

LEX 130 Civil Injuries

COURSE DESCRIPTION:

Prerequisites: ENG 090 or DRE 098 or satisfactory score on placement test

Corequisites: None

This course covers traditional tort concepts and the evolving body of individual rights created by statute. Topics include intentional and non-intentional torts with emphasis on negligence, strict liability, civil rights, workplace and environmental liability, remedies, and damages. Upon completion, students should be able to recognize, explain, and evaluate elements of civil injuries and related defenses. Course Hours Per Week: Class, 3. Semester Hours Credit, 3.

LEARNING OUTCOMES:

Upon completing requirements for this course, the student will be able to:

1. Recognize, explain, and evaluate the elements of civil injuries and related defenses
2. Identify and explain the elements of intentional torts, such as assault, battery, false imprisonment, intentional infliction of mental distress
3. Explain the elements of nonintentional torts and negligence, including duty, breach of duty, causation and damages
4. Describe the theory of strict liability

OUTLINE OF INSTRUCTION:

- I. Overview of torts
 - A. Distinction between intentional torts, negligence, and strict liability
 - B. Other basis of tort liability
 - C. Introduction to damages and remedies
- II. Intentional torts
 - A. Battery
 - B. Assault
 - C. False Imprisonment
 - D. The intentional infliction of emotional distress
- III. Negligence
 - A. Distinctions between intentional torts and negligence liability
 - B. The concepts of the duty of due care and the reasonable and prudent person standard
 - C. Breach of duty and methods of proof
 - i. Direct evidence
 - ii. Circumstantial evidence
 - D. Actual causation and methods of proof
 - i. Direct and indirect causation
 - ii. Liability in the absence of direct causation
 - E. Introduction to proximate causation
 - F. Damages
 - i. Nominal damages
 - ii. Compensatory damages
 - iii. Future earnings and reduction to present value
 - iv. Punitive damages
 - G. Special liability issues
- IV. Strict liability

- A. Distinction between negligence and strict liability
 - B. Examples of strict liability, including wild animals and abnormally dangerous activities
- V. Products liability
- A. The rise of products liability as a basis for tort liability in the later part of the twentieth century
 - B. Suits against manufacturers and resellers
- VI. Defamation
- A. Defamation and the distinction between libel and slander
 - B. Standards of proof: public v. private person standards
 - C. Defenses
 - D. Damages

REQUIRED TEXTBOOK AND MATERIAL:

The textbook and other instructional material will be determined by the instructor.