

RARITAN VALLEY COMMUNITY COLLEGE
ACADEMIC COURSE OUTLINE
TORTS LEGL-110
(REVISED)

I. Basic Course Information

- A. Course Number and Title: LEGL 110 TORTS
- B. New or Modified Course: Modified
- C. Date of Proposal: Semester: Spring Year: 2021
- D. Effective Term: Fall 2021
- E. Sponsoring Department: Business & Public Service
- F. Semester Credit Hours: 3.0
- G. Weekly Contact Hours: Lecture: 3.0
Laboratory: 0.0
Out of class student work per week: 6.0
- H. Prerequisites/Corequisites: Role of the Paralegal LEGL-101
**(This co-requisite is for AAS students only – No
co-requisite for Certificate students)**
- I. Laboratory Fees: None
- J. Name and Telephone Number or E-Mail Address of Department Chair and Divisional Dean at time of approval: Tracy Rimple, Chair Tracy.Rimple@raritanval.edu
Patrice Marks, Dean Patrice.Marks@raritanval.edu

II. Catalog Description

Co-requisite: Role of the Paralegal LEGL-101. This co-requisite is for AAS students only; no co-requisite for Certificate students. This course will introduce students to the fundamentals of tort law and liability. Students will become familiar with the various types of tort actions encountered in legal practice, as well as set-offs and defenses for same.

III. Statement of Course Need

- A. This class is a required course for both the Paralegal Studies A.A.S. Degree and the Paralegal Studies Certificate. It provides students with a fundamental understanding of the legal causes of actions and defenses available in civil law as well as the ability to evaluate and understand basic liability issues.
- B. This course has no lab component.

- C. This course will transfer into any school with a Paralegal Studies four year degree, which includes Montclair, Thomas Edison, and St. Elizabeth College in New Jersey. It will also transfer to any four-year institution offering an ABA approved paralegal program of study.

IV. Place of Course in College Curriculum

- A. Free Elective.
B. This course meets a program requirement for both the Paralegal Studies AAS Degree and the Paralegal Studies Certificate.
C. To see course transferability: a) for New Jersey schools, go to the NJ Transfer website, www.njtransfer.org; b) for all other colleges and universities, go to the individual websites.

V. Outline of Course Content

UNIT I

The first section of the course will consist of an introduction into the basis and analysis of tort law, as well as an in-depth study of the law of negligence.

OUTLINE OF UNIT I CONTENT

- A. **Initiating a Tort Case**
1. Scope of Tort Law and Practice
 2. Overview of a Tort Case
 3. Reading, Briefing and Analyzing Case Law
 4. Legal Assistant's Role in a Tort Case
- B. **Negligence**
1. Overview of a Negligence Action
 2. Duty Owed
 - a. Possessors of land
 - b. Landlord/tenant
 - c. Others
 3. Breach of Duty
 - a. Reasonable care
 - b. Res ipsa loquiter
 - c. Physical disabilities
 - d. Mental deficiencies
 4. Causation
 - a. Actual cause
 - b. Proximate cause
 5. Damages
 - a. Compensatory
 - b. Punitive
 - c. Nominal
 - d. Types of damages recoverable
 6. Defenses
 - a. Contributory negligence
 - b. Last clear chance doctrine
 - c. Comparative negligence statutes
 - d. Assumption of risk
 - e. Immunity
 - f. Statute of limitations

UNIT II

The next section of the course will include a study of various particular torts including intentional torts such as defamation and malpractice. Finally, the student will study strict and product liability tort law.

OUTLINE OF UNIT II CONTENT

- A. **Defamation**
 - 1. Elements of a Prima Facie Case
 - 2. Defenses
- B. **Malpractice**
 - 1. Elements of a Prima Facie Case
 - 2. Defenses
- C. **Strict Liability**
 - 1. Elements of Prima Facie Case
 - 2. Categories
 - 3. Defenses
- D. **Products Liability**
 - 1. Definition and Types
 - 2. Warranty Actions
 - 3. Negligence Actions
 - 4. Strict Liability Actions

UNIT III

The final section of the course will concentrate on types of liability, insurance law and various intentional and miscellaneous torts such as invasion of privacy, nuisance, misrepresentation, assault and trespass.

