

Course Outline

COURSE:	LAWS 4607 A – Immigration and Refugee Law		
TERM:	Winter 2010-11		
PREREQUISITES:	LAWS 2005 [1.0] (not longer offered) or LAWS 2502		
CLASS:	Day & Time:	Friday: 8:32-11:25 am	
	Room:	Please check with Carleton Central for current room location	
INSTRUCTORS: (CONTRACT)	Mr. Shelley Levine (Immigration)	Ms. Jacqueline Lewis (Refugee)	
CONTACT:	Office:	C476 LA (Contract Instructors' Office)	C476 LA (Contract Instructors' Office)
	Office Hrs:	Fridays - TBA	Fridays - TBA
	Telephone:	(416) 364-2345	(416) 924-2227
	Email:	ShelleyLevine@LevLaw.com	jlewis2181@gmail.com

"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 15, 2010 for Fall exams and March 12, 2011 for Winter exams**. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

COURSE OBJECTIVE

Students will examine Canadian Immigration and Refugee law and policy in relation to the political, philosophical, demographic and international context in which this area has developed. The categories and criteria for the admission to and exclusion from Canada of potential immigrants and the present Convention Refugee determination criteria and procedures will also be examined.

COURSE DESCRIPTION

Although a portion of each class will contain a lecture component, classes will follow a flexible seminar and discussion format. Advanced knowledge and understanding of the required reading is essential for effective contribution to class.

Problem-solving case studies in small groups will be used to facilitate an understanding of class material, for which advance preparation is necessary. Students will be encouraged to lead and participate in class discussion and will be graded according to their level of meaningful participation.

METHOD OF EVALUATION

Class Participation – 15%
Research Proposal and Bibliography for Term Paper - 10%
Case study - 30%
Term Paper (4000-5000 words) - 45%

A list of suggested paper topics will be distributed in class on **January 21, 2010**. Research Proposal/Outline and Bibliography for term paper is due on **February 11, 2010**. The Proposal/Outline will be graded and returned to students on **March 4, 2010**. The term paper shall be submitted to the instructor in person on **April 1, 2008 (final class) during class hours**. All class assignments **must be typewritten**. **Please note that all final term papers must attach either disc, CD or hand written notes, of all drafts of term paper**. Although group collaboration will be encouraged during

the term, course papers and bibliographies must be prepared and produced individually.

Note: Late class assignments, including course papers, will be marked down **one half-letter grade for each day submitted after the due date**. Excessive work load will not be considered as an excuse for a late paper. Essays must be submitted to the instructor personally unless alternative arrangements have been approved. Students must retain photocopies **and disc copies** of all class assignments and essays. **Students must govern themselves according to university regulations on plagiarism and other academic offences as well as departmental policies on written assignments.**

Participation will be evaluated on the basis of attendance AND active engagement in discussion. Immigration Case Study presentations will take the form of small group presentations on one of the assigned cases accompanied by typewritten summaries of each student's work not to exceed two type written pages per student. Refugee Case Studies will follow a similar format and may include mock hearings if time permits.

COURSE MATERIALS AND TEXT

Students require Lorne Waldman's, [Canadian Immigration and Refugee Law Practice, 2011 Edition](#) and supplementary Course Materials which are available at the University Bookstore.

Internet References

In addition to the above noted materials students may find the following references useful for class preparation and assignments.

Court Decisions

- Federal Court Decisions (1990-present): http://www.fct-cf.gc.ca/index_e.html
- Supreme Court Decisions (1985-present): <http://www.lexum.umontreal.ca/csc-scc/en/index.html>

Legislation

- Immigration and Refugee Protection Act: Canada <http://www.cic.gc.ca/english/index.asp>

Canada Immigration

- Immigration and Refugee Board: www.irb-cisr.gc.ca
- Citizenship and Immigration Canada <http://www.cic.gc.ca/english/index.asp>

General Sources

- Canadian Council for Refugees <http://www.ccrweb.ca/eng/engfront/frontpage.htm>
- Amnesty International Human Rights Library: <http://www.amnesty.ca/>
- Human Rights Watch: <http://www.hrw.org/en/voices-for-justice>
- United Nations High Commissioner for Refugees <http://www.unhcr.ch/>
- United States Department of State Reports (DOS): <http://www.state.gov/index.cfm>

CLASS SCHEDULE
Law 4607A - Immigration and Refugee Law

Immigration Section:

- January 7 Philosophical Underpinnings and International Migration of Immigrants
- January 14 Overview of Legislation – Status, Exclusion and Removal, Applications for Landing, Visitors and Applications from within Canada
(Sign up for either Immigration or Refugee case study)
- January 21 Immigrating to Canada - Basic Principles
(Family Class Immigrants)
(Paper topics to be distributed)
- February 28 Immigrating to Canada - Basic Principles
(Independent Class/Skilled worker Immigrants)
- February 04 Inadmissibility and security certificates
(Immigration Case Studies distributed)
- February 11 Immigration Case Studies presented
(Re-search Proposal for term paper and Bibliography to be handed to instructor during class hours)
- February 18 Review
- February 25 No class – Winter Break

Convention Refugee Section

- March 4
- Foundation for our Refugee Determination System
 - Procedure: how we determine refugee status
 - Issues regarding our current system
- (Graded Research Proposal for term paper returned to students)
- March 11 Convention Refugees – Definition
- Issues of Nationality
 - Grounds for making a claim
- March 18 Convention Refugees – Definition
- Meaning of Well-founded fear
 - Meaning of Persecution
- March 25 State Protection
- Internal Flight Alternative
 - Exclusion
- (Refugee Case Studies distributed)
- April 4 Convention Refugee – Case Studies presented
(Final Papers to be handed to instructor during class hours)

Assigned readings will be made available in class.