

Introduction to Law & Economics

UC Berkeley, Legal Studies 145

Fall 2016

Instructor

Benjamin Chen

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Office hours: Fri, 9-10

Co-instructor

James Hicks

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Office hours: Thu, 10-11

Lectures

2 LeConte

MWF 4:10pm - 5:00pm

GSI

Kyle DeLand, delandks@berkeley.edu

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The economic analysis of law is one of the major theoretical perspectives in the study of law in American universities. Legal Studies 145 provides a introductory survey of the subject, covering parts of both private and public law. We will introduce the use of microeconomics as a tool for analyzing, evaluating, understanding, and interpreting legal rules and institutions, with a focus on the common law of contracts, property, and torts, as well as constitutional and administrative law.

Logistics

Prerequisites

There is no formal prerequisite, but students are strongly discouraged from taking the course unless they have had intermediate microeconomics (Econ 100A or equivalent). Graphs and algebra will be used routinely in class. A strong background in legal studies or mathematics can sometimes overcome a deficiency in microeconomics.

Enrollment

CalCentral handles enrollment in the class by applying university rules developed to establish fair priorities. The instructors will not respond to appeals to change these priorities for individuals, because doing so is unfair to others.

Please note, while we will not take attendance during the semester, *you must attend your assigned section in the first two weeks, otherwise you may be dropped from class.*

Accommodation policies

We will abide by the UC Berkeley campus plan for accommodating the academic needs of students with disabilities. Information on the campus policy can be found [here](#). Any requests for accommodation should be made through the campus DSP.

Class requirements

Students' final grades will be based upon the following:

- **Quizzes and section participation (10%)**

There will be a number of short, unannounced quizzes throughout the semester. These will take place during lectures. A student's single worst grade on a quiz (including 0 for non-attendance) will be discarded and not counted towards the student's final grade in the class.

- **Problem sets (20%)**

There will be four problem sets throughout the semester, which will each be worth 5% of your grade. You may work in small groups with other students, but you must submit your own individual answers.

- **Midterm (30%)**

There will be a in-class midterm on October 17, 2016, covering the first three substantive modules in the class (property, torts, and contracts). The exam will be open note (in hard copy), but computers, tablets, phones, and other digital devices are *not* permitted.

- **Final examination (40%)**

The final examination will take place on December 15, from 8-11am at a location to be determined by campus. The final exam is *comprehensive*, and may cover material from any part of the course, including the first three modules. The exam will be open note (in hard copy), though again, electronic devices are not permitted.

Grades will fit the curve recommended for large classes by the Legal Studies program, which is no more than 30% A, and no more than 80% A and B.

If you would like to challenge a grade that you have received, you should first speak to your GSI. If you wish to appeal to the instructors, you must submit a copy of the graded assignment with an explanation of why you believe there to be a mistake. (A re-grade of your assignment may, of course, result in a higher *or* lower grade.)

Office hours

Benjamin will hold office hours on Friday, from 9-10am. His office hours will be in Room 222, JSP/Legal Studies Building (2240 Piedmont Ave).

James will hold office hours on Thursday, 10-11am, by appointment, also in 222 JSP. Please email james.hicks@berkeley.edu to set up a time.

We will not answer substantive questions about the reading or lecture via email. Those questions should be raised either with your GSIs, or during office hours.

Reading

There is one required text for the class.

- Robert Cooter and Tom Ulen, *Law & Economics* (Addison-Wesley, 6th ed. 2012), available (for free!) at <http://scholarship.law.berkeley.edu/books/2/>.

We will on occasion supplement the textbook with additional required materials, which we will provide through bCourses.

There are also a number of good optional texts, which students may wish to consult.

- A. Mitchell Polinsky, *An Introduction to Law & Economics* (Aspen 2011).
- Steven Shavell, *Foundations of Economic Analysis of Law* (Belknap Press 2004).

Schedule

Module	Dates	Reading
Introduction	Aug. 24	
Microeconomics review	Aug. 26 - 31	Cooter & Ulen, ch. 2
Property	Sep. 2 - 9	Cooter & Ulen, ch. 4
	Sep. 5	Labor Day (no class)
	Sep. 11 - 16	Cooter & Ulen, ch. 5 (skip secs. I.A-B)
Contracts	Sep. 18 - 21	Cooter & Ulen, ch. 8
	Sep. 23 - 28	Cooter & Ulen, ch. 9
Torts	Sep. 30 - Oct. 5	Cooter & Ulen, ch. 6
	Oct. 7 - 12	Cooter & Ulen, ch. 7
	Oct. 14	Review session
	Oct. 17	In-class midterm
Intellectual property	Oct. 19 - 26	Lecture notes and slides on bCourses
Midterm review	Oct. 28	
Public law	Oct. 31, 2	Cooter, <i>SC</i> , ch. 1, 2
	Nov. 4, 7	Cooter, <i>SC</i> , ch. 3
	Nov. 9	Cooter, <i>SC</i> , ch. 4
	Nov. 11	Veterans' Day
Legal process	Nov. 14 - 16	Cooter & Ulen, ch. 10
	Nov. 18 - 21	Cooter & Ulen, ch. 11
	Nov. 23, 25	Thanksgiving
Critiques	Nov. 28 - Dec. 2	bCourses