

**ECO320H1S L0101:  
Economic Analysis of Law  
Summer 2020**

**I CONTACTS**

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**INSTRUCTOR**

Name: Prof. Robert Barber

Email: [robert.barber@utoronto.ca](mailto:robert.barber@utoronto.ca)

**OFFICE HOURS:**

Open Office hours will be held online via Bb Collaborate.  
Tuesdays 11am - 12pm EST and Thursdays 4-5pm EST

*By appointment only:* Fridays 10-12pm EST, online via Bb Collaborate.  
Make an appointment using e-mail to me at [robert.barber@utoronto.ca](mailto:robert.barber@utoronto.ca).

**COURSE WEBSITE:**

Access on Quercus <https://q.utoronto.ca>.

**II COURSE OVERVIEW**

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This is a completely online course.

The content is organized by week. Each week we will cover 2 sets of Lectures, Tutorials and Quizzes. We will not meet at a given lecture time, instead content will be posted for completion during the course of the week. For each topic, you are expected to complete the readings, watch the videos, and, complete quizzes and term tests, by their due dates.

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Time-zones: All times posted will be in EST, i.e. local Toronto time. If you are in a different time zone, please make sure you correctly identify what EST converts to where you are. Errors in calculations cannot be an acceptable reason to miss deadlines.

### REQUIRED TEXT AND READINGS

Cooter and Ulen, Law & Economics, 6th ed., Addison-Wesley (Pearson), Toronto, Canada, 2011, ISBN: 978-0-13-25-4065, available at the Berkeley Law Scholarship Repository: [http://www.econ.jku.at/t3/staff/winterebmer/teaching/law\\_economics/ss19/6th\\_edition.pdf](http://www.econ.jku.at/t3/staff/winterebmer/teaching/law_economics/ss19/6th_edition.pdf)

## III TECHNOLOGY REQUIREMENTS AND TECHNOLOGY PROBLEMS

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You must have access to a laptop or desktop computer with a strong, stable internet connection. A phone cannot be an acceptable substitute as some required components may not be accessible on smartphones. A camera and mic are required for online contact activities such as office hours.

High speed broadband access (LAN, Cable or DSL) is highly recommended. This course requires the use of computers, and of course, sometimes things can go wrong when using them. You are responsible for ensuring that you maintain regular backup copies of your files, use antivirus software (if using your own computer), and schedule enough time when completing a quiz to allow for delays due to technical difficulties. Computer viruses, crashed hard drives, broken printers, lost or corrupted files, incompatible file formats, faulty internet, and similar mishaps are common issues when using technology, and cannot be an acceptable ground for a deadline extension.

## IV EVALUATION/GRADING SCHEME

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### MARKING SCHEME AND DATES:

Term Test 1 (Monday, July 27, 2020 - 2:00PM to 4:30PM)	25%
Term Test 2 (Monday, August 10, 2020 - 2:00PM to 4:30PM)	25%
Lecture Quizzes	20%
Oral Test Question with Professor by Appointment	5%
Final Assessment (TBA, Final Assessment Period)	25%

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## V HOW THE COURSE IS ORGANIZED

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### LECTURES:

Students will be responsible for all the material presented online, except the cases and articles referred to in the recorded lectures. Students should be advised that much of the material covered at the lectures will be additional to the required readings and the power point slides. All of the lecture and tutorial material, slides and the text is eligible for inclusion in the term tests and final assessment.

### TUTORIALS AND QUIZZES

The first tutorial and practice quiz will be with the second recorded lecture. There will be a tutorial and quiz with each recorded lecture thereafter to the end of the course. These nine (9) quizzes will each be out 10 marks.

### Weekly Schedule and Topics

### Required Reading - Text

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### INTRODUCTION:

Week of Monday, July 6, 2020 to Friday, July 10, 2020

#### Lecture 1

Introduction – Chapter 1

Microeconomic Background – Chapter 2

Law and Legal Institutions – Chapter 3

#### Lecture 2

Examples – Landlord and Tenant Law

Examples – Employment Law

Examples – Competition Law

### PROPERTY LAW:

Week of Monday, July 13, 2020 to Friday, July 17, 2020

#### Lecture 3

Economics of Property – Chapter 4

*Coase, Ronald, "The Problem of Social Cost", (1960) 3 J. of Law and Economics 1 – 44.*

