

Torts

Torts

A Modern Approach

SECOND EDITION

Alex B. Long

WILLIFORD GRAGG DISTINGUISHED PROFESSOR OF LAW
UNIVERSITY OF TENNESSEE COLLEGE OF LAW

Teri Dobbins Baxter

WILLIFORD GRAGG DISTINGUISHED PROFESSOR OF LAW
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Authors' Note

Torts is the most interesting course in the first-year law school curriculum. Admittedly, the authors of this book are biased when it comes to this issue. But, as you will see, Torts is a subject to which everyone can relate.

This casebook has been designed to make the subject matter as relatable as possible for first-year law students. The book tries to take a modern approach to the learning that takes place in the first year of law school. As part of this effort, the authors have incorporated the following tools throughout the book:

Organizational tools to encourage active learning

Each chapter or section within a chapter begins with an outline of key concepts to help guide student learning. These outlines are designed to help focus students' attention on some of the most relevant content. The outlines are included to: (1) help students read cases in a more active manner, (2) make the organization of each chapter clear, and (3) facilitate class note-taking and outlining. Note that these outlines are not meant to be comprehensive. Your professor may not cover all of the topics listed or may cover topics not included in the outline.

A mixture of classic and modern cases

The book utilizes a mix of classic Torts cases as well as more recent cases. There are certain cases that every lawyer who has been to law school in the past 50 years studied — and with good reason. These cases are part of the vernacular of the legal profession. But when possible, this casebook incorporates modern cases on the theory that they are more relatable and at least as illustrative of the relevant legal principles as older cases.

Shorter notes

Some casebooks require the reader to read voluminous notes following the primary cases. This sometimes causes the reader to lose focus on the most important issues. The notes in this casebook are somewhat limited in number and length in the hopes of keeping students engaged. Instructors can expand on the topics presented or bring out additional concepts in class as they see fit.

The use of problems

Each chapter begins with a hypothetical set of facts that students can use to orient themselves throughout the chapter. There are short problems throughout each chapter that build on the hypothetical at the beginning and that require students to apply the law covered in the chapter. Regardless of whether your instructor covers these problems in detail in class, the problems should help you to learn the law by applying what you have learned to a specific set of facts.

Formative assessment

At the end of each chapter or section, there is a short essay question involving the material covered. The questions are structured like bar exam essay questions, *i.e.*, short, issue-spotting questions requiring rule application. Like bar exam essay questions, each question should take approximately 30 minutes to answer. Students can use these questions as a formative assessment tool to help assess their understanding of the primary material covered in the chapter.

Inclusion of professionalism and professional identity material

The book makes an effort to direct students to relevant issues of professional responsibility and professionalism issues raised by the cases, as well as encouraging students to consider what sort of lawyers they wish to be. Cases sometimes raise issues of professional ethics and professionalism. The book tries to take advantage of opportunities to encourage consideration of those issues.

As you read the material in the chapters, we encourage you to take advantage of these tools.

Online Materials

Additional content for *Torts: A Modern Approach* (Second Edition) is available on Carolina Academic Press's *Core Knowledge for Lawyers* (CKL) website.

Core Knowledge for Lawyers is an online teaching and testing platform that hosts practice questions and additional content for both instructors and students.

To learn more, please visit:

coreknowledgeforlawyers.com

Instructors may request complimentary access through the “Faculty & Instructors” link.

