
COURSE:		LAWS 2202B – OBLIGATIONS
TERM:		FALL 2020
PREREQUISITES:		LAWS 1001 and LAWS 1002
CLASS:	Day & Time: Room:	Please check Carleton Central for the current Class Schedule. All Courses in the Fall 2020 term are offered online. Lectures in this course will be delivered using a hybrid format. This means there will be pre-recorded lecture videos for you to watch each week. In addition, we will have “live” lectures each week, via Microsoft Teams or Zoom during our regularly scheduled class time. (see below for more information).
INSTRUCTOR:		Ksenia Polonskaya
CONTACT:	Office: Office Hrs: Telephone: Email:	N/A I will hold office hours each Thursday from 4:20 pm to 5:20 pm, and each Friday from 10 am to 11 am. You can sign up for your time slot online via CULearn; I will add additional time slots after the release of your marks for the mid-term, and before an exam in case you want to ask some questions. N/A ksenia.polonskaya@carleton.ca

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. Precludes additional credit for LAWS 2003 (no longer offered).

Lectures three hours a week.

COURSE DESCRIPTION

This course examines some aspects of theory and practice that pertain to legal obligations. In particular, it will focus on contracts, torts, unjust enrichment, and fiduciary duties. Typically, in

Canadian law schools, students will spend at least a term studying each of these areas of law separately. They are also likely to take some specialized courses to delve deeper into the subject matter. Given the time constraints, this course will provide **a sketch** of legal obligations to cover the foundations rather than a full detailed picture.

Accordingly, this course examines specific selected topics on legal obligations to familiarize you with the role of a state and individuals in private legal ordering. For example, in discussing contracts, we will consider differences between contracts and promises; discuss the conditions for the formation of contracts. In broad strokes, we will talk about the mechanisms that common law employs to protect the weaker parties; examine illegal and immoral contracts as well as public policy exceptions in contract law.

Similarly, our discussion of torts will cover only foundations. In studying torts, we will focus on the value of tort law in society, its administrative costs, and its perceived benefits. We will examine some aspects of tort liability; zoom in on negligence to understand its significance in the context of tort law in Canada. We will also examine some aspects of compensation in tort law. The topics on unjust enrichment and fiduciary relationships will be covered. For example, we will explore what relationships can be characterized as fiduciary relationships, and why as well as what legal implications can arise from such determination. With respect to unjust enrichment, we will talk about its role and limits as well as discuss the instrumental role of trust in addressing unjust enrichment. Of course, this only will be at a glance overview of these subject-matters.

Please note that throughout our course, I will draw your attention to gender and racial bias that law can advance and perpetuate. Often there is a presumption that private law is not tainted by such concerns; I hope this course will show you otherwise. The goal of this course is to ensure that you are familiar with foundations. By the end of this course, the expectation is that you can employ case-method to think about the law of obligations, understand and rationalize the application of certain legal rules that pertain to the areas of legal obligations to the extent we covered them. You should also develop an ability to analyze judicial decisions critically.

COURSE LECTURES

Please note that this Fall, our course will run in a hybrid format. It means that you will have access to the pre-recorded sessions available on-demand and the "live" component of the course. You are expected to review the pre-recorded lectures before each class. Each pre-recorded lecture will take you no longer than 1 hour 10 minutes to watch. Some pre-recorded may be longer than others, depending on the topic.

For the “live” component, we will meet each Thursday from 2:30 pm to 4:10 pm. Our session will run for 1:40 min. These “live” sessions normally will be administered via

Microsoft Teams or Zoom.* I will post further particulars on CULearn and provide the link for our first-class no later than September 7. During the "live" session, we will focus on:

1. A brief recap of the key points of the pre-recorded lecture, you will have a chance to ask questions during the Q&A session.
2. After the recap, we will turn to the in-class materials, such as case studies, scholarly works, and policy issues.
3. You will proceed to the break-out rooms to complete the reflective activity by the end of the class. You will complete this activity as a group. All materials for the reflective activity will be provided to you at the live session of the class. You must submit an activity as a group **by the end of each "live" component of our class (4:10 pm) on the same day** to get the mark.

