COURSE TITLE: CIVIL LAW

COURSE DESCRIPTION

Civil Law is an overview of the day-to-day legal situations which face all of us at one time or another. Emphasis is placed on New Hampshire interpretation of civil law. Course content includes the following areas: Family Law (marriage, parenting, divorce), Tort Law (negligence, intentional wrong, strict liability), Finance Law (credit and contracts), Estate Law (probate and inheritance), Bankruptcy Law, Housing Law and Tax Law. An examination of these legal areas will involve a variety of resources and examination of important course cases.

MAJOR CONCEPTS AND TOPICS

1. FAMILY LAW
   • Marriage, civil union, blended families
   • Legal responsibilities of a parent
   • Divorce, custody, financial responsibility
   • Pre-nuptial agreements
   • Contract law

2. TAX LAW
   • N.H. revenue raising measures
   • Federal revenue raising measures
   • 16th Amendment and the income tax
   • Internal Revenue Service
   • Tax forms

3. TORT LAW – INTENTIONAL WRONGS
   • Tort law language
   • Civil law process and procedures
   • Intentional Wrongs classifications
   • Defenses to Intentional Wrong
   • N.H. tort statutes

4. NEGLIGENCE AND STRICT LIABILITIES
   • Negligence and Strict Liability characteristics
   • Defenses to negligence and strict liability
   • Four elements of negligence
   • Two elements of strict liability
   • Reasonable Person Standard
5. **CONSUMER AND FINANCE LAW**

- Consumer Protection Statutes
- Bankruptcy Laws
- Credit lenders’ and credit borrowers’ responsibilities
- Contract Law
- Credit Scores
- Banking Options

6. **HOUSING LAW & PROBATE LAW**

- Housing costs: owning vs. renting
- Lease considerations
- State and federal housing statutes
- Probate criteria
- Legal documentation

**CIVIL LAW COMPETENCIES**

1. Students will understand that statutes which govern the civil law system are created and monitored by the government which is selected in a democratic process.
2. Students will understand that there is a relationship between civic ideals and practices.
3. Students will understand that as the individuals, groups, and societies interact with each other in a legal manner, conflict requiring resolution ensues.
4. Students will understand their rights and responsibilities in the Civil Law system.
5. Students will understand the differences between the Criminal Justice system and the Civil Law system.
6. Students will understand the fundamental differences between the American Judiciary and the judiciary of other countries, especially third world nations.
7. Students will understand the Americans have experienced an ongoing tension between freedom and security, liberty and equality, and individualism and the common good.
8. Students will understand that the American legal system is an adversarial system, with attorneys zealously representing the interests of their clients.
9. Students will understand that precedent and case law are our legal foundation.
SOCIAL STUDIES PROCESS SKILLS

1. Students will understand that it is important to differentiate and make relevant connections to the past, present and future and to changes over time.
2. Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
3. Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
4. Students will understand that it is important to create and test generalizations and theses.
5. Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.
6. Students will understand that it is important to calculate effects of decisions and decision-making.
7. Students will understand that it is important to solve individual and group problems.

MAJOR CONCEPT #1 – Family Law

Topics:

- Marriage, civil union, blended families
- Legal responsibilities of a parent
- Divorce, custody, financial responsibility
- Pre-nuptial agreements
- Contract law

Competencies:

- Students will understand that statutes which govern the civil law system are created and monitored by the government which is selected in a democratic process.
- Students will understand that there is a relationship between civic ideals and practices.
- Students will understand that as the individuals, groups, and societies interact with each other in a legal manner, conflict requiring resolution ensues.
- Students will understand their rights and responsibilities in the Civil Law system.
Knowledge/Skills:

- Articulate N.H. marriage criteria (SS:CV:12:1.0)
- Define and utilize family law language (SS:CV:12:1.3)
- Enumerate criteria for a pre-nuptial agreement (SS:CV:12:1.4)
- Parental responsibilities in minor child custody (SS:CV:12:1.0)
- Same sex statutes in NH (SS:CV:12:1.2)
- Examine the Defense of Marriage Act and its implications (SS:CV:12:1.3)
- NH divorce laws and their implications (SS:CV:12:1.2)

Process Skills:

- Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
- Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
- Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.
- Students will understand that it is important to calculate effects of decisions and decision-making.
- Students will understand that it is important to solve individual and group problems.

MAJOR CONCEPT #2 – Tax Law

Topics:

- N.H. revenue raising measures
- Federal revenue raising measures
- 16th Amendment and the income tax
- Internal Revenue Service
- Tax forms

Competences:

- Students will understand their rights and responsibilities in the Civil Law system.
- Students will understand the differences between the Criminal Justice system and the Civil Law system.
- Students will understand the fundamental differences between the American Judiciary and the judiciary of other countries, especially third world nations.
• Students will understand the Americans have experienced an ongoing tension between freedom and security, liberty and equality, and individualism and the common good.
• Students will understand that the American legal system is an adversarial system, with attorneys zealously representing the interests of their clients.
• Students will understand that precedent and case law are our legal foundation.

Knowledge/Skills:

• Discuss the 16th Amendment (SS:CV:12:1.0)
• Apply the 16th Amendment to current tax law (SS:CV:12:1.4)
• Enumerate N.H. taxes (SS:CV:12.1.0)
• Explain the N.H. policy of the “Tax Pledge” - no sales or income tax (SS:CV:12.1.2)
• Complete and excel at completion of a 1040EZ form (SS:CV:12.1.3)
• Identify the critical dates regarding income tax law (SS:CV:12.4)

Process Skills:

• Students will understand that it is important to differentiate and make relevant connections to the past, present and future and to changes over time.
• Students will understand that it is important to create and test generalizations and theses.
• Students will understand that it is important to calculate effects of decisions and decision-making.
• Students will understand that it is important to solve individual and group problems.

