



Instructor Course Descriptions

2026-2027

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

Multi-sectioned Courses

Law 503 (Administrative Law), Law 505 (Civil Procedure), Law 507 (Evidence), and Law 510 (Ethical Lawyering) are all sectioned into three and run at different times and in different terms.

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.

Note: Theory courses are all capped at 16-18 students. ***Therefore, if taking a particular theory course is important to you, you must prioritize that course during registration.***

Required Courses

Law 503: Administrative Law (Olszynski/Zaidi – Fall Term)

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 503 Administrative Law (Harding/MacArthur-Stevens – Winter Term)

Administrative law is everywhere: it is in every aspect of Canadian life subject to government regulation and every related area of legal practice. These include approving pipelines in the public interest, refugee asylum claims, decisions affecting incarcerated persons, electricity infrastructure and markets, landlord and tenant disputes, professional regulation, employee human rights complaints, tax audits, competition and securities law, and restaurant, liquor store, or cannabis retail business licensing.

Administrative law deserves a re-brand as "Advanced Constitutional Law". Just as constitutional law limits the power of the legislative branch of government, administrative law governs and limits the powers of the executive branch. The course offers an introduction to this rich area of law, which governs the exercise of all public authority. In this course we will study the tools and concepts you need to engage with the Canadian administrative state on behalf of your clients, across many areas of legal practice. We will explore the following topics:

- Canada's constitutional and administrative structure;
- Independence, impartiality, and bias in the Canadian administrative state;
- Procedural fairness before administrative tribunals;
- Judicial review of administrative decisions; and
- What it means for all state power to be exercised fairly and reasonably, as required by law.

The course engages the theoretical and doctrinal underpinnings of administrative law, while also infusing practicality and real-world application of the central concepts. The course is taught by Brynne Harding and Brendan MacArthur-Stevens:

- Brynne is a litigation and public law lawyer at Bennett Jones LLP, with a background in tax litigation and administrative law. After law school, Brynne was a law clerk for Justice Marshall Rothstein at the Supreme Court of Canada; and
- Brendan is a litigation lawyer at Blake, Cassels & Graydon LLP. His practice encompasses a number of areas, including appellate litigation, constitutional and administrative law, and commercial disputes. Prior to entering private practice, Brendan clerked for the judges of the Court of Appeal for Ontario and then for Justice Karakatsanis at the Supreme Court of Canada.

Evaluation

Assessment will be based on one final examination worth 100% of the final grade. Students may elect to complete an optional essay, worth 30% of the grade. If such an election is made, the final examination will be worth 70% of the final grade.

Law 505: Civil Procedure (Katz/ Benediktsson & Sadovnick/Burkett & Hykaway – Winter Term)

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 develop practical lawyering skills and foster an understanding of the applicable law relating to the commencement and management of civil disputes from commencement up to (but not including) trial. The course will cover both substantive and procedural law, including the *Alberta Rules of Court* (and related jurisprudence), and practical and procedural strategies for litigators in Alberta, as well as jurisprudence in related areas such as jurisdiction and professional responsibility obligations related to the conduct of an action.

The course is structured to combine substantive legal understanding of civil procedure with practical lawyering skills, with the objective of fostering general competence in the commencement and conduct of a civil proceeding. The format will be lecture based and students are required to read the materials (posted on D2L and the designated textbook) and come to class prepared for a discussion of the substantive and practical law of civil procedure.

Assessment in this course will be based on three assignments and a participation grade. The anticipated breakdown for assessment, which is subject to change once the Course Outline is finalized, is participation (5%), Assignment #1 – Pleadings (20%), Assignment #2 – Application and Affidavit (30%), and Assignment #3 – Brief, Order, and Bill of Costs (45%).

Law 507: Evidence (Ahn – 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 impact the outcome of the trial.

The law of Evidence is then about 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. It is also about countering the facts that you do not like – either by

undermining their reliability, their importance, and/or ensuring that they are not admitted at all. For this reason, Evidence is indispensable for any future litigator. It is also indispensable for solicitors as they set the facts down that litigators will subsequently use at trial. 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 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, Law 505: Civil Pand 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.

Assessment will be based on the submission of an optional written work (worth 20%) and classroom participation/presentation (worth 20%). There will be a final examination worth 80% for those who do not do the optional assignment and 60% for those who do the optional assignment.

Law 507: Evidence (Ferg – Winter Term)

At its simplest, evidence is about proof.

The rules of evidence govern how we “know” what we “know” in legal proceedings.

Studying evidence involves examining what lawyers and their clients can and cannot use in a trial to persuade a judge or jury, to make a finding of fact in their favour and then to draw inferences from those facts. In a trial, civil or criminal, the evidence upon which such a decision will be made consists of a mixture of facts that: 1) are true; 2) might be true; 3) appear to be true; and 4) are false or might be false but are found to be true, fair, or just.

Truth, fairness, and justice are not synonyms. Justice or fairness often require that the truth, that is, evidence known to be factual, reliable, or real, be excluded from evidence. Truth-seeking is a central judicial function, but a just result does not purport to be the truth. The common law trial is a process designed, substantively, to resolve disputes in a way that reflects the relative importance of the sometimes-competing values of truth, justice and fairness. To do so, the trial court must make findings and decisions that constitute something like the truth to deliver something like justice.

The law of evidence is an intellectual discipline. It is difficult both practically and theoretically. It purports to be a comprehensive regime that organizes modes of inference and judgment. It establishes principles, rules, and guidelines designed to uphold our collective morals and values in the justice system. The rules of evidence try to counteract prejudice and the overall objective

is to have cases decided in a manner that is just and that maintains and promotes both the integrity of our legal system and its legitimacy in our community.

In this course, students will be introduced to and be asked to discuss and reflect upon the basic principles of the law of evidence. Students will gain procedural familiarity with how evidence is created and functions in Canadian trial courts and will be asked to think through problems of proof, how to resolve them, and how to construct evidentiary arguments, for and against on various issues.

The ability to identify issues of admissibility and argue for or against admissibility is the prime aim of the course. The “Law” of Evidence is ever-changing. Knowing how to read key cases and understand the interplay of fact, law and principle is a critical skill designed to be applied to the practice of law on a go-forward basis.

A difficulty in evidence is that most leading cases involve murder, sexual assault, and other violent crimes. Once called to the bar, you will have a choice as to whether to continue to read and think about such matters. You may prosecute them, defend them, or ignore them. Here, we have no choice. Since we must read about things we might rather not, it is essential that we attempt simply to be clinical about Evidence Law's sources, and to discuss the facts as do the judges writing them - without fear, censure, or embarrassment.

Objectives

1. Identify, understand, and apply the fundamental principles of evidence.
2. Analyze fact patterns and identify the evidentiary issues
3. Discuss, understand, and develop the ability to write about the goals of Evidence Law, the manner of obtaining those goals, and the strengths of weaknesses of various approaches, particularly to admissibility, judicial discretion, and proof.

Evaluation

1. Class Participation – 15%
2. Written Fact Pattern Analysis – 5 pages Maximum – 25%
3. Two-hour Final Examination – 60%

Law 508: Negotiations (Stewart/Wright – Winter Term)

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. Through various exercises, each student will 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, negotiations 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 regarding 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 will also form a significant part of the grade.

Law 510: Ethical Lawyering (Silovs – Fall/Winter Term)

Law 510 introduces students to ethical issues in the practice of law. The course provides an opportunity for students to become competent at ethical and legal reasoning about how to act as a lawyer. The course will focus on understanding the Law Society of Alberta's *Code of*

Professional Conduct, the ethical norms, and values that it embodies, and how to apply the principles provided therein.

It will also consider case law arising from the inherent jurisdiction of the court over its own processes, cases relating to the fiduciary obligations of lawyers, negligence, contract, and money laundering. It will examine both general ethical and legal issues that cut across areas of practice as well as those that arise in different contexts, such as civil and criminal litigation and the corporate context.

Law 510 will also address the general issue of what a good lawyer is, the challenges to being a good lawyer, and how being a good lawyer relates to right action in legal practice. The course also introduces students to topics on the regulation of the legal profession, such as the rationale for self-regulation and the idea of regulating in the public interest.

Subject to approval, it is anticipated that evaluation will be based on a mandatory case comment (P/F), a mandatory short piece of writing on an assigned ethical issue (P/F), and a mandatory final exam. Students will also have the option to write a major research paper worth 50% on an approved topic instead of the writing on an assigned ethical issue. If the student writes a major research paper, then the final exam will be worth 50% of the mark. The student will have the option to have the short piece of writing on an assigned ethical issue count towards one question on the final exam.

Law 602.01 & .02: Advocacy: Criminal Trials; Advocacy: Civil Trials (Byram – Winter Term)

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. **Students have the option to register for either the CIVIL or CRIMINAL advocacy section. Please note that the Civil Section includes a fact pattern that involves suicide. Students who may find this topic uncomfortable are advised to consider registering for the Criminal Section instead.** 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. The Trial Book submission will include a journal article in which the student will reflect on course learnings and the final trial presentation experience.

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 509: Business Associations

This course will cover the forms of business organizations, including partnerships, limited partnerships, franchises, and corporations, with a focus on the corporation and the rights and responsibilities of shareholders and directors. Topics will include formation of the organization, fiduciary duties and relationships, corporate liability, shareholder rights, and the role of the corporation in an ever more interconnected world. The course is evaluated by a 90% final exam and 10% class participation.

Law 511: Criminal Process (Sitar – Fall Term)

Course Objectives

In examining the procedure by which an accused person is brought to trial, this course will focus on the role of the criminal courts in overseeing police conduct and preserving individual rights. Issues examined will include judicial interim release, legal rights on detention and arrest, search, and seizure (including the prior judicial authorization process), and available remedies pursuant to ss. 24(1) & 24(2) of the Canadian Charter of Rights and Freedoms. In the context of recent jurisprudence and statutory changes, students will be invited to consider the trajectory of criminal process developments and potential areas of future litigation.

Although not a prerequisite, it is recommended that students take Evidence prior to, or concurrently with, Criminal Process.

Evaluation

Evaluation will likely be based upon: (i) preparation for and participation in class (including two short reflective journal entries based on assigned readings); (ii) skill-building activities conducted during class time; and (iii) a factum focused on an assigned fact pattern, which will be due on the last day of classes (60%). This factum will be written with reference to course materials only and will not satisfy the Upper Year Writing Requirement.

Biography

Kelsey Sitar is a Calgary-based criminal defence lawyer who maintains both a trial and appellate practice focused on large-scale investigations and serious violent crime. Her areas of interest are search and seizure, the impact of technological advancements on criminal prosecutions, drug policy, and the role of race in the criminal justice system.

Law 515: Family Law (Maier – Winter Term)

This course introduces family law, including issues families face when they form a partnership, become parents, and upon separation. 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 division, for both married and unmarried partners.

Family law covers difficult subject matters such as domestic violence and coercive control as well as 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 status of family law in Alberta. It will also incorporate policy considerations as appropriate. Evaluation will likely consist of an assignment and an open book final exam.

Law 519: Jurisprudence (Bagg/Janzen – Winter Term)

This course will introduce students to contemporary and classical treatments of core questions in the philosophy of law. Topics to be addressed include: the nature of law, our obligation (if any) to obey the law, theories of justice, adjudication, and justifications of punishment. The coursework will include researching, reading about, analyzing, discussing, and defending possible answers to these questions. By striving to understand, criticize, or support such answers, students will gain a theoretical understanding of the law while sharpening the reasoning, communication, and writing skills essential to the practice of law.

Specifically, the course will assist students in developing the ability to:

- assess information,
- recognize and evaluate arguments in academic writing,
- analyze and evaluate one's own views and the views of others, and
- formulate effective arguments and persuasively articulate them.

