

Carleton University

Department of Law and Legal Studies  
Course Outline

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<b>COURSE:</b>	<b>LAWS 1001 C Introduction to Legal Studies 1: Foundations and Rights Protection</b>
<b>TERM:</b>	<b>FALL 2021</b>
<b>CLASS:</b>	<p><b>Day, Time: Mondays 2:35</b>  <b>Pre-record lectures delivered via <i>Brightspace</i>* according to the schedule on pg. 3 below. Note that lectures for classes 2 to 12 are professionally recorded CUOL lectures from Fall 2020 with edited updates: You are responsible for all academic content in those lectures and will be assessed on that content, but administrative references to previous university term dates and to the old <i>CULearn</i> learning management system may be disregarded (discrepancies in such information may be resolved by reference to this course outline and as noted in lecture 1).</b></p>
<b>INSTRUCTOR:</b>	<b>Professor Barry Wright</b>
<b>CONTACT:</b>	<p><b>Office: D489 Loeb Building (extension 8201). No office hours Fall Term because of pandemic measures. Please contact your Teaching Assistant (TA) by email or during questions in the TA-led discussion groups noted below.</b></p> <p><b>Email: <a href="mailto:barry.wright@carleton.ca">barry.wright@carleton.ca</a> *Please contact your TA by email in the first instance, <u>before</u> emailing Professor Wright if further follow up is needed (see the <i>Brightspace</i> course site for your group TA contact and Peer Assisted Study Support contact information).</b></p>

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**\*Online Learning Information:**

***Brightspace* is the new learning management system (LMS) that replaces *CULearn* for Carleton University courses. For more information see [www.carleton.ca/brightspace](http://www.carleton.ca/brightspace)**

**-Log into *Brightspace* [brightspace.carleton.ca](http://brightspace.carleton.ca) using your MyCarleton (MC1) credentials (MyCarleton1 username and password) to access this course.**

**-Need help logging in? Contact the [ITS Service Desk](#) for assistance.**

**-Other questions? For more information see Teaching and Learning Services and the student support portal <https://carleton.ca/brightspace/students/#portal1>.**

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**Calendar Course Description:**

Introduction to legal studies: Concepts, sources, nature and functions of law; historical, cultural and constitutional foundations of the Canadian legal system; common law and civil law traditions; statutory interpretation, precedent; legal institutions; frameworks for analyzing formal and informal conceptions of law and its role in society.

**Detailed Course Description:**

This course is designed to provide an introduction to the field of legal studies. It surveys the Canadian legal system, focused on common law jurisdictions, and places law, legal processes,

institutions and personnel in broader historical, social and political contexts. Students will learn about the concepts and theories of law as well as the sources of formal law in Canada, their origins and role in colonization. The Canadian constitution and the main doctrinal areas of public and private law are overviewed, as is the legal process, the courts and alternative dispute resolution, the legal profession, other legal actors and access to justice issues. The course concludes with addressing the role of law in a changing society, the limits of the law, and the prospects for progressive law reform and further practical realization of rights and justice.

### **Learning Objectives:**

Upon completion of this course students should be able to describe the main foundational or technical elements related to the above topics, identify and assess central issues and debates arising from these topics, and begin to think critically about the law and the legal system.

### **Course Organization:**

This course is administered online in *Brightspace* according to class schedule below and includes: 12 asynchronous recorded lectures (available on a weekly basis by class start time), 5 synchronous TA led discussion groups on ZOOM (commencing at 4:30 pm via *Brightspace*) on the class dates noted below, and written assignments (essays and exam as noted in the evaluation section below), to be submitted when due via the *Brightspace* assignment upload tab. High-speed internet access and a computer are therefore required for this course.

### **REQUIRED TEXT**

**Barry Wright, Vincent Kazmierski, Betina Appel Kuzmarov, Rebecca Bromwich, *Looking at Law: Canada's Legal System 7<sup>th</sup> edition* (Toronto: LexisNexis, 2019)**

This book may be ordered and purchased online from the Carleton University Bookstore: [www.bkstr.com/carletonstore/home](http://www.bkstr.com/carletonstore/home). On-line orders can be picked up on campus (Bookstore Service Counter) or delivery can be arranged when placing your order –see: <https://www.bkstr.com/carletonstore/shop/textbooks-and-course-materials>. Note that the text is extensively revised from previous editions and the readings below refer to the 7<sup>th</sup> edition's page numbers, so older 5<sup>th</sup> and 6<sup>th</sup> editions of the book not recommended.

