



Instructor Course Descriptions 2019-2020

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

Multi-sectioned Courses

Law 503 (Administrative Law), Law 505 (Civil Procedure), Law 507 (Evidence), Law 509 (Business Associations), 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 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 (Kislowicz and Fluker – 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, electricity infrastructure and markets, landlord and tenant disputes, employee human rights complaints, tax audits, and restaurant, liquor store, or cannabis retail business licencing. Lawyers in both public and private practice will encounter administrative law regularly.

What is administrative law? It is the body of law governing the exercise of public authority. Administrative law ensures that government actions are authorized by Parliament or provincial legislatures. It also ensures that laws are implemented and administered in a fair and reasonable manner.

This course offers an introduction to this rich area of law and 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; and
- Judicial review of administrative decisions.

The focus of this course will be the law governing judicial review of administrative decisions: what powers of review do the courts have, and what are their limits? This area is fraught and constantly evolving. Indeed, just this past December, the Supreme Court of Canada reserved its decisions in a trilogy of appeals that, when released, may bring about a further sea change. As a result, it is an exciting time to study administrative law.

The course is taught by Brynne Harding and Brendan MacArthur-Stevens:

- Brynne is a tax and litigation lawyer at Osler, Hoskin & Harcourt LLP. She advises and defends clients in commercial disputes, under tax audit and in tax appeals, challenging administrative decisions, and clients faced with investigations and prosecutions arising from workplace and environmental accidents. Before joining Osler, Brynne served as a law clerk to Justice Rothstein of 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

Subject to approval, assessment will likely be based on one final examination. Students may elect to receive a participation grade, worth 25%. If such an election is made, the final examination will be worth 75% of the final grade. If such an election is not made, the final examination will be worth 100% of the final grade.

Law 505 Civil Procedure (Benediktsson & Sadovnick / Burkett & Hykaway)

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 so as 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 include both lectures and tutorials in a lecture-lecture-lecture/tutorial repeating cycle. For lectures, students are required to read the materials (posted on D2L), and come to class prepared for a discussion of the substantive and practical law of civil procedure. Tutorials are intended to provide students with an opportunity to ask questions and discuss and practise drafting skills for the assignments, described below.

Required assignments for the class will consist of both practical drafting assignments and an examination.

Law 507.01 Evidence (Nesbitt – Fall Term)

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

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

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

Law 507.02 Evidence (Code – Fall Term)

At its simplest, evidence is about proof. In studying it, we examine what lawyers and their clients can and cannot use in a trial to persuade a trier of fact, whether judge or jury, to make a finding of fact in their favour and then to draw inferences from those facts that lead to success in the cause. 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 the court record. 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 so as to deliver something like justice.

The law of evidence is an intellectual discipline, difficult both practically and theoretically, that organizes modes of inference and judgment, establishes principles, rules, and guidelines, employs judicial discretion, relies upon morals and values, and

tries to eliminate prejudices, all in order to permit a judge and jury to decide a case 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 debate, the basic principles of the law of evidence and will establish the ability to think through problems of proof, how to resolve them, and how to construct evidentiary arguments, for and against.

The ability to use evidence law to argue for or against admissibility is the prime aim of the course. The “Law” of Evidence is ever-changing. Knowing certain cases now will be of no value, in some contexts, even 6 months from now. Therefore, knowing the factual and substantive content of the cases is of less importance than is the ability to use the things said and decided in the cases generally to develop an argument, a legal skill that will always be of service to you, wherever you end up in your careers.

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 whether to continue to read and think about such matters, 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.

Brett Code, Q.C., is a litigator and arbitrator who has practiced corporate and commercial litigation since 1993. Brett was a sessional instructor and an Adjunct Professor at the Faculty of Law from 2001 to 2015. He has taught Corporate Governance, Business Associations, Civil Procedure, and Evidence. In 2009, he was awarded the Howard Tidswell Award for Teaching Excellence by the Faculty. He is a former Bencher of the Law Society and teaches ethics and professional responsibility at CPLED.

Law 508 Negotiation (Wright/Mustard)

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

This performance-based 3-week intensive course, which is a key part of the Calgary Curriculum in second year, will provide students with a solid theoretical and

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

The second part of the course will use a problem-based learning approach to challenge students to determine salient issues, apply the law, and negotiate a settlement or advise a client on their options. Using hypothetical legal problems, students will engage in two different multi-day mock negotiation exercises in small teams. To simulate a real-world environment and provide practical feedback, negotiation sessions will take place in the presence of practitioners from the Calgary legal community. Through this approach, students will learn to distinguish between the different process options and negotiation styles, particularly with regard to areas such as rights-based and interest-based negotiation, facilitative and evaluative mediation, collaborative law, non-adversarial contractual negotiations, negotiation within an adversarial process, and multiparty public policy negotiations

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

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

Law 509.01 Business Associations (Oshionebo – Fall Term)

This course focuses on the basic forms of business organizations with strong emphasis on partnerships, franchises and corporations. Students will be exposed to the fundamental principles and rules governing partnerships, franchises and corporations in Canada. Topics to be discussed include the nature and types of partnerships, the relationship between partners, liability of partners to third parties,

obligations and rights of franchisors and franchisees, incorporation process, nature of the corporation, capital structure of the corporation, governance structure of the corporation, directors' duties, and the rights and responsibilities of shareholders. Subject to approval, students will have the option of writing a 100% final examination **OR** a 70% final examination and a 30% research paper. The examination under both options is identical. The final examination is OPEN BOOK.

Law 509.02 Business Associations (Wilson- Fall Term)

Understanding the legal character of business organizations and their associated issues is an important skillset for all lawyers irrespective of practice area. For lawyers participating in any form of business law, Business Association forms the critical foundation upon which all further subject matter expertise is built.

The course explores the common forms of business organization and their legal underpinnings, including partnerships, limited partnerships, and corporations, with a focus on shareholders' and directors' rights and responsibilities. Core course topics include: formation of the organization, fiduciary duties and relationships, corporate liability, shareholder suits, capital raising, remedies, and the role of the corporation in an ever more interconnected world. Agency, franchise law and public benefit corporations will also be introduced.

Dan has enjoyed a dual-track career in law and business over the past 27 years working in Canada and dozens of countries abroad. After graduating from the U of A and being admitted to the State Bar of California, Dan clerked with Justice La Forest in the Supreme Court of Canada. Dan began his legal career with the Calgary office of Blake, Cassels & Graydon practicing in the areas of corporate, securities and M&A before joining Tingle Merrett in 1996.

Beginning in 2000, Dan transitioned into business roles and has served as senior officer and director of a variety of public and private companies. As President of an offshore oil & gas technology company based in Houston, Dan travelled extensively throughout Europe, Brazil and Asia to structure and negotiate transactions. Dan has also acted as a serial entrepreneur, founding several new ventures from inception through commercialization.

Dan returned to school to complete an LLM at the University of Calgary in 2016 and is nearing completion of his PhD in Business Law at Western University. Dan's article on Canadian securities whistleblower policy was recently published in the *Canadian Business Law Journal* and he is the author of the upcoming *Lexis/Nexis Annotated Alberta Securities Legislation*.

Law 509.01 Business Associations (van de Biezenbos – Winter Term)

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

Law 510.02 Ethical Lawyering (Petriuk)

Law 510 introduces students to issues of lawyers' ethics and professional responsibility. The primary purpose of the course is for students to become competent at ethical reasoning in the context of legal practice and in particular practice contexts. What are the different professional dilemmas confronting in-house lawyers as compared to lawyers at a law firm or sole practitioners? What are the ethical issues facing crown prosecutors? How are these similar and dissimilar to the ethical issues facing criminal defence lawyers? The course will cover selected topics in "the law governing lawyers" including the Law Society of Alberta's *Code of Professional Conduct*, law society disciplinary decisions, case law arising from the inherent jurisdiction of the court over its own processes, and case law relating to the application of the law of fiduciary obligations, negligence and contract to lawyer-client relationships.

Law 510 will also address the general question of what it means to be an ethical lawyer, and how the answers to that question are incorporated into a lawyer's assessment of how to respond to specific ethical problems that arise in legal practice. The course will explore the tensions between the concept of the ethical lawyer and the personal, business and economic constraints of law practice. The course also introduces students to the regulation of the legal profession. It will cover selected topics relating to the regulation of the legal profession including reasons for regulation, access to justice and the proper extent of regulation.

Subject to approval, it is anticipated that evaluation will be based on an advising memo (30%) and a final exam (open book - 70%).