Since the course will be conducted as a seminar, class preparedness and participation will be assessed. Students will be expected to come to class prepared to discuss assigned readings and to express and defend their own ideas and reactions to the readings. In addition to participation, grades will be based on students' research, reasoning, and writing abilities, which will be determined by a research paper on a topic of the student's choosing. The course can be used to satisfy the Upper-Year Writing Requirement.

Law 521: Real Estate Transactions (Van Vliet – Fall Term)

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.

Evaluation in the course will consist of an optional assignment and a final exam. The assignment will not satisfy the Upper Year Writing Requirement.

This course is taught by Gordon Van Vliet, a partner at Field LLP. See: http://www.fieldlaw.com/lawyer_overview.asp?lawyerID=365

Law 525: Bankruptcy & Restructuring Law (Girgis – Winter Term)

*Insolvency law is the root of commercial and financial law because it obliges the law to choose. There is not enough money to go around and so the law must choose who to pay. The choice cannot be avoided or compromised or fudged. The law must always decide who is to bear the risk so that there is always a winner and loser. On bankruptcy it is difficult to split the difference. That is why bankruptcy is the most crucial indicator of the attitudes of a legal system and arguably the most important of all commercial disciplines. **

* Phillip Wood, *Principles of International Insolvency* at p. 1.

Bankruptcy and insolvency law introduces students to issues in bankruptcy and insolvency law, as well as restructuring law, both of which have become fundamental aspects of commercial and consumer laws in the last several decades, nationally and internationally. The purpose of this course is for students to become familiar with the *Bankruptcy and Insolvency Act* and gain an awareness of the economic and social issues and public policy that influence bankruptcy and insolvency law. The course will also examine aspects of the *Companies' Creditors Arrangement Act*, the *Fraudulent Preferences Act*, the *Fraudulent Conveyances Act*, the *Personal Property Security Act* and the *Canada Business Corporations Act*.

By the end of the course, students should be able to analyze the central rules, policies and principles of bankruptcy and insolvency law. The topics covered in the course will include: a history of Canadian bankruptcy law, initiation of bankruptcy proceedings, property available to creditors, contractual entitlements in bankruptcy, review of pre-bankruptcy transactions, ranking of creditors and the distribution of proceeds, and the bankruptcy discharge. Subject to approval, students will have the option of writing a 100% final examination **OR** a 50% final examination and a 50% research paper (3000 words inclusive of footnotes). The examination under both options is identical. The final exam is OPEN BOOK.

This course will satisfy the upper year writing requirement.

The research paper may also qualify for submission to the annual Insolvency Institute of Canada Writing Award Program.

Law 527: Basic Tax Law (Nikolaou – Fall Term & Winter Term)

As one of only two certainties in life (as the famous saying goes), tax law impacts everyone. This course will equip students with an understanding of the fundamentals of the Canadian personal income tax system. Topics covered include: the concept of residence for income tax purposes; the taxation of non-residents; the sources of income for tax purposes; the nature of income from employment, business, and property; and the taxation of capital gains. We will explore how income is determined under the *Income Tax Act* (the “Act”), the subsequent determination of taxable income, and the final determination of tax payable by individuals. For each provision we study, we will explore the underlying rationale to better understand the purposes of the Act.

The topics covered in this course will help students answer important questions such as: who is subject to income tax in Canada? do I have to pay tax in Canada if I live here but work remotely for a foreign company? do I have to pay tax on money I win at a casino? what about money I make when selling crafts at a farmer’s market? can I deduct my expenses for commuting to work where I am an employee? is there taxation on the sale of my car? what about on the sale of my future (or current) principal residence?

The concepts learned in this course will help students in both their personal and professional capacities. The course will provide the analytical tools necessary to make more informed decisions about key personal financial matters and identify areas where more advanced tax expertise is necessary for personal matters and for future clients. The course is also fundamental to future learning in more specialized tax courses such as International Tax, Corporate Tax, and Estate Planning.

This course will be taught using a combination of short, pre-recorded podcasts, instructor-led lectures, non-graded self-assessment quizzes, and in-class group discussion problems. The course will be evaluated through a choice of either: (a) group discussion problem worth 15% plus 85% final exam; or (b) group discussion problem worth 15% plus 35% written assignment (short policy paper or case comment) plus a 50% final exam.

Law 530: Mining Law (Oshionebo – Winter Term)

This course focuses on the law governing exploration, financing and development of minerals in Canada and other countries. 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, environmental impact assessment, and mining in the context of Indigenous rights including the Crown’s duty to consult. Commercial agreements for mineral development will be examined, including Confidentiality Agreements, Option Agreements and Joint Venture Agreements. Issues relating to international mining transactions will be discussed,

including investment protection mechanisms, anti-bribery legislation, mining and human rights, and corporate social responsibility.

The course will assist students to:

- Learn the fundamental principles and rules governing mineral mining in Canada and other countries.
- Understand theoretical and practical issues in mineral mining.
- Appreciate policy issues arising from mineral mining.
- Understand the implications of mining activities in Indigenous communities.
- Critically evaluate judicial decisions.

Method of Evaluation

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 531: Environmental Law (Fluker - Winter Term)

This course will provide students with an understanding of key topics in environmental law and policy in Canada. Topics may include environmental ethics, environmental regulation, compliance and enforcement in environmental law, constitutional and jurisdictional dimensions of environmental law, public participation in environmental decision-making, environmental assessment, environmental torts, and the application of international environmental law in Canada. Particular attention will be given to biodiversity and climate law and policy in Canada. 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 and materials focused on domestic legislation, judicial decisions, and administrative tribunal rulings. Evaluation will include the option of a final examination or writing a paper that satisfies the Upper Year Writing Requirement.

Law 533: Wills & Estates (McGurk/Damji – Fall Term)

Can your client cut one or more of their children out of their will? Just how mentally competent and free from the influence of others must your client be to make a will? How quickly can an executor distribute the deceased's assets? Is it true that all legal fees on an estate litigation file are paid by the estate as a first call on assets? This course will answer those questions – and more

– by teaching you the basics of wills and estate administration. We will look at the preparation and execution of wills, the courts' interpretation of wills, the revocation and alteration of wills, testamentary capacity, testamentary gifts, intestate succession, family support, estate administration, enduring powers of attorney, and personal directives. We will only briefly touch on lawyers' ethical obligations, testamentary trusts, and tax considerations, as all three topics are covered at length in other courses (Ethical Lawyering, Trusts, and Estate Planning). The course is focused on the Alberta legislation and its interpretation.

The assessment of students will be through a combination of a memo and a final exam worth at least 50%.

Law 536 International Criminal Law (Duffy-Fall Term)

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 in national courts and 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). There will be a particular focus on the problem of jurisdiction before international tribunals, with discussion of recent actions within the international community to overcome that problem. Discussions of issues around transnational crimes may include, but are not limited to, terrorism, human trafficking, drug trafficking, cybercrime, state sovereignty and impunity (particularly relating to torture), corruption, and organized crime.

This course is taught as a combination of a seminar and a lecture-based course, because of the continuing evolution of foundational aspects of this area of law. It is thus important to focus both on the internal doctrinal aspects of the field and on the external pressures that are reshaping how this field of law operates and how institutions like the ICC function, as well as to understand how matters outside the jurisdiction of the ICC can proceed. Evaluations may (subject to change) include class participation, a class presentation, a quiz or quizzes; and a final research paper. Students may use this course to fulfill their International Law Requirement.

Law 543: Intellectual Property (Peng/Nguyen – Winter Term)

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, robotics, 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, whether AI can be inventors, 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, especially with reference to emerging technology.

Subject to approval, it is anticipated that evaluation will be by means of a final exam (50%/100%) and, at the student's option, either a research paper (50%) that satisfies the upper year writing requirement, or a short piece of writing (P/F). The student will have the option of the short piece of writing counting towards one question on the final exam.

Law 549: International Law (Wedenig - Fall Term)

This course offers an introduction to the foundational principles of International Law and its institutions. The system of International Law performs a crucial function in facilitating global cooperation and is grounded in international treaties, customary principles, and general principles recognized by nations. It governs the relations between subjects of International Law, such as States and international organizations.

This course will familiarize students with the fundamental principles of International Law, including its sources, the concept of State sovereignty, and the framework for State Responsibility.

Students will have the opportunity to connect these principles to a variety of substantive areas of International Law, such as the use of force, and will engage with the jurisprudence of the International Court of Justice and its role in developing International Law through decisions and advisory opinions.

Students will also critically analyze the role and effectiveness of the system of International Law

in responding to global challenges.

Key topics to be covered include:

- The sources of International Law.
- Subjects of International Law.
- The nature of State sovereignty.
- State Responsibility (and Liability).
- The International Court of Justice and its jurisprudence.

Depending on class size evaluation will be based on either:

a final examination (70%), a mid-term quiz (20%), and class participation (10%);

or

a final examination (60%), a mid-term clinical exercise (30%), and class participation (10%).

This course may be used to fulfil the International Law Requirement.

Law 553: Insurance Law (Viney/Gray – Winter Term)

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 will be evaluated through 1) a participation grade based on class attendance and participation as well as a self-evaluation (15%); 2) a memorandum directed towards a senior lawyer providing a coverage opinion (45%); and 3) a final examination (40%).

This course is taught by Alison Gray, a Partner at Gowling WLG:

<https://gowlingwlg.com/en/people/alison-gray/#panel-button1> and Christine Viney, a Partner at Bennett Jones LLP: <http://www.bennettjones.com/VineyChristine/>

Alison is an experienced insurance defence lawyer who also handles insurance coverage matters. She practices primarily complex commercial litigation, class actions and medical malpractice. Christine is a litigator who brings an extensive background in the insurance industry to a practice that includes focuses on insurance coverage in complex litigation as well as medical, legal, and professional negligence and product liability claims.

Law 561: Employment Law (Snowdon – Fall Term)

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 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, Health, and Safety, 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, substance dependency, and other disability issues;
- harassment and other discriminatory practices; and
- business issues and considerations arising from employment law.

The course will be evaluated by way of a 100% final examination. This course does not have a paper option.

Law 563: International Human Rights Law (Kravetz – Winter Term)

The language of international human rights permeates the vernacular of law and political culture the world over. Human rights are promoted as being instrumental for democracy, peace, the rule of law, sustainable development and the protection of the environment, as well as being a tool of empowerment and social change. But the grand aspirations of international human rights remain largely unfulfilled in reality. For this reason, the idealism elicited by international human rights as a universal moral and legal code must be tempered with a necessary understanding of their technical application and the political context in which they are exercised.

This course offers a broad introduction to the law, theory, and practice of international human rights. Topics covered will include the origins and evolution of international human rights; the sources of international human rights law; the role of international, regional, and domestic institutions and actors in implementing, monitoring, and enforcing international human rights; and the specific application of international human rights law in Canada.

This course will adopt a dialectical approach to teaching and learning. Throughout the course we will engage with, discuss, and critically analyse perennial and emerging issues in international human rights law. This course will include both lecture-based sessions as well as seminar discussions on the basis of case studies. Evaluations may include (subject to change) class participation and a term paper. Students may use this course to fulfill their International Law and Upper-Year Writing Requirements.

Law 565: Internet Law (Laidlaw – Fall Term)

The purpose of this course is to examine the legal and policy issues relating to the use of the internet. Case studies will be explored on topics, such as network neutrality, the internet of things, digital trade, jurisdiction, intermediary liability, content regulation and freedom of expression, privacy and surveillance, consumer protection and competition law, cyberwarfare, artificial intelligence and blockchain.

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 regarding 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 (20%), presentation (30%) and paper (50%). The paper may be used to satisfy the Upper Year Writing Requirement.

Law 571: Oil & Gas Law (Pittman – Fall Term)

This course will use the oil and gas industry in Western Canada as a rubric for examining both established and emerging topics in contract, tort, and property law. We will learn about oil and gas exploration and development (including carbon capture and hydrogen), and how the law has responded to unique issues presented by industry actors over the last 75 years. We will also examine how the principles of oil and gas law are being applied to the energy transition and will discuss practical issues faced by commercial lawyers in transactions and joint ventures.

