

Course Outline

COURSE:	LAWS 1000A INTRODUCTION TO LEGAL STUDIES
TERM:	Fall/Winter 2012-2013
CLASS:	Day & Time: Lecture: Monday 2:35- 4:25 Tutorials: Tutorials: Tutorials for this course are held almost every week (starting the week of September 17, 2012). They are run by your Teaching Assistants. Please check Carleton Central for the time your group meets.
	Room: Lecture: Students are advised to check Carleton Central for Room Assignment Tutorials: Students are advised to check Carleton Central for Room Assignments
INSTRUCTOR:	Betina Kuzmarov
CONTACT:	Office: C476 Loeb Office Hrs: Monday 11:30-12:30 in person and 12:30-1:30 for Virtual Office Hours or by appointment Telephone: (613) 520-2600 ext. 8810 Email: Betina_Kuzmarov@carleton.ca. Please put LAWS 1000 as the subject of your e-mail. Tutorials: Contact information for your Teaching Assistants will be published on CULearn.

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION:

Did you buy breakfast this morning? There is law involved in that. Did you stop at a stop sign on your drive in? Or pay for a bus ticket? Law again. Law is an important way of ordering society and because of this it touches on almost every aspect of our lives. From concrete questions, such as buying breakfast, to more abstract questions, such as the kind of society we want to live in, law has a role. For this reason this course focuses on how law shapes society in the Canadian context. We will study the structure of Canadian law in detail, with a focus on the sources of law, the constitution and the institutions of law. We will then explore the people of law in order to understand issues of access to justice. From this foundation we will also look at the processes of law, the way law is interpreted and how law functions in society.

While this course is primarily designed to introduce you to ideas about law in society it will also teach you skills that are necessary for other courses, such as how to critically evaluate legal topics. We will also focus on building these skills by talking about topics such as legal reasoning, exam and essay skills. By the end of the course you will have an understanding of the outlines of the Canadian legal system and you will have gained skills to think critically about law and its place in society.

LEARNING OUTCOMES:

On successful completion of the course students should be able to:

- 1. Explain the basic concepts and structure of Canadian law**
- 2. Describe the relationship between these basic concepts and structures and the institutions of Canadian law**
- 3. Critically evaluate the principles and institutions of Canadian law from a socio-legal perspective**
- 4. Understand how researchers approach scholarship of Canadian law from a socio-legal perspective**
- 5. Identify and critically evaluate arguments, claims or evidence in socio-legal academic sources**
- 6. Be able to read and understand primary and secondary socio-legal academic sources**

COURSE STRUCTURE

This course is comprised of both lectures and tutorials. Each week we will have three hours of class. Two hours are lecture given by me. One hour is a tutorial, which is a smaller group of about 30 students, that meets most weeks and is lead by your Teaching Assistant (TA). To be clear: TUTORIALS ARE AS IMPORTANT as lecture because they are designed to help you understand the lecture and teach you skills, particularly for your assignments, that I cannot teach in lecture. Also, your assignments are marked by your TAs. For this reason there are marks given for a weekly tutorial assignment.

TEXTS:

There are two required texts for this course.

1. P Fitzgerald, B Wright & V Kazmierski, *Looking at Law: Canada's Legal System*, 6th Edition, (Butterworths, Toronto, 2010) [referred to as the Textbook].
2. Carleton University, The Carleton Department of Law Casebook Group, *Introduction to Legal Studies*, 4th Edition (Captus, Concord 2010) [referred to as the Casebook].

These books have been ordered for you at the University Bookstore. I have also put the books on reserve in the Library so you can always borrow them there.

EVALUATION:

The evaluation for the course will be broken down as follows:

Fall Semester:

Article Assignment (The "Blog post")	10%
Case Assignment (The "Case Brief")	10%
December Exam	25%

Winter Semester:

Analytical Assignment (The "Essay")	20%
April Exam	25%

All Year:

Lecture Assignment	5% (0.25% per homework assignment submitted, up to a maximum of 20 assignments – to a maximum of 5%)
Tutorial Assignment	5% (0.25% per tutorial assignment submitted – there are 20 tutorials - to a maximum of 5%)
TOTAL	100%

Article Assignment (The "Blog Post")

The article assignment will be handed out on September 24, 2012 in class (and posted on CULearn after that date) and it will be due on October 15, 2012. This assignment will require you to read, summarize and analyze the argument and main points of an article (which I will assign and is the same for everyone). Students will be asked to give an overview of the article and its argument and then analyze (give an opinion based on the article) on the argument the author makes in a blog post format. It will be a maximum of 750 words (1 inch margins/Times New Roman/ 12 pt font/ double spaced) in length.

