DISCLAIMER: These descriptions are for course-selection information only. They are not course outlines and are subject to change as circumstances warrant. In addition, all evaluation methods and timing must be approved by the Academic Planning Committee, and none of the evaluation methods listed here have yet been reviewed by APC.

Multi-sectioned Courses

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

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

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

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

Required Courses

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

Law 503: Administrative Law (Kislowicz/Olszynski/Fluker)

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

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

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

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

**Law 505 – Civil Procedure (Reed/Marlowe)**

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

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

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

Students will be evaluated as follows, through:

1. Participation grade (20% total, split between 10% tutorial and 10% lectures), assessed in the lectures by participation in random tophat quizzed administered during lectures, and by attendance and participation in the tutorials;

2. A short legal memorandum to a client (15%);
3. A pleadings drafting assignment related to commencement of a matter (20%);

4. An application drafting exercise on set facts and set law (20%); and

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

507 Evidence (Silver)

What does a shoe, an invoice, a text message, and a smoking gun all have in common? They are all possible pieces of evidence in a criminal or civil trial. Standing alone these items are meaningless but as part of the evidence at trial these disparate facts can weave a cogent and probative narrative. This course will introduce you to the evidentiary principles which proscribe how that narrative is told both in court and beyond. Although the law of evidence offers insight on the relationship between the substantive elements of a civil claim or criminal offence and the proof of those matters in court, evidence is created well before the lawyer opens the court room door. This course will provide a meaningful framework for all lawyering interactions such as drafting a contract, interviewing a client, and writing an opinion letter, whether you litigate a matter or not.

Together we will discuss, question and debate key evidentiary principles such as the admissibility of evidence, circumstantial evidence, presumptions, manner of proof through real and testimonial evidence, trial judge's exclusionary discretion, character evidence, hearsay, expert evidence, confessions, and privilege. A component of the course will involve problem-based and experiential learning. Assessment will be based on the submission of two opinion letters (worth 20% each) and the courtroom “presentation” of the opinion problem in class (worth 10%). There will be a final examination worth 50%.

Law 508 Negotiation (Sowter/Wright)

Lawyers negotiate. No matter what area of practice or what type of clients, lawyers are required to negotiate in different negotiating contexts and roles. However, developing effective negotiation and dispute resolution skills takes time. Lawyers must learn to balance client interests (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 week of the course will begin by providing students with grounding in negotiation and dispute resolution theory and thinking, including exposure to interest-based negotiations. 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, learn to develop cultural competency, and navigate the unique features of indigenous issues in the ADR context. The course will also look at the use of unregulated professions such as mediators, and other non-lawyer professionals.

The second and third week 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. Students will learn to distinguish between the different process options and negotiation styles available, 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, mock interviews and counseling, 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, learn to have difficult conversations, how to interview a client, and to effectively prepare for negotiation. To the extent possible, practitioners from the legal community will be involved to simulate a real-world environment and provide practical feedback.

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 (such as a settlement agreement, mediation brief or commercial contract) will also form a significant part of your grade.

**Law 509 Business Associations (Stewart)**

The course explores the common forms of business organization, including the law of agency, partnerships, limited partnerships, and corporations (with a focus on shareholders’ and directors’ rights and responsibilities). Topics also will include fiduciary relationships in a commercial context.

By the end of the course students should be able to:

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

Law 509 Business Associations (van de Biezenbos)

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

Law 510.01 Ethical Lawyering (Woolley)

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

The primary purpose of the course is for students to begin to be competent in identifying and resolving the legal and ethical problems that typically arise for lawyers in practice. To achieve this goal this section of the course is taught through a flipped classroom. Students do the readings and watch/listen to podcasts before class, and then spend class time answering questions and working through problems using the Top Hat program and class discussion. In addition, 20% of class time will involve ‘tutorials’ focused on how the law governing lawyers works in practice: e.g., how law societies make law and policy, how law firms manage conflicts and protect confidentiality and privilege, and how lawyers discuss ethical problems with their clients. A number of guest speakers from the Calgary legal profession will attend for this aspect of the course.
A secondary purpose of the course is to expand and develop students’ abilities at legal writing, in particular legal analysis, clear communication with clients and persuasive advocacy. Students will be assessed in part based on the quality of their legal writing.

Students will be evaluated through 1) a participation grade based on class attendance and completion of Top Hat questions in class (10%); 2) a short policy paper for the law society on a current regulatory issue (20%); 3) a memorandum for a client advising them on the existence (or not) of improper conduct by legal counsel (30%); 4) either a factum to the court of appeal on matters related to the law governing lawyers, or a short research paper on a topic assigned by me (40%). Neither the factum nor the research paper will satisfy the Upper Year Writing Requirement. All papers and assignments will be graded by me, and students will receive extensive and rigorous written feedback on their work.

**Law 510.02 & 510.03 Ethical Lawyering (Sowter)**

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

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

Evaluation: (1) a participation grade based on class attendance and completion of Top Hat questions in class (10%); (2) a short policy paper for the law society on a current regulatory issue (20%); (3) advising memo to client (30%); and, (4) either a factum to the court of appeal on matters related to the law governing lawyers, or a short research paper on an assigned topic (40%). The factum and the research paper will not satisfy the Upper Year Writing Requirement.
Law 602.01 &.02  Advocacy: Criminal Trials; Advocacy: Civil Trials (Silver)

This course develops core lawyering competencies through the practice of advocacy in which students will learn fundamental trial skills in the context of a complex case set for trial. 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. 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 daily preparation. It is a performance-based course where students learn by doing through supportive feedback from leading practitioners. Participants will choose to represent parties in either a civil or criminal action and will be assigned to small groups of twelve to 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 attendance, daily active participation, Trial Book, and 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)

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

Evaluation

a) Class Participation:  10%
   b) Final examination:  90% (3 hours)

The final examination will be an open-book examination. It will cover the entire course and will require in-depth analysis. You may bring in any written material other than library materials or an annotated Code.

Law 515  Family Law (Boyd)

The law on the rights and responsibilities of family members. The course will examine the social and legal context of contemporary family law and cover: the constitutional and legislative framework of family law; unmarried and married relationships; separation and divorce; parenting after separation; child support and spousal support; the division of property; and, emerging issues in family law. Students interested in practising family law should consider also taking Law 689, the family law clinical program.