This course will work in tandem with Law 605, Oil and Gas Contracts. Students wishing to take Law 605 will benefit from taking this course prior to taking Law 605.

Law 575: Remedies (Ilg – Winter Term)

The main focus of the course is on judicial remedies available at common law and equity for breaches of private law obligations, including tort, contract, and property. Compensatory, punitive, and gain-based damages are addressed, as well as court orders under equity.

The default method of evaluation is a 100 percent final examination. There will also be a research paper option, worth 50 percent, that can be used to satisfy the faculty's upper-year writing requirement.

Law 579.xx: Legal Theory: Freedom of Expression (Byram – Fall Term)

This course will focus on freedom of expression theory. We will critically examine some of the key ideas and principles underlying constitutional freedom of expression protections.

We will explore questions such as: Why do we protect freedom of expression? What should justify limits of this protection? What are the strengths and weaknesses of the existing constitutional approach(es) to freedom of expression? How can (and should) the law respond to particular social or political challenges to expression and expressive freedom?

We will explore contemporary issues and controversies about freedom of expression throughout the course, including disinformation, hate speech, pornography, and online content moderation. In exploring these issues, we will draw on a range of theoretical perspectives, including classical liberal, Indigenous, socio-legal, and critical (including feminist and queer) perspectives.

Evaluation will be based on participation, preparedness, and peer feedback (~30%), low stakes' assignments (~30%), and a final written assignment (~40%). This course is NOT eligible to fulfill the upper-year writing requirement.

Law 579.xx: Legal Theory: Property (Watson-Hamilton – Fall Term)

There is only one theoretical question that is asked and answered in property theory. That question is: what justifies private property? It is an important question because private property is the foundation of capitalism. And it is a question that is thought to require a very persuasive answer because private property is the basis of every-increasing wealth inequality in our world. It is also a question asked in several different disguises, such as “What is property?” Or, “Is this something property? Or, “Is this something public or community or private property?” All those inquiries ultimately return to the question of ... what in the world can possibly justify private property?

Over the last few centuries, many have tried to answer this question from a wide variety of theoretical perspectives. The dominant property theory perspective in North America is an economic one, but we will look at a wide range of perspectives including labour, dessert, socialist, libertarian, liberal, feminist, critical race, and critical Indigenous perspectives, as well as economic perspectives.

Class materials will be available to download from D2L. We will start by looking at how private property has been made. We will move through a series of readings discussing the older, still dominant, property theories and their justifications for private property. Those readings will be followed by some of the critical responses to those theories and some of the newer perspectives on whether private property can be justified. We will end with several examples of different property perspectives on new and controversial issues. This is a seminar class where much learning happens through group discussion of the readings. Therefore, readings will be relatively short – about 20-25 pages per class – to facilitate students' understanding and engagement.

Evaluation will be based on:

1. Class participation, which includes two aspects: (a) individual and group exercises assigned during class with a very brief after-class written component commenting on those exercises (e.g., take 30 minutes to find reactions to the day's assigned reading and discuss its reception with a classmate; e.g., take 20 minutes and determine the thesis and supporting arguments of the assigned reading) for 20% of the final grade, and (b) discussion of the assigned readings during class for 20% of the final grade – a total of 40% of the final grade for class participation.
2. One of three paper options: (a) a 6,000 word research paper worth 60% of the final grade which may be used to satisfy the upper year writing requirement because it includes significant case law and legislative sources, as well as theoretical sources; (b) a 6,000 word analytical or reflective paper with little or no research beyond the class materials that cannot satisfy the upper-year writing requirement; or (c) three 2,000 word papers, each worth 20% of the final grade, and each applying a different theory examined in the seminar to a different context (e.g., a case, a statute, a current event, a work of art – students' choice). The instructor will provide a list of possible topics for the 60% papers, but students are encouraged to choose their own topics based on their interests.

This course satisfies the Theoretical Perspectives Requirement and can be used to satisfy the Upper Year Writing Requirement.

LAW 579.xx – Legal Theory: Canadian Federalism (Hamilton-Winter Term)

This seminar examines Canadian federalism as a constitutional architecture and as a contested political project. It treats federalism not only as a division of powers doctrine, but as an ongoing set of arguments about sovereignty, constitutional change, democratic legitimacy, and pluralism. Through close engagement with constitutional texts and leading jurisprudence, alongside historical materials, political theory, and selected comparative readings, students will assess how federal arrangements enable (and constrain) legal and political possibilities in a plurinational state.

The course moves from foundational theories and “federal principle” doctrines to applied and contemporary areas of contention, including climate change and environmental regulation, the place of Indigenous peoples and Indigenous jurisdiction within the federation, secession and constitutional negotiation, federalism's interaction with the Charter, and the institutional realities of collaborative governance and executive federalism. Later sessions examine federalism in practice through sectoral case studies (health care, trade, and internal economic union) and the constitutional status and governance challenges of cities.

Students will complete a 5000 word research paper that can be used to satisfy the upper year writing requirement. The balance of the grade for the course is based on class participation and small assignments.

Law 579.xx: Legal Theory: Law & Religion (Kislowicz – Winter Term)

The relations between state law and religion have long and complicated histories. Most, if not all, contemporary bills of rights treat religion as a special category worthy of specific protections. Despite this longstanding practice, disputes involving religious components are a perennial concern, and parties often turn to the courts, legislatures, or other legal actors to resolve them. These disputes raise questions of what it means for a state to be “secular” or maintain religious neutrality, how the law should respond to religious diversity, and which demands of members of religious minority communities are legitimate. Canadian examples include cases about whether a student could be prohibited from wearing a kirpan in a public school, whether a religious university with a community covenant prohibiting same-sex relationships could be denied accreditation by law societies, and whether courts should resolve intra-communal disputes.

This course focuses on how law engages with religion, with special attention to Canada. Students will consider how the social forces of law and religion interact and shape one another through the consideration of theoretical approaches to religion, legal doctrine, and Canadian and comparative examples.

This is a seminar class where learning happens through group discussion of the course readings. Active participants in the discussion will get the most from this course.

Evaluation will be based on (1) a research paper, (2) class participation, and (3) responses to the course readings.

This course can be used to satisfy the Theoretical Perspectives Requirement and the Upper Year Writing Requirement.

Law 591: Provincial Court Clerkships (Mason – Winter Term)

****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 Completed Requirements (CR)/D/F basis.

Five students will be selected for the Winter 2026 term.

Law 594: Indigenous Peoples & the Law (Hamilton – Fall Term)

The relationships between Indigenous peoples and the Canadian state is one of the most challenging and important issues in Canada. This course considers 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 focusing primarily on analysis of case law, the course also explores the place of Indigenous peoples in Canada's constitutional architecture and how their status as distinct political communities is shaping evolving notions of federalism. The course examines the historical and contemporary importance of Indigenous legal traditions and tensions between state and Indigenous law. In this, it introduces theories of legal pluralism and provides opportunities for critical reflection and discussion on a range of perspectives about the rights of Indigenous peoples and the relationship between Indigenous peoples and the state.

Students will complete a 5000 word research paper that can be used to satisfy the upper year writing requirement. The balance of the grade for the course is based on class participation and small assignments.

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

This course will be taught on an intensive basis from 9 a.m. to 4 p.m. on the following dates:

January 29 & January 30

February 5 & February 6

March 5 & March 6

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 and prepare you for the process of obtaining work from clients. 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 and learn effective pricing techniques. Students will also independently manage a case study project.

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 obtain and run a legal matter

It is anticipated that students will be evaluated based on:

1. A participation grade based on meaningful participation in class and exercises (25%);
2. Completion of interim assignment (25%); and
3. A final assignment (50%).

This course is taught by Rick Kathuria, Chief Administrative Officer at McCarthy Tetrault: <https://www.mccarthy.ca/en/people/rick-kathuria-0>

Law 605: Oil & Gas Contracts (Pittman – Winter Term)

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 so 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.

The course also frequently requires students to apply the legal principles from the Contracts, Property and Tort Law courses taught in 1L.

Evaluation:

Take home midterm (required): 40%

Final Exam: 50%

Course Participation: 10%

Instructor:

Miles Pittman, Partner, BLG <https://blg.com/en/Our-People/Pittman-Miles>

Law 607: Advanced Legal Research (Feick – Winter Term)

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 students will be introduced to the U.S., U.K. and Australian legal systems, the focus is on Canadian legal research and ways that research is essential in a legal practice.

This is a practical legal research course, designed to help you transition to conducting research as a summer/articling student and new associate.

This class is based on the “Learning by doing” pedagogical method. The majority of topics are covered through a combination of lectures (synchronous and asynchronous) along with short pre-class and in-class exercises. Students will have the opportunity to apply research skills en masse by producing an opinion letter and memorandum.

Students will be evaluated based on in-class exercises, pre-class exercises, and research and writing assignments.

Law 608: Common Law en français (Poliquin– Fall Term)

This course is offered through a partnership with the University of Ottawa, Faculty of Law. **It is mandatory for students wishing to participate in the [Certification in Common Law in French, but is open to all students that](#) have completed a program in French immersion (or equivalent) through grade 12.**

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.

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

Course assessment will be based on assignments (a case brief, paper) and 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>

<https://juristespower.ca/equipe/caroline-magnan/>

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. **Il est obligatoire pour les étudiantes et étudiants voulant participer au programme de Certification de common law en français mais ouvert à tous les étudiants qui ont suivi un programme d'immersion française (ou équivalent) jusqu'en 12e année.***

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.

Le cours sera offert en format hybride (des activités d'apprentissage synchrones (en temps réel) et asynchrones) afin de donner à l'étudiant plus de flexibilité dans son apprentissage. Les sessions synchrones 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. 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>

<https://juristespower.ca/equipe/caroline-magnan/>

Law 610: Internship in French (Poliquin – Winter Term)

This course is offered through a partnership with the University of Ottawa, Faculty of Law. **It is only available to students participating in the [Certification in Common Law in French](#).**

This internship provides students with opportunities for hands-on legal work where legal services are offered in French through collaborations with various francophone community associations, firms, courts, and governments. Students are evaluated on the pass/fail methodology of completed requirements (CR) or fail (F).

Students must:

- develop a plan with the internship supervisor outlining the legal work and research that will be undertaken over the course of the semester with accompanying timetable;
- complete the requisite hours of non-renumerated law-related work;
- complete a final report for the internship supervisor and Professor Magnan.

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>

<https://juristespower.ca/equipe/caroline-magnan/>

*Ce cours est offert en partenariat avec la faculté de droit de l'Université d'Ottawa. Il est **uniquement offert aux étudiants participant au programme de [Certification de common law en français](#)**.*

En collaboration avec les associations de juristes d'expression française provinciales et des entités privées et gouvernementales, chaque étudiante et étudiant du programme de Certification de common law en français (CCLF) doit compléter un stage dans un milieu offrant des services juridiques en français. Ce stage permet aux étudiantes et étudiants d'étoffer leurs connaissances en common law en français dans un milieu pratique. Tous les stages sont évalués selon les critères S (satisfaisant) ou NS (non satisfaisant).

Les étudiantes et étudiants devront :

- développer un plan de stage avec le responsable de stage qui décrit le sujet du travail de recherche ainsi que les échéanciers;*
- compléter des heures de travail juridique non rémunéré au cours du semestre et ce travail doit être relié au droit;*
- achever un rapport final au responsable de stage et à la Professeure Magnan.*

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>

<https://juristespower.ca/equipe/caroline-magnan/>

Law 613 Conflict of Laws (Tscherning – Winter Term)

Conflict of Laws (also known as Private International Law) is the body of rules and procedures designed to assist the domestic courts in deciding a case which contains one or more 'foreign' or international point(s) of contact. Conflict of Laws issues raise three components which typically interact: (a) the jurisdiction of the Canadian court; (b) the rules which the Canadian court applies in deciding a case; and (c) the recognition and enforcement of a foreign court judgment by the Canadian court. Private International Law issues arise in a multitude of scenarios, including in

international and cross-border interactions involving contract and tort law which may give rise to conflict of laws “dispute risks”.

