Basic Information on Professor Eaton’s Torts Class (Section Y) 2014-15

1 Required Text: Prosser, Wade and Schwartz’s Torts Cases and Materials (12th edition 2010);


Other Secondary Sources: Dan Dobbs, The Law of Torts (2000); Prosser & Keeton, Torts (5th edition); Restatement of Torts (all on reserve in the library)

2 Classroom Expectations

A Be prepared to discuss the assigned materials in detail; prepare written briefs of cases;

B no cell phones, beepers etc. If any electronic devices “goes off” in class, please gather your materials and leave

C stay 20 pages ahead of where we finish unless otherwise notified

3 Exams and Grading

A The bulk of your grade will be based on your performance on the Fall and Spring exams. I will multiply your score on the Spring exam by 2 and add it to your score on the Fall exam. Some material covered on the Fall exam will also be covered on the Spring exam. Class participation is factored in primarily in drawing the lines necessary to comply with the Law School’s mandatory grade curve. Historically, class participation has affected the final grades of approximately 10% of the class.

B My exams tend to be of the “fact pattern” variety. Old exams are available in the library. I will also distribute a practice exam question during the Fall that will be graded by my teaching assistant.

C I allow (indeed encourage), but do not require students to type their exams on computers. If you wish to avail yourself of this option, you will need to register for special exam software. You will receive more information about this later in the semester.

D You will be permitted to use your required text, materials distributed by me, and any class notes or outlines that you personally prepare. You may not use any photocopied or downloaded materials other than those provided by me. You cannot use class notes taken or an outline prepared by anyone other than yourself.
Torts
Anticipated Coverage Fall Semester 2014

Class #1–Introduction
#2–Intent
#3–Intent
#4–Other Elements of Battery–harmful touch
#5–Other Elements of Battery–offensive touch
#6–Assault
#7–False Imprisonment
#8–Intentional Infliction of Emotional Distress
#9–Trespass to Land
#10–Trespass to Chattels/Conversion
#11–Consent
#12–Consent
#13–Consent and Review
#14–Self-Defense and Defense of Others
#15–Defense of Property/Recapture/Merchants
#16–Public and Private Necessity
#17–NEGLIGENCE–The Flesh and Blood Reasonable Person–the Objective Standard of Care
#18–Emergency, Physical Disabilities; Children
#19–Mental Impairment
#20–Economic Analysis–How much to invest in safety?
#20–Economic Analysis
#22–Non-Medical Professionals
#23–Basic Medical Malpractice
#24–Informed Consent
#25–Georgia Informed Consent
#26–Negligence Per Se: Violations of Statutes, Ordinances and Regulations
#27–Excuses; Procedural Effect
#28–Res Ipsa Loquitur
#29–Res Ipsa (Exclusive Control and Procedural Effect)
#30–Cause in Fact–The Basic “But For” Test
#31–Lost Chance
#32–Proof of Causation–Daubert
#33–Multiple Causal Forces
#35–Proximate Cause–the search for limitations
#36–Proximate Cause–the Classic Cases
#37–Proximate Cause–the Classic Cases
#38–Intervening and Superceding Cause
#39–Suicide and Rescue
#40–Proximate Cause Conclusion (ending where we began)