Law 519  Jurisprudence (Hagen)

Jurisprudence is a critical inquiry into the nature, function, and justification of law. This course will examine some fundamental concepts, distinctions and theories of law and legal practice. If you do not enjoy philosophical, theoretical or abstract thinking, this course may not be for you. Alternate theory courses are available to satisfy the Faculty’s theoretical perspectives requirement.
The course is aimed at reflective theoretical engagement with the law through reading, lectures and participation in class discussion which will aim at explanation, understanding, insight and even practical wisdom. However, we will likely fall short of some of those aims and those who desire finality, certainty, obviousness, authoritative answers, and simplicity of ideas will be disappointed, as jurisprudence is not that sort of thing. Those who can endure or, perhaps, revel in the uncertainty, complexity and philosophical perplexity of the issues raised for their own sake, will have a rewarding experience and, it is hoped, will have increased insight into law as a body of knowledge and practice, and about how their own career will fit into a larger whole in contemporary society.

Topics might include: nature of legal practice, how to construct social facts, whether law is determined solely by social facts, legal knowledge, litigation and truth, the private law/public law distinction, the property/liability distinction, the rule of law, the morality of law, constraints on and limits of the law, duty of obedience to the law, authority, rules, rule following, principles, rights, common law, equity, regulation, convention, autonomy, argument, meaning, interpretation, non-textual theories, freedom, responsibility, obligations to future generations, inequality, sovereignty, colonialism, justice and ideology.

Evaluation is anticipated to be by way of short comments on class material (approx. 20%), a short paper discussed in class (approx. 30%), class participation (approx. 20%) and a final short answer examination (approx 30%). This course can be used to satisfy the Faculty's theoretical perspectives requirement and will be capped at 16 students.

**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.

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.nortonrosefulbright.com/people/58521/stephen-g-raby)  
Law 527  Basic Tax (Brown/Templeton)

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

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

The course will be evaluated through students’ choice of:

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

Law 530  Mining Law (Oshionebo)

Course Description

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

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

Law 531 Environmental Law (Fluker)

This course will provide students with an understanding of key topics in environmental law and policy in Canada. Topics may include environmental ethics, the application of federalism to environmental law, environmental regulation, compliance and enforcement in environmental law, public participation in environmental decision-making, environmental assessment, and the application of international environmental law in Canada. One or more practitioners will be invited to give a guest lecture on the practice of environmental law. Case studies in resource development, environmental assessment and endangered species protection will be used to illustrate the application of environmental law to current issues in Canada. The course is primarily doctrinal with class discussions, guest presentations, and materials focused on domestic legislation, judicial decisions, and administrative tribunal rulings. Course materials will include Doelle and Tollefson, Environmental Law: Cases and Materials (Carswell) and additional documents posted to D2L. Evaluation will include a final examination, but students will have the option of writing a paper for evaluation that satisfies the Upper Year Writing Requirement.

Law 533 Wills & Estates (Doucette-Preville)

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

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

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

An estate practice can allow you to 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 solicitor – the best of both worlds.

More importantly, this course is meant to prepare you to know the major components of a proper will and to be able to draft one from start to finish based on a client's instructions. For this reason, this course will include an optional performance-based learning opportunity, where we will partner with Resolve Law Group to allow students the opportunity to meet with a client and draft their will, under the supervision of a trained lawyer. This significant learning opportunity will be comprised of three parts: (1) initial meeting with the client and review of the client's estate questionnaire; (2) first draft of the will and review with the lawyer; and (3) final meeting with the client for execution. All meetings will take place off-campus and may take place in hours outside of the formal class time. Students will be provided specifics on the first day of classes.

Assessment of students will be through a combination of class participation, one assignment, participation in the performance-based learning opportunity and a final exam. Participation with Resolve Legal Group will not be mandatory and students will need to confirm whether they intend to participate by early October. Any student opting out of this opportunity will have the weight of their final exam adjusted accordingly.

**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 requirement.

**Law 543 Intellectual Property (Hagen)**

In a knowledge-based economy, intellectual property rights are a central means by which ideas are protected. Hassett and Shapiro have estimated that, as of 2009, in the US, 44.16% of the market value of all industries was the value of their intellectual capital, which includes intellectual property rights. Intellectual property rights can exist in a diverse variety of things, including books, computer software, music, paintings, buildings, movies, news media, medicines, machines, genes, organisms, marks, geographical indications and methods of doing business. Licensing these rights is a means by which businesses and individuals earn income in a capitalist economy. At the same time, both individuals and companies want to utilize such ideas to build new ideas as innovators and to consume those ideas as part of an intellectually satisfying life. This has led to controversies and litigation surrounding, amongst other things, the balance between owners’ and users’ rights, the impact on innovation, the protection of software and business methods by patents, the role of Internet intermediaries in online copyright infringement, music and movie sharing on the Internet, the patentability of genes, higher life forms and business methods, the setting of tariffs for the collective management of copyright, the availability and limits of trademark protection (such as the necessity of use, the protection of functions and controlling parallel imports), technological protection of copyright and the technological neutrality of copyright law and the appropriateness of injunctions in protecting intellectual property rights. In this course we will study the legal regulation of this tug-of-war between owners and users of ideas in the form of copyright law, trademark law and patent law. Students will have a choice of writing a 100% final exam or of completing a 30% exam and 70% research paper.

**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 remainder of the course focuses on statutory anti-discrimination provisions and their application to public and private
actors such as governments, employers, and service providers (e.g. educational institutions), as well as the defences available to such actors, the remedies available to complainants, and procedural / access to justice issues. We also study a broad range of grounds of discrimination, including race, disability, gender, gender identity, sexual orientation, family and marital status, age, and social condition. Classes routinely include problem-solving exercises, and evaluation is based on a human rights complaint, client memorandum and class participation. This course is relevant to students interested in the law of discrimination and the obligations of government and private actors to accommodate members of disadvantaged groups in the workplace, tenancies, service industries, etc.

**Law 549    International Law (Whitsitt)**

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

**Law 553    Insurance Law (Viney)**

Law 553 provides students with an introduction to the policies and principles that underlie the theory and practice of insurance law. Although the course begins with an overview of insurance law and its sources, 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 those concepts to the interpretation of insurance contracts.

