

SYLLABUS
REMEDIES 303B
Spring 2026

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About the Course

Credits: 2 units
Class: Wednesday, 6:30-8:20pm
Room: TBD

Course Description

Students in this class are expected to learn how to use various remedial tools to argue persuasively for appropriate remedies in civil cases. Students should be able to understand and apply key remedies doctrines in cases of civil liability and advise clients on alternative remedies and defenses. The drafting assignment final examination will assess the students' ability to meet these learning outcomes.

Required Textbooks

Laycock, Douglas, Hasen, Richard L., *Modern American Remedies: Cases and Materials, Sixth Edition* (6th ed., 2025) (hereinafter “Laycock”) (ISBN: 9798886142303).

Optional but Recommended Course Materials

Hasen, Richard, *Examples & Explanations for Remedies* (5th ed., 2023) (ISBN: 9798889066330)

Assessment and Grading

- Class Participation – 15%
- Midterm Exam – 25%
- Final Exam – 60%

- You will be expected to do approximately 4 hours of preparation for each class session.

Calendar

1/14 Chapter 1, Introduction; Chapter 2, Paying for Harm: Compensatory Damages; *Reading*: pp. 1-109

1/21 Cont. Chapter 2, Paying for Harm: Compensatory Damages; *Reading*: pp. 109-206

1/28 Chapter 3, Punitive Remedies; *Reading*: pp. 207-255

2/4 Chapter 4, Preventing Harm: The Measure of Injunctive Relief; *Reading*: pp. 257-359

2/11 Chapter 5, Choosing Remedies; *Reading*: pp. 361-428

2/18 Cont. Chapter 5, Choosing Remedies; *Reading*: pp. 428-493

2/25 Chapter 6, Remedies and Separation of Powers; *Reading*: pp. 495-560

3/4 Chapter 7, Preventing Harm Without Coercion: Declaratory Remedies; *Reading*: pp. 561-608; Midterm

3/11 NO CLASS, SPRING BREAK

3/18 Chapter 8, Benefit to Defendant as the Measure of Relief: Restitution; Sections A & B; *Reading*: pp. 609-685

3/25 Chapter 8, Benefit to Defendant as the Measure of Relief: Restitution; Sections C-E; *Reading*: pp. 686-747

4/1 Chapter 9, Ancillary Remedies: Enforcing the Judgment; Section A; *Reading*: pp. 749-818

4/8 Chapter 9, Ancillary Remedies: Enforcing the Judgment; Section B; Chapter 10, More Ancillary Remedies: Attorneys' Fees and the Costs of Litigation; Section A; *Reading*: pp. 818-883

4/15 Chapter 10, More Ancillary Remedies: Attorneys' Fees and the Costs of Litigation; Sections B & C; Chapter 11, Remedial Defenses; Sections A-C; *Reading*: pp. 884-947

4/22 Chapter 11, Remedial Defenses; Sections D & E; Chapter 12, Fluid-Class and Cy Pres Remedies; *Reading*: pp. 948-996; Exam Review

4/29 NO CLASS, READING PERIOD BEGINS

Western State College of Law – Programmatic Learning Outcomes

Western State College of Law's curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) Doctrinal Knowledge

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) Practice Skills

Students will demonstrate the development of other law practice skills. Each student's chosen outcomes within this category will be varied based on the student's particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) Legal Analysis

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule, and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) Legal Research

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

(6) Advocacy of Legal Argument

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and awareness that cultural issues may affect the relevance of facts and application of the law.

(8) Legal Ethics

Students will demonstrate the ability to identify ethical issues in law practice contexts and make appropriate decisions to resolve such issues.

DISABILITY SERVICES STATEMENT:

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Library Building, Room 275-B. Dean Espinoza's phone number and email address are: (714) 459-1117; despinoza@wsulaw.edu. When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific

requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Dean Marisa Cianciarulo at mcianciarulo@wsulaw.edu or (714) 459-1168. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."