

LAW STUDIES (LAW)

LAW 135 Introduction to Legal Skills Units: 4.00

Introduction to Legal Skills provides an introduction to skills used by lawyers in law practice and for success in law school, including legal reasoning, predictive and persuasive legal writing, legal research, and advocacy. The course also provides an introduction to foundational knowledge related to the study of law, including the court structure, the lawyer-client relationship, and an introduction to the professional responsibilities of lawyers.

Offering Faculty: Faculty of Law

LAW 140 Public Law Units: 4.00

Study of federalism and the distribution of legislative powers under the Canadian constitution and of Anglo-Canadian legal norms governing state powers: 'rule of law', nation to nation relations, relationship between states and citizens, role and independence of the judiciary and constraints upon on executive and administrative power including principles of Canadian administrative law.

Offering Faculty: Faculty of Law

LAW 141 Public Law Units: 4.00

Study of federalism and the distribution of legislative powers under the Canadian constitution and of Anglo-Canadian legal norms governing state powers: 'rule of law', nation to nation relations, relationship between states and citizens, role and independence of the judiciary and constraints upon on executive and administrative power including principles of Canadian administrative law.

Offering Faculty: Faculty of Law

LAW 142 Public Law Units: 4.00

Study of federalism and the distribution of legislative powers under the Canadian constitution and of Anglo-Canadian legal norms governing state powers: 'rule of law', nation to nation relations, relationship between states and citizens, role and independence of the judiciary and constraints upon on executive and administrative power including principles of Canadian administrative law.

Offering Faculty: Faculty of Law

LAW 143 Public Law Units: 4.00

Study of federalism and the distribution of legislative powers under the Canadian constitution and of Anglo-Canadian legal norms governing state powers: 'rule of law', nation to nation relations, relationship between states and citizens, role and independence of the judiciary and constraints upon on executive and administrative power including principles of Canadian administrative law.

Offering Faculty: Faculty of Law

LAW 144 Public Law Units: 4.00

Study of federalism and the distribution of legislative powers under the Canadian constitution and of Anglo-Canadian legal norms governing state powers: rule of law, nation to nation relations, relationship between states and citizens, role and independence of the judiciary and constraints upon on executive and administrative power including principles of Canadian administrative law.

Offering Faculty: Faculty of Law

LAW 150 Constitutional Law Units: 4.00

The study of law pertaining to the judicial protection of fundamental rights, including aboriginal and Charter rights.

Offering Faculty: Faculty of Law

LAW 151 Constitutional Law Units: 4.00

The study of law pertaining to the judicial protection of fundamental rights, including aboriginal and Charter rights.

Offering Faculty: Faculty of Law

LAW 152 Constitutional Law Units: 4.00

The study of law pertaining to the judicial protection of fundamental rights, including aboriginal and Charter rights.

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LAW 153 Constitutional Law Units: 4.00

The study of law pertaining to the judicial protection of fundamental rights, including aboriginal and Charter rights.

Offering Faculty: Faculty of Law

LAW 154 Constitutional Law Units: 4.00

The study of law pertaining to the judicial protection of fundamental rights, including aboriginal and Charter rights.

Offering Faculty: Faculty of Law

LAW 160 Contracts Units: 6.00

This course covers the general function of contracts and the scope of legal protection accorded contracts, including the examination of such matters as formation of contracts, rights of third parties, mistake, assignment, conditions, performance, breach, and remedies. Economic and psychological aspects of the subject are considered along with legal history, comparative law and modern statutory developments.

Offering Faculty: Faculty of Law

**LAW 161 Contracts Units: 6.00**

This course covers the general function of contracts and the scope of legal protection accorded contracts, including the examination of such matters as formation of contracts, rights of third parties, mistake, assignment, conditions, performance, breach, and remedies. Economic and psychological aspects of the subject are considered along with legal history, comparative law and modern statutory developments.

Offering Faculty: Faculty of Law

LAW 162 Contracts Units: 6.00

This course covers the general function of contracts and the scope of legal protection accorded contracts, including the examination of such matters as formation of contracts, rights of third parties, mistake, assignment, conditions, performance, breach, and remedies. Economic and psychological aspects of the subject are considered along with legal history, comparative law and modern statutory developments.

Offering Faculty: Faculty of Law

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Offering Faculty: Faculty of Law

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LAW 165 Contracts Units: 6.00

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Offering Faculty: Faculty of Law

LAW 170 Criminal Law Units: 6.00

Study of principles upon which criminal guilt is determined, including defences such as intoxication, mental disorder and self-defence. The course also critically assesses the impact of the Charter of Rights and Freedoms, the adversary system, the presumption of innocence, ethical issues in roles of prosecutors and defence counsel, issues of diversity and sentencing. Special consideration is given to the offences of murder, manslaughter and sexual assault.

Offering Faculty: Faculty of Law

LAW 171 Criminal Law Units: 6.00

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Offering Faculty: Faculty of Law

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LAW 174 Criminal Law Units: 6.00

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Offering Faculty: Faculty of Law

LAW 175 Criminal Law Units: 6.00

Study of principles upon which criminal guilt is determined, including defences such as intoxication, mental disorder and self-defence. The course also critically assesses the impact of the Charter of Rights and Freedoms, the adversary system, the presumption of innocence, ethical issues in roles of prosecutors and defence counsel, issues of diversity and sentencing. Special consideration is given to the offences of murder, manslaughter and sexual assault.

Offering Faculty: Faculty of Law

LAW 180 Property Units: 6.00

This course examines the concept of property and the historical development of interests in personal and real property. The course addresses estates in land, interests less than estates, future interests, rights by adverse possession, co-ownership and private means of control over land use. The law of equity pertaining to property will be addressed.