The primary goal of the class is to prepare students to effectively deal with the issues and work they are likely to encounter in insurance-related work in the first few years of their legal practice. Due to the nature of this type of practice, this 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 reading for this class are relatively limited readings,
but students are expected to arrive in class prepared to engage actively 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 attendance, completion of Top Hat questions in class and overall engagement (15%); 2) a memorandum providing a coverage opinion that will be prepared as a take-home assignment (35%); 3) a case brief (10%); and 4) a final examination (40%).

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

**Law 557 Commercial Arbitration Law (Pappas)**

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/

**Law 561 Employment Law (Cascadden)**

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

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

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

Some of the specific points covered in this course include:

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

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

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

**Law 565  Internet Law (Laidlaw)**

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

The purpose of this course is to examine the legal issues relating to the use of the internet. The course will revolve around six broad themes of regulation, intermediaries, freedom of expression, privacy, e-commerce and jurisdiction. Case studies will be explored of several issues, such as regulation of social networking and related employment law issues, regulation of domain names and SPAM, legal issues concerning hate speech, privacy and surveillance, regulation of gatekeepers such as search engines and Internet Service Providers, the law governing consumer
protection on e-commerce sites and related online dispute resolution frameworks, and jurisdictional issues in resolving disputes. These issues will be examined through a combination of lectures, seminar discussions, presentations and problem-based work. The course will focus on the legal issues in its Canadian and international context, and include comparative analysis of the law in the USA and Europe. As this is an evolving area of the law, analysis will also have a policy bent exploring areas where the law has not been sufficiently developed to address a key legal issue, or perhaps has been developed but with unintended legal consequences. Students can therefore expect to gain the following skills from taking the course:

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

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

**Law 569 Law & Literature (Watson Hamilton)**

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

The focus of the course will be on law-in-literature, i.e., the fictional treatment of legal themes in literary texts. This “humanist” approach to Law & Literature looks to understand recurrent issues in the law and the lives of lawyers as they are explored in literary texts. We will focus on the tensions between law and justice and between the personal and professional lives of lawyers that are presented in literature.

We will also use, to a lesser extent, a law-as-literature or “hermeneutic” approach to the subject, which applies literary interpretation methods to legal texts. No background in either literature or literary theory is required (or even desirable).
Finally, and to a much lesser extent, we will consider a “narrative” approach, i.e., the literary turn in legal scholarship itself, or the stories told within law by clients, by law students, by lawyers, by judges, and by legal doctrine itself.

Subject to the approval of the Academic Planning Committee, there will be no final examination in this course and no 100% option. Instead, there will be a grade for class participation (20%), grades for three short papers (totalling 30%), and a grade for a critical book review which may, but need not, fulfill the upper year writing requirement (50%). This course also fulfills the upper year “Theoretical Perspectives Requirement.”

Law 571  Oil and Gas Law (Stewart)

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

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

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

Law 573  Public Lands and Natural Resources Law (Lucas)

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

The course will include a number of in class workshops. Problems will be addressed by groups of various sizes or by the entire class. Some in class research will be involved. There will also be specialist guest sessions and presentation/Q&A for parts of classes. Opportunities to do research and prepare papers that satisfy the Upper Year Writing Requirement will be available at the option of students. There will be an opportunity to do a research paper for 100% of the course grade.

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

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

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

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

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

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

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

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

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

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

**You’re weird and trying really hard to make us like you. Who are you? Where do they find people like you? What have I done with my life?** I am a business litigator at Norton Rose Fulbright in Calgary. I studied law in Toronto and am from the great, decaying city of Montreal. I love private practice at a big law firm (or is that Stockholm syndrome?) (in a city I adore), and I have always been interested in the theory underlying what I do. If you want to find out more about me, click this: [http://www.nortonrosefulbright.com/people/129340/adityamadibadami](http://www.nortonrosefulbright.com/people/129340/adityamadibadami) or this:
Enrollment in the course is capped at 16 students.

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

The Indian Residential Schools litigation led to the largest and most comprehensive class action settlement agreement in Canadian history and is unique in the world. Its underlying theoretical framework was informed by a combination of tort law theory, critical race theory, feminist legal theory, restorative justice principles, human rights principles, and indigenous laws. It demonstrates that in order for the law to properly deal with the harms resulting from a clash of cultures, sexism, racism and a genocidal colonial policy, not one legal theory or set of values was sufficient to arrive at a just result that would adequately address the harms and lead to reconciliation. Instead, a combination of theories was required. Those theories, which informed the litigation as well as the dynamics and strategies of the political and legal negotiations, 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 also have the opportunity to discuss the materials with survivors, elders, political leaders and negotiators who participated in the process. Students will analyse and theoretically evaluate court decisions that preceded the settlement negotiations.

Students will be evaluated by their class participation (40%) and through the writing of a research paper (60%). The research paper may be used to satisfy the Faculty’s upper year writing requirement. This course also satisfies the Faculty’s theoretical perspectives requirement.

Enrollment in the course is capped at 16 students.

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

Mainstream legal educational materials suggest, by implication, that Indigenous peoples were lawless prior to European contact. This is a false idea that will be challenged in this seminar where students may have to shift their thinking and perspectives in order to do the necessary intellectual work to move past stereotypes and assumptions.
The seminar will deal with three broad and overlapping themes. First, there will be an introduction to Indigenous laws while examining mainstream legal theories and assumptions about the concept of ‘law’ that have made it difficult to understand that indigenous laws existed prior to contact with European settlers. Students will learn what Indigenous legal orders are, and how Indigenous legal orders enable Indigenous societies to manage themselves as self-governing and self-determining peoples. Second, because sexism is a major social issue both in Canadian society and Indigenous communities, we will examine how universalizing principles can perpetuate sexism in both Western and Indigenous legal systems. It is hoped that through this part of the course students will come to understand the ways that racial and gendered norms operate in law and in inter-societal legal relationships and conflicts. Third, students will explore inter-societal legal realities through an examination of Cree law and Canadian law through a case study. 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 the graphic novel, *Cree Law: Mikomosis and the Wetiko*. The 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. 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 40% of the grade and the research paper, 60%. This paper may be used to satisfy the Faculty’s upper year writing requirement. This course may also be used to satisfy the Faculty’s theoretical perspectives requirement.

Enrollment in the course is capped at 16 students.

