
Course Outline

COURSE:	LAWS 1000A Introduction to Legal Studies
PREREQUISITES:	None
TERM:	Fall/Winter 2011-2012
CLASS:	Day & Time: Lecture: Friday 8:35-10:25 Tutorials: As Registered for By Student (Tutorials meet most weeks starting the week of September 16, 2011) Room: Lecture: Students are advised to check Carleton Central for Room Assignment Tutorials: Students are advised to check Carleton Central for Room Assignments
INSTRUCTOR:	Professor Betina Kuzmarov
CONTACT:	Office: C476 Loeb Office Hrs: Friday 10:30-12:30 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 16, 2011). 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 11 FOR DECEMBER EXAMS** and by **MARCH 7 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 the sources of law, 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 you will have gained skills to think critically about law and its place in society.

The theme of the course for this year is Law 24/7: 24 hour news, blogging and social networking have meant that our ability to connect with society is now 24/7. As a result, our assignments will reflect this shift and will get you to explore the choices society makes about law as if we were covering a current event for a newspaper. We will interrogate the processes of law by asking the journalistic 5 w's and the h (who, what, when, where, why and how) to examine how law touches on many aspects of our lives.

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 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 "Op Ed"/blog post)	10%
Case Assignment (The "Newspaper Article")	10%
December Exam	25%

Winter Semester:

Analytical Assignment (The "Magazine Article")	20%
April Exam	25%

All Year:

Tutorial Assignment	0.5% (0.5% per tutorial assignment submitted – there are 20 tutorials - to a maximum of 10%)
TOTAL	100%

Article Assignment (The "Op Ed"/blog post)

The article assignment will be handed out on September 16, 2011 in class (and posted on WebCT after that date) and it will be due on October 12, 2011. 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 an "Op-Ed" /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 will be handed out on October 14, 2011 in class (and posted on WebCT after that date) and it will be due on November 18, 2011. 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 news article. 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 will be handed out in class on February 10, 2012 (and will be posted on WebCT after that day) and it will be due on March 16, 2012. This assignment will pose an essay question which must be answered in essay format that is written in magazine article style. This assignment will require students to use both the article and case assigned in the first semester. This assignment will be a minimum of 2000 words (1 inch margins/Times New Roman/ 12 pt font/ double spaced) in length.

ALL assignments other than the Article Assignment are to be handed to your TA IN PERSON at the LECTURE that is held on the due date of the assignment. The Article Assignment MUST be submitted to your TA electronically by 4:30 on the date it is due. Assignments will be returned by your TAs in your Tutorial. For the Case Assignment and Analytical Assignment you should note that any Assignments submitted electronically or to the Drop Box will be considered late at my discretion. For the Article Assignment any Assignments received after 4:30 pm electronically or submitted 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 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.

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 either in the readings and the lectures. These questions must be handed in; in person, in class, to your TA together with attendance at the full tutorial. Submission by e-mail or any other method or submission without attending the full tutorial WILL NOT BE COUNTED. Each tutorial assignment 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 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 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 is 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 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 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

- 9 September** **LECTURE: WELCOME**
 TUTORIAL: NO TUTORIAL
- 16 September** **LECTURE: DEFINING LAW**
 TUTORIAL: ACTIVE READING
 ARTICLE ASSIGNMENT: ASSIGNMENT HANDED OUT
- 23 September** **LECTURE: THE TAXONOMY OF LAW**
 Readings: Casebook Pages 12-21, 40-51
 TUTORIAL: HOW TO READ A LEGAL ARTICLE

TOPIC: WHAT IS LAW?