Offering Faculty: Faculty of Law

LAW 181 Property Units: 6.00

This course examines the concept of property and the historical development of interests in personal and real property. The course addresses estates in land, interests less than estates, future interests, rights by adverse possession, co-ownership and private means of control over land use. The law of equity pertaining to property will be addressed.

Offering Faculty: Faculty of Law

LAW 182 Property Units: 6.00

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Offering Faculty: Faculty of Law

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Offering Faculty: Faculty of Law

LAW 190 Torts Units: 6.00

This course examines the private law system's response to people in the wrong place at the wrong time - torts cases generally involve incidents of accident, injury, disaster, or intentional harm. The course will examine the elements of negligence (duty, standard of care, causation, remoteness, and damages). Intentional torts are also discussed. Special topics may also include products liability, medical malpractice, strict liability, defamation, business torts, environmental torts, and statutory liability.

Offering Faculty: Faculty of Law

LAW 191 Torts Units: 6.00

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Offering Faculty: Faculty of Law

**LAW 194 Torts Units: 6.00**

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Special topics may also include products liability, medical malpractice, strict liability, defamation, business torts, environmental torts, and statutory liability.

Offering Faculty: Faculty of Law

LAW 210 Legal Issues in the Cannabis Industry Units: 2.00

Legal Issues of the Cannabis Industry will provide an introduction to the legal and policy issues surrounding the cannabis industry in Canada. Particular focus on issues germane to the work lawyers do in this evolving field, such as regulatory, marketing, corporate, intellectual property, privacy and Indigenous law.

Offering Faculty: Faculty of Law

LAW 221 Comparative Constitutional Units: 3.00

In the decades since the horrors of the Second World War, a transformative model of constitutionalism has emerged in jurisdictions around the world: rights-based constitutional order. The aim of this model is to fundamentally transform the practice of the relationship between rulers and ruled.

Whereas other forms of governance place some or all legal subjects at the mercy of their government, rights-based constitutional order establishes a set of normative, institutional, and doctrinal commitments that render all public authority accountable to the inherent dignity and fundamental rights of each legal subject.

This course explores a set of contemporary challenges confronting rights-based constitutional order: What is a constitutional right? Are positive rights genuine rights? How should constitutional rights be interpreted? Is balancing a threat to rights? Are constitutional commitments to the inherent and universal human dignity of persons empty? What are the institutional roles of legislative, executive, and judicial institutions in the joint project of rights-protection? Is judicial review a threat to democratic self-governance? Is Canada an instance of or an alternative to rights-based constitutional order? These questions will be explored in reference to comparative case law and commentary.

Offering Faculty: Faculty of Law

LAW 225 Civil Procedure Units: 4.00

This course exposes students to the fundamental concepts in civil procedure in Ontario. Students will become familiar with the Ontario Rules of Civil Procedure. The course aims to be both practical and substantive. Areas of study will include: jurisdiction; limitation periods; commencing and defending an action; the steps in an action, including motions, discovery and pre-trial conferences; disposition without trial; alternatives to litigation; settlement; costs; trials; and appeals. Students will also have an opportunity to view pleadings and affidavits. Finally, students will be asked to assess and explore the efficacy of the civil justice system.

Offering Faculty: Faculty of Law

LAW 237 Franchise Law Units: 1.00

Franchising is one of the most popular methods of doing business in North America. This course will allow you to take a number of the fundamental legal concepts already learned and apply them to a real life methodology of doing business. It will deal with the legal and business issues that arise in the field of franchising and distribution. Topics of study will include: coverage of the statutory regulation of franchising; the nature and structure of the franchisor/franchisee relationship including franchise agreements and documents; franchise litigation including class actions, dispute resolution and remedies; different methods of franchising; disclosure requirements; intellectual property and competition issues in franchise law; transactions within franchise law; and international franchise law.

Offering Faculty: Faculty of Law

LAW 240 Colloquium in Legal and Political Philosophy Units: 3.00

This Colloquium course explores new work in legal and political philosophy. Once every two weeks, a legal, moral, or political philosopher will present a paper falling within the general boundaries of the Colloquium's ambit. In alternate weeks, students will meet with the Colloquium convenors to prepare for the forthcoming session, examining the paper in depth.

Offering Faculty: Faculty of Law

LAW 252 Construction Law Units: 1.00

The construction industry is one of the largest industries in Canada which is expanding and undergoing significant changes due to new project delivery methods, globalization of markets, and the increase of development and infrastructure. As a result, construction law, which involves the application of contract, tort and property law principles, is a rapidly growing field. In response to issues raised by industry stakeholders, Ontario has recently amended its construction lien legislation to include prompt payment and adjudication rules. This is an exciting time of change, and other provinces and the federal government are following in Ontario's footsteps with reviews of their own legislation and consultations with the industry. This course will examine the parties to construction and professional services contracts, procurement models, building and professional design contracts, statutory rights and remedies, bonds, bidding and tendering, common construction claims, litigation of those claims and alternative dispute resolution.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 254 Animal Law: Property, Personhood and Social Membership Units: 1.00

This short course will consider three different models for defining the legal status of animals. Under current Canadian law, animals are defined as "property" - a legal status that accords them very few protections. Some legal scholars and animal rights activists have proposed instead that animals be defined legally as "persons", not property, and thereby secure the basic rights of personhood. For example, the Non-Human Rights Project has filed several suits in the United States to secure personhood for primates, so far unsuccessfully. A third model starts from the premise that many animals are members of society, who live and work alongside us, and who should therefore be accorded certain rights of social membership. For example, companion animals might be legally defined as "members of the family", and service animals might be legally defined as "workers". In this short course, we will explore the strengths and weaknesses of these three models. Student evaluation will be based upon attendance and a course paper.

