



Fall 2023/Winter 2024

COURSE/TIMETABLE/ REGISTRATION INFORMATION

(for graduate students)

BASIC INFORMATION

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

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

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

PROGRAM REQUIREMENTS

Program requirements and other rules and regulations are set out in the Graduate Studies Calendar, <https://www.ucalgary.ca/pubs/calendar/grad/current/law-law.html>.

Thesis-based LLM, NREEL specialization:

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

Thesis-based LLM, no specialization:

- Law 703 (Legal Research and Methodology), Law 705 (Legal Theory) and

- at least two additional 600-level courses, which may be taken in Law or – with the approval of the Graduate Program Director and if relevant to your research project – from other faculties.
- As part of Law 703, you will draft a proposal for your thesis, so that you are ready to start on it once your coursework is done, if not before.

Course-based LLM, NREEL specialization:

- Law 703 (Legal Research and Methodology) and
- five other courses at the 500-level or higher, of which
 - at least two must be at the 600-level or above, and
 - at least two must be Law courses that include evaluation by a research paper worth at least 50% of the grade. [NB: a course that is described as satisfying the JD upper year writing requirement will also meet this requirement.]
- All five of these courses must be in the NREEL area, unless you decide to take Law 705 instead of one of these courses, which you may do if you wish.
- Normally NREEL students do not take courses from outside of Law, but it can be done in appropriate cases with the approval of the Graduate Program Director.
- As part of Law 703, you will draft a proposal for your major research paper, so that you are ready to start on it once your other coursework is done.
- After you have finished your first six courses and obtained a satisfactory average with a minimum GPA of 3.0, you will register to complete your major research paper, through Law 707 and Law 708. If you wish to do this on a full-time basis, you will register for Law 707 and 708 in the same semester, giving you four months to complete your major research paper. Alternatively, you may choose to do the major research paper on a part-time basis, by taking Law 707 one semester and Law 708 in a subsequent semester. These courses are graded on a pass/fail basis. (Please note that Law 707 and 708 have replaced Law 706.)

Course-based LLM, no specialization:

- Law 703 (Legal Research and Methodology) and
- five other courses at the 500-level or higher, of which
 - at least two must be at the 600-level or above, and
 - at least two must be Law courses that include evaluation by a research paper worth at least 50% of the grade. [NB: a course that is described as satisfying the JD upper year writing requirement will also meet this requirement.]
- You may substitute Law 705 for one of these courses if you wish.
- With the approval of the Graduate Program Director, you may take one relevant non-Law course (3 units).
- As part of Law 703, you will draft a proposal for your major research paper, so that you are ready to start on it once your other coursework is done.
- After you have finished your first six courses and obtained a satisfactory average with a minimum GPA of 3.0, you will register to complete your major research paper, through Law 707 and Law 708. If you wish to do this on a full-time basis, you will register for Law 707 and 708 in the same semester, giving you four months to complete your major research paper. Alternatively, you may choose to do the major research paper on a part-time basis, by taking Law 707 one semester and Law 708 in a subsequent semester. These courses are graded on a pass/fail basis. (Please note that Law 707 and 708 have replaced Law 706.)

Graduate Certificate in NREEL:

- four Law courses in the NREEL area, of which:

- at least two courses are at the 600-level or above, and
- at least one course is evaluated through a research paper worth at least 50% of the grade. [NB: a course that is described as satisfying the JD upper year writing requirement will also meet this requirement.]

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

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

PREREQUISITES/COREQUISITES

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

AUDITING COURSES

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

LAW-RELATED COURSES OUTSIDE THE FACULTY

Graduate students wishing to take a course outside the Faculty must consult with the Graduate Program Director. Extra fees sometimes apply, depending on the course and the academic unit that offers it.

ENROLLMENT CAPS

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

COURSE OUTLINES

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

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

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

HOW TO REGISTER IN COURSES

Two approaches to registration are available to LLM students: to register using the registration system or to give your course preferences to our Graduate Program Administrator so that she can register you. Because JD students tend to be extremely quick and able, and they snap up many of the spots so quickly, please make sure you send your requests to our Graduate Program Assistant through the [form](#) on the Current Graduate Students website by **Wednesday, June 14 at 4:00 pm** MDT. You are welcome, also, to register yourself when the system opens at 9:30 am MDT on Tuesday, June 20. Step by step instructions can be found at <https://www.ucalgary.ca/registrar/student-centre/how-guides>. If you do register yourself in any courses, please let the Graduate Program Administrator know immediately, so that she can plan accordingly.