For further particulars, please review the section on evaluation, the schedule, and the section that explains some aspects of course delivery online this Fall term.

KEY LEARNING OBJECTIVES:

By the end of the course, students should develop the ability to:

- Critically analyze the key theoretical arguments in the field of legal obligations.
- Understand, summarize, and analyze relevant case-law.
- Analyze legal issues through the application of the case-method.
- Evaluate relevant case-law in the socio-legal context.
- Conceptualize and critique the role of courts in private ordering.

REQUIRED TEXTS

For the Fall section of this course, the following textbook is mandatory:

Neil Sargent, Alberto Salazar & Logan Atkinson, *Just Between Law and Us: Obligations* (2nd ed) (Captus Press, 2017)

- This book is available for purchase in the University Bookstore. Please get in touch with the Bookstore as early as possible to allow for the timely delivery of the textbook. Given COVID-19, the delays are possible. You can order the text online via the Bookstore website: <https://www.bkstr.com/carletonstore/home>

In addition, the schedule specifies additional mandatory reading and video/audio materials. These materials are accessible online: via the Carleton library online search database, free of

* Please ensure that your software is compatible with Zoom and Microsoft Teams. Please contact IT if you experience any technical problems.

charge on the websites as specified. You are expected to review all materials in the section "Mandatory Readings & Materials" (see the schedule) prior to each class.

Useful Websites:

CanLII (provides free access to Canadian cases, commentaries, and legislation)	https://www.canlii.org/en/
SSRN (free access to scholarly papers and commentaries)	https://www.ssrn.com/index.cfm/en/
British and Irish Legal Information Institute (useful for a case and commentary search)	https://www.bailii.org/
The Website of the Supreme Court of Canada	https://www.scc-csc.ca/case-dossier/index-eng.aspx
Conflict of Laws (useful for anyone interested in comparative/ international private law perspectives)	https://conflictoflaws.net/
International Institute for Unification of Private Law (UNIDROIT)	https://www.unidroit.org/contracts

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.

Please review the paper by Professor Allison Christians, "[Really Basic Rules for Writing Good Papers in Law School](#)" (2020), before you begin working on your writing assignments. Professor Christians discusses papers. However, I find that her advice is very useful for any type of writing. You can access this paper at SSRN.

Component	Value	Deadlines	Comments
In-class participation	10%	By the end of the "live" component of the lecture (on the same day)	To receive full participation marks, you will need to participate in the reflective activities throughout the term. Each reflective activity is valued at 1%, except for two reflective activities that are scheduled for classes 10 and 11 (on fiduciary duties); these

			<p>reflective activities will be valued at 0.5% each.</p> <p>The evaluation for these activities occurs on a pass/fail basis. Note, however, you will need to provide a thoughtful answer to get your mark. Please note that "yes/no" answers or answers that do not respond to the question will not be given marks.</p> <p>Each reflective activity requires a <u>written submission</u>. The submissions for these reflective activities are due by the end of the "live" component of the lecture on the same day.</p> <p>Submission: You must submit the activities via CULearn. Please remember that you must complete all reflective activities in groups. For this purpose, from the outset of your break-out room session, designate one person who will keep the record of all the participants in your group.</p> <p>Formatting: Please use Times New Roman, double-spaced. Your submission generally should not exceed 1-2 pages, depending on the assignment. The schedule specifies further particulars on reflective activities. You will receive detailed instructions on how to complete each reflective activity during a "live" component of each class.</p>
Forum Posts	10%	Any time by 1 Dec 2020 (inclusive)	<p>Some pre-recorded lectures will invite you to answer specific questions. I will create the online forums for you to post your answers. You can complete these questions any time before the end of the term. Each forum post in response to the questions is valued at 1%. The total number of questions will not exceed ten throughout the term.</p> <p>To get the mark, you will need to provide a</p>

