

Legal Liability in Adventure

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The Legal System in Canada

Common Law

- Records creating a foundation of cases useful as a source of common legal rulings.
- Operates on the rule of precedent, or *stare decisis*, which requires that "like cases be decided alike."
- Intended to evolve, accounting for society's current norms and values.

Statute Law

- Laws passed by federal or provincial legislatures as *statutes*, or *acts*.
- The body that originally passed the statute may amend it.
- May be used to make new laws or to codify a common law.
- Regulations add specifics to legislation.

The Court System

- Generally, three levels:
 1. Less serious family, civil and criminal matters
 2. Superior courts deal with major civil and criminal matters and act as appeal courts for lower courts.
 3. Courts of appeal hear appeals from provincial superior courts.

Civil Court Procedure

- Pleadings
- Writ of summons
- Appearance
- Statement of claim
- Statement of defense
- Amended statement of claim
- Amended statement of defense
- Examination for discovery
- Summary trial
- Trial
- Summation
- Ruling

Assessment of Damages (35)

- Pain and suffering to the time of judgment
- Loss of amenities before the judgment
- Loss of earnings before the judgment
- Expenses incurred before the judgment
- Pain and suffering expected in the future
- Loss of amenities after the judgment
- Loss of earnings after the judgment
- Cost of future care
- Costs of defending the case

TORT LAW