In either case, you must first initialize your registration, through the instructions here: <https://live-ucalgary.ucalgary.ca/sites/default/files/teams/14/how-to-initialize-registration.pdf>. **Neither you nor the Graduate Program Administrator can register you until you have initialized your registration, and no one can do this but you.**

KEY REGISTRATION AND FEE PAYMENT DATES: FALL TERM

- **Thursday, September 14, 2023:** Last day for *dropping* courses, without receiving a “W” grade and without being responsible for the fees for the course (after this date, if you withdraw from a Fall or year-long course, you are still responsible for paying).
- **Friday, September 15, 2023:** Last day for *adding* courses or for changing registrations from credit to audit or audit to credit in year-long and Fall courses.
- **Friday, September 22, 2023:** fee-payment deadline for Fall term.
- **Wednesday, December 6, 2023:** Last day for dropping Fall courses – a “W” for “withdraw” will appear on your transcript

KEY REGISTRATION AND FEE PAYMENT DATES: WINTER TERM

- **Monday, January 22, 2024:** First day of regularly scheduled courses for the Winter semester.
- **Friday, January 26, 2024:** Fee payment deadline for the Winter semester.
- **Tuesday, January 30, 2024:** Last day for *dropping* courses (without receiving a “W” grade).
- **Tuesday, January 30, 2024:** No refund of fees if you withdraw from Winter courses after this date.
- **Tuesday, January 30, 2024:** Last day for *adding* courses or for changing registration from credit to audit or audit to credit in full courses and Winter Term half-courses.

PAYMENT OF FEES

There are a number of options regarding fee payment. It is highly recommended that you use telephone or internet banking services to pay your fees. By paying through banking services, you can avoid the long line-ups that occur around the fee payment deadline and ensure that your fees are processed right away. The University of Calgary does not accept tuition payments by credit card.

Students can often spread out their tuition payments over the semester. For more information, see <https://www.ucalgary.ca/registrar/finances/tuition-and-fees/graduate-student-payment-plan>.

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

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

COURSE DESCRIPTIONS

The following courses are open to graduate students in 2023-24. **Asterisks indicate NREEL courses.** The descriptions for NREEL courses are appended to the end of this memo. Further information about courses being offered this year, including the material to be covered and the anticipated evaluation methods, are provided in the [Instructor Course Descriptions](#) document on the Current Graduate Students webpage. We **strongly recommend** that students review this document carefully prior to making course selections. For courses not listed in the Instructor Course Descriptions document, please see the [Calendar Course Descriptions](#).

Fall 2023	Winter 2024
** LAW 503.01 Administrative Law (Kislowicz)	** LAW 503.01 Administrative Law (Harrison)
** LAW 503.02 Administrative Law (Zaidi)	** LAW 509 Business Associations (Wilson)
** LAW 509.01 Business Associations (Stewart)	** LAW 510.01 Ethical Lawyering (Tkatch)
** LAW 510.01 Ethical Lawyering (Hagen)	LAW 519 Jurisprudence (Bagg & Janzen)