			thoughtful answer. Please note that "yes/no" answers or answers that do not respond to the question will not be given marks.
Quizzes	20%	Any time by the end of the term by 10 Dec 2020 (inclusive)	<p>You can complete the quizzes via CULearn. Please note that quizzes are an open book, and you can use any materials you have. Each quiz is valued at 4%. Each quiz will include 5 questions.</p> <p>However, you must complete them individually. I will only count your 5 best attempts out of 8. As noted above, there is no extension policy for the quizzes!</p>
Assignment 1: case-brief +comment, 1 short theoretical question	30%	22 Oct 2020	<p>Assignment 1 must be submitted via CuLearn. Assignment 1 should not exceed 2000 words (including footnotes) and should not be less than 1000 words. Your Assignment 1 includes two components: (1) a case-brief, and (2) an answer to a theoretical question.</p> <p>1. Case-brief. Please follow the FIRAC method for your brief; include the section "comment" at the end of the brief. In the comment, you should provide your critical perspective on the case, link it to the theoretical perspectives we already covered in the course, and explain whether the court, in your view, arrived at an appropriate decision in the circumstances. You can also imagine what decisions you would make if you adjudicated this case. You will not need to conduct outside research to complete this assignment. The materials in this course are sufficient.</p> <p>2. Answer to the theoretical question. Your assignment 1 will require you to answer one theoretical question.</p>

			<p>Please see the marking rubric for this assignment to understand the grading criteria.</p> <p>Formatting: Please use 12 Times New Roman, double- spaced; submit your assignment in the doc/docx format.</p> <p>Citations: in the case brief, you can cite the case once, and provide paragraphs from the judicial decision as appropriate. Please refer to the Academic Integrity Policy of the University.</p>
Assignment 2: Take-Home Exam (72 hours)	30%	The Assignment 2 is a formally scheduled take-home examination. The details will be available after the request to Examination Services is made by our administrative staff for information about the final examinations.	<p>The exam will include 1 theoretical question, 2 small case-patterns, 2 questions about cases that we covered in this course.</p> <p>Citations: please refer to the Academic Integrity Policy of the University</p>

ONLINE SUBMISSIONS

You must make all submissions via the CuLearn platform by the deadline indicated above unless you obtained an extension. All the marking and feedback will be delivered via CuLearn as well. **Please, keep copies of your assignments until you receive your final grade.** I will post the grading rubric for assignment 1 no later than 9 September 2020. You will also obtain the guidelines for the take-home exam after the Fall break. You will receive a detailed explanation of how to complete each reflective activity during the "live" components of our course as appropriate.

EXTENSIONS AND LATE SUBMISSIONS

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). Please note that this extension policy does not apply to quizzes. You will have the whole term to complete five quizzes. They are in place to ensure that you complete the mandatory readings.

Note on mandatory readings: generally, your mandatory readings do not exceed 40 pages per class. For some classes, you will be required to read significantly less than for others to manage the materials successfully. I expect you to review the pre-recorded materials and complete the mandatory readings prior to each class.

The mandatory readings are absolutely essential at this stage of your education for three reasons. First, you need to develop a good grasp of some basic concepts in the law of obligations. They are foundational for other law courses you might want to take in the future. Second, you need to learn how to think through the case-method. It is only possible if you read and analyze cases. My pre-recorded materials will be helpful for you to provide the structure; they, however, cannot substitute for the readings. Third, cases are essential. However, you also will have to read relevant scholarly commentaries to understand how the cases fit in the broader context. As you will see, the courts themselves rely on the scholarly works, including those of Prof Waddams, McKendrick, Ben-Ishai, VanDuzer, and others. Accordingly, when I ask you to review a particular scholarly work, please do not dismiss it as the mere legal theory that has no practical application; instead, try to think about theories as your toolkit for resolution of practical problems in our legal system.

Please note that some mandatory readings include online links so by clicking you can easily access a particular case or paper. However, other mandatory readings do not embed such links. This is a deliberate choice. The reason for it is that I would like you to learn how to navigate the search system, and how to work with the library database to successfully access the source. Our time demands you to develop an ability and flexibility to navigate the databases (including but not limited to the library databases) to be successful in your chosen career.

