

Instructor Course Descriptions 2017-2018

DISCLAIMER: These descriptions are for course-selection information only. They are not course outlines and are subject to change as circumstances warrant.

Multi-sectioned Courses

Law 509 (Business Associations), Law 507 (Evidence) and Law 503 (Administrative Law) are all sectioned into three. Law 527 (Basic Tax), is sectioned into two, one section scheduled in the fall term and one in the winter term.

For Administrative Law, BA and Evidence, the sections run at different times. There are: two sections of Administrative Law in the fall (Kislowicz and Olszynski) and one in the winter (Fluker); one section of BA in the fall (Oshionebo) and two in the winter (Stewart and van de Biezenbos); two sections of Evidence in the fall (Nesbitt and H. M. Silver, QC) and one in the winter (L. Silver).

Students may choose whichever section of these courses that they wish.

Therefore, if being in a particular section at a particular time is important to you, you must prioritize that course during registration.

Required Courses

Note: Theory courses are all capped at 16 students. ***Therefore, if taking a particular theory course is important to you, you must prioritize that course during registration.***

Law 503 Administrative Law (Kislowicz/Olszynski/Fluker)

Administrative law governs the exercise of public authority. It is a set of rules and principles that regulates the relationships between branches of government and between the government and individuals. It addresses questions such as:

- What rights do individuals have when they receive government services?
- How can individuals vindicate those rights?
- How do governments create decision-making bodies such as agencies, boards, and commissions?
- What are the legitimate ways in which government bodies can exercise the authority granted them (usually by statute)?
- How can courts review the decisions of other government bodies?

Administrative agencies, boards, and commission are a pervasive part of contemporary Canadian life. They are the principal means by which the government acts and implements its programmes and policies.

A lawyer practicing administrative law might appear before the National Energy Board, the Canada Radio and Telecommunications Commission, the Copyright Board, the Alberta Energy Regulator, human rights tribunals (both federal and provincial), landlord-tenant boards, municipal zoning boards, or any number of other government agencies, which translates into a very diverse field. This course will focus on an element that ties many of those areas of practice together: the judicial review of administrative decisions.

Law 505 Civil Procedure (Reed/Marlowe)

Law 505 introduces students to the law of civil procedure governing Court actions commenced in Alberta, with a focus on actions in the Court of Queen's Bench. The intent of the course is to cover a selection of topics which gives students an understanding of the applicable law relating to the commencement and flow of a civil action from commencement up to (but not including) trial. The primary focus of the course, from a substantive legal perspective, are the *Alberta Rules of Court*, and case law interpreting those rules. Issues such as jurisdiction and professional responsibility obligations related to the conduct of an action will also be covered.

The primary purpose of this course is to have students become basically competent in the commencement and conduct of a civil proceeding. In order to achieve this purpose, the course is taught using a lecture and tutorial format. The format will follow a lecture-lecture-tutorial repeating cycle. For lectures, students are required to do the readings in advance (which are posted on D2L), and then spend lecture time reviewing the important pieces of those materials. Tutorials are intended to provide students with more one-on-one time with a tutorial instructor (in groups of approximately 20 students per tutor) to ask questions and discuss and practise drafting skills for the assignments, which are described below.

This coming year's tutors will include practicing civil litigators from firms around Calgary ranging from litigation boutiques to national firms.

Students will be evaluated as follows, through:

1. Participation grade (20% total, split between 10% tutorial and 10% lectures), assessed in the lectures by participation in random tophat quizzed administered during lectures, and by attendance and participation in the tutorials;
2. A short legal memorandum to a client (15%);
3. A pleadings drafting assignment related to commencement of a matter (20%);
4. An application drafting exercise on set facts and set law (20%); and

5. A written Brief of Argument related to the application drafting exercise - 12 pages maximum, 1.5 spaced (further instructions, which must be adhered to, for this assignment will be provided by the instructor) (25%).

Law 507.01 Evidence (Nesbitt – Fall Term)

The law of evidence provides the legal foundation of any trial. It is the law that applies to determine how the facts at trial are dealt with, which ones are admitted and how much weight each one should be given. Can an individual testify? Should that person be believed? Can we submit business records as reliable documents of business practice? What do we do about a highly incriminating conversation overheard by a third party who is willing to testify? Whether these and other facts are admitted at trial, and the weight that they are given, really can and will turn the trial.

The law of Evidence is then about how you turn that trial, how you determine what facts you can or should use to support your case, how you get those facts (the evidence) admitted at trial, and how you marshal them to your advantage. But it is also about countering the facts that you do not like – either by undermining their reliability, or their importance, or ensuring that they are not admitted at all. For this reason, Evidence is indispensable for any future litigator – and it should be exciting to any future litigator! But likewise it is indispensable for any solicitor, for solicitors set the facts down that litigators will subsequently use at trial; if they do not know how to make those facts compelling and admissible, well, they have done a disservice to their client. The law of evidence informs legal analysis every step of the way.

In this class we will focus on the principles that undergird the law of evidence and the most important of the resultant rules that affect the outcome of each and every trial. We will see that evidentiary rules and evidentiary principles are two sides of the same coin and come to understand how you must be adept at using both – principles and rules, theory and practice – to become an effective advocate. We will develop your understanding of the principles and use in-class problems to flesh out how these evidentiary principles apply to a rule-based legal order. The class will cover both civil and criminal trials, though because there is a great deal of overlap in the evidentiary principles as they apply to both trials, the focus will be on the criminal trial as it often provides for the more challenging of situations.

Law 507.02 Evidence (H. MARKHAM SILVER, Q.C. -- Fall Term)

“Don't you believe in flying saucers, they ask me? Don't you believe in telepathy? — in ancient astronauts? — in the Bermuda triangle? — in life after death?”

No, I reply. No, no, no, no, and again no.

One person recently, goaded into desperation by the litany of unrelieved negation, burst out “Don't you believe in anything?”

Yes", I said. "I believe in *evidence*. I believe in observation, measurement, and reasoning, confirmed by independent observers. I'll believe anything, no matter how wild and ridiculous, if there is *evidence* for it. The wilder and more ridiculous something is, however, the firmer and more solid the evidence will have to be."

– Isaac Asimov

Evidence as a concept is something we use every day - in analyzing situations, in making decisions, in proving a theory in an undergraduate or graduate essay, in defending a thesis, in explaining a point to a friend over coffee. We weave together disparate pieces of information in the hope that they will be accepted as facts and thereby present a cogent and probative narrative. In everyday life, we do it naturally and without rules and without burdens of proof. As lawyers, we draft contracts to memorialize the agreements reached by the parties, or draft wills or convey property. But how do we *prove* to the necessary standard the agreement, or the state of mind of the testator or the intention of the parties buying and selling property? This course will introduce the student to the principles and rules that inform how a narrative is created and then presented in Court. As we know from our lives before Law, evidence is created and exists long before a case ever gets to the courtroom door. We will throughout this course gain an understanding of the relationship between the substantive elements of a nascent civil claim or criminal offence and the ultimate proof of those elements in Court by examining the importance of understanding how each step in the legal process, from interviewing the client, drafting the contract, writing an opinion letter, marshalling witnesses, and negotiation are all interconnected and in concert will ultimately be used by one side or the other to prove their point or disprove that of their opponent.

Together we will discuss, question and debate key evidentiary principles such as the admissibility of evidence, the differences and similarities between direct and circumstantial evidence, presumptions, manner of proof through real and testimonial evidence, trial judge's exclusionary discretion, character evidence, hearsay, expert evidence, confessions, and privilege. A component of the course, in addition to lectures, will involve problem-based and experiential learning through interactive discussion. Assessment will be based on the submission of a written work (worth 35%) and classroom participation/presentation (worth 5%). There will be a final examination worth 60%.

This course is taught by H. Markham Silver, Q.C., a sole practitioner:

www.linkedin.com/in/markham-silver-q-c-61323643

Law 507 Evidence (L. Silver – Winter Term)

What does a shoe, an invoice, a text message, and a smoking gun all have in common? They are all possible pieces of evidence in a criminal or civil trial. Standing alone these items are meaningless but as part of the evidence at trial these disparate facts can

weave a cogent and probative narrative. This course will introduce you to the evidentiary principles which proscribe how that narrative is told both in court and beyond. Although the law of evidence offers insight on the relationship between the substantive elements of a civil claim or criminal offence and the proof of those matters in court, evidence is created well before the lawyer opens the court room door. This course will provide a meaningful framework for all lawyering interactions such as drafting a contract, interviewing a client, and writing an opinion letter, whether you litigate a matter or not.

Together we will discuss, question and debate key evidentiary principles such as the admissibility of evidence, circumstantial evidence, presumptions, manner of proof through real and testimonial evidence, trial judge's exclusionary discretion, character evidence, hearsay, expert evidence, confessions, and privilege. A component of the course will involve problem-based and experiential learning. Assessment will be based on the submission of one mandatory opinion letter (worth 25%) and a final examination (worth 75%). Students may also submit an optional 'blog' case commentary (worth 25%). If the optional assignment is submitted, the final examination is worth 50%.

Law 508 Negotiation (Sowter/Wright)

Lawyers negotiate. No matter what area of practice or what type of clients, lawyers are required to negotiate in different contexts and roles. However, developing effective negotiation and dispute resolution skills takes time and effort. Lawyers must learn to balance client expectations (reasonable and unreasonable), the law, emotionally charged environments, difficult personalities, and cross-cultural complexities. Negotiation can also present unique challenges by operating outside of the strict timelines and procedures found in the litigation context.

This performance-based 3-week intensive course, which is a key part of the Calgary Curriculum in second year, will provide students with a solid theoretical and practical foundation for becoming an effective negotiator, and, as a result, a well-equipped lawyer. The first part of the course will begin by providing students with grounding in negotiation and dispute resolution theory and thinking, including exposure to interest-based negotiations and different dispute resolution process options. In covering this material, class time will incorporate a significant volume of performance-based activities that facilitate learning negotiation approaches and tools by doing. Through various exercises, each student will also learn to apply ethical reasoning skills, improve cultural sensitivity, and navigate the complexities of multiparty contexts. The course will also look at the use of unregulated professions such as mediators, and other non-lawyer professionals.

The second part of the course will use a problem-based learning approach to challenge students to determine salient issues, apply the law, and negotiate a settlement or advise a client on their options. Using hypothetical legal problems, students will engage in two different multi-day mock negotiation exercises in small

teams. To simulate a real-world environment and provide practical feedback, negotiation sessions will take place in the presence of practitioners from the Calgary legal community. Through this approach, students will learn to distinguish between the different process options and negotiation styles, particularly with regard to areas such as rights-based and interest-based negotiation, facilitative and evaluative mediation, collaborative law, non-adversarial contractual negotiations, negotiation within an adversarial process, and multiparty public policy negotiations

Throughout the course, students will be frequently engaging in activities such as negotiation simulations and role plays, interviewing, group work, short writing and drafting activities, and cultural competency exercises, in addition to the problem solving cases. The exercises will require students to develop effective communication skills, to navigate difficult conversations, to interview clients, and to effectively prepare for negotiation.

Students will be assessed on a CR/D/F scale and evaluation will be based on a mix of exercises and assignments. Attendance (which is mandatory) and participation will be a significant part of course grading, including students' thoughtful preparation and engagement in simulation exercises. A substantive drafting exercise (mediation brief) will also form a significant part of the grade.

Law 509 Business Associations (Oshionebo – Fall Term)

This course focuses on the basic forms of business organizations with strong emphasis on partnerships, franchises and corporations. Students will be exposed to the fundamental principles and rules governing partnerships, franchises and corporations in Canada. Topics to be discussed include the nature and types of partnerships, the relationship between partners, liability of partners to third parties, obligations and rights of franchisors and franchisees, incorporation process, nature of the corporation, capital structure of the corporation, governance structure of the corporation, directors' duties, and the rights and responsibilities of shareholders. Students have the option of writing a 100% final examination **OR** a 70% final examination and a 30% research paper. The examination under both options is identical. The final examination is OPEN BOOK.

Law 509.01 Business Associations (Stewart – Winter Term)

The course explores the common forms of business organization and their legal underpinnings, including agency, partnerships, limited partnerships, and corporations, with a focus on shareholders' and directors' rights and responsibilities.

Understanding the legal character of business organizations and their associated issues is an essential skillset in all areas of legal practice. The course topics include: formation of the organization, agency law, fiduciary duties and relationships,

corporate liability, shareholder suits, securities law issues, remedies, and the role of the corporation in an ever more interconnected world.

The course consists primarily of in-class lectures, and in-class active learning exercises. By the end of the course, students should be able to:

1. Explain the principles upon which the law of business associations is based;
2. Situate the business law covered within its social contexts;
3. Articulate the roles which a business lawyer assumes;
4. Be aware of the evolving nature of business law;
5. Identify areas of business law in need of reform;
6. Use the techniques of legal reasoning and argument;
7. Apply intellectual and practical skills to formulate solutions to legal problems;
8. Identify and address ethical dilemmas in a legal context;
9. Show initiative, personal responsibility and accountability in professional; contexts; and
10. Recognize the importance and value of serving and promoting the public interest.

Student assessment is comprised of class participation, a final examination, and/or an optional research essay.

Law 509.02 Business Associations (van de Biezenbos – Winter Term)

This course will cover the forms of business organizations, including partnerships, limited partnerships, societies, and corporations, with a focus on the corporation and the rights and responsibilities of shareholders and directors. Topics will include formation of the organization, agency law, fiduciary duties and relationships, corporate liability, shareholder suits, securities law issues, and the role of the corporation in an ever more interconnected world.

Law 510.01 Ethical Lawyering (Woolley)

Law 510 introduces students to issues of lawyers' ethics and professional responsibility. It is a course on the law governing legal practice. As such, it will cover selected topics in "the law governing lawyers" including the Law Society of Alberta's Code of Conduct, law society disciplinary decisions, case law arising from the inherent jurisdiction of the court over its own processes, and case law relating to the application of the law of fiduciary obligations, negligence and contract to lawyer-client relationships. It will also cover selected topics relating to the regulation of the legal profession.

The primary purpose of the course is for students to begin to be competent in identifying and resolving the legal and ethical problems that typically arise for

lawyers in practice. Topics include confidentiality and privilege, conflicts of interest, courtroom advocacy, criminal defence and prosecution, advertising and advising.

The secondary purpose of the course is to expand and develop students' legal writing, in particular legal analysis, clear communication with clients, and persuasive advocacy. Students will be assessed in part based on the quality of their legal writing, and will be given extensive feedback on their written work – both in its substance and in how it is written and structured.

Students will be evaluated through 1) a participation grade based on class attendance (5%); 2) a policy advising memo for a law society client on a current regulatory issue (25%); 3) a client advising memo regarding the existence (or not) of improper conduct by legal counsel (30%); 4) either a factum to the court of appeal on matters related to the law governing lawyers, or a short research paper on a topic approved by me (40%). Neither the factum nor the research paper will satisfy the Upper Year Writing Requirement.

In addition, students will be eligible to receive bonus participation marks if they attend class regularly (at least 80% of classes) and also make a sustained and material positive contribution to the classroom learning environment.

Law 510.02 & 510.03 Ethical Lawyering (Sowter)

Ethical Lawyering introduces students to issues of lawyers' ethics and professional responsibility. The course will cover selected topics in "the law governing lawyers" including the Law Society of Alberta's Code of Conduct, law society disciplinary decisions, case law arising from the inherent jurisdiction of the court over its own processes, and case law relating to the application of the law of fiduciary obligations, negligence, and lawyer-client relationships. It will also cover selected topics relating to the regulation of the legal profession.