The course will prepare students to successfully navigate the complexities of interjurisdictional matters and transactions in an engaging and academically challenging area of the law. Depending on enrollment, evaluation is planned to consist of a 100 per cent written final examination or a final examination with an optional case comment. Given the Instructor's international practice and the design of the course, the course will also examine selected cases and issues from other key legal systems, but the course does not satisfy the formal criteria of the Faculty's International Requirement

Law 614: Advanced Topics French Common Law (Poliquin – Winter Term)

This course is offered through a partnership with the University of Ottawa, Faculty of Law. **It is mandatory for students wishing to participate in the [Certification in Common Law in French, but open to all students that](#) have completed a program in French immersion (or equivalent) through grade 12.**

The primary objective of this course is to allow students to deepen their knowledge of French legal terminology through contextual and experiential learning. Topics will include family law, private international law, and appellate advocacy.

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 Canada and bilingual judges and justices.

Course assessment will be based on assignments and in-class and on-line participation.

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>
<https://juristespower.ca/equipe/caroline-magnan/>

*Ce cours est offert en partenariat avec la faculté de droit de l'Université d'Ottawa. **Il est obligatoire pour les étudiantes et étudiants voulant participer au programme de***

Certification de common law en français mais ouvert à tous les étudiants qui ont suivi un programme d'immersion française (ou équivalent) jusqu'en 12e année..

L'objectif premier du cours est de permettre aux étudiantes et étudiants d'approfondir leurs connaissances de la terminologie juridique en français par l'entremise d'apprentissage contextuel et pratique. Les sujets abordés seront : le droit de la famille, le droit international privé, et la plaidoirie en appel.

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 présentiel et l'autre en ligne. Les sessions en présentiel comprendront des présentations d'experts qui ont pratiqué le droit en français ainsi que des juges bilingues.

L'évaluation sera basée sur des travaux et sur la participation en classe et en ligne.

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>

<https://juristespower.ca/equipe/caroline-magnan/>

Law 616: Public Interest Theory (Fluker – Fall Term)

Law 616 is a seminar course organized around questions related to the public interest such as: What does justice look like in a liberal democracy? Is legal process an effective forum for political participation? What role do the various branches of government (legislative, executive and judicial) have in defining the public interest? What purpose does legal accountability serve in a liberal democracy? This course also explores aspects of legal and political theory relevant to public interest lawyering.

One component of the evaluation will be a term paper worth 70% of the final course grade, which provides students with the opportunity to fulfill the Upper Year Writing Requirement.

Law 619: Taxation and Estate Planning (Brown – Winter Term)

Approximately C\$1 trillion is expected to transfer from Baby Boomers to younger generations over the coming decade.

In this course students will explore the taxation of individuals, trusts and estates, in the context of intergenerational wealth planning and post-mortem tax strategies. Topics may include testamentary and inter vivos trusts, the 21-year deemed disposition rule, spousal and rollover provisions, charitable giving, probate and administration issues, shareholder succession planning, estate freezes, pipeline and loss-utilization strategies, and the taxation of death under the Income Tax Act. The course also considers ethical, policy, and practical issues arising in modern estate planning practice. Emphasis is placed on statutory interpretation, tax policy, and the integration of tax principles with trust and estate law through problem solving and case analysis.

Law 620: Public Interest Practice (Fluker –Winter Term)

Students in this experiential course work with lawyers at the Public Interest Law Clinic to advance the clinic's law reform and test litigation projects. Assigned work varies year-to-year and month-to-month according to court dates, client needs, emergent issues, and file progress. For a sense of the projects at the Clinic, see <https://law.ucalgary.ca/clinics/public-interest-law>.

This course is graded on the CR/D/F scale.

Law 620: Public Interest Practice is part of the two-course Public Interest set with Law 616 Public Interest Theory. If you register in Law 620: Public Interest Practice, you ***must have successfully completed*** Law 616: Public Interest Theory in the Fall term.

Law 622: Law of the Sea (Hubert – Fall Term)

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 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 shaped by a longstanding tension between competing state claims to the freedom of the seas and the exercise of exclusive rights by coastal States. This tension 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. 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 of contemporary issues and case studies, including those most relevant to Canada's national interests. The course also emphasises 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 sixty-five percent (65%) 6,500-word research paper. This course may be used to fulfil the Upper Year Writing Requirement and International Law Requirement.

Law 627: International Environmental Law (Hubert – Fall Term)

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 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 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 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, 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 considering 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 will be assessed based on a fifteen percent (15%) class participation grade, a twenty percent (20%) class presentation, and sixty-five percent (65%) 6,500-word research paper. This course may be used to fulfil the Upper Year Writing Requirement and International Law Requirement.

Law 632: Entrepreneurial (Tingle – Fall Term)

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, 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 are evaluated through a combination of in-class assignments, class participation, and a final exam.

This course fills up very quickly. Students who take the Business Venture Clinic (Law 674) are GUARANTEED a spot in this course. The Clinic allows students to put into practice the theory they learn in Entrepreneurial Law.

Law 637: Energy Law (MacNab/Anderson – Fall Term)

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 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 decarbonized. The course offers an optional paper which will satisfy the upper year writing requirement.

Law 640: Energy Transportation and Infrastructure Law (Tscherning – Winter Term)

This applied seminar course will provide students with an academic and practical understanding of the key issues in transportation law and the construction and regulation of related infrastructure from the perspective of the Canadian and comparative international energy sector. The course examines the national and international governance, and the geopolitical challenges, of transporting energy goods and will focus on selected transportation infrastructure scenarios such as electricity grid infrastructure; oil and gas pipeline development and regulation; the LNG value chain; the transport of nuclear materials and associated infrastructure; the development of rail, road and port infrastructure for natural resources extraction projects; and the challenges facing the global maritime and aviation industries and their role in global transportation. Cross-cutting themes examined in the course include the planning, construction and regulation of related energy infrastructure; the lifecycle considerations of energy infrastructure; national and international governance on the safe transportation of dangerous goods, including applicable environmental regimes; and liability for catastrophic accidents and the role of insurance.

The course will require students to undertake independent research, to present this in written form (e.g., a client memo) and by way of ad hoc in-class contributions as well as formal presentations. Depending on enrollment, evaluation of the course will likely consist of a blended grade made up of written and oral contributions and a final written examination. For pedagogical reasons, enrollment is limited to 14 JD and 3 LLM students only. Subject to the instructor's approval, the course may satisfy the Faculty's International Requirement.

Law 642: Law & Development (Ilg – Winter Term)

This course examines the relationship between law and development. The study of development is generally an inquiry into how to increase the quality of life within a particular society. Traditionally, development was synonymous with economic growth and wealth creation, but the concept of development has evolved to include a wide range of modern priorities, such as human rights, equality, and the environment. A basic question underlying the study of law and development is simply: how does a given set of laws further or inhibit development?

Substantive elements within the course include: 1) defining development; 2) the rule of law and corruption; 3) differing conceptions of rights and development - including human rights, property rights, and intellectual property; 4) financial approaches; 5) modern developments and challenges.

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 is intended to satisfy the faculty's theory requirement as well as the major paper requirement

Law 644: National Security Lab (Nesbitt – Fall Term)

Are you interested in the law that governs national and international responses to terrorism, including terrorism prosecutions against Incel and far right actors? How about the distinction(s) between terrorism, extremism and hate when it comes to prosecutions and national security investigations? Or maybe foreign espionage (spying), hacking, disinformation campaigns, and government cyber authorities? Advising the government and/or businesses on international sanctions? Canada's powers and operations in times of emergency, including, yes, pandemics, but also...Trucker Convoys? Perhaps it's the idea of engaging in legal and theoretical debates about how the law protects—or should protect—civil and political rights in such times of emergency 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 very few across the country that will give you an introduction into the laws and policies that make up the emerging field of Canadian “national security law”. It will be intense, dynamic, current, and focus on primary sources. Most classes will involve in-class miniature “crisis simulations” related to the topic at hand, and you will be put in touch with some of Canada’s leaders in the field (either in person or via Zoom), including in years past guests from the CSIS, CSE, NSIRA, DOJ, PPSC, Alberta Crown, Calgary police, NSICOP, Alberta’s hate crimes unit, and others. (If you don’t know those acronyms and want to, again this is the course for you!). Our guest speakers generally take time to talk jobs in the national security field.

Students will be evaluated in three ways. First, from day 1 we will be working with Alberta’s *Provincial Security and Intelligence Office* to provide research and ‘consulting’ on hate crimes, extremism, and terrorism in the province. Students will be given a choice of topics and placed in groups depending on their interests; projects might include briefing police on hate crimes and extremism, or the Security and Intelligence Office on a related topic or online extremism or working with/presenting to community groups on the laws and policies around hate, extremism, and terrorism in Canada. Students will be marked both as a group on the quality of their briefing materials (written) and individually based on their presentations (oral) or background materials (written, if preferred). Second, there will be a one-day end of year ‘national security crisis simulation’. Students will be divided into ‘government agencies’ based on their expressed interests and provided with additional readings about--and a mentor from--their assigned agency, including in the past police services, public prosecutions, CSIS, CSE, and Global Affairs. Mentors will talk law, policy, and jobs. The simulation itself is dynamic and intense, but a lot of fun; the crisis scenario is created in consultation with provincial and federal law enforcement and intelligence agencies, so expect it to be true to life.

This year we will focus more, depending on your assigned agency, on foreign interference, search, and seizure and ‘wiretap law’ (for those that express an interest), international sanctions, and policing of hate/extremism/terrorism particularly at protests. Finally, students will be assessed on their in-class performance, which involves showing up, participating from time-to-time, and particularly demonstrating a level of preparation when participating.

This course meets the upper-year theoretical perspective requirement.

Law 648: Securities (Wilson – Fall Term)

A fair and efficient capital market is the foundation of a vibrant economy. Securities regulation plays a critical role in facilitating fair and efficient capital markets, ensuring investor protection, fostering financial system stability, and effectively governing the capital-raising process for businesses. This course will examine key concepts in the regulation of Canadian capital markets with a view to understanding securities regulatory frameworks and underlying public policy rationale.

This course will introduce students to a variety of topics in securities law and regulation including underlying economic theory; historical and constitutional developments like efforts to establish a national securities regulator; the scope of markets, products, participants, intermediaries, and regulatory oversight structures; international comparative frameworks; public offerings; exempt market distributions; continuous disclosure obligations; corporate governance; market manipulation and insider trading; marketplace regulation (i.e. regulating stock exchanges, alternative trading systems, and crypto-asset trading platforms); financial market intermediary regulation (investment dealers, advisors and funds); civil liability; administrative and criminal sanctions; and enforcement. It will also introduce students to nascent developments in securities law and policy including issues relating to financial market systemic risk and financial crises; high-frequency and algorithmic trading; passive investing, exchange traded and index funds; environmental, social and governance (ESG) investing; financial product innovation; behavioral finance; financial technology (fintech) developments in securities markets such as robo-advisors; cryptocurrencies and other crypto-assets; and new developments in capital-markets like the “gamification” of retail trading platforms, and decentralized finance applications (DeFi).

At the conclusion of this course, students will have a strong understanding of the major concepts and regulatory frameworks in Canadian securities law, and an awareness of the current issues and developments in securities regulatory policy. Course materials include a core text, assigned readings, and statutory materials. Student evaluation will likely be based on a midterm examination (20%), a group assignment (20%) and presentation (10%), and an open-book final exam (50%). There are no pre / co-requisites for Securities Law, and the course is designed to be accessible to those without prior financial market regulation experience.

