

**Carleton University
Department of Law and Legal Studies
Course Outline (Revised Sept 2, 2012)**

**LAWS 2908T– Approaches in Legal Studies I
Fall 2012**

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| LECTURES: Day & Time: | LAWS 2908T | BROADCAST Broadcast: Rogers Cable, Channel 243 – Thursdays 9:00pm-10:30pm (Also web-streamed. You can also watch tapes at the CUOL Student Centre VOD (fee applies) – see CUOL (formerly CUTV) website at www.carleton.ca/cuol for more information and to confirm broadcast times. Note: There are no live lectures in this course. |
| TUTORIALS: | Mandatory | All tutorials require in-person attendance at the tutorial in which you are registered. Check your course timetable on Carleton Central to confirm the time and location of the tutorial session for which you registered. |
| CULEARN: | Essential | Students must be able to access and use CULearn for this course. There is a link to the CULearn page for this course on WebCT. Email to Instructor, lecture slides, assignments and many video resources are available <u>only</u> through this modality. Contact CCS for assistance if required at www.carleton.ca/ccs Students should check CULearn <u>frequently</u> for information updates concerning lectures, tutorials and assignments. |
| INSTRUCTOR: | | Dr. Zeina Bou-Zeid |
| CONTACT: | Office: | B442 Loeb |
| | Office Hrs: | Tuesday 5:00-6:00pm (Additional Office Hours will be posted to CULearn) |
| | Email: | Zeina_Bou-Zeid@carleton.ca |
| TAs: | | Office hours and email addresses for T.A.s will be posted 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:

The Law Program at the Department of Law at Carleton University is firmly grounded in a “legal studies” approach which situates law in its social, economic, political and historical contexts. As such, courses focus not just on ‘what the law is’ in a particular area but also on a range of academic and practical considerations: How does the law ‘as it is’ reflect particular (normative) visions of society and distributions of power within it? How and why does law change? How is the law ‘on the books’ operationalized (e.g., by the police or business-people) and experienced by ordinary people in everyday life? How do the narratives of law (e.g., judicial decisions) communicate cultural meanings in our society? How do law and legal processes interact with other institutions in our society? Who creates law – and is all ‘law’ (in the sense of regulation of conduct) formally prescribed law?

Engaging with questions such as these requires that students are able to deploy a range of effective research skills and strategies.

The Department offers two research courses to assist students to master their law discipline. This course, Laws 2908, introduces students to legal materials in legal studies research. By this we mean judicial decisions (cases), legislative instruments (statutes and regulations), government documents (including Parliamentary materials and policy), and secondary sources published in academic journals. It also addresses ‘legal method’ in comprehending and working with these materials. This course is compulsory for all students majoring in a Law or Law Honours programs. A second course, Laws 3908, offered at the 3000 level, introduces students to a variety of interdisciplinary approaches, including the use of social science research sources and methods in legal studies and more advanced consideration of theory in legal research.

LEARNING OBJECTIVES:

During this course, students will be introduced to various elements of the research process through a series of lectures, labs, workshops and assignments. They will learn how to design a research question grounded in the context of law in Canada. In addition to developing skills and techniques in accessing traditional and electronic research resources, students will be required to reflect upon conceptual or theoretical dimensions of research. Ultimately, students should develop the ability to identify, find,

analyze and apply the information necessary to conduct research in the field of Canadian legal studies using legal materials.

As research (and curiosity about the world around us) is a general life skill, we hope that this course will also provide students with important skills that will serve them in their other courses and future endeavours.

At the conclusion of this course, students should be able to:

- Craft an effective research question in legal studies related to the assignments required in the Law Program
- Outline effective research strategies for shaping a research project in legal studies at the undergraduate level
- Find primary legal materials, government documents, and secondary academic literature related to their research questions
- Read legal materials through a ‘research lens’ –identify and state key components of these materials and their purpose, function and ‘status’ and their relevance to the research undertaken
- Recognize the quality/authority of legal materials and find the most authoritative sources of law – for example: update legal cases using citators; determine if legislation is in force or amended;
- Relate legal materials to legal studies research projects –identify core principles and arguments used; strengths and weaknesses; how the source assists in working towards and answer to a legal studies research problem
- Apply legal materials to research projects and mobilize them in crafting critical academic argumentation and analysis.