The primary purpose of the course is for students to become competent in identifying ethical issues and at ethical reasoning in the context of legal practice, including consideration of dispute resolution processes, for example negotiation, multi-party mediation, and collaborative practice. A goal of the course is to prepare students for practice, and as such it will cover topics such as: how law firms manage conflicts and protect confidentiality and privilege; how lawyers discuss ethical problems with their clients; cultural awareness; and, ethics in the context of innovation and access to justice issues. The course will also include consideration of what it means to be an ethical advocate in the various capacities in which lawyers practice.

Evaluation: (1) participation (5%); (2) policy advising memo for the law society on a current regulatory issue (25%); (3) client advising memo (30%); and, (4) either a factum to the court of appeal on matters related to the law governing lawyers, or a

short research paper on a topic approved by me (40%). The factum and the research paper will not satisfy the Upper Year Writing Requirement.

In addition, students may be eligible to receive bonus participation marks if they attend class regularly (at least 80% of classes) and also make a sustained and material positive contribution to the classroom learning environment.

Law 602.01 &.02 Advocacy: Criminal Trials; Advocacy: Civil Trials (L. Silver)

This course develops core lawyering competencies through the practice of advocacy. Students will engage with fundamental trial skills in the context of a complex civil or criminal case. The course, as a capstone to the final year of law studies, utilizes and applies previously acquired knowledge from criminal law, torts, evidence, ethical lawyering and civil procedure. It will also build on the previous block weeks courses. Students will experience the trial process as they draft documents, negotiate, and appear before a Queen's Bench Justice for a pre-trial conference. Throughout the course, each student will apply legal principles, engage in critical analysis and strategic decision-making, partake in persuasive advocacy and utilize negotiation skills as they prepare and present a criminal or civil case for trial. Upon completion of this course, the student will be well-prepared to commence their legal career.

The three-week course is intensive and requires mandatory attendance with daily preparation. It is a performance-based course where students learn by doing through supportive feedback from leading practitioners and judges. Participants will choose to represent parties in either a civil or criminal action and will be assigned to small groups of fourteen students where most of the course learnings will occur. Students will also experience demonstrations given by seasoned practitioners and short mini-lectures or panel discussions on assigned subjects. The course culminates in a final trial presentation at the Calgary Courts Centre before either a sitting judge or a trial lawyer. Students will also be assigned to a Trial Advocacy Mentor, a trial practitioner, who will give advice and feedback as the students prepare for the final trial presentations.

In the first week, the student is introduced to fundamental trial skills such as examination and cross-examination, impeachment, admission of documentary evidence, objections, and re-examination. These skills are further enhanced and applied in the second week as the students engage with expert witnesses, professional witnesses, and combine their newly acquired skills in a "mini-trial" presentation. The third week will involve negotiation and drafting of trial admissions, a pre-trial conference before a Justice of the Court of Queen's Bench and a presentation of opening and closing trial submissions. At the end of the third week, students will conduct a full-scale trial, either with or without a jury.

Throughout weeks two and three the students will be working toward the final trial presentation including the preparation of the Trial Book, which is the students' trial

“roadmap,” outlining their theme and theory, witness examinations, documentary evidence, legal issues and trial submissions in a comprehensive and organized format.

Students will be assessed on a CR/D/F scale based on four assessment areas involving daily mandatory attendance, daily mandatory active participation, submission of the Trial Book, and the final trial presentation. Please see the course outline for a specific discussion of the course objectives, expectations and assessment.

Optional Courses

Law 511 Criminal Process (Sitar)

Course Objectives

To provide a review of the procedures by which an accused is brought to trial including an analysis review of some grounds on which defence counsel may challenge a charge; the procedures followed in prosecuting the charge; and the evidence used at trial. This course focuses on the conflict between the rights of accused and the interests of effective law enforcement. With a focus on the Canadian Charter of Rights and Freedoms, this ever-changing equation includes the law on judicial interim release; search and seizure; arrest and detention; right to counsel; the right to silence; and exclusion of evidence.

Evaluation

Evaluation will be based upon (i) class participation (10%); (ii) a brief written assignment relating to an in-class presentation focused on building practice skills (written = 10%; presentation = 20%); and (iii) a factum focused on an assigned topic or fact pattern, which will be due on the last day of classes (60%). Students will be expected to reference only course materials in completing the factum, which will not satisfy the Upper Year Writing Requirement.

Law 515 Family Law (Sowter)

This course provides an introduction to family law, considering the issues families face when they form a partnership, when they become parents, and when they separate. The course will cover the formation of the family unit, including marriage, cohabitation, and adoption. It will also cover separation and divorce, including parenting issues such as: decision-making, parenting time, mobility, and abduction; and, financial issues such as child support, spousal support, and property issues, for both married couples and unmarried partners. Family law involves consideration of difficult areas such as domestic violence and coercive control, complex issues such as the tax implications of relationship breakdown, and procedural issues such as process options and court procedures. This course will examine the realities of practice and the current state of affairs, and it will also incorporate policy

considerations as appropriate. Evaluation will likely consist of a property distribution assignment, and an open book exam.

LAW 521 Real Estate Transactions (Raby/Van Vliet)

A practical course on real estate transactions, with a focus on residential real estate conveyancing. Topics include the lawyer's role in real estate transactions, formation and consummation of the purchase contract, the duties of the real estate agent, mortgage financing, closing procedures and remedies. In addition to dealing with substantive law the course will focus on the standard contracts and practical examples will be used to supplement case law and text sources. The topics covered and the skills discussed will be transferable to commercial real estate transactions but the focus is on equipping students to handle all aspects of acting for buyers / sellers and borrowers / lenders in relation to residential real estate transactions.

Subject to receipt of required approvals, the evaluation of the course will be an optional assignment worth 50% of the final grade and a final exam. This assignment will not satisfy the Upper Year Writing Requirement.

This course is taught by Steve Raby, a partner at Norton Rose Fulbright LLP, and Gordon Van Vliet, a partner at Field LLP.

<http://www.nortonrosefulbright.com/people/58521/stephen-g-raby>

http://www.fieldlaw.com/lawyer_overview.asp?lawyerID=365

Law 527 Basic Tax (Brown/Templeton)

Tax law impacts everyone. This course will equip students with an understanding of the Canadian personal income tax system. We will explore the structure of the Income Tax Act (the "Act") as it relates to the determination of income for tax purposes, the subsequent determination of taxable income, and the determination of tax payable by individuals. There will be a focus on the rationale underpinning each part of the Act we explore, and on the difficulties in categorizing even the most common economic relationships and transactions for the purposes of applying a tax system that is equitable, efficient, and simple. The course will also cover the basics of how the federal Act interacts with provincial income tax legislation.

The concepts learned in this course will have potential use in students' personal and professional endeavors. They will provide students with the analytical tools necessary to make more informed decisions about some personal financial matters, and identify areas where more advanced tax expertise is necessary for personal matters and for future clients. Students will discover that, like in other areas of law, there are some tax questions for which there is no correct answer. Rather, students will learn the principles to be applied in deciding whether a particular receipt, expense or transaction falls into one or another legal category with different

corresponding tax consequences. This course will also be fundamental to future learning in the International Tax, Corporate Tax, and Estate Planning courses.

The course will be evaluated through students' choice of:

- a 100% final exam; or
- a 30% written assignment (policy paper or case comment) with the exam worth 70% of the final grade.

Law 530 Mining Law (Oshionebo)

Course Description

This course focuses on the law governing exploration, financing and development of minerals in Canada. The course includes close study of mining legislation concerning land available for mineral activity, acquisition of mineral title, nature of mineral title/rights, surface rights and compensation, mining in the context of aboriginal rights including the duty to consult, and environmental impact assessment. Commercial agreements for mineral development will be examined, including Confidentiality Agreements, Option Agreements and Joint Venture Agreements. Issues arising from international mining transactions will be discussed, including investment protection mechanisms and corporate social responsibility.

Method of Evaluation

Students enrolled in the JD program have the option of writing a 100% final examination **OR** a 70% final examination and a 30% research paper. The examination under both options is identical. The final examination is **OPEN BOOK**.

Law 531 Environmental Law (Fluker)

This course will provide students with an understanding of key topics in environmental law and policy in Canada. Topics may include environmental ethics, the application of federalism to environmental law, environmental regulation, compliance and enforcement in environmental law, public participation in environmental decision-making, environmental assessment, and the application of international environmental law in Canada. Case studies in resource development, environmental assessment, compliance, and endangered species protection will be used to illustrate the application of environmental law to current issues in Canada. The course is primarily doctrinal with class discussions, guest presentations, and materials focused on domestic legislation, judicial decisions, and administrative tribunal rulings. Evaluation will include a final examination, but students will have the option of writing a paper for evaluation that satisfies the Upper Year Writing Requirement.

Law 533 Wills & Estates (Doucette-Preville)

"Death, taxes and childbirth! There's never any convenient time for any of them." – Gone With the Wind (1936)

And, yet, all three can form the basis for prudent estate planning – or, at the very least, nudge someone into making or updating their own will. This course serves as an introduction to estate planning and will cover wills, personal directives and enduring powers of attorney – or, as estate lawyers call them, the “trifecta” of estate planning. You will learn the main components that make a will valid as well as analyze the types of scenarios which can render a will invalid. You will learn whether you can leave a gift to your family pet and what happens when someone becomes officially divorced (is re-drafting a will the first thing they should consider doing?). We will also touch briefly on ethics, tax issues and family law as they relate to estate planning. This course can be taken in conjunction with LAW 619 – Estate Planning and will not duplicate its content.

Learning about wills and estates is fundamental for those interested in practicing corporate law, tax law or in a small firm. Being able to advise principals, including officers and major shareholders, on their options for liquidating their shares or shareholder loans after their death is central to proper estate planning and sound corporate management and transition. Estate planning also requires the lawyer to be attuned to the person’s specific family and financial dynamics and chart the best way forward for the management of their assets after their passing.

An estate practice can allow you to be can span both the litigator and solicitor divides, so if you don’t know yet which side you want to fall on, practicing in wills and estates law allows you to be a full time solici-gator.

Assessment of students will be through a combination of one minor assignment and a final exam. Students may also have the option in participating in Wills Week, a unique opportunity to participate in drafting a will for a real client from start to finish. (Participation of Law 533 students in Wills Week for winter 2019 is still to be confirmed.) Any student opting into Wills Week would be graded on their participation, which shall reduce the weight of the final exam towards their total grade.

Law 535 Secured Transactions (Girgis)

Secured transactions law governs the creation and enforcement of security interests in personal property. Secured Transactions 535 will cover selected topics in the law governing secured transactions, in particular the Alberta *Personal Property Security Act*. The focus of the course is on the statutory provisions of the PPSA but it will also cover case law and provisions from the *Bankruptcy and Insolvency Act* and the *Civil Enforcement Act*, as well as personal property security legislation in other provinces.

In this course, you will: (1) develop an understanding of the aspects of a commercial transaction, (2) consider the underlying policy reasons for the state of current law in relation to the transfer of property and (3) develop a logical way of thinking about

problems arising in a commercial context. Fundamentally, this will rest on understanding the concept of a “security interest” and how to create, maintain, enforce and prioritize it in relation to other legal interests.

Law 536 International Criminal Law (Duffy)

This course has two primary substantive focuses. The first is on the development and operation of the international legal framework for the prosecution of those who commit the most egregious crimes. The second is on transnational crime, which, for the purpose of this course, will include crimes that occur across national borders, or those that occur within a given state, but which have an adverse international impact.

We will consider the prosecution of international crimes through international tribunals and specialized courts, including the International Criminal Court (ICC), the International Criminal Tribunal for the Former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), the Special Court for Sierra Leone (SCSL), and the Extraordinary Chambers in the Courts of Cambodia (ECCC). International crimes discussed will include crimes against humanity, war crimes, genocide, and aggression. National prosecutions of international crimes will also be discussed, with a particular focus on Canada.

Transnational criminal law is increasingly emerging as a major avenue through which crimes of international concern will be addressed. Discussions may include extradition, terrorism, human trafficking, drug trafficking, cybercrime, state sovereignty and impunity (particularly relating to torture), money laundering, and organized crime.

This course is taught as a seminar, rather than as a doctrinal, lecture-based course. This class bridges substantive law and the building of legal skills. While students will address timely issues in international criminal law, and in transnational criminal law, they will also be building skills necessary for the practice of law in any field. Those skills include the ability to conduct legal research, to write a persuasive and effective argument, to understand relevant policy issues outside of the framework of legal standards, and to make concise and persuasive oral arguments.

Students may use this course to fulfill their International Law and upper year writing requirements.

Law 543 Intellectual Property (Hagen)

In a knowledge-based economy, intellectual property rights are a central means by which ideas are protected. Hassett and Shapiro have estimated that, as of 2009, in the US, 44.16% of the market value of all industries was the value of their intellectual capital, which includes intellectual property rights. Intellectual property rights can exist in a diverse variety of things, including books, computer software, music, paintings, buildings, movies, news media, medicines, machines, genes, organisms, marks, geographical indications and methods of doing business. Licensing these rights is a means by which businesses and individuals earn income

in a capitalist economy. At the same time, both individuals and companies want to utilize such ideas to build new ideas as innovators and to consume those ideas as part of an intellectually satisfying life. This has led to controversies and litigation surrounding, amongst other things, the balance between owners' and users' rights, the impact of IP rights on innovation, the protection of software and business methods by patents, the role of Internet intermediaries in online copyright infringement, music and movie sharing on the Internet, the patentability of genes, higher life forms, software, and business methods, the setting of tariffs for the collective management of copyright, the availability and limits of trademark protection (such as the necessity of use, the protection of functions and controlling parallel imports), the legal protection of technological measures that protect copyright, the principle of technological neutrality, and the appropriateness of injunctions in protecting intellectual property rights. In this course we will study the legal regulation of this tug-of-war between owners and users of ideas in the form of copyright law, trademark law and patent law. Evaluation will be by means of pass/fail assignments, a final exam (50%/80%) and, at the student's option, either a research paper (50%) or a blog (20%). Students will have the option of using the research paper to satisfy the upper year writing requirement.

Law 547 Human Rights Law (Koshan)

This course focuses on domestic human rights law, i.e. federal and provincial human rights codes and their application by tribunals and courts. After introductory sessions that situate human rights law within debates on rights theory and within the international human rights context, the course focuses on statutory anti-discrimination provisions and their application to public and private actors such as governments, employers, landlords and service providers (e.g. educational institutions), as well as the defences available to such actors, the remedies available to complainants, and procedural / access to justice issues. We also study a broad range of grounds of discrimination, including race, disability, gender, gender identity, sexual orientation, family and marital status, age, and social condition.

Classes routinely include problem-solving exercises, and evaluation is based on 3 components: (1) a human rights complaint, (2) client memorandum, and (3) class participation. The complaint and memorandum are based on the same fact pattern, and students will receive feedback on the complaint that they can incorporate into the memorandum. There is no final exam; the client memorandum is a final assignment for the course typically due the last day of classes. The course focuses on skills necessary for developing a human rights practice, and is relevant to students interested in the law of discrimination and the obligations of government and private actors to accommodate members of disadvantaged groups in the workplace, tenancies, service industries, etc.

Law 549 International Law (Whitsitt)

Public international law concerns the legal relations between states, and to some extent with the individuals within those states. This course is an introductory survey, dealing with the sources, methods and general principles of international law. Given the breadth of the subject matter, the survey is necessarily selective. This course begins by exploring the structural foundations of the international legal system, including the methods of creating international law and traditional ideas about the legal personality and powers of nation states as the foundational subjects within the system. This will be followed by reviews of the concepts and application of state jurisdiction and state responsibility. It will then consider the interaction of international law with national law, using the Canadian system as an example. No background in international law is necessary for students taking this course.

Law 553 Insurance Law (Viney)

Law 553 provides students with an introduction to the policies, principles and procedures that underlie the theory and practice of insurance law. The course begins with an overview of the nature of insurance law and its sources, but the primary focus is on the application of the relevant legal and policy principles to issues commonly encountered by lawyers engaged in various aspects of insurance work. Topics to be covered include concepts unique to insurance, such as insurable interest, disclosure requirements, utmost good faith and subrogation, and the application of these concepts to the interpretation of contracts of insurance.