Class	Date	Pre-Recorded Component: Topics	“Live” Component: Topics†	Mandatory Readings & Materials
1	10 Sept 2020	<ul style="list-style-type: none"> • Introduction to the Course • Setting Expectations: How to Succeed in this Course? • Nature of Contracts • Contracts and Promises • Theories of Contract Law • Freedom of Contract: Christie v York 	<ul style="list-style-type: none"> • Introduction: overview+ Q&A • Recap: differences between contracts and promises; contracts as bargains • Case-Studies: <i>Re Drummond Wren, Noble and Wolf v Alley et al</i> [1951] SCR 64 • Reflective activity: discuss the article by Eric Adams, “Errors of Fact and Law: Race, Space, and Hockey in Christie v. York”; answer the questions. Do not forget to submit your reflective activity via CULearn by the end of the class. Please submit only one reflection per group. 	<p>Textbook: pp.1-7</p> <p>Roscoe Pound, “Liberty of Contract” (1909) 18:7 Yale L J The Yale L Jrl pp. 454-469 (available online via Carleton library system)</p> <p>Eric Adams, “Errors of Fact and Law: Race, Space, and Hockey in Christie v. York” (2012) 62 UTLJ 463-477, 484-488, 495-499.</p>
2	17 Sept 2020	<ul style="list-style-type: none"> • Offer and Invitation to Treat; Communication of Offer • Acceptance and Communication of Acceptance; Instantaneous Methods of Communication • Consideration • Formalities 	<ul style="list-style-type: none"> • Recap: offer, acceptance, consideration model; • Case-studies: <i>Carlill v Carbolic Smoke Ball</i> (available in your textbook); Goldthorpe v Logan; Leonard v PepsiCo; • Reflective activity: in groups, please draft “a roommate contract”. Please pay attention to the elements of the contract, its terms and think about challenges of enforcement that may arise. Do not forget to submit your reflective activity via CULearn by the end of the class. Please submit only one contract per group. 	<p>Textbook: pp.10-13,19-20,</p> <p>Bayern Shawn, “Offer and Acceptance in Modern Contract Law: A Needles Concept” (2015) 103 Calif L Rev 67, pp. 67-92 (available online via Carleton library system)</p>

† Please note that the cases indicated in this subsection are not mandatory for you to read unless indicated otherwise in the section Mandatory Readings & Materials. I will provide detailed case break-down during the “live” component of our class. You can, however, look it up if you are interested in a particular case. Also, be aware that I can change/add certain cases and materials for the “live” components of our class. These changes will not impact your mandatory readings in any way.

3	24 Sept 2020	<ul style="list-style-type: none"> • Uncertainty of Terms • Contracts against Public Policy • Illegal Contracts 	<ul style="list-style-type: none"> • Recap: public policy as “unruly horse”; “heads” of public policy; • Case-study: <i>Sabean v Portage La Prairie Mutual Insurance Co</i>; <i>Douez v Facebook, Inc</i> • Reflective activity: Please answer questions on public policy and contractual terms in groups. As a group, submit your reflective activity via CULearn by the end of the class. 	<p>Douez v. Facebook [2017] 1 SCR 751; for majority: paras.1-9; 45-50; 51-63; 97-100; 105,110-112; For dissent: paras.146-148;(on public policy)</p> <p>Sabean v. Portage La Prairie Mutual Insurance Co [2017] 1 SCR 121 (on terms)</p>
4	1 Oct 2020	<ul style="list-style-type: none"> • Protection of Weaker Parties in Common Law: General Overview • “Unfair Contracts”: Does Common Law Care? • Duress • Undue Influence • Unconscionability • Incapacity 	<ul style="list-style-type: none"> • Recap: protection of weaker parties (duress, undue influence, incapacity, unconscionability). Note: the “live” component will focus mostly on unconscionability and inequality of bargaining power in the context of <i>Uber v Heller</i>. • Case-study: <i>Uber v Heller</i> (+ watching the arguments in class); Pirie Estate v. Bank of Nova Scotia [2015] NBQB 4 para.1-41 • Reflective activity: please discuss the questions on the protection of weaker parties and provide your answers. As a group, submit your reflective activity via CULearn by the end of the class. 	<p>Uber Technologies Inc. v Heller paras.47-92 (on unconscionability) + see this link for the summary of facts</p> <p>Andrea Slane, “There Is a There There: Forum Selection Clauses, Consumer Protection and the QuasiConstitutional Right to Privacy in Douez v. Facebook” (2019) 88 The Supreme Court LR 87</p>
5	8 Oct 2020	<ul style="list-style-type: none"> • Remedies in Contract Law: General Overview • Damages in Focus 	<ul style="list-style-type: none"> • Recap: remedies in contract law; types of damages • Case-studies: <i>Hadley v Baxendale</i>, <i>Fiddler v Sun Life Insurance</i> (available in your textbook) 	<p>Textbook: pp.68-79</p> <p>Stephen Waddams, “Developments in Foreseeability and Remoteness: The Limits of Contract Damages”, available</p>

