

Carleton University

Department of Law and Legal Studies

## Course Outline

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COURSE:	LAWS 2202B - Obligations
TERM:	FALL 2023
PREREQUISITES:	LAWS 1001 and LAWS 1002 (Formerly LAWS 1000)
CLASS:	Day & Time: Thursdays 6:05pm – 8:55pm Please check Carleton Central for current Class Schedule
INSTRUCTOR: (CONTRACT)	David Dwoskin
CONTACT:	Telephone: 613-857-7990
	Email: <a href="mailto:daviddwoskin@gmail.com">daviddwoskin@gmail.com</a> <a href="mailto:david.dwoskin@carleton.ca">david.dwoskin@carleton.ca</a>
	Office Hours – Before and following each class

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CALENDAR COURSE DESCRIPTION

The concepts employed by the law for creating and enforcing legal obligations between persons within society, including contract, tort, fiduciary obligation and restitution. Consideration is given to the role of persons and the role of the state in ordering private legal obligations.

COURSE DESCRIPTION

This course is an introduction to private law relationships and examines the common law relating to contracts, torts (civil wrongs), trust law, and the interaction of private law relationships and public law (statute law passed by governments).

The course reviews concepts employed by the law for creating and enforcing legal obligations between persons within society, including contract, tort, fiduciary obligation and restitution. Consideration is given to the role of persons and the equitable and legal role of the state in ordering private legal obligations.

REQUIRED TEXTS

Just Between the Law and Us - Obligations, second edition, Neil Sargent, Logan Atkinson Alberto Salazar, Captus Press. Available from the Carleton University Book Store and the Carleton Book Store online portal: <https://www.bkstr.com/carletonstore/home>

## EVALUATION

(All components must be completed in order to get a passing grade)

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.

20% - Class participation.

The mark out of 20 assesses participation in class discussion, and a record will be kept to keep track of participation. However, NO-ONE will receive less out of 20 than they did out of the remaining 80 marks, even if they don't participate, but those who attend class and are prepared to discuss the material may receive MORE than their average out of the remaining 80 marks.

40% - Assignment

Mid-term essay – to be posted on Brightspace October 12, 2023, due back in the Brightspace drop box November 9, 2023. Late penalty – 5% of your mark for each day late.

40% - Final exam

3 hour open book exam – to be scheduled during the final exam period – December 10-22, 2023;

## LATE PENALTIES AND REQUESTS FOR EXTENSIONS

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>.

**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).

**SCHEDULE**

<b>Reading</b>	<b>Date</b>	<b>Lecture topic</b>
Chapter 1 (a-e)	Sept. 7	Legal Categories, Contracts
Chapter 1 (f-j)	Sept. 14	Legal Categories, Contracts
Chapter 2	Sept. 21	Judicial and legislative intervention
Chapter 3	Sept. 28	Nonperformance
Chapter 4	Oct. 5	Tort Law, Proximity
Chapters 5(a-e)	Oct. 12	Foundations of liability Assignment posted
Chapter 5 (f-j)	Oct. 19	Foundations of liability
<b>October 23-27</b>	<b>FALL BREAK – NO CLASSES</b>	
Chapter 6 (a-d)	Nov. 2	Public/Private Law distinction
Chapter 6 (e-i)	Nov. 9	Public/Private distinction
Chapter 7	Nov. 16	Compensation in Tort Law Assignment due
Chapter 8 (a-d)	Nov. 23	Fiduciary relationships
Chapter 8 (e-g)	Nov. 30	Fiduciary relationships
	Dec. 7	REVIEW CLASS
	<b>Dec. 10-22</b>	<b>FORMALLY SCHEDULED EXAM PERIOD</b>

**DEPARTMENT POLICIES AND REGULATIONS**

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

**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/>

**ACADEMIC ACCOMMODATIONS**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy 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 accommodation regarding a formally scheduled final exam, you must complete the Pregnancy Accommodation Form: <https://carleton.ca/equity/contact/form-pregnancy-accommodation/>

**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, you can find the link here: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>

### **Academic Accommodations for Students with Disabilities**

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto: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 to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally scheduled exam (if applicable). To find more information about the PMC, please visit: <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/sexual-violence-support-services>

### **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://carleton.ca/equity/accommodation/academic/>