

Course Outline

COURSE: LAWS 1000 B—Introduction to Legal Studies

TERM: FALL 2017 – WINTER 2018

CLASS: **Day & Time:** Tuesdays 2:35 pm - 4:25 pm
 Room: Please check Carleton Central for current room location

INSTRUCTOR: **Sebastien Malette, Ph.D.**

CONTACT: **Office:** D591 LA (Loeb Building)
 Office Hrs: Wednesdays 12-2pm (or by appointment)
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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 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://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://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*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://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.

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

Student Services: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

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://carleton.ca/law/current-students/>

COURSE DESCRIPTION

This course is designed to provide an introduction to the field of Canadian legal studies. As such, it has two main 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, constitutional law, and contract law). The second objective of the course is to provide students with the tools to begin to think critically about the law and our legal system. 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 the role that law plays in either advancing or inhibiting social change.

REQUIRED TEXTS

1. Stephen Tasson, Jane Dickson, Vincent Kazmierski, Bettina Kuzmarov, Sebastien Malette (eds.), *Introduction to Legal Studies*, 5th Edition (Concord: Captus Press, 2010); ISBN 978-1-55322-334-4.
2. Rick Ruddell, George Pavlich, *Exploring Criminal Justice in Canada - Law and Society Redefined* (Oxford University Press, 2016 & 2011); ISBN: 9780199015658.

LECTURES AND READINGS

A list of lecture topics and assigned readings will be posted on cuLearn at the beginning of the fall semester. I highly recommend that students complete the assigned readings prior to each week's lecture. My lectures will identify important issues raised in the readings, but will not simply repeat material in the readings. In addition, I introduce material not covered by the readings in my lectures. Students are encouraged to take detailed notes during lectures. To assist students in taking notes, I post an outline of my lecture (not my lecture notes) on cuLearn prior to most lectures.

TUTORIALS

Attendance at tutorials is MANDATORY. In fact, attendance and participation in tutorials is assigned marks in this course (see below). Tutorials will be used to teach skills necessary for effectively completing the assignments as well as to deal with the substance of the course. Each tutorial group will consist of about 30 students and will be led by a designated Teaching Assistant (T.A.). Assignments will be marked by the T.A. in charge of the student's designated tutorial. Office hours and email addresses for T.A.s will be posted on cuLearn.

COMMUNICATION:

CuLearn will be the primary method of electronic communication with students outside of class. It will be used to post marks, to post announcements, to host email communications and electronic discussion boards. Students should make sure that they sign-on to cuLearn in the first week of classes and should check the cuLearn page for this course on a weekly basis.

<https://www.carleton.ca/culearn/>

EVALUATION PROCEDURES AND DEADLINES:

There are six formal evaluation components in this course – three assignments, two multiple-choice exams, and attendance/participation in tutorials. The drop box in the main office is NOT the primary method for students to submit their papers/assignments. Students should hand in their papers/assignments directly to their instructor or their Teaching Assistant in class, in the tutorial group, or during office hours.

10% - Assignment 1: Summary and analysis - due Oct. 31, 2017. This assignment will involve writing a short summary and analysis of an academic article that will be assigned by the instructor (2-3 double-spaced pages).

15% - Assignment 2: Case brief - due Dec 5, 2017. Requires to locate a judgment of the Supreme Court of Canada, read that judgment and summarize it in a case brief.

- **In constructing your case brief, please use the format contained in the "Case Brief Template" which is posted on the course webpage on CULearn.**

20% - Fall Exam - to be held during the formal fall exam period. The exam will consist of multiple-choice questions only.

20% - Assignment 3: short paper - due April 10, 2018. This assignment will involve writing a short paper (4-6 double spaced pages) on a topic to be assigned by the instructor.

25% - Winter Exam - to be held during the formal winter exam period. The exam will consist of multiple-choice questions only.

10% - Tutorial Attendance and Participation - held every week after class. Students are required to attend all tutorials offered. Each tutorial is worth approximately 0.5/10. The mark awarded assesses both attendance and participation in the tutorial.

Note: There will be no make-up assignments or “grade-booster” assignments under any circumstances.

Failure to complete all assignments and exams in the course will result in the student receiving a failing grade for the course. Deferrals are granted by the Registrar’s Office.