Law 650: Business Skills for Lawyers (J. Brown – Fall Term)

“When Harvard Law School released a report entitled, “What Courses Should Law Students Take? Harvard’s Largest Employers Weigh In,” a few years ago, 124 respondents listed accounting, financial statement analysis and corporate finance.

Today, accounting skills are “absolutely” valuable for law students and young corporate lawyers in any area where legal advice butts up against the business strategy, says Karen Werger, Managing Partner for Deloitte LLP’s Toronto Financial Advisory Practice and National Leader of the Legal Services Sector. She says being both a lawyer and a Chartered Public Accountant is an “extremely valuable combination,” giving lawyers a well-rounded financial background and reminding the accountant in them to keep potential legal or regulatory issues top of mind.”¹

The *Torys’ Business Skills for Lawyers* course is designed to teach law students the key non-legal skills necessary for a lawyer commencing their career no matter what their area of focus. Students will learn how to read and understand financial statements, as well as learn enough

about how financial statements are prepared to know where problems (including fraud) can occur. They will learn how to read financial models and how entities 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 that are derived from the financial statements, 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: two partners at a financial accounting firm and a former investment banker currently involved in an international business. Guest speakers have included senior industry individuals and lawyers who have practiced both in industry and at law firms.

Law 656: Mergers and Acquisitions (Riley, Hibbard and Emter – Winter Term)

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 role of various capital market participants, including directors and management, shareholders, creditors, securities dealers, legal counsel, regulators, and stock exchanges,
- director and officer responsibilities in connection with M&A transactions,
- structuring M&A transactions,

- the required legal documentation to implement the transactions,
- the principal differences between public and private M&A (including securities legislation applicable to M&A),
- M&A negotiations,
- due diligence, and
- certain strategic considerations, financing, tax, regulatory, employment and selected other issues relating to M&A transactions.

The course aims to provide students with both knowledge and practical skills that they will find useful as a businessperson, securities lawyer or in business negotiations. The full life cycle of a corporation, from incorporation to ultimate M&A sale transaction, will be examined.

The course is taught by Beth Riley (<https://mcmillan.ca/people/beth-riley/>) of McMillan LLP and Bruce Hibbard (<http://www.bennettjones.com/HibbardBruce/>) and John Lawless (<https://www.bennettjones.com/People/L/Lawless-John>) of Bennett Jones LLP. Other specialist expert practitioners will provide guest lectures on selected topics relevant to M&A.

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

Law 660.xx: Residential School Litigation (Calliou – Winter Term)

This course will provide students the opportunity to explore several theoretical approaches to the study of law, including law and society; critical legal studies; feminism; critical Indigenous studies; and decolonial and critical race theories. These theoretical lenses will be applied specifically in relation to the Indian Residential Schools litigation and settlement agreement. Students will learn how the application of critical theories can lead to diverse legal interpretations. The Indian Residential School Settlement Agreement was the largest class action settlement in Canadian history at the time. Students will examine the historical context of residential schools and the assimilation policy to explore the damages caused to former students, their families, and communities. Students will learn about the litigation and the alternative dispute resolution (ADR) process, and the underlying legal theories such as tort theories of corrective justice and retributive justice. Students will also learn about the principles of restorative justice and Indigenous legal principles underlying the settlement agreement. The main elements of the settlement agreement will be explored with a focus on the Individual Assessment Process and the Truth and Reconciliation Commission (TRC) along with the implementation of its Calls to Action. Students will examine the role of the legal profession in the litigation, the settlement agreement and in carrying out the Calls to Action, and approaches to reconciliation.

Law 660.xx: Indigenous Economic Development (Calliou – Fall Term)

This course will provide an overview of the economic development issues in Indigenous communities. We will explore the role of law in Indigenous economic development. In what ways does law inhibit or support Indigenous economic development? We will critically analyze the theories and concepts of law and development more generally and of Indigenous economic development more specifically. These theories range from neoclassical economic theories to theories of social justice and economic justice. We will gain an understanding of the colonial institutional and systemic mechanisms that marginalized Indigenous peoples from Canada's economy. The course will provide an historical overview of development strategies by the federal government and legislative initiatives to improve Indigenous economies as well as how Indigenous rights factor into economic issues. We will also explore how large industrial projects impact Indigenous communities, yet provide economic opportunities through partnerships, joint ventures, and impact benefit agreements. We will learn from some case studies of successful Indigenous enterprises and examine what are the factors that led to their successful economic development. Indigenous communities view economic development as an integral part of self-determination, so we will explore Indigenous economic development in relation to self-government, from those operating under the Indian Act to those revitalizing their Indigenous legal orders. Indigenous economic development is a rapidly developing area with significant legal implications and therefore we see governments, industry and other sectors in Canada working with Indigenous communities to achieve economic reconciliation.

Law 660.xx: Restorative Justice: Theory & Practice (Durant, Loparco, Christopher – Fall Term)

This course will introduce students to the theory and practice of Restorative Justice, including current Restorative Justice processes such as s. 19 conferences under the *Youth Criminal Justice Act*, victim-offender dialogues, traditional healing circles with elders, sentencing circles, and transformative justice practices. This will include learning about the current Restorative Justice Project within the Alberta Court of Justice and the Court of King's Bench of Alberta, the use of RJ in sentencing as enabled by the Criminal Code, and the Prosecution Service referral Guidelines and criteria, including for serious crimes such as manslaughter and sexual assault.

Students will examine how these processes fit within the traditional adversarial system, their advantages and disadvantages, and the role and responsibility of a lawyer with respect to each process. Students will develop an awareness of factors, including ethical, Indigenous, cultural, power imbalances, gender-based, domestic violence, and intimate partner violence, and the impact on children that may affect the choice or appropriateness of specific processes. Students will also be introduced to tools and techniques that apply to various processes, including preparatory work with the parties, family, and the community, agreements to ensure voluntary participation, and respect for Indigenous cultures and traditions. The focus will be on

how bringing restorative practices into the formal legal system can legitimize alternative, culturally appropriate pathways to justice.

Classes will include lectures, guest speakers, readings, individual and group exercises, group discussions, role play exercises, and student presentations.

The course instructors will be joined from time to time by guest speakers, Indigenous leaders, RJ practitioners, and members of the judiciary

LEARNING OBJECTIVES:

This course consists of two parts:

- (i) an experiential learning component with a Restorative Justice Agency or First Nation including a pre-session orientation in preparation for an RJ session and the RJ session;
AND
- (ii) evening weekly seminar.

These components are designed to provide substantive legal and experiential teachings necessary to develop an understanding of the use of RJ in criminal and family matters; to encourage an understanding of traditional Indigenous practices and customs; and to share information necessary for an appreciation of alternate means of achieving justice.

After completing this course, students will be able to:

- understand the origins and history of Restorative Justice, including the use within the formal legal system across Canada and internationally
- appreciate the connection between criminality, family dysfunction and social disruption
- understand trauma-informed practices, examining its treatment of victims of crime, Indigenous people and Black Canadians, people with substance use and mental health disorders, and marginalized people in society
- describe how restorative justice repairs the harm to the victims, the family, and the community by understanding the root cause of the offending behaviour, explores pathways to services that promote healing and recovery, and results in tailored sentencing methods that lead to reduced recidivism
- recognize factors such as power imbalances, pressure, gender-based, domestic, or intimate partner violence so as to ensure safety measures are in place for RJ.
- understand the criteria of the Prosecution Service's Guidelines for referrals.

METHOD OF EVALUATION:

Students must complete both seminar-based and clinical/experiential components of this course in order to pass, although the letter grade will be assigned on the basis of in-class presentation and written work.

Note: The clinical component is dependent on the availability of service providers and matters that can be observed by students during the course. If this is not possible, students will be evaluated by the seminar component alone. The report and in-class presentation will then be based on an approved research topic instead of the clinical component.

Clinical component (pass/fail):

Participation in a mandatory half day (3 hour) RJ agency orientation and preparatory work for an RJ session; mandatory observation in 1 full day session of RJ (victim-offender dialogue, sentencing circle, or healing circle; final report of observations and learning (pass/fail based on minimum standard as set by sessional lecturers)

Seminar Component (letter graded):

Attendance at a three-hour seminar every week; presentation of approved topic, either research-based or experiential learning and written report.

Evaluation will be allocated as follows:

- 50% in-class presentation on an approved topic, either clinical case study or research-based paper
- 50% written case study or research paper on approved topic, either clinical case study or research-based paper

INSTRUCTORS:

Deputy Chief Justice Joanne Durant (Court of Justice), Justice Anna Loparco (Court of King's Bench) and Justice Michelle Christopher (Court of Justice)

Law 660.xx: Reconciliation & Lawyers (Sinclair – Winter Term)

In its final report released in 2015, the Truth and Reconciliation Commission of Canada presented 94 Calls to Action as a means to address the long-lasting consequences of residential schools and promote the process of Canadian reconciliation. Among these 94 Calls to Action, Call to Action #27 and Call to Action #28 explicitly pertain to law societies, law schools, lawyers, and law students.

By delving into the concepts of Indigenization, decolonization, reconciliation, and justice within settler colonial legal academic settings, students enrolled in this course will become acquainted with valuable tools and frameworks. These resources will enable them to engage appropriately and authentically with Indigenization, decolonization, reconciliation, and justice practices, transforming their everyday lives into something potentially more profound, meaningful, and in harmony with the land they inhabit. Recognizing the healing power of the land, students will learn how to establish a meaningful connection to it through the lenses of reconciliation and

law. The course aims to educate students on how to decolonize their daily practices while encouraging them to embark on personal and professional journeys towards truth and reconciliation in an authentic manner.

The course will utilize diverse educational strategies, including small group discussions, videos, sharing circles, online guest speaker lectures, online elder teachings, and in-class role-playing exercises, among others, to facilitate effective learning. Additionally, the course will adopt a trauma-informed and reflective approach to promote Indigenous ethical space and a supportive learning environment that is Indigenous-centric.

The course will cover a range of topics, including but not limited to:

- Advocacy for Indigenous laws, decolonization, reconciliation, and justice and their integration into daily academic and legal practice;
- Establishing and enhancing cross-cultural communication with Indigenous Peoples, communities, and organizations;
- Identifying and addressing systemic and structural biases in personal and professional spheres, with a focus on reflection, advocacy, and decolonization to overcome deeply imbedded systemic challenges;
- Understanding the significance of the Truth and Reconciliation Commission and the Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the United Nations Declaration on the Rights of Indigenous Peoples Act, and the Missing and Murdered Indigenous Women, Girls and 2 Spirit Peoples Final Report and 231 Calls for Justice to law and law practise;
- Deepening relationships with Indigenous Peoples and communities in the rural, urban and on-reserve areas through the practice of humility, advocacy, reciprocity, respect, and relationality, and reconciliation; and
- Recognizing and overcoming performative Indigenous allyship and its detrimental effects.

By the conclusion of this course, students are expected to possess the knowledge and skills necessary to effectively advocate for Indigenous laws and transformative justice in contexts dominated by Canadian colonial common law. Ideally, they will be equipped to promote and support reconciliation measures within various settings they encounter. Furthermore, they should demonstrate the ability to create long term and trusting relationships with Indigenous Peoples and communities, being vigilant of their own positionalities and understanding the historic significance of what colonial law has done to Indigenous Peoples and communities.

Law 660.xx: MMIWG Law (Reid – Fall Term)

Course Description

This seminar immerses students in the ongoing crisis of Missing and Murdered Indigenous Women, Girls, and 2SLGBTQ+ people (MMIWG) through the unfolding “live file” of Cheryl, a fictional - but firmly reality-grounded - Cree woman who disappears while travelling the

isolated stretch of highway that links her home reserve to the nearest town. Her disappearance and, later, her death are mishandled by police, misrepresented in the media, and becomes the subject of both public outcry and, ultimately, an inquest. Each week the class advances the timeline of Cheryl's "live file," dissecting every new development from multiple angles including the legal, cultural, and political dimensions of her disappearance, death, and the aftermath. By tracing Cheryl's story across investigative, legal, and media terrains, students confront not only how colonial structures enable violence but also how law can be mobilized for accountability and systemic reform.

