

Law Of Tort Foundations Premium Pack Foundation

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Philosophical Foundations of the Law of Torts

Workers' Compensation

This updated edition is a valuable resource for torts professors teaching at all levels of instruction. It provides an enhanced theoretical and empirical foundation for a diverse selection of fundamental torts topics typically taught at the introductory level, such as the Hand formula, duty to rescue, market-share liability, and vicarious liability, while, at the same time, providing an in-depth exploration of cutting edge issues suitable for an advanced course or seminar, such as medical malpractice, products liability, federal preemption of state tort law, and punitive damages. Each chapter includes an introductory overview of a topic in tort law, followed by abridged readings, and then provocative notes and questions. The intent is to give the instructor interesting material with which to work, and to equip the student with foundational tools useful for the critical reading of cases and articles. The Foundations of Law Series offers a collection of comprehensive readings that provide an interdisciplinary perspective on a substantive legal field. Edited by scholars who have made important contributions, the readings are designed to provide an accessible introduction to the leading scholarship in a field. Accompanying notes and questions permit students to engage fully in the literature on their own, as well as to aid their understanding of material covered in classes. This eBook features links to Lexis Advance for further legal research options.

The Law of Tort

Private Law, Nudging and Behavioural Economic Analysis

This book seeks to produce answers to the basic questions of tort law in Europe from a comparative perspective. It is intended to provide a basis for comprehensive responses by representatives of other European legal families and jurisdictions outside Europe on the fundamental ideas in this book. The book gives an extensive introduction to the delictual and contractual law of liability and damages. Above all, the position of the law of tort within the overall system for the protection of legal goods is examined. The focus is on particularly controversial issues and new approaches. Not only is the relationship between breaches of obligations and torts examined, the basic requirements for a claim under tort law—damage and causation—are discussed. An extensive section is devoted to the elements of establishing liability and the question of liability on the side of the victim, (contributory responsibility) is looked at anew. A final section is devoted to the prescription of compensation claims.

Symposium

The Forms and Functions of Tort Law

This updated edition is a valuable resource for torts professors teaching at all levels of instruction. It provides an enhanced theoretical and empirical foundation for a diverse selection of fundamental torts topics typically taught at the introductory level, such as the Hand formula, duty to rescue, market-share liability, and vicarious liability, while, at the same time, providing an in-depth exploration of cutting edge issues suitable for an advanced course or seminar, such as medical malpractice, products liability, federal preemption of state tort law, and punitive damages. Each chapter includes an introductory overview of a topic in tort law, followed by abridged readings, and then provocative notes and questions. The intent is to give the instructor interesting material with which to work, and to equip the student with foundational tools useful for the critical reading of cases and articles. The Foundations of Law Series offers a collection of comprehensive readings that provide an interdisciplinary perspective on a substantive legal field. Edited by scholars who have made important contributions, the readings are designed to provide an accessible introduction to the leading scholarship in a field. Accompanying notes and questions permit students to engage fully in the literature on their own, as well as to aid their understanding of material covered in classes. This eBook features links to Lexis Advance for further legal research options.

Private Law in China and Taiwan

Late night comedians and journalists eagerly seized upon the case of an elderly woman who sued McDonald's when she spilled hot coffee in her lap as a prime example of frivolous litigation. But as Rustad and Koenig argue, cases such as these are an incomplete and misleading characterization of tort law. Corporations have successfully waged a public relations battle to create the impression that most lawsuits are spurious, when in fact the opposite is true: tort law plays a crucial role in protecting consumers from dangerous and sometimes life-threatening hazards. Without legal remedies, corporations would suffer no penalty for choosing profits over public health and safety. In *Defense of Tort Law* is the first book to systematically examine the social, legal and policy dimensions of the tort reform debate. This insightful analysis of solid empirical data looks beyond popular myths about frivolous lawsuits, and tackles a variety of contentious issues: Should punitive damages be capped? Who is favored by tort law? Who loses, and why? Koenig and Rustad's detailed case study analysis also reveals disturbing gender inequities in a legal system that is largely dominated by men. Because women are disproportionately injured by medical products, impermissible HMO cost cutting, medical malpractice and sexual exploitation, restrictions on the rights to recovery in these fields inevitably creates gender injustice. Engaging and up to date, *In Defense of Tort Law* also identifies aspects of the current law that require further elaboration, including the need for measures to combat cybercrime against consumers.