Case Assignment (The "Case Brief"):

The case brief will be handed out on October 15, 2011 in class (and posted on CULearn after that date) and it will be due on November 12, 2012. This assignment will require you to read and brief a court case (which I will assign and is the same for everyone). Students will then be asked to report on the elements of the case brief as a legal opinion. It will be a maximum of 750 words in length (1 inch margins/ Times New Roman/12 pt font/ double spaced).

Analytical Assignment (The "Essay"):

The essay will be handed out in class on February 11, 2013 (and will be posted on CULearn after that day) and it will be due on March 17, 2013. This assignment will pose an essay question which must be answered in essay format. This assignment will be a minimum of 2000 words (1 inch margins/Times New Roman/ 12 pt font/ double spaced) in length.

ALL assignments are to be handed to your TA IN PERSON in the LECTURE that is held on the due date of the assignment. You should note that any Assignments submitted electronically or to the Drop Box will be considered late at my discretion. Also please keep a copy of all assignments as a backup until your final grade is confirmed.

Please note that for written assignments marks may be deducted for spelling, grammar and style. Any late assignments will be penalized at a rate of 5% of the final mark on the assignment for every day late (that includes a weekend deduction too).

All written work must be yours alone, and any ideas you include in your work which are not original to you should be properly referenced, otherwise this is plagiarism. I will explain further in class about what plagiarism is and what academic integrity means at Carleton but as a good first step you should familiarize yourself with the policies

on proper referencing and citation. Also, you should take a look at the University's academic integrity policy and the Library's web page on plagiarism.

To create a consistent and fair policy I grant extensions only in the circumstances approved by the Registrar's Office, and only for the period up to the due date. If you think you may require an extension please see ME (your TAs will refer you to me) BEFORE the assignment is due and I will be able to consider your request. Also, I cannot accept assignments AFTER the assignment has been returned to students (approved extensions aside). If you have not submitted your assignment by the time it is returned in tutorial you will not receive a grade, and this is important because ALL assignments must be completed to receive a passing grade in this course.

Exams:

The two exams will be multiple choice exams during the assigned exam periods on dates set by the University. The exams will each contain 75 questions and will be two hours in length. They are not cumulative; the December exam tests material taught from September to December and the April exam tests material taught from January to April. Also, I do not set the exam schedule and I cannot change the dates of the exams. So, please DO NOT book travel before knowing your exam schedule.

Lecture Assignment:

In order to help you get the most out of your lectures I will be requiring students to do a short assignment for each lecture. Students will be required to submit up to a maximum of 20 homework assignments that will be posted in advance of each class. These questions will be posted on CULearn and must be submitted on CU Learn by 8:30 am the morning before each class. Each assignment, to a maximum of 20, is worth approximately 0.25 of a mark. If you submit 20 assignments you can earn up to a maximum of 5 marks. Your TA will keep track of the submissions for each week, but I will also be raising issues/questions/examples from student submissions in class.

Tutorial Assignments:

Tutorials are very important. In order to help you get the most out of your tutorials I will be requiring students to do a short assignment for each tutorial. Students will be required to submit at every tutorial, EXCEPT FOR THE OPTIONAL REVIEW CLASSES, two questions which they had about the materials covered in the readings and the lectures. These questions must be handed in as follows: in person, in class, to your TA, together with attendance at the full tutorial. Submission by e-mail or any other method of submission or submission without attending the full tutorial WILL NOT BE COUNTED. Each tutorial assignment is worth approximately 0.25 of a mark. If you attend ALL the tutorials (aside from the review classes) you can earn up to a maximum of 5 marks. Your TA will keep track of the assignments completed in each tutorial.

You should also note that standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that ALL GRADES (on specific assignments/exams and/or final grades) submitted by me may be subject to revision until they have been approved by the Dean. As a result, your grades posted on CULearn or recorded on your assignments/exams can change at any time until your final grade is approved by the Dean.

COURSE HINTS:

My goal for this course is provide you with the knowledge, skills (and enthusiasm) to allow you to achieve your best as well as giving you the basis to go forward and succeed in Law courses at Carleton. So here are some tips for how to achieve this...

1. Preparation – Attendance and preparation are the best ways to succeed in this class. Attendance means actively note taking and participating in lectures. This class is designed so that the lectures compliment the readings. This means that you should expect to do your readings BEFORE class as this will help you get the most out of the lecture. I also (see CULearn below) post my slides before each lecture to help you come prepared.