			<ul style="list-style-type: none"> • Analyzing theory: F. Faust, “Hadley v. Baxendale – an Understandable Miscarriage of Justice,” (1994) 15 J of Legal History 41. • Reflective activity: resolve fact-patterns in groups. As a group, submit your reflective activity via CULearn by the end of the class. 	via SSRN “Grinding at the Mill: Putting Limits on Agreements” in Allan Hutchinson, <i>Is Eating People Wrong?: Great Legal Cases and How they Shaped the World</i> (Cambridge University Press, 2010)‡
6	15 Oct 2020	<ul style="list-style-type: none"> • Tort Law and its Functions in Society: Overview • Tort Law and Legal Theory • Classification of Torts • Concurrent Liability in Contract and Tort • Intentional Torts 	<ul style="list-style-type: none"> • Recap: tort law and its functions; the types of torts; relationships of torts & contracts • Analyzing Theory: Scott Hershovitz, “Harry Potter and the Trouble with Tort Theory” (2011) 63:1 Stan L Rev 93; Martha Chamallas, “The Architecture of Bias: Deep Structures in Tort Law” (1998) 146 University of Penn Law Rev 463. Kate Sutherland, “Precedent, Principle, and Pragmatism: Justice Wilson and the Expansion of Canadian Tort Law” (2008) The Supreme Court Law Review 41. • Reflective activity: please answer two questions and resolve one short fact-pattern in groups. As a group, submit your reflective activity via CULearn by the end of the class. 	Textbook: pp.82-101, pp.185-188; In “Defense of Tort” in Andrew Burrows, <i>Understanding the Law of Obligations: Essays on Contract, Tort, and Restitution</i> (Hart Publishing, 1998), available online via Carleton library.
7	22 Oct 2020	<ul style="list-style-type: none"> • Negligence and its Elements: Overview 	<ul style="list-style-type: none"> • Recap: negligence and its elements, degrees of negligence 	Textbook: pp.106-114, 164-185, 188-190

‡ Please note that I already contacted the library about this text. The librarians are currently in the process of making this text available to you in digitized format.

			<ul style="list-style-type: none"> • Zoom in: Who is a reasonable person? Am I a reasonable person? • Case studies: <i>Kauffman v TTC</i> (available in your textbook); White v Turner (specialized standard of care for professionals); • Be Careful! Hot Coffee! <i>Liebeck v. McDonald's Restaurants</i>, online:< https://ed.ted.com/best_of_web/noVRnZ7N> • Reflective activity: resolve two short fact patterns in groups, submit your answers via CuLearn. The fact patterns will be provided at the session. 	<p>Please watch: The Paisley Snail: Donoghue v. Stevenson</p>
8	5 Nov 2020	<ul style="list-style-type: none"> • Remedies in Tort Law: General Overview • Damages: Foundational Concepts in Tort Law 	<ul style="list-style-type: none"> • Recap: compensation in tort law • Analyzing theory: John Goldberg, "Two Conceptions of Tort Damages: Fair v Full Compensation"; Gender bias in assessment of damages; • Reflective activity: please discuss the questions provided at the session, reflect on your answers in your groups. As a group, submit your reflective activity via CULearn by the end of the class. 	<p>Textbook:pp.190-211</p> <p><i>Steinebach v O'Brien</i>, 2011 BCCA 302 paras. 1-5; para.25 ; paras.30-32; 33-77.</p> <p>Note : please pay particular attention to the assessment of damages by the court in <i>Steinebach</i></p>
9	12 Nov 2020	<ul style="list-style-type: none"> • The Role and Limits of Unjust Enrichment at Common Law • The Role of Trusts in Addressing Unjust Enrichment 	<ul style="list-style-type: none"> • Recap: unjust enrichment, its role and limits; • Case studies: <i>Murdoch v Murdoch</i>, <i>Rathwell v Rathwell</i>, <i>Pettkus v Becker</i>, <i>Kerr v Baranow</i> (available in your textbook) • Analyzing theory: S Waddams, "Contract and Unjust Enrichment: 	<p>Peter Jaffey, "Contract, Unjust Enrichment and Restitution: The Significance of Classification" in Paula Giliker (ed), <i>Re-examining</i></p>