The primary purpose of the class is to prepare students to deal effectively with the issues and work that they may encounter in insurance related-work in the first few years of their legal practice. Due to the nature of insurance law practice, adequate preparation for this type of work requires not only familiarity with the relevant authorities but practice in the "hands-on" application of these authorities to particular and occasionally peculiar fact scenarios. For this reason, the readings are relatively limited, but class members are expected to complete them prior to each class and to arrive prepared to engage in small and large group discussions concerning the application of the principles drawn from those readings to other contexts.

It is anticipated that students in the 2019 section will be evaluated through: 1) a participation grade based on class attendance, completion of Top Hat questions in class and a self-evaluation (10%); 2) a memorandum directed towards a senior lawyer providing a coverage opinion (35%); 3) case brief, presentation and discussion as assigned (15%); and 4) a final examination (40%).

This course is taught by Christine Viney, an Associate at Bennett Jones LLP:
<http://www.bennettjones.com/VineyChristine/>

Law 561 Employment Law (Cascadden)

Employment law directly affects every person who works in Canada, and of course every business or organization that engages people to perform services. As society becomes more diverse, workplace issues become more complex and interesting, and employment law is evolving at a faster rate than ever before. The greater complexity and legal risk faced by employers as the law develops make employment law a growing (and recession proof) legal practice.

In this course we will cover the statutory and common law that forms the legal basis for the employer/employee relationship. From a statutory perspective, we will review Employment Standards, Human Rights, Privacy, Workers Compensation, and Occupational Health and Safety legislation, along with court and tribunal decisions that interpret these statutes.

Our review of the common law will examine all aspects of the employer/employee relationship, from the determination of whether and when an employment relationship exists, to how the relationship terminated. We will of course carefully consider the obligations of employers and employees throughout the relationship.

Some of the specific points covered in this course include:

- determining whether a person is an employee or a contractor;
- the validity of employment contracts;
- non-competition, non-solicitation, and other restrictive covenants;
- obligations of employers and employees on dismissal;
- resignation, job abandonment, constructive dismissal, and for-cause dismissal;
- drug and alcohol testing, drug dependency, and other disability issues;
- harassment and other discriminatory practices; and
- business issues and considerations arising from employment law.

Last year the course was evaluated by way of two 25% mid-term assignments and a 50% final examination.

This course is taught by Will Cascadden, a lawyer at McCarthy Tetrault whose bio is here: https://www.mccarthy.ca/lawyer_detail.aspx?id=8232

Law 565 Internet Law (Laidlaw)

This course will begin the 4th week of September and will run for 10 weeks for 1 hour and 50 minutes per class

The purpose of this course is to examine the legal issues relating to the use of the internet. Case studies will be explored of several issues, such as network neutrality, the internet of things, jurisdiction, intermediary liability, regulation of social networking and related employment law issues, regulation of domain names and

SPAM, legal issues concerning hate speech, privacy and surveillance, the law governing consumer protection on e-commerce sites and related online dispute resolution frameworks, cyberwarfare, competition law and artificial intelligence. These issues will be examined through a combination of lectures, seminar discussions, presentations and problem-based work. The course will focus on the legal issues in its Canadian and international context, and include comparative analysis of the law in the USA and Europe. As this is an evolving area of the law, analysis will also have a policy bent exploring areas where the law has not been sufficiently developed to address a key legal issue, or perhaps has been developed but with unintended legal consequences. Students can therefore expect to gain the following skills from taking the course:

- Understand the laws governing internet use and have informed views on how the internet should be regulated;
- Understand the major debates regarding cyberlaw, regulation, enforcement and internationalization.
- Be able to present and rationally defend a position with regard to the legal issues that arise concerning internet use;
- Develop critical analysis skills concerning current and developing law;
- Develop skills in analyzing comparative law;
- Critically understand the social and political context of internet governance and be able to analyze policy concerning internet regulatory issues;
- Be able to apply legal knowledge gained to analyze and resolve case-problems.

Evaluation will be made of a student's participation (25%), presentation (25%) and paper (50%). The paper may be used to satisfy the Upper Year Writing Requirement.

Law 567 Law & Economics (Ilg)

This course examines the application of economic reasoning to law. The course is designed for students with little or no training in economics. Many laws impose a price on behaviour, and so it is useful to consider how these costs will alter behaviour, and whether the outcome is productive for society.

The main substantive areas of the course include: 1) an introduction to the economic analysis of law, including foundational works in the law and economics literature; 2) economic analysis as applied to various doctrinal areas of law, including contract, tort, property, constitutional, corporate law, and crime; 3) modern developments that draw upon behavioural and experimental studies, and; 4) critical assessments of law and economics.

Evaluation will be based upon a 100 percent final examination. Students will also have the option of evaluation based on a final examination in combination with either

a research paper or a collection of class journals. The course may satisfy the Faculty's theory requirement as well as the major paper requirement.

Law 569 Law & Literature (Watson Hamilton)

This course explores interdisciplinary connections between law and literature. Its objectives are: (1) to further develop critical reading skills applicable to all areas of law; (2) to explore tensions in the life of the law and lawyers through fiction; and (3) to have fun (because reading and discussing good fiction should be enjoyable).

This course can be used to satisfy the upper year "Theoretical Perspectives Requirement." Two different theoretical approaches will be used in the Winter 2019 version of this course. The first is a law-as-literature or "hermeneutic" approach to the subject, which applies literary interpretation methods to legal as well as literary texts. No background in literary theory is required (or even desirable). The second theoretical approach is a "narrative" approach, that focuses on the stories told within law by clients and others, with particular attention to the role of "lawyer as translator." Both theoretical perspectives should be widely applicable to other academic and practice contexts.

Both theoretical perspectives will be applied in the majority of classes, where we will look at law-in-literature, i.e., the fictional treatment of legal themes in literary texts. The texts will be novellas (such as Camus' *The Stranger* and Orwell's *Animal Farm*), short stories and book chapters (from authors such as Melville, Dickens, Tolstoy, Asimov, Wolfe, Oates, Atwood, and King) due to the short 10-week length of the term. In this part of the course we will focus on the tensions between law and justice or between the personal and professional lives of lawyers that are presented in literature.

Laptop computers, tablets, smart phones and similar electronic devices will be banned from the classroom because research shows student understanding of (especially theoretical) material is significantly enhanced by working with that material in a tangible form that can be physically marked-up. The absence of electronic devices in a small classroom also encourages engagement, increases participation, and discourages distraction.

This course can also be used to satisfy the Upper-Year Writing Requirement, even though that requirement demands extensive research in primary sources (statutes and cases). Evaluation components will include at least 30% for class participation; up to 20% for very short papers apply the theoretical approaches to both legal and literary materials, and 50% for a 5,000 to 6,000 word paper that applies one of the theoretical approaches to a novel that students will select from a list of approximately 25 novels. Some of those novels will allow students to use the 50% paper to satisfy the Upper-Year Writing requirement, although do so will require imagination and hard work.

Law 571 Oil and Gas Law (Stewart)

One advantage of the University of Calgary's law school is its proximity to the petroleum industry. Law firms and in-house departments of energy companies provide opportunities for lawyers to work on a spectrum of legal issues that includes: environmental compliance; First Nations relations; international negotiating; corporate securities; large-scale finance; and oil and gas transactions.

Oil and Gas Law is an essential course for those wishing to practice in this area. The course examines the processes by which the rights to produce oil and gas are acquired. The course topics include the nature of oil and gas ownership and the legal obligations associated with such ownership; the legal character and anatomy of the private oil and gas lease; and Crown disposition systems.

This course also has a legal skills component, which focuses on building the skillset that is essential for a competent petroleum lawyer to possess. It offers in-class workshops, including: contract literacy and negotiating exercises; and an exercise related to acquiring licenses necessary for conducting oil and gas exploration in Alberta.

The course consists primarily of in-class lectures, guest lectures from energy law experts, and in-class active learning exercises. By the end of the course students should be able to:

1. Understand basic terminology relevant to the oil and gas sector;
2. Understand the oil and gas ownership theory and conservation principles;
3. Understand and analyse the legal issues associated with the drafting and interpretation of the private oil and gas lease;
4. Synthesize and apply the doctrines and principles applicable to the private oil and gas lease;
5. Be familiar with the general structure of public oil and gas tenure regimes both provincially and federally, and critically evaluate the difference between these regimes;
6. Understand the role of the Alberta Energy Regulator; the Alberta Surface Rights Board, and the Nation Energy Board in oil and gas development;
7. Appreciate some of the policy issues surrounding oil and gas development in Canada;
8. Identify areas of oil and gas law in need of reform;
9. Use the techniques of legal reasoning and argument;
10. Apply intellectual and practical skills to formulate solutions to legal problems; and
11. Demonstrate behaviour consistent with academic integrity, social responsibility, and high professional standards.

Student assessment is comprised of class participation, a final examination, and/or an optional research essay.

Law 573 Public Lands and Natural Resources Law (Lucas)

This is a public law course about legal issues concerning use and regulation of public lands (essentially “Crown Lands”) and resources in Alberta, with examples from other jurisdictions. It includes forestry, wildlife, historical resources, recreational use, and grazing and other agricultural uses. Water is considered, but only as it interacts with related public land uses (there is a separate water law course). It does not cover oil and gas and merely touches on mining. Aboriginal and treaty rights issues are relevant, but only as they relate to these public lands and resources. Constitutional law is limited to that concerning public lands and natural resources. Constitutional Law is a building block. Administrative Law is also fundamental because many public lands issues concern decisions made under relevant public lands and related legislation.

The course will include a number of in class workshops. Problems will be addressed by groups of various sizes or by the entire class. Some in class research will be involved. There will also be specialist guest sessions and presentation/Q&A for parts of classes. Opportunities to do research and prepare papers that satisfy the Upper Year Writing Requirement will be available at the option of students.

Law 577 Tax Policy (Templeton)

Tax policy has far-reaching consequences for all areas of society, from the individual and the family unit, to the charitable and business sectors, to Canada’s tax competitiveness in a global economy. Taxes pay for the regulatory and justice systems that protect private property rights and allow a market economy to function, for the provision of public goods like education, infrastructure and national defence, and for public protection of our individual rights and freedoms. Tax policy judgments are judgments about who ought to pay for these public goods, with the goal of designing a tax system that is equitable, efficient, and simple to administer. Tax policy also determines how public funds are spent through the tax system in the form of special tax credits and deductions that support their recipients.

This course will cover the policy underpinnings of our personal income tax system, taxation of returns on investment, business taxation, and international taxation. The mechanics of these areas of taxation will be covered at a conceptual level, with a focus on the reasons underpinning the design of tax systems.

Our judgments in the area of tax policy reflect our judgments about how society ought to be organized and our values, both civic and personal. As Louis Eisenstein said in his classic text, *Ideologies of Taxation*, “Any intelligent thinking on taxes

eventually reaches the ultimate purpose of life on this planet as each of us conceives it.”

Evaluation in this course will consist of a 5,000 word paper worth 50% of the final grade, and a final exam worth 50% of the final grade. The paper for this course will satisfy the Upper Year Writing Requirement.

Law 579.xx Legal Theory: Ethics (Woolley)

Why do we have lawyers? What principles should guide lawyers in the selection and representation of clients? Do those principles flow from law, from morality or from both? How, if at all, do those principles help us think about the actual dilemmas faced by lawyers in practice? And what is it like to be a lawyer faced with a question with no good answers? How do you decide what to do?

This course allows students to explore these questions, to reflect on and develop their own ethical perspective on being a lawyer, and to think about the sort of legal career they would like to have. The course is abstract and theoretical, but also practical and grounded in the dilemmas lawyers face and the lives lawyers lead. In addition to reading moral and political philosophy about the lawyer’s role, students will read, listen to and watch stories about the lives and experiences of individual lawyers. Our conversations will consider what lawyer’s stories tell us about theories of the lawyer’s role, and what theories of the lawyer’s role tell us about lawyer’s stories.

Students will be evaluated through completion of a research paper, which can be used to satisfy the upper year writing requirement, through participation (both in-class discussion and short written comments on the readings), and through presentation of their research paper.

Enrollment in the course is capped at 16 students.

Law 579.xx Legal Theory: International Law (Whitsitt)

International investment law is one of the most exciting and quickly evolving areas of international law. It has led to the signing of thousands of agreements, mostly in the form of investment contracts and bilateral investment treaties. The past twenty years has also witnessed unparalleled growth in the number of disputes being resolved by investment arbitration tribunals. Yet the legal principles at the heart of the international investment law regime remain in a state of flux. Perhaps the best illustration of this phenomenon is the wide disagreement among investment tribunals on some of the core concepts underpinning the regime, such as investment, property, regulatory powers, scope of jurisdiction, applicable law, or the interactions with other areas of international law.

The purpose of this course is to revisit the conceptual foundations of international investment law in order to shed light on the jurisprudence. In so doing, this course focuses on the framework of the investment regime, identifies the common conceptual bases of an array of seemingly unconnected practical problems, and addresses the fundamental challenges, as well as the main legal mechanisms available to manage such challenges, within the investment law regime. Overall, this course offers a thorough investigation of the conflicting theoretical positions underlying international investment law and tests their worth by reference to concrete issues that have arisen in the jurisprudence. This course is intended to demonstrate that resort to foundational legal theory can address many of the most important questions facing international investment law.

Students taking this course must have already taken international law and will preferably have already taken international investment law or be taking international investment law while registered in this course. One of the key requirements for course completion will be completion of a writing assignment that meets the major writing requirement.

Enrollment in the course is capped at 16 students.

Law 579.xx Legal Theory: Multiculturalism & the Law (Kislowicz)

The term multiculturalism is often used to describe a social fact – increasing recognition of diversity along ethnic, cultural, religious, racial, sexual, or other lines – and also to describe government policies responding to this social fact. In this course, we will examine how courts, legislatures, and theorists have articulated, and sometimes complicated, conceptions of culture and multiculturalism. At root, these actors are all engaged with the questions of how we can and should best live together, how to best balance communal and individual interests, and the mutual influence of cultural identities and law.

Our materials start by situating our course in the context of some very complicated cases. We will then move on to discussing some dominant theories of multiculturalism, and some critical responses to these. Next, we look at some governmental and judicial responses to the notion of multiculturalism. Our discussion will then consider more critically the notions of law and culture, and examine their meeting points through some specific examples.

The course will be evaluated based on a several components: (1) a term paper of 7000-7500 words, (2) an in-class presentation, (3) short written response(s) to the course readings, and (4) class participation. The paper can be used to satisfy the upper year writing requirement.

Enrollment in the course is capped at 16 students.

Law 579.xx Legal Theory: Commercial Law (Badami)

The Bait. Are you interested in practicing complex business litigation? Insolvency and restructuring? Are you summering or articling at a business law firm? Or are you simply interested in the philosophy and theory underpinning the law? Or, let's be real, do you need to fulfil your **Theory Requirement** to complete law school and want an interesting (hopefully not sleep-inducing) Tuesday evening seminar? If you have answered yes to any of these questions then you should seriously consider enrolling for this Seminar and, if you are serious enough, you should diligently attend class, read the materials, and collaboratively, analytically explore the issues at play... And then write a 7,500 word essay to perhaps fulfil your **Upper Year Writing Requirement**.

The Switch. There are competing theories purporting to illuminate the function of private law. One such theory envisions private legal relationships as a web of correlative rights and responsibilities. When parties litigate it is to remedy the breakdown in this correlative relationship. The Court's role in adjudicating disputes – at least according to this theory – is to return the litigants to their respective pre-breach positions. Other theories hold that the dispute resolution system should (or, in any event, does) advance external goals beyond the resolution of the dispute between the litigants.