Offering Faculty: Faculty of Law

LAW 257 First Nations Negotiations Units: 1.00

The Duty to Consult and Accommodate has been clearly outlined by the Supreme Court of Canada. What are the realities of this in practice when negotiating from a corporate, First Nations and government perspective? The course will introduce students to some of the legal and practical issues involved in First Nations negotiations and the skills needed to negotiate effectively.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 263 Jurisprudence Units: 3.00

This course provides a critical introduction to central issues in general jurisprudence, that is, the theory of law in general. Our overarching question is deceptively simple: 'What is law?' To attempt to answer this question, we will explore: the functions and types of laws; authority; legal rights and obligations; legal reasoning and argument; the connections between law and morality; among other topics.

The aim of the course is to introduce you to thinking philosophically about the law and to methodological and normative questions concerning law; to provide you with knowledge of some of the most influential legal and political philosophies and their theses on law; to encourage and enable you to think about doctrinal legal questions from a philosophical perspective; and to help you develop legal reasoning skills by training you in constructing abstract, philosophical arguments.

Our approach is philosophical, but no prior background or training in philosophy is necessary.

Offering Faculty: Faculty of Law

LAW 264 Insolvency Restructuring Units: 2.00

This is a course about insolvency and restructuring in Canada. It examines a number of important themes that are engaged in the restructuring of an insolvent business in Canada.

This seminar course will provide students with advanced knowledge of the legal and practical issues involved in restructuring an insolvent business. The course will include an introduction to and analysis of theory underlying the restructuring of an insolvent business as well as experience in putting that theory into practice through a negotiation exercise. This course engages both legal and business concepts which are important in the effective use and implementation of a restructuring.

Pre-requisite: Law 440 Bus Assoc

Requirements: LAW440 NOT an ASC student

Offering Faculty: Faculty of Law

LAW 271 Indigenous Perspectives of Indigenous Law Units: 1.00

In the field of Indigenous Law there are many emerging concepts that require an understanding of Indigenous perspectives. This course will provide an intensive, experiential learning experience focused on traditional Indigenous teachings as delivered by Elders and Traditional Knowledge Keepers. The intent of the course is to impart a foundational philosophical and epistemological awareness of Indigenous Law as understood and interpreted by Indigenous Elders.

Offering Faculty: Faculty of Law

**LAW 272 Aboriginal Child Welfare Units: 1.00**

Indigenous children are overrepresented in the foster care system in Ontario and throughout Canada as a result of historic and ongoing unjust political, social and economic policies. The Child, Youth and Family Services Act and the new An Act respecting First Nation, Inuit and Métis children, youth and families are remedial legislation attempting to redress these discriminatory policies. This course examines both the historic and current state of Indigenous child welfare in Ontario and will provide students with a toolkit for further exploring the practice of child protection.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 274 Fertility and Assisted Reproduction Law in Canada Units: 1.00

This intensive seminar course will provide with you with an overview of this fascinating, emerging and burgeoning area of the law. The course, being taught by two prominent practitioners, includes a review of the related legislative and case law history, legal parentage across the provinces, and practical tips in dealing with the various players in a fertility case. Drafting guidance will be presented, as well as a discussion of factual scenarios and how to resolve the related issues. As an area of the law that includes aspects of family law, wills and estates, constitutional law, international law, medical malpractice and ethics, Fertility Law is in constant motion and increasingly attracting worldwide attention as it touches many at their core: family creation.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 275 State, Nation & Global Justice Units: 3.00

This course introduces students to some contemporary debates about the state and its place in a globalizing world. We examine questions such as: what makes states legitimate?

What gives them the right to hold territory and control their borders? Must states be culturally neutral, or may they promote national cultures? Then we ask questions about the external responsibilities of states. Must they respect human rights? What duties do they have to the global poor? Finally, the course examines proposals for a new international order in which state autonomy is curbed in the name of global justice and global democracy.

Offering Faculty: Faculty of Law

LAW 276 Bias and Criminal Justice System**Outcomes Units: 1.00**

This course examines the ways in which our criminal justice system acknowledges and either ignores or confronts the growing body of evidence showing that factors such as race and gender - as well as the intersection of these factors - have an impact on justice system outcomes. This course will introduce students to various theories of implicit and systemic bias in criminal justice. It will then invite students to explore bias in the Canadian justice system by focusing on three modules: (1) Arrest & Detention; (2) Trial & Conviction; (3) Sentencing. This course will critically examine legislation, cases, social science research and reports from commission of inquiry.

Offering Faculty: Faculty of Law

LAW 279 Introduction to International Sports Law Units: 1.00

International sports law has been described as a dynamic, although still incomplete process to avoid, manage and resolve disputes among athletes, national sports bodies, international sports organizations and governments. The course will be delivered through four three-hour evening seminars. Topics to be covered will include the governance and regulation of sport and sports organizations; dispute resolution in sport (including the role of specialist sport tribunals); the legal regulation of drugs in sport; the rights of participants in sport (including selection and human rights issues); and civil and criminal liability issues in sport.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 280 Contested Transactions Units: 3.00

This course will examine and analyze the legal and tactical issues involving Canadian contested change of control transactions primarily from the perspective of a target company. The course will focus on corporate and securities law issues relating to hostile take-over bids and proxy contests, including issues being currently debated and that are critical to a firm understanding of the topic. It is intended that students will develop practical skills that are critical for a successful practice as a business lawyer. Seminars include classroom lectures, guest lectures and problem-solving exercises.

Pre-requisites: Law 440 Business Association AND Law 448 Securities Regulation

Requirements: Prereq for LAW 280

Offering Faculty: Faculty of Law

LAW 294 Private Equity Units: 2.00

This course will concern itself with the central legal issues related to private equity investing, a major asset class within the Canadian economy. The primary objective of the course is to provide students with a practical introduction to the legal and transaction skills and tools used in the private equity arena. Topics to be covered include the history of private equity in the US and Canada, the globalization of the private equity industry, fund structure and formation, advanced and best practices in private equity including use of representation and warranty insurance in transactions, management incentive programs and value creation by private equity funds post-acquisition.

