



Fall 2021/Winter 2022

COURSE/TIMETABLE/ REGISTRATION INFORMATION

(for graduate students)

BASIC INFORMATION

This memo concerns our thesis-based LLM, our course-based LLM, and our graduate certificate program. The graduate certificate is available only in the Natural Resources, Environmental and Energy Law (NREEL) area. NREEL specializations are available in the thesis-based and course-based programs. This memo begins by setting out the requirements for these programs and then describes how to register.

The various timetables – for courses and exams in the fall and winter semesters – are available on the Current Graduate Students website, <https://law.ucalgary.ca/current-students/current-graduate-students>. You will need to examine the timetables as you assemble your list of desired courses. No overlaps in either class times or exam times will be permitted, and exam timetables will not be adjusted. All courses are worth 3 credits/units. Any course that satisfies the JD “upper year writing” requirement will also satisfy the requirements of the course-based LLM and the graduate certificate program for courses with a research paper worth at least 50% of the grade.

Ultimately the Graduate Program Director approves each graduate student’s academic program.

PROGRAM REQUIREMENTS

(<https://www.ucalgary.ca/pubs/calendar/grad/current/law-law.html>)

Thesis-based LLM, NREEL specialization:

- Law 703 (Legal Research and Methodology), Law 705 (Legal Theory) and
- at least two additional 600-level courses **in the NREEL area**.
- Normally NREEL students do not take courses from outside of Law, but it can be done in appropriate cases with the approval of the Graduate Program Director.
- As part of Law 703, you will draft a proposal for your thesis, so that you are ready to start on it once your coursework is done, if not before.

Thesis-based LLM, no specialization:

- Law 703 (Legal Research and Methodology), Law 705 (Legal Theory) and
- at least two additional 600-level courses, which may be taken in Law or – with the approval of the Graduate Program Director and if relevant to your NREEL research project – from

other faculties.

- As part of Law 703, you will draft a proposal for your thesis, so that you are ready to start on it once your coursework is done, if not before.

Course-based LLM, NREEL specialization:

- Law 703 (Legal Research and Methodology) and
- five other courses at the 500-level or higher, of which
 - at least two must be at the 600-level or above, and
 - at least two must be Law courses that include evaluation by a research paper worth at least 50% of the grade.
- **All five of these courses must be in the NREEL area, unless you decide to take Law 705 instead of one of these courses, which you may do if you wish.**
- Normally NREEL students do not take courses from outside of Law, but it can be done in appropriate cases with my approval.
- As part of Law 703, you will draft a proposal for your major research paper, so that you are ready to start on it once your other coursework is done.
- After you have finished your first six courses and obtained a satisfactory average with a minimum GPA of 3.0, you will register in Law 706, either for one semester or for two. The output of Law 706 is your major research paper. It is graded on a pass/fail basis.

Course-based LLM, no specialization:

- Law 703 (Legal Research and Methodology) and
- five other courses at the 500-level or higher, of which
 - at least two must be at the 600-level or above, and
 - at least two must be Law courses that include evaluation by a research paper worth at least 50% of the grade.
- You may substitute Law 705 for one of these courses if you wish.
- With my approval, you may take one relevant non-Law course (3 units).
- As part of Law 703, you will draft a proposal for your major research paper, so that you are ready to start on it once your other coursework is done.
- After you have finished your first six courses and obtained a satisfactory average with a minimum GPA of 3.0, you will register in Law 706, either for one semester or for two. The output of Law 706 is your major research paper. It is graded on a pass/fail basis.

Graduate Certificate in NREEL:

- four Law courses in the NREEL area, of which:
 - at least two courses are at the 600-level or above, and
 - at least one course is evaluated through a research paper worth at least 50% of the grade.

It is possible, in appropriate cases, for students to take Law 653 (Directed Research) in lieu of one course other than Law 703 and Law 705. Please consult the Graduate Program Director and Graduate Program Administrator about any questions you have.

Graduate students must maintain an annual GPA of 3.00 and receive no grade lower than B- in order to maintain good academic standing. A student in poor academic standing will normally be required to withdraw from the program. For more information about academic standing, see <https://www.ucalgary.ca/pubs/calendar/grad/current/gs-h-2.html>.

PREREQUISITES/COREQUISITES

If you have questions about prerequisites or corequisites, please ask the Graduate Program Director.

