



ECON 308 A01
Economics and the Law
CRN 11163

Winter Session: 2022 09

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Office Hours: online (through Zoom). TBA

Course Content

The calendar entry for this course is:

“Application of economic principles and methodology, including transactions costs and the Coase Theorem, to different areas of law. Areas include the law of property, torts and contracts, criminal, family, and corporate law.”

Prerequisites: ECON 103 (or equivalent); ECON 104; Academic writing requirement satisfied.

The first part of the course reviews and expands upon some of the concepts from introductory microeconomics (ECON 103 at UVic); these concepts will be used in our analysis of the law. The areas of law to be addressed this term are property, torts, contracts and criminal law. In each area we will use both economic theory and case studies (primarily Canadian)

Textbook (required)

Cooter, R. and T. Ulen (2016), *Law & Economics* 6th edition

This book is available for free download (by chapter) at <https://lawcat.berkeley.edu/record/1127400?ln=en>

The text focuses on US law; we will use additional sources for information on the Canadian legal system and cases. These sources will include

Canada's System of Justice homepage: <https://www.justice.gc.ca/eng/cs-jc/index.html>

Supreme Court of Canada homepage: <https://www.scc-csc.ca/home-accueil/index-eng.aspx>

Canadian Legal Information Institute: <https://www.canlii.org/en/>

Grading

The final grade is determined as follows:

Participation:	10% (determined by online or in class discussions)
Assignment(s):	a) 5% (a review of economic concepts)
	b) 24% (summaries of cases)
Midterm Exam(s):	25% (or 20%)
Final Exam:	36% (or 41%)

Assignments: There will be 5 assignments in total. The first will be a review of economic concepts and will be worth 5%. The remaining assignments will be summaries of Canadian cases, each worth 8%; you must do at

least 3 to complete the course. If you complete all 4, only your top 3 marks will be counted. If you complete fewer than 3, your grade will be N regardless of the cumulative percentage on the course. N is a failing grade and factors into GPA as a value of 0.

The midterm and the final together are worth 61%. You must pass the final exam to pass the course; failure on the final will result in an N grade for the course. If your percentage grade on the final exam is higher than your percentage grade on the midterm, the final will count of 41% and the midterm will count for 20%.

Midterm: The midterm exam is scheduled for Monday October 17, in class.

Final exam: First Term (December) exam timetables are posted at the end of October.

Grading Scale:

A+	A	A-	B+	B	B-	C+	C	D	F or N
90-100	85-89	80-84	77-79	73-76	70-72	65-69	60-64	50-59	0-49

Students should review the University's more detailed [summary of grading](#).

Course Policies

This course adheres to the [Undergraduate Course Policies](#) of the Department of Economics that deal with the following issues:

- Academic concessions
- Academic integrity (plagiarism and cheating)
- Attendance
- Grading
- Inclusivity and diversity
- Late adds
- Late assignments
- Repeating courses
- Review of an assigned grade
- Sexualized violence prevention and response
- Students with a disability
- Term assignments and debarment from examinations
- Travel plans
- Waitlists

The following policies are explicitly included because of their importance.

Examinations

Participation for all scheduled examinations is mandatory. Consideration for missed examinations will be given only on the basis of documented illness, accident or family affliction, and for no other reasons. In the event of a missed final examination, students are advised to follow the procedures outlined in the [University Calendar](#).

Students are advised not to make work or travel plans until after the examination timetable has been finalized. Students who wish to finalize their travel plans at an earlier date should book flights that depart after the end of the examination period. There will be no special accommodation if travel plans conflict with the examination.

Waitlist Policies

- Instructors have no discretion to admit waitlisted students or raise the cap on the course.
- Students on the waitlist should discuss with the instructor how to ensure they are not behind with coursework in the event they are admitted.
- Registered students who do not participate during the first 7 calendar days from the start of the course may be dropped from the course.

- Registered students who decide not to take the course are responsible for dropping the course, and are urged to do so promptly out of courtesy toward waitlisted students.
- Waitlist offers cease after the last date for adding courses irrespective of published waitlists.

Academic Integrity

Academic integrity requires commitment to the values of honesty, trust, fairness, respect, and responsibility. Students are expected to observe the same standards of scholarly integrity as their academic and professional counterparts. A student who is found to have engaged in unethical academic behaviour, including the practices described in the [Policy on Academic Integrity](#) in the University Calendar, is subject to penalty by the University.

Review [What is Plagiarism](#) for the definition of plagiarism. Note: Submitted work may be checked using plagiarism detection software.

Student Code of Conduct

The Humanities, Science and Social Sciences Faculties have adopted this [Student code of conduct](#). Please, review.