Case: K.V.P v. McKie (Ontario) –

*McKie v. KVP - Commentary by Benidickdson, Jamie*

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Lecture 4

Topics in the Economics of Property Law  
Chapter 5

*D.N. Dewees, M. Halewood, "The Efficiency of the Common Law: Sulphur Dioxide Emissions in Sudbury", U. of Toronto Law J. 42, 1992, pp. 1-21.*

**CONTRACT LAW**

Week of Monday, July 20, 2020 to Friday, July 24, 2020

Lecture 5

Economics of Contracts – Chapter 8

Case: Hadley v Baxendale

Case: McKnight v. Morrison - O.S.C.J. (2019) –  
Applies Hadley to calculate damages

Lecture 6

Topics in the Economics of Contracts - Chapter 9 .

Case: Laidlaw v. Organ

Case: Cotton v. Monahan - O.S.C.J. (2010); O.C.A.  
(2011) – Buyer Beware

**Monday, July 27, 2020**

**TEST 1**

**Test will be from 2:10PM to 4:00PM.**

**TORT LAW**

Week of Monday, July 27, 2020 to Friday, July 31, 2020

Lecture 7

Economics of Tort Law – Chapter 6

Lecture 8

Topics in the Economics of Tort – Chapter 7

*Winter, Ralph, "Liability Insurance, Joint Tortfeasors and Limited Wealth", 26, 1, (2006)  
International Review of Law and Economics 1.*

**CRIMINAL LAW**

Week of Tuesday, August 4, 2020 to Friday, August 7, 2020

Lecture 9 Economics of Crime and Punishment – Chapter 12  
*Dee, Thomas S. and Brian A. Jacob, 2010, "Rational Ignorance in Education: A Field Experiment in Student Plagiarism," NBER Working Paper No. 15672.*

Lecture 10 Topics in the Economics of Crime and Punishment – Chapter 13  
*Polinsky, A. Mitchell and Steven Shavell, 2000, "The Economic Theory of Public Enforcement of Law" J. Econ. Literature 38:1, March, 45-76.*  
Case: The Queen v. Belakziz - Plea Bargains (A.C.A – 2018)

**Monday, August 10, 2020**

**TEST 2**

**Test will be from 2:10PM to 4:00PM.**

**COURTS AND LAWYERS**

Week of Monday, August 10, 2020 to Friday, August 14, 2020

Lecture 11 Economics of the Legal Process – Chapter 10  
Topics in the Economics of the Legal Process – Chapter 11 - Pages 419 – 442  
*Ashenfelter, Bloom and Dahl, "Lawyers As Agents of the Devil", Journal of Empirical Legal Studies, Volume 10, Issue 3, 399–423, September 2013.*

Lecture 12 Topics in the Economics of the Legal Process – Chapter 11  
*L. Kaplow, "Private Versus Social Costs in Bringing Suit", J. Legal Studies 15:2, June 1986, pp. 371-383*

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Period of Monday, August 17, 2020 to Thursday, August 27, 2020

STUDY AND FINAL ASSESSMENT PERIOD

## **V COURSE POLICIES**

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### **COMMUNICATION**

I will use Quercus to post all course communication and content.

If you have a content related question, use office hours and email to ask them.

We will send all email communication to your UofT email linked to Quercus. You should only email me from your UofT email. Please include your student number at the end of every email. If I can answer your email briefly, I will try to respond to within 2 business days. If you do not get a reply please check Quercus, the syllabus or drop by office hours.

### **MISSED TERM TESTS:**

A Make Up test for Test 1 or Test 2 is not possible due to the short period of the course. Special circumstances are explained below.

### **SPECIFIC MEDICAL CIRCUMSTANCES**

If you become ill and it affects your ability to do your academic work, **consult me right away.** Normally, I will ask you for medical documentation in support of your specific medical circumstances. The University's Verification of Student Illness or Injury (VOI) form is recommended because it indicates the impact and severity of the illness, while protecting your privacy about the details of the nature of the illness. You can submit a different form

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(like a letter from the doctor), as long as it is an original document, and it contains the same information as the VOI. For more information, please see <http://www.illnessverification.utoronto.ca/> If you get a concussion, break your hand, or suffer some other acute injury, you should register with Accessibility Services as soon as possible.

