

Course Outline

COURSE: LAWS 2908C– Approaches in Legal Studies I

TERM: Fall 2015

LECTURES AND TUTORIALS: **Tuesdays 14:35-17:25** **Mandatory Attendance. Attendance will be recorded and graded. Please check with Carleton Central for current room location**

Note: This course uses a blended learning model that involves both live lectures and tutorials (held in class) and online learning modules that you will review outside of class. *Please review the Course Schedule posted on CULearn to see which classes will include online learning modules.* Class will begin each week at 2:35pm but may not last the full 3 hours when online modules are included for that week.

PREREQUISITES LAWS 1000

INSTRUCTOR: Dr. Vincent Kazmierski
CONTACT: **Office:** D486 Loeb
Office Hrs: Thursdays 1-3pm (or by appointment)
Email: Vincent.Kazmierski@carleton.ca

CULEARN: **Essential** Students must be able to access and use CULearn for this course. Email to Instructor, lecture slides, assignments and many video resources are hosted on cuLearn. Contact CCS for assistance if required at www.carleton.ca/ccs

Academic Accommodations

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy: 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/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

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 Workshop Prep 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.

More information on the University's **Academic Integrity Policy** can be found at: <http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

COURSE DESCRIPTION:

The Law Program at the Department of Law and Legal Studies 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 other theoretical 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, offered at the 3000 level (LAWS 3908), 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

Students who successfully complete this course should be able to:

1. Craft an effective research question in legal studies related to the assignments required in the Law Program;
2. Outline effective research strategies for shaping a research project in legal studies at the undergraduate level;
3. Find primary legal materials, government documents, and secondary academic literature related to their research questions;
4. 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;
5. 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;
6. 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;
7. Apply legal materials to research projects and mobilize them in crafting critical academic argumentation and analysis.

HOW WE WILL WORK TOGETHER TO ACHIEVE THE COURSE LEARNING OBJECTIVES

Learning is a dynamic enterprise that requires active participation of both the instructor and the student. Thus, your ability to achieve the learning objectives for this course will depend on both of us to work towards that goal. To that end, I have drafted the following outline of our respective responsibilities in this course:

To give you the best opportunity to fulfill the learning objectives of this course, **I WILL MAKE MY BEST EFFORT TO:**

- Organize the course to facilitate the achievement of the learning objectives
- Engage in the necessary research and preparation to craft informative and engaging lectures/seminars and tutorials using relevant pedagogical strategies and appropriate substantive content
- Foster a classroom environment that supports interaction and active learning in a respectful and tolerant setting
- Maintain regular office hours (or reasonable appointments) for those students who wish to meet with me in person
- Respond to electronic communication in a timely manner (usually within one business day)
- Prepare evaluations (tests, assignments, presentations etc.) that fairly assess your ability to engage with the content of the course and your developing skills as a university student
- Ensure your assignments are marked in a timely manner (usually within two weeks) and that you receive meaningful feedback where appropriate
- Seek appropriate feedback about the course and its content and reflect and act upon this feedback to improve the course when appropriate

To give you the best opportunity to fulfill the learning objectives of this course, **YOU SHOULD MAKE YOUR BEST EFFORT TO:**

- Complete assigned readings or other preparation tasks before class whenever possible
- Attend class regularly and minimize distractions in class (such as social media) in order to maximize your ability to interact and engage with the material, fellow students and the instructor
- Ensure that your interaction with other students and the instructor is respectful and tolerant of opposing views, different ways of learning or participating
- Ask questions (in person, or electronically) when you are having difficulty understanding the material being studied or if you are uncertain if you have the skills required to complete an assignment or other evaluation
- Manage your schedule so as to ensure you have adequate time to prepare for class and complete assignments in a manner that reflects your best work (this includes time for research, writing, reviewing and editing written submissions and for practicing oral submissions).
- Ensure that all of the work that you submit for evaluation is your own work and that you provide proper attribution (footnotes etc.) to identify where you have relied upon the work of others to support your own ideas or arguments
- Read and carefully consider the evaluation and feedback provided on your assignments
- Take responsibility for your own education by taking your courses seriously and devoting the time and energy required to succeed

COURSE FORMAT**LECTURES**

This course engages a blended learning model. It will include both live lectures (held in class) and online lecture modules that you will review outside of class. The 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. *All tutorials will be held in our course classroom and will be led by Professor Kazmierski.*

COURSE MATERIALS:**A. REQUIRED READINGS:****Articles, Cases, Legislation and Government Documents:**

There is no required text book for this seminar. Instead, the required readings will consist of articles, cases, legislation and government documents. These will be available through links on the cuLearn home page. These readings are indicated on the Schedule of Lectures and Tutorials (posted on cuLearn). Students will be expected to retrieve copies of these readings and read them in preparation for the appropriate lectures and tutorials.

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, captivate 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. McGill Law Journal, *Canadian Guide to Uniform Legal Citation*, 8th ed (Scarborough, Ontario: Carswell, 2014) [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.
2. 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.

3. 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.
4. **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 8th Edition which is used in this course.

EVALUATION

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 rewards students who stay engaged, submit the weekly exercises on time, attend and participate in tutorial.

Evaluation Component	Value	Due Dates
ASSIGNMENTS		
There are TWO 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.	30%	October 19, 2014
Assignment 2 Summary and Analysis of Secondary Sources This assignment will require students to summarize and analyze a journal article assigned by the instructors.	40%	December 7, 2014
TUTORIAL ATTENDANCE AND PARTICIPATION Tutorial attendance is mandatory . There are 10 tutorials scheduled during the first 10 weeks of class. Students must attend at least 8 of these tutorials. Tutorials take two different formats (labs and workshops):	10%	Ongoing

Evaluation Component	Value	Due Dates
<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 4 workshops cover specialized themes such as analyzing legal material and writing. Students will submit Exercises ahead of time for Workshops on Analyzing Cases and Secondary Sources. (See Tutorial Workshop Prep Exercises below) 		
<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 3 marks each.</p>	6%	<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>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 for that week is scheduled in the course schedule below.</p> <p>All Quizzes stay open for only one week. 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 7 Quizzes will be counted towards your final grade. This means that students may choose to complete only 7 of the Quizzes if they are satisfied with their marks from these 7 Quizzes.</p>	14%	<p>Week 1 Quiz – open from Sept 8 to Sept 14 Week 2 Quiz – open from Sept 15 to Sept 21 Week 3 Quiz – open from Sept 22 to Sept 28 Week 4 Quiz – open from Sept 29 to Oct 5 Week 5 Quiz – open from Oct 6 to Oct 12 Week 6 Quiz – open from Oct 13 to Oct 19. Week 7 Quiz – open from Oct 20 to Nov 2. Week 8 Quiz – open from Nov 3 to Nov 9. Week 9 Quiz – open from Nov 10 to Nov 16. Week 10 Quiz – open from Nov 17 to Nov 23</p>
<p>Important Notes on Evaluation:</p>		
<p>You must complete all components of Evaluation to receive a passing mark in the course.</p>		

Standing in a course is determined by the course instructor subject to the approval of the Department and 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 Department and the Dean.

You must provide meticulously correct citations compliant with the *Canadian Guide to Uniform Legal Citation*, 8th 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.

Feedback: You will receive a marking feedback and evaluation sheet with comments when your Assignment 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 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.

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

Individual work only! See discussion of Academic Integrity.

LATE PENALTIES

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 be 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.