Note: Cheryl's story is not drawn from one woman's life or death. Her file is a composite portrait - a method borrowed from qualitative research and documentary arts that blends details, timelines, and legal findings from a spectrum of publicly reported MMIWG cases nationwide. By weaving multiple stories into one, we can study recurring systemic patterns without re-exposing any single family's private grief or replicating sensitive facts in full.

Course Learning Objectives

By the end, students will:

- Understand the colonial legal history that frames the MMIWG crisis;
- Critically analyze landmark cases, public inquests and inquiries;
- Assess the strengths and limits of existing legal frameworks for recognizing and addressing the issue of MMIWG;
- Develop ethical, effective advocacy strategies for working with MMIWG victims and families; and
- Apply movement-lawyering frameworks to co-create legal interventions that support Indigenous-led organizing and systemic reform.

Assignments

(1) Essay (40%)

Early in the term, students will select an ongoing or recently concluded MMIWG case. Examples include a coroner's inquest that has just opened, a family-initiated civil suit, an unsolved disappearance revived by investigative journalism, or a policy review launched under grassroots pressure. After choosing a file, students will formulate a tightly focused research question related to the case, such as "How does the limited standing granted to families at the X Inquiry reinforce systemic barriers faced by relatives of MMIWG victims?"; "In what ways does the RCMP's jurisdictional discretion in the Pickton investigation reveal policing gaps that endanger Indigenous women?" etc. The paper must (1) narrate the case respectfully and concisely; (2) map and explain the specific legal frameworks, including relevant statutes, precedent, treaty obligations, inter-governmental agreements, and jurisdictional dynamics, governing the case; (3) develop a critical response to the research question; and (4) conclude with trauma-informed, actionable recommendations. 3000 – 5000 words max.

(2) Legal Submission (60%)

Building on your Essay, you will convert your research into a practice-ready advocacy tool directed at an actual decision-making forum. Choose the format that best matches your case and career interests, such as: an amicus curiae factum; a draft provincial or federal model legislation that would implement a specific Call for Justice; a complaint package for the Canadian Human Rights Tribunal (or its provincial counterpart) alleging systemic discrimination linked to an MMIWG matter; a formal letter to a Member of Parliament that sets out a detailed legal and budgetary rationale for action, etc. Whatever format you choose, the submission must follow the forum's procedural rules and demonstrate clear, persuasive legal reasoning. 5000 – 7000 words max.

(3) Submission Presentation (10%)

During the last week of class, before you have completed your written Legal Submission, you will give an eight-to-ten-minute oral presentation that treats the classroom as the very decision-making forum your document targets. You may present exactly as you would in that setting. A student who drafted an amicus curiae factum may deliver oral argument to a simulated appellate bench. A student who wrote model legislation may testify before a mock parliamentary committee. A student who prepared a human-rights complaint may make an opening statement to a simulated tribunal. A student who composed a ministerial brief or letter may conduct an introductory meeting with the MP and set out the case for action. This presentation completes the progression from research (Essay) to written advocacy (Legal Submission) to live persuasion (Submission Presentation), providing practical experience for future appearances before courts, committees, government officials, or even the press.

Law 674A & B: Business Venture Clinic (Tingle – Fall/Winter Term)

Half course (3 credits) spread over entire year

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. Students also perform due diligence on UCEED Venture Fund investments.

Classes consist of lessons on issues that commonly arise in startup companies. As the year progresses, increasing amounts of class time are spent in discussions about problems students

are encountering in their work for clients and brainstorming about different solutions. 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 from their mentors on the documents they review. **Students who register for this course must also register in Law 632 Entrepreneurial Law at the same time or have taken Entrepreneurial Law previously. Students who take this clinic are GUARANTEED admission to Entrepreneurial Law (which fills up quickly).**

Law 686 Student Legal Assistance (SLA) Clinical Theory (Sitar- Fall/Winter)

Law 688 Student Legal Assistance (SLA) Clinical Practice (Sitar- Fall/Winter)

Half courses (3 credits each) spread over entire year

Student Legal Assistance (SLA) is the pro bono law student legal clinic at the University of Calgary Faculty of Law that serves low-income Calgary and area residents, and undergraduate students at the University of Calgary. Legal Services are delivered by University of Calgary Faculty of Law student caseworkers who provide agency representation and legal information to clients within the scope of legal services allowed for law students pursuant to the Legal Profession Act and the Rules of the Law Society of Alberta. This includes court appearances and agency representation for low-income clients in the Alberta Court of Justice (Family, Criminal, Traffic and Civil Divisions), at certain administrative tribunals and in a variety of outreach programs. SLA has provided legal services in Calgary and region since 1979 and is a partner in the access to justice community in Calgary and area. At Student Legal Assistance we believe that law students play an important role in providing access to justice for disadvantaged and marginalized groups who otherwise would be left unrepresented or remain self-represented.

Law 686 – SLA Clinical Theory explores substantive issues of law, procedure, evidence, practice management, client management, ethics, and skills in the context of access to justice. Students will learn about the framework of legal services available to low-income clients and will explore and better understand the systemic barriers to access to justice for low-income and marginalized clients including through engagement with diverse and experienced legal professionals and justice system stakeholders in Calgary. Evaluation is by way of assignments including: 3 short reflective essays on experiential learning and course topics (15% each), a research paper outline (5%); and a final research paper (50%) due near the end of the winter term on an area of clinical practice or primer for use by caseworkers in the SLA clinic.

Law 688 – SLA Clinical Practice provides advanced experiential learning, representing real clients in a clinical setting under the supervision of SLA's supervising lawyers. Students engage in experiential learning as law student caseworkers and will deal directly with a variety of client files including matters before the Alberta Court of Justice (Criminal, Family, Civil and Traffic

courts) including summary conviction criminal law offences, family law matters, residential tenancy issues, small claims disputes, and traffic offences and before certain administrative law tribunals. Students will also have an outreach component to serve community partners. Students develop a range of skills including interviewing, counselling, negotiation, alternative dispute resolution, judicial dispute resolution, pre-trial conferences, dispositions, trial advocacy, research, drafting, court practice, client relations, and file practice management. Each student will be assigned and is expected to carry a file load of about 10-15 active client files (at one time) in a variety of areas of law. The files will be selected and allocated based on complexity and area of law. Evaluation is by a series of assignments including: file review memos at the beginning and end of each term; outreach participation; and a short reflective essay on skill development.

Law 686/688 must be taken together in the same year. Enrollment is open only to students who are eligible to be an SLA caseworker and have volunteered as an SLA caseworker in 1L, 2L or worked as a summer caseworker. Both courses are capped at 12 students and **consent to enroll is required from the Course Instructor.** Clinical Theory (686) is graded on the University's 12-band scale. Clinical Practice (688) is graded CR/D/F. The courses are scheduled to run through both the Fall and Winter terms once per week. Final grades for both courses will be assigned at the end of the Winter term. Registration in Law 686/688 precludes an application for Law 591 (Alberta Court of Justice Clerkships) in the Winter Term as SLA deals with representing clients before Justices of the Alberta Court of Justice.

Law 687: Criminal Justice Clinical (Clive - Winter Term)

"Criminal justice" is what happens after a complicated series of events has gone bad. It is the result of failure--the failure of a group of people that sometimes includes, but is never limited to, the accused person." — Paul Delano Butler, *Let's Get Free: A Hip-Hop Theory of Justice*

Students enrolled in *Criminal Justice Clinical* will discuss and consider both what happens before trial and after the dust of the trial (or guilty plea) settles. Together, and subject to availability of guests, we will explore forensic crime scene investigation, Youth Criminal Justice, advent of Community Courts and other alternative solutions to criminal justice issues, post-trial issues which will include Indigenous Persons considerations, not criminally responsible on account of mental disorder as well as pre-trial fitness issues, bail, sentencing, appeals, practical parole considerations and, broadly speaking, wrongful convictions. We will host several guests as well as participate in a field trip to an Indigenous Courtroom (subject to COVID restrictions).

Student participation is a requirement, and therefore **attendance is mandatory**. Any absence will require the **prior** permission of the Course Instructor.

Assessment will be based on the following:

- a) Participation in class
- b) 2-L students will be assigned to participate as witnesses in the final 3-L Advocacy Trial to be held at the end of the Winter Term Block Week program, the object of which is to learn about witness preparation

c) There will be three (3) further assignments during the term:

- i. a short-written reflection on preparing witnesses for trial (3-Ls) or being a witness on the trial (2-Ls) [feedback will be provided in class discussions based on the written reflections;
- ii. preparing written submissions on sentence in either the role of Crown counsel or Defence Counsel as assigned by the Course Instructor; and
- iii. Delivering oral submissions on sentence in the assigned role as above.

The assignments and class participation will be weighted equally and graded on a Completed Requirements (CR), Marginal (D) or Fail (F) basis. Other than as excluded, Learners will be provided feedback on all assignments submitted for grading.

PLEASE NOTE:

•Although not a prerequisite, it is strongly recommended that students take **Law 507: Evidence** and **Law 511: Criminal Process** either prior to, or concurrent with, the Criminal Justice Clinical.

Law 689: Family Law Clinical (Massie – Winter Term)

The Family Law Clinical Seminar will build upon and enhance the substantive legal principles taught in Law 515: Family Law. 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 likely be three (3) assignments during 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 Lab (Laidlaw-Winter Term)

In this course students will explore in-depth the law of privacy and cybersecurity. The course is structured as a lab to enable students to gain practical experience to prepare them to practice in the area. At the end of the course students will be expected to be ready to understand and

advise about legal matters related to privacy and cybersecurity across various dimensions of the field, including artificial intelligence, with a particular focus on the private sector.

Students will learn the law and governance frameworks that manage cybersecurity risk and protect (or fail to protect) privacy. Students will study various relevant areas of law, such as constitutional law, criminal law, private sector privacy law, tort law, national security law, and developing laws in the areas of privacy, critical infrastructure and artificial intelligence. The lab component will include such things as a cybersecurity incident simulation and other tabletop exercises, an oral component, such as arguments on appeal (moot) or advising on a case problem, and legal writing, such as a legal memo, factum, legislative drafting or written submissions to a government body.

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

- Understand the laws and standards protecting privacy;
- Understand the laws and standards managing cybersecurity risk;
- Understand the major social, legal and policy debates in privacy and cybersecurity;
- Develop critical analysis skills concerning current and developing law;
- Be able to apply legal knowledge gained to analyze and resolve problems;
- Develop skills in legal writing and oral advocacy.

Students will be evaluated on the basis of class participation, including participation in a cybersecurity simulation (25%), preparation of a legal memo (25%), an oral exercise (25%), and a final written component (25%)

Law 693.xx: Intro to US Legal System (Thompson – Fall Term) *Hybrid

Due to the instructor's location, this course will likely occur primarily online.

This course will introduce students to the structure of the United States federal and state courts, along with their separate functions. Students will be familiarized with U.S. principles of the Separation of Powers between the Executive, Legislative and Judicial Branches of government. There will be a review of the roles, functions, and processes of the Trial, Appellate and Supreme Courts for the U.S. and states, including California. Students will be introduced to the various bodies of law, including U.S. federal and state statutory, case law (precedent), regulatory and municipal law. The processes of initiating litigation through trial and appeal will be included in the overview, along with basic U.S. and state constitutional principles, as well as concepts of civil and criminal procedure, and the presentation and rules of evidence.

