

LAW AND ECONOMICS

ECON 290AA Spring 2021

“The common law bears the stamp of economic reasoning.” Richard Posner

Professor: Humberto "Bert" Barreto
Help: Via Zoom, MWF 8:30 – 9:30 AM and 4:00 – 5:00 PM: tiny.cc/HBstudent
By appointment, tiny.cc/hbappt

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COURSE MATERIALS

academic.depauw.edu/~hbarreto/courses/LawEcon

Password: _____

Register at [Perusall.com](https://perusall.com) course code **BARRETO-9280**

COURSE CONTENT

This course will examine the sub-discipline in legal analysis called *the economic approach to law*. The key theme is concerned with the following question: **Is economics helpful in understanding the law?** We will use the logic, tools, and terminology of economic theory on legal issues.

STUDENT RESPONSIBILITIES

Read the assignments carefully and actively so that you are prepared for every class. You will be reading complicated economic arguments and convoluted legal prose. You must keep up with the readings. In addition, writing clearly and concisely is absolutely essential.

Participate in class discussions. This course is not your basic "Prof-lectures-student-takes-notes" class. You must be active and alert—be ready for me to call out your name and ask you a question. I want everyone to contribute each day to the conversation.

COURSE GRADING

Your final grade will be computed like this:

	<u>Share of Final Grade</u>
Class Participation (Perusall)	60% (missing class is a huge problem)
Four written HW	5% each
Two Moot Courts	10% each

Accommodation for Documented Disabilities:

It is the policy and practice of DePauw University to provide reasonable accommodations for students with properly documented disabilities. Written notification from Student Disability Services is required. If you are eligible to receive an accommodation and would like to request it for this course, please contact Student Disability Services. Allow one week advance notice to ensure enough time for reasonable accommodations to be made. Otherwise, it is not guaranteed that the accommodation can be provided on a timely basis. Accommodations are not retroactive. Students who have questions about Student Disability Services or who have, or think they may have, a disability (psychiatric, attentional, learning, vision, hearing, physical, medical, etc.) are invited to contact Student Disability Services for a confidential discussion in Union Building Suite 200 or by phone at 658-6267.

Recording Classes

I will be recording our class meetings for private viewing by the class. These recordings, in whole or in part, are not to be shared outside of the class without explicit written consent of all identifiable students and me. Students who wish to record any class meetings must get prior approval from me or have relevant accommodations obtained through collaboration with me and Student Accessibility Services. Students may not share, replicate, or publish the recording, in whole or in part, or use the recording for any other purpose, without my written approval.

OVERVIEW OF COURSE CONTENT**INTRODUCTION**

What is the "Common Law"?

What is "Economic Reasoning"?

PART I) Property Rights

Moot Court: *US v. Causby, et al.*

PART II) Contract Law**PART III) Tort Law**

Moot Court: *Bowman v. Monsanto*

CONCLUSION