

**LEX 130  
CIVIL INJURIES**

**COURSE DESCRIPTION:**

Prerequisites: None

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, 2. Semester Hours Credit, 2.

**COURSE OBJECTIVES:**

Upon completion of the course, the student should be able to:

- a. Identify the elements of various tort claims
- b. Be able to prepare drafts of complaints and answers in tort actions
- c. Prepare trial and caselaw notebooks
- d. Identify necessary evidence, including the collection of medical records
- e. Prepare a settlement brochure

**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
  - D. Battery
  - E. Assault
  - F. False Imprisonment
  - G. The intentional infliction of emotional distress
  
- D. 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
    - 1) Direct evidence
    - 2) Circumstantial evidence

- D. Actual causation and methods of proof
    - 1) Direct and indirect causation
    - 2) Liability in the absence of direct causation
  - D. Introduction to proximate causation
  - E. Damages
    - 1) Nominal damages
    - 2) Compensatory damages
    - 3) Future earnings and reduction to present value
    - 4) Punitive damages
  - G. Special liability issues
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- E. Strict liability
    - A. Distinction between negligence and strict liability
    - B. Examples of strict liability, including wild animals and abnormally dangerous activities
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- F. 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
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- G. Defamation
    - A. Defamation and the distinction between liable and slander
    - B. Standards of proof: public v. private person standards
    - C. Defenses
    - D. Damages

**REQUIRED TEXTBOOK:**

To be determined

**STATEMENT FOR STUDENTS WITH DISABILITIES:**

Students who require academic accommodations due to any physical, psychological, or learning disability are encouraged to request assistance from a disability services counselor within the first two weeks of class. Likewise, students who potentially require emergency medical attention due to any chronic health condition are encouraged to disclose this information to a disability services counselor within the first two weeks of class. Counselors can be contacted by calling 686-3652 or by visiting the Student Development Office in the Phail Wynn Jr. Student Services Center, room 1309.