

Department of Law

Course Outline - F/W 2008/09

LAWS 1000 Q - Introduction to Legal Studies

Day & Time: Thursdays, 14:35-16:25

Room: Fall: 416 SA (Southam Hall)
Winter: C164 LA (Loeb)

Instructor: Professor Jane Dickson-Gilmore, PhD.

Office: D592 Loeb Building

Office Hrs.: Thursdays 12:30-2:00 p.m., or by appointment

Telephone: 613-520-2600, x. 3686

Email: Jane.Dickson-Gilmore@carleton.ca

Students are encouraged to contact the professor and teaching assistants via email.

Teaching Assistants: Discussion groups start in the second week of classes and are held every two weeks; attendance is not mandatory but is *strongly recommended*. Please consult your course schedule for the time and location of your group. Contact information and office hours for the Teaching Assistants will be published on web CT; messages for the T.A. may be left on the voice mail at extensions TBA, or via the webct course email.

COURSE CONTENT:

This course has two objectives. The first of these goals is to provide students with a basic understanding of the role and function of law and the legal system in Canadian society. To this end, we will look at the history of law in Canada, the various branches of law (criminal, family, constitutional, etc.), the common and civil law traditions, statutory interpretation and precedent, the role of judges, lawyers and lay persons, as well as alternative means for resolving disputes, such as community and restorative justice, mediation, etc.. The second objective is to encourage in students an incipient ability to think critically about what they learned in pursuit of the first objective - that is, to ask questions about our society and the role of law within it. What does our law and legal system say about our society? Why do we have the laws we have? Why do we define crime and deviance as we do? Whose law should define the order within which we live? To assist this critical enquiry, we will look at a range of theories about law, order and power in capitalist society.

REQUIRED READING:

There are two required texts for this course. They may be purchased new or used, but be careful to ensure that used texts are the appropriate edition/year of publication. Students can purchase the books at the Carleton University Bookstore.

Steven Vago & Adie Nelson, Law and Society (2nd.Canadian Edition), (Toronto: Pearson Education Inc., 2003).
Carleton Department of Law Casebook Group, Introduction to Legal Studies (3d. ed.) North York: Captus Press Inc., Canadian Legal Studies Series, 2001). ISBN: 1-55322-958-4

EVALUATION PROCEDURES & DEADLINES:

Student performance in this course will be evaluated primarily through examinations. There are four exams in this course, weighted and scheduled as follows:

Fall Term Examination (to be held in formal examination period)	35%
Winter Term Examination (to be held in formal examination period)	40%
Term Paper	25%

EXAMINATION FORMAT:

Both examinations will be comprised entirely of multiple choice questions; the midterm examination will be comprised of 60 questions, the final examination will be comprised of 80 questions.

ESSAY ASSIGNMENT:

The essay assignment, which promises to be only marginally scary, will be posted on the WebCT site, with full details, on October 31, 2008 (Happy Hallowe'en!). It will be due at the Law Office (C473 Loeb) through the assignment drop chute by 4:30 p.m. on January 30, 2009. If you are unable to come to campus, please ensure that your paper is mailed to the office and is post-marked no later than

Please note: *Late papers will not be accepted for grading* in the absence of a clear, verifiable reason for the delay, presented to the Teaching Assistant in a timely fashion, accompanied with full documentation.

ACCOMMODATIONS:

"Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities for a formal evaluation of disability-related needs. Registered PMC students are required to contact the centre, 613-520-6608, every term to ensure that I receive your letter of accommodation, no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by November 7, 2008, for December examinations, and March 6, 2009, for April examinations."With regard to accommodations for religious obligations and pregnancy, please see http://www.carleton.ca/pmc/students/accom_policy.html

GRADE APPEALS POLICY:

Appeals of grades on the essay assignment or examinations must be submitted *in writing* to the Teaching Assistant within two weeks of the date of return of graded papers or date of the release of the examination grades (except in the case of the final exam, appeals for which must be submitted by the end of the examination period). The professor will not, as a matter of course, entertain appeals which have not first been submitted in writing and discussed with the Teaching Assistant. Appeals which are not submitted within this time frame will not be accepted for consideration.

PLEASE NOTE:

It is the student's responsibility to monitor their grades and individual progress in this course; final course grades are accretive and consistent with performance over the academic year. Please do not wait until the final course grade is in hand to address poor performance on assignments and exams; it is extremely unusual for course grades to be altered subsequent to the end of the academic year.

PLEASE BE ADVISED THAT FAILURE TO COMPLETE ANY OF THESE COURSE REQUIREMENTS WILL RESULT IN A GRADE OF "F" IN THIS COURSE.

LECTURE TOPICS - READING ASSIGNMENTS

Students are strongly advised to attend/watch lectures, as these will often contain information which is not found in, or goes beyond, the assigned readings. Those who do not attend lectures or who fail to maintain comprehensive notes, are unlikely to achieve their full potential in this course.

Topic

Readings

Course Introduction

No Readings Assigned.

The Functions of Law
in Social Life

Law Casebook, pp.1-11; Vago & Nelson,
pp.15-18 ("Functions of Law"; "Dysfunctions of Law");
pp.31-36 ("Evolution of Legal Systems")

What should Law do?

Law Casebook, pp.35-53; Vago & Nelson, pp.172-193
("Crimes without Victims")

Theorizing about Law: The Basics

Vago & Nelson, pp.18-21 ("Paradigms of Society");
pp.49-67.

Canadian Law: The Constitutional Basis Law Casebook,
pp.13-22.

The Organization and Structure of
Canadian Law

Vago & Nelson, pp.68-97

Sources of Law

Vago & Nelson, pp.128-142; Law Casebook, pp.55-64.

Public Law I-Criminal Law

Vago & Nelson, pp.107-114 ("Law Enforcement Agencies

	- Police Discretion”); pp.160-169 (“Criminal Sanctions”); Law Casebook, pp.147-158.
Public Law I: Administrative Law	Vago & Nelson, pp.103-107 (“Administrative Agencies”); pp.194-196 (“Administrative Law and Social Control”)
Public Law III: Constitutional Law	Casebook, pp.109-121; pp.402-409.
Private Law I: Torts, intention & Negligence	Vago & Nelson, pp.9-10 (assume that the lecture is extremely important here!!)
Private Law II: Family Law	Law Casebook , pp.228-230; pp.277-285.
Who has Rights?	Law Casebook, pp.85-101
The Law: Regulation & Resolution - An Introduction	Vago & Nelson, pp.210-250
Informal Regulation	Law Casebook,, pp.187-200
Formal Regulation	Law Casebook, pp.138-147; pp.175-178
Understanding Adjudication	Law Casebook, pp.212-227
Adjudication vs. the Alternatives	Law Casebook, pp.203-207; pp.238-248
Understanding the Alternatives	Law Casebook , pp.167-173; pp.255-257
Accessing Adjudication	Law Casebook, pp.290-304
Lawyers & Lawyering	Vago & Nelson, pp.295-341; Law Casebook, pp.307-314; pp.324-335
Judges and Judging	Law Casebook, pp.355-358; pp.362-373.
Juries	Law Casebook, pp.340-347; pp.350-354.
Can Law Create Social Change?	Vago & Nelson, pp .259-288; Law Casebook, pp.387-395.