

Course Outline

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<b>COURSE:</b>	<b>LAWS 3003B – Contracts</b>
<b>TERM:</b>	<b>WINTER 2022</b>
<b>PREREQUISITES:</b>	<b>LAWS 2202 and .5 credits in LAWS at the 2000 level</b>
<b>CLASS:</b>	<b>Day &amp; Time: Wednesdays 6:05 pm - 8:55 pm</b>
	<b>Room: Please check with Carleton Central for current room location. Lectures in this course will be held “live” online until further notice, via the Zoom platform by invitation on the Brightspace course page.</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>David Dwoskin</b>
<b>CONTACT:</b>	<b>Telephone: 613-857-7990</b>
	<b>Email: <a href="mailto:daviddwoskin@cunet.carleton.ca">daviddwoskin@cunet.carleton.ca</a></b>
	<b>Office Hours - Zoom - By appointment</b>

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**CALENDAR COURSE DESCRIPTION**

This course is about the enforcement of promises and agreements; basic doctrines and underlying principles of the law of contract; remedies for breach of contract; role of contract for economic, equitable and social purposes is also considered.

**REQUIRED TEXTS**

***Contracts: Cases and Commentaries, Tenth Edition* Stephanie Ben-Ishai and David R. Percy.**

Available from the Carleton University Book Store and the Book Store’s 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 tracking participation.

**40% - Assignment**

Mid-term essay – to be posted on Brightspace **February 9, 2022**, due back **March 9, 2022**, posted to Brightspace. Late penalty – 5% of your mark for each day late.

**40% - Final exam**

3-hour open book online exam – during the final exam period – **April 14-28, 2022**.

**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/COVID-19\\_Self-declaration.pdf](https://carleton.ca/registrar/wp-content/uploads/COVID-19_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**

**NOTE - Slides for each Chapter will be posted to Brightspace 1 week ahead of each lecture**

<b>Reading</b>	<b>Date</b>	<b>Lecture topic</b>
Chapter 1	Jan. 12	The Law of Contract
Chapter 2	Jan. 19	Formation of the Agreement – Offer and Acceptance
Chapter 3	Jan. 26	Formation of the Agreement – Certainty of Terms
Chapter 4	Feb. 2	Enforcement of Promises Response
Chapter 5	Feb. 9	Privity of Contract Assignment posted online
Chapter 6	Feb. 16	Contingent Agreements
<b>Feb. 22-25</b>	<b>WINTER BREAK – NO CLASSES</b>	
Chapter 7	Mar. 2	Representations, Terms, Classifications, Consequences
Chapter 8	Mar. 9	Standard Form Contracts and Exclusion Clauses Assignment due back
Chapter 9	Mar. 16	Mistake
Chapter 10	Mar. 23	Frustration
Chapter 11	Mar. 30	Protection of Weaker Parties
	April 6	<b>Review Class</b>
	Apr. 14-28	<b>FORMALLY SCHEDULED EXAM PERIOD</b>

## **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](#).

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 [click here](#).

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](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 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/students/accommodations/>

### 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/sexual-violence-support/>

### 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/>

### 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/student-experience-resources/>.

### Covid 19

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g., directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca)

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.