

SEMINAR (SPB VIII / SPB 5)
LEADING CASES IN THE COMMON LAW OF TORT(S)
WINTER SEMESTER 2024/25

Memorandum for Seminar Participants

Note: Participants will be required to provide evidence of their admission to the “Schwerpunkt-bereichsprüfung” when collecting their seminar topic. (Officially: „*Teilnahmevoraussetzung ist die Zulassung zur Schwerpunktbereichsprüfung mit Nachweis bei Abholung des Themas*“.)

The entire seminar – written work, oral presentation and discussion – will be conducted **in English**. The seminar is **particularly suitable for candidates** who have attended the “Introduction to the Common Law” lecture series or who have otherwise acquired some previous experience with the common law.

I. Seminar date and preliminary meeting

It is envisaged that the seminar will be held in the form of a **Blockseminar on Friday 15 and Saturday 16 November 2024** in the Institute’s seminar room on the second floor at Kaiserplatz 7-9. Both the date and the location are subject to confirmation nearer the time.

A preliminary meeting for interested candidates will take place on **Tuesday 25 June 2024 at 2.15pm** in the library of the Institute of International and Comparative Private Law, Juridicum (Ostturm, 2nd floor).

II. Written work (seminar thesis)

The seminar thesis will focus on a particular leading case in the common law of tort. Each candidate will be allocated “their” case upon collecting their topic (further details below).

Candidates are expected to engage with the set case and to demonstrate the following in their written work: (1) knowledge and understanding of the actual decision – its facts, outcome and the reasons why the case was decided the way it was, (2) an appreciation of the relevant (legal and, where appropriate, extra-legal) background against which the decision was taken; (3) the impact of the decision on the further evolution of the common law to the present day; and (4) as far as possible, a comparative awareness of how the common law’s position resembles or contrasts with the legal position in other jurisdictions, esp. Germany.

It is expected that the seminar thesis will be **25-30 pages long** (with the usual spacing, margins and other formatting), amounting to **between 55.000 and 65.000 characters including spaces**. The thesis is additionally to contain a table of contents, a table of cases, and a bibliography listing the literature used.

Under the relevant rules, candidates cannot receive any mentoring or advice on the contents of their thesis while they are working on the piece. Questions concerning the formal requirements and the process, e.g. regarding the submission, are however always permissible (sekretariat.haecker@jura.uni-bonn.de). Please also get in touch if unforeseen circumstances of a serious nature (e.g. severe illness, bereavement) prevent you from completing the thesis on time or from holding your oral presentation as envisaged.

Candidates have a **total of six weeks to complete the seminar thesis** (Master students: 8 weeks), commencing on the day they receive their seminar topic. The **two release dates provisionally envisaged** are **Thursday 25 July 10am-12 noon** or **Thursday 22 August 10am-12 noon**. There is however some flexibility with these dates, so if you have pressing reasons for requiring a different period to work on your thesis, please get in touch as soon as possible. In any event, **candidates are asked to confirm as soon as possible after the seminar allocation has taken place which release date they are choosing**.

Completed theses are **to be submitted in hard copy** (with an additional pdf version requested by email to sekretariat.haecker@jura.uni-bonn.de) by 12 noon on the day following the end of the six-week-period.

We are planning to disseminate pdf copies of all theses to all participants about a fortnight before the event. This will enable everybody to prepare for the seminar and the discussion. Unless we hear otherwise, we will assume that you are happy for us to share your seminar thesis with the group for this purpose.

III. Oral Presentation

Candidates are asked to speak on their topic (freely, if possible) for between 20 and 25 minutes each, leaving up to 25 minutes for discussion. We will set aside about 45-50 minutes per topic.

You may choose to accompany your oral presentation by showing some slides (if so, you will need to bring your own computer to the seminar – a big screen is available in the seminar room) and/or distribute a handout if desired, but neither is required of seminar participants. Just choose whatever format you think best fits or supports your own presentation and the thesis topic.

Candidates are strongly encouraged to read each other's seminar theses beforehand and to engage as much as possible in the – hopefully lively – discussion following each presentation.

Further information regarding the seminar will be circulated to participants nearer the time.

We look forward to welcoming candidates to the seminar!