AUDITING COURSES

Provided the instructor consents *first*, the Graduate Program Director may consent to graduate students auditing courses. The procedure is as follows: (1) approach the instructor by email seeking the instructor's consent to audit; (2) if you obtain consent, complete a "Registration Exceptions" form (available **from** the Graduate Program Administrator) and ask the instructor to initial it; and (3) give the form to the Graduate Program Director who will submit it to Enrollment Services. Enrollment Services registers you as an audit student and charges you a fee.

LAW-RELATED COURSES OUTSIDE THE FACULTY

Graduate students wishing to take a course outside the Faculty must consult with the Graduate Program Director.

ENROLLMENT CAPS

All courses and course sections are capped for pedagogical or seating capacity reasons. If a particular time, term or professor is a priority to you, make registration in that course a priority *because we will not lift enrollment caps even where there is a significant wait list*. However, there is a lot of movement in and out of courses through the summer and up to the add/drop deadlines in mid-September, so if a course is full, be patient and do not despair. Make sure that the Graduate Program Administrator knows about your wishes.

COURSE OUTLINES

Some course outlines from previous years are available through the Bennett Jones Law Library D2L page. You may access them as follows:

- Sign on to MyUofC.
- Select D2L.
- Click on the "My Tools" drop down menu in the red tool bar at the top of the page and select "Self-Registration".
- One of the courses listed in the Course Offering Name is "Bennett Jones Law Library".
- Select it and follow the steps to register for the BJLL course page.
- Once registered, click on "Content" to see the Outlines, which are arranged by course level.

Please note, however, that instructors may change the content and evaluation methods for their courses from year to year.

HOW TO REGISTER IN COURSES

Two approaches to registration are available to LLM students: to register using the registration system or to give your course preferences to our Graduate Program Administrator so that she can register you. Because JD students tend to be extremely quick and able, and they snap up many of the spots so quickly, please make sure you send your requests to our Graduate Program Assistant through the form she supplies before her deadline. You are welcome, also, to register yourself. Step by step instructions can be found at <https://www.ucalgary.ca/registrar/student-centre/how-guides>. If you do register yourself in any courses, please let the Graduate Program Administrator know immediately, so that she can plan accordingly.

In either case, you must first initialize your registration, through the instructions here: <https://live-ucalgary.ucalgary.ca/sites/default/files/teams/14/how-to-initialize-registration.pdf>.

Neither you nor the Graduate Program Administrator can register you until your registration has been initialized.

Be aware when registering in multi-term courses that multi-term courses are identified as "A" for Fall and "B" for Winter. You must register for the course in each term as well as pick the same class section. You must register in Part A prior to enrolling in Part B. If you try to enroll in Part B first, you will receive an error message and the enrolment action will fail.

KEY REGISTRATION DATES: FALL TERM

- **Thursday, September 16, 2021:** Last day for *dropping* courses (without receiving a “W” grade).
- **Thursday, September 16, 2021:** No refund of fees if you withdraw from year-long or Fall courses after September 16.
- **Friday, September 17:** Last day for *adding* courses or for changing registrations from credit to audit or audit to credit in year-long and Fall courses.

KEY REGISTRATION DATES: WINTER TERM

- **Tuesday, February 1, 2022:** Last day for *dropping* courses (without receiving a “W” grade).
- **Tuesday, February 1, 2022:** No refund of fees if you withdraw from Winter courses after this date.
- **Wednesday, February 2:** Last day for *adding* courses or for changing registration from credit to audit or audit to credit in full courses and Winter Term half-courses.

PAYMENT OF FEES

There are a number of options regarding fee payment. It is highly recommended that you use telephone or internet banking services to pay your fees. By paying through banking services, you can avoid the long line-ups that occur around the fee payment deadline and ensure that your fees are processed right away. The University of Calgary no longer accepts tuition payments by credit card.

Students who are receiving scholarship payments or other support administered through the University of Calgary can often spread out their tuition payments over the semester. For more information, see <https://www.ucalgary.ca/registrar/finances/tuition-and-fees/graduate-student-payment-plan>.

Additional information on fee payment can be found at <http://www.ucalgary.ca/currentstudents/finances>

Students can access their fee statement through their Student Centre in [My Uof C](#). For more information regarding fee assessment and payment, contact Enrollment Services at esdocs@ucalgary.ca.

