



**RIGA
GRADUATE
SCHOOL OF
LAW**

Course Outline

Course number	RMF 202					
Course title	Comparative Torts Law					
Credit points	3 ECTS					
Total hours	75					
Contact hours	24					
Independent studies	51					
Course level	Masters					
Prerequisites	None					
Category	Mandatory		Restricted elective	X	Free elective	

COURSE RESPONSIBLE

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Aleksandrs Fillers, Ph.D.	Ph.D.	Associate Professor

COURSE TEACHERS

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Monica Migliarotti	LL.M.	Visiting Lecturer

COURSE ABSTRACT

This course provides a comparative introduction to tort law and extra-contractual liability across common law and civil law systems. It examines the different structures, functions and sources of tortious liability, with particular attention to English and U.S. tort law and selected continental European approaches. The course covers intentional torts, negligence, causation, harm and damages, defences, strict liability, product liability, vicarious and corporate liability, and mass and environmental torts. Through comparative analysis of legal rules, landmark cases and practical problems, students will

assess how different legal systems protect personal, property, economic and informational interests and how they allocate the risks and consequences of harmful conduct.

Knowledge

1. Demonstrate knowledge and understanding of the principal concepts, functions and sources of tort law and extra-contractual liability in common law and civil law systems.
2. Explain and compare the main bases of liability, including intentional wrongdoing, negligence, strict liability, product liability, vicarious liability and corporate liability, together with causation, damage, remedies and defences.

Skills

3. Identify and analyse tort-law issues in cases and factual scenarios and apply the relevant legal principles to reasoned solutions.
4. Compare the treatment of similar protected interests and forms of harm across different legal systems, using case law, legislation and academic materials.

Competencies

Ability to:

5. Evaluate critically the policy choices underlying different models of tortious liability, including compensation, deterrence, punishment and risk allocation.
6. Formulate and communicate independent comparative legal arguments, both orally in seminars and in writing, using appropriate legal terminology and sources.

GRADING CRITERIA

Criteria	Weighting
Class participation	20%
Mid-term examination: presentation	30%
Final examination	50%

COURSE REQUIREMENTS

Students are expected to attend lectures and seminars, prepare the assigned readings and case materials, and participate actively in seminar discussions and problem-solving activities. Class participation, including engagement in comparative case analysis, discussion of factual scenarios and application of tort-law principles across different legal systems, accounts for 20% of the final grade. A mid-term examination in the form of an individual or group comparative presentation, scheduled as a dedicated course session, accounts for 30% of the final grade. The presentation will require students to analyse and present a tort-law topic, case or comparative legal problem using appropriate legal terminology and sources. The final examination accounts for 50% of the final grade and will assess the knowledge, skills and competencies developed throughout the course. Students are also expected to complete the

assigned independent study tasks in preparation for seminars, the mid-term presentation and the final examination.

DESCRIPTION OF INDEPENDENT STUDY TASKS AND ORGANIZATION

Independent study is organized individually and, where appropriate, in small groups. It includes: 1. independent study of legislation, case law, academic literature and other sources relevant to the course topics; 2. preparation of assigned cases and comparative legal problems for seminar discussion; 3. preparation of the mid-term presentation, including research and comparative analysis of the selected topic, case or legal problem; 4. review and consolidation of lecture materials and preparation for the final examination.

COURSE PLAN – MAIN SUBJECTS

<i>No.</i>	<i>Main subjects</i>	<i>Planned hours</i>
1	Foundations of comparative tort law: sources, functions, models of fault liability, protected interests and intentional torts	6
2	Negligence, standard of care, causation and proof; mid-term comparative presentation	6
3	Harm, damages, remedies, defences, strict liability and dangerous activities	6
4	Product liability; vicarious, corporate and mass-tort liability; comparative application and synthesis	6

