

Course Outline

COURSE: LAWS 4801C – RISK AND THE LEGAL PROCESS

TERM: Winter 2021

PREREQUISITES: LAWS 2908 or PAPM 3000 and Fourth-Year Honours standing

CLASS DAY AND TIME: Thursdays, 6:05pm – 8:55pm EST

INSTRUCTOR: Lori Anne Heckbert
(CONTRACT)
CONTACT/Email: lorianne.heckbert@carleton.ca

Office Hours: By appointment only – see appointments calendar to book

CALENDAR COURSE DESCRIPTION

Application of risk assessment and management in various legal arenas including insurance, liability and tort, litigation management, environmental protection, and sentencing and parole.

COURSE DESCRIPTION

Risk management is **not just for business majors** anymore; it is an increasingly important aspect of both public and private activities. Nowadays, the ability to anticipate the consequences in law of a proposed or uncontrollable event is essential for legal counsel, whether your client is an individual involved in an everyday consumer transaction or a construction company carrying out a megaproject or a government institution concerned with protecting the safety of the public. Policies, contracts and even lifestyles need the rigorous scrutiny of the legal professional in order to avoid lawsuits or other adverse legal consequences. This course is intended to introduce students of law and legal studies to the situations, actors, methodology and societal impact of risk management. You will be surprised and intrigued by the diversity of issues that you will be exposed to in this course and you will use the skills you learn herein in your future law-related career.

REQUIRED TEXTS

Required readings will be posted on CU Learn; some will have online links. Case study exercises will be distributed in class.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

(1) Term Essay- 40% of final grade - Due 1 April 2021 at 6:00 pm EST (upload to CU Learn)

- Length: 12-15 pages double-spaced, McGill style legal citation and bibliography required
- Content: legal analysis of issue, based on Course Objectives above, and defense of position.
- Students will be provided, and expected to follow, additional information with regards to assignment formatting, citation, and presentation. Email submission will not be permitted..

(2) Open book final examination - 45% of final grade - final exam period: date TBD

You must use all the tools at your disposal (readings, lectures and case studies done in class) to assess risks in the provided fact patterns and questions, in a formally scheduled 3 hour final exam.

(3) Active class participation - 15% of final grade

Participation grade will be based on class attendance and comments/active engagement in class discussions.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late assignments will be penalized at a rate of 20% per day. Late assignments will be counted as submitted based on the time submitted electronically via CULearn.

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>. **For clarity, extensions will not be granted for technology issues (such as printing or computer failure), transportation challenges, vacations, work schedule conflicts, or academic workload.**

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

METHOD OF INSTRUCTION

This will be an all-virtual course, delivered using a combination of weekly online lectures and interactive sessions. Big Blue Button, Zoom and/or Google Meets technologies will be used. Participation requires students to have reliable, high-speed internet access, a computer (ideally with a webcam), and a headset with a microphone. You may be expected to use the video and/or audio and/or chat during web conferencing sessions for participation and collaboration. You are not required to turn your camera on and may decide to turn it on or off at any time. Students are not permitted to take photographs, screenshots, or record other students, TAs, or instructors. If you have concerns about being recorded, please email me directly so we can discuss.

Sessions may be recorded to enable access to students with internet connectivity problems, who are based in different time zone, and/or who have conflicting commitments. Students who do not wish to be recorded should leave their camera and microphone turned off. Big Blue Button sessions are automatically recorded. You will be notified at the start of a Zoom or Google Meet session when the recording will start, and Zoom will always notify meeting participants that a meeting is being recorded. It is not possible to disable this notification.

Please note that all recordings are protected by copyright. The recordings are for your own educational use, but you are not permitted to publish to third party sites, such as social media sites and course materials sites.

INTELLECTUAL PROPERTY AND COPYRIGHT POLICY

The course materials posted on this course's CU Learn page are designed for use as part of the LAWS 4801 course at Carleton University and are the intellectual property of the Instructor (© 2021, Lori Anne Heckbert. All rights reserved.) unless otherwise stated. Unless a user's right in Canada's *Copyright Act* covers the particular use, you may not record, copy, publish, post on an internet site, sell, or otherwise distribute this course's content without the Instructor's express permission.