CONTEXT

This course is DEMANDING AND INTENSIVE. It will require considerable ongoing attention every week. Generally there is something DUE EVERY WEEK. These components are explained in detail below. Please review carefully and note all requirements and due dates.

We know that this is a lot of work for you (and for us) and that the course may seem much heavier than your other courses. However, this course is foundational in your Law Program. It is designed to provide you with the opportunity to develop research skills and understanding that will serve you well in your other law courses. The course is also designed to encourage you to stay engaged with the material being covered each week. Notably, the evaluation of the course is weighted to reward those students who stay engaged, submit the weekly exercises on time, attend and participate in tutorials.

COURSE FORMAT

LECTURES

Lectures in this course are designed to introduce students to the important role of research and the approaches to research that may be engaged in the field of legal studies. Lectures will also provide foundations for effective analysis of different types of primary and secondary sources in law.

TUTORIALS

Attendance at tutorials is **MANDATORY**. Tutorials are used to provide hands-on introduction to research skills and training with electronic resources. Some tutorials will be 'labs' and other will be workshops addressing writing skills and assignments. Each tutorial group will consist of approximately 20 students and will be led by a designated Teaching Assistant (T.A.).

TECHNOLOGY

We integrate a range of technologies in addition to traditional lectures and materials. CULearn is a central element of the course. You will submit various assignments and exercises using CULearn. We have loaded a range of video resources related to the research process on CULearn. We will pioneer using a peer-to-peer 'wiki' program for some workshops. Please be patient if we encounter some technology platform limitations.

Virtually all legal research sources are now accessible through technology and mastering online research skills is of central importance.

COURSE THEME

The course is organized around the research theme of state regulation of marriage. Lectures and tutorials will draw on material related to same-sex marriage. Assignments will engage with some aspect of current legal studies issues related to the distinction between common law relationships and formal marriages with a particular focus on some of the legal rights, benefits and obligations which correlate to one or the other.

Marriage is an intensely personal relationship. The state has had a long-standing interest in regulating marriage. Practically speaking the law regulates who can get married, how long a marriage lasts (and how it can be dissolved), the legal consequences of marriage (such as child custody, support and property division). The law (still) distinguishes between conjugal partners who are married and those who are not (common law partners). The law (still) restricts marriage to only two persons. 'Normative visions' of family, and associated rights and obligations are enacted and negotiated through law. Equally, there is no doubt that marriage is an institution which has changed over time and in response to a range of social and legal factors.

This general theme provides a general backdrop of common interest and experience. We use the theme to provide a coherent and linked structure to cover a range of material (primary and secondary sources) and methodological questions. The in-class coverage on the general theme will also assist students in their final essay by providing a conceptual introduction to the area and approaches. Some of the animating questions linking the theme with the course objectives include:

- What sorts of research questions about marriage are generated within a legal studies context, and more particularly in respect of specifically legal materials and research methods?
- How (and why) do we use primary sources of law in seeking to answer those research questions? How do we find (and update) those sources? What are the 'basic rules' through which they are generated including the structure and authority of courts and legislatures? In what ways do we 'read' and 'apply' these sources? (e.g. cases, statutes, regulations)
- How (and why) do we use official government sources in a legal studies enquiry? How do we find (and update) those sources? In what ways do we 'read' and 'apply' such sources (e.g. Parliamentary Proceedings, Commissions of Inquiry, Government policy papers)
- How do we use secondary sources when undertaking research? How do we find those sources? How (and why) does one assess the methods used, the theoretical and conceptual framework(s) used, the logic of argument and conclusion in 'reading' and 'using' secondary sources? (e.g., scholarly journal articles and books).
- What is the function of correct citation in (legal) research and what are the rules you are expected to follow in course assignments? How does citation (the concept) ensure academic integrity? What concrete steps can you take to keep yourself 'clean' and well organized?
- What does it take to write a good essay in law? How do you organize yourself (preparation is key) and how do you express yourself?

COURSE MATERIALS:

A. REQUIRED TEXTS:

Text:

1. McGill Law Journal, *Canadian Guide to Uniform Legal Citation*, 7th ed (Scarborough, Ontario: Carswell, 2010) [The *McGill Guide*]. This text explains the basic rules of legal citation. It is an essential reference text for anyone conducting research concerning legal issues. You will use it as a resource in other courses as you progress in the law program. Available in the University Bookstore.

