

# TORTS

Fall 2025

## Syllabus Part 1

**Prof. Bambauer**

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Office Hours: Tuesday and Friday 12:15-1:15

Welcome to Torts! This course will cover many familiar avenues to civil liability (personal injury, medical and professional malpractice, products liability). Your path through the doctrine of torts will be paved with fascinating cases filled with human drama, explosions, truly terrible decisions, and freakish bad luck.

**Casebook and Reading Materials.** Your required textbook is “Torts and Compensation,” 9th edition **CONCISE**, by Dan B. Dobbs, Paul T. Hayden, and Ellen M. Bublick. It should be available through the bookstore. Please let me know if you have trouble securing it.

This course is designed to be self-contained; if you do the reading, attend the classes, and ask questions when something is confusing, you will not need any secondary sources.

**Assignments.** Reading assignments for the first half of our class are broken down by week and appear below. If I deviate from the order listed in the syllabus for any reason, I will make an announcement in class and post a notice on our Canvas website. The textbook teaches concepts using key cases and a rich set of notes and problems. This casebook might have more notes than you will see in your other classes. The notes are integral to the class, so don’t skip them!

**Class Discussion.** I use a “gentle” version of the Socratic method to propel class discussion. Only half of the class will be on call in each class period. When you are on call, I may ask you to describe a case and answer a couple questions. If something unusual comes up and you are not prepared to answer questions in class, please come to class anyways. Just email me before class or come talk to me at the podium and I will avoid calling you.

**Grades.** Your grade will be based on an open book midterm (10%) and final examination (90%). The final exam is likely to include a True/False section, a few short answer questions (for one paragraph answers), and a long “issue spotting” essay question. I will go over the exam format in more detail and provide examples later in the semester.

The midterm will match the format of the final exam, but will have fewer of each type of question. After I score the midterm exams, I will go over a grading rubric during class time. In past years when I have graded midterms, I have always had at least one of students who bombed the midterm wind up with an “A” for the course because they learned how to

synthesize the material better or to more effectively communicate what they already knew. So don't get demoralized by the midterm!

There is no trick to writing a good exam answer other than performing a good legal analysis and walking the reader through it. All legal problems require lawyers to apply rules and standards to new facts. This is what we will be practicing in class, and what you'll be expected to do on my exam. While the rules will vary in degrees of clarity and settledness, good legal analysis will identify which rules and facts make the outcome difficult to predict and will adeptly discuss the issues. A good analysis will also confidently and correctly dispose of the easy issues—the ones where established rules clearly apply to straightforward facts.

**Class Attendance.** Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. If you are absent more than three times during the semester, please arrange a meeting with me so that we can find a good time to discuss catching you up, mitigating any problems, and, if necessary, arranging a make-up assignment. The law school's policy on attendance can be found [here](#).

**ABA Requirements.** ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every "classroom hour" of in-class instruction. Torts will meet approximately 4 hours each week, requiring at least **8 hours of preparation** outside of class including reading the assigned materials, writing practice exams, and preparing for the final.

**Course Objectives.** By the end of this course, you will be able to:

1. Identify all of the major legal issues and some of the minor legal issues that would affect tort liability when given a set of facts;
2. Know and communicate the legal rules and principles that are described in the case opinions and readings for this course;
3. Apply legal rules to new sets of facts by (a) explaining how the relatively easy issues would be resolved by a court, and (b) identifying good arguments and good counter-arguments that use analogical reasoning, critical thinking, and policy analysis to justify the outcomes of harder, more ambiguous legal issues;
4. Manage your time so that your written work responds to the particular problem or question posed and prioritizes the analyses that are more complex and important.

#### **GENERAL COLLEGE OF LAW POLICIES**

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link:

<https://ufl.instructure.com/courses/427635/files?preview=98226140> .

## ASSIGNMENTS

Week	Topic	Pages
<b>1</b>	<b>Introduction Battery I</b>	<b>3-27; 31-43</b>
<b>2</b>	<b>Battery II Assault False Imprisonment Trespass to Land</b>	<b>43-49 49-54 54-56 56-60</b>
<b>3</b>	<b>Self-Defense and Defense of Others Consent Public and Private Necessity</b>	<b>65-74 81-93 93-94</b>
<b>4</b>	<b>Intro to Negligence The Reasonable Person Standard Negligence per Se</b>	<b>97-99 99-115 115-131</b>

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Part II will be distributed during our third week of class