

Syllabus for Torts 5418/10699

Fall 2025 · TWTh · 1:00 to 2:20 pm · Room 220

Prof. Meredith J. Duncan (she/her)

Alumnae College Professor of Law

Assistant Dean of Strategic Opportunities, Pedagogy, and Community Engagement

I. Required Course Materials

The required text for this course is [MEREDITH J. DUNCAN ET AL., TORTS: A CONTEMPORARY APPROACH \(4th ed., West Academic Publishing 2024\)](#).

II. Instructor Information

Email: mjduncan@central.uh.edu

Office: Room 431Q

Office phone number: 713-743-2019

Office hours: Office hours will be held in my office at a time to be determined later that is convenient for Section A.

Administrative Assistant: Ms. Gabriela Campos, gbcampo2@central.uh.edu

III. Important Course Dates

First Day of Course – Tue 8/26

Labor Day Holiday – Mon 9/1

Midterm Exam – TBD (during a regularly-scheduled class meeting)

Thanksgiving Break – Wed 11/26 and Th 11/27 (no classes)

Last Day of Course – Tue 12/2

Final Exam – TBD (during finals week – December 3-11)

IV. Teaching Objectives and Philosophy

A complete statement of my teaching objectives and philosophy is available at www.law.uh.edu/faculty/mduncan or by clicking [here](#).

V. Course Objectives and Learning Outcomes

By the end of this course, I expect you to have a solid understanding of tort law and tort law policy. By the end of the course, you will be able to:

- examine multiple types of intentional torts such as battery, assault, and intentional infliction of emotional distress;
- explore various defenses to intentional torts, such as self-defense, defense of property, and necessity;

- study the elements of negligence actions, including duty or the standard of care, breach, causation in fact, proximate or legal cause, and actionable harm;
- distinguish between various defenses to negligence actions, including contributory negligence, comparative negligence, and comparative fault;
- examine the various components of damages available in tort law, including compensatory and punitive damages; and
- consider various policy concerns affecting the development and application of modern tort law doctrine.

VI. Reading Assignments

The reading assignments for the semester are listed on the Reading Assignments and Learning Outcomes document (posted on Canvas). I plan for us to cover one assignment per class period. However, there may be days when it takes us more or less than one class period to cover an assignment. You are responsible for keeping track of which assignment number we are on throughout the semester. I will do my best to inform the class if I think we will not reach or complete the next day's assignment. If you miss a class, it is your responsibility to check with a classmate to find out whether the class finished the entire assignment on the day you missed.

VII. Class Preparation and Participation

- A. Preparing for Class:** Before each class, you are to prepare for class by (1) reading all assigned pages for each assignment and (2) looking up any unfamiliar words or phrases in a reputable legal dictionary, such as BLACK'S LAW DICTIONARY (12th ed. 2024).
- B. Consequences of Unpreparedness:** You are expected to be prepared for class each day. I do not accept excuses for being unprepared. I call on students randomly during class. If I call on you and you are unprepared, you will be marked absent for that day. The second time you are unprepared, your final grade for the course may be reduced by one-third of a letter grade (for example, an A- becomes a B+). The third time you are unprepared, you may be dropped from this course.

VIII. Attendance Requirements

The Law Center requires students to attend at least 80% of the classes that meet in a course. Our course is scheduled to have 42 class meetings this semester. Any student missing more than eight (8) classes will be dropped from the course. There are no excused absences in this course, so use your absences wisely. I will take attendance by distributing a roll sheet at the beginning of each class. Each student must personally initial the attendance. You are responsible for initialing the roll sheet indicating your presence in class each day before I leave the classroom. Students who do not sign the roll sheet are deemed to have been absent.

IX. Professionalism

A. My Classroom

My classroom is a space dedicated to learning where every student is treated with respect and dignity and everyone is encouraged to participate, contribute, and succeed. In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran's status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status, or identity. I encourage you to share your views appropriately throughout the semester. I also expect every class member to remember that in this learning environment, we will engage respectfully and professionally toward each other. In the words of the [Texas Lawyer's Creed](#), "[a] lawyer should always adhere to the highest principles of professionalism." Professionalism includes attributes like civility, courtesy, respect, candor, fairness, and ethical behavior. As a lawyer-in-training, I expect professionalism from you at all times. I hold myself to the same standard.

B. Tardiness

Please be on time, seated, and ready to go *before* I begin class. If I have started our class meeting, do not enter the classroom unless I have previously given you permission to be late.

C. Pronunciation of Last or Surnames

I want to and make every effort to pronounce your name correctly, even if it takes me a long time. During our class meetings, I typically refer to students as "Counselor [last name/surname]" or "Attorney [last name/surname]." Please correct me on the proper pronunciation of your last name or surname as often as necessary, or if you otherwise have concerns about how your classmates or I address you.