Articles and Cases :

Other required readings will include articles and cases. These will be available through a link on the CULearn home page. You may need to provide your Patron ID to access readings linked through the University Library. These readings are indicated on the Schedule of Lectures and Tutorials (appended). You may also search by course name at <http://library.carleton.ca> for readings. Students will be expected to retrieve copies of these readings and read them in preparation for the appropriate lectures and tutorials. For some weeks direct web URLs are provided to required readings.

B. OTHER WEB-BASED RESOURCES

The lectures and tutorials in this class are supported by a variety of materials available through CuLearn.

These supporting materials include video-recorded demonstrations and guides, captive videos, youtube videos and power-point slides. Students are responsible for reviewing these supporting materials before the lectures or tutorials they are meant to support.

C. RECOMMENDED TEXTS:

1. Wayne C Booth et al, *The Craft of Research*, 3rd ed (Chicago: The University of Chicago Press, 2008). This is a general introductory guide to research and writing in the social sciences. This book is available as an e-book accessible through the Carleton Library website using your Patron ID. You do NOT need to buy this book in hard copy, however there are copies available for sale in the bookstore.
2. Margaret Kerr et al, *Legal Research: Step by Step*, 3rd ed (Toronto: Emond Montgomery, 2010). This book provides a basic introduction to legal research that is often used in law schools. You may be able to buy this second hand.
3. **Online:** *Best Guide to Canadian Legal Research*: www.legalresearch.org. This is an excellent resource addressing processes and resources for legal research with many relevant hyperlinks. Note however that citation information given has not yet been updated to the McGill Guide 7th Edition which is used in this course.
4. **Online:** Australian Postgraduate Law Network, *Guide for Postgraduate Law Students*, section on "Research Skills": <http://alpn.edu.au/research-skills> contains several modules on legal research and legal research sources. Although developed for Australian law students, much of the material is directly relevant in the Canadian context, as a compatible Commonwealth common law jurisdiction. It contains a good section on Canadian legal research: see <http://alpn.edu.au/node/81>.

EVALUATION

This course is designed to develop skills necessary to conduct legal studies research. These skills include identifying, finding, analyzing and applying different sources of information to answer a legal studies research question. The evaluation mechanisms in this course are designed to address these skills.

| Evaluation Component | Value | Due Dates |
|--|--------------|-------------------|
| ASSIGNMENTS There are THREE Assignments in the course. Each is submitted through the CULearn Assignment Tab. Full instructions will be provided with the Assignment Sheets which will be posted on the Assignment Tab on CULearn. | | |
| Assignment 1 Case Brief and Analysis This assignment will require students to summarize and analyze a judicial decision in a case to be assigned by the instructors. | 25% | October 22, 2012 |
| Assignment 2 Draft Research Essay Outline Students must submit a draft outline of their final paper that identifies the arguments to be advanced and sources that have been collected to support the argument. Students must meet with their TAs to review the draft outline at a meeting to be held during the last two tutorials of the semester. Sign-up for the meetings will be organized ahead of time. Please bring a hard-copy of our outline to your mandatory TA meeting. | 13% | November 12, 2012 |
| Assignment 3 Final Research Essay This assignment is designed to provide students with the opportunity to compose an essay that answers the research question they have selected from those assigned by the professors. | 35% | December 3, 2012 |
| TUTORIAL ATTENDANCE AND PARTICIPATION Tutorial attendance is mandatory . There are 9 tutorials scheduled during the first 9 weeks of class. Students must attend at least 8 of these tutorials. Tutorials always take place in computer labs, but take two different formats (labs and workshops): <ul style="list-style-type: none">• <u>Labs</u>: the 6 labs cover nuts and bolts of legal research and databases. Students will complete worksheets in these labs.• <u>Workshops</u>: the 3 workshops cover specialized themes such as analyzing legal material and | 10% | Ongoing |

