I. University and Law School Policies

A. Academic Integrity

Academic integrity is fundamental to the activities and principles of the School of Law. All members of the law school community must be confident that each person's work has been responsibly and honorably acquired, developed, and presented. Any effort to gain an advantage not given to all students is dishonest whether or not the effort is successful. The law school community regards breaches of the School of Law’s Honor Code as extremely serious matters. In the event that you violate our Academic Integrity rules on any portion of the work required for this class, you may expect a failing grade in this course as well as possible disciplinary sanctions ranging from probation to expulsion. When in doubt about plagiarism, paraphrasing, quoting, collaboration, or any other form of cheating, consult the course instructor.

B. Students with Disabilities

If you anticipate barriers related to the format or requirements of this course, if you have emergency medical information to share with me, or if you need to make arrangements in case the building must be evacuated, please let me know as soon as possible.

If disability related accommodations are necessary (for example, a note taker, extended time on exams, captioning), please register with the Office of Disability Services (http://disabilityservices.missouri.edu), S5 Memorial Union, 573-882-4696, and then notify me of your eligibility for reasonable accommodations. For other MU resources for students with disabilities, click on "Disability Resources" on the MU homepage.

II. Course Policies

A. Attendance

Class attendance is required. Beginning Monday, August 20, 2018 an attendance sheet will circulate each day. Students who are present should place their initials next to their names. The attendance sheet will be considered final. If your initials are not next to your name you will be treated as absent. No distinction will be made between excused and unexcused absences. With absence number TEN (10), you will be administratively dropped from the course. The absence rule does not apply to makeup classes. If you sign in for someone else, you are in violation of The Honor Code, and appropriate action will be taken.
B. Learning Outcomes

At the conclusion of the course, it is expected that students will

- become familiar with historical and traditional tort law doctrine;
- learn the policy objectives of tort law from a social justice and economic lens;
- learn about the process of instituting and defending a lawsuit that stems from tortious conduct;
- gain useful information necessary to answering torts related questions on the bar exam;
- gain familiarity with tort law

The evaluation for the course is a formative assessment. Specifically, there will be a graded mid-term exam, ungraded in-class writing prompts, and a summative final exam.

C. Computer Usage

The use of laptops to take notes in class is a privilege, one that should not be taken for granted and one that can be rescinded. During class, you should not be surfing the internet, instant messaging, e-mailing, or anything other than taking notes. A violation of this policy may result in a ban on the use of computers for the entire class.

D. Class Discussion

RESPECT. Students and faculty each have a responsibility for maintaining an appropriate learning environment. Students who fail to adhere to behavioral standards may be subject to discipline. The Faculty has the professional responsibility to treat students with understanding, dignity and respect, to guide classroom discussion and to set reasonable limits on the manner in which students express opinions.

Disagreements and statements of opinion are not only welcomed, but also strongly encouraged. Statements, however, should be made respectfully. As the law has protected classes, this classroom shall also be a safe place regardless of an individual’s race, nationality, gender, sexual orientation, religious beliefs, political ideology, ability, and any others that I may have forgotten.

The School of Law community welcomes intellectual diversity and respects student rights. Students who have questions concerning the quality of instruction in this class may address concerns to either the Dean or Director of the Office of Student Rights and Responsibilities (http://osrr.missouri.edu). All students will have the opportunity to submit an anonymous evaluation of the instructor at the end of this course.

The class will operate according to the traditional Socratic Method but I encourage students to volunteer with responses and I will often leave a question open to the floor before calling on someone. You are expected to be an active participant in the discussion which means not only contributing your comments but also being an active listener and paying attention to the comments of others.
E. TWEN (The West Education Network)

You are required to sign on to TWEN for this course and any and all communication will be through this site. If you have any questions regarding the use of the site, you can refer to the Student’s guide to TWEN or seek assistance from the appropriate library staff member.

F. Misc.

Please arrive on time to class and either turn off or place on vibrate any device that may be distracting or disrupt the learning environment, such as cell phones, pagers, beepers, etc.

III. Texts

A. Required


- Hardcover + CasebookConnect: 9781454893868
- Loose-leaf + CasebookConnect: 9781454894759
- Rental + CasebookConnect: 9781454896715
- Digital Only CasebookConnect: 9781454899273


B. Recommended


IV. Assignments

A. Syllabus

The Syllabus will be handed out in multiple parts. You should expect to receive each subsequent part approximately one to two weeks prior to the end of the reading for the current part.