Third party copyrighted materials (such as book chapters, journal articles, music, videos, etc.) have either been licensed for use in this course or fall under an exception or limitation in Canadian Copyright law.

TIME ZONE

The time zone that will be used for the purposes of all evaluations and all course sessions will be Eastern Standard Time.

SCHEDULE

14 Jan INTRODUCTION AND OVERVIEW; THE NATURE OF RISK AND UNCERTAINTY

A. Situations of Risk

1. Wilson, R. "Analyzing the Daily Risks of Life", in Glickman & Gough, eds., *Readings In Risk* (1990) at 55. (PDF file in CU Learn).
2. Couzin-Frankel, Jennifer. "As gene testing surges, lawsuits aren't far behind", *Science*, 7 May 2019, online: <https://www.sciencemag.org/news/2019/05/gene-testing-surges-lawsuits-arent-far-behind>. (PDF file in CU Learn).
3. "World's first humanitarian insurance policy issued", World Food Programme, 6 March 2006, online: <https://reliefweb.int/report/ethiopia/ethiopia-worlds-first-humanitarian-insurance-policy-issued>. (PDF file in CU Learn).
4. Dostmohammed and Long, 'Regulating the Sharing Economy: Applying the Process for Creative Destruction', Dalhousie, 2015, online: https://cappa.ca/wp/wp-content/uploads/2017/06/DostmohammadLong_RegulatingtheSharingEconomy.pdf. (PDF file in CU Learn).

5. Curcio, Stephanie. “Protecting Cannabis Strains in Canada: a Growing Concern”, online: <https://journal.cannabislaw.report/protecting-cannabis-strains-in-canada-a-growing-concern/>. (PDF file in CU Learn).

B. Communication of Risk

1. Kahan, Dan M. ‘A Risky Science Communication Environment for Vaccines’, *Science*, 4 Oct 2013, online: <https://science.sciencemag.org/content/sci/342/6154/53.full.pdf>. (PDF file in CU Learn).

21 Jan

ONGOING DEBATES IN RISK MANAGEMENT

A. Risky behaviours: do we allow, penalize or absorb risk-taking?

1. Megalli, M. and A. Friedman. “Fronting for Business”, multinationalmonitor.org, online: https://www.multinationalmonitor.org/hyper/issues/1992/03/mm0392_09.html. (PDF file in CU Learn).

2. Wildavsky, A. “No Risk Is the Highest Risk of All”, in Glickman & Gough, eds., *Readings In Risk* (1990), at 120. (PDF file in CU Learn).

3. Palazzo, Alexandria S. “No-fault Insurance in Canada: “A Theoretical Background for New Recommendations to Promote Safety and Reduce Highway Deaths,” online: <https://mainelaw.maine.edu/news/wp-content/uploads/sites/10/palazzo-iwp.pdf>. (PDF file in CU Learn). **Read pp. 5-16 only.**

4. Hubbard, C. “Culpability and Compensation in Canadian Health Care: Much Ado About No-Fault?”, 5:2 (1999) *McGill Journal of Medicine* 111-116, online: <https://mjm.mcgill.ca/article/view/752>. (PDF file in CU Learn).

5. Van Waarden, F. “Institutions and Innovation - the legal environment of innovating firms”, 22:5 (Sept-Oct 2001) *Organization Studies* 765-795. Can be accessed at www.findarticles.com. (PDF file in CU Learn).

B. Regulation v Innovation: managing risk through regulation (or not)

1. Macdonald, D. “Coerciveness and the selection of environmental Policy instruments,” 44:2 (2001) *Can. Pub. Admin.*, 161-187. Online: <https://doi-org.proxy.bib.uottawa.ca/10.1111/j.1754-7121.2001.tb01572.x>. (PDF file in CU Learn).

