

Economics 5380 and 6380
Law and Economics
Spring 2019

Prof. Mark Glick

Office hours: By appointment

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Prerequisites: Economics 2010 recommended

Course Overview:

From the Preface of Cooter and Ulen:

“The economic analysis of law has already had a profound impact on legal scholarship. It has been said that the study of law and economics is the most important development in the field of law in the last fifty years. A course in law and economics has become a part of the standard curriculum in the leading law schools, and most of those law schools have at least one full-time economist as a member of the law faculty. Centers for the study of law and economics have been established at Stanford, Chicago, Columbia, George Mason, Miami, and other distinguished schools of law. A majority of the federal judiciary has received formal training in law and economics in short courses provided by several of these centers. Many of those appointed to the federal bench in the last several years have been academic lawyers who specialized in law and economics—to name only a few, Judges Richard Posner and Frank Easterbrook of the Seventh Circuit; Judge Steven Breyer of the First Circuit [now Supreme Court]; Judge Robert Bork of the D.C. Circuit; Judge Bernard Siegan of the Ninth Circuit; and Justice Antonin Scalia of the United States Supreme Court.”

Course Objectives:

This course will survey the basic applications of microeconomic principles to the common law fields of property, torts, contracts, and criminal law. We will also cover the additional topics of antitrust law and intellectual property law.

This course will provide students the ability to do the following:

1. Read and understand a case opinion;
2. Engage in a real world application of economic theory;
3. Concretely evaluate the credibility of the basic economic assumptions;
4. Better understand the many sides of important legal controversies; and
5. Obtain an idea of what economists do in private practice.

Required Books:

The textbook, *Law and Economics*, 5th ed., Robert Cooter & Thomas Ulen (“C&U”), can be downloaded for free as an open textbook in the course “Start Here” page or in each course module. Other articles and cases will be linked in the corresponding modules/discussion boards.

Teaching and Learning Methods:

This will be a traditional reading and lecture course. My lectures, consisting of a .pdf document and video will be available in each module. In addition, we will encourage active debate using the discussion tool in Canvas. Many topics are highly controversial. You will be encouraged *to speak your mind in this class without any fear of your opinions impacting your grade.*

Course Requirements:

Discussions:

The discussion questions are designed to help deepen your understanding of a week’s topic. Readings for discussions will be posted with the question in the discussion tool. Please give a substantive response to the question and create a dialogue with your peers. The way the discussion works is that you must create an initial post before you will be able to see any other posts. You are required to post to two other students, but don’t limit yourself to that. Your first post is due on **Wednesday at 11:59 p.m.** of each week. Please reply to two other posts by **Friday at 11:59 p.m.** Feel free to comment on as many as you would like. The discussion will close on **Friday at 11:59 p.m.** Original posts are worth 1 point (but you can lose points for lack of effort), and each reply is worth 1 point.

Midterm/Final:

Study guides for the midterm and final are in weeks 6 and 14. Study these thoroughly and you will be successful. Since this course is online, you will see an exam-scheduling link in the left-hand navigation of the course. Be sure to sign up early. Links to the exam center are also posted in modules 6, 7, 14, 15, and the “Start Here” page.

Grading:

There are 200 possible points in this class. Your course grade will consist of discussions worth 20%, midterm exam worth 40%, and a final exam worth 40%.

Communication:

I will plan to monitor the course discussions and occasionally add to the conversation. I will also be available by the Canvas inbox or by email (glick@economics.utah.edu). You may also schedule an in-person appointment.

Required Technology:

Basic technology for accessing the Internet is needed for this course. You are responsible for making sure your computer is up to date so that Canvas functions properly. Do not wait until the last minute for assignment submissions. If you need technical assistance, contact Teaching & Learning Technologies by email (classhelp@utah.edu) or call 801-581-6112. Their hours are 8:00 a.m. to 5:00 p.m.

Course Schedule:

Consult the modular units in Canvas for more detail.

Week of	Topic	Modular Unit
1/7	Introduction / Legal Framework	Week 1
1/14	Property 1	Week 2
1/21	Martin Luther King Holiday	MLK Week
1/28	Property 2	Week 3
2/4	Intellectual Property: Patents	Week 4
2/11	Intellectual Property: Patent Damages	Week 5
2/18	Intellectual Property: Copyrights, Trademarks, Trade Secrets	Week 6
2/25	MIDTERM	Week 7
3/4	Contracts 1	Week 8
3/11	Spring Break	SB Week
3/18	Contracts 2	Week 9
3/25	Torts 1	Week 10
4/1	Torts 2	Week 11
4/8	Criminal Law	Week 12
4/15	Antitrust: Origins of the Antitrust Laws	Week 13
4/22	Antitrust: Origins of the Robinson-Patman Act	Week 14
4/29 – 5/1	FINAL EXAM	Week 15

Policies:

The Economics Department’s policy toward unscholastic behavior is as follows: “Unscholastic behavior (e.g., excessive absences, plagiarism, disruptive behavior) may lead to expulsion from and to failure of the class.”

Americans With Disabilities Act (ADA) Statement

The University of Utah seeks to provide equal access to its programs, services, and activities for people with disabilities. If you will need accommodations in the class, reasonable

prior notice needs to be given to the Center for Disability Services, 162 Olpin Union Building, 581-5020 (V/TDD). CDS will work with you and the instructor to make arrangements for accommodations. All information in this course can be made available in alternative format with prior notification to the Center for Disability Services.

[\(www.hr.utah.edu/oeo/ada/guide/faculty/\)](http://www.hr.utah.edu/oeo/ada/guide/faculty/)

Wellness Statement

Personal concerns such as stress, anxiety, relationship difficulties, depression, cross-cultural differences, etc., can interfere with a student's ability to succeed and thrive at the University of Utah. For helpful resources contact the Center for Student Wellness – www.wellness.utah.edu; 801-581-7776.