B. Reading

For each class, please read the assignments on the right side of the syllabus. The numbers in parentheses next to the cases are the pages on which the principal case can be found, e.g. Garratt (19) means that the case of Garratt v. Dailey is found in the casebook on page 19.

**NOTE:** You are expected to read the assigned material for each class which includes the notes following each principal case and to review the problems. We will take up the material in the order in which the pages are listed in the syllabus.
V. Course Grade

Your course grade will be based upon two (2) exams: a Mid-Term Exam and a Final Exam and weighted accordingly:

<table>
<thead>
<tr>
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<th>%</th>
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</thead>
<tbody>
<tr>
<td>Mid-Term Exam</td>
<td>20%</td>
<td>TBD</td>
</tr>
<tr>
<td>Final Exam</td>
<td>80%</td>
<td>Friday, December 14, 2018 @ 8:30 a.m.</td>
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You will be permitted to have an outline that you have prepared in part or in whole. You will NOT be permitted to bring in the casebook, commercial outlines, hornbooks, or any other material. I reserve the discretionary right to add or subtract up to but no more than two (2) points based upon classroom performance, attendance and preparation.

VI. Scheduled Changes

A. Make-Up Classes

August 30, 2018 – Room 4
October 2, 2018 – Room 6

NOTE: All information contained herein is subject to change at the Professor’s discretion.
## Intentional Torts

<table>
<thead>
<tr>
<th>Class</th>
<th>Topic</th>
<th>Source, Pp. (Required)</th>
<th>Cases</th>
<th>Nygren</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Introduction Battery</td>
<td>Underwood, 1-2; 9-16-28</td>
<td>Garrat (19), Waters (23), Fisher (26)</td>
<td>Chpt. 1</td>
</tr>
<tr>
<td>2.</td>
<td>Battery (cont.)</td>
<td>Underwood, 28-38</td>
<td>Hennly (28), Leichtman (30), Nelson (33)</td>
<td>25-32</td>
</tr>
<tr>
<td>3.</td>
<td>Battery (cont.); Assault</td>
<td>Underwood, 39-51</td>
<td>Muniz (39), Cullison (45), Bouton (49)</td>
<td>33-43</td>
</tr>
<tr>
<td>4.</td>
<td>Assault (cont.); False Imprisonment</td>
<td>Underwood, 51-67</td>
<td>Brower (51), McBryde (56), William Whirl (59)</td>
<td>44-51</td>
</tr>
<tr>
<td>5.</td>
<td>False Imprisonment (cont.)</td>
<td>Underwood, 67-75; 95-100</td>
<td>Comair, Inc. (68), Resendez (72), Dominguez (96)</td>
<td>52-53</td>
</tr>
<tr>
<td>6.</td>
<td>Intentional Inflictions of Emotional Distress (&quot;IIED&quot;)</td>
<td>Underwood, 100-113</td>
<td>Zalnis (100), Strauss (102), Miller (105), Jones (109)</td>
<td>54-58</td>
</tr>
</tbody>
</table>
## Intentional Torts

<table>
<thead>
<tr>
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<th>Topic</th>
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<th>Cases</th>
<th>Nygren</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>IIED (cont.); Trespass</td>
<td>Underwood, 114-118; 76-84</td>
<td>Phelps (114), Harrah’s Vicksburg, Corp. (76), Shymkiv (81)</td>
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<td>8</td>
<td>Trespass (cont)</td>
<td>Underwood, 84-95</td>
<td>Koepnick (84), Prince Kumar Arora (88)</td>
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### Defenses o Intentional Torts

<table>
<thead>
<tr>
<th>Class</th>
<th>Topic</th>
<th>Source, Pp. (Required)</th>
<th>Cases</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Consent</td>
<td>Underwood, 121-131</td>
<td>McQuiggan (122), Koffman (127), Hogan (130)</td>
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<tr>
<td>10</td>
<td>Consent (cont.); Self-Defense;</td>
<td>Underwood, 132-143</td>
<td>McPherson (132), McDonald (135), Warren (140)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Defense of Others</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>11</td>
<td>Defense of Property; Necessity</td>
<td>Underwood, 143-152</td>
<td>Woodard (143), Katko (146), Surroco (151)</td>
<td></td>
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<tr>
<td>12</td>
<td>Necessity (cont.)</td>
<td>Underwood, 152-156</td>
<td>Vincent (152)</td>
<td></td>
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