### **ACCOMMODATIONS FOR PERSONAL REASONS**

There may be times when you are unable to complete course work on time due to non-medical reasons. If you have concerns, speak to me. It is also a very good idea to speak with an advisor in your College Registrar's office; they can support you in requesting extensions or accommodations, and importantly, connect you with other resources on campus for help with your situation.

## **VI INSTITUTIONAL POLICIES AND SUPPORT**

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### **ACADEMIC INTEGRITY:**

All students, faculty and staff are expected to follow the University's guidelines and policies on academic integrity. For students, this means following the standards of academic honesty when writing assignments, collaborating with fellow students, and writing tests and exams. Ensure that the work you submit for grading represents your own honest efforts.

Academic integrity is essential to the pursuit of learning and scholarship in a university, and to ensuring that a degree from the University of Toronto is a strong signal of each student's individual academic achievement. As a result, the University treats cases of cheating and plagiarism very seriously. The University of Toronto's Code of Behaviour on Academic Matters ([www.governingcouncil.utoronto.ca/policies/behaveac.htm](http://www.governingcouncil.utoronto.ca/policies/behaveac.htm)) outlines the behaviours that constitute academic dishonesty and the processes for addressing academic offences. Potential offences include, but are not limited to:

In papers and assignments:

1. Using someone else's ideas or words without appropriate acknowledgement.
2. Submitting your own work in more than one course without the permission of the instructor.
3. Making up sources or facts.
4. Obtaining or providing unauthorized assistance on any assignment.

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**On tests and exams:**

1. Using or possessing unauthorized aids.
2. Looking at someone else's answers during an exam or test.
3. Misrepresenting your identity.

**In academic work:**

1. Falsifying institutional documents or grades.
2. Falsifying or altering any documentation required by the University.

All suspected cases of academic dishonesty will be investigated following procedures outlined in the Code of Behaviour on Academic Matters. If you have questions or concerns about what constitutes appropriate academic behaviour or appropriate research and citation methods, you are expected to seek out additional information on academic integrity from your instructor or from other institutional resources (see [www.utoronto.ca/academicintegrity/resourcesforstudents.html](http://www.utoronto.ca/academicintegrity/resourcesforstudents.html)).

Plagiarism—representing someone else's work as your own or submitting work that you have previously submitted for marks in another class or program—is a serious offence that can result in sanctions. Speak to me for advice on anything that you find unclear. To learn more about how to cite and use source material appropriately and for other writing support, see the U of T writing support website at [www.writing.utoronto.ca/](http://www.writing.utoronto.ca/).

Consult the Code of Behaviour on Academic Matters for a complete outline of the University's policy and expectations. For more information, please see <http://www.artsci.utoronto.ca/osai> and <http://academicintegrity.utoronto.ca/>

**LEARNING DISABILITY OR ACCOMMODATION REQUIREMENT**

Students with diverse learning styles and needs are welcome in this course. If you have an acute or ongoing disability issue or accommodation need, you should register with Accessibility Services (AS) ([accessibility.utoronto.ca](http://accessibility.utoronto.ca)) at the beginning of the academic year. Without registration, you will not be able to verify your situation with your instructors, and instructors will not be advised about your accommodation needs. AS will assess your medical situation, develop an accommodation plan with you, and support you in requesting accommodation for your course work. Remember that the process of accommodation is private: AS will not share details of your condition with any instructor, and your instructors will not reveal that you are registered with AS. For accessibility services/accommodation, please see: <http://www.studentlife.utoronto.ca/as>



### **RELIGIOUS ACCOMMODATION**

As a student at the University of Toronto, you are part of a diverse community that welcomes and includes students and faculty from a wide range of backgrounds, cultural traditions, and spiritual beliefs. For my part, I will make every reasonable effort to avoid scheduling tests, examinations, or other compulsory activities on religious holy days not captured by statutory holidays. Further to University Policy, if you anticipate being absent from class or missing a major course activity (like a test, or in-class assignment) due to a religious observance, please let me know as early in the course as possible, and with sufficient notice (at least two to three weeks), so that we can work together to make alternate arrangements.

### **SERVICES and SUPPORT**

The following are some important links to help you with academic and/or technical service and support

- General student services and resources at [Student Life](#)
- Full library service through [University of Toronto Libraries](#)
- Resources on conducting online research through [University Libraries Research](#)
- Resources on academic support from the [Academic Success Centre](#)
- Learner support at the [Writing Centre](#)
- Information about [Accessibility Services](#)
- Information for [Technical Support/Blackboard Support](#)