



**Department:** Business Professions  
**Course Title:** Torts & Personal Injury Law  
**Section Name:** LGLA 2303.610  
**Semester:** Fall, 2013  
**Instructor:** Scott Layh  
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**Phone:** (432) 498-4150  
**Office Hours:** N/A

### **Course Description**

This course presents fundamental concepts and procedures of Tort law with emphasis on the paralegal's role.

### **Required Text:**

**Tort Law**, Edwards/Wells, Thomson/West, 5<sup>th</sup> Edition, 2012.

### **Description of Institutional Core Objectives (ICO's)**

Given the rapid evolution of necessary knowledge and skills and the need to take into account global, national, state, and local cultures, the core curriculum must ensure that students will develop the essential knowledge and skills they need to be successful in college, in a career, in their communities, and in life. Therefore, with the assistance of the Undergraduate Education Advisory Committee, the Coordinating Board has approved guidelines for a core curriculum for all undergraduate students in Texas.

Through the application and assessment of objectives within the institution's core curriculum, students will gain a foundation of knowledge of human cultures and the physical and natural world; develop principles of personal and social responsibility for living in a diverse world; and advance intellectual and practical skills that are essential for all learning. Appropriate Odessa College faculty periodically evaluates all of the courses listed in the descriptions on the following pages of this catalog and keys them to Odessa College's Institutional Core Objectives (ICOs), as defined by the Texas Higher Education Coordinating Board (THECB). (Source: *Odessa College Catalog of Courses 2013-2014*, page 68)

### **Odessa College's Institutional Core Objectives (ICOs):**

- 1) *Critical Thinking Skills* - to include creative thinking, innovation, inquiry, and analysis, evaluation and synthesis of information
- 2) *Communication Skills* - to include effective development, interpretation and expression of ideas through written, oral and visual communication
- 3) *Empirical and Quantitative Skills* - to include the manipulation and analysis of numerical data or observable facts resulting in informed conclusions
- 4) *Teamwork* - to include the ability to consider different points of view and to work effectively with others to support a shared purpose or goal
- 5) *Personal Responsibility* - to include the ability to connect choices, actions and consequences to ethical decision-making
- 6) *Social Responsibility* - to include intercultural competence, knowledge of civic responsibility, and the ability to engage effectively in regional, national, and global communities

## Learning Outcomes for LGLA 2303 (Source: *Odessa College Catalog of Courses 2013-2014, page 201*)

Outcome	ICO
Use terminology relating to fundamental legal concepts; identify fields of law; discuss topics relating to the Paralegal profession and career options; and analyze the ethical considerations of the paralegal.	<i>Critical Thinking Skills</i> - to include creative thinking, innovation, inquiry, and analysis, evaluation and synthesis of information <i>Communication Skills</i> - to include effective development, interpretation and expression of ideas through written, oral and visual communication <i>Social Responsibility</i> - to include intercultural competence, knowledge of civic responsibility, and the ability to engage effectively in regional, national, and global communities

## Odessa College Policies

### Academic Policies

Note that the OC Student Handbook states (page 32) that “[i]n cases of academic dishonesty, the instructor has the authority to impose appropriate scholastic penalties. Complaints or appeals of disciplinary sanctions may be filed in accordance with the college due process procedure. Copies of the college due process procedure are available in the office of The Director of Student Life (CC104).” For more information on your rights and responsibilities as a student at Odessa College, please refer to the following: *The 411 of OC: Student Handbook 2013-2014; Student Rights & Responsibilities* <http://www.odessa.edu/dept/studenthandbook/handbook.pdf>

### Scholastic Dishonesty

Scholastic dishonesty shall constitute a violation of these rules and regulations and is punishable as prescribed by board policies. Scholastic dishonesty shall include, but not be limited to, cheating on a test, plagiarism and collusion.

#### **"Cheating on a test" shall include:**

- Copying from another student's test paper
- Using test materials not authorized by the person administering the test.
- Collaborating with or seeking aid from another student during a test without permission from the test administrator.
- Knowingly using, buying, selling, stealing or soliciting, in whole or in part, the contents of an unadministered test.
- The unauthorized transporting or removal, in whole or in part, of the contents of the unadministered test.
- Substituting for another student, or permitting another student to substitute for one's self, to take a test.
- Bribing another person to obtain an unadministered test or information about an unadministered test.
- "Plagiarism" shall be defined as the appropriating, buying, receiving as a gift, or obtaining by any means another's work and the unacknowledged submission or incorporation of it in one's own written work.
- "Collusion" shall be defined as the unauthorized collaboration with another

person in preparing written work for fulfillment of course requirements. (Source: *Odessa College Student Handbook 2013-2014*, page 29-30)

### **Special Populations/Disability Services/Learning Assistance**

Odessa College complies with Section 504 of the Vocational Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. If you have any special needs or issues pertaining to your access to and participation in this or any other class at Odessa College, please feel free to contact me to discuss your concerns. You may also call the Office of Disability services at 432-335-6861 to request assistance and accommodations.