Friday, September 24, 2021: fee-payment deadline for graduate students for Fall term.

Friday, January 28, 2022: fee-payment deadline for JD and graduate students for Winter term.

COURSE DESCRIPTIONS

The following courses are open to graduate students in 2021-22. Asterisks indicate NREEL courses. The descriptions for NREEL courses are appended to the end of this memo. Further information about courses being offered this year, including the material to be covered and the anticipated evaluation methods, are provided in the [Instructor Course Descriptions](#) document on the Current Graduate Students webpage. We **strongly recommend** that students review this document carefully prior to making course selections. For courses not listed in the Instructor Course Descriptions document, please see the [Calendar Course Descriptions](#).

Fall 2021	Winter 2022
LAW 509 Business Associations (Stewart)	LAW 509 Business Associations (van de Biezenbos)
LAW 511 Criminal Process (Sitar)	LAW 519 Jurisprudence (Bagg & Janzen)
LAW 515 Family Law (Griffith)	LAW 527 Basic Tax Law (Brown)
LAW 521 Real Estate Transactions (Van Vliet)	LAW 533 Wills and Estates (Watson Hamilton)
LAW 527 Basic Tax Law (Brown)	LAW 553 Insurance Law (Viney / Gray)
LAW 536 International Criminal Law (Duffy)	LAW 563 International Human Rights Law (Hubert)
LAW 547 Human Rights Law (Munn)	LAW 575 Remedies (Ilg)
LAW 557 Commercial Arbitration Law (Pappas)	LAW 579.01 Legal Theory: Administrative Law (Fluker)
LAW 561 Employment Law (Cascadden)	LAW 579.02 Legal Theory: Canadian Federalism (Stewart)
LAW 565 Internet Law (Laidlaw)	LAW 601 Advanced Criminal Law (Fagan)
LAW 567 Law and Economics (Ilg)	LAW 607 Advanced Legal Research (Williams)
LAW 577 Tax Policy (Mintz)	LAW 618 Corporate Finance (Tingle)
LAW 593 Health Law (Hardcastle)	LAW 619 Estate Planning (Brown)
LAW 596 Feminist Legal Theory (Koshan)	* LAW 628 International Investment Law (Whitsitt)
LAW 598 Trusts (Coe)	LAW 631 International Tax Law (Chiu, Montes & Kraemer)
* LAW 605 Oil & Gas Contracts (Pittman)	* LAW 637 Energy Law (van de Biezenbos)
LAW 607 Advanced Legal Research (Clarke)	LAW 653 Directed Research

* LAW 622 – Law of the Sea (Hubert)	LAW 667 Advanced Public Law (Duffy)
* LAW 624 - Environmental Law and Ethics (Mascher)	LAW 693.01 Privacy & Cybersecurity (Laidlaw)
* LAW 627 - International Environmental Law (Hubert)	LAW 693.02 Advanced Health Law (Hardcastle)
LAW 632 Entrepreneurial Law (Tingle)	* LAW 693.03 Water Law (Olszynski)
* LAW 638 Climate Change Law (Mascher)	* LAW 693.04 Environmental Law (Wright)
LAW 648 Securities (Clements)	LAW 693.05 Legal History (Campbell)
LAW 656 Mergers & Acquisitions (Hibbard & Riley)	LAW 693.06 E-Litigation (Christian)
LAW 653 - Directed Research	LAW 693.07 Fintech Law & Policy (Clements)
* LAW 693.01 - International Law (Whitsitt)	LAW 693.08 Money Laundering (Ahmed)
* LAW 693.02 - Oil and Gas Law (Stewart)	LAW 693.09 Sports Law (Shim)
* LAW 693.03 Indigenous Peoples & the Law (Hamilton)	LAW 693.10 Negotiating Indigenous Rights (Chipeur)
* LAW 693.04 International Trade Law (Whitsitt)	LAW 698 Immigration Law (Sharma)
LAW 693.05 Introduction to the US Legal System (Thompson)	LAW 705 Graduate Seminar in Legal Theory (Fluker)
LAW 693.06 Reconciliation & Lawyers (Menard)	
LAW 697 Corporate Tax (Brown)	
LAW 699 Labour Law (Francis & Jones)	
LAW 703 Graduate Seminar in Legal Research (Hagen & Hoffman)	

FALL 2021 NREEL COURSES

For more information, see

https://law.ucalgary.ca/sites/default/files/Registration%20Docs/2021/Instructor%20Course%20Descriptions_Final_2021-2022.pdf.

