

## First Assignment

Register for the course TWEN page and read “The Functions of Tort Law” posted on the Course Materials forum.

Read pp. 1-29 of the casebook. Pages 1-16 provide valuable background information which will be useful as we move through the course. You should read this material, but because we will not be discussing the cases contained therein in class, you need not brief these cases. We will begin our class discussion with the cases concerning intent that begin on page 17.

You must bring a passport size photograph with you to class.

Check “Syllabus and Announcements” forum of the TWEN page prior to the first meeting for further information.

Some advice on preparing for class discussion of intent:

1) When briefing the cases, make sure you a) identify the essential issue the court is addressing in the case, b) determine the rule or principle the court announces in deciding the case, and c) decide whether the case has been correctly decided.

2) The word “intent” is both a legal term of art and a word that we use in everyday speech. To correctly perceive its legal meaning, you must set aside your intuitive understanding of intent. Therefore, I recommend that you read the cases as though you had never heard the word “intent” before and must decipher its meaning from what these cases tell you. Since what you are seeking is the *legal* meaning of intent, this is literally the case.

3) Keep in mind the distinction between the following two questions: Does the actor have the intent required for an intentional tort? Should the actor be held liable for an intentional tort? For the first couple of classes we will be focusing on the former, not the latter question.