Odessa College affirms that it will provide access to programs, services and activities to qualified individuals with known disabilities as required by **Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (ADA)**, unless doing so poses an undue hardship or fundamentally alters the nature of the program or activity. Disabilities may include hearing, mobility or visual impairments as well as hidden disabilities such as chronic medical conditions (arthritis, cancer, diabetes, heart disease, kidney disorders, lupus, seizure disorders, etc.), learning disabilities or psychiatric or emotional disabilities. A student who comes to Odessa College with diagnosed disabilities which may interfere with learning may receive accommodations when the student requests them and submits proper documentation of the diagnosis. A Request for Accommodations form and guidelines for beginning the request process are available in the OC Help Center or on the Odessa College web site at [www.odessa.edu/dept/counseling/disabilities.htm](http://www.odessa.edu/dept/counseling/disabilities.htm). The college strives to provide a complete and appropriate range of services for students with disabilities such as assistance with testing, registration, information on adaptive and assistive equipment, tutoring, assistance with access and accommodations for the classroom where appropriate. For information regarding services, students with disabilities should contact the Office of Disability Services in the OC Help Center located in Room 204 of the Student Union Building or call 432-335-6433. (Source: *Odessa College Catalog of Courses 2013-2014*, page 48)

### **Dropping a Course or Withdrawing from College**

Students wishing to drop a non-developmental course may do so online using WebAdvisor, at the Wrangler Express, or Registrar's Office. A student wishing to drop a developmental course or withdraw from college should obtain a drop or withdrawal form from the Wrangler Express or the Registrar's Office. Students are encouraged to consult with instructors prior to dropping a class. Students may not completely withdraw from the college by use of the Web. Students must drop a class or withdraw from college before the official withdrawal date stated in the class schedule. Students who are part of the Armed Forces Reserves may withdraw with a full refund if the withdrawal is due to their being ordered into active duty. A copy of the student's orders must be presented to the Registrar's Office at the time of the withdrawal. For details, please contact the Office of the Registrar. **No longer attending class does not automatically constitute withdrawal from that class, nor does a student's notification to an instructor that the student wishes to be dropped. Failure of a student to complete the drop/withdrawal process will result in a grade of "F."** (Source: *Odessa College Catalog of Course 2013-2014*, page 39)

### **Learning Resource Center (LRC; Library)**

The Library, known as the Learning Resources Center, provides research assistance via the LRC's catalog (print books, videos, e-books) and databases (journal and magazine articles). Research guides covering specific subject areas, tutorials, and the "Ask a Librarian" service provide additional help.

### **Student Success Center (SCC)**

Located in the LRC, the Student Success Center (SSC) provides assistance to students in meeting their academic and career goals. We strive to provide new and updated resources and services at no charge to OC students. Academic support services include tutoring, study skills training, workshops, and the mentoring

program. Tutoring is available for a variety of subjects including college mathematics, English, government, history, speech, chemistry, biology, and all developmental coursework. Appointments are preferred, but walk-ins will be served as soon as possible. Smarthinking online tutoring is also available. All computers in the center have Internet access, Microsoft Office, and software resources to assist OC students in improving their reading, writing and mathematical skills. The center also offers special assistance to students preparing for the THEA/COMPASS test. Computer lab assistants are available to assist students with student email, Blackboard, OC portal, Course Compass and more. For more information or to make an appointment, please call 432-335-6673 or visit [www.odessa.edu/dept/ssc/](http://www.odessa.edu/dept/ssc/) (Source: *Odessa College Catalog of Courses 2013-2014, page 49*)

### **Student E-mail**

Please access your Odessa College Student E-mail, by following the link to either set up or update your account: <http://www.odessa.edu/gmail/>. **Correspondence will be submitted using your Odessa College email as an alternative method to contact you with information regarding this course.**

**Success Coaches:** The Odessa College Student Success Coaches will help you stay focused and on track to complete your educational goals. If an instructor sees that you might need additional help or success coaching, he or she may submit a Retention Alert or a Starfish Alert. A Student Success Coach will contact you to work toward a solution.

As part of the Design for Completion initiative, your Odessa College Student Success Coach and faculty mentor will help you stay focused and on track to complete your educational goals. If an instructor sees that you might need additional help or success coaching, he or she may submit a Retention Alert. Your Student Success Coach or faculty mentor will contact you to work toward a solution

### **Technical Support**

For Blackboard username and password help and for help accessing your online course availability and student email account contact the Student Success Center at 432-335-6878 or online at [https://www.odessa.edu/dept/ssc/helpdesk\\_form.htm](https://www.odessa.edu/dept/ssc/helpdesk_form.htm).