LAW 605 Oil & Gas Contracts (Pittman)

As parts of the globe transition from carbon-based fuels to renewable energy sources, the oil and gas industry finds itself again under the microscope. And yet, by 2040, it's expected that more than half of the world's energy needs will still be met through oil and gas.

The course focuses on transactions and joint ventures generally, and to the concepts discussed and skills acquired will be easily transferred to other industries or areas of practice. However, as oil and gas contracts have been evolving for the last 70 years, there is a complex and developed body of law specific to oil and gas that allows us to have in-depth discussions about contracts, and to learn drafting techniques.

This will be a very hands-on class. Students will be provided with samples of the various documents and will be required to listen to client instructions; to read the language closely; to think about what the document says and how it could be interpreted in light of the governing law; and to draft provisions to address risks or commercial objectives.

This course is not evaluated through a research paper worth more than 50% of the course grade.

Prerequisite or Corequisite: *Oil & Gas Law*

LAW 622 – Law of the Sea (Hubert)

The Law of the sea is a branch of international law that stretches back to the very origins of public international law itself. Its foundational character makes it fertile ground for understanding the basics of the international legal order, its primary actors, instruments, and institutions. The law of the sea is also

interesting as a topic of legal study, because it must address many contemporary challenges in global affairs. Its development is marked by a longstanding tension between competing state claims to the freedom of the seas and the exercise of exclusive rights by coastal States. This tensions persists today, and is influenced by forces such as increased demands for resources, advances in science and technology, issues of global security, the protection of human rights, and the increasing impact of human activities on the marine environment.

Against this backdrop, this seminar course will provide students with a solid foundation in the key legal norms and institutions that govern international relations concerning maritime matters. In particular, it focuses on the de facto 'constitutional' legal framework established under the 1982 United Nations Convention on the Law of the Sea. Given that the law of the sea forms part of the corpus of international law as a whole, this course will also provide students with a fundamental understanding of the legal concepts and norms that govern international law generally, including: lawmaking processes, legal sources and the law of treaties, jurisdiction, and dispute settlement. Doctrinal aspects will be reinforced through class discussions on contemporary issues and case studies, including those most relevant to Canada's national interests. The course also emphasizes skills development in legal and non-legal research, as well as written and verbal communication. Course content will be explored through a combination of lectures, seminar discussions, guest lectures, workshops, and class simulations.

This course will be assessed based on a fifteen percent (15%) class participation grade, a twenty percent (20%) class presentation, and a sixty-five percent (65%) 6500-word research paper, which may be used to satisfy JD and graduate student writing requirements.

LAW 624 - Environmental Law and 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 environmental law or attempt to duplicate the substantive coverage of the environmental law courses offered in the upper year curriculum. Rather this course aims to provide students with the ability to recognize various environmental perspectives and critically asses 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.

While an environmental law background is useful for students taking this course, it is not a required pre-requisite. One of the key requirements for course completion will be completion of a writing assignment which may be used to fulfil the JD Upper Year Writing Requirement or the graduate requirement of a research paper worth at least 50% of the course grade. In addition to the written assignment, assessment will include a class participation and a class presentation component.

LAW 627 - International Environmental Law (Hubert)

The international community is increasingly faced with threats of serious or irreversible environmental damage caused by the expansion and intensification of human activities across the globe. Environmental phenomena and processes are all interconnected, as are the human societies that they support. As a result, there is a growing need for interstate cooperation on a wide range of environmental issues, such as the conservation of biological diversity, protection of marine ecosystems, transboundary air pollution, and climate change. In addition, due to these environmental interdependencies, 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 seeks to provide students with a background in the primary legal norms, institutions and actors 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 fundamental understanding of concepts and principles that govern international law generally, including: lawmaking processes, legal sources and the law of treaties, jurisdiction, dispute settlement, and state responsibility. The course will also touch upon interrelationships with other relevant areas of international law, including human rights, trade, global equity, and international development. It will also provide students with an understanding of those areas in which international environmental law is unique in the context of public international law, for example, by examining the role of non-state actors such as NGOs, scientists and other experts, and 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 global environment entails a delicate balance between competing societal and economic interests and the prevention of environmental harm in light of scientific uncertainty. We will explore this balancing process through the lens of contemporary issues and case studies relating to the protection of the global environment in light of political, social, scientific and technical considerations. We will also seek to critically evaluate the strengths and weaknesses of international environmental law as a subject area since its emergence in the late 1960s, and its shift towards governance and global environmental management approaches and beyond. In addition, this course will seek to advance skills development in legal and non-legal research, as well as written and verbal communication. Course content will be explored through a combination of lectures, seminar discussions, guest lectures, workshops, and class simulations.

