

Course Syllabus

Course Information

<i>Course Number/Section</i>	RMIS 4334/FIN 4334
<i>Course Title</i>	Insurance Law and Contracts
<i>Term</i>	Fall 2016
<i>Days & Times</i>	Tue and Thur 10:00am-11:15am (classroom JSOM 1.107)

Professor Contact Information

<i>Professor</i>	Larry S. Kaplan, J.D., MA (History)
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<i>Office Hours</i>	By appointment
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Course Pre-requisites, Co-requisites, and/or Other Restrictions

FIN 3330 or RMIS 3370

Course Description

A basic course in the fundamentals of liability insurance law. Topics covered include: defining insurance; risk and the nature of the insurance relationship; insurable interests; indemnity; fortuity; subrogation; coordination of benefits; interpretation of policies; rights at variance with policy provisions; contract formation; warranties; misrepresentation and concealment; conditions; agents and brokers; insurance regulation; state guaranty funds, and introduction to insurance coverage.

Student Learning Objectives/Outcomes

1. Students will be able to analyze the terms, conditions, and coverages provided by standard insurance policies.
2. Students will be able to design a contractual risk transfer program for a business.
3. Students will be able to differentiate between the types of insurance coverages available on the general market.
4. Students will be able to compare and contrast the interests among the insured, agent/broker, and insurer.
5. Students will be able to differentiate the various legal liability exposures inherent in running a business.

Required Textbooks and Materials

Required Texts

Business Law for Insurance Professionals (1st edition) by Donna Popov
ISBN 978-0-89463-423-9. This book is available at the UT Dallas Bookstore and at Off Campus Books.

Required Materials

Insurance Policies, Exemplar Contracts and Cases will be provided

Suggested Course Materials

Suggested Readings/Texts

To be announced.

Suggested Materials

To be announced.

Assignments & Academic Calendar

Topics, Reading Assignments, Due Dates, Exam Dates

Week 1: Introduction to U.S. Law: 8/23 pp. 1.1-1.23; 8/25 pp. 1:23-1:32.

Week 2: Contract Law: 8/30 pp. 2.1-2.38; 9/1 pp. 2.38-2.66.

Week 3: Insurance Contract Law: 9/6 pp. 3.1-3.17; 9/8 pp. 3.17-3.37

Week 4: The Insurance Policy: 9/13 Commercial General Liability (CGL); 9/15 Auto and Homeowners (To be provided)

Week 5: Tort Law: Negligence: 9/20 pp. 6.1-6.9; 9/22 pp. 6.9-6.21.

Week 6: Tort Law: Intentional Conduct: 9/27 pp. 6.21-6.45; 9/29 pp. 6.45-6.54.

Week 7: Liability Coverage for Damages Caused by Negligence: 10/4 & 10/6 CGL Policy and Chapter 6.

Week 8: Liability Coverage for Damages Caused by Intentional Conduct: 10/11 CGL Policy and Chapter 6.

Mid-Term Exam: 10/13.

Week 9: Agents and the Law of Agency: 10/18 pp 7.1-7.24; 10/20 pp. 8.1-8.31

Week 10: Employment Law and Insurance Coverage: Workers Comp Policy (To be provided) and 10/25 pp.9.1-9.24; 10/27 pp. 9.24-9.63

Week 11: Contractual Risk Transfer: Indemnity and Hold Harmless Agreements: 11/1 (Exemplar contracts will be provided; 11/3 Dresser Indust., Inc. v. Page Petroleum, Inc., 853 S.W.2d 505 (Tex. 1993).

Week 12: Coordination of Coverages: 11/8 Other Insurance Clauses (CGL Policy); 11/10 American Indemnity Lloyds v. Travelers Property & Cas. Inc. Co., 335 F3d 429 (5th Cir. 2003)(Texas Law).

Week 13: Insurer Bad Faith/Extra-Contractual Claims: 11/29 p. 6.29. 12/1 G. A. Stowers Furniture Co. v. American Indemnity Co., 15 S.W.2d 544 (Tex. Comm'n App. 1929, holding

approved) & Arnold v. National County Mutual Fire Ins. Co., 725 S.W.2d 625 (Tex., 1987) (To be provided)

Week 14: Fall Break: No Class on 11/22 or 11/24

Week 15: Waiver & Estoppel: 11/29 Reservation of Rights (To be provided) State Farm Fire & Cas. Co. v. Taylor, 832 S.W.2d 645 (Tex. App.—Ft Worth, 1992 writ denied); 12/1 Policy Conditions (CGL Policy)

Week 16: Group Presentations 12/6.