In Defense of Tort Law

This book offers a rich insight into the law of torts and cognate fields, and will be of broad interest to those working in legal and moral philosophy. It has contributions from all over the world and represents the state-of-the art in tort theory.

Foundations of Tort Law

Economic Foundations of Law

Basic Questions of Tort Law from a Germanic Perspective

Examines the concept of risk and explains how to evaluate and manage it. Provides risk financing alternatives. Investigates the fundamental assumptions underlying insurance. Describes the insurance contract.

Understanding Health Care Reform

Economic Foundations of Private Law

Foundations of Law

The law of torts recognises many defences to liability. While some of these defences have been explored in detail, scant attention has been given to the theoretical foundations of defences generally. In particular, no serious attempt has been made to explain how defences relate to each other or to the torts to which they pertain. The goal of this book is to reduce the size of this substantial gap in our understanding of tort law. The principal way in which it attempts to do so is by developing a taxonomy of defences. The book shows that much can be learned about a given defence from the way in which it is classified. This book has been awarded Joint Second Prize for the 2014 Society of Legal Scholars Peter Birks Prize for Outstanding Legal Scholarship.

Foundations of the Law and Ethics of Lawyering

Comparing four key branches of private law in China and Taiwan, this collaborative and novel book demystifies the 'China puzzle'.

Cases and Materials on Tort Law and Alternatives

The journal of legal studies

Basic Tort Law: Cases, Statutes, and Problems, Second Edition, written by authors who bring years of experience teaching and writing about torts to the task, is concise, accessible, and employs a well-articulated and class-tested pedagogy. A torts book that doesn't hide the ball from students, both students and teachers will find it user-friendly. The new edition of this casebook retains the features that made it a success: clear, direct text introduces cases and explains important concepts a balance of modern and classic torts cases, including *Vaughan v. Menlove* (on standard of care), *Vincent v. Lake Erie Transportation Co.* (on doctrine of incomplete privilege), *Greenman v. Yuba Power* (on product liability) appealing, memorable problems based on actual reported cases that reinforce understanding and build analytical skills contemporary

conception and content with the most current thinking on key issues ample background information that places cases and statutes in context varied note materials -- introductory and transitional notes that encourage close attention to cases and perspective notes that explore a range of viewpoints on tort law a comprehensive Teachers Manual that includes sample syllabi and guidance for structuring 4- and 6-credit courses, detailed suggestions for presenting and preparing cases and materials for class, and answers and analysis to all problems and questions raised in the book The second edition of this popular casebook provides updated material throughout the text illuminates the procedural posture of every case refreshes and updates case selection in a number of chapters, including those for standards of care, statutory violation, multiple sufficient causes, foreseeability as a proximate cause test, substantial factor as a proximate cause test, assumption of risk, and defamation supplies reworked notes and introductory sections, particularly for res ipsa loquitur, duty, and professional standard of care

The Theory and Principles of Tort Law

In this book Steven Shavell provides an in-depth analysis and synthesis of the economic approach to the building blocks of our legal system, namely, property law, tort law, contract law, and criminal law. He also examines the litigation process as well as welfare economics and morality. Aimed at a broad audience, this book requires neither a legal background nor technical economics or mathematics to understand it. Because of its breadth, analytical clarity, and general accessibility, it is likely to serve as a definitive work in the economic analysis of law.

Foundations of Economic Analysis of Law

The perfect accompaniment to any torts casebook, *The Forms and Functions of Tort Law* covers all the major cases and issues in the standard torts course, sharing Professor Abraham's scholarly insights developed over 25 years of teaching. This analytical text addresses the cases and analyzes their implications, presenting the law of torts within a curricular context and covering the materials that law students are likely to encounter in a variety of courses. The straightforward, readable text in this paperback addresses both rules and policy and presents topics in a way that helps students grapple with the issues more effectively. Organized in the traditional manner, topics covered include intentional torts, negligence, cause-in-fact, proximate cause, defenses, strict liability, nuisance, products liability, damages, tort reform, invasion of privacy, defamation, misrepresentation, and the economic interference torts. Each chapter stands on its own, making the book ideal for use as a classroom text as well as for self-directed reading by students.

