to “issue spot” torts and how to analyze the cause of action and applicable damages. An introduction to a standard homeowners and auto (PIP) policy will be covered as well.

**STUDENT LEARNING OUTCOMES**

This course emphasizes the theories and concepts applicable to Tort and Insurance Law through reading, online postings, lectures, discussion and participation in class activities.

By the end of the semester, the student should be able to:

- Identify the principles and legal theories relating to the elements of specific torts.
- Explain the defenses to allegations of negligence.
- Identify the legal principles and theories relating to product liability.
- Explain how the Hawai'i Worker's Compensation system operates.
- Describe the principles and legal theories related to insurance law and basic policy terms and conditions.

**EVALUATION CRITERIA**

1. All assigned reading material should be read before coming to class. Selected readings may also be posted online.

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**2. Quiz/Exam:**

- a. Students are required to bring ***black ink*** pens to the quizzes and exams.
- b. There will be **THREE** quizzes and **one** final exam, which will consist of:
  - (i) The quiz/exam material will be taken from lectures, assigned readings, class discussions/activities and videos shown in class (**-TEN-Q's @ -10-pt/question**).
  - (ii) Students are expected to take the quiz as scheduled. There will be no make-up quiz/exam.
  - (iii) Final exam will be given on **Monday, December 12, 2011**.

**3. Projects (note that this and quiz/exam are labeled "2")**

There will be no group projects ***required*** for this class. However, there will be projects designed to allow the student to apply the theories learned in class.

**4. Attendance & Participation**

Attendance and participation in class is required and it will count towards your final grade. Group activities and discussions are provided to promote interaction amongst the students in class and to encourage the sharing of ideas. Participation in this class is viewed as part of the learning experience of this course; therefore, emphasis is placed on appropriate student conduct and participation in this course throughout the semester. ***Keep personal questions for after class and questions regarding grading should be brought to my attention after class time.***

Attendance is required, as is participation in all group and individual exercises.

**NOTE:**

**If you have a disability and have not voluntarily disclosed the nature of your disability and the support you need, you are invited to contact the Special Student Service Office, 734-9552 (V/TTY), Ilima 105, KCC Campus, for assistance.**

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**5. GRADING SYSTEM:      GRADING WILL BE ON A CLASS CURVE**

Quiz #1	100	points
Quiz #2	100	points
Quiz #3	100	points
Final Exam	100	points
Class Participation	100	points

**NOTE:**

**Grades will be based upon on the grading system outlined above.**

**Grades may be lowered for lack of class attendance and/or participation.**

**In instructional activities, students are responsible for meeting all of the instructor's attendance and assignment requirements. Failure to do so will affect your final grade. In all college-related activities, including instruction, you must abide by the college's codes and regulations, refraining from behavior that interferes with the rights and safety of others in the learning environment. Finally, if you decide to file a grievance, you are fully responsible for providing proof that you have been wronged.**

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**COURSE SCHEDULE**

**Dates and assignments are subject to change**

<b>CLASS DATE</b>	<b>READING ASSIGNMENT</b>	<b>TOPICS</b>
August 22, 2011	None	Overview of State and Federal Courts; Overview of Tort Law
August 29, 2011	Pages 14-71	Intentional Torts
September 5, 2011 <b>LABOR DAY HOLIDAY</b>		
September 12, 2011	Pages 72-120	Negligence
September 19, 2011	Pages 121-170	Negligence; Homeowner's policy & Auto policy; E&O policy; General Liability policy
September 26, 2011	Pages 171-203	Comparative Fault; Strict Liability; Private & Public Nuisance
<b>October 3, 2011</b>	Pages 204-228	<b>QUIZ #1 (SUBJECT TO CHANGE BASED ON CLASS PROGRESS)</b> Products Liability
October 10, 2011	Pages 229-259	Private Necessity; Proof and Causation; Res Ipsa Loquitur

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**COURSE SCHEDULE-Cont'd**

<b>CLASS DATE</b>	<b>READING ASSIGNMENT</b>	<b>TOPICS</b>
October 17, 2011	Pages 260-282	Professional Negligence; Multiple Tortfeasors
<b>October 24, 2011</b>		<b>QUIZ #2 (SUBJECT TO CHANGE BASED ON CLASS PROGRESS)</b>
October 31, 2011	Pages 283-300	Apportionment: a fact pattern assigned to a group for analysis of apportionment issues; Settlement
November 7, 2011	Pages 301-324	Duty and Proximate Cause
November 14, 2011	Pages 325-347	NEID; Bystanders; Rescuers;
November 21, 2011	Pages 348-364	Economic Loss; Duty to Act
<b>November 28, 2011</b>	Pages 387-404	Media ; <b>QUIZ #3 (SUBJECT TO CHANGE BASED ON CLASS PROGRESS)</b>
December 5, 2011	Pages 405-438	Damages
<b>December 12, 2011</b>		<b>FINAL EXAM</b>