| Evaluation Component | Value | Due Dates |
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| writing. Students will submit Exercises ahead of time for Workshops on Analyzing Cases and Secondary Sources. | | |
| <p>TUTORIAL WORKSHOP PREP EXERCISES Tutorial workshop prep exercises must be completed prior to the Workshop on Analyzing Cases and Using them in Research and the Workshop on Analyzing Secondary Sources and Using Them in Research. These completed exercises must be submitted in person at the beginning of the corresponding workshops. They are worth 2.5 marks each.</p> | 5% | <p><i>Cases Analysis Workshop Prep Exercise – due in week 5 tutorial</i></p> <p><i>Article Analysis Workshop Prep Exercise – due in week 9 tutorial</i></p> |
| <p><u>MANDATORY MEETING WITH TA</u> <u>Students must attend the Mandatory Meeting with TA</u> to Review Draft Essay Outline during a regularly scheduled Tutorial timeslot in weeks 10 and 11. You will sign up for a meeting ahead of time.</p> | 2% | <p>Week 10 or 11 Sign up ahead of time (through TA)</p> |
| <p>LECTURE QUIZZES There are 10 Lecture Quizzes that are based on the content discussed in the lectures and a designated reading for each lecture. These exercises replace the previous examination requirement in this course. They are posted on CUOL. Each Quiz gets activated the day the lecture is broadcast on CUOL and stays open for one week only. Students will have one hour to complete each Quiz.</p> <p><u>Important Note:</u> Each Quiz is worth 2 marks out of your final grade. Only your marks from your best 5 Quizzes will be counted towards your final grade. This means that students may choose to only complete 5 of the Quizzes if they are satisfied with their marks from these 5 Quizzes.</p> | 10% | <p>Week 2 Quiz – open from Sep. 13 until Sep. 19. Week 3 Quiz – open from Sep. 20 until Sep. 26. Week 4 Quiz – open from Sep. 27 until Oct. 3. Week 5 Quiz – open from Oct. 4 until Oct. 10. Week 6 Quiz – open from Oct. 11 until Oct. 17. Week 7 Quiz – open from Oct. 18 until Oct. 24. Week 8 Quiz – open from Oct. 25 until Oct. 31. Week 9 Quiz – open from Nov. 1 until Nov. 7. Week 10 Quiz – open from Nov. 8 until Nov. 14. Week 11 Quiz – open from Nov. 15 until Nov. 21.</p> |
| Important Notes on Evaluation: | | |
| You must complete all components of Evaluation to receive a passing mark in the course. This includes the Preparation Exercises. | | |

Substantive answers must be provided in all Exercise submissions.

You must provide meticulously correct citations compliant with the *Canadian Guide to Uniform Legal Citation*, 7th edition (the McGill Guide) in Assignments. Marks will be deducted in each assignment if citation is not fully correct. Marks will also be allocated for effective writing.

Submission: Due dates are always on a **MONDAY**. Due time for all work is **NOON**.

- This is set during University working hours so you can contact CCS if you have a problem with submission.
- There is a 'grace period' or leeway of a few minutes in case you have technical issues (this means 30 minutes maximum and it is at our discretion).
- You will be subject to **heavy late penalties** if you do not submit on time (see later information on this).
- The **Final Research Essay is due on December 3, 2012**, the last day for handing in course work.

Feedback: You will receive a marking feedback and evaluation sheet with your marks and some comments when your marks are posted. You should wait 48 hours before emailing your TA if you have questions on your marks. Please make your queries specific and detailed so that the TA can review your points and get back to you. If necessary, your TA will set up an appointment to meet with you.

Timelines:

- It will take about 14 days to mark and return Assignment 1 to you through the Assignments Tab.
- Assignment 2 will be marked and returned in Week 12 (after all individual meetings with TAs have been completed).
- Assignment 3 will be marked within the timeframe for finalizing the Final Grade Report. You will receive your mark around the same time as the FGR is submitted to the Dean's Office.
- Marks for other submissions will be input by your TA using Grade Book. These are likely to be posted 'en bloc' near the end of the semester. You will know if you have obtained the associated marks in any case, by submitting on time.

Grade Book: Initially, you will obtain your mark through the Assignments Tab on CULearn. After a short time, we will also release the marks onto grade book. Please check from time to time so we can catch any errors or omissions early and make corrections.

Good advice: Keep a copy of all assignments and other submissions until your final grade is confirmed.

Individual work only! See later discussion of Academic Integrity.

LATE PENALTIES

We have every commitment to your success in the course and we also know that 'life' (and other coursework) can intervene. We also realise that it is common for students (and even professors) to work towards the 'last minute deadline.' As the seconds tick towards the deadline however, there seems to be a correlated 'disaster clock' – a computer crash, lost file etc. We urge you to set earlier 'self-deadlines' and to allow time for revision for major Assignments.