University of Detroit Mercy Law Review

Duty and Integrity in Tort Law is a comprehensive, versatile and revolutionary examination of the tort concept of duty. After tracing the historical evolution of tort law, Duty and Integrity analyzes the current approaches to tort duties, including the new approach offered by the authoritative Restatement (Third) of Torts. Unlike these approaches, which tend to focus exclusively on negligence duties, Duty and Integrity examines the role of duty in all three of tort law's theories of liability—intentional torts, strict liability and negligence—exposing the similarities and differences of these duties and suggesting grounds for their integration. Aside from its critical commentary, Duty and Integrity contains many important philosophical and pragmatic insights. It reveals the moral and political foundations of tort law and duty by offering accessible explorations of corrective justice, distributive justice, and liberalism. Because liberal justice requires coherence in law, Ronald Dworkin's acclaimed theory of “law as integrity” both frames and instructs the discussion. After explaining, critiquing, and endorsing a modified version of Dworkin's approach, the book presents a groundbreaking methodology called “duty as integrity” for resolving any tort duty question. To demonstrate the practicality of this approach, Duty and Integrity concludes by thoroughly applying the proposed methodology to a recent and controversial decision of an influential state supreme court. Given its broad intellectual scope, Duty and Integrity in Tort Law should appeal to legal and nonlegal academics and their students, as well as members of the legal community at large. Its transparent style makes it suitable both for advanced undergraduate or graduate classes on law, philosophy or political science and for law school courses on torts, advanced torts, tort theory, jurisprudence, law and politics, law and policy, legal history, and many more.

The Law of Torts

Topics covered include low back pain in workers' compensation, payroll taxes, unfunded liabilities, occupational health and safety, private participation, the cost, appeals litigation.

Torts Stories

Here is broad coverage of all the key topics in tort law that paralegals need to know, written in an engaging style with plenty of examples and illustrations. With an understanding of how law firms function in the real world, students develop practical skills—assessing cases for settlement value, investigating claims, billing hours, evaluating insurance policies, and more. One hypothetical case runs through Tort Law for Paralegals, providing a coherent framework for illustrating a multitude of topics. Forms and court documents relevant to this case are included in the appendix. A well-developed pedagogy features chapter objectives; “Issue at a Glance” boxes that summarize important legal concepts; marginal definitions; a wealth of figures, tables, and diagrams; Key Terms, Review Questions, and “Applying What You Have Learned” exercises; case excerpts; and features that prepare students for their jobs such as “Skills You Need in the Real World,” “Life of a Paralegal,” and a list of Web sites for gathering more information. Ethical issues are highlighted, with a separate

section on ethics at the end of each chapter.

Legal Foundations of Enviromental Planning: Cases and Materials on Enviromental law

Offering a fresh perspective on "nudging", this book uses legal paternalism to explore how legal systems may promote good policies without ignoring personal autonomy. It suggests that the dilemma between inefficient opt-in rules and autonomy restricting opt-out schemes fails to realistically capture the span of options available to the policy maker. There is a third path, namely the 'mandated-choice model'. The book is mainly dedicated to presenting this model and exploring its great potential. Contract law, consumer protection, products safety and regulatory problems such as organ donation or excessive borrowing are the setting for the discussion. Familiarising the reader with a hot debate on paternalism, behavioural economics and private law, this book takes a further step and links this behavioural law and economics discussion with philosophical considerations to shed a light on modern challenges, such as organ donation or consumers protection, by adopting an openly interdisciplinary approach. The book will be of interest to students and scholars of contract law, legal systems, behavioural law and economics, and consumer law.

Foundations of Risk Management and Insurance

Duty and Integrity in Tort Law

Cases and Materials on Tort and Compensation Law

Presenting twenty-two years of multidistrict litigation data, this book exposes a systematic lack of checks and balances in our courts.

New York City Law Review

Philosophical Foundations of Tort Law

The third edition of Economic Foundations of Law introduces readers to the economic analysis of the major areas of the law: property law, torts, contracts, criminal law, civil procedure, corporation law and financial markets, taxation, and labor law.