**LAW 583 Water Law (Olszynski)**

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

Law 593       Health Law (Rico)

Health Law is a multi-disciplinary field that includes aspects of medicine, science, ethics, public policy and economics. The course will begin with an overview of Health Law including the structure of the Health Care system and the regulation of health professionals. The course will then examine the fundamental aspects of medical negligence litigation including standard of care, error of judgement, causation, informed consent and damages issues. Particular attention will be paid to the role and importance of expert opinion evidence in medical negligence actions. The overall efficacy of the medical negligence system as a compensatory regime will also be discussed. There will also be a review of the relevant statutes that apply to the field of Health Law, including the Health Information Act, Mental Health Act and Alberta Evidence Act. Additionally, we will examine Medical Assistance in Dying, including the Carter case and the Bill C-14. Finally a few topics of interest from a public policy and bioethical perspective will be chosen to wind up the course. Topics may include the legal regulation of Public Health, ethics, genetics, reproductive technologies, surrogacy and end of life issues. Various guest speakers will present to provide students with practical hands-on experience on some of these topics.

Upon completion of the course, the students will have an understanding and appreciation of the many legal and ethical challenges facing the regulation and delivery of health care. Students will be evaluated through a grade based on class attendance and participation (20%) and a final examination (80%).

Law 593 is taught by Melissa Rico, a partner at Carbert Waite LLP whose practice focuses on health law: https://carbertwaite.com/melissa-rico

Law 594       Aboriginal Law (Francoeur)

The law governing the relationship between indigenous peoples and settler society. Topics include recognition of aboriginal laws and custom, self-determination and other applicable principles of international law, self-government, common law recognition of aboriginal title, treaties, the fiduciary duty of the Crown, constitutional entrenchment of aboriginal and treaty rights, application of provincial laws, the Indian Act, land surrenders, and exemptions from seizure and taxation.
This course will be taught by Lee Francoeur from Eagle Law Group: http://eaglelaw.ca/?page_id=780

Law 595 Canadian Legal History (Campbell)

This course introduces students to the legal history of Canada. It can be used to fulfill both the upper-year writing requirement and the theory requirement.

This course is about law’s relationship to society, and not strictly about doctrine, although legal doctrine and institutions are of course part of the inquiry. The largest single part of the course focuses on the history of the regulation of alcohol, a substance that has been a key preoccupation of governance in northern North America since Europeans began arriving. For example, the first statute passed in the brand new colony of Nova Scotia in 1748 pertained to duties on alcohol, and the second pertained to retail sales. One of the first Canadian constitutional crises, in 1830, arose from a dispute over a tax on brandy and other liquors. Later in the nineteenth century and into the twentieth, missionaries were dismayed by the effects of alcohol on aboriginal cultures. Prohibition in Canada was finally achieved during World War I, but it was all but over in Canada before the Americans began their notoriously unsuccessful adventure in Prohibition. After World War II Canadian governments finally got into retail sales themselves, appeasing their consciences about profiting from alcohol by selling it themselves and taxing it heavily to pay for the many other services Canadians increasingly demanded of their governments. Probably every single varietal of public law in Canada has been used to regulate alcohol – everything from municipal governance to admiralty. The history of the law around alcohol provides context for understanding debates around marijuana today, since the relationship between legal and social norms is yet again in question.

As long as numbers permit, along with learning about the history of liquor regulation in Canada, students in Canadian Legal History will also play “the Confederation Game.” They will break into teams representing factions present at the Quebec Conference of 1864 (such as Les Bleus of Canada East, the Canada West Tories, and New Brunswick) and will negotiate various issues that had to be resolved in the course of drafting the 1867 British North America Act (now the Constitution Act, 1867). Negotiating Confederation is fun but challenging, and you get some experience with parliamentary-style debate as well.

The last major component of the course is the major research project. Students do a research paper on any aspect of Canadian legal history that interests them. In the past, students have examined a great range of topics, including residential schools, sensational murders, the persecution of the Jehovah’s Witnesses in the mid-twentieth century, the criminalization of marijuana, and the history of aspects of Canadian tax law. Hands-on library time will be built into the course to help students with sources and to facilitate exchanges of ideas. No previous experience in
Law 596 Feminist Legal Theory (Koshan)

This course will focus on feminist legal theory as used by feminist legal activists, primarily in Canada. After an introduction that examines a range of feminist perspectives and debates on the nature and functions of law, the course will concentrate on the ways in which activists have mobilized those perspectives by using and critiquing law as a strategy for social transformation. Strategies to be examined will include litigation, law reform, feminist judgment writing, and engagement with the international human rights sphere. Classes will be seminar-style with active participation from all students expected. Evaluation will include a research paper that may be used to satisfy the upper year writing requirement, which 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. This course can be used to satisfy the upper-year theory and writing requirements.

Law 597 International Trade Law (Whitsitt)

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

Law 598 Trusts (Coe)

This course will examine the concept of the trust and its development in equity; its relationship to other legal concepts (e.g., contracts, gifts, etc.); various types of trusts (testamentary and inter vivos trusts, resulting trusts and constructive trusts); how to constitute, administer and terminate the trust; trustee duties and powers; variation of trusts; breach of trust and the doctrine of tracing; with some attention to the modern uses of the trust and its statutory modifications.
I will post Powerpoint slides in advance of each class. There will be short (ungraded) group-based assessments throughout the course, e.g., ten true/false questions, five short answer questions.

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

There are no prerequisites for this course.

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

**Law 599.xx  Legal Practice: Innovation (Kowalski)**

This is an intensive course that runs the three weeks immediately prior to Thanksgiving. The course is designed to be interactive and students must be prepared to actively participate in each class.

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
- **20% Class Presentation**
- **15% Class Participation**
Law 599.xx  Legal Practice: Parliamentary Procedure (Knoll)

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

Legal Practice: Business Meetings will provide a solid grounding respecting procedural rules and skills needed to run an efficient and lawful business meeting. The course is performance based and each class will see students participating in the presentation of resolutions or proposals, or in some aspect of presiding or acting as a meetings parliamentarian. Course evaluation may be based on assignments (35%), class participation (55%) and by test (T\F - 10% optional) for membership in the National Association of Parliamentarians (NAP). Successful completion of the NAP test will allow students to record on their CV: "Qualified member NAP (business meetings law - rules & procedures)". Law 599.01 is capped at an enrolment of 12 students. Class attendance is mandatory.