2. Macrory, R. “Regulating In a Risky Environment,” 54:1 (2001) *Current Legal Problems* 619–648, online: <https://doi-org.proxy.bib.uottawa.ca/10.1093/clp/54.1.619>. (PDF file in CU Learn).

3. Kam, Allan J. “Debunking NHTSA myths in trucking litigation: jurors put a lot of faith in government regulation of the trucking industry. They need to understand that federal safety standards and defect investigations do not ensure that trucks on the road are safe”, 43:2 (1997) *Trial* 18-25. (PDF file in CU Learn).

4. *Ernst v Alberta (Energy Resources Conservation Board)*, 2014 ABCA 285 (CanLII), at <http://www.canlii.org/en/ab/abca/doc/2014/2014abca285/2014abca285.html>. (PDF file in CU Learn).

28 Jan TOOLS FOR THE PREVENTION AND/OR MITIGATION OF RISK

A. Planning for Risk in Contracts

1. Triantis, “Contractual Allocations of Unknown Risks: A Critique of the Doctrine of Commercial Impracticability” 42 (1992) *Univ. Tor. L.J.* 450-483. (PDF file in CU Learn).

B. Precautionary Principle

1. Sunstein, Cass R. “The Paralyzing Principle”, 25:4 (2002) *Regulation* 32-37. (PDF file in CU Learn).

C. Concept of Insurance

1. Tanega, J. “Implications Of Environmental Liability On The Insurance Industry,” 8:1 (1996) *Jour. Environmental Law* 115-37. Read pp. 116-117, 123-124, 126, 128-129, and 135-136. (PDF file in CU Learn).

D. Tort Action

1. *Canadian Council of Churches v. Canada (Minister of Employment and Immigration)*, [1992] 1 S.C.R. 236 at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/835/index.do>. Read headnote and pp. 253- 256. (see also PDF file in CU Learn).

4 Feb RISK IN THE LEGAL PROCESS (RISK MANAGEMENT STRATEGIES IN THE COURTOOM)

Practical risk issues encountered in the trial process

1. *Kelliher (Village of) v. Smith*, [1931] S.C.R. 672. Read PDF pages pp. 4-7, 12, and 13. (PDF file in CU Learn).
2. *R. v. Mohan*, [1994] 2 S.C.R. 9. Read PDF pages 5, 6, and 12-13. (PDF file in CU Learn).
3. *R. v. Bingley*, 2017 SCC 12. Read headnote. (PDF file in CU Learn).
4. The risks of witness testimony: *R. v. N.S.*, 2012 SCC 72, [2012] 3 S.C.R. 726. Read headnote. (PDF file in CU Learn).
5. ‘Representing yourself in court is popular but costly and risky’, 31 December 2015, *CBC News*, online: <http://www.cbc.ca/news/canada/representing-self-court-lawyers-1.3375609>.

DEALING WITH RISK IN VARIOUS TYPES OF LAW

11 Feb DISASTERS AND RISK MANAGEMENT

1. Thornton, G.R. “Hurricane Katrina - The Legal Saga Begins”, 3 Oct 2005, *Insurance Journal*, online: <https://www.insurancejournal.com/magazines/mag-features/2005/10/03/61128.htm>.
2. Bannon and Fisher, “Legal Lessons in Disaster Relief from the Tsunami, the Pakistan Earthquake and Hurricane Katrina”, 10:6 (15 March 2006) *American Society for International Law*, online: <https://www.asil.org/insights/volume/10/issue/6/legal-lessons-disaster-relief-tsunami-pakistan-earthquake-and-hurricane>.
3. Text of Bill C-78, An Act to provide for emergency management and to amend and repeal

certain acts, 1st Session, 38th Parliament, 53-54 Elizabeth II, 2004-2005. (PDF file in CU Learn).

4. United Nations Development Program, “1.6 Is Sustainable Human Development Achievable under Natural Disaster Risk?”, in *Reducing Disaster Risk: A Challenge for Development*, (2004), online: <https://studylib.net/doc/13645850/reducing-disaster-risk-a-challenge-for-development-united...> **Read p. 19-25.**

5. *Georges et al v United Nations et al*, US District Court Southern District of New York, 13-CV-7146 (JPO), 9 Jan 2015. (PDF file in CU Learn).