** LAW 510.02 Ethical Lawyering (Christian)	LAW 525 Bankruptcy and Restructuring Law (Girgis)
LAW 511 Criminal Process (Sitar)	LAW 527 Basic Tax Law (Nikolaou)
LAW 515 Family Law (Griffith)	LAW 553 Insurance Law (Viney / Gray)
LAW 527 Basic Tax Law (Brown)	LAW 557 Commercial Arbitration Law (Pappas/Rojas)
LAW 533 Wills & Estates (Ng & McGurk)	LAW 563 International Human Rights Law (Kravetz)
LAW 536 International Criminal Law (Kravetz)	LAW 567 Law & Economics (Ilg) ¹
Law 547 Human Rights Law (Luthanen)	LAW 577 Tax Policy (Mintz)
LAW 561 Employment Law (Snowdon)	LAW 579.01 Legal Theory: Canadian Federalism (Stewart)
LAW 575 Remedies (Ilg) ²	LAW 579.02 Legal Theory: Law & Religion (Kislowicz)
* LAW 579.01 Legal Theory: International Law (Whitsitt)	LAW 519 Jurisprudence (Bagg & Janzen)
LAW 579.02 Legal Theory: Property (Watson Hamilton)	LAW 525 Bankruptcy and Restructuring Law (Girgis)
LAW 598 Trusts (Mensch)	LAW 593 Health Law (Hardcastle)
LAW 601 Advanced Criminal Law (Fagan)	* LAW 605 Oil & Gas Contracts (Pittman)
LAW 607 Advanced Legal Research (Garingan)	LAW 607 Advanced Legal Research (Williams)
* LAW 617 Alternative Energy Law (Tscherning)	LAW 613 Conflict of Laws (Tscherning)
LAW 619 Estate Planning (Brown)	LAW 616 Public Interest Theory (Fluker)
LAW 622 Law of the Sea (Hubert)	LAW 620 Public Interest Practice (Fluker)
* LAW 623 Environmental Impact Assessment Law (Wright)	* LAW 624 Environmental Law & Ethics (Mascher)
LAW 632 Entrepreneurial Law (Tingle)	* LAW 627 International Environmental Law (Hubert)
* LAW 637 Energy Law (MacNab)	* LAW 628 International Investment Law (Whitsitt)
* LAW 638 Climate Change Law (Mascher)	LAW 631 International Tax Law (Chiu, Montes & Farquhar)
Law 644 National Security Lab (Nesbitt)	* LAW 640 Energy, Transportation & Infrastructure (Tscherning)
LAW 648 Securities (Clements)	LAW 653 Directed Research
LAW 656 Mergers & Acquisitions (Hibbard & Riley)	LAW 693.01 Privacy & Cybersecurity (Laidlaw)
* LAW 638 Climate Change Law (Mascher)	* LAW 693.02 Law, Science & the Regulatory State (Olszynski)
LAW 648 Securities (Clements)	LAW 693.03 Law of Sanctions (Nesbitt)
LAW 653 - Directed Research	LAW 693.04 Equitable Remedies for Financial Misconduct (Deering/Qureshi)
* LAW 693.01 - International Law (Whitsitt)	LAW 693.05 Fintech Law & Policy (Clements)
* LAW 693.02 – Indigenous Economic Development (Calliou)	LAW 693.06 Money Laundering (Ahmed)
* LAW 693.03 Oil & Gas Law (Pittman)	LAW 693.07 Sports Law (Shim)

¹ Professor Ilg's Law & Economics course, Law 567 in the Winter term, will probably have a research paper option that will allow course-based LLM students to satisfy their research paper requirement. If interested, please inquire with Professor Ilg (mpilg@ucalgary.ca) before registering.

² Professor Ilg's Law & Remedies course, Law 575 in the Fall term, will probably have a research paper option that will allow course-based LLM students to satisfy their research paper requirement. If interested, please inquire with Professor Ilg (mpilg@ucalgary.ca) before registering.

LAW 693.04 Introduction to the US Legal System (Thompson – hybrid)	* LAW 693.08 Negotiating Indigenous Rights (Chipeur, G./Crowfoot – hybrid)
* LAW 693.05 Reconciliation & Lawyers (Menard – online)	LAW 693.09 Intellectual Property (Hagen)
LAW 693.06 Internet Law (Laidlaw)	LAW 693.10 Legal Theory: Artificial Intelligence (Hagen)
LAW 693.07 E-Litigation (Christian)	LAW 693.11 International Trade Law (Whitsitt)
LAW 693.08 International Dispute Settlement (Hopkins)	LAW 693.12 (LAW 579.04) Residential Schools Litigation (Calliou)
LAW 693.09 Disability & the Law (Chipeur, S.)	LAW 693.13 Gender Based Violence & the Law (Koshan)
LAW 693.11 Law of Armed Conflicts (Clute)	LAW 697 Corporate Tax Law (Brown)
LAW 693.12 The Dynamics of Law Making: Lawyers (Macdonald/Redford)	LAW 698 Immigration & Refugee Law (Zaidi)
LAW 703 Graduate Seminar in Legal Research (Hagen)	LAW 699 Labour Law (Benedict)
	LAW 705 Graduate Seminar in Legal Theory (Stewart)

* = NREEL COURSE

** = JD students have priority registration for these courses.

red = includes evaluation by a research paper worth at least 50% of the grade

2023-24 NREEL COURSES

For information about courses outside the NREEL area, see Instructor Course Descriptions under Registration and Course Selection on the [Current Graduate Students](#) website.

