

TORTS (TOGL)

TOGL 0108. Torts. (4 or 5 Credits)

A study of the causes of action arising from breaches of legally recognized duties relating to the protection of person, and property, including the traditional tort actions and new and developing areas of tort liability. Various defenses, immunities and privileges are discussed. The course includes a critical analysis of the fault concept of liability.

Attribute: LMCO.

TOGL 0203. Torts at the Supreme Court. (2 Credits)

Even though the common law of torts is predominantly a matter of state law, the United States Supreme Court has taken up a variety of important tort issues over the years. These include, among others: punitive damages, federal preemption in products liability cases, qualified immunity in constitutional torts, and the treatment of public figures in the law of defamation and privacy. We will explore a range of tort cases at the U.S. Supreme Court from the past, as well as those that are before the Court in the 2019 Term. Students will do class presentations and a take-home final examination. A key goal of the class/seminar will be to involve students in debates about current tort and constitutional law issues that are being and have been before the United States Supreme Court. Just right for those interested in Torts or Constitutional Law.

Attributes: LDE, LLM.

TOGL 0226. Advanced Torts: Defamation. (2 or 3 Credits)

Tort law recognizes that words and images can injure, and through causes of action libel, slander, and the rights of privacy, it attempts to compensate the victims of those injuries. This course begins with traditional tort law of defamation, traces the development of that through key Supreme Court cases of the 1960s, and provides a close examination of current defamation law. Some of the contemporary controversies to be addressed include: the existence and scope of the "fact/opinion" distinction; the developing "neutral reportage" principle and the proper accommodation of defamation principles to new technologies of communication. This is a term-paper course, and it can be used to satisfy the writing requirement. However, the extra one credit independent study is available for the writing requirement with this course.

Attributes: INLJ, IPIE, LLM.

TOGL 0227. Constitutional Torts. (2 Credits)

This course will explore issues concerning how private individuals obtain remedies against governmental actors for violation of their constitutional (and sometimes statutory) rights. The class will address prerequisites to relief, such as the state action doctrine, and will touch on substantive rights such as substantive and procedural due process, the 4th Amendment right to be free from unreasonable search and seizure, and the 8th Amendment right not to be subjected to cruel and unusual punishment.

Attributes: INLJ, LMCO.

TOGL 0360. Consumer Financial Protection Law. (2 to 3 Credits)

Consumer spending is a multi-trillion dollar sector that drives the U.S. economy. This course provides an overview of the consumer finance system—the way in which consumers finance and manage their consumption—and examines the business, economics, politics, and regulation of this sector of the economy. Consumer finance is a business-to-consumer industry, and this course focuses on both consumer and financial institution concerns in transactions. The course examines the regulatory structure and methods of consumer finance regulation, as well as the specific economics and regulation of major consumer financial products. Considerable attention will be given to the Consumer Financial Protection Bureau and its powers and politics. The course's coverage will roughly track the authority of the CFPB: deposit accounts, payment products (debit and credit cards), credit products (credit cards, mortgages, payday, and auto loans as well as debt collection and restructuring services), some insurance products; and advice and restructuring services. Attention will also be given to how financial institutions finance their operations, access to financial services, and to the special role of consumer finance in the socioeconomics of the middle class.

Attributes: BFE, CORC, CRCP, INLJ, LAW, LLM.

TOGL 0780. Business Torts. (2 Credits)

Students will demonstrate a basic understanding of commonly litigated business torts, including the basics of the economic loss rule, misappropriation, fiduciary duties, deceptive marketing, business disparagement, misappropriation of trade secrets and trademark. Students will be able to recognize situations in which these causes of action are available and analyze those causes of action.

Attributes: LAW, LLM.