

SYLLABUS
INSURANCE LAW
SUMMER 2020
3 CREDIT HOURS

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PART 1: COURSE DETAILS

CONTACT INFORMATION

INSTRUCTOR

Instructor: Maria O'Brien

Office Hours: Office hours will be by appointment only. Please email me to setup an appointment. Office Hours can be accessed through a link on the course site.

Phone: (617) 353-6679

E-mail: mobrien8@bu.edu

Best way to contact: Email or Office Hours

Reply policy: I will try and respond to emails within 24 hours. If you do not receive a reply to your email within a reasonable period of time, please send it again. Sometimes email is captured by SPAM filter, is addressed incorrectly, or just simply does not get sent.

TECH SUPPORT

For technical support, please contact the Helpdesk at:

Phone: 800-472-8899

Email: support@lawstudentonline.com

COURSE DESCRIPTION

This course is designed to introduce students to the basic principles governing the creation, sale and enforcement of the most common forms of insurance in the U.S. Students will be

introduced to the following insurance lines: personal liability, professional liability, commercial general liability, homeowners, automobile, life and casualty, and health. The peculiarities of each line will be discussed as well as the problems common to all lines: moral hazard, adverse selection and outright fraud. The social function of insurance as well as historical anomalies are covered in order to give the student the broadest possible exposure to the issues lawyers confront regularly in this area of practice.

COURSE LEARNING OUTCOMES

Upon completion of this course, students will be able to:

- Read, analyze, and discuss Insurance Law cases representing all major lines of coverage.
- Recognize and discuss how to address the moral hazard and adverse selection problems endemic to each line.
- Apply the conventional rules of insurance contract interpretation, including specifically the doctrine of contra proferentem, the doctrine of reasonable expectations, and equitable estoppel.
- Explain the underwriting process and the role of price discrimination, risk spreading, risk pooling, and risk allocation.

PART 2: MATERIALS AND COURSE REQUIREMENTS

READINGS

REQUIRED TEXT

- Ken Abraham & Daniel Schwarcz, *Insurance Law and Regulation*, 6th ed.
- Digital copies of problems from Devine and Terry, *Problems in Insurance Law* (1989) will be provided. Purchasing the book is not required but is encouraged. It contains a number of problems that are not assigned specifically for this course and that you may find helpful as you study this material.

TECHNOLOGY REQUIREMENTS

Students are expected to meet basic technology requirements to successfully participate in this online course. Failure to meet these requirements may cause problems accessing the course materials. It is the student's responsibility to ensure all requirements are met prior to the start of the course.

- Access to the Internet is required. While any browser can be used, Firefox and Chrome are recommended.
- Access to the Learning Management System D2L and Zoom See [Part 4: Accessing the Course](#) for more details.
- You will need the capability to speak and hear so you can watch videos and participate in the live online office hours. Make sure that the device(s) you will be using have a

microphone and speakers or that you have access to a headset. A webcam is optional but not required.

- **Zoom Requirements.** I will use Zoom to conduct live office hours with students. To join the online classroom, you will click the Online Room link on the top navigation bar of the course.

PART 3: COURSE SCHEDULE

Any change related to the course schedule will be communicated to the students through an announcement and by modifying this document.

Each module and the related discussion board will open at 12:00 am ET on the Saturday before the week in which the module is covered.

Assignments and Discussions

- **Assignments:** All assignments are due by 11:59 pm ET on Sunday of the assigned week.
- **Discussions:** Original discussions posts are due by 11:59 pm ET on Friday of the assigned week. Responses are due by 11:59 pm ET on Sunday of the assigned week.

| Week | Dates | Module | Readings | Assignments |
|--------|-----------|--|-----------------------------------|---|
| Week 1 | 5/23-5/31 | Module 1: Functions of Insurance and Imperfect Information | Abraham and Schwarcz, pp. 1-31 | <ul style="list-style-type: none"> • Post to the Welcome Discussion Forum: 5/29 • Post to the Module 1 Article Review Discussion: 5/29 • Respond to the Module 1 Article Review Discussion: 5/31 |
| | | Module 2: Contract Formation, Meaning and Damages | Abraham and Schwarcz, pp. 33-105 | <ul style="list-style-type: none"> • Post to the Module 2 Discussion Forums: 5/29 • Respond to the Module 2 Discussion Forums: 5/31 <p>OPTIONAL: Post problems #2 and #8 from the Devine and Terry book to the discussion forum: 5/31</p> |
| Week 2 | 5/30-6/7 | Module 3: Fire and Property Insurance | Abraham and Schwarcz, pp. 183-289 | <ul style="list-style-type: none"> • Post to the Module 3 Discussion Forums: 6/5 • Respond to the Module 3 Discussion Forums: 6/7 <p>OPTIONAL: Submit problems #16, #18, #19, #56, #78 and #79 from the Devine and Terry book to the discussion forum: 6/7</p> |
| Week 3 | 6/6-6/14 | Module 4: Life and Health and Disability Insurance | Abraham and Schwarcz, pp. 291-434 | <ul style="list-style-type: none"> • Post to the Module 4 Discussion Forums: 6/12 • Respond to the Module 4 Discussion Forums: 6/14 |
| Week 4 | 6/13-6/21 | Module 5: Liability | Abraham and Schwarcz, pp. 435-576 | <ul style="list-style-type: none"> • Post to the Module 5 Discussion Forums: 6/19 • Respond to the Module 5 Discussion Forums: 6/21 |