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

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

The course focuses on transactions and joint ventures generally, and 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>

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

Law 617 (Fall): Alternative Energy Law (Tscherning – Fall Term)

This seminar course will allow students to gain an understanding of the key legal and policy issues arising in the field of "alternative energy" (which encompasses renewable and low-carbon energy generation such as wind energy, nuclear energy, the production of hydrogen, and liquefied natural gas). The course will examine the role of alternative energy in the global energy transition to a low carbon economy and explore domestic and international regimes designed to integrate alternative energy in the existing energy mix.

Seminar discussions will be used to examine the legal frameworks for the promotion and development of alternative energy projects and the creation of low-carbon energy markets. The course will require students to undertake independent research, to present this in written form (e.g., a client memo), and to make in-class oral presentations. Depending on enrollment, evaluation of the course will likely consist of a blended grade for the written work, class presentation, and class participation components. The largest proportion of the final course grade will be assigned to the substantial written research paper, which may be used to fulfill the Upper Year Writing Requirement or course-based LLM students' research paper requirement (on approval by the instructor).

Law 623 (Fall): Environmental Impact Assessment Law (Wright)

Environmental impact assessment (EIA) has become a cornerstone of environmental law around the world. In Canada in recent years, EIA law has become controversial and politically charged, with the federal statute undergoing a major overhaul in 2012 and again in 2019. Now is an opportune time to study the subject.

This course will provide students with a sophisticated understanding of EIA law, including the basic components of EIA legislation, key considerations in EIA processes, and relevant case law in the area. Specific issues to be covered will include project scoping, assessment factors to be considered, public participation, project alternatives, Indigenous engagement, discretionary decision-making, and jurisdictional dimensions.

Throughout the course, students will engage with a variety of materials that resemble those one would encounter in practice. This will include material students are typically accustomed to such as case law, legislation, and decision statements, but it will also include primary and secondary materials such as environmental impact statements, intervenor submissions, academic literature, and advisory reports. Several guest speakers will also present to the class and share perspectives that represent different interests and groups.

This course will primarily focus on the latest overhaul of Canada's federal EIA statute, and the ensuing new regime under the *Impact Assessment Act*. By the end of this course, students will be deeply familiar with new federal legislative regime, thus placing them in a position to add value in any near-future professional activity on the subject.

It should be noted that this is a course where more than 50% of the final grade will be attributed to a research paper, meaning students may elect to use this paper to satisfy the upper year

writing requirement or course-based LLM students' research paper requirement. For those interested, this would be an opportunity to generate a paper for eventual publication. Several smaller assignments and student participation may also form the basis of assessment in this course.

NOTE: Students who completed Environmental Law in Winter 2023 are strongly discouraged from taking EIA law in Fall 2023 as there will be overlap in the curriculum.

Law 624 (Winter): Environmental Law & Ethics (Mascher)

This course views environmental and resource development issues from an ethical/theoretical perspective and critically examines law that purports to address environmental problems. As such, the course does not provide a comprehensive set of materials in any given area of environmental law or attempt to duplicate the substantive coverage of the environmental law courses offered in the upper year curriculum. Rather this course aims to provide students with the ability to recognize various environmental perspectives and critically assess their use in law. Students will explore themes and perspectives in the environmental literature relating to various theories and ethical perspectives including anthropocentrism, inherent value, species preservation, environmental economics, environmental/climate justice, sustainability, and ecological integrity. Students will examine how these various theories are, or ought to be, applied in environmental law.

It is strongly recommended that students who enroll in this course have completed, or be concurrently enrolled in, Environmental Law, International Environmental Law or one of the specialized elective courses offered in the natural resources, energy, and environment law area. One of the key requirements for course completion will be completion of a writing assignment worth at least 50% of the course grade, which may be used to fulfil the Upper Year Writing Requirement or course-based LLM students' research paper requirement. In addition to the written assignment, assessment will include a class participation and a class presentation component. This course also fulfills the upper year Theoretical Perspectives Requirement.

Law 627 (Winter): International Environmental Law (Hubert)

The international community is increasingly faced with threats of serious or irreversible environmental damage caused by the expansion and intensification of human activities across the globe. Environmental phenomena and processes are all interconnected, as are the human societies that they support. As a result, there is a growing need for interstate cooperation on 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. It may also be used by course-based LLM students to meet their research paper requirement.

Law 637 (Fall): Energy Law (Macnab)

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 or the research paper requirement for course-based LLM students.

