WILMINGTON UNIVERSITY
COLLEGE OF SOCIAL & BEHAVIORAL SCIENCES
BASIC COURSE INFORMATION

COURSE TITLE: Personal Injury & Malpractice

COURSE NUMBER: LES 420

PRE-REQUISITES: ENG121, English Composition I (minimum GPA 2.0/C)
ENG122, English Composition II (minimum GPA 0.67/D-)
LES 220, Introduction to Legal Studies (minimum GPA 2.0/C)
LES 314, Legal Research (minimum GPA 2.0/C)

LEGAL SPECIALTY: ☑ Yes ☐ No

I. COURSE DESCRIPTION

This course provides a comprehensive overview of civil wrongs. Students will learn the elements of negligence as applied in personal injury and malpractice actions. Also, discussed will be intentional torts, strict liability, and affirmative defenses.

II. COURSE OBJECTIVES

GOAL A: Prepare documents necessary for the representation of clients in a legal matter

Learning Outcomes: Students will be able to:
A-1 Define terminology related to personal injury and the law of torts
A-2 Identify and explain the elements of negligence
A-3 Identify the most common types of intentional torts and list their respective elements
A-4 Identify typical affirmative defenses used in tort actions
A-5 Distinguish strict liability from negligence
A-6 Explain the special concepts of negligence per se, reasonableness, res ipsa loquitur, premises liability, and vicarious liability
A-7 Apply knowledge of tort claims to identify potential causes of action and/or affirmative defenses in a hypothetical situation
A-8 Prepare a summary of medical records
A-9 Prepare one or more pleadings in a tort action
A-10 Draft a legal and/or factual memorandum related to an issue of tort law
A-11 Prepare a case brief

GOAL B: Perform factual and legal research

Learning Outcomes: Students will be able to:
B-1 Locate Restatement (Third) of Torts and explain its function in interpreting tort law
B-2 Locate legislative enactments, judicial opinions, and/or court rules related to tort law
B-3 Locate factual resources relevant to a hypothetical case

GOAL C: Perform all delegated functions in conformity with the legal and ethical principles regulating the legal services industry

Learning Outcomes: Students will be able to:
C-1 Explain the basis of the ethical obligation of properly identifying oneself in all interaction: written, phone, and face-to-face
C-2 Describe and give examples of ethical and unethical solicitation of personal injury claims
C-3 Illustrate situations that could create the opportunity for engaging in the unauthorized practice of law and how to avoid them

GOAL D: Organize and maintain printed and electronic information related to multiple ongoing interests through effective prioritization and time management

Learning Outcomes: Students will be able to:
D-1 Discuss the various methods that law firms use to manage large case loads
D-2 Create and maintain electronic documents
D-3 Manipulate electronic documents via email, Blackboard, or other software
D-4 Create word processing documents that are logical, organized, and have a professional appearance
D-5 Describe the importance of a trial notebook and common items for inclusion

GOAL E: Interact professionally and cooperatively with a service orientation toward co-workers, clients, and vendors.

Learning Outcomes: Students will be able to:
E-1 Reflect on his/her understanding of course content and identify resources for enhancing skills
E-2 Describe the paralegal’s role in personal injury law
E-3 Explain how to project professionalism in interactions with co-workers, clients, and vendors