

Fordham University
School of Professional and Continuing Studies-Rose Hill
Law and Economics -ECON 3453-E01

Summer 2019
Dealy Room 117-I

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Office hours: Monday 5.00 pm - 6.00 pm
Thursday 5.00 pm - 6.00 pm

Required Text: Cooter R and Ulen T: Law and Economics, 6th Edition
ISBN: 0-673-18024-2 Harper Collins Publishers

Course Objective: This course is intended to provide students who have an interest in economics and law with all the tools they will need to master their professional careers. Specifically the course will examine the interaction between economics and the central areas of the common and criminal law systems. Emphasis will be placed on the public implications of law and economics, particularly the effects of legal structures on economic efficiency. Topics such as the Economics of Contract Enforcement; the Economics of Property Rights; an economic theory of Torts; and an economic theory of Crime, Criminal Law and Punishment will be covered. Knowledge of the tools of microeconomics is an essential prerequisite for this course

Economic analysis of law is one of the fastest growing and most influential areas of both economic and legal scholarship. This course is of value to both the general economist, and law and economics is an important field within the discipline as well as to the specialist. It will also be helpful to the student of law who is interested in learning a fresh approach to traditional legal questions. The substantive lectures will be organized in pairs: the first part of the pair will use economic theory to examine issues that arise in the common and criminal law, and the second part in that pair will apply the economic theory to various legal topics.

Class Policy: Students are responsible for everything covered in class, whether or not they attend. Attendance will be taken regularly and will be calculated as part of the participation grade. Unexcused absences, use of cell phones and lateness to class will be counted against students' participation grade. Unapproved absence will be scored at zero. The chance of being able to learn and to pass the course is almost nil without keeping with class lectures. Occasionally, additional reading material will be handed out in class.

Course Grades:	Assignments/ Homework	10%
	Midterm	40%
	Final	50%

Examinations: Exams will be problems/essays and multiple-choice questions. No make-up Exams will be given. Absence from a midterm or final exam means a failing grade unless there are compelling circumstances. These exams will be taken in class (possibly on a Saturday), focusing mainly on issues discussed during lectures.

Homework: Homework will be given on a regular basis. Any assignment turned in late will be penalized half a letter grade for each day late.

OUTLINE:

- Part 1 GETTING ACQUAINTED WITH LAW AND ECONOMICS**
1.1 What is the Economic Analysis of Law? What is Law?
1.2 Why should lawyers Study Economics? Why should Economists study Law?
- Part 2 THE BUILDING BLOCKS OF MICROECONOMICS**
2.1 The Economic Problem: Efficiency and Equity
2.2 Consumer Choice, Demand and Supply and Market Equilibrium
- Part 3 AN INTRODUCTION TO LAW AND LEGAL INSTITUTIONS**
3.1 The Civil Law and Common Law Traditions
3.2 The U.S Court Systems
3.3 The Nature of a legal Dispute
- Part 4 THE COASE THEOREM**
4.1 Zero Transaction Costs
4.2 Positive Transaction Costs
- Part 5 PROPERTY LAW**
5.1 The legal Concept of Property
5.2 The economic Theory of Property Rights
5.3 Classical Theory of Externalities
- Part 6 THE COASE THEOREM AND NUISANCE LAW**
6.1 Zero Transaction Costs
6.2 Strategic Behavior
6.3 Imperfect Information
- Part 7 THE COASE THEOREM AND POLLUTION CONTROL**
7.1 Only Polluters Determine Harm
7.2 Victims Also Affect Harm
- Part 8 CONTRACT LAW**
8.1 Definition of Contracts
8.2 An Economic Theory of Contracts
8.3 Remedies as Incentives
- Part 9 THE COASE THEOREM AND CONTRACT LAW**
9.1 A Fully Specified Contract
9.2 Efficient Breach
9.3 Efficient Reliance
- Part 10 TORT LAW**
10.1 Defining Tort Law
10.2 An Economic Theory of Tort Liability
- Part 11 THE COASE THEOREM AND AUTOMOBILE ACCIDENTS**
11.1 The Driver's Care
11.2 The Pedestrian's Care
- Part 12 AN ECONOMIC THEORY OF CRIME AND PUNISHMENT**
12.1 The traditional Theory of Criminal law
12.2 An Economic Theory of Crime and Punishment
- Part 13 TOPICS IN THE ECONOMICS OF CRIME AND PUNISHMENT**
13.1 Does Punishment Deter Crime?
13.2 Efficient Punishment