STUDY GUIDE
to accompany

TORT LAW FOR
LEGAL ASSISTANTS

Third Edition

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Introduction

Time management is probably one of the most serious problems college students must confront today. Most are employed at least part-time and have family and civic duties as well. Therefore, minimal time devoted to study and “taking the path of least resistance,” which frequently entails reading material only once or twice prior to an exam, is often tempting.

Unfortunately, research relating to the learning process shows the mere act of reading to be a highly inefficient and an often unprofitable way of studying. Characteristic statements of those who have not really learned what they have read are “I knew the material until I took the exam and then my mind went blank” or “I understand what I read; I just can’t take tests.” Serious self-examination in most instances would reveal that the “understanding” of the material was superficial. The student might, for example, be able to recognize the correct answers (as in the form of a multiple-choice exam) but might not be able to restate the information in his or her own words or to apply the information in an actual situation.

Those students who perform best in school are those who find some way of becoming actively engaged in the learning process. Writing, whether it be in the form of note taking, preparing summaries, or developing outlines, is one way of becoming actively involved. The purpose of the study guides that follow is to take you beyond passively reading over the content of the text and require you to consciously work with the material presented.

You may be tempted to postpone answering the Study Guide questions until immediately before the exam, or you may try to answer them in your head without committing the answers to paper. Remember, however, that the purpose of these study guides is to shift you from being one who passively reads material to one who actively participates in the learning process. You compromise that purpose when you take shortcuts.

One caveat in using the study guides: Do not assume that, simply because you can find the answer to a question in the Study Guide, you necessarily understand that answer. In other words, you may be able to match the appropriate phrase or sentence in the text to a particular question, but you may not have had a clear idea of what that phrase or sentence means. In those instances, ask your instructor to give you an alternative explanation or provide you with some concrete examples for clarification.
Use the study guides in the spirit in which they are intended and you will enhance your chances of being a successful student and practitioner. Good luck in your exploration of the fascinating realm of tort law. May these study guides provide you with the keys you need to open the doors to understanding!