

**Course Syllabus**  
**ECO 320H1 S LEC0101**  
**ECONOMIC ANALYSIS OF LAW**  
**Department of Economics**  
**University of Toronto St. George Campus**  
**Summer, 2025**

**Contact Information**

**Instructor: Robert Barber**

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

**Office: GE 150, Max Gluskin Bldg., 150 St. George St.**

**Office Hours: In Person – To Be Announced**

**COURSE TEACHING ASSISTANTS**

**Alaina Olson and Yi Rong are the course T.A.s**

**They will not have regularly scheduled office hours or be available by email.**

**COURSE WEBSITE**

**<https://q.utoronto.ca/courses/>**

**COURSE OBJECTIVES and LEARNING OUTCOMES**

**This course examines the economic basis for law and legal institutions. The topics covered include the microeconomic analysis of property rights, contract law, tort law, crime, and the limitations of economic analysis. The appropriate economic measures of harms in tort and contract cases will be discussed. No previous familiarity with the law is assumed. (This is an economic analysis of legal issues, not a course in law.)**

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### **MARKING SCHEME**

Term Test - Monday, July 14, 2025 – 2:10PM to 4PM	20%
Assignment - Due: On-Line – Monday, July 28, 2025	30%
Final Exam – August 15 to 21, 2025	50%

### **OFFICE HOURS**

Office hours will be held in person each week at GE 150, Max Gluskin Bldg., 150 St. George St. each Friday, 2PM to 5PM starting Friday, July 4, 2025.

### **ANNOUNCEMENTS**

Please make it a habit of checking the Course Quercus site and the Economics Department website for current announcements regarding courses (i.e. class cancellations).

### **EMAILS**

If you email us, you must use your university email address and include the course code in the subject line. We will do our best to answer your questions within 48 hours. Please do not use the Quercus Inbox Application to communicate with us. We do not answer these.

### **LECTURES**

Lectures will be held in person in SS 2127 each Monday and Wednesday, 2:10PM to 4PM. The first lecture will be Wednesday, July 2, 2025, 2:10PM to 4PM. Tutorials will be held in person in SS 2127 each Monday and Wednesday, 4:10PM to 5PM. The first tutorial will be Monday, July 7, 2025, 4:10PM to 5PM. The lectures and tutorials will not be recorded.

At the lectures and tutorials, the students will be able to maximize their interaction with the course instructor who would be able to answer questions and provide in class instruction.

Students will be responsible for all the material presented in the lectures, tutorials and required reading. 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. This is eligible for inclusion in the term test and exam.

## **COURSE ASSIGNMENT**

The Assignment is due on-line on Monday, July 28, 2025 on Quercus. Instructions for the Assignment will be posted during the first week of classes. If you require an extension of time, please request this at least 5 business days in advance. Asking for an extension the day before, or the day of, is not sufficient notice.

## **ACADEMIC INTEGRITY**

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 Behavior 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/>

## **Plagiarism Detection Tool**

Normally, students will be required to submit their course essays to the University's plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool's reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University's use of this tool are described on the Centre for Teaching Support & Innovation website (<https://uoft.me/pdt-faq>).

## **Opting Out**

If you have an objection to the use of the plagiarism detection tool for the submission of your work, please make an appointment by email to speak personally with the Course Instructor to discuss alternative arrangements before Friday, July 25, 2025

Alternative submissions could include:

- requiring annotated bibliographies from you;
- requiring you submit all rough work with your paper;
- requiring that you include the call numbers or web site addresses of all sources cited in your paper.

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### **TERM TEST**

The Term Test will be administered in person in the classroom SS 2127 from 2:10PM to 4PM, Monday, July 14, 2025. There is no tutorial that day.

### **FINAL EXAM**

The exam will be administered during the Examination period. The Faculty of Arts and Science will set the exact date and time later in the term. The Final Exam will be worth 50% of the final mark.

### **COURSE MATERIALS**

Course materials are provided for the exclusive use of enrolled students. These materials should not be reposted, shared, put in the public domain, or otherwise distributed without the explicit permission of the instructor. These materials belong to your instructor, the University, and/or other sources depending on the specific facts of each situation and are protected by copyright. Students violating these policies will be subject to disciplinary actions under the Code of Student Conduct.