- 30 September** **LECTURE: THE SOURCES OF LAW**
 Readings: Textbook Pages 19-28
 TUTORIAL: CITATION AND ASSIGNMENT QUESTION AND ANSWER
- 7 October** **UNIVERSITY DAY (NO CLASS)**
- 12 October** **ARTICLE ASSIGNMENT: ASSIGNMENT IS DUE**
- 14 October** **LECTURE: THE CONSTITUTION**
 Readings: Textbook Pages 39-60
 Casebook Pages 30-34, 224-225; 231-239
 TUTORIAL: HOW TO READ A LEGAL DECISION
 CASE ASSIGNMENT: ASSIGNMENT IS HANDED OUT
- 21 October** **LECTURE: THE LAW MAKING STRUCTURE**
 Readings: Textbook Pages 28-30
 Casebook Pages 34-39
 TUTORIAL: BRIEFING A LEGAL DECISION
- 28 October** **LECTURE: PARLIAMENTARY SOVEREIGNTY**
 Readings: Casebook: Pages 40-51[Revisited], 62-72
 TUTORIAL: HOW TO READ A STATUTE/RETURN ASSIGNMENT
- 4 November** **LECTURE: THE COURTS**
 Readings: Textbook Pages 105-116, 128-132
 Casebook Pages 488-500
 TUTORIAL: ASSIGNMENT QUESTION AND ANSWER

11 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****18 November****LECTURE: THE LEGAL PROFESSION**Readings: Textbook Pages 123-125

Casebook Pages 449-487

TUTORIAL: NO TUTORIALCASE ASSIGNMENT: ASSIGNMENT IS DUE TODAY**25 November****LECTURE: JUDGES**Readings: Textbook Pages 125-128

Casebook Pages 501-519, 520-528, 554-556

TUTORIAL: HOW TO WRITE A MULTIPLE CHOICE EXAM**2 December****LECTURE: REVIEW CLASS**TUTORIAL: OPTIONAL RETURN ASSIGNMENTS/REVIEW CLASS**WINTER TERM:****TOPIC: THE PROCESSES OF LAW****6 January****LECTURE: EVIDENCE AND POLICING**Readings: Textbook Pages 99-105

Casebook Pages 531-537, 545-550

TUTORIAL: HOW TO PLAN AN ASSIGNMENT**13 January****LECTURE: CRIMINAL LAW AND PROCEDURE**Readings: Textbook Pages 64-68, 88-94

Casebook Pages 243-252, 266-270, 285-292

TUTORIAL: HOW TO WRITE AN ESSAY/MAGAZINE ARTICLE**20 January****LECTURE: CIVIL LAW AND PROCEDURE**Readings: Textbook Pages 73-81, 95-99

Casebook Pages 298-315

TUTORIAL: WHAT IS CRITICAL THINKING?**27 January****LECTURE: ADMINISTRATIVE LAW AND PROCEDURE**Readings: Textbook Pages 68-72

Casebook Pages 225-231 [Revisited]

TUTORIAL: HOW TO ANALYZE AN ARGUMENT**TOPIC: INTERPRETING THE LAW****3 February****LECTURE: LIBERALISM AND PLURALISM**Readings: Casebook Pages 24-28, 587-590TUTORIAL: WHAT IS THEORY?**10 February****LECTURE: INTERNAL THEORIES OF LAW**Readings: Textbook Pages 2-10TUTORIAL: HOW TO USE THEORY

ANALYTICAL ASSGINMENT: ASSIGNMENT IS HANDED OUT TODAY

17 February**LECTURE: EXTERNAL THEORIES OF LAW**

Readings: Textbook Pages 10-17
Casebook Pages 141-145
TUTORIAL: CITATION REVIEW

24 February**WINTER BREAK (NO CLASS)****2 March****LECTURE: LEGAL REASONING AND STATUTORY INTERPRETATION**

Readings: Textbook Pages 30-35
Casebook Pages 157- 160, 173-178
TUTORIAL: ASSIGNMENT QUESTION AND ANSWER

TOPIC: THE PURPOSES LAW**9 March****LECTURE: USING LAW TO CHANGE SOCIETY**

Readings: Textbook Pages 135-139
Casebook Pages 415-421, 579-587
TUTORIAL: NO TUTORIAL

16 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

23 March**LECTURE: USING LAW TO RESOLVE DISPUTES**

Readings: Textbook: Pages 116-119
Casebook Pages 327-340, 341-353, 393-401, 410-412
TUTORIAL: COURSE MATERIAL QUESTION AND ANSWER

30 March**LECTURE: REVIEW CLASS**

TUTORIAL: OPTIONAL REVIEW CLASS/RETURN OF ASSIGNMENTS