2. CULearn: Please sign up for a CULearn account. I use CULearn regularly. This course outline will be posted on CULearn as will all assignment sheets after they are handed out. CULearn should be your first stop if you have any administrative questions since all the documents for the class (outline and assignments etc.) are posted there. Also, as mentioned, I post my lecture slides on CULearn before each class so please feel free to print those off and bring them with you to class. Lastly, the contact information for your TAs is available on CULearn.

3. Note taking: Note taking in large lectures can take some getting used to. There is a skill to being able to quickly synthesize what I am saying and make it into points you can study from later. Don't worry if this is hard at first, it gets easier. Also, you'll notice right away the slides I post are a good OUTLINE to what I am saying and contain the key points I convey but they are not the whole story. So, attending class and writing your own notes on what I say is necessary.

4. Questions: If you are unsure please ask. Your TAs and I are here to answer your questions. That's our job. Please don't hesitate to follow up by e-mail or in person something was unclear or if you have any questions about an assignment. Also, there are many great services available on campus that can also provide you with advice, for example there is the Writing Tutorial Service, the Student Academic Success Centre, and the Learning Commons. Please ask me or your TAs about any of these services.

5. PASS Workshops: PASS Workshops (Peer Assisted Study Sessions) are a series of weekly study sessions facilitated by a student PASS facilitator. Sessions are voluntary and are SEPARATE from your Tutorials but are designed to provide you with extra support with class materials. More information about PASS including session times and contact information for the Pass Facilitator will be discussed in class and available on CULearn.

6. E-mail policy: I'm always happy to answer e-mails. I check my e-mail regularly during business hours (9 to 5) on work days (Monday to Friday). I do not check my e-mail after 5 pm during the week or on weekends (and holidays). If you send an e-mail during a weekday (9-5) I try to reply to it that same day, after 5 pm I'll try to reply the next day. If you send an e-mail on the weekend you can expect a reply on Monday. Also, please put LAWS 1000 as your subject line in all e-mails as this helps me respond to your e-mail appropriately.

7. How to address me: I am pretty flexible on this and I don't mind Betina. If you don't like using first names, I am happy to answer to more formal titles, like Dr. Kuzmarov, in class and in e-mails.

8. Contesting a grade: If you think you have a reason to contest a grade on an assignment please follow this procedure. First, wait a week and think carefully about the reasons why you want to contest the grade – you have to make a case as to why you feel (based on the comments and marking grid) your grade should be changed. Grades can be changed only for valid reasons. Second, contact your TA with your concerns by e-mail (it helps to set them out in writing) and then set up an appointment to discuss your concerns with them. Third, if you have met with your TA and you require further feedback please contact me by e-mail. In this e-mail you should set out your concerns with your grade. At that time we'll make arrangements for you to provide me with the graded paper. After I have had a chance to review your paper we'll set up a meeting to discuss your concerns. I am always happy to change grades for valid reasons, but requesting to have your grade reviewed can mean that YOUR GRADE MAY GO DOWN, so please keep that in mind.

COURSE SYLLABUS:

FALL TERM

TOPIC: INTRODUCTION TO LEGAL STUDIES

10 September	LECTURE: WELCOME/ DEFINING LAW TUTORIAL: NO TUTORIAL
17 September	LECTURE: NO LECTURE TUTORIAL: ACTIVE READING
24 September	LECTURE: THE TAXONOMY OF LAW

Readings:**Casebook** Pages 12-21**TUTORIAL: HOW TO READ A LEGAL ARTICLE****ARTICLE ASSIGNMENT: ASSIGNMENT HANDED OUT****TOPIC: WHAT IS LAW?**

- 1 October** LECTURE: THE SOURCES OF LAW
TUTORIAL: CITATION AND ASSIGNMENT QUESTION AND ANSWER
- 8 October** STATUTORY HOLIDAY (NO LECTURE OR TUTORIAL)
- 15 October** LECTURE: THE CONSTITUTION
Readings:
Textbook Pages 39-43; 44-60
Casebook Pages 30-34, 224-225; 231-239
TUTORIAL: HOW TO READ A LEGAL DECISION
CASE ASSIGNMENT: ASSIGNMENT IS HANDED OUT
ARTICLE ASSIGNMENT: ASSIGNMENT IS DUE
- 22 October** LECTURE: THE LAW MAKING STRUCTURE
Readings:
Textbook Pages 28-30
Casebook Pages 34-39
TUTORIAL: BRIEFING A LEGAL DECISION
- 29 October** LECTURE: PARLIAMENTARY SOVEREIGNTY
Readings:
Casebook: Pages 40-51, 62-72
TUTORIAL: HOW TO READ A STATUTE/RETURN ASSIGNMENT
- 5 November** LECTURE: THE COURTS
Readings:
Textbook Pages 108-116, 128-131
Casebook Pages 488-500
TUTORIAL: ASSIGNMENT QUESTION AND ANSWER
- 12 November** LECTURE: THE PEOPLE
Readings:
Textbook Pages 121-122
Casebook Pages 187-210
TUTORIAL: HOW TO STUDY FOR A MULTIPLE CHOICE EXAM
CASE ASSIGNMENT: ASSIGNMENT IS DUE TODAY