This is a very large class. Late assignments create a significant administrative burden across the (large) team of people who work with us on the course. There is a significantly higher risk of assignments going astray. There are many deliverables. Accordingly, we expect and require students to get their

assignments in ON TIME. We are remorseless about lateness and impose extremely heavy penalties without exception as follows:

ASSIGNMENTS

Late Assignments will be penalized as follows:

- Deduction of 5% marks if the assignment is handed in on the due date after the deadline of NOON but before midnight.
- A further 5% if the assignment is handed-in anytime the 'next day' - from 12:01am to 11:59 pm.
- A further 10% is deducted at beginning of each following day (at 12:01am) including weekend days.
 - In other words, if a paper is due at NOON on Monday and you submit it anytime on Wednesday, the penalty is -20% - **So don't be late!!!**
- If an Assignment is handed in more than seven days late, it will be accepted towards course completion but will receive zero marks.

EXTENSIONS FOR THE ASSIGNMENTS

Students can request an extension on Assignments for serious illness or family and personal emergencies. They will be required to provide official supporting documentation. Students requesting an extension MUST contact the course Instructor prior to the assignment deadline. Your TA cannot grant extensions.

Extensions will not granted for computer problems of any kind. We URGE you to back up your work as you go along: email a draft to yourself whenever you finish a segment of work on it or copy it to a USB thumb-drive or an external hard drive.

A cold or the flu is not a sufficient reason for an extension.

Competing workloads in other courses is not a sufficient reason for an extension.

Work schedule or family schedule conflicts are not sufficient reasons for an extension.

ACADEMIC INTEGRITY: PLAGIARISM, UNAUTHORIZED RESUBMISSION OF WORK

The University's policy concerning academic integrity, including prohibitions against plagiarism and the unauthorized resubmission of work is outlined in the Undergraduate Calendar (see e.g. Regulation 14 – Academic Integrity). In particular, students should note that a "student shall not submit substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs. Minor modifications and amendments such as 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 "presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own."

Do not share copies of your papers or files with one another: if someone copies your work you may be equally subject to penalty. Using someone else's responses for the Exercises constitutes plagiarism and will be treated accordingly. Do not work together to prepare your answers. Electronic submission makes it relatively easier for us to compare your work with other submissions in this course (and with earlier course offerings).

We rigorously pursue suspicion of plagiarism and, without exception, refer to the Office of the Dean. We reserve the right to: compare all files with other submissions in this course and other offerings of the course; to use various tools including software to detect possible plagiarism and copying; and if 'off topic' work is submitted, to consult with other instructors to confirm that you are not 're-using and re-cycling' assignments, which is strictly prohibited.

POLICY AND PROCEDURE STATEMENT:

The Department of Law's Policy Statement is available at <http://www2.carleton.ca/law/undergraduate-programs/course-outlines/>. The Department's policy statement is included as part of this course outline. The policy 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.**

COURSE SCHEDULE: LECTURES, TUTORIALS, DUE DATES FOR EVALUATION

Subject to revision. Please review carefully and mark down due dates in particular.

| Week | | Lecture | Tutorial |
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| 1 | Topic | September 6 Introduction to Course | September 10 or 13 Introduction to Labs and Electronic Resources; meet your TA. |
| | Material | Read: Course Outline | Watch videos in Tutorials Folder (CULearn). (Note: The videos posted in this folder are meant to provide you with additional instruction on how to use the databases and websites covered in tutorials.) |
| | Due | Nothing due this week. | |
| 2 | Topic | September 13 Starting Research in Legal Studies | September 17 or 20 Finding Secondary Sources (Library Databases, Quicklaw, Westlaw) |
| | Material | Read: T Brettel Dawson, "Legal Research in a Social Science Setting: The Problem of Method" (1992) 14 Dalhousie Law Journal 445. (<u>Lecture Quiz</u>) Richard F Devlin, "Mapping Legal Theory" (1994) 32 Alta L Rev 602. | Watch videos in Tutorials Folder (CULearn). Read: "Is Google Making Us Stupid?" http://www.theatlantic.com/magazine/archive/2008/07/is-google-making-us-stupid/6868/ |
| | Due Complete by Sep. 19 | Week 2 Lecture Quiz | |
| 3 | Topic | September 20 Cases 1: Cases in Legal Studies Research | September 24 or 27 Finding and Noting-Up Cases I (West Law and CanLii) |
| | Material | Read: Martin Davies, "Reading Cases" (1987) 50(4) Mod L Rev 409. (<u>Lecture Quiz</u>) <i>Recommended:</i> View video by Marilyn Waring found at: http://www.aut.ac.nz/about- | Watch videos in Tutorials Folder (CULearn). |