Law 601 Advanced Criminal Law (Fagan)

This course is designed to equip students with an overview of the tools needed to survive on the front lines of criminal litigation. The goal is to introduce some of the more interesting and challenging *Charter*, procedural and evidentiary issues that arise in the defence and prosecution of serious crimes, in particular those involving drugs and violence. Topics will include search warrants; "pipeline" investigations; confessions; entrapment and sentencing. This course aims to extend beyond the

theoretical and provide students with hands-on opportunities to apply what they have learned in class. It also aims to expose students to diverse and compelling guest speakers, which in the past have included an RCMP major crimes homicide detective; justices from all levels of court in the Province; a former CSIS officer and distinguished members of the Criminal Bar. Students will be evaluated by way of attendance/class participation and an open-book final exam which will cover the entire course.

This course is capped at 20 students.

BIO

Kaysi Fagan is a Criminal Defence Lawyer who defends all criminal charges, with a focus on the defence of drug prosecutions. Ms. Fagan completed her Law degree at the University of Western Ontario and thereafter completed two Master of Laws degrees (New York University and the National University of Singapore). Prior to practicing in Calgary, Ms. Fagan worked at the headquarters of the International Police (“INTERPOL”) in Lyon, France. She has appeared at every level of Court in the Province as well as in the Supreme Court of Canada. Ms. Fagan is a published author and has a recurring role as a legal expert on a popular American television show.

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

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

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

who will give advice and feedback as the students prepare for the final trial presentations.

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

Throughout weeks two and three the students will be working toward the final trial presentation including the preparation of the Trial Book, which is the students’ trial “roadmap,” outlining their theme and theory, witness examinations, documentary evidence, legal issues and trial submissions in a comprehensive and organized format.

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

Optional Courses

Law 511 Criminal Process (Baker – Fall Term)

Law 511 provides a review of the procedures by which an accused is brought to trial including an analysis review of the grounds on which defence counsel may challenge a charge; and the procedures followed in prosecuting the charge. This practice-based course focuses on the conflict between the rights of accused and the interests of effective law enforcement. With a focus on the Canadian Charter of Rights and Freedoms, this ever-changing equation includes the law on judicial interim release; search and seizure; arrest and detention; the right to counsel; the right to silence; and exclusion of evidence pursuant to Section 24 of the said Charter.

The first part of the course will emphasize the procedures in compelling the appearance of the Accused along with the laws of Judicial Interim Release and the principles of disclosure. The second portion will focus on the inner workings of Sections 7, 8, and 9 of the Charter along with an examination of common law police powers. Included in this discussion will be the application of Section 24 of the Charter and how it effects the admissibility of evidence. Lastly, the course will focus

on the accused's right to Counsel comprising an in-depth examination of Sections 10(a) and (b) of the Charter along with the common law rules of confessions.

Evaluation will be based upon:

- i. Class Participation - 15%
- ii. Class Presentation - 35%
- iii. Final examination – 50% (3 hours)

Biography

Since 2015, Elliot has been a Crown Prosecutor with Alberta Justice. In 1979, he started his legal career as an Articling student in the Crowns' Office in Milton, Ontario. In 1981, he moved to Calgary and was a Federal Drug Prosecutor. After four years in that role, Elliot went into private practice and was defence Counsel for more than 20 years. The majority of his practice was devoted to defending clients charged with drug related offences. In particular, he was involved in the largest drug prosecution trial in Alberta history, spending over three years in pre-trial hearings. He returned to the world of prosecutions in 2006, joined Alberta Justice; and was responsible for prosecuting cases involving alleged gang members (murders, shootings, assaults and other serious offences). He has been a Sessional Instructor at the Law School for the past several years but took a break in 2017-18 to follow his passion for travel. He is very excited to be returning to the classroom.

Law 511 Criminal Process (Sitar – Winter 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.

Evaluation

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

Sessional Instructor 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 particular areas of interest are search and seizure, the impact of technological advancements on criminal prosecutions, and the role of race within the criminal justice system.

Law 515 Family Law (Griffith)

This course provides an introduction to 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.

Jonathan F. Griffith is a family law lawyer, mediator and arbitrator at Daunais, McKay and Harms in Calgary. He obtained a B.A from the University of Calgary, an LL. B. from the University of New Brunswick and an LL. M. from Osgoode Hall, York University with a specialization in family law. Jonathan is frequently listed as faculty at Legal Education of Albert Society and Federation of Law Societies of Canada conferences where he presents on select topics in family law. In addition to serving his clients, Jonathan actively volunteers on CBA committees and on boards of directors for several community-based organizations.

Law 519 Jurisprudence/ Law 705 Graduate Seminar in Legal Theory (Bagg/Janzen)

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 adjudication, and justifications of punishment. The course work will include researching, reading about, analyzing, discussing, and defending possible answers to these questions. By striving to understand, criticise, 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.

Since the course will be conducted as a seminar, class preparedness and participation will be assessed. Given the nature of the course, the use of electronic devices will be of little, if any, benefit and will be strongly discouraged. Students will be expected to come to class prepared to discuss assigned readings and to articulate and defend their own impressions and ideas. 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.

Of note: those registered in the Law 705 Graduate Seminar will have additional course requirements (including leading a seminar in accordance with their interest in the course material or graduate work, as appropriate).

Law 521 Real Estate Transactions (Raby/Van Vliet)

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

The evaluation of the course will be an optional assignment worth 50% of the final grade and a final exam. This assignment will not satisfy the Upper Year Writing Requirement.

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

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

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

Law 527 Basic Tax (C. Brown)

Tax law impacts everyone. This course will equip students with an understanding of the Canadian personal income tax system. We will explore the structure of the Income Tax Act (the "Act") as it relates to the determination of income for tax purposes, the subsequent determination of taxable income, and the determination

of tax payable by individuals. There will be a focus on the rationale underpinning each part of the Act we explore, and on the difficulties in categorizing even the most common economic relationships and transactions for the purposes of applying a tax system that is equitable, efficient, and simple. The course will also cover the basics of how the federal Act interacts with provincial income tax legislation.

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

The course will be evaluated through students' choice of:

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

Law 530 Mining Law (Oshionebo)

Course Description

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

Method of Evaluation

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

Law 531 Environmental Law (Wright)

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 environmental impact assessment and the newly proposed federal regime. Case law, case studies, commentary and source documents will be used to illustrate the application of environmental law to current issues in Canada. The course is primarily doctrinal, with class discussions, guest presentations, and materials focused on domestic legislation, judicial decisions, and administrative tribunal rulings.

Evaluation will include a final examination and student participation, but students will also have the option of writing a paper for evaluation that satisfies the Upper Year Writing Requirement.

Law 533 Wills & Estates (Doucette-Preville/Tomic)

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

And, yet, all three can form the basis for prudent estate planning – or, at the very least, nudge someone into making or updating their own will. This course serves as an introduction to estate planning and covers wills, personal directives and enduring powers of attorney – or, as estate lawyers call them, the “trifecta” of estate planning. You will learn the main components that make a will valid as well as analyze the types of scenarios which can render a will invalid or nullify certain gifts. You will also learn whether you can leave a gift to your family pet and what happens when someone becomes officially divorced (is re-drafting a will the first thing they should consider doing?).

Because estate planning requires the lawyer to be attuned to the person’s specific family and financial dynamics and chart the best way forward for the management of their assets after their passing, students will also be exposed to ethical, tax and family law issues as they relate to estate planning. An estate practice can allow you to span both the litigator and solicitor divides, so if you don’t know yet which side you want to fall on, practicing in wills and estates law allows you to be a full time solici-gator.

In addition, being able to advise principals, including officers and major shareholders, on their options for liquidating their shares or shareholder loans after their death is central to proper estate planning and sound corporate management

and transition. For this reason, learning about wills and estates is equally fundamental for those interested in practicing at a big firm in corporate law or tax law or those who want to join a small firm and provide well-rounded legal services.

Assessment of students will be through a combination of participation points, one major assignment and a final exam.

The course will be co-instructed by Danica Doucette-Preville (Gowling WLG LLP) and Predrag Tomic (Field Law). Both instructors practice in estate planning, administration and litigation.

Law 535 Secured Transactions (Girgis)

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

In this course, you will: (1) develop an understanding of the aspects of a commercial transaction, (2) consider the underlying policy reasons for the state of current law in relation to the transfer of property and (3) develop a logical way of thinking about problems arising in a commercial context. Fundamentally, this will rest on understanding the concept of a “security interest” and how to create, maintain, enforce and prioritize it in relation to other legal interests.

Law 536 International Criminal Law (Duffy)

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

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

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

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

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

Law 547 Human Rights Law (Koshan)

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

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

Law 549 International Law (Whitsitt)

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

Law 553 Insurance Law (Viney/Gray)

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 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, an Associate 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 insurance defence and coverage as well as medical, legal and professional negligence and product liability claims.