18 Feb Reading Week – no class

25 Feb RISK AND PUBLIC HEALTH

1. *Schneider v. British Columbia*, [1982] 2 S.C.R. 112. **Read the headnote; read the reasons of Justice Estey; and read the reasons of the Chief Justice from Section VII “Laws for the Peace, Order and Good Government of Canada”, starting at “There is no material before the Court leading one to conclude ...” up to (not including) Section VIII “Criminal Law”.** (PDF file in CU Learn).

2. World Trade Organization, “*EC Measures Concerning Meat and Meat Products (Hormones)*”, Report of the Appellate Body, WT/DS26/AB/R, WT/DS48/AB/R 16 January 1998. Online: https://www.wto.org/english/tratop_e/dispu_e/hormab.pdf.

3. “Safety of Plasma Derivatives: The Role of Regulation”, pages 955-981 of Final report of the Commission of Inquiry on the Blood System in Canada. Online: https://epe.lac-bac.gc.ca/100/200/301/hcan-scan/commission_blood_final_rep-e/vol3-e.pdf.

4. ‘Legal Access and Preparedness’, extract from The SARS Commission, Second Interim Report: SARS and Public Health Legislation read section on “Legal Preparedness” pp 289-206. Online: http://www.archives.gov.on.ca/en/e_records/sars/report/v5-pdf/Vol5Chp9.pdf. (PDF file in CU Learn).

4 Mar RISK ISSUES IN CRIMINAL LAW

1. “Offender Risk Assessment”, John Howard Society of Alberta (2000), online:

https://johnhoward.ab.ca/wp-content/uploads/docs/OffenderRiskAssessment_2000.pdf.

2. Goossens, Ilvy; Nicholls, Tonia L; Charette, Yanick; Wilson, Catherine M; Seto, Michael C; *et al.* “Examining the High-Risk Accused Designation for Individuals Found Not Criminally Responsible on Account of Mental Disorder”; 60: 2 (2019) *Canadian Psychology* 102-114. DOI:10.1037/cap0000080. (PDF file in CU Learn).

3. *Ewert v. Canada*, 2018 SCC 30, [2018] 2 S.C.R. 165. **Read paras. 1-12 (incl), 13-16 (incl), 22,23, 26 A, 43,44, 61-67.** (PDF file in CU Learn)

Detaining People for Being a Risk Rather than for Being Criminals

4. *Charkaoui v. Canada*, [2007] 1 S.C.R. 350. **Read headnote.** (PDF file in CU Learn).

5. *Canadian Criminal Code*, s. 515. (PDF file in CU Learn).

6. *R. v. Lyons*, [1987] 2 S.C.R. 309. **Read headnote.** (PDF file in CU Learn).