This course has no prerequisite. This course will be assessed based on a fifteen percent (15%) class participation grade, a twenty percent (20%) class presentation, and a sixty-five percent (65%) 6500-word research paper, which may be used to fulfil the JD Upper Year Writing Requirement or the graduate requirement of a research paper worth at least 50% of the course grade.

LAW 638 – Climate Change Law (Mascher)

The course explores the international and domestic legal and policy framework relating to climate change. The course commences with an overview of the science and an exploration of the environmental justice and human rights issues raised by climate change. The course then turns to examine the evolving international framework, from the United Nations Framework Convention on Climate Change through to the Paris Agreement. With an understanding of the international architecture, the focus of the course turns 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 federal and provincial legislation relating to mitigation (greenhouse gas emissions reduction) as well as the ongoing climate litigation landscape. As both the legislation and litigation landscape are rapidly evolving in this area of law, the course will focus on selected case studies and will require students to undertake independent research as assigned by the instructor to be presented in both oral and written formats.

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.

Assessment in this course will include class participation, class presentation and a written research brief and/or research paper. This course may be used to fulfil the JD Upper Year Writing Requirement or the graduate requirement of a research paper worth at least 50% of the course grade.

LAW 653 - Directed Research

A supervised research project involving the in-depth examination of a legal problem or area of concern not normally covered in a substantive or procedural course and which provides the basis for an article, research paper, brief, memorial, draft legislation, etc. Admission to this course depends on the availability of a Faculty member to supervise the particular projects. A Directed Research Proposal Form is available at: http://www.law.ucalgary.ca/system/files/Microsoft+Word+-+Directed_Research_Information_and_Form_J09.pdf

Proposals for directed research require the approval of the Graduate Program Director. The deadline for Fall 2021 submissions is September 6, 2021. Contact the Graduate Program Administrator for more information.

LAW 693.01 - 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 693.02 - Oil and Gas Law (Stewart)

In this course, we will examine the processes by which rights to produce oil and gas are acquired in Alberta (i.e., Alberta's upstream industry). The course topics include natural resource federalism and ownership of oil and gas; Canada and Alberta's regulatory regimes; Crown disposition systems for oil and gas; the private oil and gas lease; and abandonment and reclamation obligations. This course has a legal skills component, which focuses on building the skillset that is essential for a competent petroleum lawyer to possess. It offers a workshop on contract literacy and negotiating.

Student assessment is comprised of a final take-home examination. All students are also offered an optional research essay for 50% of the course grade. This essay can be used to satisfy the JD Upper Year Writing Requirement or the graduate requirement of a research paper worth at least 50% of the course grade.

LAW 693.03 – Indigenous Peoples & the Law (Hamilton)

The relationship between Indigenous peoples and the Canadian state is one of the most challenging and important issues Canada faces. This course introduces students to some of the most important ways that law shapes these relationships, with detailed analysis 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 Indigenous self-government. While the course focuses primarily on analysis of case law, it also explores 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.

Students will be given a choice of evaluation method in this course. One option will require submission of a substantial paper that will satisfy the Faculty's upper year writing requirement for JD students or the graduate requirement of a research paper worth at least 50% of the course grade. The other option will be based on a final exam. Each option may include other evaluation components (e.g. class participation, assignment and/or quiz), which will be detailed in the course outline.