What does it all mean? How do these theories apply in practice, in the context of business litigation, where often millions of dollars are on the line? Do they apply at all? Should they apply? What can we learn about the strengths and weaknesses of the various theories from a review of the reality of corporate litigation?

What do I have to do? Students will be exposed to the foundations of competing legal theories along with real-world examples of business litigation cases. Students will examine reported decisions, public pleadings and affidavits (most likely), and news and academic articles reporting on the cases that occupy corporate counsel and their business clients. They will apply theory to practice and engage with the theoretical issues emanating from (and underpinning) real world, high-stakes litigation.

No, honestly, what do I have to do? 30% of your grade will rest upon your in-class participation. This is a seminar. Students are expected to have read the material and engage with it and each other in a thoughtful way. To this end, students will be expected to lead a class discussion in connection with that week's readings (in its own right a valuable skill for aspiring lawyers). 70% of your grade will rest upon a final essay no more than 7,500 words long (and no less than 6,500 words).

You're weird and trying really hard to make us like you. Who are you? Where do they find people like you? What have I done with my life? I am a business litigator at Norton Rose Fulbright in Calgary. I studied law in Toronto and am from the great, decaying city of Montreal. I love private practice at a big law firm (or is

that Stockholm syndrome?) (in a city I adore), and I have always been interested in the theory underlying what I do. If you want to find out more about me, click this: <http://www.nortonrosefulbright.com/people/129340/adityamadibadami> or this: <https://ca.linkedin.com/in/adityabadami>

Enrollment in the course is capped at 16 students.

Law 579.xx Legal Theory: Residential Schools Litigation (Mahoney)

The Indian Residential Schools litigation led to the largest and most comprehensive class action settlement agreement in Canadian history and is unique in the world. Its underlying theoretical framework was informed by a combination of tort law theory, critical race theory, feminist legal theory, restorative justice principles, human rights principles, and indigenous laws. It demonstrates that in order for the law to properly deal with the harms resulting from a clash of cultures, sexism, racism and a genocidal colonial policy, not one legal theory or set of values was sufficient to arrive at a just result that would adequately address the harms and lead to reconciliation. Instead, a combination of theories was required. Those theories, which informed the litigation, will be discussed in depth in this course.

Students will study the settlement agreement and its component parts including the common experience payment, the individual assessment process, the healing funds, the Truth and Reconciliation Commission, the commemoration funds, the education credits, the Educational Trust and the apologies from both the federal government and the Vatican. Students will analyse and theoretically evaluate court decisions that preceded the settlement negotiations.

Students will be evaluated by their class participation (15%), class presentation (35%) and through the writing of a research paper (50%). The research paper may be used to satisfy the Faculty's upper year writing requirement. This course also satisfies the Faculty's theoretical perspectives requirement.

Enrollment in the course is capped at 16 students.

Law 579.xx Legal Theory: Indigenous Legal Traditions (Mahoney)

Mainstream legal educational materials suggest, by implication, that Indigenous peoples were lawless prior to European contact. This is a false idea that will be challenged in this seminar where students may have to shift their thinking and perspectives in order to do the necessary intellectual work to move past stereotypes and assumptions.

The seminar will deal with three broad and overlapping themes. First, there will be an introduction to Indigenous laws while examining mainstream legal theories and assumptions about the concept of 'law' that have made it difficult to understand that indigenous laws existed prior to contact with European settlers. Students will learn what Indigenous legal orders are, and how Indigenous legal orders enable

Indigenous societies to manage themselves as self-governing and self-determining peoples. Second, because sexism is a major social issue both in Canadian society and Indigenous communities, we will examine how universalizing principles can perpetuate sexism in both Western and Indigenous legal systems. It is hoped that through this part of the course students will come to understand the ways that racial and gendered norms operate in law and in inter-societal legal relationships and conflicts. Third, students will explore inter-societal legal realities through an examination of Cree law and Canadian law through case studies. They will be encouraged to think about legal pluralism and what it means to live in a multi-juridical society and to consider questions about power, jurisdiction, legal authority, and participation.

The centerpiece of the course will be two graphic novels, *Cree Law: Mikomosis and the Wetiko* and *The Outside Circle*. The Mikomosis novel is based on the true story of a Cree man sentenced to death by a 19th century Alberta court after carrying out an execution ordered by his Cree community under a Cree concept known as Wetiko. *The Outside Circle* is a contemporary graphic novel about urban crime, the overrepresentation of indigenous men in prison, and redemption. A variety of other theoretical readings and activities will be assigned over the course of the term, including the preparation of case briefs from different perspectives.

The course will be evaluated on the basis of classroom work and a research paper. The classroom work will comprise 50% of the grade (15% class participation and 35% class presentation) and the research paper, 50%. This paper may be used to satisfy the Faculty's upper year writing requirement. This course may also be used to satisfy the Faculty's theoretical perspectives requirement.

Enrollment in the course is capped at 16 students.

Law 579.xx Legal Theory: Property (Watson Hamilton)

This course can be used to satisfy the upper year "Theoretical Perspectives Requirement," as well as the Upper-Year Writing Requirement.

This course is a critical examination of the main theoretical writings in Property. Each theoretical perspective introduced or elaborated on in this seminar is also common in other doctrinal areas such as Contracts, Torts and Constitutional Law. In this way, this seminar can be thought of as a broad, survey course of some of the most commonly encountered concepts in Anglo-American law. In addition to examining the main theoretical writings, we will also look at those theories at work in some of the current controversies surrounding blockchains, pipeline protests, body part sales, overflying drones, gentrification, sacred sites, homelessness, augmented reality, etc.

There are — at most — only three questions to be answered and explained by property theory: (1) What is property? (2) Which property? (3) Why property? The

“what is property” question looks for a structural or conceptual core to property. It includes the conventional theory which regards property as a mere bundle of legal rights. The “which property” question is about possible categories of property: private, communal, or public/state and the anti-property open-access commons. The “why property” question addresses the normative justifications for (private) property, and these justifications also determine property’s scope and limits. Because of the causal relationship between (private) property and inequality, property rights are thought to need strong normative justifications.

This course is a discussion seminar, intended to explore explanations of property in depth. Students are required to attend class, to have read the assigned material for class, to have developed one or more questions about that material, and to be prepared to talk about the assigned material in an informed and thoughtful manner during class. Although most of the readings are not long, they are often dense. Laptop computers, tablets, smart phones and similar electronic devices will be banned from the classroom because research shows student understanding of this type of material is greatly enhanced by working with it in a tangible form that can be physically marked-up, and also to encourage engagement, increase participation, and discourage distraction.

Evaluation will include a class participation component of 25%. In addition to participation in class discussion in the way described, class participation will require the completion of 12 online reflections on assigned readings uploaded to D2L before class in order to inform the instructor about common questions, themes, points of confusion and connections to other experiences. These online reflections will only be evaluated on the fact of their completion, and not on their content.

For the other seventy-five (75%) percent of their grade, students will have three choices. One option is to complete a 7,500-word research paper that fulfills the upper year writing requirement because the research is significant and uses primary sources (case law and/or statutes) as well as secondary sources (theory). A second option is a 7,500-word research paper that does not meet the upper year writing requirement for a significant amount of research in both primary and secondary sources. Suggestions for paper topics will be provided. The third option is three 2,500-word papers, each worth twenty-five (25%), that require one or two class readings be applied first to an instructor-selected case, then a different class reading be applied to a student-selected statute or treaty, and finally another different class reading be applied to a student-selected work of art (broadly interpreted to include cartoons, television shows, graffiti, etc).

Enrollment in the course is capped at 16 students.

Law 583 Water Law (Olszynski)

At its core, this course deals with how governments and societies allocate and manage their increasingly scarce water resources. Throughout the western world, water and water laws have played a critical role in social and economic

development and will continue to do so in a century marked by the effects of climate change. The course first considers the common law rules applicable to water that Canada inherited from Britain (some of which are still relevant) before examining legislative and other authority over water under Canada's *Constitution Act, 1867*. The course then focuses on Alberta. This part begins with the history of surface and groundwater rights and allocation, including common law rules, the *Northwest Irrigation Act* of 1894, and finally Alberta's *Water Act*, which sets out the current rules for receiving and using water throughout the province, including for agriculture, municipal use, and oil and gas development. The course also considers other legal and policy topics including public and private uses; comparing western U.S. water rights to western Canadian water rights; water quality vs. quantity regulation; replenishing and maintaining aquatic ecosystem requirements; the commodification of water; and generally, how to move innovative water management policies into law.

Law 591 Provincial Court Clerkships (Fradsham)

By Application – See Current Students website

The purpose of the course is to give students further litigation experience, from the judicial perspective. All clerks rotate through the Criminal, Family and Youth, and Civil Divisions of the Court. All clerks meet regularly with their supervising judges. They do research and write memoranda.

There is no formal class time, whether at the Court or the Faculty of Law. Instead, clerks and their supervising judges work out mutually suitable hours in accordance with their respective schedules. **Clerks should expect to spend about 10 hours a week at the Court House.** Students are graded on a Credit/D/F basis.

Five students will be selected for the winter 2019 term.

Law 593 Health Law (Hardcastle)

Health law is a broad and diverse field that draws from many other disciplines, including bioethics, political science, economics, and the health sciences. It also encompasses many different areas of the law, including constitutional law, negligence, criminal law, intellectual property, and international law. This course exposes students to these varied interdisciplinary perspectives and areas of the law as they relate to the health care system. Health law is a dynamic field, having to constantly evolve and adapt to new scientific discoveries. This course addresses situations in which the law has struggled to keep pace with innovation, such as new reproductive technologies. Health law is also a field that is often at the cutting edge of policy debates and this course explores such contemporary issues as end-of-life care, the regulation of cannabis, and privatization of the health care system.

Traditionally, the doctor-patient relationship was the focus of health law. This course examines various legal issues arising from that relationship, including consent, professional negligence, health privacy, and the discipline of health professionals. However, relationships and issues at the broader systems level are the subject of increasing legal regulation and health law scholarship. Thus, it also explores such topics as the regulation of pharmaceuticals and health research, global health law, public health law, the organization of the Canadian health care system, and the complex legal relationships between different health system actors (including provincial and federal ministries of health, hospitals and other health facilities, health professionals, and patients and their families).

This course addresses how legal instruments can aid policy-makers in the achievement of health policy goals, such as enhanced access to services, cost containment, and improved quality of care. Similarly, it examines the limits of the law as a tool for reform and situations in which laws impede the achievement of these health policy goals. This course also addresses the role of the courts in the health sector. While the courts can function as an important mechanism for holding governments accountable, there are often concerns with judicial competence to weigh in on complex health policy debates.

The evaluation method for this course is a final exam that will comprise 100% of the final grade in the course. Alternatively, students may elect to complete an assignment (due on the last day of classes) comprising 40% of the final grade, thereby reducing the weight of the final exam to 60% of the grade in the course.

Law 594 Indigenous Peoples & the Law (Hamilton)

This course introduces students to the legal aspects of the relationship between Indigenous peoples and the Canadian state. It provides an examination of Aboriginal rights and title, treaties, the duty to consult, the Crown's fiduciary duty, the division of federal and provincial powers concerning Indigenous peoples, the Indian Act, and self-government. While the course focuses primarily on analysis of case law, it will also explore the place of Indigenous peoples in Canada's constitutional architecture and in evolving notions of federalism. The course also examines the historical and contemporary importance of Indigenous legal traditions and tensions between state and Indigenous law. In this, the course will introduce theories of legal pluralism and provide opportunity for critical reflection and discussion on a range of perspectives about Aboriginal rights and the relationship between Indigenous peoples and the state.

Evaluation in this course will be based on a final exam along with some combination of other possible evaluation components (e.g., class participation, assignment and/or quiz). Evaluation in this course cannot be used to satisfy the Faculty's upper year writing requirement.

Law 596 Feminist Legal Theory (Koshan)

This course will focus on feminist legal theory as used by feminist legal activists, primarily in Canada. After an introduction that examines a range of feminist perspectives and debates on the nature and functions of law, the course will concentrate on the ways in which activists have mobilized those perspectives in specific areas (e.g. gender-based violence, workplace equality) by using and critiquing law as a strategy for social change. Strategies to be examined will include litigation, law reform, feminist judgment writing, and engagement with the international human rights sphere.

Classes will be seminar-style with active preparation and participation from all students expected. Evaluation includes 3 components: (1) a research paper that students may write in the form of a factum, law reform brief, shadow report, or feminist judgment, or a paper critically reflecting on an aspect of feminist activism in Canada and its impact on the law; (2) presentation of a topic relevant to feminist legal theory and practice (done in pairs); and (3) class participation. This course can be used to satisfy the upper-year theory and writing requirements.

Law 597 International Trade Law (Whitsitt)

This course provides an introduction and critical analysis of the institutions and agreements that have shaped international trade rules. This course begins with an overview of the theoretical foundations underpinning the system of free trade, and recounts this history of multilateral trade negotiations that have taken place to date. Students are also introduced to the institutional features of the World Trade Organization. Against this backdrop, students are introduced to the key doctrines that govern inter-state trading relations. The primary focus of this course is on the disciplines outlined in the General Agreement on Tariffs and Trade. However, students are introduced to specialized trade treaties governing food safety and technical regulations, such as labeling requirements. Students taking this course will find previous experience with international law helpful.

Law 598 Trusts (Coe)

This course will examine the concept of the trust and its development in equity; its relationship to other legal concepts (e.g., contracts, gifts, etc.); various types of trusts (testamentary and inter vivos trusts, resulting trusts and constructive trusts); how to constitute, administer and terminate the trust; trustee duties and powers; variation of trusts; breach of trust and the doctrine of tracing; with some attention to the modern uses of the trust and its statutory modifications.

I will post Powerpoint slides in advance of each class. There will be short (ungraded) group-based assessments throughout the course, e.g., ten true/false questions, five short answer questions.

You will have two options for assessment: 50% research paper (which may qualify for the upper-year writing requirement) and 50% final exam or 10% group participation (based on you and a classmate(s) discussing the assigned cases for one class in the term) and 90% final exam.

There are no prerequisites for this course.

This course is taught by Catrin Coe, legal counsel to the Alberta Court of Appeal.

Law 599.xx Leadership for Lawyers (Sandwich)

Can lawyers be effective leaders?

Effective leadership is incredibly hard to define but we all seem to know it when we see it. Peter Drucker suggests that leadership is defined by results not attributes - if that's the case lawyers are in desperate need of leadership training!

The legal industry is undergoing dramatic shifts that impact all aspects of the practice and profession. Now, more than ever, lawyers at all levels of practice must be prepared to re-think how they work, manage their business, run their practice, and deliver legal services. More importantly though, they will need the skills and tools to effect that change and achieve the desired results, whatever those intended results may be: greater profitability, client satisfaction, value, career satisfaction etc.

Unfortunately, the skills and characteristics we learn and develop as lawyers will only take us so far and, in many ways, will actually hinder our abilities to effect change and achieve results. So how do we become effective leaders, leaders in our own practice, in our law firms, and in the profession and get the results we need? Where do we start?

The answer is, here!

Leadership for Lawyers will facilitate an introspective examination of your own leadership qualities and characteristics, highlighting both your strengths and opportunities for development. You will learn and begin to develop different leadership tools and an understanding of when and how to use these tools to achieve the results you are looking for.

Building on these leadership insights we will explore other practical tools and methodologies designed to effect change and garner results: effective team management, process improvement (Lean Six Sigma), and organizational change. Practical hands on skills will be achieved through a process improvement case study.

Students will be evaluated as follows:

1. Regular and Meaningful class participation (15%)

2. Reflective Learning Journals (30%)
3. Group Process Improvement Project (40%)
4. Group Process Improvement Presentation (15%)

The course is taught by lawyer turned legal operations and management consultant, Kyla Sandwith, whose website is here: www.denovoinc.ca

Law 599.xx Legal Practice: Innovation (Kowalski)

This is an intensive course that runs for only three weeks (**September 18 to October 5, 2018**). **Classes will end on October 5, 2018.**

The course is designed to be interactive and students must be prepared to actively participate in each class.

