

Course Outline

COURSE:	LAWS 1000A Introduction to Legal Studies
PREREQUISITES:	None
TERM:	Fall/Winter 2010-11
CLASS:	Day & Time: Lecture: Monday 2:35-4:25 Tutorials: As Registered for By Student (Tutorials meet most weeks starting the week of September 20, 2010)
	Room: Lecture: Students are advised to check Carleton Central for Room Assignment Tutorials: Students are advised to check Carleton Central for Room Assignments
INSTRUCTOR:	Dr. Betina Kuzmarov
CONTACT:	Office: D481 Loeb Office Hrs: Tuesday 10:00 AM -12:00 PM or by appointment Telephone: (613) 520-2600 ext. 8810 Email: Please use the WebCT e-mail for this course Tutorials: Tutorials for this course are held almost every week (starting the week of September 20, 2010). They are run by your Teaching Assistants. Please check the time and location of your group. Contact information for your Teaching Assistants will be published on WebCT.

Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see:

http://www.carleton.ca/pmc/students/accom_policy.html . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **NOVEMBER 15, 2010 FOR DECEMBER EXAMS and by MARCH 12, 2011 FOR APRIL EXAMS**. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.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 law the constitution and 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 will have gained skills to think critically about law and its place in society.

COURSE OBJECTIVES

By the end of the course students will have:

- 1. Knowledge of basic concepts and structure of Canadian law**
- 2. Knowledge of the relationship between these basic concepts and structures and the institutions of Canadian law**
- 3. Ability to critically evaluate the principles and institutions of Canadian law from a socio-legal perspective**
- 4. Ability to understand how researchers approach scholarship of Canadian law from a socio-legal perspective**

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 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 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 tutorial attendance.

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 All components must be completed to pass this course

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

Fall Semester:

Article Summary	10%
Case Brief	10%
December Exam	25%

Winter Semester:

Essay	20%
April Exam	25%

All Year:

Tutorial Attendance	0.5% (0.5% per tutorial attended to a maximum of 10%)
TOTAL	100%

Article Summary:

The article summary will be handed out on September 20, 2010 in class (and posted on WebCT after that date) and it will be due on October 18, 2010. This assignment will require you to read and summarize the argument and main points of an article (which I will assign and is the same for everyone). It will be a minimum of 2 and a maximum of 3 pages (Times New Roman/ 12 pt font/double spaced) in length.

Case Brief:

The case brief will be handed out on October 18, 2010 in class (and posted on WebCT after that date) and it will be due on November 22, 2010. This assignment will require you to read and brief a court case (which I will assign and is the same for everyone). It will be a maximum of 2 pages in length (Times New Roman/ 12 pt font/double spaced).

Essay:

The essay will be handed out in class on February 7, 2011 (and will be posted on WebCT after that day) and it will be due on March 14, 2011. This assignment will be an essay question which must be answered in essay format using both the article and case assigned in the first semester. This assignment will be a minimum of 5 and a maximum 7 pages (Times New Roman/ 12 pt font/double spaced) in length.

ALL assignments are to be handed to the DROP BOX in the Law Department Office in Loeb C473 in accordance with DROP BOX policy and will be returned by your TAs in your Tutorial. Assignments cannot be submitted electronically or to any other place other than the DROP BOX. 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 total per 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 Department's 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.

Tutorials:

Attendance at tutorials is very important. Tutorials are used to teach the skills necessary for the assignments and the exams that I cannot teach in lectures. They also provide you with skills you will use throughout your university career. Also, your assignments are marked by the TA in charge of your tutorial. As a result, marks will be awarded for attending all the tutorials EXCEPT FOR THE OPTIONAL REVIEW CLASSES. Other than this each tutorial is worth approximately 0.5 of a mark. If you attend ALL the tutorials (aside from the review classes) you can earn up to a maximum of 10 marks. Your TA will take attendance for 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. This means your grades posted on WebCT and 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 WebCT below) post my slides before each lecture to help you come prepared.
2. Web CT: Please sign up for a WebCT account. I use WebCT regularly. This course outline will be posted on WebCT as will all assignment sheets after they are handed out. WebCT 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 WebCT before each class so please feel free to print those off and bring them with you to class. Further, the e-mail on WebCT is the e-mail address to use to get in touch with me for this course. Lastly, the contact information for your TAs if available on WebCT.
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 ask if 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 about any of these services.
5. PASS Workshops: PASS Workshops (Peer Assisted Study Sessions) are a series of weekly study session facilitated by a student PASS facilitator. It is voluntary and is separate from your Tutorials but is designed to provide you with extra support with class materials. More information about PASS including times and contact information for the Pass Facilitator will be discussed in class and available on WebCT.
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.
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**

- 13 September **LECTURE: WELCOME**
TUTORIAL: NO TUTORIAL
- 20 September **LECTURE: DEFINING LAW**
Readings: Casebook: Pages 3-6, 8-11
TUTORIAL: ACTIVE READING
ARTICLE SUMMARY: ASSIGNMENT HANDED OUT
- 27 September **LECTURE: THE TAXONOMY OF LAW**
Readings: Casebook: Pages 12-21,40-51
TUTORIAL: HOW TO READ A LEGAL ARTICLE

TOPIC: WHAT IS LAW?

