

INTRODUCTION TO LEGAL STUDIES: IN-CLASS TEST

This test is a make-up take-home test for you to do at home (or computer lab, or library) during the week of February 26. You are not permitted to consult with anyone about the cases or their analysis. Except for minor clarification issues, please do not ask me questions about the test. As a matter of fairness, I do not want to give answers to some students that others do not have the benefit (or detriment) of hearing. You will simply have to use your own judgment about how to handle any possible difficulties. Please organize your answers in a clear way by including headings, such as analysis of the rule, analysis of the facts, etc. You may use a chart, a graph, or you may write in a narrative form.

Submission: You need to hand in this evaluation personally on March 5, 2019 at 2.30 pm IN CLASS. There are no other submission dates or places.

1. Analyze the following scenario from a Torts law perspective. Your analysis must include the analysis of the applicable rule/s, the relevant facts, and the conclusion as to whether the individual/s committed a tort/s or not.

Paola, aged sixteen, lives at home with her mother, Amelie, in Sault Ste. Marie, Ontario. Paola has recently exhibited a sometimes violent and delusionary nature diagnosed as paranoia by her psychoanalyst, Prof. Lopez. She approached a neighbor, Rudy, as he walked along the sidewalk fronting Amelie's home. When she has a face to face with Rudy, Paola, without provocation, gestured and screamed, "I know you're out to get me; and I'm going to get you first," and then strode away. Two days later, Paola saw Rudy raking leaves which had fallen into the street fronting their adjoining homes. Paola got on her bicycle and rode it as rapidly as she could directly at Rudy. Although Paola swerved away from Rudy at the last moment, Rudy reacted by diving to one side. He struck his head on the curb and suffered a severe concussion and facial injuries.

2. Analyze the following scenario from a Criminal Law perspective. Your analysis must include the analysis of the applicable rule/s, the relevant facts, and the conclusion as to whether the individual/s committed a crime/s or not.

Alex and Angel are parents of a 6-month-old child, Nina. Nina fell and broke her arm. Alex and Angel were told that Nina's arm was broken, but they wanted to see if vitamin therapy would cure her condition. After two months they finally took Nina in to see a physician, and by that time it was impossible to set the bone properly. Nina had a permanent injury. The Criminal Code prescribes that "a person is guilty of assault if he/she intentionally, knowingly or recklessly causes serious bodily injury to another."