

**Winter Term Assignment – Extra-Contractual Obligations/Torts  
2013-2014  
Professor Van Praagh**

We started our year-long study of the private law of civil wrongs with reference to the Lac-Mégantic tragedy of July 2013. As anticipated, news stories, critical analysis, and implications for law and policy in Quebec, Canada and beyond, continue to develop in the wake of Lac-Mégantic. As students of an integrated course in extracontractual obligations/torts, you are well placed to reflect on challenging aspects of law in light of Lac-Mégantic and to address issues raised by Lac-Mégantic through your knowledge of law.

This assignment offers you the opportunity to imagine turning aspects of an important contemporary and multi-faceted disaster into an opportunity for teaching, learning and exploring issues in extra-contractual obligations/torts. In doing so, you will show how the Lac-Mégantic context offers potential to our study and understanding of the particular issue you're interested in.

More concretely, you are invited to look for a story related to Lac-Mégantic and to use it as the basis for imagining the task of leading an ECO's class in a specified part of the detailed course outline. Your class session, which you will describe in writing, may incorporate real facts from the story you have found and/or use the story as a starting point for fictional variations designed to illustrate your chosen issue(s).

Beyond finding a news story or example of critical analysis related to Lac-Mégantic, you are welcome to look for pertinent material to explore in more depth the dimensions of the issue on which you choose to focus. Remember that you should imagine teaching within the integrated, transsystemic ECO's/Torts course at McGill, thus showing your ability to think across traditions and systems.

Your lesson plan project should take the form of a written assignment of 1300 words (solo authorship), 1550 words (pair), 1800 words (trio). The word count includes any class exercise you might create for the purposes of the project. If you imagine referring to a website, video clip, picture, story etc in your 'teaching', please attach a brief hard copy description (not included in the word count). You are welcome to cite, and integrate, up to five sources beyond those found in the course materials.

There are three parts of the course outline from which to choose your issue and plan your leading of a class discussion. If you intend to hand in your project on *Deadline ONE* (February 27<sup>th</sup>) you must focus on something from the course outline covering the classes of February 3<sup>rd</sup> and/or February 10<sup>th</sup>. If you hand in your project on *Deadline TWO* (March 17<sup>th</sup>) you choose from the classes of February 17<sup>th</sup> and/or February 24<sup>th</sup>. If you hand in on *Deadline THREE* (April 3<sup>rd</sup>) you choose from March 10<sup>th</sup> and/or 17<sup>th</sup>.

For your convenience, the headings in the ECO's/Torts course outline corresponding to the dates relevant for each submission deadline are set out below:

*Deadline ONE:* "Approaches to Relational Loss: Secondary Victims"; "Acts and Omissions: Good Samaritan/ 'Duty to Rescue'"

*Deadline TWO:* "Revisiting the Causal Connection: Directness and Foreseeability"

*Deadline THREE:* "Civil Liability and the State"; "Complicating the Story: Multiple Wrongdoers and Multiple Causes"

Note: You have flexibility in referring to other topics/issues in the law of civil wrongs in order to fill out your 'lesson plan'. That is, you should assume that students know about anything studied in the course prior to your session, and therefore do not have to offer a substantial review of related issues.

***Summary of Key Points re format, submission, support, evaluation:***

Three **DEADLINES** are available for submission: *Deadline ONE*: Thursday, February 27<sup>th</sup>; *Deadline TWO*: Monday, March 17<sup>th</sup>; and *Deadline THREE* : Thursday, April 3<sup>rd</sup>. The parameters of your assignment are dictated by the deadline, as set out above. In principle, all assignments will be returned within two to three weeks of submission.

Three **formats** are possible: solo authorship; authorship by two students; authorship by three students. The word count limits vary slightly depending on your choice. Note that all students who author a paper will be assumed to have contributed equivalent work, and *will receive the identical grade*.

In general, **communication** regarding the assignment and details for form, timing etc should be directed to Clarissa Allen, group assistant for the course (clarissa.allen@mail.mcgill.ca). If she needs guidance with respect to substance and expectations, she will contact the professor.

Your assignments will be **evaluated** by the professor according to the following criteria:

Effective Integration of Sources

Originality

Persuasiveness of Arguments

Clarity of Writing

Demonstrated Critical Understanding of the Law of Extra-contractual Civil Liability

## Details regarding format and submission requirements:

### FORMAT:

Cover Page: Your assignment must include the standard Faculty cover page (found at <http://www.mcgill.ca/law-studies/forms>). **Identify yourself by name** – not exam number or student number. The cover page must include a word count (defined below).

Word Count: 1300 words (solo authorship), 1550 words (pair), or 1800 words (trio). There is room to add up to 10% if you have written in French or in both languages. The word count includes any class exercise you might create for the purposes of the project. If you imagine referring to a website, video clip, picture, story etc. in your ‘teaching’, please attach a brief hard copy description (not included in the word count).

Font/Spacing: Please double-space your assignment, and use standard print layout and margins. Use type-font Times New Roman (or a reasonable equivalent) in size 12. Please ensure that your paper, in terms of formatting, is easy to read.

Citations/Sources: All sources (any course material, and up to five outside sources) that are referenced in your assignment should be cited in accordance with the *McGill University, Faculty of Law*, rules of citation. These can be found in your “Red Book;” i.e. *Canadian Guide to Uniform Legal Citation*, 7<sup>th</sup> ed. Note: Do not use footnotes for extensive explanations that are either unnecessary or better-suited to the main text of the assignment.

---

**General Submission:** Regardless of which deadline you have chosen, the submission procedure remains the same – the only difference being the actual calendar day (Recall: Deadline ONE: Thursday, February 27<sup>th</sup>; Deadline TWO: Monday, March 17<sup>th</sup>; Deadline THREE: Thursday, April 3<sup>rd</sup>). You are expected to submit both a hard-copy (physical printed paper copy) and an electronic-copy (.doc/.docx format) of your assignment by your respective deadline (please note the time).

Hard-copy Submission: On your specific deadline due date, please submit a hard-copy of your assignment to the Student Affairs Office (SAO: 4<sup>th</sup> floor) before 4:00pm. There will be a drop-box designated specifically for Professor Van Praagh’s ECO’s/Torts Assignment; simply, tell the SAO you are submitting “Professor Van Praagh’s 1<sup>st</sup> year ECO’s Assignment.”

Electronic-copy Submission: On your specific deadline due date, please submit an electronic copy of your assignment via MyCourses before 4:00pm. To do this you must go to your regular ECO/Torts MyCourses homepage. From there, just click “Assignments” (the tab will be in the banner located above the “content browser,”

i.e. right under the McGill picture in the top portion of the screen you will find this banner), click the name of the assignment (pay careful attention to which DEADLINE you have chosen), upload the file (.doc/x), and then click submit.

If you are writing in groups, only one member needs to submit the assignment through MyCourses; however, make sure to specify the names of all team members in the “comment” section before clicking submit (there is a text box available for this). If you need any help, an instructional video about how to submit assignments can be found here just in case:  
<http://knowledgebase.mcgill.ca/media/videos/myCourses/studentvideos/assignments/index.htm>