Requirements: Co-requisite: LAW 440

Offering Faculty: Faculty of Law

LAW 299 Substantial Term Paper Units: 0.00

Offering Faculty: Faculty of Law

LAW 301 Medical Malpractice Units: 3.00

This seminar examines the law as it relates to medical malpractice: how an injured patient in the healthcare system may claim compensation against healthcare professionals and organizations. Topics to be studied will include: issues in negligence law (standard of care and causation) as they relate to modern healthcare delivery; the law of informed consent; and theories of liability (vicarious liability, enterprise liability). The course may also incorporate a number of additional legal and policy topics, including: the relationship between experts, science and the law; and the relationship between medical malpractice and patient safety.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 303 Law And Poverty Units: 3.00

This course will introduce students to the relationship between law and poverty. Students will engage in a critical analysis of the social phenomenon of poverty and assess strategies for promoting access to justice by lawyers and the legal system. Topics covered will include social assistance, homelessness and housing, legal aid, panhandling, as well as the dilemmas and debates concerning globalization and poverty. Law's intersection with poverty will be examined from a number of conceptual perspectives, including human rights standards (e.g. the Charter, Human Rights Codes and international human rights instruments), procedural safeguards and administrative law, as well as the distribution of authority for poverty related programs under Canadian federalism. The normative and practical issues raised by 'practising law for poor people' will be central themes. Throughout the term, students will be invited to engage in a sustained interrogation of the significance of the relationship between the state, law, and social policy, with a focus on gendered, racialized, and class relations, as well as Indigenous and marginalized communities.

Offering Faculty: Faculty of Law



LAW 304 Public Health Law Units: 3.00

Public health law establishes the delicate balance between individual autonomy and the greater well-being of the community at large. The significance of this interplay recently came to the forefront through the COVID-19 pandemic, where existing and novel laws were engaged to try to minimize transmission of the Coronavirus through quarantines, border closures, mask mandates and vaccine passports. However, public health law extends far beyond containing the acute spread of an infectious disease – it affects our daily lives in countless ways. Among other things, public health law addresses the regulation of (1) intoxicants and prescription drugs; (2) environmental hazards (such as pollutants and waste management), (3) reproductive rights (such as abortion and surrogacy), (4) nutrition (such as food ingredients and labelling), (5) health care (including mandatory vaccinations and limits on blood donation); (6) emergency powers; and (7) protections for vulnerable minority communities. Public health is also heavily influenced by the social determinants of health, including access to and quality of healthcare, education, employment, housing, food security and social support.

In this seminar course, we will consider how public health laws affect our daily lives from a practical lens using real-life public health issues. We will specifically examine relevant statutes and jurisprudence across criminal law, constitutional law, tort law, privacy law and administrative law. Students will gain a foundational understanding of public health law through readings, lectures, discussion and guest speakers. Students will also have the opportunity to tailor their learning experience by delving deeper into their specific areas of interest within public health law through written assignments and presentations.

Offering Faculty: Faculty of Law

LAW 307 Health Law Units: 3.00

This course is designed to provide you with an introduction to critical issues in the health law field. The course covers two general areas: how the law drives Canada's universal healthcare model and how the law affects patients' healthcare experience. The course first examines the legal backdrop of the healthcare system in Canada (as compared to other countries), including legal implications of socialized medicare. The course then examines legal issues with the law behind administering universal healthcare, as well as legal challenges to Canada's approach to universal healthcare (the public vs. private debate). Finally, the course dives into topics such as the regulation of the health care professions, healthcare decision-making, and medical liability, including issues of medical negligence, informed consent and liability reforms and alternatives. The course then introduces selected topics which highlight important tensions in health law today: pharmaceuticals, medical devices and the law, as well as medical aid in dying. The course relies on a high level of engaging participation and the use of real-world in-class hypotheticals to help you address legal issues that arise in matters involving health.

Offering Faculty: Faculty of Law

LAW 308 Law and Neuroscience Units: 3.00

"Scientists studying the inner workings of the human organism have found no soul there. They increasingly argue that human behaviour is determined by hormones, genes and synapses, rather than by free will - the same forces that determine the behaviour of chimpanzees, wolves, and ants. Our judicial and political systems largely try to sweep such inconvenient discoveries under the carpet. But in all frankness, how long can we maintain the wall separating the department of biology from the departments of law and political science?" Yuval Noah Harari

Contemporary neuroscientists look at how human behaviour arises from brain activity. Their findings have increasingly been used to address many legal questions. In this seminar, students will learn about:

- a) brain scanning technologies and the extent to which conclusions about human behaviour can be drawn from studies using these technologies;
- b) how to assess and use neuroscience evidence;
- c) how neuroscience evidence has been used to address particular legal issues, including: whether a party had mental capacity to enter into a contract, make a will, or get married; the mental state of an accused at the time of an alleged crime; how the state of a minor's brain development affects cognitive capacity; the accuracy of eye-witness testimony; and how particular brain injuries affect mental functioning.

Offering Faculty: Faculty of Law

LAW 314 Remedies Units: 4.00

This is a course on civil judicial remedies. Our focus will be on the law of damages, and we will not discuss equitable remedies in any detail. Financial relief is the most frequently-sought form of civil judicial remedy by far, and the principles governing the assessment of damages are of central importance to all areas of private law. These principles are often not well understood, however, and they can be challenging to apply correctly. This course is designed to prepare you to be able to craft careful, principled arguments on the issue that is often the only one that matters to the client, namely, how much money is at stake in the case. Cross listed with LAW 803.

