

El Paso Community College
Syllabus
Part II
Official Course Description

SUBJECT AREA	<u>Paralegal</u>
COURSE RUBRIC AND NUMBER	<u>LGLA 2303</u>
COURSE TITLE	<u>Torts and Personal Injury Law</u>
COURSE CREDIT HOURS	<u>3 3 : 0</u> Credits Lec Lab

I. Catalog Description

Presents fundamental concepts of tort and personal injury law including intentional torts, negligence, strict liability and the Medical Liability Act with emphasis on the paralegal's role. (3:0).

II. Course Objectives

Upon satisfactory completion of this course, the student will be able to:

- A. Identify the role and ethical considerations of the paralegal in tort law and draft the documents used in tort law.
- B. Define a tort and distinguish between a tort, a crime, and a contract. (By understanding these definitions, the student will understand the evolution of tort law.)
- C. List and discuss the various types of torts, including negligence, strict liability, breach of warranty, express and implied warranties, and intentional torts.
- D. List and discuss the various components that make up a good interview.
- E. Identify and distinguish among the various legal concepts which are applicable to the tort of negligence, including but not limited to, duty, breach of duty, causation, and damages.
- F. Distinguish between objective and subjective standards of care.
- G. Distinguish between the Cardozo and the Andres approach to proximate cause.
- H. Prepare the pleadings which are necessary to file a personal injury lawsuit.
- I. Discuss administrative hearings related to workers' compensation, Social Security, E.E.O.C., and tax/wage disputes.
- J. List and discuss the various types of defenses available to a defendant in a personal injury suit.
- K. List and discuss the various types of damages which are available under tort law to an injured party.
- L. Identify and discuss elements and characteristics of strict liability, design defects, defective warnings, and breach of warranty lawsuits, including the ability to recognize and utilize the various defenses to these causes of action.
- M. Identify and discuss the various intentional torts to persons and property and the various defenses to intentional tort causes of action.
- N. Identify and distinguish the various types of insurance coverage available, causes of actions against insurers, and defenses insurers may have in the law.
- O. Identify the characteristics of medical payment, collision, comprehensive, UM, UIM, and umbrella coverage with regard to insurance policies.
- P. Discuss the arbitration process for dispute resolution.
- Q. Discuss the rationale behind the development of bad faith actions.

- R. Discuss the Medical Liability Act.
- S. Discuss the specific “billable” tasks associated with torts and personal injury.

III. THECB Learning Outcomes (WECM)

- 1. Use terminology relating to tort and personal injury law.
- 2. Analyze sources relating to tort and personal injury law.
- 3. Draft documents used in tort and personal injury law.
- 4. Analyze the ethical considerations of the paralegal in tort and personal injury law.

IV. Evaluation

- A. If a student fails to achieve a score of 70 or more on the mid-term examination, she/he may apply for re-examination within one week of the exam. The retake will consist of new questions dealing with the same subject matter tested in the original exam.

Grading Scale:

90-100	=	A
80-89	=	B
70-79	=	C
60-69	=	D
Below 60	=	F
Incomplete	=	I
Withdrew or Withdrawn	=	W

V. Disability Statement (Americans with Disabilities Act [ADA])

EPCC offers a variety of services to persons with documented sensory, mental, physical, or temporary disabling conditions to promote success in classes. If you have a disability and believe you may need services, you are encouraged to contact the Center for Students with Disabilities to discuss your needs with a counselor. All discussions and documentation are kept confidential. Offices located: VV Rm C-112 (831-2426); TM Rm 1400 (831-5808); RG Rm B-201 (831-4198); NWC Rm M-54 (831-8815); and MDP Rm A-125 (831-7024).

VI. 6 Drop Rule

Students who began attending Texas public institutions of higher education for the first time during the Fall 2007 semester or later are subject to a 6-Drop limit for all undergraduate classes. Developmental, ESL, Dual Credit and Early College High School classes are exempt from this rule. All students should consult with their instructor before dropping a class. Academic assistance is available. Students are encouraged to see Counseling Services if dropping because exemptions may apply. Refer to the EPCC catalog and website for additional information.

VII. Title IX and Sex Discrimination

Title 9 (20 U.S.C. 1681 & 34 C.F.R. Part 106) states the following "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance." The Violence Against Women Act (VAWA) prohibits stalking, date violence, sexual violence, and domestic violence for all students, employees and visitors (male and female). If you have any concerns related to discrimination, harassment, or assault (of any type) you can contact the Assistant to the Vice President for Student and Enrollment Services at 915-831-2655. Employees can call the Manager of Employee Relations at 915-831-6458. Reports of sexual assault/violence may also be reported to EPCC Police at 915-831-2200.