MAJOR CONCEPT #3 - Tort Law: Intentional Wrongs

Topics:

• Tort law language
• Civil law process and procedures
• Intentional Wrongs classifications
• Defenses to Intentional Wrong
• N.H. tort statutes
Competencies:

- Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
- Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
- Students will understand that it is important to create and test generalizations and theses.
- Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.

Knowledge/Skills:

- Familiarize with the adversarial system of tort law (SS:CV:12.1.4)
- Enumerate the guiding principles of tort law (SS:CV:12.1.3)
- Examine the differences between tort law principles and criminal law principles (SS:CV:12.1.3)
- Identify the characteristics of damage categories and sub-categories (SS:CV:12.1.2)
- Articulate the major characteristics of each tort category (SS:CV:12.1.0)

Process Skills:

- Students will understand that statutes which govern the civil law system are created and monitored by the government which is selected in a democratic process.
- Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
- Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
- Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.
- Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.

MAJOR CONCEPT #4 – Tort Law: Negligence and Strict Liability
Topics:

- Negligence and Strict Liability characteristics
- Defenses to negligence and strict liability
- Four elements of negligence
- Two elements of strict liability
- Reasonable Person Standard

Competencies:

- Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
- Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
- Students will understand that it is important to create and test generalizations and theses.
- Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.

Knowledge/Skills:

- Differentiate between the definition of negligent behavior and accidental behavior (SS:CV:12.1.3)
- Understand the language of negligence torts (SS:CV:12.1.2)
- Enumerate the four characteristics of negligent behavior (SS:CV:12.1.3)
- Enumerate the three components of the reasonable person standard (SS:CV:12.1.0)
- Relate the reasonable person standard to a successful negligent tort (SS:CV:12.1.4)
- Differentiate between the definitions of a negligent tort and a strict liability tort (SS:CV:12.1.2)
- Explain why strict liability requires less characteristics than negligence (SS:CV:12.1.0)

Process Skills:

- Students will understand that statutes which govern the civil law system are created and monitored by the government which is selected in a democratic process.
- Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
• Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
• Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.
• Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.

MAJOR CONCEPT #5 – Consumer and Finance Law

Topics:

• Consumer Protection Statutes
• Bankruptcy Laws
• Credit lenders’ and credit borrowers’ responsibilities
• Contract Law
• Credit Scores
• Banking Options

Competencies:

• Students will understand their rights and responsibilities in the Civil Law system.
• Students will understand the differences between the Criminal Justice system and the Civil Law system.
• Students will understand the fundamental differences between the American Judiciary and the judiciary of other countries, especially third world nations.
• Students will understand the Americans have experienced an ongoing tension between freedom and security, liberty and equality, and individualism and the common good.
• Students will understand that the American legal system is an adversarial system, with attorneys zealously representing the interests of their clients.
• Students will understand that precedent and case law are our legal foundation.

Knowledge/Skills:

• Explain the different chapters in bankruptcy law (SS:CV:12:1.0)
• Discuss state and federal consumer protections in bankruptcy (SS:CV:12:1.2)
• Examine the evolving crime of identify theft (SS:CV:12:1.0)
• Explore the various instruments for consumer savings (SS:EC:12:1.2)
• Evaluate the various instruments for consumer savings (SS:EC:12:1.0)
• Evaluate, numerically, the Rule of 72 (SS:EC:12:1.1)
Process Skills:

- Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
- Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
- Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.
- Students will understand that it is important to calculate effects of decisions and decision-making.
- Students will understand that it is important to solve individual and group problems.

MAJOR CONCEPT #6 – Housing Law and Probate Law

Topics:

- Housing costs: owning vs. renting
- Lease considerations
- State and federal housing statutes
- Probate criteria
- Legal documentation

Competencies:

- Students will understand that there is a relationship between civic ideals and practices.
- Students will understand that as the individuals, groups, and societies interact with each other in a legal manner, conflict requiring resolution ensues.
- Students will understand their rights and responsibilities in the Civil Law system.
- Students will understand the differences between the Criminal Justice system and the Civil Law system.
- Students will understand the fundamental differences between the American Judiciary and the judiciary of other countries, especially third world nations.
- Students will understand the Americans have experienced an ongoing tension between freedom and security, liberty and equality, and individualism and the common good.
- Students will understand that the American legal system is an adversarial system, with attorneys zealously representing the interests of their clients.
Knowledge/Skills:

- Explore housing type options (SS:EC:12:1.2)
- Evaluate the different type of options available (SS:EC:12.1.3)
- Discuss NH regulations for each housing type (SS:EC:12.1.0)
- Process the language of probate (SS:EC:12.1.4)
- Apply NH probate laws to specific case studies (SS:EC:12.1.2)
- Familiarize with life-ending documents (SS:EC:12.1.0)

Process Skills:

- Students will understand that it is important to detect cause and effect, distinguish fact from opinion, and recognize biases.
- Students will understand that it is important to evaluate and critique varied sources of information and to use appropriate primary and secondary sources and to use technology to acquire information.
- Students will understand that it is important to express personal opinion clearly and concisely, supported by evidence.
- Students will understand that it is important to calculate effects of decisions and decision-making.
- Students will understand that it is important to solve individual and group problems.