**North East School Division**

**Unpacking Outcomes – Law 30 – CV1**

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| **Unpacking the Outcome**  |
| Examine --> elements of civil lawExamine --> processes of civil law |
| **Outcome**(circle the verb and underline the qualifiers)  |
| Examine the elements and processes of dispute resolution in Canadian civil law. |
| **KNOW**  | **UNDERSTAND**  | **BE ABLE TO DO**  |
| **Vocabulary**: * Civil law, enforcement, sanctions, legal aid, onus and burden of proof, tort, wills, estates, contract, remedy, damages, class action
* Mediation, Negotiation, Arbitration

**Examples of Remedies**: * punitive damages, special damages, general damages, injunctions

**Alternate Dispute Resolution Processes** \*:* negotiation, mediation, arbitration, tribunals
 | * That civil law has a number of circumstances that might lead to civil action leading to different classifications of cases
* That there are a number of differences between Canadian civil and criminal law and how they progress through the court system
* That even when circumstances would favour starting civil action there may be other barriers that prevent the case from moving forward
* That there are two main areas of tort law (intentional and unintentional) each with different defences and remedies available
* That in criminal law the system enforces the penalty and in civil law the winning party must try to enforce the penalty
* That remedies and damages may differ depending on the case
* That there are benefits and challenges to being part of a class action lawsuit
* That in order to help people with the process the government has created guidelines and templates for the public to use
* That alternative dispute resolution processes exist as a benefit of avoiding going to court
* That public inquiries serve a purpose and follow a specific process
 | 1. Differentiate Canadian civil law from Canadian criminal law, considering factors such as purpose, role and levels of the courts, procedures, outcomes, enforcement of sanctions, availability of legal aid, onus and burden of proof.
2. Identify levels of courts within civil law, including small claims court.
3. Classify civil law cases as tort, contract, family, employment, wills and estates or property law.
4. Generate a list of circumstances when one might consider instigating a civil action and identify barriers to commencing a civil action (e.g., costs, access).
5. Analyze (intentional and unintentional tort cases while considering the possible defences.
6. Describe the remedies \*available under tort law and identify methods of enforcing civil judgments.
7. Investigate the purpose, benefits and challenges of participating in class action lawsuits and describe situations where they might be appropriate.
8. Justify the types of remedies and damages the court may order given a specific scenario.
9. Plan and present a small claims court case using provincial templates and guidelines.
10. Assess alternate dispute resolution processes \* available to settle civil disputes.
11. Investigate the purposes and the processes involved in conducting public inquiries in a variety of cases (e.g., The National Inquiry into MMIWG) including:• The role of the Inquiries Act (2005);• how an inquiry is initiated;• how it functions;• the roles and the responsibilities of the participants;• the impact of the conclusions and recommendations made as a result; and,• the limitations and challenges of the process.
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| **ESSENTIAL QUESTIONS**  |
| Why are some cases civil or criminal? How can an offence be both a crime and a tort?Why is there a difference between criminal and civil law and how they progress through the justice system?Why is it important to distinguish between intentional and unintentional torts?How do I decide if a civil suit is justified and what might prevent me from following through?Why are remedies and damages specific to each civil case?How do guidelines and templates provided by the government help individuals and who can access these?Why and when would you choose to use an alternative dispute resolution process?How do public inquiries help us as citizens? |