Class times from September 18 to October 5, 2018:

Tuesdays and Thursdays 12 - 2 pm

Fridays 1 - 5 pm

2 Saturdays 10 am - 2:30 pm

The course provides an environmental scan of the dramatic, structural changes happening within the global legal services industry. The focus will be on legal services as an “industry”; lawyers are now just one part of an industry that includes many players, many of whom do not have, or need, a lawyer’s depth of legal training. We will explore the latest innovations, entrepreneurial efforts, and technological advances in the global legal marketplace so that students will be prepared for the legal marketplace of 2025 - not the legal marketplace of 2010.

Using a combination of lectures, case studies, online simulations, role plays and external speakers, this class will highlight skills and knowledge that lawyers of tomorrow will need to excel in the new legal services industry. The course will cover new technology, teaming, idea generation, project management, communication, presentation, social networking competencies, the role of in-house counsel, law firm organization, as well as the ability to understand and analyze law firms, law firm management and legal industry dynamics.

Students will be evaluated as follows:

65% Essay – Can be used to satisfy the Upper Year Writing Requirement. **Essay is due on or before 5 pm on December 7, 2018.**

15% Class Presentation

10% Class Participation

10% successful attainment of the COBOT (Certified Operator of Basic Office Technology) badge for Microsoft Word, **and** one of: Excel, or Adobe COBOT badges. The online Legal Tech Assessment will be used to teach and assess this requirement.

Law 599.xx Legal Practice: Parliamentary Procedure (Knoll)

Lawyers are expected to have knowledge and expertise respecting legal aspects of business meetings. This includes such matters as bylaws construction, agenda, formal meetings proposals, precedence of motions, debate, elections, and a host of related topics. In addition, a full service business lawyer is expected to have skills as a presiding officer, or parliamentarian, if called on for regular, special, or annual general meetings. Knowledge of legally recognized and acceptable meetings procedural rules is a highly valuable asset in this connection.

Legal Practice: Business Meetings will provide a solid grounding respecting procedural rules and skills needed to run an efficient and lawful business meeting. The course is performance based and each class will see students participating in the presentation of resolutions or proposals, or in some aspect of presiding or acting as a meetings parliamentarian. Course evaluation may be based on assignments (35%), class participation (55%) and by test (T\F - 10% optional) for membership in the National Association of Parliamentarians (NAP). Successful completion of the NAP test will allow students to record on their CV: "Qualified member NAP (business meetings law - rules & procedures)".

Law 599.01 is capped at an enrolment of 12 students. Class attendance is mandatory.

Law 599.xx Legal Practice: Project Management (Kathuria)

Project management is an essential tool in engineering, consulting, architecture and many other professions. It is relatively new to the legal industry with the requirement being driven largely by clients who are demanding far greater efficiencies and cost certainties. To meet this market requirement, lawyers must now understand and use this project management as an important part of their service delivery toolkit.

This course will highlight the use and benefits of legal project management in the legal industry. This course is also designed to provide students with the concepts of project management and how they can be applied to legal work, including a detailed review of the different styles of project management and their applicability to legal mandates. Students will work in groups to build plans based on case studies derived from real matters.

Why is this course relevant to you?

- Most law firms have either implemented or are planning to implement legal project management practices
- In-house counsel are using these techniques to manage work for their business clients
- You will gain the skills to play a key role in how to run a legal matter

It is anticipated that students will be evaluated through:

1. A class participation grade;
2. Completion of a small group assignment; and
3. Completion of an individual assignment.

This course is taught by Rick Kathuria who is National Director Project Management and Legal Logistics, at Gowling WLG (<https://gowlingwlg.com/en/canada/people/rick-kathuria>)

Law 599.xx Legal Practice: Crisis Communications for Lawyers (Kinsella)

This course builds on the knowledge and skills introduced to students in Law 510: Ethical Lawyering and, in particular, the ethical and practice issues related to communicating with and on behalf of clients. It will provide students with tactics and strategies to navigate the media – and social media – in a manner that defends and advances their clients’ interests, while respecting their professional obligations to courts and the administration of justice.

The modern communications environment is complex and competitive. It has the potential to impact many aspects of a clients’ case and a lawyer’s reputation. Negative consequences can include breach of confidentiality, conflicts of interest, libel and slander, aggravated damages or even compromising a client’s case. Increasingly, interactions with the mainstream and social media have become critical factors in legal cases. Lawyers need to acquire better advocacy skills in respect of the media and, through the media, the public.

This course will provide students with instruction about:

- Interactions with the media
- Effective use of social media
- Superior oral and written communications
- Avoiding common media hazards

The purpose of the course is to equip young lawyers with an ability to communicate effectively on behalf of their clients. In every Canadian jurisdiction, prior to making any public statement regarding a client's case, lawyers need to evaluate whether the statement is likely to materially prejudice any party's right to a fair trial, including that of the client. Lawyers must also ensure that the communication is in the client's

best interest and is within the scope of the retainer. This course will assist students in making these determinations.

The format will be comprised of lectures, case studies and mooted opportunities. Evaluation will be based upon in-class participation, assignments and a final exam. The course will be lively and reliant on full student participation.

This course will be taught by Warren Kinsella, a University of Calgary law graduate who has been an award-winning journalist, author and broadcaster. He is CEO of a firm that works with lawyers and law firms in respect of communications challenges across Canada.

Readings will be assigned; a good knowledge of current legal affairs is critical. Assignments will be graded by the instructor. Students will be evaluated as follows:

1. Quizzes, to be conducted approximately once each month;
2. A comprehensive case study;
3. A comprehensive drafting assignment; and
5. A written exam.

The class will be conducted in person and remotely.

Law 599.xx Legal Practice: Technology and the Legal Profession (Clarke)

This seminar explores how technology is changing the legal profession. The course is divided into broad areas: legal education, the business of law, the practice of law, administration of justice, and access to justice/legal information. The current and potential utilization of technology in each of these aspects of the legal profession will be explored.

This seminar is practical in nature, addressing technological issues (and opportunities) currently facing legal academics and practitioners. Topics covered include education technologies, simulation, teaching technological skills, cybersecurity, privacy, ethical considerations, virtual law firms, artificial intelligence, e-discovery, blockchain technology, e-justice, availability of legal information, and access to justice.

The assessment methods utilized in this seminar course include a research paper of student's choice, class participation, and presentations. Note: Given the scarcity of relevant primary legal materials, few paper topics will qualify for the upper year paper requirement.

Law 599.xx Legal Practice: Marketing & Client Development (Hughes & Pekarsky)

Learning the law and its procedures is one thing but surviving and thriving in the professional services industry is another. The course offers a 360-degree immersive and interactive experience. You will learn about the business of law, developing your personal brand, marketing, business development and client service. At the end of the course, you will have created your personal plan, biography, LinkedIn profile and more giving you a differentiated advantage in landing your dream career and being ahead of your colleagues.

Think of this course as your personal and practical mini-MBA tailored to your legal career that explores all the things you traditionally don't learn in law school but are critical to your career as a productive lawyer and trusted advisor. Taught by [Adam Pekarsky LL.B.](#) (a lawyer-turned professional services recruiter) and [Simone Hughes MBA, CM](#) (a professional services business executive), your course will deliver practical and pragmatic learning opportunities; all the things you never learned in law school ... until now!

It is anticipated that students will be evaluated through:

1. A class participation grade
2. Completion of 2 personal assignments, and a
3. Final Exam

This course is capped at 20 students.

Law 601 Advanced Criminal Law (Fagan)

This course is designed to equip students with an overview of the tools needed to survive on the front lines of criminal litigation "from bail to jail". It is a hands-on course designed for those who want to practice criminal law. The focus will be on "serious crimes", in particular those involving drugs and violence. Topics will include disclosure; the Preliminary Inquiry; the trial of Indictable offences; *voir dire*s (*Charter* and evidentiary) and sentencing.

Students will be evaluated by way of attendance/class participation (20%) and an open-book final exam (80%) which will cover the entire course. Written materials other than an annotated *Criminal Code* and other library materials are permitted.

This course is capped at 20 students.

Kaysi Fagan is a Criminal Defence Lawyer who defends all criminal charges, with a focus on the defence of drug and weapon prosecutions. Ms. Fagan completed her Law degree at the University of Western Ontario and thereafter obtained two Master of Laws degrees (New York University and the National University of

Singapore). Prior to practicing in Calgary, Ms. Fagan worked at the headquarters of the International Police (“INTERPOL”) in Lyon, France. She is a published author and has appeared at every level of Court in the Province as well as in the Supreme Court of Canada.

Law 607 Advanced Legal Research (Clarke)

Advanced Legal Research builds on the basic research skills you developed in Foundations 2. The course provides instruction in research strategy and methodology, evaluation of resources, and citation. It covers both secondary and primary legal materials and emphasizes electronic resources. While the focus is on Canadian legal research, students will be introduced to the U.S., U.K. and Australian legal systems.

This is a practical legal research course, designed to help you transition to conducting research as a summer/articling student and new associate. The assignments require you to utilize these practical skills, including evaluating resources to cite in a memorandum/factum, and then researching and writing a legal memorandum.

Class sessions include a lecture/discussion period and hands-on exercises through which you will learn new tips and methods of searching legal databases and using print resources. Each in-class exercise will be worth 1% of your final grade. There will also be two assignments worth 30-55% each. Class participation is worth 5%.

LAW 613 Conflict of Laws (Tscherning)

Background: Conflict of Laws (also known as Private International Law) is the body of rules and procedures designed to assist the courts in deciding a case which contains one or more ‘foreign’ or international points of contact.

Conflict of Laws raises three components which typically interact: (a) the jurisdiction of the Canadian court (competence of the court); (b) the rules to apply in deciding a case (the choice of law); and (c) the recognition and enforcement of foreign court judgments (the civil procedure aspects). Private International Law touches upon many areas of law, including commercial and civil litigation, contract and tort law.

Course outline: This course examines contentious issues and ‘dispute risks’ in the national and international contexts by evaluating the rules related to jurisdiction, choice of law and recognition and enforcement. The course focuses primarily on international legal practice and commercial transactions. In addition, issues arising from civil procedure, in particular the recognition and enforcement of judgments by domestic courts (public policy/morality and protection of domestic interests) are examined.

Topics examined include the steps to identify the incidental 'conflicts problem'; choice of law and exclusion of foreign law; the concepts of domicile, nationality and residence; jurisdiction including prescribed law, choice of law and rejection of jurisdiction on grounds of '*forum non conveniens*'; 'staying' of domestic proceedings and restraint of foreign proceedings; and the rules and procedures related to recognition and enforcement of foreign judgments and foreign arbitral awards.

Teaching style: The course is taught from both a domestic and international perspective. Students will gain a comprehensive understanding of litigation and civil procedure arising from interactions in the international field. The course is taught through practical examples of international legal practice drawn from several areas of law, including the importance of Private International Law to the Canadian energy and natural resources industry; international consumer protection; multi-jurisdictional property ownership; and international family law disputes (e.g. international child abduction).

International requirement: Given the nature of the topic, this is a truly international course with a global focus. It will prepare students for future practice in the international commercial fields and will satisfy your academic curiosities in a dynamic and challenging area of international legal interaction. The course satisfies the Faculty's international requirement.

Law 617 Alternative Energy Law (Tscherning)

This course will provide students with an understanding of the key issues in alternative energy law and policy. The course will examine the global energy transition to a low carbon energy economy in terms of promoting, generating and integrating alternative energy into the existing energy mix. It will examine international and comparative models of alternative energy law and policy and the regulation of energy markets to promote the development of low carbon energy in Canada. The course will cover a broad range of alternative energy sources such as solar, wind, hydro, tidal, geothermal, biofuels, clean coal and nuclear energy. Specific topics may include: the concept of alternative energy and its origins; the interaction of alternative energy and traditional energy generation; the energy mix for a low carbon economy; the concept of low carbon versus renewable energy; carbon constraints and climate change; regional cooperation on alternative energy; energy security; energy efficiency in the industrial and residential context; development and construction of alternative energy projects, including financial support mechanisms.

Case studies of energy projects will be used to illustrate and discuss the development of alternative energy. There will be class discussions of problem questions and case studies, assigned readings and questions on legislation, policy, case law and international materials. Guest lecturers may lead the discussion on selected topics.

Depending on enrollment, evaluation is planned to consist of a class participation grade and a research paper which may be used to satisfy the Upper Year Writing Requirement. Subject to the instructor's approval, this course may also satisfy the International Requirement.

Law 618 Corporate Finance Law (Tingle)

Corporate Finance looks at the ways companies finance themselves. For most companies in Canada their financing strategy is nearly as important as their business strategy. This is particularly true for start-ups and fast growing companies – without external finance, their business strategy will never get off the ground. Even large, established companies in the oil and gas industry compete as much on their relative costs of capital as on their engineering expertise.

The course examines not only the legal mechanisms used in corporate finance, such as contractual and corporate structures, but also the economic rationales for corporate finance decisions. For example, when is it better for a company to borrow money, rather than issue shares? In what situations can a company look for money from a venture capital firm as opposed to, say, individual investors or the public markets?

Classes consist of a lecture followed by practical group assignments designed to teach students how to structure a financing transaction and how to understand and critically evaluate financing terms. Time is spent on the various contracts, such as shareholder agreements, that make up the legal workstreams in corporate finance.

There is only slight overlap with Law 648 *Securities Law*. We briefly touch on the securities law regulations governing the distribution of shares and debt securities, but pay little attention to the vast majority of the current securities regime. Law 509, *Business Associations*, is essential and students should either previously have taken it or be taking it contemporaneously with *Corporate Finance*.

Corporate Finance is particularly recommended for students considering going into business at some point in their careers.

The course is capped at 33 students and fills very quickly. Every year several waiting list students get in, so if you are in the top five or six students on the waiting list, you should attend the first class.

Law 621 Corporate Governance (Sibold)

Over the past few decades, increasing attention has been paid in Canada, the United States and other western countries to how corporations and other organizations govern themselves. As is often the case, the impetus for this increased attention has been a series of high profile corporate scandals which have brought into question the very fundamentals of corporate governance. Regardless of what area of law within which you eventually decide to practice, a sound understanding of the

underlying public policy and current legal requirements relating to corporate governance will be very useful.

The course will examine the principal concepts in corporate governance (including the theory of the firm, agency costs and directors' fiduciary duties) and the evolution of the present corporate governance regulatory regimes in Canada and the United States before examining various current topics in corporate governance (such as board diversity, shareholder activism, executive compensation and corporate social responsibility).

At the conclusion of this course, the student should have a solid understanding of the corporate governance regulatory regime in Canada and various current topics in corporate governance.

Course material will include business publications, statutory and regulatory materials and reported cases in Canada and other jurisdictions.

In previous years, evaluation has been on the basis of a combination of (a) 25% classroom participation (including an oral presentation) and (b) 75% research paper (which can be used to satisfy the Upper Year Writing Requirement) or final exam. Attendance at class is mandatory. Absence from class will result in reduction of grade.

Please note that students who have not taken Business Associations will not succeed in this course. Although not a mandatory requirement, Securities Law is a recommended prerequisite as well.

This course is taught by Stephen Sibold, QC, Partner and General Counsel of Bennett Jones LLP <http://www.bennettjones.com/siboldstephen/>.

Law 624 Environmental Law & Ethics (Mascher)

This course views environmental issues from an ethical perspective and critically examines law that purports to address environmental problems. As such, the course does not provide a comprehensive set of materials in any given area of law (eg. endangered species), but rather aims to provide students with the ability to recognize various environmental perspectives and critically assess their use in law. Students will explore themes and perspectives in environmental literature and ethics, including: anthropocentrism, inherent value, species preservation, environmental economics, sustainability, and ecological integrity. Students will examine how these various perspectives are, might, or ought to be, applied in environmental law.