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| | | aut/old---do-not-link-to/news--and--information/lectures (scroll down on page to find video which compares Canadian and New Zealand treatment of same sex marriage) <i>Recommended:</i> Albie Sachs, "Chapter 2: Tock-Tick: The Working of a Judicial Mind" in Albie Sachs, <i>The Strange Alchemy of Life and Law</i> (London: Oxford University Press, 2009) 47. | |
| | Due Complete by Sep. 26 | Week 3 Lecture Quiz | |
| 4 | Topic | September 27 Cases 2: Anatomy of a Case | October 01 or 04 Finding and Noting Up Cases II (Quicklaw including International sources) |
| | Material | Read: <i>Layland v Ontario</i> , (1993), 14 OR (3d) 658 (you must find and download this case using your research skills) (<u>Lecture Quiz</u>) UBC Fac of Law - "Introduction to Reading and Briefing a Case": http://www.law.ubc.ca/files/pdf/current/jd/lrw/Case_Brief_example.pdf ALPN-" <i>Ratio decidendi</i> and <i>Obiter dicta</i> ": http://alpn.edu.au/node/60 <i>Recommended:</i> R Johnson and M-C Belleau, "I beg to differ: Interdisciplinary Questions about Law, Language and Dissent", ch 6 in Logan Atkinson and Diana Majury eds, <i>Law Mystery and the Humanities: Collected Essays</i> | Watch videos in Tutorials Folder (CULearn). |

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| | | <p>(Toronto: University of Toronto Press, 2008)</p> <p><i>Recommended:</i> (Retired Justice) Albie Sachs, “The Secular and the Sacred: The Challenge of Same Sex Marriage”, ch 9 in <i>The Alchemy of Life and Law</i> (London: Oxford University Press, 2009) at 231 and see video link: http://www.youtube.com/watch?v=pBkhjB8v4FA, Focus on minutes 15.07 to 30.43.</p> | |
| | Due Complete by Oct. 3 | Week 4 Lecture Quiz | |
| 5 | Topic | October 4 Cases 3: Precedent, Law Reporting and Citation | October 15 (Monday classes) or 11 Workshop: Analyzing Cases and Using them in Research (Halpern) |
| | Material | <p>Read:</p> <p>ALPN – “Law Reports”: http://alpn.edu.au/law-reports (focus on concepts not details)</p> <p>ALPN-“Updating Cases”: http://alpn.edu.au/updating-cases</p> <p>Debra Parkes, “Precedent Unbound? Contemporary Approaches to Precedent in Canada” (2007) 32 Man LJ 135</p> <p>McGill Guide, Section 3 (E-43 – E66)</p> <p><i>Recommended: Susan W. Brenner, “Of Publication and Precedent: An Inquiry Into The Ethnomethodology Of Case Reporting in The American Legal</i></p> | <p>Read (and complete exercise on) <i>Halpern v Canada (Attorney General)</i> (2003), 65 OR. (3d) 161 - you must find and download this case using your research skills</p> |

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| | | System”, (1989-90) 39 DePaul L Rev 461 | |
| | Due Submit in Wk 5 tutorial | Tutorial Workshop Prep Exercise | |
| | Due Complete by Oct. 10 | Week 5 Lecture Quiz | |
| 6 | Topic | October 11 Legislation and Gov Docs 1: Legislation and Legislative Process | October 22 (Monday Classes) or 18 Tracing the Legislative Process and Finding Government Docs |
| | Material | Read: Speeches of Prime Minister Paul Martin and Opposition Leader Steven Harper that are found at pages 3574-3585 of Hansard, vol 140, no 58. (A pdf of the Hansard document is posted in the Lectures folder under the tab for week 6) (Lecture Quiz) Law Commission of Canada, <i>Beyond Conjuality: Recognizing and Supporting Close Personal Adult Relationships</i> (Ottawa: Minister of Public Works and Government Services, 2001), pp 113-141. <i>McGill Guide</i> , chapter 2 | Watch videos in tutorials folder on CULearn |
| | Due Complete by Oct. 17 | Week 6 Lecture Quiz | |
| 7 | Topic | October 18 Legislation and Government Docs 2: Using Legislative Instruments and Gov Docs in Your Research | October 29 (Monday Classes) or 25 Finding and Noting Up Legislation |
| | Material | Read: Sandra Markman, "Training of Legislative Counsel: Learning to | Watch videos in tutorials folder on CULearn |