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

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

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

Why is this course relevant to you?

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

It is anticipated that students will be evaluated through:

1. A participation grade based on class attendance;
2. Completion of assignments; and
3. A final examination.

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 mooting opportunities. Evaluation will be based upon in-class participation, assignments and a final exam. The course will be lively and reliant on full student participation.

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

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

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

The class will be conducted in person and remotely.

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

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

This seminar is practical in nature, addressing technological issues (and opportunities) currently facing legal academics and practitioners. Topics covered include education technologies, simulation, teaching technological skills, cybersecurity, privacy, ethical considerations, virtual law firms, artificial intelligence, e-discovery, blockchain technology, e-justice, availability of legal information, and access to justice. Course readings and videos will be freely available; students will not be required to purchase any materials.

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

**Law 601 Advanced Criminal Law (Baker)**

This course is designed to provide the student with in depth examination of concepts in criminal law, the understanding of which is essential to a criminal practitioner. Topics to be covered include disclosure; the Preliminary Inquiry; the trial of Indictable Offences; the conduct of a *voir dire*; and a strong emphasis on
sentencing. Together with an examination of these proficiencies, students will be expected to demonstrate their understanding in a courtroom environment.

Evaluation will include class participation; a midterm assignment; and a final exam. The final examination will be an open-book examination. It will cover the entire course and will require in-depth analysis. You may bring in any written material other than library materials or an annotated Code.

This course is capped at 20 students.

**Law 607 Advanced Legal Research (Clarke)**

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

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

Class sessions include a lecture/discussion period and hands-on exercises through which you will learn new tips and methods of searching legal databases and using print resources. Each in-class exercise will be worth 1% of your final grade. There will also be two assignments worth 30-55% each. There are no required readings.

While all students will benefit from taking Law 607, it would be particularly advantageous for students who have not worked as a summer student in a law office and students who will be fulfilling their upper-year writing requirement that term or during the following year. In fact, pursuant to paragraph 3(iv) of the Upper-Year Writing Requirement information sheet, students are recommended to “take Law 607 Advanced Legal Research OR attend research workshops and use other forms of student training on legal research provided through the Law Library.”

**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
The course will cover a broad range of alternative energy sources such as solar, wind, hydro, tidal, geothermal, biofuels, clean coal and nuclear energy. Specific topics may include: the concept of alternative energy and its origins; the interaction of alternative energy and traditional energy generation; the energy mix for a low carbon economy; the concept of low carbon versus renewable energy; carbon constraints and climate change; regional cooperation on alternative energy; energy security; energy efficiency in the industrial and residential context; development and construction of alternative energy projects, including financial support mechanisms.

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

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

Law 618 Corporate Finance Law (Tingle)

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

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

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

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

*Corporate Finance* is particularly recommended for students considering going into business at some point in their careers. The course is capped at 33 students and fills very quickly. Every year several waiting list students get in, so if you are in the top five or six students on the waiting list, you should attend the first class.

**Law 619 Estate Planning (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 (generally in early November) 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
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.
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 623  Environmental Impact Assessment Law (Wright)**

Environmental assessment (EA) has become a core part of environmental law around the world. In Canada in recent years, EA law has become controversial and politically charged, with the federal statute undergoing a major overhaul in 2012 and another revamp currently underway. There could hardly be a more fruitful time to study the subject.

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

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

This course will pay particular attention - in real time - to the latest overhaul of the federal EA statute, CEAA 2012, including review and critique of emerging legislative proposals. As part of this, students will have an opportunity to develop and submit input into public consultation opportunities that arise during the course. By the end of this course, and given the dramatically shifting federal legislative landscape, students will be in a position to be deeply familiar with emerging federal legislative changes, thus putting students in a position to add value in any near-future professional activity on the subject.

It should also be noted that this is a course where more than 50% of the final grade will be attributed to a research paper, meaning students may elect to use this paper to satisfy the upper year writing requirement. For those interested, this would be an opportunity to generate a paper for eventual publication.
Law 627  International Environmental Law (Hubert)

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

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

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

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

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

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

Law 628: International Investment Law (Whitsitt)

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

Law 630 International Petroleum Transactions (van de Biezenbos)

Most of the world’s hydrocarbon reserves are owned by national governments. This class acquaints students with the legal issues involved when domestic oil companies seek to invest in and develop oil and gas owned by national governments. The course includes: an overview of state-owned oil and gas companies and state-owned minerals; ascertaining title to the minerals, including indigenous title; resolving boundary disputes between nations; a comparison of different contractual schemes, including licenses, production-sharing contracts, and service contracts; issues arising under the international Joint Operating Agreement; human rights issues, including the rights of indigenous peoples and sustainable development; liability for transnational environmental issues; anti-corruption laws and codes; and international arbitration. The class will feature guest speakers with experience in the international energy context.
Law 631    International Tax Law (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 pager 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)
- 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 Securities Law (Kary)**

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

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

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

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

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

This course is taught by Olga Kary, Partner at Blakes Calgary:
http://www.blakes.com/English/WhoWeAre/FindPerson/Pages/Profile.aspx?EmpID=101412
Law 650    Torys' Business Skills for Lawyers (Brown)

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

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 business aspects of how oil and gas is found, produced, priced and shipped to market.

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, which is not intuitively stimulating to some. Students should also be aware, however, that surveys of young and seasoned lawyers in downtown law firms find 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 kinds of skills are for businesspeople and, therefore, business lawyers.

Classes are divided between lectures and practical assignments, often involving interpreting a set of financials or an annual report. Grading in the course is mostly made up 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 former corporate executive, an audit partner at KPMG, and an investment banker at a private equity firm.

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 or securities lawyer on in business negotiations.

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

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

Law 667  Advanced Public Law (Duffy)

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

Within the realm of public law, this course has a particular, although not exclusive, focus on Constitutional Law and Criminal Procedure. Specific topics vary each year, and are designed to address current legal controversies. Recent topics have included Canada's security-certificate regime, transnational complications in the Omar Khadr case, the legal status of animals in the law, and Canada's ongoing controversies relating to prostitution, physician-assisted suicide, citizenship stripping, "Mr. Big" operations, Reconciliation, solitary confinement, and online privacy. Some topics bridge borders and include issues from other national jurisdictions or issues in international law.
As a paper course, this class bridges substantive law and the building of legal skills. While students will address timely issues in public law, they will also be building skills necessary for the practice of law in any field. Those skills include the ability to conduct legal research, to write a persuasive and effective argument, to understand relevant policy issues outside of the framework of legal standards, and to make concise and persuasive oral arguments.

