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■ Neal R. Bevans

TORT LAW FOR PARALEGALS

THIRD EDITION



Wolters Kluwer
Law & Business

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Third Edition

Neal R. Bevans, J.D.

Western Piedmont Community College



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Law & Business

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For my sisters, Lisa Burnett and Tara Bevans

Preface

INTRODUCTION TO THE THIRD EDITION

The topic of civil injuries or torts continues to be in the forefront of civil practice. With this third edition of *Tort Law for Paralegals*, the author has updated the materials to reflect new trends in technology while continuing to emphasize bedrock principles of tort law. The author continues to provide in-depth discussion of civil injuries law while at the same time giving the paralegal student a solid foundation in the practicalities of daily legal work. The reader is introduced to the important concepts of negligence, intentional torts, products liability, and business torts, among others. However, the author also places great emphasis on the practical aspects of tort law, including understanding how law firms function, assessing cases for settlement value, investigating claims, billing hours, and evaluating automobile insurance policies, among many other topics.

In this newest edition, the author has updated specific areas of law to reflect recent changes, while still laying out the traditional foundation of tort element analysis and providing students with “real world” examples to help them make an intellectual and, to some extent, emotional connection with the material. This new edition follows in the footsteps of previous editions by emphasizing the essential elements of specific torts and explaining them in an easy-to-understand manner, while also providing real-life case examples and interview excerpts with working paralegals about their day-to-day activities.

Running through almost every chapter, and providing a sense of continuity, is a hypothetical case that the author uses to illustrate various points. The case involves a collision between a car and a train, resulting in the death of a passenger and severe, permanent injuries to the driver. Discussions about the case help develop the differences in civil injury law among the various jurisdictions. A complete file on this case is also provided in the appendix.

FEATURES

The third edition has many features that emphasize the topics and is designed to appeal to various learning styles. Many of its components give the text a solid, visual appeal.

■ Chapter Objectives

Each chapter begins with clearly stated learning objectives to guide readers in their studies.

■ Issue at a Glance

Scattered throughout each chapter are small synopses of the issues discussed. Students can see a brief summary of the topic and the critical points to be gleaned from the material.

■ Definitions

As each new term is introduced, it is also defined for the student. These on-the-spot definitions provide a handy reference and save the reader time.

■ Figures, Tables, and Diagrams

The chapters have been updated with new figures, tables, and diagrams designed to assist students with the topics and to emphasize the material in different ways.

■ Practical Advice

Practical examples and advice about topics as varied as drafting legal documents, interviewing clients, and billing hours are provided.

■ Case Excerpts

In addition to discussing the legal theory and practical applications, the author has updated the case excerpts in most chapters to reflect newer case law and recent trends in tort law.

■ Litigation Facts

Various figures and tables presenting a wide variety of interesting facts about negligence and personal injury cases in the United States are found throughout the text.

■ Skills You Need in the Real World

In many ways, the text achieves a balance between theoretical discussions and practical applications. The “Skills” sections, which come at the end of each chapter, emphasize a particular skill that all paralegals should develop. Whether discussing investigating a claim, billing hours, or conducting Internet research, this section is designed to assist paralegals in their actual, day-to-day duties.

■ The Life of a Paralegal

To provide additional interest, a section in each chapter highlights the work of an actual paralegal. Here, the reader hears in the paralegal’s own words what working in the legal field is like and the types of activities they engage in. This section also contains tips for students about to embark on a paralegal career.

■ Ethical Issues for the Paralegal

Ethics is an important concern in any legal course, and it is emphasized throughout the text. Near the end of each chapter, the author discusses

topics as diverse as attorney-client privilege and avoiding insurance fraud.

■ Chapter Summary

At the conclusion of each chapter, a condensed overview of the material covered is provided, helping students focus on the key points raised.

■ Web Sites

The third edition has been updated to reflect the new and expanding offerings for students on the World Wide Web with legal sites devoted to legal issues. As before, these Web sites help the students by emphasizing topics covered in the chapters and giving the student additional resources to explore on their own.

■ Forms and Court Documents

This end-of-chapter section reproduces actual court pleadings that pertain to the issues discussed in the chapter, following the text's balance between concepts and practicality.

■ Key Terms

The author also provides a list of key terms used in the chapter.

■ Review Questions

Extensive review questions are provided to test the student's understanding of the important concepts raised in the chapter and to serve as a springboard for classroom discussions.

■ Applying What You Have Learned

This section gives students another opportunity to test their practical skills. Students are presented with problems and asked to prepare appropriate pleadings and other documents to address these concerns.

■ Non-Gender-Specific Language

In recognition of the impact of gender-specific language, the author has adopted the following convention in the text: each even-numbered chapter uses "he" in general discussions and examples, while the odd-numbered chapters use "she" for the same purposes.

INSTRUCTOR'S MANUAL

The instructor's manual is provided for the newest edition and contains the following much-needed resources:

■ Suggested Syllabi

■ Chapter Lecture Outline and Discussion

Each section contains some introductory remarks about the chapter and a complete chapter outline.

■ **Additional Web Resources**

These additional Web sites provide other resources for classroom discussion and assignments.

■ **Additional Assignments**

These assignments are in addition to the assignments listed in the text.

■ **Answers to Review Questions**

The end-of-chapter review questions are answered in detail.

■ **Answers to Applying What You Have Learned**

Each chapter contains a section entitled “Applying What You Have Learned.” These sections are designed to provide practical, hands-on assignments for the students. This section of the Instructor’s Manual lists the answers to these assignments.

■ **Test Bank**

The test bank provides a variety of test questions, including:

Essay questions (5 per chapter)

Short answer (10 per chapter)

Multiple choice (25 per chapter)

True-False (10 per chapter)

■ **Additional Features on Instructor’s Manual CD**

PowerPoint Slides

The author has prepared a PowerPoint presentation for each chapter of the text.

■ **Additional Cases**

Additional cases are provided for classroom discussion. These can be used in a variety of ways, including as lecture handouts and additional assignments.

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Neal R. Bevans

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Tort Law for Paralegals

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