Final Exam (TBA).

Grading Policy

Short Essays—The student will be required to submit 10 essays. Each essay will receive 0, 1, or 2 points as appropriate. 20 points possible (The essays are to be 1-2 pages in length, double spaced, and will require the student to briefly summarize the assigned reading or case for the day. The student may select which 10 readings or cases to summarize. Each essay is due the morning when the discussion of that day's reading or case will be discussed in class.

Mid-Term Exam--20 points possible. The exam will consist of 10 question requiring short answer. Each question is worth up to 2 points.

Project--10 points possible. (The project will require a group to select a particular type of business, evaluate that business' legal liability exposure, and discuss the type(s) of insurance available to protect the business from legal exposure. Each group will consist of 3-4 students.

Class Participation--10 points possible. (Participation means actively discussing the topics raised by the required readings in class.)

Final Exam--40 points possible. (Final exam will be cumulative of all topics addressed during the semester). It will consist of 10 questions requiring a short answer. Each question will be worth up to 4 points.

Your points will totaled at the end of the semester and your grade will be based upon the following scale:

97-100 A+
94-96 A
90-93 A-
87-89 B+
84-86 B
80-83 B-
77-79 C+
74-76 C

70-73 C-
67-69 D+
64-66 D
60-63 D-
Below 60 F

Course Policies

Make-up exams

There are no makeup exams under any circumstances.

Extra Credit

Extra credit work will not be accepted.

Late Work

Late work will not be accepted.

Special Assignments

None

Class Attendance

You are required to attend class. Attendance will be taken by the use of a sign up sheet. You are responsible to ensure your name is on the sign up sheet. It is prohibited to sign another student's name and to do so will be considered a violation of university academic integrity. This course is your course—your input will determine your outcomes. Therefore, exclusive of the participation grade, you are allowed two excused absences. After that, each unexcused absence results in a reduction of 5 points from your total grade.

Classroom Citizenship

Respect your fellow students. Turn off cell phones, no talking amongst yourselves, try to be on time. It is easiest to contact me outside of class via e-mail. If necessary, we can make appointments if before or after class meetings are not sufficient. Please be sure that I have a way to contact you (e-mail address, phone number). Laptops or tablets are permitted SOLELY to access course material or to take notes. Coffee, Tea, water and/or soft drinks are permitted. No food is allowed.

Group Rules

All groups have hiring and firing capabilities. Individuals have the ability to resign from a group. However, every student must belong to a group. If you have conflicts with your group, you may resign—but you must interview and find a position with another group. Conversely, groups may discharge members, but the students fired from one group must find another group.

Academic Integrity

The faculty expects from its students a high level of responsibility and academic honesty. Because the value of an academic degree depends upon the absolute integrity of the work done by the student for that degree, it is imperative that a student demonstrate a high standard of individual honor in his/her work.

Scholastic dishonesty includes, but is not limited to, statements, acts or omissions related to applications for enrollment or the award of a degree, and/or the submission as one's own work or material that was not one's own. As a general rule, academic dishonesty involves one of the following acts: cheating, plagiarism, collusion and/or falsifying academic records. Students suspected of academic dishonesty are subject to disciplinary proceedings.

Plagiarism, especially from the web, from portions of papers for other classes, and from any other source is unacceptable and will be dealt with under the university's policy on plagiarism (see general catalog for details). This course will use the resources of turnitin.com, which searches the web for possible plagiarism and is over 90% effective.

Minimum sanction for academic dishonesty is zero on the assignment or exam.

Comet Creed

This creed was voted on by the UT Dallas student body in 2014. It is a standard that Comets choose to live by and encourage others to do the same:

"As a Comet, I pledge honesty, integrity, and service in all that I do."

UT Dallas Syllabus Policies and Procedures

The information contained in the following link constitutes the University's policies and procedures segment of the course syllabus.

Please go to <http://go.utdallas.edu/syllabus-policies> for these policies.

This syllabus may be amended or changed.

The descriptions and timelines contained in this syllabus are subject to change at the discretion of the Professor.