| Week | Dates | Module | Readings | Assignments |
|-------------------|-------------------|---|-----------------------------------|---|
| | | Module 6: Liability: Defense and Settlement | Abraham and Schwarcz, pp. 577-634 | Post to the Module 6 Discussion Forums: 6/19 <ul style="list-style-type: none"> Respond to the Module 6 Discussion Forums: 6/21 |
| Week 5 | 6/20-6/28 | Module 7: Automobile Insurance | Abraham and Schwarcz, pp. 637-715 | <ul style="list-style-type: none"> Post to the Module 7 Discussion Forums: 6/26 Respond to the Module 7 Discussion Forums: 6/28 <p>OPTIONAL: Submit problems #120 and #125 from the Devine and Terry book to the discussion forum: 6/28</p> |
| Week 6 | 6/27-7/5 | Module 8: Reinsurance | Abraham and Schwarcz, pp. 717-757 | <ul style="list-style-type: none"> Post to the Module 8 Discussion Forums: 7/3 Respond to the Module 8 Discussion Forums: 7/5 |
| FINAL EXAM | July 6 – July 10. | | | |

PART 4: ACCESSING THE COURSE

TIME ZONES

Please note that this course is setup to run in the Eastern Time zone. Check your syllabus for all assignment deadlines. Please be mindful of the time zone differences:

| Eastern | Central | Mountain | Pacific |
|---------|---------|----------|---------|
| 11:59pm | 10:59pm | 9:59pm | 8:59pm |

Daylight Saving Time: Daylight Saving Time (DST) may impact when your assignments are due.

As a student in a distance education course, it is your responsibility to learn and observe the time deadlines for assignments. Late work will not be accepted due to time zone differences.

COURSE SITE (D2L)

The course will be taught entirely online in an asynchronous environment using the Learning Management System – Desire2Learn (D2L).

The course is designed to give students a dynamic online learning experience. Students will receive notice of a student orientation which will familiarize you with the basics of navigating this platform. Students will also receive their log in information (username and password) via email.

To access the course:

- Go to: <https://mycourses.lawonline.me>.
- Enter the username and password you have been provided.

- Locate and click on the course name under *My Courses*.

If you have trouble logging in, please contact the Helpdesk at 800-472-8899 or via email support@lawstudentonline.com

OFFICE HOURS VIA ZOOM

Online office hours will be available through Zoom Meetings. Students will have the opportunity to speak with the instructor during these office hours. Students can also choose to share their web cam or be given permission to share documents with the instructor via the online rooms.

To join the online office hours, you will need simply click on the meeting room URL located under the Online Room tab of the navigation bar.

PART 5: COURSE STRUCTURE

OVERVIEW

The course is organized around a weekly schedule that will begin each Saturday and end the following Saturday. Any assignments for a given topic will normally be due at the end of the weekly period unless otherwise indicated. **Please refer to the “Course Schedule” for due dates.**

CONTENT DELIVERY

- **Readings:** These typically will be readings from the Abraham and Schwarcz text. Occasionally there will be additional readings linked out to from the course site or referenced in the lectures.
- **Course Lectures:** There will be 30-45 minutes of course lecture videos to watch for each course topic. These videos will be linked to from the course site.
- **Knowledge Checks:** Each lecture will be followed by a knowledge check. These knowledge checks will not be graded but I will be checking to make sure you are completing them. Most knowledge checks will have 3-5 questions allowing you to check your understanding of the material.

ASSIGNMENTS AND ACTIVITIES

DISCUSSION BOARD

- Each module will have its own discussion forum. Discussion forums for modules that span multiple weeks will be due at the end of the last week included in the module. Within each discussion forum, there will be several discussion questions to choose from. The number of questions presented will vary from module to module. Students are required to respond to at least one question per module by Friday of the final week in the module. They are also required to respond to at least one classmate’s post per module by midnight Eastern Time the following Saturday. **See the *Class Schedule* for exact due dates for each post and response.** Your answers should demonstrate a mastery of the material assigned at that point in the course. Review the grading criteria to ensure maximum credit.

FINAL EXAM

The final exam will consist of essay and short answer questions. You will have 3 hours to complete the exam during the exam period. Your final exam will be proctored through an automated online service that verifies your identity and records you taking your exam through your webcam. As your Final Exam approaches, additional details related to the Final Exam itself and exam administration will be available in the Final Exam Information Module.

