

The book was found

Torts (Law: Quick Study)

BarCharts, Inc.®

AMERICAN'S OF LEGAL REVISION GUIDE

Quick Study
LAW

TORTS

INTENTIONAL TORTS

PRIMA FACIE CASE

- 1. **ACT**
 - a. Volitional
 - b. Not accidental physical muscular movement
 - c. Intention to act then is a legal duty

- 2. **INTENT**
 - a. Intent and purposeful state of mind or knowledge with substantial certainty that consequences would result from act

- 3. **REASONABLE**
 - a. Distinguished from Negligence, which requires a reasonable risk which a reasonable person would avoid

- 4. **KNOWLEDGE** with substantial certainty requires knowledge of more than a probability of the consequence resulting

- 5. Includes **transferred intent**
 - a. Example: Person A shoots a gun at Person B, intending to harm Person B. But the bullet hits Person C instead. Person A is liable to Person C for the intentional tort of battery

- 6. **ALTERNATIVE** With tort acts: battery, assault, false imprisonment, trespass, trespass to chattels, if Person A intends to commit tort with respect to Person B, but commits a different tort with respect to Person B, Person A is liable for the second tort even though intent was that required to commit first tort

- 7. **CALCULATED**
 - a. Distinguished from negligence in that intention need not be specifically proven
 - b. **NEGLIGENT**
 - c. **NEGLIGENT**
 - d. **NEGLIGENT**
 - e. **NEGLIGENT**
 - f. **NEGLIGENT**
 - g. **NEGLIGENT**
 - h. **NEGLIGENT**
 - i. **NEGLIGENT**
 - j. **NEGLIGENT**
 - k. **NEGLIGENT**
 - l. **NEGLIGENT**
 - m. **NEGLIGENT**
 - n. **NEGLIGENT**
 - o. **NEGLIGENT**
 - p. **NEGLIGENT**
 - q. **NEGLIGENT**
 - r. **NEGLIGENT**
 - s. **NEGLIGENT**
 - t. **NEGLIGENT**
 - u. **NEGLIGENT**
 - v. **NEGLIGENT**
 - w. **NEGLIGENT**
 - x. **NEGLIGENT**
 - y. **NEGLIGENT**
 - z. **NEGLIGENT**

TORTS TO PERSONS

- 1. **BATTERY**
 - a. Harmed an offensive contact judged by reasonable person standard

- 2. **PHYSICAL INTRUSION** of victim's person or something so connected to victim's person that it is considered as part of person

- 3. **NO ACT** requires intent
- 4. **TAKING** requires (theft) without intent such as a slip on the bathrobe

- 5. **NO ACT** requires intent
- 6. **TAKING** requires (theft) without intent such as a slip on the bathrobe

- 7. **NO ACT** requires intent
- 8. **TAKING** requires (theft) without intent such as a slip on the bathrobe

- 9. **NO ACT** requires intent
- 10. **TAKING** requires (theft) without intent such as a slip on the bathrobe

- 11. **NO ACT** requires intent
- 12. **TAKING** requires (theft) without intent such as a slip on the bathrobe

- 13. **NO ACT** requires intent
- 14. **TAKING** requires (theft) without intent such as a slip on the bathrobe

- 15. **NO ACT** requires intent
- 16. **TAKING** requires (theft) without intent such as a slip on the bathrobe

- a. Compensation for touching bodies, including physical and mental distress, special and consequential damages, and trouble, pain, and distress

- b. **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
 - a. Act of extreme and outrageous conduct
 - b. Special duty of common carriers and innkeepers to patrons (including traveling disabled passengers)

- c. **KNOWING**
 - a. Knowledge with (young children, program inmates, imprisoned adults, elderly)

- d. **WILFUL**
 - a. May include willful, wanton or reckless behavior including deliberate disregard of a known high degree of risk

- e. **ACTUAL DAMAGES**
 - a. Evidence of physical harm or economic damage
 - b. Punitive damages only where defendant knew that plaintiff in pain

TORTS TO PROPERTY

- 1. **TRESPASS TO LAND**
 - a. **Physical intrusion**
 - i. Intention to intrude without authorization and without privilege under law
 - ii. Intention with possession of another's property
 - iii. Absence of fault as to ownership of property to defend
 - b. **Disturb from private nuisance**, which requires interference with use and enjoyment of property

- 2. **EXAMPLES**
 - a. Example: Floodlight projecting onto neighboring property or smoke from fireplace carried by air onto neighboring property is not physical invasion actionable under trespass but would be interference with use and enjoyment actionable under private nuisance