- 4 October **LECTURE: THE SOURCES OF LAW**
Readings: Textbook: Pages 19-28
TUTORIAL: CITATION AND ASSIGNMENT QUESTION AND ANSWER
- 11 October **STATUTORY HOLIDAY (NO CLASS)**
- 18 October **LECTURE: THE CONSTITUTION**
Readings: Textbook: Pages 39-60
 Casebook: Pages 30-34, 224-239
TUTORIAL: HOW TO READ A LEGAL DECISION
ARTICLE SUMMARY: ASSIGNMENT IS DUE
CASE BRIEF: ASSIGNMENT IS HANDED OUT
- 25 October **LECTURE: THE LAW MAKING STRUCTURE**
Readings: Textbook: Pages 28-30
 Casebook: Pages 34-39
TUTORIAL: BRIEFING A LEGAL DECISION
- 1 November **LECTURE: PARLIAMENTARY SOVEREIGNTY**
Readings: Casebook: Pages 40-51[Revisited], 59-82
TUTORIAL: HOW TO READ A STATUTE
- 8 November **LECTURE: THE COURTS**
Readings: Textbook: Pages 105-116,128-132
 Casebook: Pages 488-500
TUTORIAL: ASSIGNMENT QUESTION AND ANSWER
- 15 November **LECTURE: THE PEOPLE**
Readings: Textbook: Pages 119-121
 Casebook: Pages 187-210
TUTORIAL: HOW TO STUDY FOR A MULTIPLE CHOICE EXAM

TOPIC: THE PERSONEL OF LAW

- 22 November** **LECTURE: THE LEGAL PROFESSION**
Readings: Textbook: Pages 123-125
 Casebook: Pages 449-487
TUTORIAL: NO TUTORIAL
CASE BRIEF: ASSIGNMENT IS DUE TODAY
- 29 November** **LECTURE: JUDGES**
Readings: Textbook: Pages 125-128
 Casebook: Pages 501-519,520-528,554-556
TUTORIAL: HOW TO WRITE A MULTIPLE CHOICE EXAM
- 6 December** **LECTURE: REVIEW CLASS**
TUTORIAL: OPTIONAL RETURN ASSIGNMENTS/REVIEW CLASS

WINTER TERM:**TOPIC: THE PROCESSES OF LAW**

- 3 January** **LECTURE: EVIDENCE AND POLICING**
Readings: Textbook Pages 99-105
 Casebook Pages 531-537,545-550
TUTORIAL: HOW TO PLAN AN ESSAY
- 10 January** **LECTURE: CRIMINAL LAW AND PROCEDURE**
Readings: Textbook Pages 64-68, 88-96
 Casebook Pages 243-252, 264-276, 285-292
TUTORIAL: HOW TO WRITE AN ESSAY
- 17 January** **LECTURE: CIVIL LAW AND PROCEDURE**
Readings: Textbook: Pages 73-81, 96-99
 Casebook: Pages 295-315,
TUTORIAL: WHAT IS CRITICAL THINKING?
- 24 January** **LECTURE: ADMINISTRATIVE LAW AND PROCEDURE**
Readings: Textbook: Pages 68-71
 Casebook: Pages 225-231 [Revisited]
TUTORIAL: HOW TO ANALYZE AN ARGUMENT

TOPIC: INTERPRETING THE LAW

- 31 January** **LECTURE: LIBERALISM AND PLURALISM**
Readings: Casebook : Pages 22-29,137-140, 587-590
TUTORIAL: WHAT IS THEORY?
- 7 February** **LECTURE: INTERNAL THEORIES OF LAW**
TUTORIAL: Textbook: Pages 2-10
 Casebook: Pages 85-89, 103-106
TUTORIAL: HOW TO USE THEORY
ESSAY: ASSIGNMENT IS HANDED OUT TODAY
- 14 February** **LECTURE: EXTERNAL THEORIES OF LAW**
Readings: Textbook: Pages 10-17
 Casebook Pages 141-145
TUTORIAL: CITATION REVIEW

21 February **WINTER BREAK (NO CLASS)**

28 February **LECTURE: LEGAL REASONING AND STATUTORY INTERPRETATION**

Readings: Textbook: Pages 31-37
 Casebook: Pages 157- 160, 162-178

TUTORIAL: ASSIGNMENT QUESTION AND ANSWER

TOPIC: THE PURPOSES LAW

7 March **LECTURE: USING LAW TO CHANGE SOCIETY**

Readings: Textbook: Pages 133-140
 Casebook: Pages 415-422,429-445,579-587,587-590 [Revisited]

TUTORIAL: NO TUTORIAL

14 March **LECTURE: USING LAW TO LIMIT GOVERNMENT POWER**

Readings: Textbook: Pages 140-146
 Casebook Pages 553-554. 563-571

TUTORIAL: STUDY SKILLS REVISITED

ESSAY: ASSIGNMENT IS DUE TODAY

21 March **LECTURE: USING LAW TO RESOLVE DISPUTES: TYPES OF DISPUTES**

Readings: Casebook: Pages 341-353,356-361,393-412

TUTORIAL: COURSE MATERIAL QUESTION AND ANSWER

28 March **LECTURE: USING LAW TO RESOLVE DISPUTES: PROBLEM SOLVING**

Readings: Textbook: Pages 116-118

 Casebook: Pages 327-341

TUTORIAL: RETURN OF ASSIGNMENTS

4 April **LECTURE: REVIEW CLASS**

TUTORIAL: OPTIONAL REVIEW CLASS