CLASS PRINCIPLES/POLICIES: TORTS A PROF. BUSH

Course Description:

This course covers the fundamental concepts and rules of "personal injury law", also known as "Tort Law". This is one of the major subjects of the "common law", whose primary rules are formed through the articulation of "case law" by the courts. We will explore those rules on three levels – what, how, and why. That is, we will study **what** the rules are, **how** to use them, and **why** – that is, for what policy reasons – they have been formulated by the courts as the common law of torts. All three levels are essential to a full understanding of the subject.

Class times & location:[1]

Wednesdays and Fridays, 10:10 am – noon, Room 238

Professor Bush contact information:

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Course Materials (available for purchase at the Hofstra University Bookstore):

- FRANKLIN, RABIN & GREEN, TORT LAW AND ALTERNATIVES, 9TH EDITION (Casebook)

TWEN:

This course will use "TWEN" (The West Education Network), "an online extension of the law school classroom." Important course information, materials, and announcements will be made available / communicated via TWEN. **Please sign up for TWEN as soon as possible, using the email address that you check most often,** even if it is not your Hofstra email. This course can be accessed as "Torts A, Fall 2015". If you have TWEN-related questions, please ask one of our librarians at the reference desk for assistance.

[1] Unless otherwise announced.

Class assignments/readings:

All reading assignments are indicated on the Syllabus posted on TWEN. They are listed on a class by class basis for the 28 classes of the semester. Most of the assignments are in the Franklin/Rabin casebook, but some additional reading will be assigned in the form of handouts posted separately on TWEN. In addition, I will assign a series of exercises based on hypothetical fact patterns, which will also be posted on TWEN. You will receive notice of these postings in class and by email. **Be sure to check your email regularly for class notices.**

Attendance & Lateness:

You are expected to arrive on time and prepared for each class.

Moreover, the rules of the New York State Court of Appeals and the American Bar Association require law students to be in good and regular attendance in the courses for which they are registered. To comply with these rules, you must attend at least 85% of the regularly-scheduled classes in this course. **Thus, you may miss no more than four classes in this four-credit class.**

I will provide dated sign-in sheets for each regularly-scheduled class. **Your signature (or lack thereof) on these sheets shall presumptively determine your attendance at (or absence from) any given class**. Each student is individually responsible for signing the attendance sheet in. Falsification of sign-in sheets (by, for example, signing another student's name) is a violation of the Code of Academic Conduct.

If you exceed the permitted absences by not attending class, or by failing to sign in, you will be administratively withdrawn from the course. Any such withdrawal may have serious ramifications for your financial aid, academic standing, and date of graduation. If you are excessively absent from several classes, you may face additional sanctions, including but not limited to denial of certification of good and regular attendance to the New York State Board of Law Examiners, or other state bar examiners.

The Office of Student Affairs has authority to excuse class absences for religious reasons and in cases of truly compelling hardship. If you wish to claim a particular absence as excused, and thus not counted against your maximum number of allowable absences, you must take that issue up with the Office of Student Affairs – NOT with me or my secretary. **I shall mark an absence as excused if and only if I receive a note or email from the Office of Student Affairs to that effect.**

Lastly, late arrivals are disruptive to the class. For this and other reasons, please make every effort to arrive on time to class.

Email and Office Hours:

My email and office hours are set forth above. For general administrative questions or concerns, please contact my secretary for assistance. For substantive questions or concerns, I ask that you contact me by email, and I will arrange time to talk in person or by phone.

Grading:

Your final grade will be based upon a final examination. The final examination will be closed-book, and consist of approximately 20 short answer questions totaling approximately100 points. It will be graded anonymously.

You will earn a letter grade for the course (from "A" to "F") that corresponds to your score on the final exam given the parameters set by the Law School's mandatory grading curve. I reserve the right to increase or decrease your letter grade by one increment (e.g., from a "B" to a "B+") based on your in-class performance throughout the semester.

I will give a practice exam at least once during the semester, and I will review with you the answer to exercises assigned throughout the semester. While your answers to these practice exercises will NOT be counted in determining your grade, your efforts on these exercises will almost certainly have a positive impact on your final exam performance and grade. Take them seriously.

Study partners:

It is a proven fact that, in law school, studying with a partner is CRUCIAL to ensuring your performance at a high level. The work here is difficult even for the very brightest individuals, and different from what you have encountered as an undergraduate or in other disciplines. I encourage, and urge, you to find a partner (one or more) early on in the semester, for both this and your other courses, and make it your practice to meet regularly to review and study together. The "buddy" system saves from drowning – in the swimming pool and in law school. **Find your buddy and start working together ASAP.**