

**ECO 3501H – ECONOMICS ANALYSIS OF LAW**

**University of Toronto**

**Fall 2020 – Course Outline**

**Laura Malowane**

**Email: [malowane.L@ei.com](mailto:malowane.L@ei.com)**

**Phone 202-243-9240**

This course will provide an introduction to the economic analysis of legal rules and decision making, in areas such as property, torts, and contract law. We will also examine how economic theories and applications can assist in the litigation setting, and the role economists can play inside and outside the courtrooms during the litigation process. Readings and lectures will be supplemented by guest speakers in the in the areas of law and economics.

Lectures: Thursday, 9-11am, via zoom

Office Hours: After class or by appointment

Evaluation:

Midterm – 25%

Case Analysis Assignment – 25%

Final Exam – 50%

Textbook: Law & Economics, 6<sup>th</sup> edition, Robert Cooter and Thomas Ulen. Available at

[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)

We will also make use of the following books, but I don't suggest you purchase them:

Weil R., Lentz, D. and Evans, E., *Litigation Services Handbook*, 6<sup>th</sup> Edition

The Federal Judicial Center, *Reference Manual on Scientific Evidence*, Third Edition

Topics/Readings and Approximate Dates.

1. *Introduction to Law and Economics and Review of Microeconomic Theory* (Sept 17)  
Chapter 2 – review on own.
2. *Property Law* (Sept 24-Oct 1)  
Ellickson, R. "A Hypothesis of Wealth Maximizing Norms: Evidence from the Whaling Industry", *Journal of Law, Economics and Organization*, 5(1), Spring 1989, pp. 83-97.  
Chapters 4 and 5 (pp. 112-133, 168-174)  
Guest Speaker: Andrew Leventis, Chief Economist, National Credit Union Administration
3. *Contract Law* (Oct 8-15)  
Chapters 8 and 9 (pages TBA)
4. *Tort Law* (Oct 22, Nov 5)  
Chapters 6 and 7 (pages TBA)  
**TENTATIVE DATE FOR MIDTERM: Oct 29**  
**READING WEEK Nov 12**

5. *Evidence Based Policy* (Nov 19)  
Greenstone, M, "Toward a Culture of Persistent Regulatory Experimentation and Evaluation", available at [https://www.tobinproject.org/sites/tobinproject.org/files/assets/New\\_Perspectives\\_Ch5\\_Greenstone.pdf](https://www.tobinproject.org/sites/tobinproject.org/files/assets/New_Perspectives_Ch5_Greenstone.pdf)  
Guest Speaker: Jon Baron, Vice President of Evidence Based Policy, Arnold Ventures, Wash, DC  
**Class Presentations Nov 19/26**
  
6. *Economic Experts in Litigation* (Nov 26)  
Weil R., Lentz, D. and Evans, E., Litigation Services Handbook, 6<sup>th</sup> Edition, Chapt 3, pg. 3.1 to 3.9  
Reference Manual on Scientific Evidence, Third Edition, "The Admissibility of Expert Testimony", p. 11-36
  
7. *Damages* (Dec 4)
8. Weil R., Lentz, D. and Evans, E., Litigation Services Handbook, 6<sup>th</sup> Edition, Chapter 4, pp. TBA  
Reference Manual on Scientific Evidence, Third Edition, "Reference Guide on Estimation of Damages", pp. TBA  
Reference Manual on Scientific Evidence, Third Edition, "Reference Guide on Multiple Regressions"  
Guest Speaker: Su Sun, Senior Vice President at Economists Inc., Washington, DC.
  
9. Finish Any Remaining Materials (Dec 11)