#### ***Required Reading***

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)

#### ***Suggested Reading – Articles and cases marked \****

### **COURSE SCHEDULE**

Wednesday, July 2, 2025

#### **INTRODUCTION:**

Lecture 1

Introduction – Chapter 1

Microeconomic Background – Chapter 2

Law and Legal Institutions – Chapter 3

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Monday, July 7, 2025

PROPERTY LAW - 1:

Lecture 2

Economics of Property – Chapter 4

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

*\*Simpson, "COASE v. PIGOU REEXAMINED", (1996) 25 J. Legal Stud. 53*

*\*Case: K.V.P v. McKie (Ontario) –*

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

Wednesday, July 9, 2025

PROPERTY LAW - 2:

Lecture 3

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.*

Monday, July 14, 2025

**Midterm Test – Lectures 1 to 3 – In Person  
Classroom SS 2127 – 2:10PM to 4:00PM**

Wednesday, July 16, 2025

CONTRACT LAW - 1

Lecture 4

Economics of Contracts - Chapter 8

*\*Case: Hamer v. Sidway (1891)*

*\*Case: Hadley v Baxendale (1854)*

*\*Case: McKnight v. Morrison - (2019)*

Monday, July 21, 2025

**CONTRACT LAW - 2**

**Lecture 5**

**Economics of Contracts - Chapter 9.**

**\*Case: Laidlaw v. Organ**

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

**\*Case: Rogers v. RCI (Nov. 5, 2021)**

Wednesday, July 23, 2025

**TORT LAW - 1**

**Lecture 6**

**Economics of Tort Law – Chapter 6**

**\*Case: Cowles v Balzac (2006)**

Monday, July 28, 2025

**Course Assignment Due**

**TORT LAW - 2**

**Lecture 7**

**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.***

**\*Case: Rankin v J.J. (2018)**

Wednesday, July 30, 2025

**CRIMINAL LAW - 1:**

**Lecture 8**

**Crime and Punishment – Chapter 12**

**\*Becker, “Crime and Punishment: An  
Economic Approach” (1968) 76 Journal of  
Political Economy, 169 - 217**

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Monday, August 4, 2025

Civic Holiday - University closed; no classes

Wednesday, August 6, 2025

**CRIMINAL LAW - 2:**

Lecture 9  
Chapter 13

**Economics of Crime and Punishment –**

*\*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 11, 2025

**LEGAL PROCESS:**

Chapter 10

**Economics of the Legal Process**

*Ashenfelter, Bloom and Dahl, "Lawyers As Agents of the Devil", Journal of Empirical Legal Studies, Volume 10, Issue 3, 399–423, September 2013.*

Wednesday, August 13, 2025

**Make Up Test - 2:10 PM - 4PM in SS 2127.**

Friday, August 15, 2025 - Thursday, August 21, 2025

**Final Exam Period**

**SUBMISSION OF COURSE WORK**

If you require an extension of time, please request this at least 5 business days in advance. Asking for an extension the day before, or the same day, is not a sufficient amount of notice.

Computer viruses, crashed hard drives, broken printers, lost or corrupted files, incompatible file formats, faulty internet, battery problems, and similar mishaps are common issues when using technology, and are not acceptable grounds for a deadline extension.

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It is every student's responsibility to ensure that their online submission is submitted successfully by the due date. Accommodations will not be made for unsuccessful submissions due to, but not limited to, i) the system timing out, ii) submitting the incorrect document(s), iii) poor internet connection / no internet connection etc.

## **MISSED TERM WORK**

### **Declaration of Temporary Absence**

Students who miss an academic obligation during the term (i.e., in-class assessment, quiz, paper or lab report) may use the ACORN Absence Declaration Tool to record an absence in one or more courses. Students may utilize this option once per term for a single absence period of up to seven consecutive days. The declaration period must include the day of declaration and may include past and/or future dates, for a total of up to 7 calendar days. Use of the ACORN Absence Declaration does not require supporting documentation and should be used in addition to the missed term work policy outlined in the course syllabus. It remains the student's responsibility to initiate the process for missed academic obligations by following the instructions in the course syllabus.

### **Make Up Test**

If no request for academic accommodation is received, or if the request is deemed unacceptable, you will receive a grade of zero for the item you missed.

If the request is granted – that is, your reason for missing the item is considered acceptable – then you can do the Make Up Test.

The Make-Up Test will be administered in person from 2:10 PM - 4PM, Wednesday, August 13, 2025. Only one make-up test will be scheduled for this course. This test will cover all the lectures, required readings and slides for the course period up to and including Lecture 3. The Make-Up Test is worth 20%.