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

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

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

The BLG Business Venture Clinic matches law students with start-up companies. The students work with these companies over the course of the entire year, providing legal information and drafting various agreements and other documents. Each student is provided with a mentor practicing law downtown who reviews the student’s memos and agreements before they are forwarded to the client.

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

The course is marked on the law school’s CR/D/F system, but feedback is given to students by comments and letter grades from their mentors on the documents they review. **Students in the course must also register in Law 693.xx Entrepreneurial Law.** Because the course is intended to be a capstone course at the law school and because students work relatively independently with their clients (hopefully making use of everything they have learned over their law school careers) this Clinic is **open only to third year students.**

**Law 686  Student Legal Assistance: Clinical Theory (Christopher)**

**Law 688  Student Legal Assistance: Clinical Practice (Christopher)**

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

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

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

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

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

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

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

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

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

**Law 687  Criminal Justice Clinical (Christopher)**

Students enrolled in Criminal Justice Clinical – The Innocence Project will explore the causes of wrongful convictions including eyewitness identification errors, jailhouse informant testimony, false confessions, tunnel vision, systemic discrimination, forensic science errors, the impact of racism, gender bias and
socioeconomic factors and professional/prosecutorial misconduct. Students will study past cases of wrongful convictions and will critically examine criminal convictions review processes in both Canadian and international contexts. Students will also work together and in collaboration with correctional facility personnel and exonerees to establish an intake and review process for new claims of wrongful conviction. In addition, students may be involved in wrongful convictions access to justice and/or public interest advocacy initiatives.

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

**Law 689   Family Law Clinical (Menzies)**

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

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

**Law 693.xx   Law of the Sea (Hubert and Spicer)**

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

1. **No reason required.** If you are already convinced that you want to study or work in the law of the sea, then this course will provide a foundation in the key concepts, rules and principles that regulate States in their international relations concerning maritime matters. The course takes a Canadian perspective by examining the implementation of international law through federal and provincial legislation and by looking at relevant domestic case law.
2. **This course will have real results for your practice.** There is scope for a thriving and niche practice in this area, internationally and in Canada. The oceans carry the world’s products by ship. More and more we need the resources of the oceans to satisfy our daily needs, whether it be oil and gas, mining the ocean floor, making pharmaceuticals from ocean bed living resources. We are using the power of the oceans to create electricity through tides, and its winds through offshore wind farms. All around the world commercial lawyers are beginning to work in these areas. LNG facilities are floated into position in coastal areas. These areas and more will be the bedrock of sophisticated legal practices in the very near future. This course is in the forefront of teaching these new skills.

3. **A great course to meet your international requirement.** You will gain an introduction to public international law through the lens of the law of the sea — one of the oldest and most developed branches of this system. It will introduce basic concepts, from cradle to grave, including sources of international law, legal personality, international institutions, jurisdiction, and state responsibility. *International Law is not a prerequisite for this course.*

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

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

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

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

This course is taught by Professor Anna-Maria Hubert, and by Wylie Spicer, Q.C. of the McInnes Cooper firm, whose bio is here: [http://www.mcinnescooper.com/people/wylie-spicer/]
Law 693.xx  Entrepreneurial Law (Tingle)

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

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

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

Law 693.xx  Entertainment Law (Sowter)

This course is intended to provide students with an overview of the Canadian entertainment industry, including legal, policy and business issues. The course will also touch on the evolution of the Canadian entertainment industry through new technologies and current trends such as crowdfunding. The primary goal of the course is to introduce students to the various areas of the entertainment industry in which clients require representation, with a particular emphasis on film and television. Guest speakers (working filmmakers and members of the Canadian entertainment industry) will participate via video-conferencing to provide insight into the issues that arise in practice from client, legal and business perspectives.

The course will begin with a brief introduction to copyright law and will look closely at the acquisition of intellectual property rights, option and literary purchase agreements, and writing services agreements. It will examine various forms of financing including joint ventures, co-productions, tax credits, and distribution, including in the digital and social media realms. The course will consider the various players involved and the multitude of agreements required in the production phase of a film or TV series, including: producer, director, cast, crew, location agreements, and other production issues including unions, guilds and insurance. The last section of the course will examine the use of music in motion pictures including production and licensing agreements.
Evaluation: participation (10%); advising memo to client (35%); research paper (55%). The research paper must be a minimum of 5,500 words in length and will satisfy the Upper Year Writing Requirement.

**Law 693.xx  Norton Rose Fulbright Eminent Speakers Course in Energy Law (Lucas)**

This course grapples with complex and emerging issues in energy, environmental, and natural resources law. Completing this course will position students to excel as a lawyer practicing in these dynamic areas. Students will analyze and discuss important recent energy and resources law scholarship and respond to regular presentations from internationally-renowned Canadian and international scholars and professional leaders who will speak on their areas of expertise. There will be 7 or 8 eminent speakers in total. Classes are designed to simulate the kind of policy conference or roundtable that lawyers in the government, private practice, academic, and non-profit sectors frequently use to address complex issues. Students will have an opportunity to practice all of the skills necessary to succeed in this setting.

Evaluation will be based primarily on student research papers that will satisfy the Upper Year Writing Requirement. Students will be encouraged to pursue research questions arising from the eminent speakers’ presentations.

**Law 693.xx  White Collar Crime (Sheley)**

Corporate criminal punishment implicates both traditional principles governing individual criminals and the special priorities behind a growing body of regulatory criminal law directed at commercial actors. Corporations impose unique harm on the public when they commit crimes, and the state must use unique tools to address it.

This seminar examines the nature of corporate criminal harm and the rules that criminalize it. Topics covered include: 1) the theoretical justification for corporate *mens rea*; 2) the distinct nature of the corporate *actus reus*; 3) the history of Bill C-45 amending the party provisions of the Criminal Code; 4) foreign corrupt practices; 5) securities offences, such as insider trading; 6) competition offences, such as price fixing and misleading advertising; and 7) the general offence of fraud.