TOPIC: THE PERSONEL OF LAW

- 19 November** LECTURE: THE LEGAL PROFESSION
Readings:
Textbook Pages 123-125
Casebook Pages 449-464, 472-482
TUTORIAL: HOW TO WRITE A MULTIPLE CHOICE EXAM
- 26 November** LECTURE: JUDGES
Readings:
Textbook Pages 125-128

Casebook **Pages 501-519,520-528,554-556**
TUTORIAL: RETURN ASSIGNMENTS

3 December **LECTURE: REVIEW CLASS**
TUTORIAL: OPTIONAL REVIEW CLASS

WINTER TERM:

TOPIC: THE PROCESSES OF LAW

7 January **LECTURE: EVIDENCE AND POLICING**
Readings:
Textbook **Pages 99-105**
Casebook **Pages 531-537,545-550**
TUTORIAL: HOW TO PLAN AN ESSAY

14 January **LECTURE: CRIMINAL LAW AND PROCEDURE**
Readings:
Textbook **Pages 64-68, 88-94**
Casebook **Pages 243-252, 266-275**
TUTORIAL: HOW TO WRITE AN ESSAY

21 January **LECTURE: CIVIL LAW AND PROCEDURE**
Readings:
Textbook **Pages 73-81, 95-99**
Casebook **Pages 298-315**
TUTORIAL: WHAT IS CRITICAL THINKING?

28 January **LECTURE: ADMINISTRATIVE LAW AND PROCEDURE**
Readings:
Textbook **Pages 68-72**
TUTORIAL: HOW TO ANALYZE AN ARGUMENT

TOPIC: INTERPRETING THE LAW

4 February **LECTURE: LIBERALISM AND PLURALISM**
Readings:
Casebook **Pages 24-28, 587-590**
TUTORIAL: WHAT IS THEORY?

11 February **LECTURE: INTERNAL THEORIES OF LAW**
Readings:
Textbook **Pages 2-10**
TUTORIAL: HOW TO USE THEORY
ANALYTICAL ASSIGNMENT: ASSIGNMENT IS HANDED OUT TODAY

18 February **WINTER BREAK (NO LECTURE AND NO TUTORIAL)**

- 25 February** **LECTURE: EXTERNAL THEORIES OF LAW**
Readings:
Textbook **Pages 10-17**
Casebook **Pages 141-145**
TUTORIAL: CITATION REVIEW
- 4 March** **LECTURE: LEGAL REASONING AND STATUTORY INTERPRETATION**
Readings:
Textbook **Pages 30-37**
Casebook **Pages 160-162, 173-178**
TUTORIAL: ASSIGNMENT QUESTION AND ANSWER
- TOPIC: THE PURPOSES LAW**
- 11 March** **LECTURE: USING LAW TO CHANGE SOCIETY**
Readings:
Textbook **Pages 135-139**
Casebook **Pages 415-421, 579-587**
TUTORIAL: NO TUTORIAL
- 18 March** **LECTURE: USING LAW TO LIMIT GOVERNMENT POWER**
Readings:
Textbook **Pages 142-148**
Casebook **Pages 553-554, 563-571**
TUTORIAL: STUDY SKILLS REVISITED
ANALYTICAL ASSIGNMENT: ASSIGNMENT IS DUE TODAY
- 25 March** **LECTURE: USING LAW TO RESOLVE DISPUTES**
Readings:
Textbook: **Pages 116-119**
Casebook **Pages 332-340, 341-353 356-361, 393-401, 410-412**
TUTORIAL: COURSE MATERIAL QUESTION AND ANSWER
- 1 April** **LECTURE: REVIEW CLASS**
TUTORIAL: OPTIONAL REVIEW CLASS/RETURN OF ASSIGNMENTS