Law 557 Commercial Arbitration Law (Pappas/Rojas)

Law 557 offers an introduction to the exciting field of international and domestic commercial arbitration, which is quickly becoming the default means of resolving commercial disputes throughout the world. The course will generally be broken into six parts: (1) Part I sets forth an introduction to commercial arbitration, including a brief history of arbitration, and a review of the basic characteristics and rationale for arbitration; (2) Part II addresses the form and substance of the agreement to arbitrate; (3) Part III addresses the responsibilities and qualifications of arbitrators; (4) Part IV discusses the arbitration process; (5) Part V addresses the role of national court systems and international arbitral institutions in the arbitration process; and (6) Part VI addresses the arbitration award, as well as its recognition, enforcement, and annulment. The course will also review investor-state arbitration under NAFTA Chapter 11, the ICSID Convention, and other bilateral and multilateral investment treaties.

The course will examine commercial arbitration primarily from an international perspective, but will also consider it from a Canadian perspective. Students can expect to review both foreign and Canadian commentaries, statutes, and case law on the subject.

Law 557 is taught by Vasilis Pappas, a partner at Bennett Jones whose practice focuses on international dispute resolution:

<http://bennettjones.com/PappasVasilis/> and Romeo Rojas

<https://www.bennettjones.com/RojasRomeo>

Law 561 Employment Law (Cascadden)

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

In this course we will cover the statutory and common law that forms the legal basis for the employer/employee relationship. From a statutory perspective, we will review Employment Standards, Human Rights, Privacy, 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.

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

This course is taught by Will Cascadden, a lawyer at Gowling WLG whose bio is here:

[Will Cascadden Bio](#)

Law 571 Oil and Gas Law (Stewart)

This course examines the processes by which rights to produce oil and gas are acquired in Alberta (i.e., Alberta's upstream industry). The course topics include Canada's oil and gas export markets; challenges facing oil and gas producers in the era of climate change; energy federalism; private ownership of oil and gas in Alberta; the private oil and gas lease; Crown disposition systems for oil and gas; and abandonment and reclamation obligations.

This course has a legal skills component, which focuses on building the skillset that is essential for a competent petroleum lawyer to possess. It offers an in-class workshop on contract literacy and negotiating.

The course consists primarily of in-class lectures, but a number of guest lectures from energy law experts will also be included. By the end of the course students should be able to:

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

Student assessment is comprised of class participation, and a final take-home examination. All students are also offered an optional research essay for 50% of the course grade. This essay can be used to satisfy your writing requirement.

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

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

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

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

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

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

The seminar will deal with three broad and overlapping themes. First, there will be an introduction to Indigenous laws while examining mainstream legal theories and assumptions about the concept of 'law' that have made it difficult to understand that indigenous laws existed prior to contact with European settlers. Students will learn what Indigenous legal orders are, and how Indigenous legal orders enable Indigenous societies to manage themselves as self-governing and self-determining peoples. Second, because sexism is a major social issue both in Canadian society and Indigenous communities, we will examine how universalizing principles can perpetuate sexism in both Western and Indigenous legal systems. It is hoped that through this part of the course students will come to understand the ways that racial and gendered norms operate in law and in inter-societal legal relationships and conflicts. Third, students will explore inter-societal legal realities through an examination of Cree law and Canadian law through case studies. They will be encouraged to think about legal pluralism and what it means to live in a multi-juridical society and to consider questions about power, jurisdiction, legal authority, and participation.

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

theoretical readings and activities will be assigned over the course of the term, including the preparation of case briefs from different perspectives.

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

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

This course takes up "public international law" as a discipline – a community of lawyers and academic jurists with a common vocabulary, a shared sense of history and a shared range of professional activities. We will approach the discipline as participant observers. How do international lawyers become part of a common enterprise, what is their project and how do they argue and persuade? How do they see the world? What stories do they tell about their origins and aims? What problems are they seeking to solve? How do they differ among themselves?

This is also a course that is placed during the early years of a new century. In many ways the discipline of international law is a product of the twentieth century. What came before – and how modernism was born, built in the first half of last century? In the forty years after WWII a liberal and modernist consensus developed in international law. And now? How do we understand the proliferation of new approaches to the field unleashed in the last decades? We will attempt to answer these questions throughout this term. Although, in my experience we'll have more questions than answers by the time term is done!!

Students will have the option of writing a paper that meets the UYWR in this course.

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

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

Our materials start by situating our course in the context of some very complicated cases. We will then move on to discussing some dominant theories of multiculturalism, and some critical responses to these. Next, we look at some

governmental and judicial responses to the notion of multiculturalism. Our discussion will then consider more critically the notions of law and culture, and examine their meeting points through some specific examples.

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

Enrollment in the course is capped at 16 students.

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

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

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

There are — at most — only three questions to be answered and explained by property theory: (1) What is property? (2) Which property? (3) Why property? The “what is property” question looks for a way to define property. It includes the conventional idea that property is a bundle of legal rights. The “which property” question is about possible categories of property: private, communal, or public/state property. The “why property” question is about the normative justifications for property. Because of the relationship between private property and inequality, property rights are thought to need strong normative justifications.

This course is a discussion seminar. Students are required to attend class, to read the assigned material for class, to develop one or more questions about that material, and to be prepared to talk about the assigned material, using the student-posed questions, in an informed and thoughtful manner during class. The use of laptops is discouraged because research shows student understanding of this type of material is greatly enhanced by working with it in a tangible form that can be physically marked-up -- and also to encourage engagement with the material.

Evaluation will include a class participation component of 25%. In addition to participation in class discussion in the way already described, class participation

will require the completion of 12 online reflections on assigned readings uploaded to D2L before class in order to inform the instructor about common questions, themes, points of confusion and connections to other experiences. These online reflections will only be evaluated on the fact of their completion, and not on their content. For the other seventy-five (75%) percent of their grade, students will have three choices. One option is to complete a 7,500-word research paper that fulfills the upper year writing requirement because the research is significant and uses primary sources (case law and/or statutes) as well as secondary sources. A second option is a 7,500-word research paper that does not meet the upper year writing requirement. Paper topics will be suggested. The third option is three 2,500-word papers, each worth twenty-five (25%). The first paper will require one or two class readings be applied to a case selected by the instructor. The second paper requires a different class reading be applied to a student-selected current event. The third paper requires another different class reading be applied to a student-selected work of art (broadly interpreted to include cartoons, television shows, graffiti, etc).

Enrollment in the course is capped at 16 students.

Law 591 Provincial Court Clerkships (Fradsham)

By Application – See Current Students website

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

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

Five students will be selected for the winter 2020 term.

Law 593 Health Law (Hardcastle)

Health law is a broad and diverse field that draws from many other disciplines, including bioethics, political science, economics, and the health sciences. It also encompasses many different areas of the law, including constitutional law, negligence, criminal law, intellectual property, and international law. This course exposes students to these varied interdisciplinary perspectives and areas of the law as they relate to the health care system. Health law is a dynamic field, having

to constantly evolve and adapt to new scientific discoveries. This course addresses situations in which the law has struggled to keep pace with innovation, such as new reproductive technologies. Health law is also a field that is often at the cutting edge of policy debates and this course explores such contemporary issues as end-of-life care, the regulation of cannabis, and privatization of the health care system.

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

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

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

Law 594 Indigenous Peoples & the Law (Hamilton)

The relationship between Indigenous peoples and the Canadian state is one of the most challenging and important issues Canada faces. This course introduces students to some of the most important ways that law shapes these relationships, with detailed analysis of Aboriginal rights and title, treaties, the duty to consult, the Crown's fiduciary duty, the division of federal and provincial powers concerning Indigenous peoples, the *Indian Act*, and Indigenous self-government. While the course focuses primarily on analysis of case law, it also explores the place of Indigenous peoples in Canada's constitutional architecture and in evolving notions of federalism. The course also examines the historical and contemporary importance of Indigenous legal traditions and tensions between state and Indigenous law. In this, the course will introduce theories of legal pluralism and provide opportunity for critical reflection and discussion on a range of perspectives

about Aboriginal rights and the relationship between Indigenous peoples and the state.

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

Law 596 Feminist Legal Theory (Koshan)

This course will focus on feminist legal theory as it has developed over time and as it has been used by feminist legal activists, primarily in Canada. Introductory sessions examine a range of feminist perspectives and debates on the nature and functions of law and its impact on women and other disadvantaged groups, including liberal feminism, radical feminism, difference feminism, socialist feminism, critical race feminism, Indigenous feminism, critical disability feminism, and queer feminism. In the second part of the course, we concentrate on the ways in which activists have mobilized those perspectives in specific areas (e.g. gender-based violence, reproductive rights, workplace equality) by using and critiquing law as a strategy for social change. Strategies to be examined will include litigation, law reform, feminist judgment writing, and engagement with the international human rights sphere via shadow reports.