		<ul style="list-style-type: none"> Feminist Perspectives on Unjust Enrichment 	<p>Competing Categories or Complementary Concepts?" in C. Rickett and R Grantham (eds) Structure and Justification in Private Law: Essays for Peter Birks (Hart 2007) 167-183.</p> <ul style="list-style-type: none"> Reflective activity: please review once again your notes on <i>Murdoch v Murdoch</i> and answer the questions provided at the session. As a group, submit your reflective activity via CULearn by the end of the class. 	<p><i>Contract and Unjust Enrichment: Anglo-Canadian Perspectives</i> (Brill, 2007) available online via Carleton library.</p>
10	19 Nov 2020	<ul style="list-style-type: none"> Fiduciary Relationships: Key Aspects The Role of Fiduciary Obligation in Common Law 	<ul style="list-style-type: none"> Recap: fiduciary relationships; fiduciary obligation, its nature and limits; the role of fiduciary obligation in common law Case-study: <i>Canada Aero v O'Malley, Lac Minerals v International Corona Resources</i> (available in your textbook) <p>Reflective activity: please review the facts of <i>Frame v Smith</i>. Discuss the facts in the groups, and think about the nature of parties' relationships. Answer the questions provided during the session. As a group, submit your reflective activity via CULearn by the end of the class.</p>	<p>Textbook: pp.215-228, 235-242</p> <p>Ernest Wienrib, "The Fiduciary Obligation" (1975) 25:1 UTLJ pp. 1-22; available online via Carleton library.</p>
11	26 Nov 2020	<ul style="list-style-type: none"> Fiduciary Obligations in Corporate Law 	<ul style="list-style-type: none"> Recap: overview of fiduciary obligations in the context of <i>BCE</i>; Case-Study: BCE v 1976 Debentureholders Reflective activity: please review Answer the questions provided during the session on the paper by Antony Van Duzer. As a group, submit your reflective activity via CULearn by the end of the class. 	<p>BCE v 1976 Debentureholders paras.36-42</p> <p>Martin Gelter and Geneviève Helleringer, "Constituency Directors and Corporate Fiduciary</p>

				<p>Duties” in A Gold & P Miller (eds), <i>Philosophical Foundations of Fiduciary Law</i> (OUP, 2014), only section 4; available online via Carleton library.</p> <p>Antony Van Duzer, “Debentureholders: The Supreme Court’s Hits and Misses in Its Most Important Corporate Law Decision since Peoples” (2010) 43 UBC L Rev 205, pp.205-210, 212-214, 234-241.</p>
12	3 Dec 2020	<ul style="list-style-type: none"> The Role of Comparative Law in Private Law: Obligations in Focus 	<ul style="list-style-type: none"> Recap: the role of comparative law analysis in private law Analyzing theory: why does comparative private law matter? <p>Guest-Lecture: to be confirmed</p>	<p>Hugh Collins, “Methods and Aims of Comparative Contract Law” (1991) 11:3 Oxford Journal of Legal Studies, pp. 396–406.</p> <p>Andrew Burrows, “The Influence of Comparative Law on the English Law of Obligations” in Andrew Robertson, Michael Tilbury (eds), <i>The Common Law of Obligations: Divergence and</i></p>

				<i>Unity</i> (Bloomsbury, 2016) available online via Carleton library and via SSRN
13	10 Dec 2020		<ul style="list-style-type: none"> • General overview • What to expect: take-home exam • Q&A 	Review your notes and prepare questions

IMPORTANT POINTS ON COURSE DELIVERY: TEACHING AND COVID-19

COVID-19 significantly disrupted our lives in 2020 so we cannot pretend that the Fall term will be business as usual. Accordingly, teaching and learning will require us to adjust the process as we proceed in this course.