No background in environmental law is necessary for student taking this course. One of the key requirements for course completion will be completion of a writing assignment which may, but need not, meet the major writing requirement. This course also fulfills the upper year "Theoretical Perspectives Requirement."

Law 627 International Environmental Law (Hubert)

Scientific and technological advances have given rise to global interdependences from cross-border trade and economic integration. The international community is also increasingly bound together by the need to address significant environmental damage caused by the expansion and intensification of human activities. There is a need for collective State action on a growing number of environmental issues, such as the conservation of biodiversity, protection of marine species and ecosystems, transboundary air pollution, and climate change. These environmental processes and components are all interconnected, as are the human societies that they support.

As a result of these interdependences, international environmental law increasingly encroaches upon what was traditionally within the sphere of purely domestic environmental law and policy. A fundamental understanding of the principles and rules that apply at the international level is therefore essential knowledge for those who plan to practice in the areas of energy, natural resources, or the environment. This seminar course will provide students with a background in the central norms and institutions that govern international relations concerning the protection of the environment.

Given that international environmental law forms part of the corpus of international law as a whole, this course will also provide students with a basic understanding of concepts and principles that govern international law, generally, including: lawmaking processes, legal sources and the law of treaties, jurisdiction, dispute adjudication, and state responsibility. The course will touch upon interrelationships with other relevant areas of international law, including human rights, trade, and sustainable development. It will also demarcate those areas in which international environmental law is unique, for example, by examining the role of non-state actors such as NGOs, scientists and other experts, as well as international institutions in setting and implementing the global environmental agenda.

Finally, the course aims to foster a critical and interdisciplinary approach to the study of this area. The protection of the environment entails a delicate balance between competing demands of economic development and the prevention of environmental harm in light of scientific uncertainty. We will explore this balance through the lens of contemporary issues relating to the protection of the environment in light of political, scientific, and technical considerations. We will also seek to evaluate the strengths, weakness, and efficacy of the system of international environmental law since its emergence in the late 1960s, and consider the shift towards governance and global environmental management approaches.

Doctrinal aspects will be reinforced through in-class discussions of current issues and new developments in international environmental law and policy. Course content will be explored through a combination of lectures, seminar discussions, as well as a selection of expert guest presentations and workshops.

This course has no prerequisite, and it can be used to fulfil your international law course requirement. As a part of course assessment, there is the option of preparing a research paper, case comment or similar component that may qualify for the Upper Year Writing Requirement.

Law 628: International Investment Law (Whitsitt)

This course outlines the principles that make up the international law of foreign investment. The main focus of this course is to provide students with an introduction to the law established by bilateral and multilateral investment treaties. The course traces the purpose, context, and evolution of the clauses and provisions characteristic of contemporary investment treaties, and analyses the jurisprudence that interprets typical investment treaty clauses. In addition, this course introduces students to the dispute settlement mechanisms for enforcing investment law. Students taking this course must have already taken a course in international law.

Law 630 International Petroleum Transactions (van de Biezenbos)

Most of the world's hydrocarbon reserves are owned by national governments. This class acquaints students with the legal issues involved when domestic oil companies seek to invest in and develop oil and gas owned by national governments. The course includes: an overview of state-owned oil and gas companies and state-owned minerals; ascertaining title to the minerals, including indigenous title; resolving boundary disputes between nations; a comparison of different contractual schemes, including licenses, production-sharing contracts, and service contracts; issues arising under the international Joint Operating Agreement; human rights issues, including the rights of indigenous peoples and sustainable development; liability for transnational environmental issues; anti-corruption laws and codes; and international arbitration.

This course can be used to fulfil your international law course requirement. The assessment is 10% class participation and 90% final exam (or, at the student's election, 10% class participation, 50% final paper, and 40% final exam).

Law 631 International Tax Law (Chiu & Montes)

This course will give students the opportunity to study tax law in a global context. It covers both domestic tax law and international tax treaties. Specific issues include jurisdiction to tax, non-residents earning income in Canada and Canadians earning income offshore. This course is designed to help students develop an understanding of international tax law, as well as to understand the framework underlying international tax planning. It will also provide students with an appreciation of the major impact that the globalization of trade and investment flows is having on the practices and policies of income taxation.

Students will be evaluated by way of take-home final assignment (100%- subject to approval of the APC).

Biographies

Sarah Chiu is a partner at Felesky Flynn LLP. She is a tax lawyer who practises in all areas of taxation. Sarah received her Bachelor of Laws degree from the University of Calgary and maintains her ties with the University as a frequent guest lecturer and as a coach for the school's Donald G. Bowman National Tax Moot team. Sarah also holds a Bachelor of Science in Civil Engineering degree. Sarah recently presented at the Canadian Tax Foundation Annual Conferences in 2013 and 2015. Sarah has also lectured for courses for the Chartered Professional Accountants of Canada and has been a speaker for or contributed papers to a number of other organizations including the International Fiscal Association, Canadian Bar Association, the Canadian Petroleum Tax Society and the Federated Press.

Christopher Montes is a partner at Felesky Flynn LLP and practises in all areas of taxation law, with an emphasis on corporate and international tax planning and tax dispute resolution. He is a frequent speaker at Canadian Tax Foundation, Canadian Bar Association and Canadian Petroleum Tax Society conferences and events. Christopher holds a master's degree in law from the University of Cambridge in England, where he studied on a full scholarship from the Canadian Institute for Advanced Legal Studies. Christopher also holds a Bachelor of Commerce degree from the University of Calgary, where he graduated as gold medalist, and a bachelor's degree in law from Osgoode Hall Law School, where he graduated as silver medalist.

Law 637 Energy Law (Bankes)

This course is concerned with the law pertaining to the regulation of energy facilities (especially linear such as pipelines and transmission lines) and energy markets. It is principally concerned with the natural gas sector and the electricity sector and with government regulation of the activities associated with the construction and operation of energy facilities. Some of that regulation is concerned with permitting the physical activities (eg the construction of a new pipeline or a new transmission line) but most of the regulation that we cover in this course is best characterized as economic regulation - either regulation for competition where there is a functioning energy market, or where there is no competition, the rate regulation of a monopoly provider.

The course assumes that you have taken a course in Administrative Law. The course is one of a number of energy and resources law courses in the Faculty. Here are some comments on some differences between the coverage of this course and others: the Oil and Gas Law course is principally concerned with upstream property law issues in the oil and gas sector (i.e. leasing); the Oil and Gas Contracts course is a private law course principally concerned with standard form contracts in the oil and gas sector (e.g. farmout agreements, operating agreements etc).

The Energy Law course is a public law course, perhaps best thought of as a regulated industries course. As such, what you learn in this course should be applicable in other regulated sectors such as the telecommunications industry and the railway industry. There will be some overlap between this course and the Alternative Energy Law course.

Law 648 Securities Law (Kary)

A vibrant capital market is an acknowledged driver of economic growth. In turn, securities regulation has an enormous impact on the development of capital markets. This course will examine the key concepts of securities regulation in the context of their underlying public policy rationale. Regardless of what area of law within which you eventually decide to practice, a sound understanding of the underlying public policy and current legal requirements relating to securities regulation will be very useful.

At the conclusion of this course, the student should have a solid understanding of the securities regulatory regime in Canada and the major concepts of securities law.

Course material will include business publications, statutory and regulatory materials and reported cases.

In previous years evaluation has been on the basis of a 100% final exam (3 hours).

Please note that students who have not taken Business Associations will not succeed in this course.

This course is taught by Olga Kary, Partner at Blakes Calgary:

<http://www.blakes.com/English/WhoWeAre/FindPerson/Pages/Profile.aspx?EmpID=101412>

Law 650 Torys' Business Skills for Lawyers (Brown)

The *Torys' Business Skills for Lawyers* course is designed to teach law students the key non-legal skills necessary for a lawyer entering a corporate/commercial legal practice. Students will learn how to read and understand financial statements, as well as learn enough about how statements are prepared to know where problems (including fraud) can occur. They will learn how to read financial models and how companies are valued.

In general, lawyers are not expected to produce financial statements or forecasts, but they are expected to understand them well enough to follow the conversations and decisions of their clients, and to create legal and contractual structures that reflect the economic realities communicated by these documents. The course will also teach practical negotiation techniques and the nuances of conducting business and negotiating in international environments.

No math beyond very simple addition, subtraction and multiplication is required. However, the content of the course is very different from that of traditional law school classes. Students should be aware that the course has a focus on the subject of accounting and financial statement analysis. However, students should also be aware that surveys of both young and seasoned lawyers both at law firms and in industry have stated that the number one thing they wish they knew better at the start of their careers is how to read financial statements and be more financially literate. It is impossible to overstate how important these skills are for individuals conducting business and as such, lawyers practicing in any discipline.

Classes are divided between lectures and practical assignments, often involving interpreting a set of financials statements or understanding various business activities. Grading in the course is primarily comprised of class participation, two group assignments focused on giving students an opportunity to put what they are learning into practice, and a final exam. There are three instructors: a senior manager and partner at a financial accounting firm and a former investment banker currently starting an international business. Guest speakers have included senior industry individuals and lawyers who have practiced both in industry and at law firms.

Although the course produces grade distributions identical to those in nearly every other law school class, past experience suggests grading is anxiety-producing to some students because of the foreignness of the material and because the grades depend, to a considerable extent, on group effort.

The course is capped at 30 students and fills very quickly. Every year several waiting list students get in, so if you are in the top five or six students on the waiting list, you should attend the first class.

Law 656 Business Law: Mergers and Acquisitions (Riley and Hibbard)

This course is intended to provide an understanding of key legal and financial concepts relevant to mergers and acquisitions ("M&A") and related capital market activities. Topics discussed include the differences between public and private M&A, structuring M&A transactions, the required legal documentation to implement the transactions, securities legislation applicable to M&A, director and officer responsibilities, M&A negotiations, select financing topics, takeover bid defensive tactics, due diligence, as well as regulatory, employment and selected other issues and considerations relating to M&A transactions. In addition, the role of various capital market participants will be examined, including directors and management, shareholders, creditors, securities dealers, legal counsel, regulators and stock exchanges. The course aims to provide students with both knowledge and practical skills that they will find useful as a business person, securities lawyer or in business negotiations.

The course is taught by a team of Calgary-based lawyers led by Beth Riley (<http://www.bennettjones.com/RileyYBeth/>) and Bruce Hibbard (<http://www.bennettjones.com/HibbardBruce/>).

Evaluations will be assignment based with a component related to class participation. Students will be expected to draft a confidentiality agreement and letter of intent and negotiate an M&A transaction applying what they have learned.

Law 667 Advanced Public Law (Duffy)

Public law is a broad area, reaching into various substantive disciplines, and with a scope that would make it impossible to comprehensively cover it in one course. Instead, this seminar is designed to address a selection of advanced topics that are relatively current, or which impact on current events, and which relate to ongoing debates concerning governmental and judicial accountability. Many of the issues addressed in this course are quite controversial, and they do not lend themselves to obvious or easy answers. A major objective of the course is to allow the development of varying perspectives on these issues through class presentations, discussion, and written assignments.

Within the realm of public law, this course has a particular, although not exclusive, focus on Constitutional Law and Criminal Procedure. Specific topics vary each year, and are designed to address current legal controversies. Recent topics have included Canada's security-certificate regime, transnational complications in the Omar Khadr case, the legal status of animals in the law, and Canada's ongoing controversies relating to prostitution, physician-assisted suicide, citizenship stripping, "Mr. Big" operations, Reconciliation, solitary confinement, and online privacy. Some topics bridge borders and include issues from other national jurisdictions or issues in international law.

As a paper course, this class bridges substantive law and the building of legal skills. While students will address timely issues in public law, they will also be building skills necessary for the practice of law in any field. Those skills include the ability to conduct legal research, to write a persuasive and effective argument, to understand relevant policy issues outside of the framework of legal standards, and to make concise and persuasive oral arguments

Students are also encouraged to identify areas of public law that interest them, beyond the four corners of this course, and to develop those ideas through their major papers. The class is evaluated through class participation, a presentation (usually undertaken in teams of two), and a research paper. Constitutional Law is the only prerequisite.

The final paper may be used to meet the upper-year writing requirement.

Law 674A & B BLG Business Venture Clinic (Tingle)

The BLG Business Venture Clinic matches law students with start-up companies. The students work with these companies over the course of the entire year, providing legal information and drafting various agreements and other documents.

Each student is provided with a mentor practicing law downtown who reviews the student's memos and agreements before they are forwarded to the client.

Classes consist of lessons on issues that commonly arise in startup companies, such as employment issues, trade secrets, dividing up founders' equity, intellectual property licensing, board of director problems, etc. As the year progresses, increasing amounts of class time are spent in discussions about problems students are encountering in their work for clients and class brainstorming about different approaches. One of the best things about the class is the camaraderie that develops as the students and professor work on problems together.

The course is marked on the law school's CR/D/F system, but feedback is given to students by comments and letter grades from their mentors on the documents they review. **Students who register for this course must also register in Law 693.xx Entrepreneurial Law at the same time or have taken Entrepreneurial Law previously.**

Law 683 Advanced Family Law (Sowter)

Advanced Family Law will provide students with an opportunity to consider complex family law issues such as: child protection and domestic violence – including how to manage a file involving domestic violence and coercive control. Complexities around financial consequences of relationship breakdown including the impact of illness and disability on spousal support, post-separation changes in income, consequences of retirement on support, pensions, reviews and variations, and restructuring options. Most family law clients retain a lawyer to negotiate and draft a contract. As a result, the course will also consider marriage contracts, cohabitation agreements and separation agreements, and it will provide students with an opportunity to practice their drafting skills. Students should be prepared to engage in class discussion throughout the course.

Evaluation will likely consist of: (1) a research memo; (2) a drafting assignment; and (3) class participation.

Prerequisite: Family Law 515

Law 686 Student Legal Assistance: Clinical Theory (Christopher)

Law 688 Student Legal Assistance: Clinical Practice (Christopher)

By Application-see Current Students website

These courses may only be taken with the consent of the faculty, and they must be taken together. Clinical Theory is graded on the University's 13 band scale, while Clinical Practice is graded Cr/D/F. The courses are scheduled to run through both the Fall and Winter terms.

Clinical Theory deals reflectively with substantial issues of law, procedure, evidence, ethics and skills.

Clinical Practice provides advanced experiential learning, working with real clients in a clinical setting, dealing with a variety of files: summary criminal offences, family law matters, residential tenancy issues, small claims disputes, and traffic offences. Students develop a range of skills including interviewing, counselling, negotiation, alternative dispute resolution, trial advocacy, research, drafting, court practice, client relations, and file management.

With regard to Law 688, Clinical Practice, it is anticipated that each student will be responsible for about 10 active files. The files will be selected and allocated by the Course Instructor, in consultation with the SLA Supervising Lawyers, based on complexity and variety, including both criminal and civil files for each student.

SLA Clinical is capped at 12 JD students, but the actual number selected could be less, depending on the quality of the applications.

Law 686 and 688 are closed to online registration. Instead, students are selected by the Course Instructor from a pool of applicants. While second-year students may apply, as a practical matter third-year applicants are more likely to be selected. The selection of students is based, particularly, on previous SLA experience, together with other litigation and work experience, and life experience generally. Summer employment with SLA is *not* a prerequisite to a successful application. Do not submit letters of reference. There is no interview.

Because 686 and 688 are half-courses which take place over a full year, student grades in both courses will be assigned at the end of the Winter Term.

If you are registered in SLA Clinical (Law 686/688), you cannot apply for Law 591 (Provincial Court Clerkships) in the Winter Term.