Classes will be seminar-style with active preparation and participation from all students expected. Evaluation includes 3 components: (1) a research paper that students may write in the form of a factum, law reform brief, shadow report, or feminist judgment, or a paper critically reflecting on an aspect of feminist activism in Canada and its impact on the law; (2) leading a class on a topic relevant to feminist legal theory and practice (done in groups); and (3) class participation. This course can be used to satisfy the upper-year theory and writing requirements and is capped at 16 students.

Law 597 International Trade Law (Whitsitt)

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

technical regulations, such as labeling requirements. Students taking this course will find previous experience with international law helpful.

Law 598 Trusts (Coe)

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

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

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

There are no prerequisites for this course.

This course is taught by Catrin Coe, Case Management Counsel at the Court of Queen's Bench.

Law 599.xx Leadership for Lawyers (Sandwith)

Can lawyers be effective leaders?

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

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

Unfortunately, the skills and characteristics we learn and develop as lawyers will only take us so far and, in many ways, will actually hinder our abilities to effect change and achieve results. So how do we become effective leaders, leaders in our

own practice, in our law firms, and in the profession and get the results we need?
Where do we start?

The answer is, here!

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

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

Evaluation components will likely include:

1. Regular and Meaningful class participation
2. Reflective Learning Journals
3. Class Presentation
4. Group Process Improvement Project
5. Group Process Improvement Presentation

This is an intensive course that runs on 6 Fridays from 9am-4pm – check the timetable carefully for those dates.

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

Law 599.xx Legal Practice: Innovation (Kowalski)

This is an intensive course that runs for only three weeks (**September 17 to October 4, 2019**). **Classes will end on October 4, 2019.**

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

Class times from September 17 to October 4, 2019:

Tuesdays and Thursdays 12 - 2 pm

Fridays 1 - 5 pm

2 Saturdays 10 am – 2:30 pm

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

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

Students will be evaluated as follows:

65% Essay – Can be used to satisfy the Upper Year Writing Requirement.

15% Class Presentation

10% Class Participation

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

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

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

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

NAP test will allow students to record on their CV: “Qualified member NAP (business meetings law - rules & procedures)”.

Law 599.01 is capped at an enrolment of 11 students. Class attendance is mandatory.

Pat Knoll is a Professor Emeritus (Faculty of Law) and a Professional Registered Parliamentarian (NAP). He provides consulting services to various clients respecting meetings procedures and acts as a parliamentarian or presiding officer at assemblies from as many as 50 to 1500 persons (AGM and Special meetings). Details concerning these services are available on review of www.parliamentarianalberta.com. Professor Knoll has served as a parliamentarian counsel for over 25 years for numerous corporations and assemblies in Alberta and across Canada.

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

This is an intensive course that runs on the following dates:

- Friday, February 7 and Saturday, Feb. 8th - 9am-4pm
- Friday, February 28th and Saturday, Feb. 29th - 9am-4pm
- Friday, March 13th and Saturday, March 14th - 9am to 4pm.

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

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

Why is this course relevant to you?

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

It is anticipated that students will be evaluated based on:

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

This course is taught by Rick Kathuria who is National Director Project Management and Legal Logistics, at Gowling WLG

(<https://gowlingwlg.com/en/canada/people/rick-kathuria>)

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

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

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

This course will provide students with instruction about:

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

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

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

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

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

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

The class will be conducted in person and remotely.

The course will be taught on Fridays from 9am-10:50am as well as over two intensive weekends (February 28 & 29 and March 13 & 14 – 10am to 3pm).

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

Learning the law and its procedures is one thing but surviving and thriving in the professional services industry is another. The course offers a 360-degree immersive and interactive experience. You will learn about the business of law, developing your personal brand, marketing, business development and client service. At the end of the course, you will not only have created your personal plan, biography, and LinkedIn profile, but you will have had four unique and immersive opportunities to engage directly with leaders of the Calgary business and legal community through exceptional panel discussions, giving you a differentiated advantage in landing your dream career and being ahead of your colleagues.

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

It is anticipated that students will be evaluated through:

1. A class participation grade

2. Completion of 2 personal assignments, and a
3. Final Exam

This course is capped at 20 students.

Law 599.xx: Legal Practice: Indigenous Business Law ((Lafond/Darling)

Canadian governments at both the provincial and federal levels have been getting out of the business of doing business. The opposite is true for Indigenous governments, as more and more First Nations are investing in for-profit business ventures. To thrive in Canada's economic landscape, Indigenous communities must creatively engage in the process of economic development using strategies that will allow them to create and operate businesses that can compete in a global economy. First Nations communities face unique challenges with this task, as they operate from a position that is often described as excluded, disadvantaged, and still grappling with the effects of western colonization.

This course will study the context in which opportunities for Indigenous and Métis economic development occur, and the impediments to achieving economic prosperity. Students will learn about common corporate structures for Indigenous and Métis business, and how these structures need to be adapted in the context of First Nations and Métis governance. As the energy sector looks to develop new industry partnerships with First Nations, this course provides background on how such deals are developed and approved of on the First Nation side.

Students will learn about the statutory and legal schemes Indigenous businesses operate within, the challenges inherent to operating under these schemes, and the historical impact of colonial laws and policies on Indigenous governance and economies. Students will also expand and develop the skills of legal drafting, persuasive advocacy, and clear communication with clients. Evaluation methods will likely include a participation grade (10%), short policy paper (20%), client memo (30%), and an industry business pitch to a First Nation Corporate Entity (40%).

The course is co-instructed by Drew Lafond and Elysa Darling. Drew is a partner at MLT Aikins LLP, advising First Nations and Métis communities on matters relating to economic development, gaming, housing, commercial leasing, and corporate governance, structure and finance. He was raised in Treaty 6 territory on the Muskeg Lake Cree Nation reserve and is also of Shuswap descent from the Simpcw First Nation in British Columbia. Elysa is a lawyer and graduate student at the University of Calgary Faculty of Law. Elysa currently acts as a consultant, often advising private sector companies on working with Indigenous companies and communities in profit and not-for-profit projects, or advising Indigenous entities or individuals on various projects.

Enrolment in this course is capped at 16 students.

Law 601: Advanced Criminal Law (Fagan)

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

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

This course is capped at 20 students.

Kaysi Fagan is a Criminal Defence Lawyer who defends all criminal charges, with a focus on the defence of drug and weapon prosecutions. Ms. Fagan completed her Law degree at the University of Western Ontario and thereafter obtained two Master of Laws degrees (New York University and the National University of Singapore). Prior to practicing in Calgary, Ms. Fagan worked at the headquarters of the International Police (“INTERPOL”) in Lyon, France. She is a published author and has appeared at every level of Court in the Province as well as in the Supreme Court of Canada.

Law 605 Oil and Gas Contracts (Pittman/Todesco)

“The reports of my death have been grossly exaggerated.” - Mark Twain

“Not quite dead yet.” - Monty Python

Why would anyone take a course in oil and gas contracts? Much has been written on the transition from carbon-based fuels to renewable energy sources and how this threatens the future of the oil and gas industry. Over the last few years, enrollment in oil and gas law courses has declined and even at the University of Calgary, the Haskayne School of Business has cancelled its Petroleum Landman specialization.

However, global oil consumption is predicted to increase over the next decades, in line with a rising global population and the increasing GDP of developing countries. By 2040, it’s expected that more than half of the world’s energy needs will still be met through oil and gas – hence this course lives to fight another day.

The concepts presented will not be unique to oil and gas contracts – this will be a course on transactions and joint ventures with an oil and gas focus, rather than the

other way around. Concepts and skills acquired will be easily transferred to other industries or areas of practice.

The current plan is to expose students to the entire life-cycle of an oil and gas transaction including:

- (1) Letters of Intent;
- (2) Confidentiality Agreements;
- (3) Study and Bidding Agreements;
- (4) Joint Operating Agreements;
- (5) Purchase and Sale Agreements;
- (6) Farmout Agreements;
- (7) Service Agreements;
- (8) Construction, Ownership and Operating Agreements; and
- (9) Dispute Resolution Mechanisms.

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.

Evaluation:

Take home midterm (required)

Final Exam

Allocations and details of the evaluation will be forthcoming.