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| | | <p>Draft without Nellie" (2010) 36(1) Commonwealth L Bull 25. Sandra Markman, "Training of Legislative Counsel: Learning to Draft without Nellie" (2010) 36(1) Commonwealth L Bull 25. (Lecture Quiz)</p> <p>Ruth Sullivan, <i>Statutory Interpretation, 2nd ed.</i> (Irwin Law, 2007) pp 5-13, 40-48.</p> <p>Ruth Sullivan, <i>Sullivan and Driedger on the Construction of Statutes, 4th ed</i> (Toronto: Butterworths, 2002) pp 613-624.</p> <p><i>Civil Marriage Act</i>, SC 2005, c 33. [CuLearn link]</p> <p><i>Marriage Act</i>, RSO 1990, cM-3. [CULearn link]</p> <p><i>McGill Guide</i>, chapter 4</p> | |
| | Due Oct. 22 | Assignment 1: Case Brief and Analysis | |
| | Due Complete by Oct. 24 | Week 7 Lecture Quiz | |
| 8 | Topic | October 25 Secondary Sources I – Introduction to Secondary Sources | November 05 (Monday Classes) or 01 Workshop: Writing and Editing |
| | | Read: Nicholas Bala, "Controversy over Couples in Canada: The Evolution of Marriage and Other Adult Interdependent Relationships" (2003) 29 Queen's LJ 41. (Lecture Quiz) | Read: Pamela Samuelson, "Good Legal Writing: Of Orwell and Window Panes" (1984) 46 U Pitt L Rev.149. Additional readings posted in tutorials folder on CUOL. |
| | Due Complete by Oct. 31 | Week 8 Lecture Quiz | |

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| 9 | Topic | November 1 Secondary Sources II | November 12 (Monday Classes) or 08 Analyzing Secondary Sources and Using Them in Research |
| | Material | Read: Bala article (continued from last week – additional questions on this article in this week’s Lecture Quiz) <i>McGill Guide</i> , chapter 6 | Read (and complete exercise): Claire Young and Susan Boyd, “Losing the Feminist Voice? Debates on the Legal Recognition of Same Sex Partnerships in Canada” (2006) 14 Fem Legal Stud. 213 |
| | Due Submit in Week 9 Tutorial | Tutorial Workshop Prep Exercise | |
| | Due Complete by Nov. 7 | Week 9 Lecture Quiz | |
| 10 | Topic | November 8 International Law Instruments and Documents | November 19 (Monday Classes) or 15 Mandatory Meetings with TA to Review Essay Outline (Assignment 2). Sign up ahead of time. Please bring hard copy of your outline to the TA meeting. |
| | Material | UN Human Rights Committee, Communication No 902/1999 (CuLearn Link) (<u>Lecture Quiz</u>) ALPN – “Public International Law” at: http://alpn.edu.au/node/68 | |
| | Due Complete by Nov. 14 | Week 10 Lecture Quiz | |
| | Due Nov. 12 | Assignment 2: Draft Research Essay Outline | |
| 11 | Topic | November 15 Faculty Forum: International Legal Studies Research | November 26 (Monday Classes) or 22 Mandatory Meetings with TA to Review Essay Outline (Assignment 2). Sign up ahead of time. Please bring hard copy of your outline to the TA meeting. |
| | Material | UN Human Rights Council, Advisory Committee Report (<u>Lecture Quiz</u>) | |

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| | Due Complete by Nov. 21 | Week 11 Lecture Quiz | |
| 12 | Topic | November 22 Conclusion and Review | December 03 (Monday Classes) or November 29 Open Office Hours |
| | Material | No new readings this week | No new readings this week. |
| | Due December 3 | Assignment 3: Final Research Essay | |