As usual, you cannot register contemporaneously in both SLA Clinical (686/688) and any other course with which it conflicts on the course timetables. That said, you can register in a conflicting course, pending the outcome of your application to register in SLA Clinical. But once you are registered in SLA Clinical, you must withdraw your registration in any other conflicting course.

Law 687 Criminal Justice Clinical (Christopher)

By Application – see Current Students website

Students enrolled in Criminal Justice Clinical – The Innocence Project will explore the causes of wrongful convictions including eyewitness identification errors, jailhouse informant testimony, false confessions, tunnel vision, systemic discrimination, forensic science errors, the impact of racism, gender bias and socioeconomic factors and professional/prosecutorial misconduct. Students will

study past cases of wrongful convictions and will critically examine criminal convictions review processes in both Canadian and international contexts. Students will also work together and in collaboration with correctional facility personnel and exonerees to establish an intake and review process for new claims of wrongful conviction. In addition, students may be involved in wrongful convictions access to justice and/or public interest advocacy initiatives.

Due to the nature of the work involved, this class will meet over the course of both fall and winter terms. Students will be evaluated on the basis of their case work and a reflective journal; possible grades include Credit/D/F.

Law 689 Family Law Clinical (Menzies)

The Family Law Clinical Seminar will build upon and enhance the substantive legal principles taught in Family Law 515. The class will involve a more advanced discussion of the issues that arise upon a separation and/or divorce, how those issues may be resolved, as well as the possible options for resolution. Students will gain insight into 'real life' family law practice by drafting court documents and developing skills through role-played interviews and advocacy (a mock chambers application) as well as through class inquiry and discussion. Throughout the term, the class will work from a hypothetical fact scenario from the initial client interview through to the preparation of settlement and divorce documentation. The class will be divided into teams and will work their way through the hypothetical during the term. Additional issues may be added to the hypothetical to enliven the discussion. A component of the class will also be devoted to a review of relevant case law in the area.

There will be three (3) assignments during the course of the term: drafting pleadings and other initiating court documents; drafting a Family Law Application and supporting (or reply) Affidavits; and arguing a mock Special Chambers Application. The assignments will be weighted equally and graded on a Completed Requirements (CR), Marginal (D) or Fail (F) basis.

Law 693.xx Privacy and Cybersecurity Law (Laidlaw)

In this course students will explore in-depth the privacy implications of technology. The course takes a practical and policy oriented approach to teaching students privacy law. Therefore, at the end of the course students will be expected to be ready to understand and advise about the privacy risks across various fields of law and business, and critically understand the future policy, legal and social risks. At the end of this course students may experience a mild case of technophobia.

In the first half of the course students will learn the legal frameworks that protect (or fail to protect) privacy in the areas of theory, international law, torts, private and public sector legislation, health, criminal, national security, freedom of information, SPAM and comparative law. In the second half of the course students will test their

knowledge through various case studies. Topics may include, among others, cloud computing, smart cities, metadata, cybersecurity event recovery, social media, law enforcement, privacy by design, consumer protection (smart TVs, behavior advertising etc.), online reputation, artificial intelligence and information warfare.

Students can therefore expect to gain the following skills from taking the course:

- Understand the laws protecting privacy;
- Understand the major social, legal and policy debates in privacy;
- Develop critical analysis skills concerning current and developing law;
- Develop skills in analyzing comparative law;
- Be able to apply legal knowledge gained to analyze and resolve case-problems.

Students have two options for evaluation: (a) a Final Exam worth 100% of the final grade (subject to approval by the APC); or (b) a Final Exam worth 50% of the final grade, and a research paper of no more than 5000 words worth 50% of the final grade.

Law 693.xx Law of the Sea (Hubert)

Five reasons to study the law of the sea in land-locked Calgary:

- 1. No reason required.** If you are already convinced that you want to study or work in the law of the sea, then this course will provide a foundation in the key concepts, rules and principles that regulate States in their international relations concerning maritime matters. The course takes a Canadian perspective by examining the implementation of international law through federal and provincial legislation and by looking at relevant domestic case law.
- 2. This course will have real results for your practice.** There is scope for a thriving and niche practice in this area, internationally and in Canada. The oceans carry the world's products by ship. More and more we need the resources of the oceans to satisfy our daily needs, whether it be oil and gas, mining the ocean floor, making pharmaceuticals from ocean bed living resources. We are using the power of the oceans to create electricity through tides, and its winds through offshore wind farms. All around the world commercial lawyers are beginning to work in these areas. LNG facilities are floated into position in coastal areas. These areas and more will be the bedrock of sophisticated legal practices in the very near future. This course is in the forefront of teaching these new skills.
- 3. A great course to meet your international requirement.** You will gain an introduction to public international law through the lens of the law of the sea — one of the oldest and most developed branches of this system. It will introduce basic concepts, from cradle to grave, including sources of international law, legal personality, international institutions, jurisdiction, and state responsibility. *International Law is not a prerequisite for this course.*

4. You can make a contribution. The global ocean sustains all life on Earth, including essential services and resources that support human societies and economies. Yet, the oceans are in severe decline, facing pressures from habitat destruction, biodiversity loss, overfishing, marine pollution, and climate change. If you are interested in developing practical knowledge and skills for catalysing change — particularly in the area of environmental protection and sustainable development — then this course should be of interest to you.

5. You will not be bored. The law of the sea is a highly relevant, dynamic and constantly evolving area of international law. The course will push beyond the legal sphere to understand how politics, institutions, economics, geography, science and technology, and environmental change mould progressive developments in the law. Doctrinal aspects will be reinforced by exploring contemporary issue areas, focusing on those most relevant to Canada's national interests, and through practical skills development.

Classes will be seminar-style and active student participation is an important course goal. Sessions will include in-class workshops and involve international experts who can offer colour and insight into the state of art in this field.

Course assessment will primarily be based on a research paper, case comment or similar component that may qualify for the Upper Year Writing Requirement.

Law 693.xx Entrepreneurial Law (Tingle)

Entrepreneurial Law is intended to canvass the legal issues and structures that commonly arise in the startup of new businesses. The course looks at the initial factors that determine whether an idea is best pursued as a new business, the best corporate form for different businesses, the tools used in allocating shares and responsibilities among founders, the employment law and intellectual property issues that commonly arise in startups, the strategies and legal structures used to finance these types of companies, the common sources of finance and what legal structures they require, the legal methods for protecting directors and officers in these sorts of companies, and the rules relating to Canada's public venture markets.

The focus of the course is to not only to canvass the relevant legal doctrines, but to provide students with the background required to accurately predict the likely outcomes of the legal structures they put into place. The course is strongly recommended for all law students interested in business or contemplating life as a member of a founding team some time in their career.

Students must have taken, or be contemporaneously taking, Business Associations. The course is capped at 33 students. Students are evaluated through a combination of in-class assignments and a final exam.

Law 693.xx Climate Change (Mascher)

The course will explore the international and domestic legal and policy framework relating to climate change. The course will commence with an overview of the science and an examination of the environmental justice and human rights issues raised by climate change. We will then turn to examine the United Nations Framework Convention on Climate Change, its Kyoto Protocol, and the Paris Agreement. With an understanding of the international architecture, the focus of the course will then turn to domestic law and policy at the Federal and Provincial levels. This will include an examination of domestic policy choices, with a specific focus on the developing Federal and Albertan legislative framework relating to greenhouse gas mitigation (emissions reduction) and adaptation (preparing for consequences of climate change). The course will conclude with an examination of potential corporate and government liability for harms caused by climate change and litigation strategy going forward. The goal of this course is to equip students with the foundational skills required to grapple with the complex legal issues posed by climate change. It will be possible for students who elect to do so to fulfill their upper year writing requirement in this class

Law 693.xx Public Interest Law: Clinical Theory (Fluker/Laing)

Law 693.xx Public Interest Law: Clinical Theory consists of a seminar held once per week throughout the Fall and Winter terms. The course is intended to encourage reflection on public interest lawyering with coverage of substantive areas of law, legal process and skills. Topics that may be covered include defining the public interest, the nature of public interest advocacy, standing, costs, public participation, rules of practice, case management, advocacy, legal drafting, evidence, test litigation, strategy, access to information, the role of an intervener, building the record, the public interest client, client relations, communication with the media, the administrative state, private prosecution, and ethics. Evaluation is based primarily on several written assignments which require students to reflect on, critically analyze, and apply the assigned readings in the course. The written assignments are due at various times over the duration of the Fall and Winter terms, and the course is graded on the 12 band scale.

Students who register in Law 693.xx Public Interest Law: Clinical Theory must also register and maintain enrolment concurrently in its companion course Law 696.xx Public Interest Law: Clinical Practice for the Fall and Winter terms.

Law 693.xx Selected Topics Indigenous (Francouer)

Law 693.xx will cover selected topics related to Indigenous Peoples and the Law. The purpose of the course is to build upon Law 594 Aboriginal Law course (which is strongly recommended) and give students an opportunity to apply in-depth legal research to real-world issues in the rapidly evolving field of Aboriginal Law. Students will work with the Instructor to pick a selected topic and address

real-world legal issues. Students will have the option and are encouraged to work with a real-world First Nations, Industry, or Government representative to develop their legal issue. While the instructor will work with students and provide selected topics, the instructor invites and encourages students to be creative and propose their own topics.

Grading for the course will be as follows:

1. 30% of your grade will be for participation. 15% of the participation will be based upon the student class participation and 15% for leading a class discussion related to your chosen topic. Students will be encouraged where possible to lead the class discussion along with the First Nation, Industry or Government representative.
2. 70% of your grade will be based upon a final memo of approximately 7,000 words.

Law 693.xx Charity & Non-Profit Law (Templeton)

The law of non-profit organizations and charities reflects our judgments about how civil society ought to be organized and governed, to what extent we want tax revenues to fund non-government services, and what the best avenues are for pursuing social justice and social change. Along with critically reflecting on these questions, this course will provide an overview of the legal frameworks for non-profit organizations and charitable organizations in Canada. Topics will include non-profit and charity law, board members' responsibilities, internal governance of non-profit organizations, and a critical analysis of the role the non-profit and charity sector. Evaluation will include completion of a major research paper that may be used to satisfy the Upper Year Writing Requirement.

Law 693.xx Energy Transportation and Infrastructure (Tscherning)

This course will provide students with an understanding of the key issues in transportation law from the perspective of the energy industry. The course will examine the challenges of transporting energy commodities and goods to local, regional and global markets. It will focus on the broad range of energy transportation methods such as oil and gas pipelines, the LNG-chain, rail, ground, air, and maritime transportation in the Canadian, regional and international context. Specific topics may include: national and international governance on the safe transportation of dangerous goods, including international environmental legal regimes; liability for catastrophic accidents; and mandatory insurance regimes for the transport of dangerous goods. The planning, construction and regulation of related energy infrastructure will also be examined including pipelines, LNG facilities, railways, ports, tankers, and storage facilities.

This will be a seminar course of selected topics related to energy transportation and infrastructure. Case studies will be used to illustrate topical issues and applicable domestic, regional and international law and policy will be examined. The course

will engage students in important discussions of key issues and challenges facing energy transportation and infrastructure, both domestically and internationally. Some sessions may include visits by guest lecturers who will be invited to share their expertise. Depending on enrollment, evaluation is planned to consist of a class participation grade and a compulsory research paper which may be used to satisfy the Upper Year Writing Requirement. Subject to the instructor's approval, this course may also satisfy the International Requirement.

Law 693.xx Introduction à la common law en français / Topics in French Common Law (Magnan)

This course is offered through a partnership with the University of Ottawa, Faculty of Law.

The primary purpose of the course is to facilitate the acquisition of French legal terminology through the study of general principles in criminal law, advocacy, language rights and business law. Students accepted in the course will be paired with a mentor, a bilingual lawyer or judge in Calgary with experience in French Common Law, allowing students to regularly test their French legal knowledge and gain insight into the practice of law in French in Alberta.

The course is a hybrid course, with a blend of on-line teaching and face to face meetings, to allow students flexibility in their learning. The face to face sessions will include presentations by experts that have practiced law in French in Alberta and bilingual judges and justices.

Course assessment will be based on assignments (a case brief, paper) and in-class and on-line participation. Students may elect to use this paper to satisfy the upper year writing requirement, subject to instructor approval.

This course is the first step in helping students:

- access jobs, such as clerkships at the Supreme Court of Canada, or articles with international firms, where legal training and proficiency in both official languages is an asset.
- contribute legal services to the Francophone community, in the language to which they are entitled;
- master legal terminology in French, and improve skills in legal writing and advocacy.

This course is taught by Caroline Magnan from the University of Ottawa: <https://commonlaw.uottawa.ca/en/people/magnan-caroline>

Students interested in the course must send an email to Angela Gallo-Dewar (agallode@ucalgary.ca) and Professor Magnan (cmagnan@uottawa.ca) prior to the start of

classes confirming that they have completed a program in French immersion (or equivalent) through grade 12 prior to the start of classes.

Ce cours est offert en partenariat avec la faculté de droit de l'Université d'Ottawa.

Les principes généraux du droit pénal, de la plaidoirie, des droits linguistiques et du droit des affaires seront explorés afin d'offrir un contexte pour faciliter l'acquisition de la terminologie juridique en français. Les étudiants acceptés au cours seront jumelés avec un mentor, un avocat ou juge bilingue à Calgary, leur permettant de tester de façon régulière et continue leurs connaissances juridiques en français avec d'autres francophones et francophiles et de mieux comprendre les enjeux de la pratique du droit en français en Alberta.

Le cours sera offert en format hybride afin de donner à l'étudiant plus de flexibilité dans son apprentissage. Une portion des sessions seront offertes en présentielle et l'autre en ligne. Les sessions en présentielle comprendront des présentations d'experts qui ont pratiqué le droit en français ainsi que des juges bilingues.

L'évaluation sera basée sur des devoirs (commentaire d'arrêt et avis juridique) et sur la participation en classe et en ligne. Les étudiants peuvent choisir cet avis juridique pour satisfaire à l'exigence du mémoire de recherche, sujet à l'approbation de la professeure.

Ce cours est le premier pas vers un apprentissage qui permettra à l'étudiant à:

- *accéder aux postes juridiques, tels des stages à la Cour suprême du Canada et à l'échelle internationale, où la formation juridique et la maîtrise des deux langues officielles constituent un atout;*
- *contribuer à la collectivité francophone des services juridiques en français auxquels elle a droit;*
- *maîtriser de la terminologie juridique en français, et améliorer les compétences en matière de rédaction juridique et en plaidoirie;*

Le cours est offert par professeure Caroline Magnan de l'Université d'Ottawa. <https://commonlaw.uottawa.ca/fr/personnes/magnan-caroline>

Les étudiants intéressés à participer au cours doivent envoyer un courriel à Angela Gallo-Dewar (agallode@ucalgary.ca) et Professeure Magnan (cmagnan@uottawa.ca) confirmant qu'ils ont complétés leurs études secondaires en immersion (ou l'équivalent).

Law 693.xx Appellate Advocacy en Français

This course is both theoretical and practical, culminating in a moot. The course will teach students key concepts of appellate advocacy in French and provide students with practical experience in using persuasive advocacy skills when drafting appellate briefs and making an oral argument to an appellate court in French. Through class

discussions, presentations from guest lecturers, and practical exercises, students will learn the applicable French legal terminology as well as the fundamental skills and decision making processes of appellate lawyers.

Course assessment will be based on a factum and moot.

This course is taught by Professor Magnan from the University of Ottawa. Professor Magnan previously worked as legal counsel at the Court of Appeal of Alberta and now serves as counsel for Power Law with a practice focused on appellate law and legal drafting.

Students interested in the course must send an email to Angela Gallo-Dewar (agallode@ucalgary.ca) and Professor Magnan (cmagnan@uottawa.ca) prior to the start of classes confirming that they have completed a program in French immersion (or equivalent) prior to the start of classes.

Please note that this course cannot replace the third year mandatory Law 602: Advocacy course.