Evaluations will be based on participation, one in-class presentation, and a final research paper. The paper may be used to satisfy the Upper Year Writing Requirement.
Law 693.xx Public Interest Law: Clinical Theory (Fluker/Laing)

Law 693.xx Public Interest Law: Clinical Theory consists of a weekly seminar held throughout the Fall and Winter terms. The course is intended to encourage reflection on public interest lawyering with coverage of substantive areas of law, legal process and skills. Topics that may be covered include defining the public interest, the nature of public interest advocacy, standing, costs, public participation, rules of practice, case management, advocacy, legal drafting, evidence, test litigation, strategy, access to information, the role of an intervener, building the record, the public interest client, client relations, communication with the media, the administrative state, private prosecution, and ethics. Evaluation is based on written assignments, and the course is graded on the 12 band scale.

Consent of the instructors is a pre-requisite to registering in Law 693.xx Public Interest Law: Clinical Theory and its companion course Law 696.xx Public Interest Law: Clinical Practice. Information on how to apply for these courses is available on the Faculty website. Students who are selected must register and maintain enrolment in both Law 693.xx and Law 696.xx concurrently, commencing in the Fall term.

Law 693.xx Energy Transportation and Infrastructure (Tscherning)

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

This will be a seminar course of selected topics related to energy transportation and infrastructure. Case studies will be used to illustrate topical issues and applicable domestic, regional and international law and policy will be examined. The course will engage students in important discussions of key issues and challenges facing energy transportation and infrastructure, both domestically and internationally. Some sessions may include visits by guest lecturers who will be invited to share their expertise. Depending on enrollment, evaluation is planned to consist of a class participation grade and a compulsory research paper which may be used to satisfy
the Upper Year Writing Requirement. Subject to the instructor’s approval, this course may also satisfy the International Requirement.

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

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

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

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

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

This course is the first step in helping students:

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

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

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

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

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

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

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

- accéder aux postes juridiques, tels des stages à la Cour suprême du Canada et à l’échelle internationale, où la formation juridique et la maîtrise des deux langues officielles constituent un atout;
- contribuer à la collectivité francophone des services juridiques en français auxquels elle a droit;
- maitriser 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 Professeur Magnan (cmagnan@uottawa.ca) confirmant qu’ils ont complété leurs études secondaires en immersion (ou l’équivalent).

Law 693.xx  Construction Law (Schuett)

This course will introduce the student to the Construction Industry and how liquid capital (cash) is transformed into fixed assets (plant, buildings, roads). We will cover the development process (although not in detail), the planning of a project, briefly discuss financing and the establishment and execution of a contract plan. Virtually all these steps involve legal advice to the owner/developer, financial participants, designers and constructors.

The objective is to provide the new lawyer with sufficient knowledge to participate in the normal legal processes needed to support participants in a project.
development. U of C graduates have a reputation for being productive very quickly after graduation; this course is intended to continue that reputation.

The evaluation in this course will be a 3-hour final examination.

We will cover the construction business environment and the participants, the forms of organizations, contracts – standard form and custom, notice, schedules, and legislation related to construction – specifically the Builders’ Lien Act. We will spend time on Tender Law, which has had a dramatic effect on the industry since Ron Engineering. While we do not delve into insurance in detail, we will discuss the common forms of insurance coverage that we see on construction projects.

Given the number of contracts that exist for any individual project, disputes are inevitable. We will discuss the various approaches to dispute resolution and the economic hazards associated with each.

Mr. Schuett is a Past Chair of the Canadian Construction Association and was an active contractor for 30 years; he has practiced construction law in Calgary since 2002.

**Law 693.xx  Appellate Advocacy en Français**

This course is both theoretical and practical, culminating in a moot. The course will teach students key concepts of appellate advocacy in French and provide students with practical experience in using persuasive advocacy skills when drafting appellate briefs and making an oral argument to an appellate court in French. Through class discussions, presentations from guest lecturers, and practical exercises, students will learn the applicable French legal terminology as well as the fundamental skills and decision making processes of appellate lawyers.

Course assessment will be based on a factum and moot.

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

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

Please note that this course cannot replace the third year mandatory Law 602: Advocacy course.
Ce cours est à la fois théorique et pratique, se terminant par un tribunal-école. Étude des concepts clés de la plaidoirie en appel en français, y compris la rédaction du mémoire, des tactiques d'argumentation, et des stratégies de la plaidoirie. Des discussions en classe, présentations d'invités experts, et exercices pratiques permettront aux étudiants une meilleure compréhension du français juridique applicable ainsi que le processus décisionnel et compétences fondamentales des avocats en appel.

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

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

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

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

**Law 693.xx Dentons’ North American Energy Law Study Tour (Stewart)**

This **FULL year course is limited to students in the IELP program ONLY**

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

By engaging with the upper echelons of policy communities (including stakeholder groups), students will expand their insight into energy law and policy. Students are required to use this knowledge to write and present a Policy White Paper Report on a selected energy law and policy issue. Their presentations will be made to a panel of stakeholders, regulators, and legal experts, who will judge and critique the student’s work. An award will be presented by Dentons Canada LLP for the top policy presentation. In preparation, students will have a half-day workshop session with seasoned policy advocates and technical writers, so they can learn how to maximize the impact of their policy message.
By providing students the ability to translate this energy knowledge into policy action, and by connecting students with elite policy actors, this course grants our students a genuine opportunity to become the leaders who will make the critical energy policy decisions which will impact the lives of Canadians tomorrow.

Law 693.xx  Law and 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 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 do current laws further or inhibit our chosen development objectives?

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 satisfies the Faculty’s theoretical perspectives requirement. Depending on the evaluation method chosen, students may also satisfy the Faculty’s upper year writing requirement in this course.

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

Law 696.xx Public Interest Law: Clinical Practice provides students with opportunities for experiential learning by providing legal services to clients dealing with public interest matters. Each student is assigned to work on one or more client files under the supervision of at least one of the instructors and possibly the Clinic’s staff lawyer. File work will require students to maintain a regular presence at the Clinic with sometimes frequent meetings with the instructors or the staff lawyer as required by a particular case. Clients are either an individual or group with a public interest legal issue or another lawyer who represents a public interest client. All clinic files are chosen by the Clinic’s advisory committee based on the recommendation of the instructors. Students will develop a range of skills including advocacy, interviewing, negotiation, public presentation, navigating the administrative state, dispute resolution, legal drafting, working with affidavits, research, judicial and administrative process, client relations, and file management.
Evaluation is based on file work such as interacting with a client on a legal issue, appearing on behalf of a client in administrative process, making a public presentation, assisting counsel in judicial proceedings, or drafting pleadings, an affidavit, factum, position paper, or research memorandum. Students are evaluated on the pass/fail methodology of completed requirements (CR), marginal pass (D), or fail (F).

