**Economics 6380**

**Law and Economics**

**Spring 2018**

Prof. Mark Glick

Office hours: By appointment

E-mail: [glick@economics.utah.edu](mailto:glick@economics.utah.edu)

**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. Grasp the assumptions in cost/benefit theory used in policy

**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:**

**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.

**Short Paper:**

This year I plan to have several in class sessions approximately every other Friday in room 107 Bldg. 73. In these sessions I plan to explain in detail the economics behind the cost-benefit methodology that is used in public policy analysis. I will be posting a series of readings before each session. I will want a short paper to be defined later in the course worth 20% of your grade on an aspect of this topic. Law students should also attend these sessions because the issue is the same as how economists define efficiency for purposes of legal analysis.

**Grading:**

There are 200 possible points in this class. Your course grade will consist of a short paper 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](mailto: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](mailto: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** |
| 1/8 | Introduction / Legal Framework | Week 1 |
| 1/15 | **Martin Luther King Holiday** | MLK Week |
| 1/22 | Property 1 | Week 2 |
| 1/29 | Property 2 | Week 3 |
| 2/5 | Intellectual Property: Patents | Week 4 |
| 2/12 | Intellectual Property: Patent Damages | Week 5 |
| 2/20 | Intellectual Property: Copyrights, Trademarks, Trade Secrets | Week 6 |
| 2/19 | Presidents’ Day Holiday | PDH Week |
| 2/26-3/2 | Midterm | Week 7 |
| 3/5 | Contracts 1 | Week 8 |
| 3/12 | Spring Break | Spring Break |
| 3/19 | Contracts 2 | Week 9 |
| 3/26 | Torts 1 | Week 10 |
| 4/2 | Torts 2 | Week 11 |
| 4/9 | Criminal Law | Week 12 |
| 4/16 | Antitrust: Origins of the Antitrust Laws | Week 13 |
| 4/23 | Antitrust: Origins of the Robinson-Patman Act | Week 14 |
| 4/30-5/2 | 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](http://www.wellness.utah.edu); 801-581-7776.