University Policy on Human Rights, Equity and Fairness

The University is committed to promoting, providing and protecting a positive, supportive and safe learning and working environment for all its members.

See [General University Policies](#)

Accessibility & Health Resources

[Centre for Accessible Learning](#)

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, you are free to approach me; however, you must register with the [Centre for Accessible Learning](#) (CAL) for formal arrangements to be made. The CAL staff are available by appointment to assess specific needs, provide referrals and arrange appropriate accommodations. The sooner you let us know your needs the quicker we can assist you in achieving your learning goals in this course.

[Health Services](#) - University Health Services (UHS) provides a full service primary health clinic for students, and coordinates healthy student and campus initiatives.

[Support Connect](#) - a 24/7 mental health support service for students

- Toll-free (calls from North America): 1-844-773-1427
- International collect calls: 1-250-999-7621

[Counselling Services](#) - Counselling Services can help you make the most of your university experience. They offer free professional, confidential, inclusive support to currently registered UVic students.

[Elders' Voices](#) - The Office of Indigenous Academic and Community Engagement (IACE) has the privilege of assembling a group of Elders from local communities to guide students, staff, faculty and administration in Indigenous ways of knowing and being.

Brightspace

- *Brightspace* is used extensively for the course. All students are expected to be fully functional with the system.
- The lecture notes will be posted in *Brightspace*. Please note that the lecture notes online are only outlines of the actual lectures.
- All announcements will be posted in *Brightspace*. Students are advised to check it frequently.

Course Experience Survey (CES)

I value your feedback on this course. Towards the end of term you will have the opportunity to complete a confidential course experience survey (CES) regarding your learning experience. The survey is vital to providing

feedback to me regarding the course and my teaching, as well as to help the department improve the overall program for students in the future.

When it is time for you to complete the survey, you will receive an email inviting you to do so. If you do not receive an email invitation, you can go directly to the [CES log-in](#). You will use your UVic NetLink ID to access the survey, which can be completed on your laptop, tablet or mobile device. I will remind you nearer the time, but please be thinking about this important activity, especially the following three questions, during the course.

- What strengths did your **instructor** demonstrate that helped you learn in this course?
- Please provide specific suggestions as to how the **instructor** could have helped you learn more effectively.
- Please provide specific suggestions as to how this **course** could be improved.

Course Schedule (to be updated as the term proceeds)

Topic	Chapter in text	Week	Due Dates and Exam Information
Introduction	1	1	
Economics background and key concepts	2: I-VII, IX 3: I, III	2	Assignment 1 due by
Economics and property law	4: I, IV-V 5: I:A-B, III, IV: B	3-5	Case summary on property law due by Midterm: October 17, in class
Reading break (no classes)			November 9-10
Economics and contracts + torts		6- 9	Case summary on contracts Case summary on torts
Economics and crime		10-11	Case summary on crime
Economics and family law (time permitting)		12	
Summary of course		13	Last class on Dec 1

Learning Outcomes By completing the course students can expect to have learned how to:

- Explain the ways economists model and measure property, torts, contracts and crime;
- Apply basic economic concepts such as opportunity cost, information, incentives, risk, supply, demand, returns to scale, and market power to policy issues in property, tort and crime;
- Explain the influence of economic reasoning on the law, and of legal reasoning on the work of economists;
- Find and interpret published reasons for judicial decisions;

E-mail correspondence

Emails should be limited to critical matters, such as inability to attend class, an exam, or prolonged illness, and should include the course name and number in the subject line. **You must include ECON 308 in the subject line**, even if you are replying to an email generated by Brightspace. Questions on course material should be asked during office hours or in class. The standard format for writing a letter must be used. This means it should begin with a salutation (e.g. Dear Dr. Welling....), include full sentences and it must conclude with a signature that includes your **full name and V#**. Text message lingo should not be used.

Electronic devices

In order to minimize distractions for me and the other students, please turn off or silence your phone during class. If this is a serious inconvenience for you– family or business needs, for example – please let me know.

Sexualized Violence Prevention & Response

UVic takes sexualized violence seriously, and has raised the bar for what is considered acceptable behaviour. Students are encouraged to learn more about how the university defines sexualized violence and its overall approach by visiting www.uvic.ca/svp. If you or someone you know has been impacted by sexualized violence and needs information, advice, and/or support please contact the sexualized violence resource office in Equity and Human Rights (EQHR). Contact svpcoordinator@uvic.ca.

UVic Land Acknowledgement

We acknowledge with respect the Lekwungen peoples on whose traditional territory the University of Victoria stands, and the Songhees, Esquimalt and WSÁNEĆ peoples whose historical relationships with the land continue to this day.