Offering Faculty: Faculty of Law

LAW 320 Evidence Units: 4.00

This course will examine the rules and principles of Canadian evidence law, focusing both on the practical application of evidence rules at trial as well as the questions of policy, epistemology, and institutional design that govern them. We will begin by analyzing the threshold requirements of relevance and materiality. We will then cover topics including hearsay and its exceptions, character and propensity evidence, lay and expert opinion, scientific proof, direct and cross examination of witnesses, competence, impeachment, and some of the constitutional questions that arise in connection to evidence. Throughout the course, we will trace the modern trajectory away from formal categories of admission and exclusion toward more flexible and principled approaches. We will consider the social and legal influences that have fueled these changes, including feminist and children's rights advocacy in the area of sexual assault and abuse. Because rules of evidence are most vigorously applied and developed in the criminal law context, this course will focus primarily but not exclusively on criminal law. We will also consider specific evidentiary issues in family law and in civil litigation.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 321 Advanced Legal Research Units: 3.00

Advanced Legal Research builds on research skills learned in first year and introduces techniques for information location and retrieval in support of more complex legal problem-solving. Students will explore how Canadian primary and secondary sources are generated, published, indexed, stored and accessed electronically. Concepts in information and database literacy are highlighted. Topics in foreign and international law research are discussed with regard to their potential significance for legal problem-solving in Canada.

Offering Faculty: Faculty of Law

LAW 328 Law And Economics Units: 3.00

Law and Economics has become a highly influential perspective for assessing how law functions and thinking about better ways to design laws to achieve their social objectives. This course will introduce students to the central tools and concepts of law and economics, including some basic introduction to the use of empirical methods. We will begin with a brief introduction to some basic economic theory, including both neo-classical and behavioural approaches. We will then move on to study the application of law and economics analysis in a variety of legal contexts. Applications in the area of property, tort, criminal, corporate law, operation of the legal system, environmental law, and discrimination will be considered, among other possible topics. Throughout the course, we will discuss both the strengths and limitations of law and economics. Students will research, apply and critique law and economics analysis relevant to a legal issue of their choice as the major assessment for the course. No prior knowledge of economics or empirical methods is needed.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 332 Legal Imagination Units: 3.00

A writing course exploring what one can learn and say about the legal imagination; what it can mean to learn to think and speak like a lawyer.

Offering Faculty: Faculty of Law

LAW 334 Legal Ethics and Professionalism Units: 3.00

This course deals with the wide variety of ethical issues that confront those engaged in the profession and practice of law [i.e. the spectrum of both litigious and non-litigious contexts.] Areas covered will include relevant legislation, caselaw, and rules of professional conduct including the range of legal responses to unethical and unprofessional conduct; the nature and scope of lawyers' duties to their clients, the court, other legal professionals, the law society, and the public; the various roles of lawyers in society and the legal system and in particular their role in securing access to justice. Specific subject matter covered will include the circumstances giving rise to ethical problems; the fiduciary relationship between lawyer and client; conflicts of interest; the administration of justice; lawyers' duties relating to confidentiality, privilege, and disclosure; professionalism and civility; the importance of diversity; and the public interest in the administration of justice.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

**LAW 335 Negotiation Units: 3.00**

Negotiation involves resolving differences, reaching agreements, and managing conflict between individuals, groups, organizations, and even nations. In this skills based course, focus will be on building the theoretical and practical knowledge, through simulations and assignments, to become better negotiators both in regard to deal making and dispute/ conflict management.

Offering Faculty: Faculty of Law

LAW 339 Advanced Torts Units: 3.00

This class will provide students with the opportunity to explore tort law in greater depth. There will be in-class discussion on timely public issues, and we will examine the new conceptions of duty and causation that are currently emerging from decisions of the Supreme Court of Canada. Standard areas covered are defamation, class actions, vicarious liability, ex turpi causa, liability of public authorities, and the use of negligence as a mechanism for political change. We will also consider emerging actions in tort law relating to privacy and freedom of speech, along with novel duties in negligence such as negligent investigation and the duty to control the conduct of others.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 345 Alternative Dispute Resolution Units: 3.00

Alternative Dispute Resolution is the resolution of disputes by means of negotiation, mediation, or arbitration, rather than by trial before a judge. This course is designed to raise your awareness of your own approach to conflict, and introduce a range of theories about mediation and arbitration processes. The class will participate in simulation exercises, some of which will involve preparation of settlement documents, and will examine the relevant statutes and current studies on ADR. The course will cover mediation styles; diagnosing conversation; ethical dilemmas; dealing with difficult behavior; mediation in litigation contexts; managing conflict in the workplace; and mediating and arbitrating complex public policy disputes. The primary focus will be on the use of ADR in a variety of practice areas, including international conflict, labour mediation, financial aid, and commercial and regulatory disputes. The goal of the course is to develop settlement skills and gain a critical understanding of ADR methods. This seminar will introduce students to the theory and promise of Dispute Systems Design with the aim of training students to play a new and more creative professional role. Finally, students will be exposed to recent technological developments in negotiation such as predictive justice, legal analytics, and the application of artificial intelligence and machine learning to dispute resolution.

Offering Faculty: Faculty of Law

LAW 350 Appellate Advocacy Units: 3.00

This course is designed to provide Queen's Law students with practical experience in written and oral advocacy at the level of an Appellate Court. Appeal litigation is fundamentally different, both procedurally and substantively than Trial litigation or basic Civil Litigation.

Students are given instruction and guidance in developing their own advocacy style. Generally speaking, you can't win a bad case with stellar advocacy skills. However, it is possible to jeopardize a good case with ineffective written and oral advocacy skills.

As the term progresses, the class is divided into two person teams and assigned the roles of either Appellants or Respondents. The class is then assigned a case that has recently been granted "Leave to Appeal" by the Supreme Court of Canada, but has not yet been heard by the SCC. By the end of the term the entire class will have served and filed their respective written Facts and presented oral argument in the case.

By design and with good timing, sometime later in the following Winter Term the Supreme Court of Canada will hear, adjudicate and release its own decision in that case.