AW 693.04 – International Trade Law (Whitsitt)

The circumstances in which we find ourselves remind us of the profound importance of global trade in our lives. In the midst of pandemics, trade plays a vital role in ensuring the availability and affordability of vital medicines, medical products and health care services, particularly among its most vulnerable members. International trade is crucial to ensuring access to medicines and other medical products – no country is entirely self-reliant for all the products and equipment it needs for its public health systems. But this is not all. Whether we realize it or not, trade impacts the food we eat, the clothes we wear, the cars we buy, the

services to which we have access and so much more. In short, there is no better time to learn about this fundamental discipline.

This course is structured to give you a useful introduction to the rules governing global merchandise trade and the institution (the World Trade Organization or WTO) that oversees this aspect of our global economy. In so doing, you will also become acquainted with current issues (e.g. pandemics, trade wars, national security) that threaten our global economy. In addition to its doctrinal components, this course has a significant skills component.

Evaluation will likely consist of students writing a bench brief to a panel of WTO experts deciding a case about trade restrictions taken in light of COVID-19 (45% of grade). They will also participate in a simulated multilateral trade negotiation (55% of grade). Evaluation of this negotiation exercise will be based on two components: (1) student participation (in groups) in the negotiation, including completion of a negotiation strategy document (20%); and (2) a reflection paper (35%) to be completed individually that evaluates different aspects of the negotiation exercise.

LAW 703 Graduate Seminar in Legal Research (Hagen / Hoffman)

Preparation for developing, researching and writing a thesis or major research paper. The distinctive nature of legal scholarship and its professional context will be explored. Students will be introduced to specific research techniques and to the challenges of comparative and cross-cultural work. Two hours of each week's class is seminar, and the third hour is lab time in the Bennett Jones Law Library. **This course is mandatory for all LLM students.**

WINTER 2022 NREEL COURSES

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 637 Energy Law (van de Biezenbos)

This course is concerned with the law pertaining to the regulation of energy facilities and energy markets, with a focus on electricity. It is principally concerned with government regulation of the activities associated with the construction and operation of electricity and natural gas generation, transmission, and distribution. Some of that regulation is concerned with permitting the physical infrastructure, 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. We will principally be concerned with utilities and other power providers in Alberta, but will also consider federal regulation of interprovincial and international projects, especially transmission lines and gas pipelines.

The course assumes that you have taken a course in Administrative Law and does not include upstream oil & gas law. This 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, as we spend most of the class on electricity, which is increasingly being decarbonised. The course offers an optional paper which will satisfy the JD upper year writing requirement or the graduate requirement of a course with a research paper worth at least 50% of the course grade.

LAW 653 Directed Research

A supervised research project involving the in-depth examination of a legal problem or area of concern not normally covered in a substantive or procedural course and which provides the basis for an article, research paper, brief, memorial, draft legislation, etc. Admission to this course depends on the availability of a Faculty member to supervise the particular projects. A Directed Research Proposal Form is available at: http://www.law.ucalgary.ca/system/files/Microsoft+Word+-+Directed_Research_Information_and_Form_J09.pdf

Proposals for directed research require the approval of the Graduate Program Director. The deadline for Winter 2021 submissions is January 4, 2021. Contact the Graduate Program Administrator for more information.

LAW 693.03 – 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.

Evaluation in this course will include a research paper that can be used to meet the Faculty's upper year writing requirement or the graduate requirement of a course with a research paper worth at least 50% of the course grade.

LAW 693.04 - Environmental Law (Wright)

This course will provide students with an understanding of key topics in environmental law and policy in Canada. Topics will include regulation of environmental matters, constitutional and jurisdictional dimensions of environmental law, environmental assessment, environmental torts, compliance and enforcement, public participation in environmental decision-making, and the application of international environmental law in Canada. Particular attention will be given to environmental impact assessment and the relatively new federal regime. Case law, case studies, commentary and source documents 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 and student participation, but students will have the option (in addition to writing the exam) of also writing a paper for evaluation that satisfies the JD Upper Year Writing Requirement or the graduate requirement of a course with a research paper worth at least 50% of the course grade.

LAW 705 Graduate Seminar in Legal Theory (Fluker)

An exploration of schools of legal theory, with the goal of helping students situate their graduate research within one or more of those approaches to legal scholarship. The seminar is structured around a series of readings describing different theoretical approaches and applying these approaches to areas of research. Graduate students will be able to write a research paper worth at least 50% of the course grade in this course. This course is mandatory for all thesis-based LLM students. Course-based LLM students may, if they wish, take it as an option.