OUTLINE OF UNIT III CONTENT

- A. **Intentional Torts**
 - 1. Intentional Interference with the Person
 - a. Battery
 - b. Assault
 - c. Infliction of emotional distress
 - d. False imprisonment
 - 2. Intentional Interference with Property
 - a. Trespass
 - b. Conversion
 - 3. Defenses to Intentional Torts
- B. **Miscellaneous Torts**
 - 1. Misrepresentation
 - a. Fraud and deceit
 - b. Negligent misrepresentation
 - c. Strict liability misrepresentation
 - d. Defenses
 - 2. Nuisance
 - 3. Invasion of Privacy
 - a. Definition
 - b. Types
 - 1. appropriation
 - 2. public disclosure of private facts
 - 3. unreasonable intrusion
 - 4. false light
 - c. Defenses
 - 4. Interference with Business Relations
 - a. Definition
 - b. Types
 - 1. interference with existing contracts
 - 2. interference with prospective contracts
 - 3. disparagement of goods
 - 4. trade libel
 - 5. slander of title
 - c. Defenses
 - 5. Misuse of Legal Process
 - a. Definition

- b. Types
 - 1. malicious prosecution
 - 2. wrongful institution of civil proceedings
 - 3. abuse of process
- c. Defenses
- C. **Miscellaneous Issues**
 - 1. Vicarious Liability
 - a. Employer/employee
 - b. Independent contractors
 - c. Bailments
 - d. Joint enterprises
 - e. Parental liability
 - 2. Joint Liability
 - a. Independent joint tortfeasors
 - b. Concurrent joint tortfeasors
 - c. Judgment and satisfaction
 - d. Contribution
 - e. Indemnification
 - f. Release
 - 3. Insurance
 - a. Impact
 - b. Types of coverage
 - c. Types of insurance
 - 4. N.J. Tort Claims Act

VI. General Education and Course Learning Outcomes

A. **General Education Learning Outcomes:**

At the completion of the course, students will be able to:

1. Produce written work that reflects critical and creative thought relative to tort law scenarios. (GE-NJ 1)
2. Develop the ability to communicate clearly and logically, utilizing both verbal and written skills, in the researching and preparation of legal documents. (GE- NJ 1)
3. Research, collect and organize information, utilizing technology and computer-based legal research sites to create legal documents such as complaints, answers, discovery devices and memorandums of law. (GE-NJ 4 & GE-NJ IL)
4. Recognize, analyze and evaluate the ethical principles in transaction fact patterns. (GE-NJ ER*)

*Embedded Critical Thinking

B. **Course Learning Outcomes:**

At completion of this course, students will be able to:

1. Analyze legal principles governing the field of tort law.
2. Identify the terminology and legal principles associated with tort law.
3. Compare and contrast the various types of intentional and quasi-intentional torts, negligence suits, products liability, strict liability and breach of warranty actions and their various defenses.

4. Describe, analyze and evaluate basic tort considerations such as vicarious liability, multiple defendant issues, survival and wrongful death actions, tort immunities and the impact of insurance.
5. Draft legal documents in tort cases, such as complaints, answers, discovery devices and memorandums of law, using legal research methods and specific legal software.
6. Identify ethical considerations in handling tort litigation.
7. Assess the impact of special New Jersey tort considerations such as the N.J. Tort Claims Act and no-fault insurance on client cases.

C. Assessment Instruments

1. Examinations
2. Document Preparation based on fact patterns
3. Legal Research
4. Oral Case Briefing Presentation
5. Attendance
6. Participation

VII. Grade Determinants

- A. Examinations
- B. Drafting of legal documents
- C. Research Assignments
- D. Case Presentation
- E. Attendance
- F. Participation

Methods for teaching and learning:

- A. lecture/discussion
- B. oral presentations
- C. library research instruction
- D. computer-assisted document drafting
- E. Web-based legal resource instruction

VIII. Texts and Materials

- A. Textbook: Edwards, *Tort Law* (Current Edition); Cengage Publishing
- B. Internet and Web-based legal resources
- C. Library reserve forms and formbooks

(Please Note: The course outline is intended only as a guide to course content and resources. Do not purchase textbooks based on this outline. The RVCC Bookstore is the sole resource for the most up-to-date information about textbooks.)

IX. Resources

This course will require use of the RVCC library and access to the internet.