### **Expectations for Engagement – Face to Face Learning**

To help make the learning experience fulfilling and rewarding, the following Expectations for Engagement provide the parameters for reasonable engagement between students and instructors for the learning environment. Students and instructors are welcome to exceed these requirements.

#### *Reasonable Expectations of Engagement for Instructors*

1. As an instructor, I understand the importance of clear, timely communication with my students. In order to maintain sufficient communication, I will
  - provided my contact information at the beginning of the syllabus;
  - respond to all messages in a timely manner through telephone, email, or next classroom contact; and,
  - notify students of any extended times that I will be unavailable and provide them with alternative contact information (for me or for my supervisor) in case of emergencies during the time I'm unavailable.
2. As an instructor, I understand that my students will work to the best of their abilities to fulfill the course requirements. In order to help them in this area, I will
  - provide clear information about grading policies and assignment requirements in the course syllabus, and

- communicate any changes to assignments and/or to the course calendar to students as quickly as possible.
3. As an instructor, I understand that I need to provide regular, timely feedback to students about their performance in the course. To keep students informed about their progress, I will
    - return classroom activities and homework within one week of the due date and
    - provide grades for major assignments within 2 weeks of the due date or at least 3 days before the next major assignment is due, whichever comes first.

### *Reasonable Expectations of Engagement for Students*

1. As a student, I understand that I am responsible for keeping up with the course. To help with this, I will
  - attend the course regularly and line up alternative transportation in case my primary means of transportation is unavailable;
  - recognize that the college provides free wi-fi, computer labs, and library resources during regular campus hours to help me with completing my assignments; and,
  - understand that my instructor does not have to accept my technical issues as a legitimate reason for late or missing work if my personal computer equipment or internet service is unreliable.
2. As a student, I understand that it is my responsibility to communicate quickly with the instructor any issue or emergency that will impact my involvement with or performance in the class. This includes, but is not limited to,
  - missing class when a major test is planned or a major assignment is due;
  - having trouble submitting assignments;
  - dealing with a traumatic personal event; and,
  - having my work or childcare schedule changed so that my classroom attendance is affected.
3. As a student, I understand that it is my responsibility to understand course material and requirements and to keep up with the course calendar. While my instructor is available for help and clarification, I will
  - seek out help from my instructor and/or from tutors;
  - ask questions if I don't understand; and,
  - attend class regularly to keep up with assignments and announcements.

### **Institutional Calendar Fall 2013**

Classes Begin.....	Aug 26 (Mon)
Late Registration & Schedule Changes (Add/Drop):	
On the Web (5 am to Midnight, 7 days a week).....	Aug 26-27 (Mon-Tues)
In Person (See Business Hours Above).....	Aug 26-27 (Mon-Tues)
Holiday (Labor Day – Offices closed except for Wrangler Express – No Classes).....	Sep 2 (Mon)
Census Day.....	Sep 11 (Wed)
Last Day to Drop or Withdraw with a “W” (1st eight week courses).....	Oct 4 (Fri)
First Eight Weeks End.....	Oct 18 (Fri)
Second Eight Weeks Begin.....	Oct 21 (Mon)
Deadline for Fall Degree Application.....	Nov 1 (Fri)
Last Day to Drop or Withdraw with a “W” (full semester length courses).....	Nov 12 (Tues)
Last Day to Drop or Withdraw with a “W” (2nd eight week courses).....	Nov 26 (Tues)
Student Evaluation of Instruction Survey Available Online.....	Nov 18-22 (Mon-Fri)
Thanksgiving Holiday (begins 9 pm Tues, Nov 26).....	Nov 27-30 (Thurs-Sat)
Last Class Day.....	Dec 7 (Sat)
Final Exams.....	Dec 9-12 (Mon-Thurs)
End of Semester.....	Dec 12 (Thurs)
Fall Graduation.....	Dec 14 (Sat)
College Offices Closed.....	Dec 21-Jan 5 (Sat-Sun)un)

## **Course Policies**

### **Disclaimer**

This syllabus is tentative and subject to change in any part at the discretion of the instructor. Any changes will be in accordance with Odessa College policies. Students will be notified of changes, if any, in timely manner.

### **Original Effort**

The work submitted for this course must be original work prepared by the student enrolled in this course. Efforts will be recognized and graded in terms of individual participation and in terms of ability to collaborate with other students in this course.

### **Students**

Students enrolled in this course are Odessa College students majoring in Business Professions Programs or OC students who have an interest in studying Paralegal Studies.

### **Course prerequisites**

There are no prerequisites for this course. (Source: *Odessa College Catalog of Courses 2013-2014, page 201*)

### **Course Alignment with Industry Standards**

Curriculum aligns with the Certified Paralegal Exam administered by NALA.