Requirements: Excl: LAW 350,360,364,365 or 645

Offering Faculty: Faculty of Law

LAW 354 Food Law and Governance Units: 3.00

For the first time ever in Canadian history, Canada has committed itself to developing a national food policy. This aspiration is long overdue but raises important questions relating to what the policy ought to cover and why. This course seeks to examine how law, policies, and governance mechanisms fundamentally shape consumer food choices. Food is at once an intimate personal consumer good and a public good that helps to promote health and wellbeing for all Canadians. The rights to food and to be free from hunger are human rights. Yet, hunger persists amidst obesity epidemics. Food safety and security are fundamental concerns for all peoples. Food is culturally significant. There are gendered and racialized dynamics to food production and marketing. This course will examine legal, societal, and cultural aspects to food and food regulation. We will consider the relationship between food production and the regulatory mechanisms that determine food choices. In addition to forming an appreciation and understanding of the complexity of food governance in regulatory mechanisms, additional topics for potential exploration may include novel food regulations; intellectual property rights affecting food innovations, production and consumption; the treatment of animals; emerging technologies (the IoTs as applied to food, synthetic food); food programs, and the normativity (and harms) of institutionalized food in state facilities (such as residential schools and prisons). We will consider the push and pull of corporate food, the proliferated reliance on food banks, the deskilling of populations, and impacts for access to culturally significant foods and sustainable practices. We are concerned with the implication of such issues for the acquisition of good nourishment and wellbeing, for maintaining an environment conducive to food growth, and for determining the direction of the current food economy, as well as its distributional consequences.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 360 Trial Advocacy Units: 3.00

This course is designed to help acquire basic skills in trial advocacy. It is applicable to various areas of litigation including criminal, family and civil. Students will participate in examinations for discovery, opening statements, examinations in chief, cross examinations, closings, and pre-trial motions (time permitting). The work load is substantial, but we strive to make the learning experience fun.

Requirements: Excl: LAW 350,360,364,365 or 645

Offering Faculty: Faculty of Law

LAW 364 Personal Injury Advocacy Units: 3.00

This course will focus on the various elements of advocacy involved in personal injury actions. Particular emphasis will be placed on practical application of trial techniques, strategies and key concepts for jury lawyers. Each week, students will develop their skills by applying these concepts to various cases in the instructor's law practice. Students will be active participants in the process throughout. At the conclusion of the course, students will be able to analyze any fact scenario and consider how to incorporate the key concepts into presenting an effective case before a jury. Students will learn how jurors make decisions and how that bears upon the preparation and presentation of evidence at trial. Personal injury litigation involves ingenuity, intelligence and instinct. It is not about learning the law. It is learning to be a lawyer.

Requirements: Excl: LAW 350,360,364,365 or 645

Offering Faculty: Faculty of Law

LAW 365 Advocacy on Motions Units: 3.00

The purpose of this course is to familiarize students with the Rules of Civil Procedure, judicial directions and advocacy techniques associated with bringing motions and applications in the Superior Court of Justice. Utilizing a motion moot fact scenario, students will advance a substantive Superior Court motion that will entail drafting of a Notice of Motion pleading, drafting of a supporting Affidavit, conduct of cross-examinations on Affidavits, drafting of a Factum and, ultimately, presentation of oral arguments before a panel of guest judges. Completion of Civil Procedure is strongly recommended.

Requirements: Excl: LAW 350,360,364,365 or 645

Offering Faculty: Faculty of Law

LAW 375 International Refugee Law Units: 3.00

This seminar examines the legal framework for refugee protection including a comprehensive analysis of the elements of the refugee definition in international law as well as refugee status determination procedures. Drawing on comparative jurisprudence of leading asylum countries, the course situates Canadian refugee law in its global context and encourages a critical appraisal of both state practice and international efforts to regulate and control asylum flows. Our classroom will provide many opportunities to engage with international refugee law problems through case studies, role plays and simulation exercises. We will be discussing these cases and exercises in class in plenary sessions, in small groups and with partners. The activities are designed to promote analytical and synthetic thinking as well as advocacy skills.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law



LAW 381 Communications Law Units: 2.00

This course will provide an overview of key areas which are relevant to communications law in Canada with a focus on the regulatory framework relating to telecommunications carriers, broadcasters and the internet. The role of the Government, the CRTC, the Courts and international bodies in shaping that framework will be examined. Later in the course, we will cover topics such as the attempts to regulate markets, anti-spam legislation, net neutrality, privacy, cybersecurity, serving remote areas and law enforcement. In addition, we will look at how regulators might respond to challenges emerging from new issues such as the internet of things, big data, fake news, artificial intelligence and the changing role of social media platforms. Aside from media and communications, this course will touch on issues in administrative law, constitutional law, licensing, competition law, libel, criminal law, consumer protection, elections law, freedom of expression and privacy law - in other words: this course will be of interest to a wide range of students. The course will look historically at how the law in this area has developed, but because the field is continually evolving, there will also be current issues at the time of the course which we will attempt to put in the wider context of the development of the law. The course evaluation will be based on a research paper on an approved topic as well as a group presentation which will take place during the final class.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 395 Legal Drafting Units: 3.00

The goal of the course is to teach students to master the basics of legal and legislative drafting, and for students to improve their skills at analyzing legislative and contractual provisions. The course teaches students how to compose coherent and unambiguous legal provisions, and how to structure legal documents to ensure maximum comprehensibility. Legislative and contractual provisions are analyzed in class, as a way of identifying and correcting typical drafting errors. Students are required to draft or redraft short pieces of legislation as a way to master different aspects of drafting.