Instructors:

Miles Pittman, Partner, BLG <https://blg.com/en/Our-People/Pittman-Miles>; Jay Todesco, Senior Legal Counsel, Suncor Energy

Law 607 Advanced Legal Research (Chisholm/Williams – Fall) (Mattis – Winter)

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. The assignments require you to utilize these practical skills, including evaluating resources to cite in a memorandum/factum, and then researching and writing a legal memorandum.

Class sessions include a lecture/discussion period and hands-on exercises through which you will learn new tips and methods of searching legal databases and using print resources. Students will be evaluated on in-class exercises and class participation, likely worth 20% of the final grade, with two or three assignments making up the remaining 80%.

This course is taught in three sections separately by Codie Chisholm, Lori Mattis and Kristy Williams. Codie is Legal Counsel with the Alberta Court of Appeal and was a litigator with a national law firm based in Calgary. Lori is Legal Counsel with the Court of Queen's Bench, and was a litigator in private practice in Toronto and worked in-house for a private company in Calgary. She has an LL.M. in civil litigation and dispute resolution. Kristy is an Associate at McLeod Law. <https://www.mcleod-law.com/professionals/kristy-l-williams-phd/>

Law 613 Conflict of Laws (Tscherning)

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

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

Course outline: This course examines contentious issues and 'dispute risks' in the national and international contexts by evaluating the rules related to jurisdiction, choice of law and recognition and enforcement. The course focuses primarily on

international legal practice and commercial transactions. In addition, issues arising from civil procedure, in particular the recognition and enforcement of judgments by domestic courts (public policy/morality and protection of domestic interests) are examined.

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

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

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

Law 617 Alternative Energy Law (Tscherning)

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

residential context; development and construction of alternative energy projects, including financial support mechanisms.

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

Depending on enrollment, evaluation is planned to consist of a class participation grade and a research paper, which may be used to satisfy the Upper Year Writing Requirement.

Law 618 Corporate Finance Law (Tingle)

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

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

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

There is only slight overlap with Law 648 *Securities Law*. We briefly touch on the securities law regulations governing the distribution of shares and debt securities, but pay little attention to the vast majority of the current securities regime.

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

The course is capped at 33 students and fills very quickly. Every year

several waiting list students get in, so if you are in the top five or six students on the waiting list, you should attend the first class.

Law 619 Estate Planning (C. Brown)

Although perhaps anecdotal, the Financial Times reports that Canadian baby boomers will inherit \$1 trillion over the next twenty years. "Economists say it's the largest intergenerational transfer of wealth in Canadian history." This course examines the tax treatment of wealth transfers. Specifically, it examines taxation on death, taxation of the estate and its beneficiaries and the taxation of testamentary and inter vivos trusts and tax planning for individuals and private corporations. It is a practical course grounded in the reality that only three things in life are certain "life, death and taxes." These things are as certain for the wealthy as well as those of more modest means. The course addresses issues such as planning for blended families, business succession planning, planning for beneficiaries with special needs, tax mitigation including charitable giving and the use of life insurance. This area is one in which I have considerable background and experience including authoring the text we will be using. Over my tenure I have also worked with the Canada Revenue Agency, the Department of Justice, the Department of Finance and in private practice and thus to bring various perspectives to the course.

EVALUATION: Will consist of an in class open book Midterm exam worth 60% and a client reporting letter/ presentation worth 40%. The Midterm exam is designed to test basic knowledge. The client reporting letter is to allow you to do some planning. Your duties will include creating a hypothetical fact situation and providing a proposed solution to your "client's" problem. This Letter should include the facts, issues and objectives, summary and recommendations, and discussion. Although not typical for a client letter you will also attach an appendix with any relevant authorities for the benefit of your class colleagues. The Letter shall not exceed 6 typed double spaced pages in length plus appendices. The student will also be expected to present his/her problem to the class in a 15-20 minute seminar. The presentation dates will ordinarily be towards the end of term unless agreed otherwise. Your final client reporting letter is not due until the last day of classes.

General topic areas include: The Use of Trusts in Estate Planning, Estate Planning for Partners or Shareholders of Closely Held Corporations, Tax Planning for Separation or Divorce/ second marriage, Planning for Persons Incapable of Managing Their Own Affairs, Planning for the care of Elderly parents/ family, Variation of Trusts-Tax problems, pitfalls and potential benefits, Planning Considerations for Farm or Fishing Clients, Gifts and Trusts Inter Vivos - Attribution and Other Transfer Problems, Estate Planning for Non- Resident Beneficiaries, The Use of Non-Resident Trusts, Estate Freezing, Charitable Gift Planning, Estate Planning for U.S. Situs Property, Immigration or Emigration Planning, Estate Planning For Multi-Jurisdictional Estates, The Capital Gains Deduction - Maximizing the Benefits, Estate

Planning : RRSPS, Pension Plans and other Deferred Profit Sharing Plans or your choice subject to instructor approval.

Required Material

1. *Income Tax Act* 2014 or latest edition (My office).
2. *Taxation and Estate Planning*, (Carswell) (2014) (Cullity and Brown).
3. Materials posted to D2L.

Law 621 Corporate Governance (Sibold)

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

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

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

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

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

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

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

Law 624 Environmental Law & Ethics (Mascher)

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

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

Law 627 International Environmental Law (Hubert)

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 as a whole, this course will also provide students with a fundamental understanding of concepts and principles that govern international law generally, including: lawmaking processes, legal sources and the law of treaties, jurisdiction, dispute settlement, and state responsibility. The course will also touch upon interrelationships with other relevant areas of international law, including human rights, trade, global equity, and international development. It will also provide students with an understanding of those areas in which international environmental law is unique in the context of public international law, for example, by examining the role of non-state actors such as

NGOs, scientists and other experts, and international institutions in setting and implementing the global environmental agenda. Finally, the course aims to foster a critical and interdisciplinary approach to the study of this area. The protection of the global environment entails a delicate balance between competing societal and economic interests and the prevention of environmental harm in light of scientific uncertainty. We will explore this balancing process through the lens of contemporary issues and case studies relating to the protection of the global environment in light of political, social, scientific and technical considerations. We will also seek to critically evaluate the strengths and weaknesses of international environmental law as a subject area since its emergence in the late 1960s, and its shift towards governance and global environmental management approaches and beyond. In addition, this course will seek to advance skills development in legal and non-legal research, as well as written and verbal communication. Course content will be explored through a combination of lectures, seminar discussions, guest lectures, workshops, and class simulations.

This course 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 628: International Investment Law (Whitsitt)

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

Law 630 International Petroleum Transactions (van de Biezenbos)

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

This course can be used to fulfil your international law course requirement. The assessment is 10% class participation and 90% final exam (or, at the student's election, 10% class participation, 50% final paper, and 40% final exam). The paper does not satisfy the upper year writing requirement.

Law 631 International Tax Law (C. Brown)

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

Alternative Methods of Evaluation

1. Take home assignment (the specific format and timing will be determined after consultation with students during the first two weeks of the term). Maximum page length 15 pages one and a half line standard margins or 5000 words.
2. A research paper (50%) and Take Home Assignment 50%.
The research paper should be no more than 5000 words in length. It is intended to provide students with an opportunity to explore a particular substantive issue in international tax. Students are expected to apply the basic concepts and principles of international tax that will be discussed during the course. The topic and a draft outline must be approved by me. Students writing the research paper may be invited to present their research in class. The Take Home Assignment will be a shortened version of the Take Home Assignment above generally with a maximum paper length of 8 pages. The assignment is due on the last day of classes. The paper is due on the last day of exams.

Reading Materials

- Income Tax Act (a recent edition)
- International Taxation in Canada, (2014) Li, Cockfield and Wilkie, LexisNexis at the Bookstore ("Textbook"),
- Supplementary Materials (SM) (consisted of notes, questions, problems, and supplementary readings) available on D2L

Law 637 Energy Law (Bankes)

This course is concerned with the law pertaining to the regulation of energy facilities (especially linear such as pipelines and transmission lines) and energy

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

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

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

Law 648.01 Securities Law (Clements)

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 by protecting investors 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.

The course will introduce students to a variety of topics in securities law and regulation including underlying economic theory; historical and constitutional developments; the scope of markets, products, participants and regulatory oversight structures; international comparative frameworks; public offerings; exempt distributions; continuous disclosure obligations; corporate governance; insider trading; take-over bids; and civil liability and enforcement. It will also introduce students to nascent developments in securities law and policy including issues relating to financial technology (fintech), initial coin-offerings and other innovations in crypto-assets.

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 current issues and developments in securities regulatory policy.

Course materials include a core text and statutory materials.

Student evaluation will likely be based on a group assignment, an in-class presentation, and a final exam.

