

Course Syllabus
ECO 320H1 F 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

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

Office Hours: In Person – To Be Announced

COURSE TEACHING ASSISTANTS

Alaina Olson and Heather Lynn Bone 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 damages 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 - Wednesday, May 14, 2025 – 2:10PM to 4PM	20%
Assignment - Due: On-Line – Monday, June 2, 2025	30%
Final Exam - June, 2025	50%

OFFICE HOURS

Office hours will be held in person each week at GE 150, Max Gluskin Bldg., 150 St. George St. – To Be Announced. The first office hours will be next week.

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 1070 each Monday and Wednesday, 2:10PM to 4PM. The first lecture will be Monday, May 5, 2025, 2:10PM to 4PM. Tutorials will be held in person in SS 1070 each Monday and Wednesday, 4:10PM to 5PM. The first tutorial will be Wednesday, May 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 demonstrations.

Students will be responsible for all the material presented in the lectures, tutorials and required readings. 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, June 2, 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/.

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 Monday, June 2, 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 class room SS 1070 from 2:10PM to 4PM, Wednesday, May 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

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

Suggested Reading – Articles and cases marked *

COURSE SCHEDULE

Monday, May 5, 2025

INTRODUCTION:

Lecture 1

Introduction – Chapter 1

Microeconomic Background – Chapter 2

Law and Legal Institutions – Chapter 3

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Wednesday, May 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*

Monday, May 12, 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.

Wednesday, May 14, 2025

**Midterm Test – Lectures 1 to 3 – In Person
Classroom SS 1070 – 2:10PM to 4:00PM**

Monday, May 19, 2025

Victoria Day - University closed; no classes

Wednesday, May 21, 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, May 26, 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, May 28, 2025

TORT LAW - 1

Lecture 6

Economics of Tort Law – Chapter 6

*Case: Cowles v Balzac (2006)

Monday, June 2, 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, June 4, 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, June 9, 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)*

Wednesday, June 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.

Monday, June 16, 2025

Make Up Test - 2:10 PM - 4PM, June 12, 2025 in SS 1070.

Thursday, June 19, 2025 - Tuesday, June 24, 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, Monday, June 16, 2025 in SS 1070. 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

The Code of Behaviour on Academic Matters states that: The University and its members have a responsibility to ensure that a climate that might encourage, or conditions that might enable, cheating, misrepresentation, or unfairness is not tolerated. To this end, all must acknowledge that seeking credit or other advantages by fraud or misrepresentation, or seeking to disadvantage others by disruptive behaviour, is unacceptable, as is any dishonesty or unfairness in dealing with the work or record of a student. It is your responsibility as a student at the University of Toronto to familiarize yourself with, and adhere to, both the Code of Student Conduct and the Code of Behaviour on Academic Matters. This means, first and foremost, that you should read them carefully. Code of Student Conduct and the Code of Behaviour on Academic Matters are available from the U of T website.

USE OF AI IN THE ASSIGNMENT

Students may use artificial intelligence tools for creating an outline for an assignment, but the final submitted assignment must be original work produced by the individual student alone.

RELIGIOUS ACCOMMODATIONS

Information about the University's Policy on Scheduling of Classes and Examinations and Other Accommodations for Religious Observances is at <https://www.vicereprovtstudents.utoronto.ca/student-resources/rights-responsibilities/accommodation-religious/>

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

Students with diverse learning styles and needs are welcome in this course. In particular, if you have a disability/health consideration that may require accommodations, please feel free to approach me and/or Accessibility Services as soon as possible. Accessibility staff (located in room 2240, Student Services Hub, Davis Building) are available by appointment to assess specific needs, provide referrals, and arrange appropriate accommodations. Please call 905-569-4699 or email access.utm@utoronto.ca. The sooner you let us know your needs the quicker we can assist you in achieving your learning goals in this course.