

Course Outline

COURSE: LAWS 1000V – Introduction to Legal Studies

TERM: Summer 2010

BROADCAST: Tuesday & Thursday – 1930-2130

INSTRUCTOR: Dr. Jane Dickson-Gilmore

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"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 **June 11, 2010 for June exams and July 30, 2010 for August exams**. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

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COURSE DESCRIPTION AND OBJECTIVES:

This course is designed as a basic introduction to the field of Canadian legal studies. As such, it has two basic objectives. The first objective is to provide a basic knowledge of the foundations of law and the legal system in Canada. Students will learn about the sources of law in Canada, the structure and function of legal institutions, the process of law-making and the various actors in the legal process. As well, students will be introduced to important areas of substantive law (such as criminal law, administrative law, contract law etc). The second objective of the course is to provide students with the tools to begin to think critically about the role of law in Canadian society. Students will be introduced to various theoretical perspectives concerning the role of law in shaping relationships between individuals and groups as well as relations between the state and society. The ways in which the law may be manipulated to serve particular societal interests will also be considered. Ultimately, students will consider whether law should be considered an effective or desirable method of achieving social change.

REQUIRED TEXTS:

Texts Available at the Carleton University Bookstore (Please note: good quality, second-hand copies of these texts are often available at reduced prices at Haven Books, 43 Seneca Street, Ottawa (tel. 613-730-9888); please be certain you are purchasing the correct edition of the texts if you are purchasing second-hand copies).

1. Steven Vago & Adie Nelson, *Law and Society* (2nd Canadian Edition), (Toronto: Pearson Education Inc., 2003).
2. Carleton University Department of Law Casebook Group, *Introduction to Legal Studies*, 3rd Edition (Concord: Captus Press, 2001) – referred to as the Casebook in the outline of classes.

EVALUATION PROCEDURES AND DEADLINES:

There are four formal evaluation components in this course –two assignments and two multiple choice exams.

Assignment 1 - worth 15% This assignment will involve writing a short summary and analysis of a case that will be assigned by the instructor (btw 5-7 double-spaced pages).

Due June 7, 2010 by 3:00 p.m. Assignments may be hand-delivered to the Law Department via the assignment drop chute adjacent to C473 Loeb bldg.; assignments which are submitted by mail must be post-marked no later than the due date. Assignments MAY NOT be submitted electronically.

First Term Exam – worth 30% **to be held during the formal exam period.** The exam will consist of multiple choice questions only.

Assignment 2 – worth 15% This assignment will involve writing a short paper (5-7 double spaced pages) on a topic to be assigned by the instructor.

Due August 9, 2010 by 3pm. Assignments may be hand-delivered to the Law Department via the assignment drop chute adjacent to C473 Loeb bldg.; assignments which are submitted by mail must be post-marked no later than the due date. Assignments MAY NOT be submitted electronically.

Final Exam – worth 40% **to be held during the formal exam period.**
The exam will consist of multiple choice questions only.

Note: Failure to complete all assignments and exams in the course will result in the student receiving a failing grade for the course. Deferrals will not be granted unless all assignments have been handed in.

Standing in a course is determined by the course instructor subject to approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean.

LATE ASSIGNMENTS:

Late assignments will be marked down five percent for each day submitted after the due date (including week-end days). Extensions will only be given out in extreme circumstances, such as severe illness of the student or death of a family member. Appropriate documentation will be required to accompany requests for extensions. Computer failure, conflicts with work schedule or similar problems are not a valid excuse for failure to submit an assignment on time. **Students submitting late assignments must submit a hard copy of the assignment to the Department of Law drop-box or CUTV and must email the instructor and teaching assistant confirming that the assignment has been submitted.**

APPEALING GRADES ON ASSIGNMENTS:

Students who have questions about the grade they receive on an assignment or who wish to challenge the grade must make an appointment with the T.A. who marked the assignment within two weeks of receiving the marked assignment. The instructor will not entertain appeals of grades that have not first been discussed with the T.A.

PLAGIARISM AND OTHER INSTRUCTIONAL OFFENCES:

The University's policy concerning plagiarism and other instructional offences is outlined in the Undergraduate Calendar (see particularly regulation 14 – Instructional Offences). In particular, students should note that a student commits an instructional offence if he or she "submits substantially the same piece of work to two or more courses without the prior written permission of the instructors from all courses involved. Minor modifications and amendments, such as changes of phraseology in an essay or paper, do not constitute a significant and acceptable reworking of an assignment". Students should also note that it is an instructional offence to commit plagiarism, which is defined as "to use and pass off as one's own idea or product work of another without expressly giving credit to another".