Ce cours est à la fois théorique et pratique, se terminant par un tribunal-école. Étude des concepts clés de la plaidoirie en appel en français, y compris la rédaction du mémoire, des tactiques d'argumentation, et des stratégies de la plaidoirie. Des discussions en classe, présentations d'invités experts, et exercices pratiques permettront aux étudiants une meilleure compréhension du français juridique applicable ainsi que le processus décisionnel et compétences fondamentales des avocats en appel.

L'évaluation sera basée sur le mémoire et la plaidoirie orale.

Le cours est offert par professeure Magnan de l'Université d'Ottawa, qui a travaillé comme conseillère juridique bilingue à la Cour d'appel de l'Alberta et qui est avocate-conseil pour Power Law sur des dossiers d'appel.

Les étudiants intéressés à participer au cours doivent envoyer un courriel à Angela Gallo-Dewar (agallode@ucalgary.ca) et Professeure Magnan (cmagnan@uottawa.ca) avant le début des cours confirmant qu'ils ont complétés leurs études secondaires en immersion (ou l'équivalent).

S'il vous plaît notez que ce cours ne peut pas remplacer le cours obligatoire de plaidoirie en troisième année (Law 602 : Advocacy).

Law 693.xx National Security Law Lab (Nesbitt)

Are you interested in national and international responses to terrorism, including terrorism prosecutions? Foreign espionage and election meddling? How Canada

collects and shares Top Secret intelligence? Cyber security and state hacking? Canada's legal framework for responding to pandemics or environmental disasters? Advising businesses on international sanctions, national security trade restrictions, or financial crimes? (There's big money here for an informed student! We'll have a senior Partner at an international law firm tell you all about it.) Perhaps it's the idea of engaging in theoretical debates about how the law protects civil and political rights in times of great danger that makes you sit up and take notice? If you answered 'yes' to one or more of these questions then this is definitely the course for you!

This course is one of the few across Canada that will give you an introduction into the laws and policies that make up the emerging field of "national security law". It will be intense, dynamic, current, focus on primary sources (legislation), most classes will involve in-class crisis simulations, and you will be put in touch with some of Canada's leaders in the field.

Select students (numbers TBD; selection, if necessary, at the start of term) will have the opportunity to attend the Georgetown National Security Law Simulation in Washington, DC. Details can be found online: Google it, watch a video, it is truly remarkable. Suffice it to say, it is the biggest and best national security law simulation in the world and, I would guess, will be the best educational experience you will ever have – despite the fact that you may not sleep for 48-hours while trying to save the world! Do be forewarned: you will be working with the best in North America, including senior government lawyers in national security, and any hiccups along may result in a trip to the live studios of the Virtual News Network (VNN), broadcast throughout the halls of Georgetown Law and live on all students' laptops, to explain yourself! (Don't worry too much: a senior CNN correspondent will give you media training before the simulation begins; and last year, legendary Director of National Intelligence, General James Clapper, along with President Obama's White House Counsel, were there to make students feel better at the end.)

Assignments will be various but will not include an exam. The primary evaluation will be performance at the Georgetown simulation for those who attend, but can also include legal reform proposals in the form of Public Service Memos to the Minister (which may be sent to the real Minister of Justice or Public Safety), wiretap applications, legal opinions on national security matters, and preparing for in-class crisis simulations. Students will also be expected to make themselves available outside of class time on occasion, sometimes in small groups with the times set by the students and sometimes early on Friday afternoons in preparation for the Georgetown simulation for those who attend – or wish to participate in the additional learning opportunities.

The course will have a capped enrollment of 10 students. Join us!

Law 693.xx Dentons International Energy Law Study Tour (Stewart)

By Application – see Current Students website

Priority placement for students in the IELP program

This full-year course provides students unprecedented engagement with many of the most significant energy lawyers, regulators, producers, stakeholders and academics from North America. Through this engagement, students are offered an insider's perspective into the challenges facing policy makers today. Classes are conducted on campus and at other sites (including energy facilities, energy regulators, and Dentons offices at various locations in North America). In these constructed learning environments, students, stakeholders, and experts discuss the energy policy challenges in a way that marries academic insights with real-world wisdom.

The course consists primarily of lectures at a number of Dentons offices globally, guest lectures from energy law experts and regulators at a number of international locations, and training in writing and presenting policy papers. By the end of the course students should have an understanding of:

1. The historical and economic contexts which explain the evolution of the law that shapes energy markets (including the history of pipeline development, the changing characteristics of natural gas markets, the rise of shale gas, the turn from coal, and the emergence of renewables as a response to climate change);
2. The central actors of each jurisdiction's energy industry;
3. Trends, developments and trajectories of energy law in each jurisdiction;
4. Energy federalism in different country contexts and how it impacts the regulation of energy activities at the provincial/state level in each jurisdiction;
5. The operation of a number of domestic and global energy markets (including the global oil market, natural gas markets; and a variety of North American electricity markets, including carbon-neutral inputs such as from nuclear, wind and solar);
6. Approaches to subsidization of renewable energy;
7. Current regulatory challenges facing the energy industry;
8. Areas of energy law in need of reform; and
9. The skillset necessary to write and present a policy paper.

By engaging with the upper echelons of policy communities (including stakeholder groups), students will expand their insight into energy law and policy. Students are required to use this knowledge to write and present a Policy White Paper Report on a selected energy law and policy issue. Their presentations will be made to a panel of stakeholders, regulators, and legal experts, who will judge and critique the student's work. An award will be presented by Dentons Canada LLP for the top policy presentation. In preparation, students will have a half-day workshop session with

seasoned policy advocates and technical writers, so they can learn how to maximize the impact of their policy message.

By providing students the ability to translate this energy knowledge into policy action, and by connecting students with elite policy actors, this course grants our students a genuine opportunity to become the leaders who will make the critical energy policy decisions which will impact the lives of Canadians tomorrow.

This course will be assessed based on a class participation grade, a report of research for the White Paper Report, a presentation on the White Paper Report, and a final White Paper Report. The White Paper Report will address a “real world” issue that students encounter while participating in meetings and discussions on the Study Tour.

Law 696.xx Public Interest Law: Clinical Practice (Fluker/Laing)

Law 696.xx Public Interest Law: Clinical Practice provides students with opportunities for experiential learning by working with clients dealing with public interest matters and/or performing case development work on new matters brought to the Clinic by potential clients. Each student is assigned to work on one or more client files or case development projects under the supervision of at least one of the instructors or a staff lawyer. Clinical work will require students to maintain a regular presence at the Clinic with sometimes frequent meetings with the instructors or the staff lawyer as required by a particular case. Students will have opportunities to develop and practice a range of skills including advocacy, interviewing, negotiation, public presentation, navigating the administrative state, dispute resolution, legal drafting, working with affidavits, research, judicial and administrative process, client relations, and file management.

Evaluation is based on work such as interacting with a client on a legal issue, making a public presentation, working on case development projects, assisting counsel in judicial proceedings, and legal drafting on documents such as pleadings, affidavits, factums, position papers, or research memorandums. Students are evaluated on the pass/fail methodology of completed requirements (CR), marginal pass (D), or fail (F).

Students who register in Law 696.xx Public Interest Law: Clinical Practice must also register and maintain enrolment concurrently in its companion course Law 693.xx Public Interest Law: Clinical Theory for the Fall and Winter terms.

Law 696.xx Excellence in Legal Writing (Woolley)

Excellent writing does powerful things. It explains hard concepts clearly. It states important points precisely. It persuades and advises. It tells great stories and makes us laugh. It permits us to grasp complexity that would otherwise be

invisible. It enables us to appreciate beauty and to feel deeply. Excellent writing can also be studied and learned. And it is the subject of this course.

Each class will focus on different things writing tries to do or to be. Topics will include: explaining clearly, articulating precisely, constructing narrative, capturing complexity and nuance, criticizing, advising, persuading, conciliating, eloquence and humour. The class will read examples of writing from in and outside the law, and will deconstruct how (and whether) the author accomplishes one or more aspects of excellent writing. Selected authors will likely include Cheryl Strayed, Ta N'enshi Coates, Jane Austen, Jonathan Swift, Lord Denning, Justice Kimba Woods, George Orwell, C.S. Lewis, Abbe Smith, David Luban, Tim O'Brien, Manhola Dargis, Pete Wells, Alice Munro, David Foster Wallace, David Sedaris and Mary Beard. For each topic students will practice writing with a goal in mind – e.g., writing to criticize or advise, to be funny or eloquent.

The course, which is graded Cr/D/F, will be evaluated based on students completing a variety of weekly writing assignments, some of which will be done in-class. Students will provide feedback to each other, and will also receive feedback from me. Individual feedback from me will include attention to the more technical aspects of writing, such as grammar and sentence structure. There will be no final exam or longer assignment but students will write one or two shorter pieces each week.

Students should note that this course does *not* teach technical legal writing – it will not, for example, teach the common forms or protocols governing statutory drafting, factum writing or client memos. Rather, it aims to help students develop the excellent writing necessary to succeed at those technical tasks.

Enrollment in the course is capped at 12 students.

Law 696.xx Human Rights Clinical (Foster)

By Application- see Current Students website

Overview of Clinical Program with the Alberta Human Rights Commission (AHRC):

This program is a 3-credit program, and will be graded on a CR/D/F basis. Students who complete this clinical program will gain an in-depth understanding of human rights law, and the administrative process through which human rights complaints are resolved in Alberta. This program presents an ideal opportunity to understand and learn about the responsibilities of the Alberta Human Rights Commission under the Alberta Human Rights Act (the Act), including complaint intake, conciliation, investigation, appeals to the Chief Commissioner, tribunal dispute resolution and hearings, and the work of education and engagement. The student's duties may include:

- Participating in complaint intake, and possibly mediation and investigation processes, through shadowing a human rights officer;
- Attending human rights forums and assisting AHRC legal counsel with preparation for presentations at these forums
- Assisting AHRC legal counsel, Tribunal Members and the Chief Commissioner with research for Tribunal Dispute Resolutions and Tribunal hearings, and judicial reviews;
- Attending Tribunal Dispute Resolution meetings and/or Tribunal hearings;
- Attending court proceedings with legal counsel for the Chief Commissioner.

Prerequisites:

- Law 547: Human Rights Law is a prerequisite for this clinical program and, although not required, the following courses would be beneficial: administrative law, labour arbitration, employment law, and/or evidence.
- Students must be enrolled in 2L or 3L at the University Calgary's Faculty of Law.

Two students will be selected for the fall 2018 semester.

Law 696.xx Alberta Utilities Commission (AUC) Clinical (McNulty)

By Application – see Current Students website

Overview of Clinical Program with the Alberta Utilities Commission (AUC):

This program is a 3 credit program, and will be graded on a CR/D/F basis. The program will commence during the week of January 28, 2019. Two students will be selected for the winter 2019 semester.

Students who complete this clinical program will gain the following opportunities:

- Practical understanding of public and administrative law principles as applied in current proceedings before the Commission;
- Understanding of the AUC's role as the regulatory body overseeing facility, rate and market related activities of provincial utilities in Alberta;
- Observe Commission hearings and Alberta Court of Appeal proceedings as they occur during the semester;
- Interact directly with the Commission's 15 lawyers and 9 Commission Members, and
- Gain valuable work experience in a professional environment in their academic field.

The work assigned may include:

- Working on a research paper or project on matters related to the regulation of Alberta's utility sector (electricity and gas rates and tariffs; electricity and gas pipelines facilities; electricity and gas markets);
- Reviewing and analysing applications, evidence, hearing transcripts and legal arguments;
- Attending AUC hearings and Court of Appeal applications;
- Interacting with AUC counsel, AUC members and AUC staff;
- Miscellaneous duties as necessary.

Prerequisites

Law 503: Administrative Law is a prerequisite for this clinical program and, although not required, the following courses would be beneficial: Energy Law and Oil & Gas Law.

Requirements:

- Students must be enrolled in 2L or 3L at the University of Calgary's Faculty of Law.
- Applicants must have an interest in regulatory issues.
- Students must agree to confidentiality of all non-public information to which student has had access to while at the Commission.
- Students will be required to attend at the AUC's Calgary downtown office at least 6 hours per week for the duration of the term

Law 697 Corporate Tax (Brown)

The course is designed to introduce you to Canadian income tax law as it applies to the taxation of corporations and shareholders.

The purpose of the course is to analyze the basic provisions of the Income Tax Act that relate to the taxation of corporations and their shareholders. At the end of the course, you should be able to read and understand the Act and be familiar with the technical details discussed in class. In addition, you should have an understanding of business decisions which are affected by tax issues, and be competent to provide information to businesses on basic corporate tax related issues. You should also have acquired sufficient proficiency in this area to perceive how a desired business result may be obtained without adverse tax consequences.

The course is taught through in class discussion, a series of readings, work book problems and a computer assisted learning program. Evaluation has typically consisted of a midterm exam worth 60% and a take home assignment that is due on the last day of classes worth 40%.

Law 698 Immigration and Refugee Law (Sharma)

The basic principles, policies and procedures governing immigration, citizenship and refugee law. Topics to include: The basic jurisprudence for immigration law; Overview of Economic, Family, and Refugee and other immigrant classes (including temporary residents); Citizenship law (eligibility and prohibitions); Selection and admission of immigrants; Enforcement, grounds of inadmissibility and detention; Refugee hearings and risk assessments; Intersection of immigration and criminal law; Immigration appeals; and Discretion and Judicial Review.

Website/Bio here: <http://www.sshlaw.ca/team/raj-sharma/>

Law 699 Labour Law (Ford and Francis)

This course will allow students to: (1) describe and apply the main legal principles of labour law, including appropriate forum(s) in which to adjudicate labour law disputes; (2) recall and apply the most important statutory provisions, jurisprudence and administrative precedents covered in the course; (3) explain and evaluate practice and procedure relevant to labour law; and (4) identify and analyze some emerging issues in labour law. Labour Law is about the regulation of workers acting collectively through an exclusive bargaining agent (“trade union”), selected by a majority of them, to bargain collectively and exclusively on their behalf with their employer the terms and conditions of employment as codified in the collective agreement. The course covers the law governing unionized workplaces in Canada; topics include: Charter s. 2(d) freedom of association in the collective bargaining context; the status of participants (employers, trade unions, excluded individuals, employees, dependent/independent contractors); trade union organization, certification and revocation; rights and obligations of participants under the Alberta Labour Relations Code and Canada Labour Code; labour law dispute resolution forums and appropriate venues (Court vs. Grievance Arbitration/Labour Relations Board—Federal or Provincial); industrial conflict (strikes and lockouts); and the administrative tribunals that labour law practitioners frequently appear before, including Grievance Arbitration Boards, the Alberta Labour Relations Board, and the Canada Industrial Relations Board. Assessment of students will be through either: (1) Writing an open-book Final Examination worth 100% of the course final grade; OR (2) (a) Writing a paper of approximately 5000 words, worth 50% of the course final grade and involving significant primary and secondary research; AND (b) Writing an open-book Final Examination worth 50% of the final grade.”

Law 705 Graduate Seminar in Legal Theory (Stewart)

This course explores a wide array of schools of legal theory, including classic jurisprudence, the bounds of legal scholarship, legal pluralism and indigenous legal traditions, feminist legal theory, and environmental ethics. Its aim is to help

students situate their graduate research within one or more of these approaches to legal scholarship. As one of the foundational elements of academic pursuit, students will be introduced to the process of reflection that lies behind a piece of scholarship by exploring why and how the various authors pursue their research questions and why those questions are important.

The seminar itself will be structured primarily around a series of readings describing different theoretical approaches and applying these approaches to the areas of natural resources, energy and environmental law. Students will have the opportunity to utilize the course framework to lead a workshop based on their thesis work.

Student assessment is comprised of class participation, report of an LL.M., a workshop presentation, a research essay.