Offering Faculty: Faculty of Law

LAW 396 Contemporary Topics in Law Units: 1.00

Topic 4: Challenges of the Gig Economy. The use of information technology which enables the performance of work via apps operated by enterprises has become known as 'the gig economy'. The undertaking of work in the gig economy has disrupted the labour laws of Ontario and Canada. In particular, the gig economy has partially dismantled the boundaries between employees who are protected by our labour laws, and independent contractors who receive very little labour law protection. This course will adopt a comparative approach to studying the gig economy and labour law in Ontario and Canada, in the United Kingdom and in Australia. In these three jurisdictions whose laws are largely based on the Common Law (noting the differences in the Province of Quebec), the gig economy has caused governments, courts and tribunals to rethink the role of labour law in the 21st Century. From time to time, mention will be made of the position in the United States of America.

Topic 5: International business crime will focus on Canadian law and enforcement relating to corruption and related areas such as money laundering, sanctions, procurement, fraud, and other international business matters. The course will survey the development of anti-corruption regimes by international bodies such as the World Bank and the Organization for Economic Cooperation and Development and select foreign anti-corruption laws (e.g., U.S. and U.K.). The course will also address the fundamental building blocks of successful internal compliance policies and burgeoning issues businesses face in supply-chain management. Through case studies, students will have an opportunity to develop practical insights into internal and government investigations, case resolution, risk mitigation and compliance.

Topic 6: Islamic law, unlike Roman law and the later Western law that we shall compare it to both in theory and practice, is divided into two major parts: public law and private law. Muslim jurists have generally divided rights into those set forth by God (public rights) and those of the servants of Allah (personal rights). Constitutionalism as a concept rapidly gained momentum, spreading around the world especially quickly after the Second World War. In this course, we will first explore the main tenets of Islam as a belief system. Secondly, we will examine the sources of Islamic law, especially in regards to constitutional law. These constitutional sources is where we will explore the first constitution of Islam (the Charter of Medina). Thirdly, we will embark upon a discovery of what the state is, and how this one formed in accordance with Islamic law. In this same section we will also analyze the history of the separation of powers in Islamic law. Fourthly, we will explore human rights and freedoms in Islam, including but not limited to political rights, and the rights of minorities and women. Lastly, we will conclude with the later continuation of the initial Islamic State that was the later Ottomans (1299-1922) and their own

LAW 397 Contemporary Topics in Law Units: 2.00

Topic 6: International Climate Law.

Multilateral efforts to reduce greenhouse gas emissions are expected to result in a world of 3.2 warming. Yet climate scientists and politicians alike declare this outcome to be a reckless gamble, creating the risk of tipping points in the earth's climate system and cascading failures which will imperil ecosystems and society. What is the role of innovative climate lawyers to steer global efforts towards success? To answer this question, this course will dedicate itself to examining the international legal and policy features which govern efforts to manage global climate change. It asks how the dominant legal response has performed, and what reforms are vital for the climate regime's future.

The course will be structured in two parts. The first describes the broad features of international climate law, including the key treaties, principles, multilateral fora and case law. The second half of the course will focus on the law and policy which underpins the United Nations Framework Convention on Climate Change (UNFCCC) -- the primary multilateral forum for reducing greenhouse gas emissions. Under the UNFCCC, we trace its legal evolution from the 1997 Kyoto Protocol to the 2015 Paris Agreement, and identify key factors which enable or constrain its success. The desired outcome from this course is to not only understand the contours of international climate law, but also -- and especially -- opportunities to adopt decades-old approaches in ways that are relevant for 21st century environmental problems. A distinct feature of this course will be to engage practitioner insights working at the frontier of international climate law. Guest speakers include the former United States Special Envoy for climate change, Todd Stern, international climate legal scholar Daniel Bodansky, and a litigant working on the pioneering, human-rights based approach to climate litigation through the Urgenda campaign.

Topic 7: Constitutional Amendment in Canada and the World.

No part of any constitution is more important than the rules used to change it. This course will situate the Constitution of Canada at the centre of our comparative inquiry into how constitutions change around the world. What are the rules of constitutional amendment in Canada in relation to standard design around the world? Is there anything unique about how amendment works (or fails) in Canada? What makes the Canadian Constitution one the world's most difficult to amend? And why doesn't the Canadian Constitution make anything unamendable, unlike other countries in the world, which protect human dignity, federalism, and secularism against amendment? We will discover through our readings and discussions that constitutional amendment rules open a window into the soul of a constitution, simultaneously exposing its deepest vulnerabilities and revealing its greatest strengths. Over the course of the term, we will host guest

LAW 398 Contemporary Topics in Law Units: 3.00

Topic 7: Indigenous Law in Practice

Indigenous law refers to Indigenous peoples own laws and is distinctive from the common law and civil law that form the primary content taught in law schools across Canada. The Truth and Reconciliation Commission final report calls for greater recognition and use of Indigenous laws, and legal professionals are increasingly asked to listen to, interpret, and apply Indigenous laws over the course of their practice. Yet how to do this raises practical and critical questions.

This interactive seminar explores some of the current opportunities and challenges related to this practice area. Students will learn ways to engage with Indigenous legal traditions respectfully and critically, including an introduction to five different methods for drawing out Indigenous laws (from stories, ceremonies, land, language, and community). Students will also actively engage with specific Indigenous (primarily Anishinaabe) laws in a supportive environment.

Topic 8: Indigenous Law and Ecological Governance

This transsystemic course examines ecological governance through Indigenous laws, and Canadian law by comparison. It is a central condition of being human that we must take from the earth to survive, yet the extractive foundations and narratives within Canadian law stand in contrast to Indigenous legal orders which conceptualizes extraction in a different set of legal foundations. These differences uniquely animate decision-making processes and principles. This course proposes that the essential work of reconciliation between Indigenous and non-Indigenous legal orders requires reconciling ourselves with the earth, including the lifeworlds we both explicitly and implicitly uphold. We will explore possibilities for working across legal orders and consider questions of environmental justice from various perspectives.