### **Digital Protocol**

Cell phones must be placed on either *vibrate* or *silent* mode and are to be accessed in emergency cases only. The use of laptops or any other digital device is permitted in order to facilitate note-taking relative to instruction. **Computers/printers are available to OC students in the LRC (301-303); therefore, not having access to a computer due to technical issues (crash; corrupted files) will not be considered as an acceptable reason for not completing assignments.** If there is a loss of server connection with Odessa College due to maintenance, then an email will be sent to student with pertinent information and status reports.

### **Attendance Policy**

Students are expected to attend class regularly. Excessive absences will be grounds for disciplinary action, and will be determined on a case-by-case basis. If you are more than 15 minutes late to class or leave class early without notifying the instructor, this will count as an absence. Students are permitted 5 absences before a loss of 1 point(s) per absence over 5 is deducted from final grade point average.

### **AVID**

This course, LGLA 2303— Torts & Personal Injury Law, has been identified as a course by Career, Technical, and Workforce Education as one in which teaching and learning strategies adopted by AVID will be implemented. As a student in the legal program, you will be expected to develop an understanding of the strategies, to model the strategies, to maintain fidelity of implementation, and to examine how these strategies may impact your effectiveness as a professional in your chosen area of occupation, either through coursework or practicum experience as outlined by the course instructor.

### **Grading Policy**

Please understand that this is a required course for the Paralegal Studies program in order to better prepare you for future and successful employment. Quality work and active participation is expected and not to be negotiated. As a general policy, grades will be taken in class. Any written assignments or tests will be graded outside of class.

## Grade Inquiry Policy

It is the responsibility of the individual taking this course to maintain accurate track of assignment submissions and grades. There will be opportunities during the semester to meet with the instructor to discuss your academic progress. Contact the instructor to schedule an appointment. Class time will not be used for grade inquiries. All grades are final.

## Communication Plan

The best way to communicate with the course instructor is via email. Check your student e-mail regularly for announcements, including any changes in the course schedule due to instructor illness or conference attendance. Appointments with the instructor may also be scheduled.

## General Course Requirements

1. Attend class and participate.
2. Contribute and cooperate with civility.
3. **Submit assignments on time. Late work will not be accepted. Medical and/or family circumstances that warrant an extension on assignments need to be presented to the instructor. Extensions will be allowed at the instructor's discretion.**

## Grading Scale:

- "A" = 90-100
- "B" = 80-89
- "C" = 70-79
- "D" = 60-69
- "F" = 0-59

## Incomplete Policy

An 'Incomplete' grade may be given only if:

1. The student has passed all completed work
2. If he/she has completed a minimum of 75% of the required coursework. A grade of an "I" will only be assigned when the conditions for completions have been discussed and agreed upon by the instructor and the student.

## Overview of assignments

Type of Assignment	Percentage
1. Final	30%
2. Tests	40%
3. Vocabulary	10%
4. Review Questions	10%
5. Practice Tests	10%

**Schedule (Tentative and Subject to Change)**

<b>Dates</b>	<b>Assignments</b>	<b>Topic</b>
8/26	Syllabus and Information	Introduction and begin Ch. 1
9/2		HOLIDAY
9/9	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 1 Overview of Tort Law Chp. 2 Overview of a Tort Case Chp. 3 Intentional Torts
9/16	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 4 Negligence: Duty Chp. 5 Negligence: Breach of Duty
9/23	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 6 Negligence: Causation Chp. 7 Negligence: Damages Chp. 8 Negligence: Defenses
9/30	TEST 1 Vocabulary due Review Questions due Practice Test due	TEST 1; Chapters 1-8
10/7	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 9 Malpractice Chp. 10 Misrepresentation, Nuisance and Other Torts
10/14	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 11 Strict Liability Chp. 12 Product Liability Chp. 13 Defamation and Related Torts
10/21	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 14 Vicarious Liability Chp. 15 Joint Liability
10/28	TEST 2 Vocabulary due Review Questions due Practice Test due	TEST 2; Chapters 9-15
11/4	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 16 Tort Reform Chp. 17 Automobile Insurance
11/11	Vocabulary assigned Review Questions assigned Practice Test assigned	Chp. 18 Bad Faith Chp. 19 Workers Compensation
11/18	Review/Movie	Review/Movie



11/25	TEST 3 Vocabulary due Review Questions due Practice Test due	TEST 3; Chapters 16-19
12/2	Review	Review
<b>12/9 6:00 – 9:00 PM</b>	<b>FINAL EXAM</b>	<b>COMPREHENSIVE</b>

**Student Evaluation of Instruction (SEI) will be available in Blackboard November 18-22, 2013.**