

TORTS
UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW
2025 FALL SYLLABUS – LAW 5700 – 4
CREDITS

Professor Andy Yuan

Office: 318

Office Phone: **TBD**

Email: **TBD**

Office Hours: Thursday 1:00 PM – 3:00 PM by appointments

MEETING TIME: Tuesday and Thursday 8:30 AM – 10:30 AM

LOCATION: HH-360

COURSE DESCRIPTION AND OBJECTIVES:

Welcome to Torts! This course will cover many familiar avenues to civil liability (personal injury, medical and professional malpractice, products liability). Your journey through the doctrine of torts will be paved with fascinating cases ripe with human drama, explosions, and freakish coincidences.

STUDENT LEARNING OUTCOMES:

At the end of this course, students should 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.

REQUIRED READING MATERIALS:

Your required textbook is “Torts: Cases and Questions,” 3rd edition, by Ward Farnsworth and Mark Grady. 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.

Please be sure to register for the Canvas course and have any required materials with you in print or easily accessible electronic form in class. You are responsible for checking your Canvas page and the e-mail connected to the page on a regular basis for any class announcements or adjustments.

COURSE EXPECTATIONS AND GRADING EVALUATION:

Class Discussion. I use a “gentle” version of the Socratic method to propel class discussion. You will be in either the orange or blue team, and only one team will be “on call” in each class period. When you are on call, I may call on you to describe a case and answer a couple questions. If something comes up and you are not prepared to be on call, please just email me before class and I will refrain from calling on you.

Evaluation. Your grade will be based on a final examination. The exam will be a timed in-class open-book test consisting of five short answer questions (one paragraph each) and a long “issue spotting” essay question. I will go over the exam format in more detail and provide examples later in the semester.

In the middle of the semester, I will also administer a practice midterm exam. I will score all exams and go over a grading rubric with the class, and you will have the opportunity to meet with me to get individualized feedback.

CLASS ATTENDANCE POLICY:

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed 5 absences during the course of the semester. Students are responsible for ensuring that they are not recorded as absent if they come in late. A student who fails to meet the attendance requirement will be dropped from the course. The law school’s policy on attendance can be found [here](#).

COMPLIANCE WITH UF HONOR CODE:

Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Law Honor Code located [here](#). The UF Law Honor Code also prohibits use of artificial intelligence, including, but not limited to, ChatGPT and Harvey, to assist in completing quizzes, exams, papers, or other assessments unless expressly authorized by the professor to do so.

INFORMATION ON UF LAW GRADING POLICIES:

The Levin College of Law’s mean and mandatory distributions are posted on the College’s website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent	Letter Grade	Point Equivalent
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A (Excellent)	4.0	C (Satisfactory)	2.0
A-	3.67	C-	1.67
B+	3.33	D+	1.33
B	3.0	D (Poor)	1.0
B-	2.67	D-	0.67
C+	2.33	E (Failure)	0.0

The law school grading policy is available [here](#).

OBSERVANCE OF RELIGIOUS HOLIDAYS:

UF Law respects students' [observance of religious holidays](#).

- Students, upon prior notification to their instructors, shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith.
- Students shall be permitted a reasonable amount of time to make up the material or activities covered in their absence.
- Students shall not be penalized due to absence from class or other scheduled academic activity because of religious observances.

EXAM DELAYS AND ACCOMMODATIONS:

The law school policy on exam delays and accommodations can be found [here](#).

STATEMENT RELATED TO ACCOMODATIONS FOR STUDENTS WITH DISABILITIES

Students requesting accommodations for disabilities must first register with the Disability Resource Center (<https://disability.ufl.edu/>). Once registered, students will receive an accommodation letter, which must be presented to the Assistant Dean for Student Affairs (Assistant Dean Brian Mitchell). Students with disabilities should follow this procedure as early as possible in the semester. It is important for students to share their accommodation letter with their instructor and discuss their access needs as early as possible in the semester. Students may access information about various resources on the UF Law Student Resources Canvas page, available at <https://ufl.instructure.com/courses/427635>.

STUDENT COURSE EVALUATIONS

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Click [here](#) for guidance on how to give feedback in a professional and respectful manner. Students will be notified when the evaluation period opens and may complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>. Summaries of course evaluation results are available to students [here](#).

RECORDINGS OF CLASS

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor. A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or guest lecturer during a class session. Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third-party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor and Student Conduct Code.

ABA OUT-OF-CLASS HOURS REQUIREMENTS:

ABA Standard 310 requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. [Each weekly class is approximately 2 hours in length, requiring at least **4 hours of preparation** or Each weekly class is approximately 3 hours in length, requiring at least **6 hours of preparation** or Each weekly class is approximately 4 hours in length, requiring at least **8 hours of preparation**] outside of class including [reading the assigned materials, writing critical analyses, and developing your final paper].

COURSE SCHEDULE OF TOPICS AND ASSIGNMENTS

Reading assignments 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 Canvas. The Farnsworth & Grady 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. These notes are integral to the class. Don’t skip them!

Week	Topic	Pages
1	Introduction and Battery I	xxvii-xxxix; 1-5 n.5

2	Battery II	5 n.6 – 14 n.4
3	Consent	pg. 14-22 n.7
4	Trespass and Affirmative Defenses	26-32 n.7 79-83 n.4 87 n.9-90
5	Intro to Negligence BREACH- Reasonable People	112-118 n.4 119 n.6-128
6	BREACH- Cost-Benefit Analysis	128-146
7	Midterm BREACH- Custom	146-156
8	BREACH- Negligence Per Se	156-163 n.7 164 n.10-168
9	BREACH- Res Ipsa Loquitur	174-182 n.9 188-192
10	DUTY: Nonfeasance and Special Relationships	195-201 n.4 207 n.3 – 210 n.6 214-220 n.1 225 n.1
11	DUTY: Land	228-231 n.5 233-237 n.1 238 n.3-243
12	CAUSATION in Fact	271-284 290-297
13	PROXIMATE CAUSATION	305-312 n.3 318-322 n.4
14	DEFENSES	499-503 n.1 505 n.6-506 n.7 511 n.4 515-519 n.1
15	REVIEW AND CATCH-UP	