Standing in a course is determined by the course instructor subject to approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may

SCHEDULE AND READINGS

Fall Term

Week 1	Introduction to Legal Studies	
Tuesday:	Course outline	
<u>Sept 12</u>		
2017		
Week 2	Law, Morality and Justice:	
<u>Sept 19</u>	<i>Legal Studies Course Reader</i> , 5(a)-(c); Ruddell & Pavlich, <i>Natural Law Theory: Morality and Law</i> (ch.2, Pavlich)	
2017		
Week 3	Law in Social Life:	
<u>Sept 26</u>	<i>Legal Studies Course Reader</i> , 1(a)-(c); Ruddell & Pavlich, <i>Realizing Sociological Jurisprudence</i> (Pavlich, ch.4)	

2017		
Week 4 <u>Oct 3</u> 2017	Law, Liberalism and Its Critics: <i>Legal Studies Course Reader</i> , 6(a)-(d).	
Week 5 <u>Oct 10</u> 2017	Connecting Law and Society: <i>Legal Studies Course Reader</i> , 7(a)-(c); Ruddell & Pavlich, <i>Positing Law</i> (Pavlich, ch.3).	
Week 6 <u>Oct 17</u> 2017	Cultural Context: Legal Cultures in Canada: <i>Legal Studies Course Reader</i> , 2(a)-(d)	
Week 7 <u>Oct 24</u> 2017	No lecture this week due to Reading Week – Classes Suspended	
Week 8 <u>Oct 31</u> 2017	The Constitutional Context: Law, the State and the Constitution. <i>Legal Studies Course Reader</i> , 3(a)-(d)	Assignment 1 Due by 4: 30pm
Week 9 <u>Nov 7</u> 2017	The Charter of Rights: <i>Legal Studies Course Reader</i> , 11(b)-(e)	
Week 10 <u>Nov 14</u> 2017	Judicial Decisions and the Common Law: <i>Legal Studies Course Reader</i> , 8(a)-(c).	
Week 11 <u>Nov 21</u> 2016	The Organization and Structure of Canadian Law: <i>Legal Studies Course Reader</i> , 13(a) & (b); Ruddell & Pavlich, <i>Criminal Courts and Court Personnel</i> (Ruddell, ch.7).	
Week 12	Law, the State and Citizens. Citizenship:	

<u>Nov 28</u> 2016	Who Belongs? Who is Protected? <i>Legal Studies Course Reader</i> , 10(a)-(c).	
Week 13 <u>Dec 5</u> 2016	What is Crime? <i>Legal Studies Reader</i> , 12(a); Ruddell & Pavlich, Crime and Justice (Ruddell, ch.1)	Assignment #2 due by 4:30pm
FIRST TERM EXAM TO BE HELD IN FORMAL EXAM PERIOD		

Winter term

Week 16 <u>Jan 9</u> 2018	The Criminal Law Process: <i>Legal Studies Course Reader</i> , 13(a)-(b); 18(d); Ruddell & Pavlich, Criminal Law (Ruddell, ch.4).	
Week 17 <u>Jan 16</u> 2018	Negotiating and Bargaining: <i>Legal Studies Course Reader</i> , 16(a)-(b).	
Week 18 <u>Jan 23</u> 2018	Regulating Personal Relationships: <i>Legal Studies Course Reader</i> , 15(a)-(c); 21(e)	
Week 19 <u>Jan 30</u> 2018	Regulating Economic Relationships: <i>Legal Studies Course Reader</i> , 14(a)-(c)	
Week 20 <u>Feb 6</u>	Access to Justice: Income Issues: <i>Introduction to Legal Studies Course Reader</i> , 20(a)-(c).	

2018		
Week 21 <u>Feb 13</u> 2018	Access to Justice: Procedural Issues: <i>Introduction to Legal Studies Course Reader, 21(a)-(d).</i>	
Week 22 <u>Feb 20</u> 2018	No lecture this week due to Reading Week – Classes Suspended	
Week 23 <u>Feb 27</u> 2018	Law Enforcement Personnel: <i>Legal Studies Course Reader, 25(a) & (c); Ruddell & Pavlich, Police Activities, Operations and Challenges (Ruddell, ch.6)</i>	
Week 24 <u>March 6</u> 2018	Judges and Adjudication: <i>Legal Studies Course Reader, 17(a); 24(b), (d)&(f)</i>	
Week 25 <u>March 13</u> 2018	Juries: <i>Legal Studies Course Reader, 23(a)-(d).</i>	
Week 26 <u>March 20</u> 2018	Lawyers, Advocates and Legal Practice: <i>Legal Studies Course Reader, 22 (a),(c),(d).</i>	
Week	Alternatives to Adjudication: <i>Legal Studies Course Reader, 18(a)&(c);19(a) &(c)</i>	

27 <u>March 27</u> 2018		
Week 27 <u>April 3</u> 2018	The Future of Law: Food for Thought Casebook, 27(a)-(e)	
Week 29 <u>April 10</u> 2018	Catch-up Lecture and Exam Review SECOND TERM EXAM TO BE HELD IN FORMAL EXAM PERIOD	Assignment #3 due by 4:30pm

***Please note that this schedule is subject to change. Changes, if necessary, will be announced in class and posted appropriately.**