## **RE-GRADING TERM WORK**

A student who believes that their written term work has been unfairly marked may ask the person who marked the work for re-evaluation. Students have up to one month from the date of return of an item of term work to inquire about the mark. If the student is not satisfied with this re-evaluation, they may appeal to the instructor in charge of the course if the work was not marked by the



instructor (e.g., was marked by a TA). Such re-marking may involve the entire piece of work and may raise or lower the mark. For more information on policies regarding re-marking of term work, please refer to Re-marking Pieces of Term Work in the Academic Calendar.

### **MISSED FINAL EXAMINATIONS**

Students who cannot complete their final examination due to illness or other serious causes must file an online petition (“online petition” hyperlink = <https://www.utm.utoronto.ca/registrar/petitions>) with the Office of the Registrar within 72 hours of the missed examination. Late petitions will NOT be considered. Upon approval of a deferred exam request, a non-refundable fee is required for each examination approved. See the Office of the Registrar Deferred Examinations page (“Office of the Registrar Deferred Examinations” Hyperlink = “<https://www.utm.utoronto.ca/registrar/petitions/type/defer>”) for more information.

### **POLICIES & STATEMENTS**

#### **CODE OF STUDENT CONDUCT**

All students are expected to adhere to the Code of Student Conduct (Code of Student Conduct [December 13, 2019] | The Office of the Governing Council, Secretariat). (link: <https://governingcouncil.utoronto.ca/secretariat/policies/code-student-conduct-december-13-2019>)

#### **ACADEMIC INTEGRITY**

All suspected cases of academic dishonesty will be investigated following procedures outlined in the [Code of Behaviour on Academic Matters](https://governingcouncil.utoronto.ca/secretariat/policies/code-behaviour-academic-matters-july-1-2019) (<https://governingcouncil.utoronto.ca/secretariat/policies/code-behaviour-academic-matters-july-1-2019>). If you have questions or concerns about what constitutes appropriate academic behaviour or appropriate research and citation methods, please reach out to me. Note that you are expected to seek out additional information on academic integrity from me or from other institutional resources. For example, 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 <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 [A&S Student Academic Integrity](https://www.artsci.utoronto.ca/current/academic-advising-and-support/student-academic-integrity) (<https://www.artsci.utoronto.ca/current/academic-advising-and-support/student-academic-integrity>) and the [University of Toronto Website on Academic Integrity](https://www.academicintegrity.utoronto.ca) (<https://www.academicintegrity.utoronto.ca>).

## **USE OF AI IN THE COURSE**

The use of generative artificial intelligence (AI) tools is strictly prohibited in all course assessments unless explicitly stated otherwise by the instructor. This includes, but is not limited to, ChatGPT, GitHub Microsoft Copilot, AI Tutor and Teacher's Assistant Pro, and open-source models that you have trained and/or deployed yourself. You may not interact with, nor copy, paraphrase, or adapt any content from any generative AI for the purpose of completing assignments in this course. Use of generative AI will be considered use of an unauthorized aid, which is a form of academic misconduct under the [Code of Behaviour on Academic Matters](#).

This course policy is designed to promote your learning and intellectual development and to ensure that our evaluations are a fair and accurate assessment of your learning. Though it may be tempting to use generative AI to assist you when completing your assignments, this will simply inhibit your learning. If the work you submit is essentially the output of generative AI, then what have you learned and what value are you adding? Think of it this way: if a potential employer or supervisor can get as much from an AI tool as what you're able to do yourself, then why should they hire you at all? You should aim to understand course content at a level that far exceeds what an automated tool can achieve. Our course—and in particular, each assignment—is designed to help you attain true mastery of the course content. If you have questions or are stuck, please come to office hours, where we'll be happy to help!

## **RELIGIOUS ACCOMMODATIONS**

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 cultural and religious traditions. 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 (such as 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.

### **ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES**

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) at the beginning of the academic year by visiting <https://studentlife.utoronto.ca/departments/accessibility-services/>. 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 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 needs or condition with any instructor, and your instructors will not reveal that you are registered with AS.

### **EQUITY, DIVERSITY and INCLUSION**

The University of Toronto is committed to equity, human rights and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect where all members of our community can express themselves, engage with each other, and respect one another's differences. U of T does not condone discrimination or harassment against any persons or communities.