11 Mar RISK, LEGISLATION, AND MORAL HAZARD

- A. Gun Control – what are the different ways legislative action or inaction have increased legal and physical risks?
1. Borchers, C. “Murdoch’s New York Post shifts on assault-weapons ban, after Florida school shooting”, 16 Feb 2018, *Washington Post*, online:
<https://www.washingtonpost.com/news/the-fix/wp/2018/02/16/murdochs-new-york-post-shifts-on-assault-weapons-ban-after-florida-school-shooting/>.
 2. Witte, G. “As mass shootings rise, experts say high-capacity magazines should be the focus”, 18 August 2019, *Washington Post*, online:
https://www.washingtonpost.com/national/as-mass-shootings-rise-experts-say-high-capacity-magazines-should-be-the-focus/2019/08/18/d016fa66-bfa3-11e9-a5c6-1e74f7ec4a93_story.html.
 3. Wolf, R. “Supreme Court refuses to block lawsuit against gun manufacturer brought by Sandy Hook families”, 12 Nov 2019, *USA Today*, online:
<https://www.usatoday.com/story/news/politics/2019/11/12/supreme-court-sandy-hook-lawsuit-gun-manufacturer-proceed/2565344001/>.
- B. Economic Bailout Packages – Removal of Moral Hazard?
1. “The Big Short” film – watch if you can find it and have not seen it already, or read Michael Lewis’ book *The Big Short: Inside the Doomsday Machine*, W. W. Norton & Company, 2010.
- C. Proposed US corporate liability shield in context of COVID-19
1. Haberkorn, J. “McConnell’s coronavirus business liability pledge sparks lobbying frenzy”, 6 May 2020, *Los Angeles Times*, online:
<https://www.latimes.com/politics/story/2020-05-06/business-groups-lobby-congress-to-ease-their-liability-to-coronavirus>.
 2. Nichols, J. “Mitch McConnell’s Ghoulish Plan to Exploit Covid Desperation to Shield Corporate Crime”, 7 Dec 2020, *The Nation*, online:
<https://www.thenation.com/article/politics/mcconnell-covid-liability-shield/>.
 3. Pramuk, J. “McConnell backs off demand for liability protection in Covid stimulus negotiations”, 8 Dec 2020, CNBC, online:
<https://www.cnbc.com/2020/12/08/coronavirus-stimulus-update-checks-liability-among-relief-disagreements.html>.
- D. Challenges of civil rights standards of review:
1. Berrey, E., Nelson, R. L. and Nielsen, L. B. *Rights on Trial: How Workplace Discrimination Law Perpetuates Inequality*. Chicago: University of Chicago Press, 2017. Read Chapter 10. (PDF file in CU Learn).
 2. *Adarand Constructors, Inc. v. Mineta*, 534 U.S. 103. (PDF file in CU Learn).

18 Mar VOLUNTARY ASSUMPTION OF RISK: THE CASE OF TORT**I. The Case of Sport**

1. Husa, A. & Thiele, S. “In the Name of the Game: Hockey Violence and the Criminal Justice System.” 45:4 (2002) *Crim. L. Q.* 509-528. (PDF file in CU Learn).

2. Citron, Jeffrey A. & Ableman, Mark, "Civil liability in the arena of professional sports". 36:2 (June 2003) U.B.C. L. Rev. 193-230, Online: https://www.goodmans.ca/files/file/docs/CIVIL_LIABILITY_IN_THE_arena_OF_PROFESSIONAL_SPORTS.pdf.
3. *R. v. Leclerc*, 4 O.R. 788; 67 C.C.C. (3d) 563 (C.A. 1991). (PDF file in CU Learn).
4. *Dunn v University of Ottawa* (1995), Unreported Decision of the Ont. Ct. of Justice (Gen. Div.), Docket No. OJ2865. (PDF file in CU Learn).

II. Challenges to using the defense of *volenti* in civil lawsuits (cont'd next page):

A. Occupations considered to be essential

R v Port Colborne (City of) (1992) O.J. 2555 - Word file. Read paras. 2, 3, 4, 6, 7, 8, 11, 12, 13, 16 (just skim), 17, 18, and 20. (PDF file in CU Learn).

Saskatchewan Federation of Labour v Saskatchewan 2015 SCC 4 at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/14610/index.do>. Read paras. 1-10, 30, 32, 45, 51, 82-87, 95.

B. Intoxication

Dube v. Labar, [1986] 1 S.C.R. 649. (PDF file in CU Learn).

Crocker v. Sundance Northwestern Resorts Ltd., [1988] 1 S.C.R. 1186. (PDF file in CU Learn).

Childs v. Desormeaux, [2006] 1 S.C.R. 643. (PDF file in CU Learn).

C. Trampoline cases – possible erosion of the use of exclusion clauses?

Zaky v. 2285771 Ontario Inc. (c.o.b. Sky Zone Indoor Trampoline Park), [2020] O.J. No. 3095. (PDF file in CU Learn). <https://advance-lexis-com.proxy.bib.uottawa.ca/api/permalink/b084a33a-645d-48fb-a391-06a27321a272/?context=1505209>.