PART 6: STUDENT RESPONSIBILITIES

MANAGING YOUR STUDIES

The following attributes will greatly contribute to your success in this course.

- *Be self-motivated.* You should be able to manage and direct your own learning environment and methods to fulfill course requirements and achieve individual academic success.
- *Be an independent learner.* Successful online students are self-starters. They work well with the flexibility that the 24/7 any time--any place format provides. You should be able to learn on your own and at an accelerated pace without direct supervision.
- *Have a minimum level of computer literacy.* Although it is not essential to have advanced computer skills, you should possess a working knowledge of email, the Internet, as well as basic keyboarding skills.
- *Manage your time well.* You must be able to organize and plan your own best "time to learn." There is no one best time for everyone, but the key to success is to make the time to learn.
- *Acquire effective communication skills.* You must use email and discussions to communicate with your peers and me. The ability to read and to write clearly in order to communicate ideas and assignments is essential. Also, sharing reflections - of your own work as well as your course mates' - is a crucial component of a successful experience. This method provides you with rapid feedback as well as a means to inform me of any concerns or problems that you may be experiencing.
- *Be personally committed to successfully completing this online course.* Because of the flexibility in scheduling in this course, you must have a strong desire to learn and acquire knowledge and skills via online courses. Making a commitment to learn in this manner is a very personal decision and requires a strong desire to perform in order to achieve academic success.

RESPECTING THE ACADEMIC COMMUNITY

Netiquette consists of the rules and guidelines for acceptable behavior in electronic communication. Remember, while working in an online course you are in an academic setting and should conduct yourself accordingly.

All students are expected to follow netiquette guidelines as outlined below:

- You are not text messaging friends. This means text message acronyms (such as LOL, IMHO, BCNU, etc.) are not acceptable. Express yourself with proper spelling, grammar, and punctuation.
- Out of respect for your fellow course mates' and instructor's time, keep your communications as clear, straightforward, and concise as possible.
- Use appropriate mixed case text; avoid using all lowercase or all uppercase text (SHOUTING).
- You are your words. Your communication in an online course represents you. Always review and edit your communication before submitting.
- Give respect to your classmates. Be courteous, respectful of others opinions, sensitive to diversity, and polite.
- Respect other people's privacy. Do not share other individual's personal information (i.e., e-mail addresses, phone numbers, etc.) without permission.
- It's okay to disagree with someone's opinion or constructively criticize an idea. It is never okay to personally attack another student. Debate the idea; do not attack the person.
- Free speech is not an absolute right in an online course.
- Obey copyright laws and cite others' work appropriately.

INSTRUCTOR EXPECTATIONS OF STUDENTS

- Students are expected to keep up with the class, to read the required readings, to watch the required recordings, and to submit assignments and activities by the due dates contained in the **Course Schedule**.
- Students should log on to D2L at least every other day to check for announcements, tests, and the final exam.
- Students are expected to independently complete all activities, assignments, tests, and the final exam.
- Students are expected to read the required readings each week before reviewing the lectures and are encouraged to read the supplemental readings and to complete the assignments.
- To receive maximum points for questions, students need to follow the instructions carefully, follow word limits as instructed, and use Spell Check. There will be deductions if these guidelines are not followed.

PART 7: GRADES AND GRADING POLICIES

GRADED COURSE ACTIVITIES

The following formula will be used to calculate your final grade:

- Final Exam = 80%
- Discussion Board Participation = 20%

GRADING SCALE

Your grade will conform to your school's grading policy as to whether +s and –s are given and to any applicable grading curve.

GRADING POLICIES

Students are expected to submit the exam and discussion board posts on time. Any exams, assignments and discussion board posts submitted after their respective deadlines will not be read and will receive a zero.

PART 8: OTHER COURSE POLICIES

See school policies on matters of Academic Integrity and Student Conduct. Matters involving integrity or Honor Code issues will be transmitted to school administration.

ATTENDANCE

This course is delivered asynchronously to accommodate students' other life obligations. Students must access each lecture for an appropriate amount of time, participate substantively in the Case Problem Assignments, and complete the Final Exam by set due dates. Students' attendance responsibilities follow school policy. Any questions will be referred to school's administration.

SPECIAL ACCOMMODATIONS

Contact school about requests for special accommodations and ask that they send granted accommodations to support@lawstudentonline.com.

PART 9: COURSE TOPICS

The following is a list of topics which will be covered in the course. Please refer to the course schedule for details on topics, assignments, and due dates. Any change related to the course schedule will be communicated to the students through an announcement to all students or by modifying the course syllabus and notifying students of the modified syllabus.

| Topics |
|---|
| Module 1 - Functions of Insurance and Imperfect Information |
| Module 2 - Contract Formation, Meaning and Damages |
| Module 3 – Fire and Property Insurance |
| Module 4 – Life and Health and Disability Insurance |
| Module 5 – Liability |
| Module 6 - Liability Insurance: Defense and Settlement |
| Module 7 – Automobile Insurance |
| Module 8 – Reinsurance |