As an example of the type of projects or cases students can expect to be involved in during this course, students in the 2015/2016 clinic provided legal services in federal court to help environmental groups secure a critical habitat protection order for the Alberta population of the westslope cutthroat trout under the Species at Risk Act (Canada) and students advocated for housing rights for vulnerable tenants under the Residential Tenancies Dispute Resolution Service regulation.

Law 696.xx National Security Law Lab (Nebitt)

Are you interested in national and international responses to terrorism and international conflict? Do you wonder how Canada’s laws and policies protect us from a host of threats – not just terrorism, but from foreign state interference, in times of war, or even in the wake of environmental or other disasters? Do you care about how raw intelligence is shared, with whom, and who oversees it? Perhaps it’s the idea of engaging in theoretical debates about how the law protects civil and political rights in times of great danger that makes you sit up and take notice? Or maybe you’re just following what’s happening in the United States and wondering how the laws and institutions would function in Canada if challenged by executive authority or foreign interference? If you answered ‘yes’ to one or more of these questions then this is definitely the course for you!

In this course we will canvass the disparate laws and policies that make up the emerging field of “national security law” in Canada. You will review the most controversial aspects of this legal regime – including criminal laws and CSIS powers stemming from Bill C-51 and the proposed Liberal government amendments thereto (which will likely be debated or have just been passed into law when this course takes place). To the extent possible, we will follow these debates – or novel cases – in real-time. We will also look broadly at our institutions and institutional actors and ask what steps Canada has taken and what steps it might take to protect our safety, democracy, and civil rights, and how we should balance these sometimes competing interests.

This class will be a lot of fun with a lot of lively debate. But it will also require a lot of reading and class preparation. The reading is fascinating – and because there is no exam you won’t have to slow down to summarize cases for a CAN! – but it is also intensive. Assignments will be various, from preparing “elevator pitches” on new proposed policies to preparing for in-class crisis simulations. The idea is to make the classroom – and the methods of evaluation – challenging but dynamic. Students will be expected to put in the work during the term, really think deeply about the issues,
and come to class prepared to engage. Students will also be expected to make
themselves available outside of class time on occasion, sometimes in small groups
with the times set by the students and sometimes with the class as a whole either
early on Friday mornings or early on Friday afternoons.

But students will be rewarded for their hard work and participation. They will be
provided with a deep overview of an important, emerging area of law that few
students at any level in Canada have the opportunity to study. They will engage in
classroom exercises and mock emergency simulations, including via
videoconference with (and perhaps against) students at the University of Ottawa,
Faculty of Law. Outside of class hours interested students will have the exclusive
opportunity to listen to lectures on American national security law from Professors
at Georgetown Law School in Washington, DC. Students will also hear from experts
and practitioners in the field, including high-level bureaucrats, police officers, spies,
and, depending on scheduling, from Members of Parliament.

Due to the nature of the course students should expect a syllabus that is highly
specific but that also remains in flux. For example, when a high-level CSIS lawyer is
scheduled to attend and a terrorist threat emerges, students should expect such a
speaker to have to reschedule. It is the nature of a demanding schedule and high-
level speakers: if you’d prefer no guests and a static schedule, then consider that this
isn’t the course for you. But if you’re willing to remain flexible then these speakers
will introduce you to government practice, jobs and other opportunities. And be
certain: we always leave time to speak about jobs in national security, whether with
the police, NGOs, the federal government, or perhaps in international law.

Finally, two to four students will also be selected from the class to attend
Georgetown Law’s annual Crisis Simulation in early March, 2018. Selected students
will be expected to put in a significant amount of additional work, including
mandatory attendance at all joint discussions with the University of Ottawa class
and the required viewing of certain Georgetown Law lectures. Additional readings
will also be assigned. However, selected students will be significantly rewarded:
they will be sent free of charge to Georgetown Law School in Washington, DC, to
participate in a world-class, crisis simulation with top students from across North
America. There, students will be given a crisis – from a terrorist attack, to an
environmental disaster or pandemic – and given two or three days to simulate the
governmental response to the crisis. The crisis simulation will be kinetic: students
will be updated periodically with “developments” and asked to respond accordingly.
The idea is to deal not just with the law, but the politics, to give the students a
practical opportunity to think about the very real big questions facing nations in the
area of national security. Alongside five national security lawyers from the
Department of Justice in Ottawa, the Calgary students, partnering students of
national security law at the University of Ottawa, Faculty of Law, and perhaps a few
other select students from other schools in Canada, will be responsible for
simulating the “Canadian” legal and political response alongside their American
colleagues.
The course will have a capped enrollment of 12 students. Admission to the course is at the discretion of the instructor. As such, please send applications to Tanya Degen in the Dean’s office (fourth floor), no later than noon on Friday, July 7, 2017. They may also be emailed to: tdegen@ucalgary.ca. The application should consist of your current CV and a short paragraph or two explaining your interest in the course and what you would like to get out of the experience.

Students wishing to attend the Georgetown Crisis Simulation should also submit their transcripts and an additional two paragraphs explaining why they are interested in the opportunity and whether they have any mooting or similar experience. These students should also explain why they will be able to handle the additional work-load and why they can be counted on to stick with the opportunity.

**Law 696.xx: Human Rights Clinical (Ashcroft)**

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

**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.
Requirements:
- Students must be enrolled in 2L or 3L at the University Calgary’s Faculty of Law.
- Applicants must have an interest in human rights law and administrative law.

Application Process:

Students interested in this program with the AHRC should submit an application package consisting of:
- a resume
- cover letter
- law school transcript
- Contact information for two references

Applications should be sent to the attention of Tanya Degen: tdegen@ucalgary.ca by noon on Friday, July 7, 2017.

Law 697 Corporate Tax (Brown)

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

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

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

Law 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."