COURSE PLAN – SESSIONS

<i>Session</i>	<i>Session subjects and readings</i>	<i>Lecture/ Seminar</i>
1	Introduction to Comparative Tort Law: tort, delict and extra-contractual liability; tort v. contract v. crime; purposes, sources and causes of action	L
2	Different Models of Fault Liability: common law and civil law approaches; English, French and German models; general clauses v. specific causes of action	L
3	Intentional Torts and Protected Interests: protection of the person and property; defamation, privacy, malicious prosecution and	L

<i>Session</i>	<i>Session subjects and readings</i>	<i>Lecture/ Seminar</i>
	interference with contractual/business relations; comparative examples and case analysis	
4	Negligence: Duty and Standard of Care: Donoghue v Stevenson, the neighbour principle, reasonable person, omissions, statutory duties and professional liability	L
5	Causation and Proof: factual and legal causation, proximate cause, multiple and intervening causes, probability, res ipsa loquitur and the eggshell-skull rule	S
6	Mid-term Examination: Comparative Tort Law Presentations	S
7	Harm, Damage, Damages and Remedies: personal injury, property damage, economic loss, material and immaterial damage, compensatory and punitive damages	L
8	Defences and Limitations of Liability: contributory/comparative negligence, assumption of risk, consent, limitation periods and other limitations	L
9	Strict Liability and Liability for Dangerous Activities: fault v. risk-based liability, Rylands v Fletcher, dangerous activities, animals and motor vehicles	L
10	Product Liability: Greenman v Yuba; U.S. strict product liability and the European product-liability framework; defects, causation and burden of proof	S
11	Vicarious, Corporate and Mass-Tort Liability: employers, organisations, non-delegable duties, environmental harm and mass-tort case studies	S
12	Comparative Tort Law Case Workshop, Course Synthesis and Final Examination Preparation	S

COURSE RESULTS

By completing the study course and successfully passing examination, the student will be able to:

<i>Learning outcomes</i>	<i>Evaluation criteria</i>		
	<i>(40-69%)</i>	<i>(70-89%)</i>	<i>(90-100%)</i>

Knowledge	The student has acquired only basic knowledge of the course subject. The student lacks understanding of some of the core issues of the course subject.	Overall, the student's knowledge complies with the expectations. However, there are issues that the student does not fully understand.	The student has demonstrated in-depth knowledge and understanding of the issues related to the course subject.
Skills	The student has demonstrated only basic level of skills.	The student has demonstrated good skills.	The student has demonstrated excellent skills.
Competences	The student can apply the knowledge only at a basic level. The student struggles with assessment and evaluation of legal issues. The student can identify the relevant legal norms. However, the student cannot correctly apply them.	The student can apply the knowledge at a reasonably good level. However, the student does not have the necessary level to be able to fully apply the acquired knowledge independently. The student has some problems to correctly apply the legal norms.	The student is able to apply the knowledge independently and correctly. The student can assess and evaluate legal issues, identify the relevant legal norms, and correctly apply them.

ASSESSMENT OF COURSE LEARNING OUTCOMES

Grading criteria	Learning outcomes														
	1.	2.	3.	4.	5.	6.									
Class participation 20%	x	x	x	x	x	x									
Mid-term examination: presentation 30%	x	x	x	x	x	x									
Final examination 50%	x	x	x	x	x	x									

COURSE LITERATURE

Compulsory literature

No.	Author, year, title, publisher
1	Migliarotti, Monica, The Ultimate Guide to Legal English: A Different Approach, Chapter 13: Torts.
2	Tort Law: A Comparative Introduction (selected chapters and extracts indicated during the course).

Additional literature and sources

<i>No.</i>	<i>Author, year, title, publisher</i>
1	Selected national and comparative tort-law case law provided on the course platform.
2	Selected statutory and regulatory materials on tort, delict and extra-contractual liability provided on the course platform.
3	Selected materials on European product liability and consumer protection provided on the course platform.
4	Additional academic articles and comparative materials indicated by the lecturer during the course.