No prior knowledge of law is required, but a prior course in the principles of microeconomics would be quite helpful. The text opens with a review of the basic principles of price theory and an overview of the legal system, to ensure readers are equipped with the tools necessary for economic analysis of the law. The third edition provides expanded or new coverage of key topics including intellectual property law, how the creation of new forms of property rights affects the conservation of species such as elephants and fish, controversies involving liability for medical malpractice and class actions, the transformation of personal injury litigation by the intervention of insurance companies as plaintiffs, how to predict the outcome of litigation with game theory, an economic analysis of the ownership and use of guns, bankruptcy law, and the economics of bank regulation. Comprehensive and well-written, this text is a compelling introduction to law and economics that is accessible to both economics and law students.

Southern Reporter

This exceptional collection of twenty-two essays on the philosophical fundamentals of tort law assembles many of the world's leading commentators on this particularly fascinating conjunction of law and philosophy. The contributions range broadly, from inquiries into how tort law derives from Aristotle, Aquinas, and Kant to the latest economic and rights-based theories of legal responsibility. This is truly a multi-national production, with contributions from several distinguished Oxford scholars of law and philosophy and many prominent scholars from the United States, Canada, and Israel. A provocative closing essay by one of the world's leading moral philosophers illuminates how tort law enables philosophers to observe the abstract theories of their discipline put to the concrete test in the legal resolution of real-world controversies based on principles of right and wrong.

Law of Tort

This work is a collection of articles that explore the tension between the law governing the conduct of lawyers and the complex ethics of lawyering that pulls against that law and competes with it. This collection emphasizes the regulatory framework that has developed to govern the conduct of lawyers and draws heavily on the work of law and economics scholars.

Mass Tort Deals

This paperback reader brings together some seminal papers on law and economics, with special emphasis on the foundational contributions to the economics of property, contracts and torts. The growing influence of these writings in the judicial profession

Tort Law for Paralegals

Includes the association's Minutes of the annual session, 1953-

Foundations of Tort Law

Legal Foundations of Nursing Practice

With 492 separate sections, this encyclopedic reference allows you to quickly and easily find answers. Tort topics developed in the last generation that receive expanded coverage include proportionate causation or loss of chance recoveries, abolition or partial abolition of joint and several liability, comparative fault apportionment, changes in strict products liability, Strategic Lawsuit Against Public Participation (SLAPP) suit legislation, lawyer malpractice litigation, medical malpractice litigation with big changes in the world of managed care, the statute of limitations, civil rights claims for injury, and cases on a landowner's duty to protect entrants from attack by others.

The legal environment of business

After nearly a year of debate, in March 2010, Congress passed and the president signed the Patient Protection and Affordable Care Act to reform the U.S. health care system. The most significant social legislation since the civil rights legislation and the creation of Medicare and Medicaid, the bill's passage has been met with great controversy. Pol

Tort Law Defences

Missouri Medicine

John Cooke's Law of Tort is a trusted, clear and engaging explanation of the main principles of tort law, written specifically with the student in mind. It also includes a statute section at the end of the text and summaries of the main cases throughout meaning that students have everything they need to gain a good understanding of the law at their fingertips.

Tort & insurance law journal

The law of tort occupies a central position in defining the legal obligations between individuals not to cause each other harm or injury. For academics it is a crucial area of study and for practitioners it is an essential area of knowledge. Covering a wide range of issues, from the characteristics of tortious liability to the abuse of the legal process, this new book provides an accessible, comprehensive and authoritative account of the law as it is and how it is likely to develop. It is an indispensable reference which will broaden the practitioner's understanding and knowledge of what is a fast-moving and complex area of law.

Basic Tort Law

The Law of Torts

Ideally suited as a supplement in a first-year torts course or as a text for an advanced seminar, Torts Stories provides an enriched understanding of ten leading torts cases, focusing on how the litigation was shaped by lawyers, judges and socioeconomic factors, and why the cases have attained landmark status. The publication provides students with an understanding of ten leading torts cases: United States v. Carroll Towing Co., the Hand Formula's Home Port; MacPherson v. Buick Motor Co., Simplifying the Facts while Reshaping the Law; Rowland v. Christian, Hallmark of an Expansionary Era; Tarasoff v. Regents of the University of California, The Therapist's Dilemma; The Wagon Mound Cases, Foreseeability, Causation, and Mrs. Palsgraf; Hymowitz v. Eli Lilly and Co., Markets of Mothers; Murphy v. Steeplechase Amusement Co., While the Timorous Stay at Home, the Adventurous Ride the Flopper; Rylands v. Fletcher, Tort Law's Conscience; Esc

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