Although not a prerequisite, it is recommended that students take Business Associations either prior to, or concurrent with, Securities Law.

This course is taught by Ryan Clements, Assistant Professor, Chair Business Regulation, University of Calgary Faculty of Law.

Law 650 Torys' Business Skills for Lawyers (J. Brown)

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

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

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

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

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

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

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

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

The course is taught by Beth Riley (<http://www.bennettjones.com/RileyYBeth/>) and Bruce Hibbard (<http://www.bennettjones.com/HibbardBruce/>) of Bennett Jones LLP with a number of specialist expert practitioners providing guest lectures.

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

Law 667 Advanced Public Law (Duffy)

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

development of varying perspectives on these issues through class presentations, discussion, and written assignments. Within the realm of public law, this course has a particular, although not exclusive; focus on Constitutional Law, Immigration Law, Human Rights, and Criminal Procedure. Specific topics vary each year, and are designed to address current legal controversies. Some topics bridge borders and include issues from other national jurisdictions or issues in international law. For example, in recent years, the course has included a component of U.S. Constitutional Law. As a paper course, this class bridges substantive law and the building of legal skills. While students will address timely issues in public law, they will also be building skills necessary for the practice of law in any field. Those skills include the ability to conduct legal research, to write a persuasive and effective argument, to understand relevant policy issues outside of the framework of legal standards, and to make concise and persuasive oral arguments. Students are also encouraged to identify areas of public law that interest them, beyond the four corners of this course, and to develop those ideas through their major papers.

The class is evaluated through class participation, a presentation (usually undertaken in teams of two), and a research paper. Constitutional Law is the only prerequisite. The final paper may be used to meet the upper-year writing requirement.

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

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

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

Classes consist of lessons on issues that commonly arise in startup companies. 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 693.xx Entrepreneurial Law at the same time or have taken Entrepreneurial Law previously.**

Law 686 Student Legal Assistance: Clinical Theory (TBD)

Law 688 Student Legal Assistance: Clinical Practice (TBD)

These courses must be taken together in the same year. Clinical Theory is graded on the University's 12 band scale, while Clinical Practice is graded Cr/D/F. The courses are scheduled to run through both the Fall and Winter terms once per week. Both courses are capped at 12 students. Final grades for both courses will be assigned at the end of the Winter term.

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

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

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

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

Law 687 Criminal Justice Clinical (H. M. Silver, Q.C.)

"Criminal justice" is what happens after a complicated series of events has gone bad. It is the end 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 what happens after the dust of the trial (or guilty plea) settles. Together we will explore the advent of Community Courts and other alternative solutions, post-trial issues which will include Indigenous Persons considerations, not criminally responsible on account of mental disorder as well as fitness issues, sentencing, appeals, practical parole considerations and, broadly speaking, wrongful convictions. We will host a number of guests as well as participate in a field trip to an Indigenous Courtroom.

As student participation is a requirement, attendance will be mandatory. Any absence will require the permission of the Course Instructor. In addition to participation, there will be three (3) assignments during the term: a) leading a seminar discussion on a topic to be assigned by the Course Instructor; b) a short written paper on the seminar topic; and c) preparing written submissions on sentence in either the role of Crown counsel or Defence Counsel as assigned by the Course Instructor. The assignments and class participation will be weighted equally and graded on a Completed Requirements (CR), Marginal (D) or Fail (F) basis.

PLEASE NOTE:

- Pre-requisite/Co-requisite - Law 511: Criminal Process. Pre-requisite may be waived by Instructor.
- Although not a prerequisite, it is strongly recommended that students take Law 507: Evidence either prior to, or concurrent with, the Criminal Justice Clinical.

This course is capped at 12 students.

Law 689 Family Law Clinical (Menzies)

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

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

Law 693.xx Privacy and Cybersecurity Law (Laidlaw)

This course will begin the 4th week of September and will run for 11 weeks for 1 hour and 50 minutes per class

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

In the first half of the course students will learn the legal frameworks that manage cybersecurity risk and protect (or fail to protect) privacy. Students will explore theory, industry standards, tort law, data protection law, criminal law, constitutional law, national security law, and international and comparative law. In the second half of the course students will test their knowledge through various case studies. Topics may include, among others, cloud computing, smart cities, cybersecurity event recovery, social media security, law enforcement surveillance and investigations, privacy by design, meaningful consent, consumer protection (smart TVs, behavior advertising etc.), artificial intelligence, biometrics and information warfare.

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;
- Develop skills in analyzing comparative law;
- Be able to apply legal knowledge gained to analyze and resolve case-problems.

Students will be evaluated on the basis of class participation (25%), participation in a cybersecurity incident simulation (25%), and an exam (50%).

Law 693.xx Law of the Sea (Hubert)

The law of the sea is a branch of international law that stretches back to the very origins of public international law itself. Its foundational character makes it fertile ground for understanding the basics 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. In particular, it focuses on the *de facto* 'constitutional' legal framework established under the 1982 United Nations Convention on the Law of the Sea. Given that the law of the sea forms part of the corpus of international law as a whole, this course will also provide students with a fundamental understanding of the legal concepts and norms that govern international law generally, including: lawmaking processes, legal sources and the law of treaties, jurisdiction, and dispute settlement. Doctrinal aspects will be reinforced through class discussions 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 693.xx Entrepreneurial Law (Tingle)

Entrepreneurial Law is intended to canvass the legal issues and structures that commonly arise in the startup of new businesses. The course looks at the initial factors that determine whether an idea is best pursued as a new business, the best corporate form for different businesses, the tools used in allocating shares and responsibilities among founders, the employment law and intellectual property issues that commonly arise in startups, the strategies and legal structures used to finance these types of companies, the common sources of finance, 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 and a final exam.

Law 693.xx Climate Change (Mascher)

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

Law 693.xx Law & Development (Ilg)

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, the environment, Indigenous peoples, and intellectual property. A basic question underlying the study of law and development is simply: how does a given set of laws further or inhibit the development objectives that are under examination?

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, intellectual property, and the environment; 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.

No prerequisites other than the completion of first-year law.

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

What is a just Canadian society? Who is and should be shaping it through the legal system? What are the demands of justice and the rule of law? Is the lawyer's role in the adversarial system necessary and sufficient to serve those demands? What will your role be?

Public Interest Theory explores the underpinnings of public participation in our legal system. Various perspectives illuminate why collective actors and interest groups often fail (and sometimes succeed) in their bid to effect social change through legal advocacy.

This course meets the Theoretical Perspectives Requirement. We identify the philosophical roots for contemporary calls to justice, and discuss relevant aspects of dominant theories of democracy and the rule of law. We learn about legal opportunity structures such as standing rules and costs rules, and understand how they shape the choices individuals and organizations make in their efforts to generate social change. Finally, we wrestle with the notion of public interest lawyering. We explore practical challenges faced by lawyers who serve client, cause, and community at once, and discuss deeply-embedded conventions in legal education, legal practice, and the organized legal profession. We draw examples from prominent cases, Public Interest Law Clinic project files, and the instructors' experience throughout.

Theory without practice is incomplete. Public Interest Theory commences and concludes in the Fall term. If you register in it, you must also register in Law 696: Public Interest Clinical, an experiential companion course that commences in September and occurs once a week during Fall and Winter term classes. This concurrent and staged deployment gives you the best possible toolset for working in complimentary classroom and clinical settings. The paired courses are capped at 12 students.

Law 693.xx Selected Topics: Indigenous Peoples (Francoeur)

Law 693.xx will cover selected topics related to Indigenous Peoples and the Law. The purpose of the course is to build upon the Law 594: Indigenous Peoples and the Law course (which is strongly recommended) and give students an opportunity to apply in-depth legal research to real-world issues in the rapidly evolving field of Aboriginal Law. Students will work with the Instructor to pick a selected topic and address real-world legal issues. Students will have the option and are encouraged to work with a real-world First Nations, Industry, or Government representative to develop their legal issue. While the instructor will work with students and provide selected topics, the instructor invites and encourages students to be creative and propose their own topics.

Grading for the course will likely be as follows: a) 30% of your grade will be for participation, 15% of the participation will be based upon the student class participation and 15% for leading a class discussion related to your chosen topic.

Students will be encouraged where possible to lead the class discussion along with the First Nation, Industry or Government representative. b) 70% of your grade will be based upon a final memo of approximately 7,000 words, which may be used to satisfy the upper year writing requirement.

Law 693.xx Energy Transportation and Infrastructure (Tscherning)

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

This will be a seminar course of selected topics related to energy transportation and infrastructure. Selected case studies may be used to illustrate topical issues and applicable domestic, regional and international law and policy will be examined. Students can expect an interactive course that will engage them in important discussions and research of key issues and challenges facing energy transportation and infrastructure, both domestically and internationally. Some sessions may include visits by specialist guest lecturers, who will be invited to share their expertise in their areas of practice.

