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Remedies

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Questions & Answers
Remedies

*Multiple-Choice and Short-Answer
Questions and Answers*

SECOND EDITION

Rachel M. Janutis

PROFESSOR OF LAW
CAPITAL UNIVERSITY LAW SCHOOL

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Preface

Most courses in law school focus on one substantive area of law — tort law or contract law — and explore how that body of law applies to various factual settings. The study of Remedies provides students with a unique opportunity to study the law from a trans-substantive perspective. By integrating the various substantive areas of law, Remedies allows students to focus on the commonalities of judicial relief across the board. In Remedies, students also consider how legal theories from several substantive areas of law can apply to a single transaction or dispute and how those differing legal theories may produce different outcomes in a given case. Remedies also provides students with an opportunity to observe how the law impacts the everyday lives of the parties to litigation by focusing on what relief the parties will take from the case — the “bottom line.” Finally, through the study of Remedies, students can gain insight into the value that society places on various personal rights and interests. Remedies explores questions about which losses we choose to compensate as well as the manner in which we compensate and value those losses. The answers to these questions reflect on the value we place on the underlying rights and interests that have been harmed.

This book is designed to guide students through the study of this multi-faceted area of the law. It can be used to assist in preparation for a final exam. However, students will also find it useful to assist in understanding core topics and issues during the course of the semester.

To this end, the first part of the book is divided into separate chapters. Each chapter concerns one specific Remedies topic. The topics covered in these chapters represent the core topics covered by most leading Remedies casebooks. Each of these chapters provides multiple choice and short answer questions covering the main issues surrounding the specified topic. The questions are designed to highlight common areas of misunderstanding. The corresponding answers and explanations are intended to dispel common misconceptions and strengthen understanding and comprehension of troublesome areas.

The second part of the book consists of a practice final exam. The practice final exam, like the individual chapters, consists of multiple choice and short answer questions. It also includes sample essay questions. However, unlike the first part of the book, the topic or topics covered by a question are not expressly identified. Additionally, the questions are not organized by topic but rather appear in a randomly selected order. Finally, some of the questions raise issues pertaining to multiple topics.

We hope that students will find this book to be useful and that students will find the study of Remedies to be both fascinating and thought-provoking. Finally, we wish to thank the numerous students who have inspired us to write this book and our families for their support and patience during the completion of this project.

Rachel M. Janutis
Thomas Orin Main
October 2021

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Rachel M. Janutis is Professor of Law at Capital University Law School. She teaches courses in Remedies, Torts, Civil Procedure, and Complex Litigation. Professor Janutis is a co-author with Professors Murray Tabb and Thomas Main of *Cases and Problems on Remedies*. She also has authored several articles on remedies and civil procedure. She is a member of the United States Supreme Court Bar, the State Bar of Illinois, the American Bar Association, the Illinois State Bar Association, the Ohio State Bar Association and the Columbus Bar Association. Professor Janutis previously served on the executive committee and as chair of the Remedies section of the American Association of Law Schools.

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