

INTRODUCTION TO LEGAL STUDIES: FINAL TAKE-HOME EVALUATION

Analyze the scenario in Section A and any two scenarios/questions from Section B, according to the requirements discussed in class. Submission: You need to hand in this evaluation personally on April 6, 2017 IN CLASS at the beginning of class, followed –if requested- by an email. There are no other submission dates or places. I am not allowed to grant extensions. The suggested maximum page limit is 5 double-spaced pages for the whole test. You are to work alone and may not to talk to or work with anyone else. We have discussed the requirements and expectations for this take-home in class. If you still have any questions, please ask them in class so that all students can hear. I will not discuss any aspect of the final with any student individually.

Section A

- 1) Julian invited a police officer to do a demonstration of how to clean a gun in his Police Foundations class. The officer cleans the gun in front of a packed class. The gun, which turns out to have been loaded, accidentally discharges. The bullet hits the floor, puncturing a gas line, just as Paola, a student sitting in the first row, is lighting a cigarette. The ensuing explosion kills Marissa, another student. An autopsy reveals that Marissa was suffering from a fatal heart condition and would have died in a few days even if she had not been killed in the explosion. (a) Analyze whether there was homicide and, if so, who is criminally liable. For this analysis, assume that homicide is defined as follows: “a person commits homicide when he or she intentionally, recklessly, or negligently causes death to another human being.” (b) Analyze whether there is a tort. If so, identify the type of tort and the type of damages, if applicable.

Section B

- 2) In the middle of a heated argument, John slaps his father, who falls back, hits his head on the floor, and dies. Analyze whether John committed homicide. For this analysis, assume that homicide is defined as follows: “a person commits homicide when he or she knowingly, recklessly, or negligently causes death to another human being.”

- 3) Luke and Lorelai go deer hunting together. Luke notices a deer some distance behind Lorelai. Luke shoots, intending to kill the deer, but hits and kills Lorelai instead. Analyze whether Luke committed homicide. For this analysis, assume that homicide is defined as follows: “a person commits homicide when he or she intentionally, knowingly, or recklessly causes death to another human being.”

- 4) Analyze whether the following scenarios constitute a tort

- a. In Desperate Housewives, Betty locks her son, Caleb, in the basement as punishment for him killing another girl. She would rather do this than report him to the police, but feels it is necessary for him to be punished in some manner. Caleb is confined to the basement 24 hours a day. This situation has been constant for a few months.
- b. Paul and John play hockey for the Ice Queens. During practice, John skates by Paul with his stick in the air and hits him in the face with it breaking his nose. Unaware that Paul was injured John continues skating. Paul then skates after John and body checks him into

the boards. John hits the boards face first and all his teeth brake.

- c. Julian borrowed a laptop from the IT office to use at Algoma. He wanted to show a DVD to his JURI 1107 class. He had purchased the DVD (region 2) in Europe. The laptop had a sticker saying that you can only play region-1 DVDs. Julian did not notice the sticker and played the DVD. This caused permanent damage to the laptop.

5) Analyze whether there is sexual harassment in the following scenarios, and if so what type/s.

- a. Joey and Pacey are both Algoma University students. Joey persists in asking Pacey out to dinner, even though she turns him down each and every time he requests a date. She has told him several times to stop asking.
- b. Edward and Marla enjoy a great working relationship and just recently have started dating. They can't seem to get enough of each other. They take breaks and lunch together and are often seen flirting at the copy machine. They are clearly infatuated with each other. The company's sexual harassment policy prohibits workers to date other co-workers. It clearly defines co-workers' dating as sexual harassment.
- c. Professor Ed has a picture in his office of his girlfriend in a bikini. That picture is also his computer screensaver.

6) Discuss the main aspects of copyright law in Canada.

7) Compare fair dealing provisions in Canada and fair use in the United States