Depending on enrollment, evaluation is planned to consist of a class participation grade and a compulsory research paper which may be used to satisfy the Upper Year Writing Requirement.

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

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](#)**

The primary purpose of the course is to facilitate the acquisition of French legal terminology through the study of general principles in criminal law, advocacy, language rights and business law.

Students accepted in the course will be paired with a mentor, a bilingual lawyer or judge in Calgary with experience in French Common Law, allowing students to regularly test their French legal knowledge and gain insight into the practice of law in French in Alberta.

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

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

This course is the first step in helping students:

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

This course is taught by Caroline Magnan from the University of Ottawa:

<https://commonlaw.uottawa.ca/en/people/magnan-caroline>

Students interested in the course must send an email to Angela Gallo-Dewar (agallode@ucalgary.ca) and Professor Magnan (cmagnan@uottawa.ca) prior to the start of classes confirming that they have completed a program in French immersion (or equivalent) through grade 12 prior to the start of classes.

*Ce cours est offert en partenariat avec la faculté de droit de l'Université d'Ottawa. **Il est obligatoire pour les étudiantes et étudiants voulant participer au programme de [Certification de common law en français](#)***

Les principes généraux du droit pénal, de la plaidoirie, des droits linguistiques et du droit des affaires seront explorés afin d'offrir un contexte pour faciliter l'acquisition de

la terminologie juridique en français. Les étudiants acceptés au cours seront jumelés avec un mentor, un avocat ou juge bilingue à Calgary, leur permettant de tester de façon régulière et continue leurs connaissances juridiques en français avec d'autres francophones et francophiles et de mieux comprendre les enjeux de la pratique du droit en français en Alberta.

Le cours sera offert en format hybride afin de donner à l'étudiant plus de flexibilité dans son apprentissage. Une portion des sessions seront offertes en 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 devoirs (commentaire d'arrêt et avis juridique) et sur la participation en classe et en ligne. Les étudiants peuvent choisir cet avis juridique pour satisfaire à l'exigence du mémoire de recherche, sujet à l'approbation de la professeure.

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

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

Le cours est offert par professeure Caroline Magnan de l'Université d'Ottawa.

<https://commonlaw.uottawa.ca/fr/personnes/magnan-caroline>

Les étudiants intéressés à participer au cours doivent envoyer un courriel à Angela Gallo-Dewar (agallode@ucalgary.ca) et Professeure Magnan (cmagnan@uottawa.ca) confirmant qu'ils ont

Law 693.xx Études approfondies en common law en français / Advanced Topics in French Common Law (Magnan)

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](#)**

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, jurisprudence, immigration and refugee 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 Alberta 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>

*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.***

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, la philosophie du droit, le droit de l'immigration et des réfugiés, 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>

Law 693.xx National Security Law Lab (Nesbitt)

Are you interested in the law that governs national and international responses to terrorism, including terrorism prosecutions? Foreign espionage and election meddling? The legal regime governing Canada's covert (spying!) national security intelligence gathering and assessment activities? How Canada collects and shares Top Secret intelligence internally and with foreign partners? Cyber security and state hacking? Advising businesses on international sanctions, national security trade restrictions, or financial crimes? Perhaps it's the idea of engaging in theoretical debates about how the law protects civil and political rights in times of great danger that makes you sit up and take notice? If you answered 'yes' to one or more of these questions then this is definitely the course for you!

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

Select students (numbers TBD; selection, if necessary, at the start of term) will have the opportunity to attend the Georgetown National Security Law Simulation in Washington, DC. Details can be found online: Google it, watch a video, it is truly remarkable. Suffice it to say, it is the biggest and best national security law simulation in the world and, I would guess, will be the best educational experience you will ever have for those willing to put in the work – despite the fact that you will spend all your Friday afternoons during the Winter term learning the minutia of Canadian and American national security law and may not sleep for 48-hours while in DC trying to save the world!

Assignments will be various but will not include an exam. The primary evaluation will be an end-of-term simulated national security crisis, but can also include legal reform proposals in the form of Public Service Memos to the Minister, wiretap applications, legal opinions on national security matters, and preparing for in-class crisis simulations.

The course will have a capped enrollment of 14 students. Join us!

Law 693. xx: Introduction to the U.S. Legal System (Thompson)

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.

It is anticipated that students will be evaluated as follows: class participation (20%), quiz or quizzes (20%), written assignment (25%) and final exam (35%).

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 Coralic/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 Food & Agricultural Law (Allen)

Did you know that agriculture is more than farming and ranching? Agriculture encompasses the whole of our food production and processing system, and the variety of resources used to produce the food that we enjoy. But even describing agriculture with reference to food is not adequate today. Today, agriculture involves and centers on not only food, but also fuel and bio-products.

The food and agriculture industry is a dynamic and rapidly-changing one. How we produce the different types of food, energy and nutrition that we rely upon is evolving due to changes in technology, such as advances in engineering and biology, and continued growth in the world's population. With more than 7 billion people in the world who want and need to be fed every day, and require energy for the machines and devices they use, the importance of this industry cannot be overstated.

The study of food and agricultural law encompasses 1) the application of fundamental legal concepts (such as property law, tort law, and contract law) to issues arising in food and agriculture, and 2) legal concepts that are unique to food and agriculture (such as food safety regulations or labeling requirements). In studying food and agricultural law, you will engage in the study of one of the most diverse areas of law, addressing, among other things: plant and livestock production issues, food safety concerns, land use, resource management challenges, and regulation of new food and agricultural products such as cannabis, as well as unique applications of traditional areas of law such as property law, administrative law, intellectual property law, energy law, privacy and data protection law, and environmental law. You will also study how various areas of commercial and securities law are dealt with in the food and agriculture industry.

In the practice of food and agricultural law, you may:

- Assist companies and producers in the food and agriculture industry in raising capital to develop or expand their business.
- Consider the operation and regulation of the grain supply chain and agricultural value chain, advising regarding the legal and regulatory issues involved in the movement of agricultural production from the producer all the way to the consumer.
- Assist corporations and other entities in addressing issues concerning the production and regulation of genetically modified crops and seeds, including with respect to intellectual property protection of novel technologies.
- Consider matters of privacy, data protection, and data ownership related to customers, employees, and drones.
- Engage with regulatory agencies to ensure compliance with existing agriculture or food safety standards, or work to develop new ones.

To aid in the development of your knowledge and understanding of this diverse area of law and practice, it is expected that students will be evaluated through a combination of class participation and assignments. There will be no final exam.

This course is instructed by Kristal Allen, a partner at MLT Aikins LLP, whose bio may be found here: <https://www.mltaikins.com/people/kristal-allen/>

Law 693.xx Legal History (Campbell)

In this course, Law students will join graduate students in the History department (in HTST 791) for a seminar course in legal history. Law and History students will be evaluated separately, however.

By reading books and articles by several different authors, students will foster their understanding of the theories and methodologies of legal history and will explore the interface between law and the travels of people, things and ideas in the British colonial and post-colonial world. Students can expect to read books and articles by such scholars as Renisa Mawani, Gautham Rao, W. Wesley Pue, Lauren Benton, and Mitra Sharafi. Evaluation will be either by a combination of short, bibliographical essays and substantial research papers. This course will fulfill both the theory requirement of the Faculty of Law and, if students so choose, the major paper requirement.

Enrollment is capped at 5 students.

Law 693.xx International Business Negotiation (M. Styczen)

This course is structured around a semester-long, simulated negotiation exercise which provides an in-depth study of the structuring and negotiating of an international business transaction. This class will be taught in counterpart with a class at University of Houston Law School. Students in this class will represent an African agricultural production company, and the students in the class at Houston will represent a multi-national pharmaceutical company. The two companies are interested in working together to exploit a new technology developed by the pharmaceutical company that uses the cassava produced by the African agricultural production company. The form of their collaboration could be a joint venture, a licensing agreement or a long-term supply contract. The negotiations between the two classes will take place through written exchanges and through real-time negotiation which will be conducted via videoconferences.

The purpose of the course is to provide students with an opportunity (i) to experience the sequential development of a business transaction over an extended negotiation, (ii) to study the business and legal issues and strategies that impact the negotiation,

(iii) to gain insight into the dynamics of negotiating and structuring international business transactions, (iv) to learn about the role that lawyers and law play in these negotiations, (v) to give students experience in drafting communications, and (vi) to provide negotiating experience in a context that replicates actual legal practice with an unfamiliar opposing party (here, the students at Houston). Students will also learn about the legal and business issues that may arise in joint ventures, supply agreements and licensing agreements.