### **EVALUATION**

**There are four assessed or formally evaluated components in this course: two written assignments, attendance and participation in the scheduled discussion groups, and an online final examination scheduled during the formal December examination period:**

- 30% Assignment 1: Review Essay (details will be posted on *Brightspace*) Due: 18 October**
- 30% Assignment 2: Analytical Essay (details will be posted on *Brightspace*) Due: 15 November**
- 30% Final Examination (3 hour open book, accessed and submitted on *Brightspace* during the formal December examination period)**
- 10% Discussion Group Participation (5 *Zoom* sessions following lectures, from 4:35 pm on 27 September, 4 October, 1 November, 8 November, and 6 December)**

**Important notes on assessment and expectations in this course:**

All written components (both essay assignments and final exam) must be submitted to receive a passing grade in this course (failure to complete either essay will result in a failing grade regardless of results in the final exam).

Essays submitted after the due date, without authorized extension based on illness or other unexpected emergency, are subject to late penalties as noted in the essay assignment and cannot be submitted after 10 December. In case of illness or other unexpected emergency, a deferred examination, following the same format as the final exam, may be applied for at the Registrar's Office.

Students should sign into *Brightspace* before the first class commences (see Online Learning Information on pg.1), regularly access the lectures weekly on the course site, follow indicated links and note periodic announcements and updates. Engagement with this course information in *Brightspace* and email are the primary modes of communication in the absence of face to face in-person classes and office hours.

You are expected to complete the readings for the weekly lecture as set out in the Class Schedule below. Advanced reading will facilitate your understanding of matters covered in Professor Wright's lecture. The lecture will elaborate on important issues raised in the readings and new material may be introduced that could appear in the final exam. You are assigned a TA who leads your group discussion sessions on the *Zoom* online platform following lectures 3, 4, 6, 7, and 11 (dates and times noted above and below). The TA led discussion groups provide an opportunity to review and discuss central course themes and assignment expectations, and for you to raise questions in an informal small group setting (10% of your final grade is allocated to participation in these sessions). Courtesy towards others and respect for diverse points of view will be maintained in lectures and is also expected of you in discussion groups. Your TA will also grade your essays and exam.

Please carefully note assignment instructions (both essays and the exam) and submission procedures. All assignments (essays and exam) must be submitted as MSWord or PDF files on *Brightspace* by the specified due date and time indicated and receipt will be registered on the system. Submissions in any other format or fashion will not be accepted. Please ensure the integrity of your submitted electronic file (that it is not corrupted and can be accessed and read by others). You are advised to retain identical, dated secure back-up file copies of your submissions. If you disagree with a TA's assessment of your work please contact your TA within one week after the disputed grade is posted on Brightspace and note that Professor Wright will not review an appeal of the grade unless it has been first discussed with your TA.

Please note regulations concerning academic integrity and related instructional offences as noted at the end of the course outline and in the Undergraduate Calendar. Prior approval of the instructor must be obtained if it is intended to submit work that has previously or concurrently been submitted for credit in this or another course. 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 approved by the Chair and Dean.

**CLASS SCHEDULE: LECTURE TOPICS AND READINGS**

Links to recorded lectures listed below appear in the *Brightspace* course site, organized in weekly class modules. Please complete the readings for each class as noted below and in the modules from the 7<sup>th</sup> ed. (2019) of *Looking at Law* (plus the three supplementary reading pdfs) before viewing the applicable lecture:

- Lecture 1 (13 September) Introduction and Course Overview
- Lecture 2 Concepts of Law 1: What is Law?  
*Looking at Law* ch.1 p.1-12
- Lecture 3 Concepts of Law 2: What Does Law Do?  
*Looking at Law* ch.1 p.12-21; supplementary pdf reading in *Brightspace* class 3 module: Twining, *The Great Juristic Bazaar*  
**TA led discussion groups on Zoom from 4:30 pm following lecture (27 September)**
- Lecture 4 Sources of Law 1: Reception of European Laws and Colonization  
*Looking at Law* ch.2 p.23-34; supplementary pdf reading in *Brightspace* class 4 module: Borrows, *Wampum at Niagara: The Royal Proclamation, Canadian Legal History and Self-Government*  
**TA led discussion groups on Zoom from 4:30 pm following lecture (4 October)**
- Lecture 5 Sources of Law 2: Common Law and Precedent, Legislation  
*Looking at Law* ch.2 p.34-45  
**Note: Essay Assignment 1 to be completed and submitted on Brightspace (18 October)**
- Lecture 6 Law, State and Constitution 1: British Constitutional Foundation and Canadian Federalism  
*Looking at Law* ch.3 p.47-61  
**Note: No class 25 October – Fall Term Reading Week**  
**TA led discussion groups on Zoom from 4:30 pm following lecture (1 November)**
- Lecture 7 Law, State and Constitution 2: The Charter of Rights  
*Looking at Law* ch.3 p.62-70; supplementary pdf reading in *Brightspace* class 7 module, Berger, *Judicial Review*  
**TA led discussion groups on Zoom from 4:30 pm following lecture (8 November)**
- Lecture 8 Areas of Substantive Law: Overview of Public and Private Law Doctrines  
*Looking at Law* p. 71-97 (all of ch.4)  
**Note: Assignment 2 to be completed and submitted on Brightspace (15 November)**
- Lecture 9 The Legal Process 1: Evidence, Procedure and the Courts  
*Looking at Law* ch.5 p.99-102, 109, 113-118, ch.6 121-26
- Lecture 10 The Legal Process 2: Adjudication and ADR, Legal Personnel  
*Looking at Law* ch.6 131-37; ch.7 p.139-50
- Lecture 11 The Legal Process 3: Access to Justice, Law Reform and Rights  
*Looking at Law* ch.9 (read whole chapter)  
**TA led discussion groups on Zoom from 4:30 pm following lecture (6 December)**
- Lecture 12 Law and the Future; Exam Review Class Review readings and class notes for entire term

**Note:** Due to Labour Day and Thanksgiving holiday Mondays, this final class of term is scheduled the same week as lecture 11 is delivered Friday 10 December.

The final exam will be administered on Brightspace during the formally scheduled final exam period (11-23 December) and the specific date announced by early November. Although the exam will be

written online, it is not considered a 'take home' exam or in term summative and is subject to all the requirements normally required for scheduled final examinations.

### General University Matters:

<b>Fall Term 2021 Sessional Dates and University Closures</b>	
<i>Please find a full list of important academic dates on the calendar website: <a href="https://calendar.carleton.ca/academicyear/">https://calendar.carleton.ca/academicyear/</a></i>	
<b>September 6, 2021</b>	Statutory holiday. University closed.
<b>September 8, 2021</b>	Fall term begins. Fall and fall/winter classes begin.
<b>October 11, 2021</b>	Statutory holiday. University closed.
<b>October 25-29, 2021</b>	Fall break, no classes.
<b>November 26, 2021</b>	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade before the official examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
<b>December 10, 2021</b>	Fall term ends. Last day of fall term classes. Classes follow a Monday schedule.
<b>December 11-23, 2021</b>	Formally Scheduled Final Exams may be held.
<b>December 23, 2021</b>	<b>All take home examinations are due</b> on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.
<b>December 25, 2021 through January 1, 2022 inclusive</b>	University closed.

### **COVID-19 PREVENTION MEASURES**

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of

contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca)

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

## **ACADEMIC ACCOMMODATIONS**

### **Academic Accommodation**

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

**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 [click here](#).

**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](mailto: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).

**Survivors of Sexual Violence**

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

**Accommodation for Student Activities**

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation will be provided to students who compete or perform at the national or international level. 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: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

**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: <https://carleton.ca/registrar/academic-integrity/>.

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For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

**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: <https://carleton.ca/law/student-experience-resources/>.