- 3. **EXAMPLES**
 - a. Example: Throwing lawn or neighboring property causing it to flood a physical invasion actionable as trespass

- 4. **NO PROOF** of actual physical invasion required
- 5. **WILFUL** of act is not defense
- 6. **NEGLIGENT** of act is not defense
- 7. **NO INTRUSION** with right of possession
- 8. **PHYSICAL** damage or deprivation of use for substantial period of time

- 9. **CONVERSION**
 - a. **Unlawful**
 - i. Interference with or control over another's tangible chattel
 - ii. **Common Law** - Defendant who found lost goods concerned them to his/her own use rather than returning them
 - iii. **Modern Law** - interference must be sufficiently serious to prevent conversion

DEFENSES

- 1. **CONSENT**
 - a. **Voluntary**
 - i. Manifested by words or actions
 - ii. Example: Patient consents to routine medical procedures
 - b. **Manifested by silence** and inaction when a reasonable person would speak if he objected to intentional interference

- 2. **NO FAULT**
 - a. Example: No consent where reasonable person would object to high risk experimental medical procedure

- 3. **NO FAULT**
 - a. Example: No consent where reasonable person would object to high risk experimental medical procedure

- 4



Synopsis

Torts, as every Law student knows, are wrongs. But this chart is so right it's scary. We have always felt a strict liability to maintain the best, most concise, most accurate study guides available. This chart is no exception. It covers just about everything you've ever been tort, er, taught. --This text refers to an out of print or unavailable edition of this title.

Book Information

Series: Law: Quick Study

Paperback: 6 pages

Publisher: Barcharts; Lam Rfc Cr edition (May 31, 2014)

Language: English

ISBN-10: 1423234812

ISBN-13: 978-1423234814

Product Dimensions: 0.2 x 8.8 x 11.5 inches

Shipping Weight: 2.4 ounces (View shipping rates and policies)

Average Customer Review: Be the first to review this item

Best Sellers Rank: #199,487 in Books (See Top 100 in Books) #48 in Books > Law > Business > Torts #103 in Books > Law > Business > Reference #278 in Books > Law > Law Practice

[Download to continue reading...](#)

Passing Contracts, Torts, and Criminal law Essays with 75%: Pre Exam Law Study - Look Inside! !
(e law book) Torts (Law: Quick Study) Glannon Guide to Torts: Learning Torts Through
Multiple-Choice Questions and Analysis (Glannon Guides) Cases and Materials on Advanced Torts:
Economic and Dignitary Torts - Business, Commercial and Intangible Harms (American Casebook
Series) PLI Multistate Bar Review (Contracts, Torts, Real Property, Criminal Law, Criminal
Procedure, Evidence, Constitution Law) [Practicing Law Institute] LSAT Prep Book Study Guide:
Quick Study & Practice Test Questions for the Law School Admissions Council's (LSAC) Law
School Admission Test Torts Law - A Summary For Essays (e borrowing OK): [e-law book] - author
of 6 Published Bar exam essays - LOOK INSIDE....! ! (e borrowing OK) Gilbert Law Summary on
Torts (Gilbert Law Summaries) Emanuel Law Outlines: Torts, 9th Edition (Emanuel(r) Law Outlines)
90% Law School Essays: Contracts * A law e-book: Contract law issues and definitions and how to
argue them from 70% to 90% - Big Rests Law Study Method - produces model essays Medical
Coding: ICD-9 & ICD-10-CM: Quick Study Guide (Quick Study Academic) Employment Law (Quick
Study: Law) Criminal Law (Quick Study Law) Immigration Law (Quick Study: Law) LSAT Prep Book:

Quick Study & Practice Test Questions for the Law School Admissions Council's (LSAC) Law School Admission Test Examples & Explanations: The Law of Torts Multi choice questions and immediate answers Contracts Torts Criminal law *Recommended e-book: Success formula for MBE exams - ! ! Electronic book edition BAR REVIEW: Evidence, Constitutional law, Contracts, Torts: The Author's Own Bar Exam Essays Were All Published After The Bar Exam. Look Inside! First Year Law Students Book of Legal Secrets (e-book): REQUIRED SKILLS - CONTRACTS, TORTS, and CRIMES Gilbert Law Summaries: Torts

[Contact Us](#)

[DMCA](#)

[Privacy](#)

[FAQ & Help](#)