

Course Outline

COURSE: LAWS 2202A - Obligations

TERM: FALL 2021

PREREQUISITES: LAWS 1001 and LAWS 1002 (Formerly LAWS 1000)

CLASS: Day & Time: Tuesdays 6:05pm – 8:55pm
Room 301 Azrieli theater

INSTRUCTOR: David Dwoskin
(CONTRACT)

CONTACT: Telephone: 613-857-7990
Email: daviddwoskin@gmail.com
david.dwoskin@carleton.ca

Office Hours – Before and following each class

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

Obligations in Private Law – T. Brettel Dawson, 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, 2021, due back in the Brightspace drop box November 9, 2021. 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 12-23, 2021;

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

Reading	Date	Lecture topic
Chapter 1	Sept. 14	Legal Categories
Chapter 2	Sept. 21	Proximity
Chapter 3	Sept. 28	Negligence
Chapter 4	Oct. 5	Case Studies
Chapters 5,6	Oct. 12	Emerging Contract Law, Contracts Assignment posted
Chapter 7	Oct. 19	Consideration
	Oct. 25-29	FALL BREAK – NO CLASSES
Chapter 8	Nov. 2	Unjust Enrichment
Chapter 9	Nov. 9	Constructive and Resulting Trusts Assignment due
Chapter 10	Nov. 16	Detrimental Reliance
Chapter 11	Nov. 23	Fiduciary Obligations
Chapter 12	Nov. 30	Inequality of Bargaining Power
	Dec. 7	REVIEW CLASS
	Dec. 12-23	FORMALLY SCHEDULED EXAM PERIOD

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 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

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.