

A photograph of a wooden desk with a laptop, a cup of coffee, a rolled-up document, and a pen. A semi-transparent white circle is overlaid on the right side of the image, containing the title and speaker information.

# Outlining 101

## 1L Re-Orientation

**Prof. Meredith J. Duncan**

Alumnae College Professor of Law

Assistant Dean of Strategic Opportunities, Pedagogy,  
and Faculty, Student, and Community Engagement

October 6, 2023



# What is an Outline?

---

- a document that *you* create
- study tool
- for your personal use
- different than your notes

# Why Outline?

- outlining is studying
- efficient way to organize, manage, and learn course materials





# Materials You Will Need to Outline

- **casebook** and all other assigned course materials
- **course syllabus**
- your class **notes** (including your case briefs)
- a block of **time**



# Putting Together Your Outline

- begin with course syllabus and casebook table of contents (TOC)
- enter TOC into new document
- incorporate **legal** principles from notes, casebook, etc.



## Torts

- I. Introduction and Outline
  - A. Introduction to Tort Law
    - 1. Purpose and Sources of Tort Law
    - 2. Brief History of Tort Law
  - B. Overview of Tort Law
- II. Intentional Torts
  - A. Intent
  - B. Battery
  - C. Assault
  - D. Trespass to Land
  - E. Trespass to Chattel
  - F. Conversion
  - G. Intentional Infliction of Emotional Distress
- III. Defenses to Intentional Torts
  - A. Consent
  - B. Defense of Self
  - C. Defense of Others
  - D. Defense of Real Property
  - E. Necessity

## II. Intentional Torts

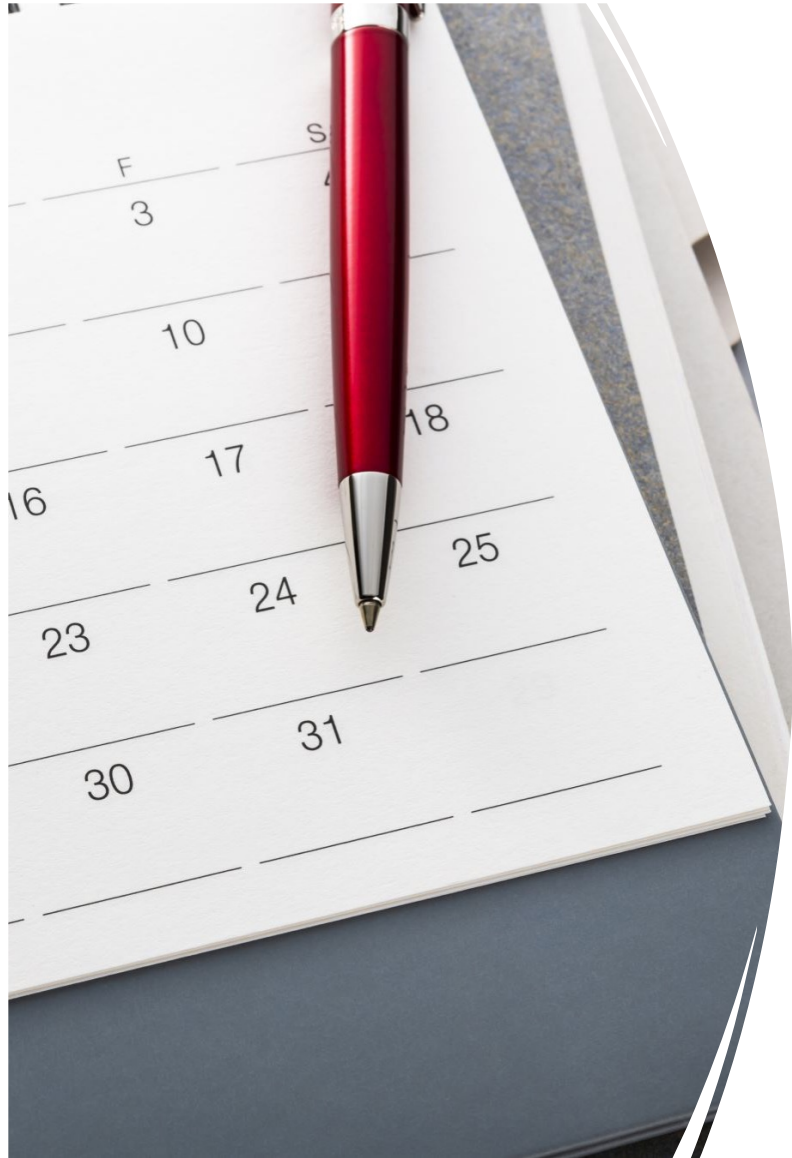
### A. Intent: First element of *prima facie* case:

- a. Intent
  - b. Voluntary Act
  - c. Causation ("but for")
  - d. Technical Injury/ "Consequences" – different for each int'l tort
1. Definition – established one of two ways (don't need both):
    - (A) Specific intent: desiring to bring about the technical injury/consequence
    - (B) General intent: knowing to a substantial certainty that tech injury/consequence will result
  2. Must intend #4 tech injury/consequence, not #2 the voluntary act
  3. Good faith mistake does not negate intent
  4. Transferred Intent doctrine
    - a. Can use intent for one tort to establish intent for another tort
    - b. Only works with:
      - i. Battery
      - ii. Assault
      - iii. Trespass to land
      - iv. Trespass to chattel
      - v. False imprisonment (not studying this one)

### B. Battery

- a. Def: intentionally causing harmful or offensive contact with the person of another
- b. Technical injury for battery
  - i. Harmful: physical impairment, pain, illness
  - ii. Offensive: offend a reasonable sense of personal dignity
  - iii. Contact:
    1. With another's physical body
    2. Includes anything so intimately associated as to be customarily regarded as part of the person





# What To Do With Your Outline

---

- update weekly and let it grow
- keep a weekly standing appointment with yourself
- print it out
- cross-reference your class notes
- love, love, love on it!