Law 638 (Fall): Climate Change Law (Mascher)

The course explores the international and domestic legal and policy framework relating to climate change. The course commences with an overview of the science and exploration of the environmental justice and human rights issues raised by climate change. The course then turns to examine the evolving international framework, from the United Nations Framework Convention on Climate Change through to the Paris Agreement. With an understanding of the international architecture, the focus then turns to domestic climate law and policy. As both the legislation and litigation landscape are rapidly evolving in this area of law, the course will focus on selected case studies and will require students to undertake independent research as assigned by the instructor to be presented in both oral and written formats. The goal of this course is to equip students with the foundational skills required to grapple with the complex legal issues posed by climate change.

This course can be used to fulfil JD students' International Law and Upper Year Writing Requirements and course-based LLM students' research paper requirement. Assessment components for this course will include a major research paper/written research brief, class presentation, and class participation.

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

This seminar course will provide students with an understanding of the key issues in transportation law and the construction and regulation of infrastructure from the perspective of the Canadian and international energy industry. The course examines the challenges of transporting energy commodities and will focus on the broad range of energy transportation methods such as oil and gas pipelines, the LNG-chain, rail, ground and maritime transportation, and offshore electricity transmission infrastructure for wind energy and PtX projects in the Canadian and international context. Topics examined in the course are likely to include: national and international governance on the safe transportation of dangerous goods, including international environmental legal regimes; liability for catastrophic accidents; mandatory insurance regimes for the transport of dangerous goods; and the planning, construction and regulation of related energy infrastructure will also be examined.

The course will require students to undertake independent research, to present this in written form (e.g., a client memo), and to make in-class oral presentations. Depending on enrollment, evaluation of the course will likely consist of a blended grade for the written work, class presentation, and class participation components. The largest proportion of the final course grade will be assigned to the substantial written research paper, which may be used to fulfill the Upper Year Writing Requirement or course-based LLM research paper requirement (on approval by the instructor).

LAW 653 (either semester) – Directed Research

A supervised research project involving the in-depth examination of a legal problem or area of concern not normally covered in a substantive or procedural course and which provides the basis for an article, research paper, brief, memorial, draft legislation, etc, which satisfies the research paper requirement for course-based LLM students (for NREEL students, the paper must be done in this area). Admission to this course depends on the availability of a Faculty member to supervise the particular projects.

Proposals for directed research require the approval of the Graduate Program Director before classes start each semester. Contact the Graduate Program Administrator for more information.

Law 693.02 (Fall): Indigenous Economic Development (Caillou)

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 693.03 (Fall): Oil & Gas Law (Pittman)

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 693.05 (Fall): Reconciliation and Lawyers (Menard – Fall Term) *ONLINE

Due to the instructor's location, this course will be taught online.

Canada is a multi-juridical country. We have common law, civil law, and Indigenous laws—Indigenous laws are utilized today in Indigenous communities (e.g., land practices, oral histories, respecting elders, giving back (reciprocity), and/or participating in sacred ceremonies) that takes place far away from the court's jurisdictionally heavy gaze. It is time for Indigenous laws to be understood and implemented in conventional legal system to better serve Indigenous peoples as well as fulfill the TRC Calls to Action, UNDRIP and the MMIWG2S Calls for Justice. In this course we will refresh ourselves on the past illegal and genocidal practices Indigenous peoples were forced to endure, and how this has created major barriers in any semblance of trust in the Western legal system as Indigenous peoples watched lawyers work under their *Code of Conduct*, and as the nation sunk to a whole new low. We will also discuss how current legal practices, laws and policies have discriminatory impacts on all Indigenous peoples, and how these practices can also potentially impede on your understanding of how the law functions, how it can potentially benefit you in an unequal manner, and how you can reverse assumptions and imbedded biases to become a universal, well-informed, courageous, and confident lawyer of the 21 Century. We will analyze the Law Society of Alberta's *Code of Conduct* and unpack Chapter 3, "Competence" and Chapter 5, "The Lawyer as Advocate". There will be guest speakers throughout the course: Indigenous lawyers, Indigenous urban and rural community members, Indigenous elders, QB Justices and Provincial Court judges who will describe the various paths they are on towards implementing Indigenous laws.

Subject to approval, evaluation will likely consist of class participation, skills building activities and a reflective essay. This course will satisfy the theory requirement. Given the nature of the course, the use of electronic devices will be of little, if any, benefit and will be strongly discouraged.