POLICY AND PROCEDURE STATEMENT:

The Department of Law's Policy and Procedure Statement is distributed with, and forms part of, this course outline. The statement contains important information on topics such as the submission of assignments, due dates in course outlines, offenses, writing skills and use of language, prerequisites, course selection, responsibility for ensuring enrolment in a class, and review of grades, among other information. **Please read the Policy and Procedure Statement carefully.**

A FEW ADDITIONAL GUIDELINES AND SUGGESTIONS:

- Lectures in this course are designed to complement the texts, not just repeat the same material. As such, it is important to both attend lectures and complete the readings. Students who only complete the readings, but do not attend lectures and tutorials will find it very difficult to do well in this course. Material covered in lectures will be tested in the exams.
- Students who keep informed of what's happening in the news will get more out of the content discussed in lectures and readings. The material covered in Laws 1000 will be reflected on a weekly basis in the news.
- If you are having trouble understanding the material in the course, speak to your T.A. or the instructor sooner rather than later. We are here to help you learn.
- Students having difficulty with writing assignments should check-out the many resources available on campus to help students succeed. These include: The Writing Tutorial Service (Library 4th Floor); Student Academic Success Centre (302 Tory); and The Learning Commons (Library 4th Floor).

CLASS SCHEDULE AND READINGS

<u>Lecture No.</u>	<u>Lecture Topic and Readings</u>	<u>Tutorial Topic</u>
1	Introduction to Legal Studies No Readings	No Tutorial
2	The Functions of Law in Social Life Casebook, pp. 1-9; Vago & Nelson, pp.16-18 ("Functions of Law"; Dysfunctions of Law")	Intro to Legal Studies
N/A	Lecture cancelled	"Conflicts as Property" Casebook, pp. 6-9
3	What Should Law Do? Casebook, pp. 35-46; Vago & Nelson, pp.170-191 ("Crimes without Victims").	"Crimes without Victims" Vago & Nelson, pp.170-191
4	Theorizing about Law: The Basics Vago & Nelson, pp.31-58 ("Theories of Law and Society")	"Crimes without Victims" con't.; "Conflict and Marxist Approaches" , "The Critical Legal Studies Movement" , Vago and Nelson, pp.46-49.
5	Canadian Law: The Constitution and Charter Casebook, pp.13-22 ("The Environment of Canada's Judicial System" , "Reference re the Secession of Quebec"); pp.109-115 ("The Legalization of Politics in Advanced Capitalism...")	Assignment Preparation 1: dissecting the question
6	Sources of Law Vago & Nelson, pp.123-135 ("Lawmaking"); Casebook, pp.55-64	Assignment Preparation 2: Researching and constructing a response
7	The Organization and Structure of Canadian Law Vago & Nelson, pp.59-87 ("The Organization of Law")	Assignment Preparation 3: Drafting an Assignment – referencing, bibliographies, etc.
8	Public Law I: Criminal Law Vago & Nelson, pp.115-121 ("Law Enforcement Agencies" through "Police Discretion"); pp.155-267 ("Formal Social Controls" through "Discord over the Death Penalty"). Casebook, pp.147-158.	Lecture Review: Structure of Canadian Courts
9	Public Law II: Administrative Law Vago & Nelson, pp.110-114 ("Administrative Agencies"); pp.196-200 ("Administrative Law and Social Control")	Preparing for exams: notes, studying and strategies
10	Private Law I: Civil Law – a sampler Vago & Nelson, pp.87-98 ("Civil Proceedings")	How to Write a Multiple Choice Exam
11	Catch-up Lecture and Exam Review	Review & Support
	MIDTERM EXAM TO BE HELD IN FORMAL EXAM PERIOD	
12	Citizenship and Rights Casebook, pp.89-101 ("Citizenship and Social Class"; "Return of the Citizen...")	No Tutorial

13	The Law: Regulation and Resolution Vago & Nelson, pp.201-245	No Tutorial
14	Informal Regulation Casebook, pp.187-200 (“Informal Modes of Regulation”)	Hunt Article, Casebook,pp.138-147
15	Formal Regulation Casebook, pp.138-147 (“Law, State and Class Struggle”); 175-178 (“Max Weber on Law and the Rise of Capitalism”)	Trubek Article Casebook, pp.175-178
16	Understanding Adjudication Casebook, pp.212-227 (“Adjudication”)	Assignment Prep Workshop
17	Adjudication versus the Alternatives Casebook, pp.203-207 (“The Mediator and the Judge”); 238-248 (“Unpacking the ‘Rational Alternative’...”; “The ADR Explosion...”)	Assignment Prep Workshop
N/A	TERM BREAK – NO CLASS	
19	Understanding the Alternatives Casebook, pp.167-173 (Restorative Justice and Mediation...); 255-257 (“Understanding Critiques of Mediation”)	To Be Announced
20	Accessing Adjudication Casebook, pp.290-304 (“Access to Justice for the Poor”)	Umbreit Article, Casebook, pp.167-173
21	Lawyers and Advocacy Vago & Nelson, pp.283-326 (“The Legal Profession”); Casebook, pp.307-314 (“Lawyers: Education and Training”)	To Be Announced
22	Judges and Judging Casebook, pp. 355-373 (“The Judges”)	To Be Announced
23	Juries Casebook, pp.340-354 (“Juries”)	Examination Prep
24	Catch-up Lecture and Exam Review	Catch-up Lecture and Exam Review
EXAM	FINAL EXAMINATION TO BE HELD IN OFFICIAL EXAM PERIOD	