Ohler, Q. "Alberta man sues trampoline park for \$15M after breaking neck", 17 Jan 2018, Global News, online: <https://globalnews.ca/news/3971903/alberta-man-sues-trampoline-park-for-15m-after-breaking-neck/>.

McEwan, T. "MLA wants Alberta to regulate trampoline parks after man killed in B.C. accident", 26 Jan, 2018, *CBC News*, online: <https://www.cbc.ca/news/canada/edmonton/trampoline-park-regulations-needed-for-alberta-1.4504742>.

25 Mar RISKY EXPRESSION: ADVERTISING, MEDIA AND OTHER CASES

1. *Irwin Toy Ltd. V. Quebec (Attorney General)*, [1989] 1 S.C.R. 927, at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/443/index.do>. Read headnote. (PDF file in CU Learn.)

2. *Harper v Canada (Attorney General)*, [2004] 1 S.C.R. 827, 2004 SCC 33, at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2146/index.do>. Read headnote.

3. *R. v. Butler*, [1992] 1 S.C.R. 452 at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/844/index.do>. Read headnote.

4. *R. v. Keegstra*, [1990] 3 S.C.R. 697 at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/695/index.do>. Read headnote.

5. *Saskatchewan (Human Rights Commission) v. Whatcott*, 2013 SCC 11, [2013] 1 S.C.R. 467 at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/12876/index.do>. Read headnote.
6. *A.B. v Bragg Communications Inc.*, 2012 SCC 46, at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/10007/index.do>.
7. *R. v. Elliott*, 2016 ONCJ 35 at <http://www.canlii.org/en/on/oncj/doc/2016/2016oncj35/2016oncj35.pdf>. Read pages 1-6 and 55-57.

1 Apr CORPORATE LEGAL RISKS

A. Corporate Governance : Control/Under Common Control

1. *Buckerfield's Limited et al. v. M.N.R.*, [1964] C.T.C. 504, [1965] 1 Ex. C.R. 299, 64 D.T.C. 5301.
2. Stecklow, S., Dehghanpisheh, B. and Pomfret, J. "Exclusive: New documents link Huawei to suspected front companies in Iran, Syria". 8 January 2019, *Reuters*, online: <https://www.reuters.com/article/us-huawei-iran-exclusive-idUSKCN1P21MH>.

B. Compliance

1. *Tele-Mobile Co. v. Ontario*, [2008] 1 S.C.R. 305, 2008 SCC 12, at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/4620/1/document.do>. Read paras 1-16, 18, 19, 27-31, 40-46, and 50-70.

C. Shareholder Activism

1. *Trinity Wall Street v Wal-Mart Stores Inc*, United States Court of Appeals, Third Circuit, No. 14-4764. Decided: July 06, 2015 at <https://caselaw.findlaw.com/us-3rd-circuit/1706895.html>. Read sections I; II A, B, C; III C,D; and IV A and B.

8 Apr REVIEW OF COURSE

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>.

Pregnancy obligation

Please contact me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>.

Religious obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>.

Academic Accommodations for Students with Disabilities: If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (PMC) at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable). <https://carleton.ca/pmc>.

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/studentssupport/svpolicy/>.

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>.

ACADEMIC INTEGRITY & DEPARTMENT POLICIES**Plagiarism**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on

the Internet. Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

STATEMENT OF STUDENT CONDUCT ONLINE

All students are expected to contribute towards an engaging, inclusive, and safe learning environment. During all class-related activities, students are expected to engage in respectful and courteous communication. In accordance with the [Student Rights and Responsibilities Policy](#), [discrimination and harassment](#) will not be tolerated. It is a violation of course policy to cut and paste, screen shot, share course content, or post the words of your classmates or Instructor outside of class without permission. All work submitted in this course must be uniquely your own. When submitting assignments and/or completing exams, you are expected to articulate responses in your own words rather than cutting and pasting from course materials without permission, which is a form of plagiarism.

ADDITIONAL STUDENT SUPPORT

The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas.

Department Policy

Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations. <http://carleton.ca/law/current-students/>.