

## *Course Syllabus*

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### **Course Information**

<i>Course Number/Section</i>	RMIS 4334/FIN 4334
<i>Course Title</i>	Insurance Law and Contracts
<i>Term</i>	Spring, 2017
<i>Days &amp; Times</i>	Mon and Wed 5:30pm-6:45pm (classroom JSOM 2.904)

### **Professor Contact Information**

<i>Professor</i>	Larry S. Kaplan, J.D., MA (History)
<i>Office Phone</i>	N/A
<i>Other Phone</i>	N/A
<i>Email Address</i>	<a href="mailto:larry.kaplan@utdallas.edu">larry.kaplan@utdallas.edu</a>
<i>Office Location</i>	SM 14.328
<i>Office Hours</i>	By appointment
<i>Other Information</i>	It is best to contact me via email.

### **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 (1<sup>st</sup> 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: 1/9 pp. 1.1-1.32.

Week 2: Contract Law: 1/11 pp. 2.1-2.38; 1/18 pp. 2.38-2.66.

Week 3: Insurance Contract Law: 1/23 pp. 3.1-3.17; 1/25 pp. 3.17-3.37

Week 4: The Insurance Policy: 1/30 Commercial General Liability (CGL to be provided)

Week 5: Tort Law: Negligence: 2/1 pp. 6.1-6.9; 2/6 pp. 6.9-6.21.

Week 6: Tort Law: Intentional Conduct: 2/8 pp. 6.21-6.45; 2/13 pp. 6.45-6.54.

Week 7: Liability Coverage for Damages Caused by Negligence: 2/15 & 2/20 CGL Policy and Chapter 6.

Week 8: Liability Coverage for Damages Caused by Intentional Conduct: 2/22 & 2/27 CGL Policy and Chapter 6.

Mid-Term Exam: 3/1.

Week 9: Agents and the Law of Agency: 3/6 pp 7.1-7.24; 3/8 pp. 8.1-8.31

Week 10: Spring Break No Class 3/13 or 3/15.

Week 11: Employment Law and Insurance Coverage: Workers Comp Policy (To be provided) 3/20 pp.9.1-9.24; 3/22 pp. 9.24-9.63

Week 12: Contractual Risk Transfer: Indemnity and Hold Harmless Agreements: 3/27 (Exemplar contracts will be provided); 3/29 Dresser Indust., Inc. v. Page Petroleum, Inc., 853 S.W.2d 505 (Tex. 1993).

Week 13: Coordination of Coverages: 4/3 Other Insurance Clauses (CGL Policy); 4/5 American Indemnity Lloyds v. Travelers Property & Cas. Inc. Co., 335 F3d 429 (5<sup>th</sup> Cir. 2003)(Texas Law).

Week 14: Insurer Bad Faith/Extra-Contractual Claims: 4/10 p. 6.29.; 4/12 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 15: Waiver & Estoppel: 4/17 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); 4/19 Policy Conditions (CGL Policy)

Week 16: Review 4/24 and 4/26.

Final Exam (TBA).

### **Grading Policy**

Journal Entries—30 points possible. The student will be required to submit a short summary of the previous week's class. Each entry will receive 0, 1, or 2 points as appropriate. The entries are to be submitted through eLearning and should be 2-3 paragraphs in length. Each entry is due NLT than 5:30pm on Monday, in other words prior to the first class of the week.

Mid-Term Exam--20 points possible. The exam will consist of 8 scenarios and you will be required to analyze insurance law issues raised by each scenario.

Class Participation--10 points possible. (Participation means attendance and 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 16 scenarios and you will be required to analyze the insurance law issues raised by each scenario.

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.

*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.

**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.***