Bio: Andrea Menard, LLB, LLM is Métis from the abolished Red River Settlement and is a Métis Nation of Alberta citizen who is active in her community in Calgary (Métis Nation Region III) and across the province. In her professional life, she is the Indigenous Initiatives Liaison at the Law

Society of Alberta. Her role for the regulator is to work with key stakeholders and develop programs and initiatives to advance the process of reconciliation particularly surrounding access to justice for Indigenous peoples and cultural competency development for lawyers. She also supports initiatives and programs related to equity, equality, and diversity in the legal profession and chairs the Indigenous Advisory Committee, Law Society of Alberta (composed of eight Indigenous lawyers, one Indigenous community member, and one Benchers liaison) who provide guidance and advice to the Law Society on legal issues affecting Indigenous peoples. She endeavours to support and provide feedback on the relationship-building between the Law Society and members of the public, specifically Indigenous peoples and communities on a local, provincial and national scale: <https://www.linkedin.com/in/andrea-menard-503988174/>

Law 693.02 (Winter): Law, Science & the Regulatory State (Olszynski)

This course will provide students with a theoretical and practical understanding of how law and science operate in the Canadian regulatory state, with a particular focus on environmental law and policy. Substantively, the course touches on constitutional law, administrative law, and environmental law, as well as the norms and principles of the scientific method. The first part will provide a basic understanding of democratic governance in Canada, including the separation of powers and how laws and regulations are passed. This part will also provide an overview of the scientific method and the role that science has come to play in modern democracies. Part II is more substantive and sets out in detail which level of government has jurisdiction over which aspects of the environment. We will consider federal, provincial, municipal, territorial, and Indigenous governments and jurisdiction. Drawing on the concepts and principles from Part I, Part III will introduce students to some of the unique features of environmental law and policy and, applying a case study approach, will illustrate the various opportunities and challenges for science to inform and influence its development and implementation. The course will end with student presentations based on group work. A planned key feature of this course is the opportunity for interdisciplinarity: the course will be offered to Law students and also graduate students in science and public policy.

Method of Evaluation: Research Project and Final Exam

Upper Year Writing and Other Requirements: While this course will include a mandatory research paper component, it will not be eligible for satisfying the Faculty's upper year writing requirement (or course-based LLM students' research paper requirement), the theoretical perspectives requirement, or the international requirement.

Law 693.08: Negotiating Indigenous Rights (Chipeur/Crowfoot – Winter Term) *HYBRID

This course will focus on the practical and legal considerations that must be taken into account when asserting or defending claims or negotiating agreements involving Aboriginal law in Canada. It will build on the foundation laid by the Law 594: Indigenous Peoples & the Law. While that is not a formal prerequisite, students would find it an advantage to have done that course before doing this one. You will hear first-hand from negotiators and litigators in the field, as well as from First Nations leaders. You will become familiar with the dynamics and structure, as well as the cultural aspects, of negotiations concerning Indigenous rights. You will see how section 25 of the Canadian Charter of Rights and Freedoms comes into play in such negotiations, but you will also learn about the continued relevance of the Royal Proclamation of 1763 in Canadian constitutional law – despite its antiquity. As well, we will examine how the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”) will have a significant role in future negotiations concerning the development of Aboriginal law. This course will cover the law and practice related to the

negotiation and implementation of Indigenous rights in Canada and will include the following topics: aboriginal title and land claims, sovereignty and self-government, the duty to consult, Truth and Reconciliation Commission of Canada Reports and UNDRIP. Students will write a paper on one of these areas of Indigenous law. The paper will satisfy the Upper Year Writing Requirement or course-based LLM students' research paper requirement.

LAW 703 (Fall) Graduate Seminar in Legal Research (Hagen)

This seminar course is intended to help graduate students prepare to develop, research and write a thesis or major research paper. The course will include the following topics: choosing a research question, scholarly legal writing, research ethics, intellectual property in your work, academic integrity, citation and research methods. Research methods will include doctrinal, comparative, interdisciplinary, transdisciplinary and empirical. Students will develop a research proposal, including an annotated bibliography. A separate lab component will include a library orientation, discussion of library resources, legal sources, search methods, search tips, search topics and search terms.

Subject to approval, it is anticipated that evaluation will consist of class participation (20%), an academic integrity quiz (15%) and a number of assignments (65%) that aim to assist the student to develop a research proposal for their thesis or major paper.

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

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