Canada is the world's 5th largest exporter of, and the United States is the top importer of, Canadian petroleum oil. The United States imports \$38.9 billion USD worth of oil per year and imports 98.05% of all of Canada's oil exports. Canadian export commodities include wheat and canola to the U.S., as well as many other products. At least 16% of total U.S. exports go to

Canada. California is one of the top 5 U.S. states for export/import trade with Canada. There are also significant collateral consequences of criminal convictions in either jurisdiction that affect visitation and immigration between the countries. Therefore, as lawyers representing international business interests, it makes sense to be familiar with both legal systems.

Evaluation may include participation, quizzes, a case brief, and will include a final exam.

This course is taught by Judge Nicholas S. Thompson, California Superior Court, Orange County. Judge Thompson has been on the bench as a state trial court judge for the past 10 years. He had previously been a prosecutor with the Orange County District Attorney's Office where he led a gang task force and served in an Environmental Protection Unit working with federal and state regulatory agencies in the civil and criminal prosecution of environmental violations. Prior to being called to active military service for the invasion of Iraq, he was the state prosecutorial liaison to the Joint Terrorism Task Force. Before becoming a deputy district attorney, Judge Thompson did defense work as a deputy public defender and was in private practice.

While in the U.S. Army Reserves, Judge Thompson was an instructor to foreign military personnel in Papua New Guinea, Sri Lanka, Thailand and the Philippines on Intelligence and Psychological Operations, as well as at the U.S. Naval Fleet Information Warfare Center in Coronado, to U.S. Marines and deploying personnel. He also served with Canadian (1stRCR) and British Forces in Corralici/Bihac, Bosnia in 1996. Judge Thompson is a member of the Screen Actors Guild and performs in local community theater. He is also a part-time dogsledding guide.

LAW 693.xx: Technology, Criminal Investigations & the *Charter* (Sitar – Winter Term)

Course Objectives

This seminar will examine how technology is used in criminal investigations, and how the use of such tools interacts with the *Charter*. Emerging legal challenges and current jurisprudential debates will be canvassed, including: concepts of privacy in the modern realm; electronic surveillance tools, codified search powers, and s. 8 of the *Charter*; the use of predictive algorithms in detecting and preventing crime; and disclosure and privilege issues arising from the use of such technology. By the end of the term, students should be able to identify and research such contemporary challenges, and critically analyze their intersection with *Charter* principles and Canadian criminal law.

Although not a prerequisite, prior completion of Law 511: Criminal Process or Law 644: National Security Lab is strongly recommended.

Evaluation in this course will be based upon:

- Attendance & Participation – students are expected to complete all assigned readings and attend each seminar session prepared to discuss and defend their personal perspectives; and

- Persuasive Research Paper & Related Topic Proposal – students will submit a topic proposal for evaluation and approval prior to commencing substantive work on their paper.
 - This research paper can be used to satisfy the upper year writing requirement.

Instructor Biography:

Kelsey Sitar is a Calgary-based criminal defence lawyer who maintains a trial and appellate practice focused on large-scale investigations and serious violent crime. She is frequently involved in s. 8 litigation, particularly in relation to electronic surveillance technology. As the President of the Criminal Defence Lawyers Association (Calgary), Kelsey sits on various government committees and advocates for improved access to justice for marginalized Albertans.

Law 693.xx Critical Minerals, Regulatory Frameworks, and Geopolitics (Steyn – Fall Term)

This timely and transdisciplinary course delves into the nexus of critical minerals, international regulations, and global geopolitical dynamics. In an era characterized by technological advancements, sustainable development imperatives, and shifting international power structures, the study of critical minerals takes on unprecedented significance. Through a blend of interactive lectures, case studies, guest speaker sessions, and experiential learning components, students will gain both theoretical knowledge and practical insights into the real-world complexities of critical minerals. In a world increasingly shaped by the interplay of resource scarcity, regulatory complexities, and fluctuating geopolitical landscapes, this course equips students with the analytical tools and insights needed to navigate the intricate terrain of critical minerals and their global implications.

Evaluation in this course is designed to gauge students' understanding of theoretical concepts, critical thinking skills, and practical application. The assessment methodology includes: Participation and Discussion (10%); participation in Student-Industry Critical Minerals Workshop (30%); Final Research Paper of 6,500-7,500 words (60%). The course fulfills the Upper Year Writing Requirement and the International requirement.

Please note that there are no background requirements for attending this course: we will do a thorough overview of the lifecycle of mining and that of minerals before embarking on our discussion of critical minerals.

Method of Evaluation:

Participation and Discussion (10%); participation in Student-Industry Critical Minerals Workshop (30%); Final Research Paper of 6,500-7,500 words (60%). There is no exam.

Upper-Year Writing Requirement:

The research paper can be used to satisfy the Faculty's upper-year writing requirement.

International Requirement:

The course has significant international components and as such can be used to satisfy the international requirement.

Law 693.xx: Disability and the Law (Chipeur – Fall Term)

This course examines how Canadian law and public policy impact the lives of people with disabilities. Historically, Canadians with disabilities were segregated from public life and their needs were considered a private matter for their families, religious organizations and charities. Many were subject to abuse in government-run institutions and forcibly sterilized pursuant to provincial law. Despite these conditions, people with disabilities, collectively and individually, have used legal and political methods to seek self-determination and equal membership in Canadian society. Throughout the course, students will analyze legislation and caselaw to understand how people with disabilities have sought inclusion in Canadian society and how federal and provincial governments and the judiciary have responded to these efforts.

Students will write a paper on a topic related to persons with disabilities and the law. The paper will satisfy the Upper Year Writing Requirement. Students will engage in interactive class discussions, presentations, critical reading and group work.

Law 693.xx: Law of Armed Conflicts (Clute – Fall Term)

In an armed conflict, what does the law say about the protection of civilians, their homes and critical infrastructure? Can civilians and their property legally ever be attacked? What about “accidental” harm? Can persons who fight who may not be part of the armed forces be tried as criminals if captured? During the decades-long so-called war on terror did the law permit the killing of apparent civilians with missiles fired from drones or was there an obligation to arrest/capture them? What about the risk to bystanders? These are issues addressed by International Humanitarian Law “IHL” (also known as the “law of war” or the “law of armed conflict”), which governs the conduct of hostilities during an armed conflict.

IHL is the only branch of public international law specifically designed to strike a balance during armed conflicts between humanitarian values and military necessity. Its object and purpose are to protect persons who are not participating in hostilities, such as civilians, and those who are no longer doing so, namely combatants and those directly participating in hostilities who are wounded or captured. It restricts the means and methods of warfare that those engaged in

hostilities may use such as by limiting who and what may be attacked and the types of weapons that may be employed. But it also permits the taking of life in certain circumstances, which outside of an armed conflict would be a crime. The course examines these issues and touches upon other bodies of public international law to which IHL is connected, namely international human rights law, international criminal law, and the law governing the use of force between states.

The course will consist of lecture presentations but will also encourage discussion and may include small group activities.

It is *anticipated* that evaluation will be as follows:

Class Participation:	10%	
Class Presentation:	20%	Same topic as the paper
Research Paper:	30%	
Final Examination:	40%	
Total:	100%	

This course is taught by Brent Clute, a retired Canadian Forces Legal Officer. He served for over 24 years with the Canadian Forces including on operations in Afghanistan, Bosnia and Hercegovina, and the Arabian Gulf. He was the senior legal advisor to the Canadian Special Forces Command and was seconded to Global Affairs Canada. In his last posting he oversaw legal training for the Canadian Forces. In his free time, he is a volunteer dog-walker with the Cochrane Humane Society. <https://www.linkedin.com/in/brent-clute/>

Law 693.xx: Money Laundering (Ahmed – Fall Term)

What do the film *Wolf of Wall Street*, Prince Charles and the Chelsea Football Club have in common? (They've all been financed by laundered monies at some point.) What is 'snow-washing'? (The laundering of illicit funds in Canada.) But – most importantly – how worried should the average global citizen be about money laundering regulation? (Very.)

This course looks at the evolution of money laundering and financial crime in the last 100 years. Contemporary laundering isn't just about the proceeds from drugs-trafficking, smuggling and corruption but also about Base Erosion Profit Shifting, trade-related malpractices, and tax avoidance. The full range of laundering behaviours and practices lie on the spectrum between 'downright criminal' and 'perfectly legal'; we will focus on the political, economic, and historical contexts that make them so.

Further, by locating money laundering and financial crime within their broader contexts, the course offers a critical perspective on how finance and financial regulation intersects with and influences public policy. Why does Canada, with its 15 laws, 12 federal agencies and 10-plus agencies for each province to check money laundering, qualify as a major laundering haven?

What policy and regulatory similarities and/ or differences exist between Canada, the UK, and the US?

The course also analyses the politics of the global anti-money laundering regulatory architecture and tracks its evolution and performance over time. Engaging with mainstream as well as critical scholarship in the area, the course identifies key issues related to money laundering and financial crime as well as the limitations of existing scholarship (criminogenic approach; paucity of data; onshore vs offshore debates; state-centricism etc.).

Finally, the course looks at the broader legal and societal implications of financial regulation: the normalization of surveillance, the in/adequacy of constitutional and criminal law safeguards in money laundering regulation, and corporate criminality.

This is a seminar-based course, and the method of evaluation will be a) class participation (20 percent) and b) a research paper (80 percent). The course may be used to satisfy the Faculty's upper-year writing requirement as well as the international law requirement.

Law 693.xx: Postcolonial Constitutionalism (Ahmed – Winter Term)

The course will explore constitutional theory and practice from Global South perspectives and how the discourse of constitutionalism addresses the problematic of governance, rights, justice and development. The idea is to see how different jurisdictions enunciate and actualise the good life in the interplay between the constitutional text, interpretation and constitutionalism; implicit in this 'seeing' is what Canada may learn from their experiences. The course examines varieties of constitutions and constitutionalisms from Latin America, Africa, India, Vietnam, Pakistan, China, Iran, Malaysia and the US to interrogate themes such as emergency constitutionalisms, global economic constitutionalism, judicial activism, affirmative action, the balancing of group rights and human rights, religion and the state, legal pluralism and constitutional reform.

Law 693.XX: Sports Law (Shim – Winter Term)

This course will introduce students to the topic of sports law and will examine legal issues that arise in sport. Focus will be placed on Sport Dispute Resolution Centre of Canada and Court of Arbitration for Sport decisions and their effect on the current landscape of sport. Particular focus will be placed on current amateur and professional sport events and their impact on sport policy and sport governance. By the conclusion of the course, students will become familiar with issues related to criminal law and sport, human rights issues and sport, sport ethics, broadcasting in sport, sport policy, sport arbitration, and sport governance. A review of local, provincial, national, and international sport governing bodies will be examined. The intent of the course is for students to understand the

procedural and policy aspects of sports law and expose students to the issues faced by amateur and professional athletes. This course is capped at 20 students.

Evaluation Method: Assessment will be based on a combination of class presentation and a final research paper on a sports law topic of the student's choice. Subject to instructor approval, the presentation topic and paper topic may be the same. The final research paper can satisfy the upper year writing requirement.

Bio: This course is being taught by Wilma Shim (UCalgary JD' 2010), a former competitive powerlifter, who has previously worked as a barrister and solicitor and crown prosecutor for Alberta Justice and Solicitor General. Currently, Wilma is a commissioner with the Alberta Human Rights Commission. She is active in the sport and legal community, currently serving as head coach for Special Olympics Calgary Badminton and as Vice Chair of the Special Olympics Calgary AMC. In 2024, she obtained her LLM in Sports Law and has been teaching in the Faculty of Kinesiology since 2021. This is her 4th year teaching at the Faculty of Law. She is a senator on the University of Calgary Senate, and a board member for the Alberta Lawyers' Assistance Society, Federation of Asian Canadian Lawyers (Western), and Association of Women Lawyers.