D. Notetaking and Use of Laptops/Tablets/Phones During Class

I strongly encourage you to take handwritten notes during class. If you choose not to handwrite your notes, you may use your laptop solely for note-taking purposes. Laptops are not permitted for Internet browsing, chat rooms, email, or any other activities unrelated to note-taking in this course. I will consider violations—or what I perceive as violations—of this policy as either a lack of preparation, a constructive lack of attendance, or a disruption to the class. During our class meetings, please turn off the sound on your laptops, tablets, and phones, and avoid displaying wallpapers, screensavers, or similar items that could distract or offend your classmates or me.

E. Baseball Caps

Please remove your baseball caps during our class meetings.

X. Course Tutors

I have selected the following outstanding second- and third-year law students to serve as tutors for this course, and they are all available to you as a resource in this course.

Tami Bankole, okbankol@cougarnet.uh.edu

Dylan Cordell, dcordell@cougarnet.uh.edu

Ryan Dailey, rjdailey@central.uh.edu

Hanna Davitt, hldavitt@cougarnet.uh.edu

Ike Okoye, iokoye@cougarnet.uh.edu

Anjali Tholany, aetholan@cougarnet.uh.edu

T'aire Vincent, tvincent@central.uh.edu

At the beginning of the semester, I will assign each student in this course to a specific tutor and post the tutoring assignments on our course Canvas page. After the semester begins, I will explain how best to use your tutors.

XI. Grading

A. Final Course Grade

Your course grade will be based on a midterm examination worth *approximately* 20% and a final examination worth *approximately* 80%. The midterm and the final will be closed-book, closed-notes exams, likely consisting of both essay and multiple-choice questions. I will grade both assessments anonymously. The midterm examination will be scheduled during a regularly scheduled class meeting to be determined later. The final exam will take place during finals period (December 3 through 11). I will provide more details about both assessments later this semester.

B. Extra Credit

Any opportunities to earn extra credit in this course, if available, will be announced to the class and posted on Canvas after the semester begins.

XII. Use of Artificial Intelligence Prohibited

The use of artificial intelligence (AI) is not allowed in this course. Therefore, using AI or AI-generated text for formal assessments (like your midterm or final exam), informal assessments (such as drafting essay answers to hypothetical problems), extra credit assignments, or group or individual exercises and activities is forbidden. This rule includes any work created for this course that is submitted to the instructor, a tutor, or presented in class. It applies whether the work is graded or ungraded. It also applies whether the assessment, assignment, exercise, or

activity is done in or outside of class. Your work for this course must be entirely your own, created by you without any help from AI, AI-generated text, or any AI contribution. You cannot submit any work that is produced fully or partially by an AI program.

Exception to AI Prohibition: You may use AI technology to review or proofread text you've written for spelling, grammar, punctuation errors, clarity of prose, verbosity, word choice, passive voice, and similar issues.

XIII. Honor Code

The [UHLC Honor Code](#) governs all aspects of this course. You are responsible for knowing and adhering to all parts of the Honor Code. If you have any questions about how the Honor Code applies to specific activities or situations related to this course, please ask. Your ongoing enrollment in this course signifies your pledge to comply with the Honor Code in all matters related to this course and the instructions outlined in this syllabus.

The Honor Code's plagiarism policy forbids receiving unauthorized help and using unapproved materials. Using AI-generated text will be considered a violation of the Honor Code and classified as plagiarism.

XIV. This Syllabus

This document is a syllabus (not a contract) and is subject to change. I will notify you of any updates as soon as possible through class announcements, Canvas postings, or emails to the entire class.

XV. Title IX/Sexual Misconduct

Pursuant to the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

XVI. Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible to its students. Any student with a disability who is experiencing barriers to learning, assessment, or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure the

timely implementation of approved accommodations. Please contact the Dart Center by visiting the website at <https://uh.edu/accessibility/>, by calling (713) 743-5400, or by emailing jdcenter@central.uh.edu.

XVII. Mental Health and Wellness Resources

The University of Houston has several resources to support students' mental health and overall wellness, including [CoogsCARE](#) and the [UH Go App](#):

- [UH Counseling and Psychological Services](#) (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment, and sadness. CAPS provides individual and couples counseling, group therapy, workshops, and connections to other support services on and off campus. For assistance, visit uh.edu/caps, call 713-743-5454, or visit a [Let's Talk](#) location in person or virtually. Let's Talk are daily, informal, confidential consultations with CAPS therapists for which no appointment or paperwork is needed.
- If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or for the [National Suicide and Crisis Lifeline](#), you can call or text 988 or chat 988lifeline.org.

XVIII. Women and Gender Resource Center (WGRC)

The mission of the WGRC is to support the University of Houston and promote the success of all students, faculty, and staff by educating, empowering, and assisting the UH community. The WGRC suite is open to you. Stop by the office to find a study space, take a break, grab a snack, or explore one of the WGRC programs or resources. Visit Student Center South, room B12 (basement floor near Starbucks and down the hall from Creation Station) from 9 am to 5 pm, Monday through Friday.

XIX. Recording of Classes Not Permitted

Students may not record all or part of any class, live stream all or part of any class, or make or distribute screen captures without the advanced written consent of the instructor. If you have or think you may have a disability and need to record class-related activities, please contact the Office of Student Affairs and Dean Monica Mensah. If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. The instructor may record classes. Students may use the instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.