# **Carleton University**

# Department of Law and Legal Studies

#### **Course Outline**

Course: LAWS 1002A – Introduction to Legal

Studies 2

Term: Fall 2022

Prerequisites: Not required

Class: Day & Friday, 11:35 to 1:25pm

Time:

**Room:** Southam Hall, Kailash Mital Theatre

SA

Instructor: Sam Schwisberg

Contact: Office Hrs: By appointment via cell phone with the

option of using Facetime or Zoom as agreed

by the student and professor

Telephone: 613-262-2951 (cell)

Email: SamSchwisberg@Cunet.Carleton.ca

## CALENDAR COURSE DESCRIPTION

Introduction to legal rules and theoretical approaches for critically understanding the creation, interpretation and enforcement of those rules; the role of judges, juries, lawyers and lay persons; adjudication and alternative dispute resolution; relationship of law with social change and justice; challenges of access to justice.

## **LEARNING OBJECTIVES**

1. Develop knowledge of basic legal rules and processes

- 2. Develop an understanding of the roles of key players in the legal system
- 3. Critically review some of these rules, processes, and roles through the lens of social justice
- 4. Consider the ability of the legal system to adapt to technological and social change

#### **REQUIRED TEXTS**

Tasson, Bromwich, Dickson, Kazmierski, Appel Kuzmarov, Malette, Ozsu, Introduction to Legal Studies: Processes and Power, volume 2, 1st edition (Concord, Ontario, Captus Press Inc., 2019) (referred to as "Introduction" in the schedule below)

Wright, Kazmierski, Appel Kuzmarov, Bromwich, <u>Looking at Law: Canada's Legal System</u>, (Toronto, 7<sup>th</sup> edition, LexisNexis, 2019) (*referred to as "Looking" in the schedule below*)

Both may be purchased through the Carleton University Bookstore website: <a href="https://www.bkstr.com/carletonstore/home">https://www.bkstr.com/carletonstore/home</a>)

### **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.

Discussion Group Participation	15%
One Written Assignment	25%
One Mid Term Examination (multiple choice)	30%
One Final Examination (multiple choice)	30%

## **Break Out Participation Groups**

There will be breakout sessions following 4 of the lectures. These are indicated in the Schedule below. Each of these lectures will have a duration of one hour or less to permit staggered discussion group sessions of 40

minutes during the remainder of the time allocated for the lecture. Students need only attend 3 out of 4 and each session which will be graded out of 5 for a total of 15%. A student may attend all 4 in which case the student's lowest grade out of the 4 sessions will be dropped.

#### 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: <a href="https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf">https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf</a>.

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 OF LECTURES AND DISCUSSION GROUPS

<u>SEPT 9 - LECTURE 1 - INTRODUCTION (This session will introduce the course and revisit key themes in Introduction to Legal Studies 1)</u>

<u>Readings</u>: Slides and Notes posted in Brightspace under Lecture 1. No assigned readings in texts.

# SEPT. 16 – LECTURE 2 – WHAT IS A CRIME?

**Readings:** Slides and Notes posted on Brightspace under Lecture 2

"Looking", pages 74-79 and 117-118

"Introduction" - Article 1c (pages10-19)

### <u>SEPT 23 - LECTURE 3 - THE CRIMINAL LAW PROCESS</u>

**Readings:** Slides and Notes posted on Brightspace under Lecture 3

"Looking", pages 99-107 and 62-70

"Introduction", articles 2 (a), (b) and (c) (pages 26-40)

<u>SEPT 23 – FIRST DISCUSSION GROUP (5%)</u> Group and topics to be assigned beforehand.

### SEPT 30 - LECTURE 4 - 1) CONTRACTS and 2)TORTS

<u>Readings - Contracts</u>: Slides and Notes posted on Brightspace under Lecture 4

"Looking" pages 88-91

"Introduction:" items 3 (b) and (c) (pages 66-73)

Readings - Torts: Slides and Notes posted on Brightspace under Lecture 4

"Looking", pages 85-88

"Introduction", items 4 (a) and (b), pages 78-85

# OCT 7 - LECTURE 5 - FAMILY LAW

**Readings**: Slides and Notes posted on Brightspace

"Looking", pages 94-97 and 173-187

"Introduction", item 4 (c), (pages 68-89,) item 5(b), (pages 99-105) and item 7(c) (pages 145-153)

# OCT 14 – LECTURE 6 – 1) PROPERTY 2) LITIGATION AND ALTERNATIVE DISPUTE RESOLUTION

**Property - Readings:** Slides and Notes posted on Brightspace

"Looking", pages 91-94

"Introduction", item 3 (a) (pages 63-66) and re-read item 1(c) (pages 10-19)

Litigation and ADR - Readings: Slides and Notes posted on Brightspace

"Looking", pages 108-137

"Introduction", item 7 (a) (pages 132-136)

OCT 14 – SECOND DISCUSSION GROUP (5%) Group and topics to be assigned beforehand.