My goal is for you to succeed and feel comfortable engaging with the materials as well as your peers throughout the term. Please be patient, understanding, and polite to everyone around you as we make our way through this course.

I will do my best to ensure smooth and structured course delivery throughout the term. To achieve this goal, I will need you to keep in mind the following features of the course this term, and certain basic points of order.

Structure of our “live” sessions: our live sessions will run for approximately 1 hour 40 minutes. During the sessions, we will do a short “recap” of the pre-recorded course materials and some essential aspects of readings (**15 minutes**). After the recap, I will provide you with an opportunity to ask questions, or I will answer your questions that you can post in the chat (**5-10 min**). One of TAs will monitor the chat during the “live” session.

Next, I will introduce new in-class materials such as policy questions/ a theoretical concept, and/or cases. I will explain the significance of this material, its relevance, and delve into some details to enhance your understanding of the issues that pertain to the subject-matter of our lecture (**25 min**). Please note that this will be **ZOOM IN** for the material covered in the pre-recorded lectures. Please note that **I DO NOT** intend to **REPEAT** the same content. The goals of our live session are (1) to delve into more details, (2) to engage with the materials critically, and (3) to consider related additional materials not fully covered in the pre-recorded lectures. After this, you will have an opportunity to ask questions (**5-10 min**).

Finally, I will introduce a reflective activity for the class and will assign you to the break-out rooms (**35-40 min**). The reflective activities are short in-class assignments. For example, you

may be asked to draft a roommate contract, resolve a case-pattern, discuss and answer some policy and/or theoretical questions in groups. Some reflective activities may require you to read a short scholarly work (no more than 6 pages) and answer questions about this work as a group.

Please note that I will evaluate these activities on the basis of your effort i.e. as pass/fail only. You will obtain a pass so far as you provide a thoughtful answer. I will not mark the activity as “completed” if you do not provide a substantive answer. For example, if you answer “yes” or “no” to the question without providing the necessary explanation. You will complete all reflective activities as a group. Your TAs and I will be monitoring the process and facilitating the discussion whenever appropriate. When you complete the activity, please submit it via CuLearn and indicate the first and last names of each person who participated in the group. Please note that I accept only one submission per group so from the outset designate, a person who will keep track of your deliberations and will be in charge of making your written submission.

- **Points of Order.** For “live” session of the class to run smoothly please follow these rules:
 - Please raise your hand virtually to ask a question, or make an intervention. You can also ask your questions in the chat at any time during the session. One of the TAs will monitor the chat during our session.
 - Be polite and considerate in all circumstances, particularly in all your written and oral communications with your peers, TAs, and myself.
 - Do not panic if our online session discontinues, please use the link provided to you to rejoin the session. In the circumstances, if you cannot rejoin the session, get in touch with the TA immediately so we can troubleshoot. Online disruptions such as Zoom bombing and alike are possible. The TAs and I will try to resolve a problem accordingly. If it is impossible to resume the session due to a major disruption, I will record and post "live" lecture materials online and create additional online forums so you can still complete a reflective activity individually by posting your answers to the questions.
- **Etiquette:** Please be polite in all of your written and oral communications with me, your TAs, and your peers.
- **Emails:** please get in touch with me and your TAs via CuLearn. The timeframe for the reply is 48 hours. If I and/or your TAs did not get back to you within this timeframe, you could resend your inquiry.
- **Questions on assignments:** I will create a special forum on CuLearn to post questions about your assignments. I or your TAs CANNOT advise you on the

substance of the assignments. However, we will be happy to answer any procedural questions. Yet prior to sending your question, please review this syllabus carefully. It is quite comprehensive and already may contain an answer to your question.

- **Office hours:** I encourage you very much to book a time slot to attend my office hours. The time slots will be for 15 minutes only. If you require more time, please let me know, and we will book a longer session.
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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>

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/>

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/>

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: <https://carleton.ca/law/current-students/>