The thrust of this course is class participation and active involvement in the negotiations process. Students are expected to attend all classes and to spend time outside of class, working in teams, to prepare the written exchanges, to prepare for the live negotiations, and to prepare for class discussions. Class discussions will focus on the strategy for, and progress of, the negotiations; collective evaluation of the class's preparation for, and performance in, the negotiations; and the substantive legal, business and policy matters that impact on the negotiations. **In addition to the regular Wednesday evening classes (from 7pm-8:50pm), classes will meet for the live negotiations on five Friday afternoons (Feb. 7 and 14, and March 6, 20, and 27, most likely at the DLA Piper Calgary offices) from 2:00 to 5:00 PM (except the March 27 class which will end at 6:00 PM).** The maximum class size is 18.

Grading for the class will be based on the following requirements: (1) Active participation in (i) class discussions regarding the preparation of the written exchanges in the negotiation, (ii) the live negotiations, and (iii) class analysis of the process and progress of the negotiations (40%); (2) A diary of the student's impressions of the process, strategy and progress of the negotiations with one diary entry (1-2 pages each) following each of the five live negotiation sessions (30%). The diary should contain the student's reflections on, and critical assessment of, such topics as (i) the class' communications to Houston, (ii) the process of drafting each communication, (iii) the responses received from Houston, (iv) the preparations for, and strategy in approaching, the live negotiation, and (iv) the results of the negotiations with Houston; and (3) A 10-12 page retrospective paper after the conclusion of the exercise (suggested topics to be distributed; self-choice of topic permitted) (30%).

This class may be used to satisfy the Faculty's international requirement. Also note: for those students registered in the BLG Business Venture Clinic, Professor Tingle has indicated that he will work with affected students to accommodate the five Fridays that will overlap with this course.

This course will be taught by Michael Styczen, a partner in the Calgary office of DLA Piper (Canada) LLP. For over 20 years, he has specialized in completing commercial transactions, including the development, purchase and sale, and financing of electric generation and transmission facilities, upstream and midstream oil and gas projects, LNG, and pipelines and storage facilities. His practice has focused on the energy sector

in British Columbia and Alberta, as well as on foreign (particularly Japanese) investment in Canada.

Michael is a member of the British Columbia, Alberta and Manitoba bars and the Canadian Bar Association. He is a licensed professional engineer in Alberta, and a member of the Association of International Petroleum Negotiators.

He has written on numerous topics relevant to energy lawyers in Alberta, including on such topics as contract interpretation, limited partnerships, various government initiatives in the energy and pipeline sectors, climate change initiatives, and other commercial law topics. He has facilitated and evaluated the Alberta bar admission course (CPLD) for a number of years. He has taught and facilitated numerous courses and seminars for a variety of public, private and industry organizations on such topics as contract drafting, technology licensing, due diligence, international project management, and on general judicial and legislative developments in the energy space. Most recently, he facilitated a week-long series of seminars on contract negotiation and joint ventures for students of the Zambian bar admission course on behalf of the Zambian Institute for Advanced Legal Education.

Law 693.xx Fintech Law & Policy (Clements)

Developments like Bitcoin, blockchain, crypto-assets, payments innovations such as Facebook's "Libra" coin, and concepts like "robo-advisors" and "high-frequency trading" occupy a prominent place in today's financial press. These innovations are commonly called "fintech" (short for financial technology). Many people don't understand how these technologies work; what benefits (and risks) they present to consumers, investors, and financial markets; and how they are regulated. Considering the 2008 global financial crisis, regulators are keen to mitigate emerging risks. Yet new technologies may not easily fit within existing legal frameworks. Also, competition and innovation must be balanced with adequate financial system safeguards, and consumer and investor protection. This course will introduce students to developments in "fintech" law and policy in Canada. By taking this course students will:

- Acquire knowledge of new technologies impacting financial market products, services, and processes including: blockchain; Bitcoin and crypto-assets; new capital raising technologies like initial coin offerings (ICOs) and peer-to-peer lending; payment innovations like Facebook's "Libra" coin; and artificial intelligence and algorithmic programming applications in financial markets;
- Assess "fintech" as a historical development in relation to the 2008 global financial crisis;
- Understand the regulatory frameworks that apply to key fintech sectors in Canada, and become familiar with comparative international regimes;
- Develop a general understanding of financial market regulation including securities law, banking, payments, and money service businesses;

- Recognize the challenges in regulating fintech, including regulatory “arbitrage,” and regulatory adaptations that are being used, like “sandboxes,” to provide flexibility while ensuring adequate systemic risk and consumer protection safeguards are met; and
- Identify the relationship between financial market innovation and systemic risk; and investigate emerging instabilities from the use of artificial intelligence in financial markets, and non-governmental payment systems including their impact on monetary policy goals.

Course materials will include statutory and topical secondary source materials. There is no textbook.

Students will be evaluated based on class participation (15%); an in-class presentation where each student profiles a fintech company (25%); and a 5000-6000 word research paper (60%). Students may use this course to fulfill their upper year writing requirement.

There are no pre / co-requisites for Fintech Law & Policy. Although not required, Law 648 (Securities Law) is recommended either prior to or concurrent with Fintech Law & Policy. The course is designed to be accessible to those without prior financial market regulation experience. This course will be taught as a seminar with a cap of 16 students.

This course is taught by Ryan Clements, Assistant Professor, Chair Business Regulation, University of Calgary Faculty of Law.

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

We learn to do by doing. 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, and file progress.

Students in the 2019/2020 cohort will be involved in legal research, writing, and advocacy on five projects, each with a distinct public interest purpose:

1. To maximize the ability of individuals and groups to participate effectively in decisions that affect the environment;
2. To establish safeguards to prevent strategic litigation against public participation;
3. To generate effective legal mechanisms that protect habitat in Alberta which threatened species need to survive;
4. To improve every lever available in law to obtain information from public bodies; and
5. To change apparently neutral laws that disproportionately affect the disadvantaged.

For more information on current projects, consult www.ucalgary.ca/pilc.

Law 696 is graded on the CR/D/F scale. If you are registered in Public Interest Clinical, you may still apply for Law 591: Provincial Court Clerkships in the Winter term.

Practice without theory is incomplete. Public Interest Clinical commences in September and occurs once a week during Fall and Winter term classes. If you register in it, you must also register in Law 693: Public Interest Theory, a companion course that commences and concludes in the Fall term. This concurrent and staged deployment gives you the best possible toolset for working in complimentary clinical and classroom settings. The paired courses are capped at 12 students.

Law 696.xx Human Rights Clinical (Foster)

By Application- see Current Students website

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

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

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

Prerequisites:

- Law 547: Human Rights Law is a prerequisite for this clinical program and, although not required, the following courses would be beneficial: administrative law, labour arbitration, employment law, and/or evidence.

- Students must be enrolled in 2L or 3L at the University Calgary's Faculty of Law.

Two students will be selected for the fall 2019 semester.

Law 697 Corporate Tax (C. Brown)

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

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

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

Law 699 Labour Law (Ford and Francis)

This course will allow students to: (1) describe and apply the main legal principles of labour law, including appropriate forum(s) in which to adjudicate labour law disputes; (2) recall and apply the most important statutory provisions, jurisprudence and administrative precedents covered in the course; (3) explain and evaluate practice and procedure relevant to labour law; and (4) identify and analyze some emerging issues in labour law. Labour Law is about the regulation of workers acting collectively through an exclusive bargaining agent ("trade union"), selected by a majority of them, to bargain collectively and exclusively on their behalf with their employer the terms and conditions of employment as codified in the collective agreement.

The course covers the law governing unionized workplaces in Canada; topics include: Charter s. 2(d) freedom of association in the collective bargaining context; the status of participants (employers, trade unions, excluded individuals, employees, dependent/independent contractors); trade union organization, certification and revocation; rights and obligations of participants under the Alberta Labour Relations Code and Canada Labour Code; labour law dispute resolution forums and appropriate venues (Court vs. Grievance Arbitration/Labour Relations

Board—Federal or Provincial); industrial conflict (strikes and lockouts); and the administrative tribunals that labour law practitioners frequently appear before, including Grievance Arbitration Boards, the Alberta Labour Relations Board, and the Canada Industrial Relations Board.

Assessment of students will be through either: (1) Writing an open-book Final Examination worth 100% of the course final grade; OR (2) (a) Writing a paper of approximately 5000 words, worth 50% of the course final grade and involving significant primary and secondary research; AND (b) Writing an open-book Final Examination worth 50% of the final grade.