## **OCT 21 – RESERVED FOR MIDTERM EXAMINATION**

## OCT 28 - NO CLASS - FALL BREAK

# NOV 4 - LECTURE 7 - 1) ACCESS TO JUSTICE 2) LAW AND THE PANDEMIC

# Access to Justice - Readings:

Slides and Notes posted on Brightspace

"Looking", pages 139-141

"Introduction", Items, 9 (a) and (b), pages 175-189, items 10(a) and (b), pages 194-202, and item 10(d) (pages 211-213)

## Law and the Pandemic - Readings: -

Slides and Notes and material posted on Brightspace

# **NOV 11- LECTURE 8 - POLICE, LAWYERS AND JUDGES**

**Readings:** Slides and Notes posted on CU Learn

"Looking", pages 141-147 and 152-154

"Introduction", item 11 (a), pages 218—226, 13(b), pages 280-283 and 14 (b), (pages 311-319)

**NOV 11 – THIRD DISCUSSION GROUP (5%)** Group and topics to be assigned beforehand.

# NOV 18 - LECTURE 9 - 1) THE JURY 2) THE LEGAL SYSTEM AND THE MEDIA

The Jury - Readings: Slides and Notes posted on Brightspace

"Looking", pages 148-150

"Introduction", items 12 (a), (b), (c), (d) and (e) (pages 241-277)

<u>The legal System and the Media - Readings</u>: Slides and Notes posted on Brightspace

"Introduction", item 13 (c), pages 283-287

# **NOV 25 - LECTURE 10 - BUSINESS LAW**

Readings: Slides, material and Notes posted on Brightspace

#### **DEC 2 – LECTURE 11 – REVIEW**

**DEC 2 – FOURTH AND FINAL DISCUSSION GROUP (5%)** Group and topics to be assigned beforehand.

### **ACADEMIC ACCOMMODATIONS**

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

### **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): <a href="https://carleton.ca/equity/">https://carleton.ca/equity/</a>

# 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): <a href="https://carleton.ca/equity/">https://carleton.ca/equity/</a>

# **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 <a href="mailto:pmc@carleton.ca">pmc@carleton.ca</a>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) <a href="https://carleton.ca/pmc">https://carleton.ca/pmc</a>

## **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: <a href="https://carleton.ca/registrar/academic-integrity/">https://carleton.ca/registrar/academic-integrity/</a>

## **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: <a href="https://carleton.ca/studentsupport/svpolicy/">https://carleton.ca/studentsupport/svpolicy/</a>

# **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. <a href="https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf">https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf</a>

For more information on academic accommodation, please contact the departmental administrator or

visit: https://students.carleton.ca/services/accommodation/

### **Department Policy**

The 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: <a href="https://carleton.ca/law/current-students/">https://carleton.ca/law/current-students/</a>

### **COVID Update**

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are a number of actions you can take to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

**Feeling sick?** Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you must follow Carleton's <u>symptom reporting protocols</u>.

**Masks:** Carleton has paused the <u>COVID-19 Mask Policy</u>, but continues to strongly recommend masking when indoors, particularly if physical distancing cannot be maintained. It may become necessary to quickly reinstate the mask requirement if pandemic circumstances were to change.

**Vaccines:** Further, while proof of vaccination is no longer required as of May 1 to attend campus or in-person activity, it may become necessary for the University to bring back proof of vaccination requirements on short

notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible, and submit their booster dose information in <a href="cuScreen">cuScreen</a> as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the <a href="University's COVID-19">University's COVID-19</a> website and review the <a href="Frequently Asked Questions">Frequently Asked Questions</a> (FAQs). Should you have additional questions after reviewing, please contact <a href="covidinfo@carleton.ca">covidinfo@carleton.ca</a>.