Law 693.xx: Fintech and Developments in Financial Market Regulation (Clements – WinterTerm)

This course will focus on the theory and application of regulation to developments in financial markets. By taking this course students will learn:

- The theory, purpose, and objectives of financial market regulation;
- The regulatory architecture, and respective agencies, for financial market sectors in Canada, including how and where “financial technology” innovations and entities fit into the legacy architecture, as well as comparative international regimes;
- Comprehension and application of the major concepts and techniques used to inform and improve regulatory decision-making, and optimal regulatory design, across several areas of financial market regulation;
- How legacy regulatory frameworks adapt to nascent developments in financial markets, including recent legislative proposals in Canada around consumer data portability in the banking sector (commonly known as open banking);
- The tools that financial market regulators use to assess financial disruption, and overcome institutional design and jurisdictional limitations;
- The multiple causes, and regulatory response to the 2008 global financial crisis, and the relationship between financial market innovation and systemic risk;
- How regulators adapt to periodic financial market crises and disruptive events, including nascent market episodes such as the 2022 crypto crash and numerous platform failures;
- How structural changes in the way individuals engage with markets, and use financial products and services, change regulatory considerations and structures, including recent

developments in passive investing, gamified markets, and grassroots led “short-squeezes” driven by social media catalyzed information channels;

- How artificial intelligence (AI) is impacting financial and capital markets, and regulatory considerations in relation to the integration of machine learning, generative AI, and related developments across financial ecosystems;
- How regulators have adapted to the emergence of diverse crypto-assets, crypto-asset service providers, and decentralized financial protocols, products, and services in Canada, and the policy objectives, and jurisdictional considerations, underlying those regulatory steps; and
- The challenges in regulating fintech innovations, including regulatory “arbitrage,” and regulatory adaptations that are being used, like “sandboxes,” to provide flexibility while ensuring adequate safeguards.

These concepts will be taught through numerous case studies, and will feature a variety of guest speakers. Course materials will include topical primary and secondary sources. There is no textbook for this course. Students will be evaluated based on: a) class participation (10%); b) two separate, 1000-word each “response papers” to any assigned reading or guest speaker lecture (15% each); and c) a 6000-word research paper (60%). Students may use this course to fulfill their upper year writing requirement. There are no pre / co-requisites for this course. The course is designed to be accessible to those without prior financial market regulation experience.

This course is taught by Dr. Ryan Clements, Director, Advanced Research and Knowledge Management, Alberta Securities Commission.

Law 693.xx: Seminar in Tax Law (Chiu/Farquhar- Winter Term)

This course provides students with an overview of fundamental tax principles essential for business lawyers. It will introduce the student to key tax concepts, enabling the identification of tax issues and a better understanding of how taxation impacts ordinary business transactions across various legal entities, including public enterprises, private enterprises, startups, and non-profit organizations. Topics will include basic tax terminology, an overview of the taxation of different business structures including corporations, partnerships and sole proprietorships, tax implications of corporate reorganizations, in the purchase and sale of a business, and in transactions such as drafting a shareholder agreement. It will be taught using case studies that demonstrate the practical application of the tax concepts under review. The course is designed to enhance the proficiency of prospective business lawyers and aims to inspire a select few to consider a specialization in tax law.

It is anticipated that students will be evaluated through 1) assignments (50%) and 2) a final examination (50%).

Pre or co-requisite: Business Associations.

Law 693.xx U.S.-Canada Comparative Constitutional Law (Duffy – Winter Term)

Comparative Constitutional Law is an area of scholarship that compares differences and similarities across national constitutional structures in order to better understand those structures and the issues that arise from them. That study can be approached in a broad-spectrum way, or it can be undertaken in a more in-depth comparison between national constitutions. This course is the latter. The primary focus of this course will be on U.S. Constitutional Law as it compares to Canada's constitutional system. It is assumed that students will have taken the required first-year Constitutional Law course, and that they thus have a basic understanding of many of the legal issues arising in Canada. Students who have not studied Canadian Constitutional Law might find this course difficult. While both jurisdictions have overlap in terms of history and origins of their constitutional systems, there are significant differences in terms of their specific elements, their legal traditions, and the manner in which the countries interpret their respective Constitutions.

Regarding the U.S. Constitution, particular topics will include, but are not limited to, historical development, separation of powers, the approaches to individual rights (including free speech; freedom of religion; procedural and substantive due process (including issues that have been identified as fundamental rights such as abortion (since revoked), contraception, and same-sex marriage); *habeas corpus*; and equal protection under the law. Discussion will also include idiosyncratic aspects of the U.S. Constitution, such as the 2nd Amendment relating to the "right to bear arms," the Electoral College, and the Impeachment process, along with elements of the Canadian Constitution that are missing from the U.S. Constitution, such as equality based on gender, protection of the rights of Indigenous Peoples, and the Notwithstanding Clause. Case studies on current controversies will frequently be used to advance discussion and to make the topics more timely and, hopefully, more interesting. While the primary basis of comparison will be the U.S. Constitution, there may be some brief discussion of other jurisdictions as well.

This course is taught primarily as a seminar, rather than as a doctrinal, lecture-based course. There is, however, a doctrinal component to the course, which will give context to subsequent discussions, so some classes, or portions of classes, will have a lecture format. It is not expected that students have pre-existing familiarity with the U.S. Constitution. Evaluations may (subject to change) include class participation, a class presentation, and a final research paper. Students may use this course to fulfill their International Law and Upper-Year Writing Requirements

Law 693.xx: Principles of Air & Space Law (Wedenig – Winter Term)

The seminar will address a range of legal issues and questions, including: How are thousands of flights managed for daily take-offs and landings? What are the obligations incumbent upon an

airline when a passenger is stranded at an airport? Who owns the Moon? Is the extraction of resources in outer space legally permissible?

This integrated air and space law seminar is designed to examine the fundamental principles of both air and space law and equip participants with the knowledge and skills to address pressing legal questions in air and space law, both domestically and internationally while enabling them to comprehend and effectively utilize both legal frameworks.

Students will analyze the international civil aviation's Chicago Convention regime, together with the Outer Space Treaty framework governing activities beyond the terrestrial airspace. Consequently, this seminar will be structured into two distinct parts.

Part 1 will be dedicated to Air Law. The aviation industry, valued at more than 4 trillion USD, is the engine of our global economy. This industry is underpinned by a dedicated legal regime that governs its operations, drawing upon principles of international law, such as jurisdiction and airspace sovereignty. Students will examine the Chicago Convention and its Annexes, Flight Delay and Cancellation Compensation, and Aviation Finance (Leasing).

However, modern aviation depends on sophisticated space-based technology. Part 2 will, therefore, address Space Law, focusing on the five UN Space Treaties, the Artemis Accords and pertinent national space legislation including the EU Space Act.

Evaluation will be based on a final paper (80%) and class participation (20%)

This course may be used to fulfil the Upper Year Writing Requirement and International Law Requirement.

Law 693.xx Legal History (Campbell – Winter Term)

This course will explore the history Canada's legal and constitutional development, focusing on two dynamics: 1) its relationship to the rest of the world, as a set of colonies and ultimately a nation attempting to make its own way, and 2) the internal pressures that shaped the development of institutions and people's relationships to them. We are going to talk a lot about alcohol, as a commodity that could be created, imported and taxed, as a beverage that could signal social position, and as a nexus for anxieties about the habits and propensities of other (and "othered") people.

Evaluation will be through oral and written participation in a role-playing game and through a research paper that will fulfill the major writing requirement for JD students or, for course-based LLM students, the requirement of a course entailing a research paper evaluation worth at least 50 percent of the course grade. This course will also satisfy the theory requirement for JD students. The research essays will focus on primary sources, and we will devote class time to working collaboratively on them. No previous experience in historical research is necessary

Law 693.xx: Multinational Corporations and the Law (Oshionebo – Fall Term)

This course focuses on the legal and social issues arising from the global operations of Multinational Corporations (MNCs). As a result of economic globalization, MNCs have become core players in the global economic and business arenas. MNCs are the primary vehicles for foreign direct investment, and they account for about a quarter of the World's Gross Domestic Product (GDP). The annual profits of MNCs such as Shell, ExxonMobil, Apple Inc., Microsoft, IBM, Wal-Mart, and Amazon are larger than the GDP of many countries. The economic power of MNCs has significant legal implications (both positive and negative) for individuals and nation States. This course is intended to stimulate dialogue on the legal aspects of MNCs' operations, including the economic and social issues arising from the global operations of MNCs. The course focuses on the interaction between MNCs, domestic law and international law.

Topics to be covered include the nature, status and influence of MNCs; legal forms of MNCs; regulation of MNCs in domestic and international regimes; taxation of MNCs; MNCs and corporate social responsibility; liability (or non-liability) of MNCs for human rights violations; extraterritorial application of home State law to the foreign operations of MNCs; and the rights and responsibilities of MNCs under international investment treaties.

Method Evaluation

[i]. Research Paper: **70% of final grade**

**The research paper can be used to satisfy the Faculty of Law's Upper Year Writing Requirement.*

[ii]. Seminar Presentation: **20% of final grade**

[iii]. Class participation: **10% of final grade**

Law 693.08: Gender Based Violence and the Law (Koshan – Fall)

This course examines a particular social problem, gender-based violence (GBV) through the lens of several different legal systems, e.g., criminal, family, employment, residential tenancy, and human rights law. Students will learn to think holistically about social problems by exploring how different legal systems intersect and sometimes work in opposition to each other. There will also be an interdisciplinary component to the course, with students learning how other professionals (e.g., nursing, and social work) screen for and respond to GBV and how different ethical and professional obligations can intersect and conflict. Students will have opportunities to engage in experiential learning, to develop trauma-informed lawyering skills, and to meet with lawyers, judges, and other professionals who work in this area. The course will cover domestic and international approaches to GBV and different theoretical approaches to GBV. Classes will be seminar-style with active preparation and participation from all students expected. Evaluation includes 3 components: (1) a research paper, where students will be

encouraged to write in the form of a factum, law reform brief, shadow report or judgment, or a paper critically reflecting on the themes of the course; (2) presentation of research papers; and (3) class participation. This course can be used to satisfy the upper-year theory and writing requirements.

Law 697: Corporate Tax Law (Brown – Winter Term)

The course is designed to introduce you to Canadian income tax law as it applies to the taxation of corporations and shareholders. At the end of the course, you should be able to read and understand the Income Tax Act and be familiar with the case law that interprets and applies it. In addition, you should have an understanding of business decisions that are affected by tax issues and be competent to provide information on basic corporate tax related issues. You should also have acquired sufficient proficiency in this area to understand how a desired business result may be obtained without adverse tax consequences.

The course will include instructor led lectures and in-class group discussion problems. Course materials include a series of on- line readings, workbook 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 Monday during final exams and worth 40%.

Law 698: Immigration and Refugee Law (Zaidi – Winter Term)

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.

Law 703: Graduate Seminar in Research & Methodology (Maier - Fall Term)

The goals of this course are to prepare graduate students to design, research and write a thesis or major research paper and to help them become capable legal scholars. As such, this course introduces them to legal research methodologies so that they can embark on their own research. Specific research techniques such as literature reviews and doctrinal interdisciplinary approaches will be discussed. The challenges of comparative work will be explored. This course will also provide LLM students with a forum to discuss their research projects and to meet faculty members. As well, the course will cover "nuts and bolts" topics, such as research ethics, academic integrity and citation. Students will develop a research proposal, including an annotated bibliography. Students will also be oriented with respect to library resources, legal sources and search methods.

This course is mandatory for LLM and PhD students. Subject to approval, it is anticipated that evaluation will consist of class participation (20%) an academic integrity quiz (10%) and a set of assignments (70%) through which students will build the research proposal and annotated bibliography for their thesis or major paper.

LAW 705 (Winter) Graduate Seminar in Legal Theory (Stewart – Winter term)

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.

This course is aimed at helping thesis-based students prepare the theoretical framework for their thesis work.