Topic 9: Law and Autocracy

This seminar explores various dimensions of the relationship between law and authoritarianism. We begin with an overview of the theoretical discussion of that relationship, ranging from the beginnings of modern political theory to recent writing on law and the "new authoritarianism." We will then examine the role of law and lawyers in facilitating or undermining autocracy, with reference to historical and contemporary examples.

Topic 10: Charter Section 7

In this course, students will critically consider the role of section 7 in constraining Parliament's use of criminal laws in highly contested policy spaces, with a focus on the Supreme Court's role in how Canada now contends with commercial sex and assisted death. Some of the most contentious moral and ethical issues in Western democracies have transferred from the domain of representative politics to the courts through the constitution. The courts now play a key role in defining the substantive limits of criminal law. Section



LAW 403 Mental Health Law Units: 3.00

The aim of this course is to explore the various facets of mental health law in the criminal and civil contexts, focusing on particular areas of concern as reflected in the case law.

Mental illness poses unique difficulties for a legal system that is premised on self-determination and the rights of the individual, as the courts struggle to find a balance between the recognition of those rights and the necessity for assessment or intervention where decision-making capacity is imperiled. Those who suffer from mental illness also often face unique obstacles, as their illness frequently goes unrecognized, and may give rise to stigma and discrimination.

Like many course designations, mental health law actually covers a broad range of legal categories and the cases are quite diverse. Throughout the course, a recurrent theme will be the protection of the rights of those who suffer from a mental illness, and the need to balance those rights against competing concerns about the need for treatment, public safety and other social interests. We review topics such as the civil committal process, capacity assessments, addictions, NCR findings, review board decisions, confidentiality, and the duty to warn.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 404 Criminal Procedure Units: 4.00

This course is an introduction to the law of criminal procedure, from investigation through adjudication. Representative topics include jurisdiction, search and seizure, arrest and detention, the rights to counsel and to silence, the exclusion of evidence, bail, discovery, preliminary inquiries, plea bargaining, trial within a reasonable time, jury selection, and appeals.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 405 Restorative Justice Units: 3.00

Restorative Justice is a theory of justice that emphasizes repairing the harm caused by criminal behavior over formal retribution. Within this framework, crime is regarded not simply as an offense against the state, but rather a wrong against others and a symptom of a broken relationship between offender, victim and community. Thus, restorative justice seeks to elevate the role of crime victims and community members to one of direct involvement. This seminar involves students in an introductory survey of restorative justice theories and practices through guided independent research and group discussion. Of particular interest is the contribution of traditional and indigenous approaches to justice as well as applications in post-conflict situations.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 407 Criminal Law Theory Units: 3.00

Criminal law is among the most theoretically rich areas of law. It raises fundamental questions about human agency, moral responsibility, the rule of law, and the limits of legitimate state coercion. In this course we will study the theoretical underpinnings—conceptual, moral, and political—of both the institution of criminal justice as a whole and various criminal offences and defences. Potential topics include (but are not limited to): the justifying aims and moral limits of punishment; the criminal law's conception of moral responsibility; the limits of legitimate criminalization; punishment versus alternative modes of behavioural regulation; the theory of possessory offences, attempts, and hate crimes; the foundations of justification and excuse in general; and the structure of specific defences such as self-defence, provocation, duress, and entrapment.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 410 International Criminal Law Units: 3.00

This course explores the rapidly developing discipline of international criminal law (ICL), i.e. international efforts to prosecute individuals responsible for genocide, crimes against humanity and war crimes. We will examine: the major institutions, the politics that shaped them, and how they in turn shape politics; definitions of crimes; principles and defenses; issues of transitional justice, amnesties and truth and reconciliation; and the major controversies and perspectives on ICL. The course supplements traditional instruction methods with considerable emphasis on active and interactive learning. Accordingly, seminars will include lecture, interactive discussion, exercises and simulations.

Offering Faculty: Faculty of Law

LAW 411 Advanced Criminal Law Units: 3.00

Advanced criminal law will focus on various current issues in criminal law, procedure, and evidence, with a particular emphasis on practice and areas where the law is conceptually challenging, controversial, or in flux. Classes will discuss both substantive legal content and legal strategy.

The lessons will follow a fact scenario throughout the typical stages of a criminal case, including bail and release, arrest, disclosure and sentencing. Students will be required to either bring or respond to a criminal application using the fact scenario, in the role of either defence or Crown counsel. Courses in criminal procedure and evidence are not prerequisites (but both are recommended).

Offering Faculty: Faculty of Law



LAW 416 Sentencing & Imprisonment Units: 3.00

This course will study the law that governs the sentencing and imprisonment phases of the criminal justice system. Topics will include: (1) The purposes, principles, and process of Sentencing; (2) Sentencing options, from absolute discharge to life imprisonment, including mandatory minimum sentences, conditional sentences, alternatives to imprisonment, ancillary orders, and collateral consequences; (3) Sentence calculation; (4) The duty of the courts and other players in the administration of justice to address the over representation of Indigenous people in prison; (5) The over representation, and treatment, of people of colour in prison; (6) The legal regime that governs the penitentiary and prison experience; (7) The law as regards conditional release, including parole; (8) Remedies available to prisoners, including Habeas Corpus, other forms of prerogative relief, and civil claims in tort.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 418 Queen's Prison Law Clinic Units: 8.00

RECOMMENDED: Evidence and Criminal Procedure
The Prison Law Clinic is a specialized legal clinic that provides legal advice, assistance and representation to prisoners in the seven penitentiaries in the Kingston area. This clinical course provides 2nd and 3rd year students with the opportunity to develop essential lawyering skills by becoming involved in the legal practice carried on by the Prison Law Clinic. Students will interview prisoner clients and represent them at trials in Penitentiary Disciplinary Courts and at Hearings before the Parole Board of Canada. Students will also be involved in providing legal advice and assistance to prisoner clients on a variety of other matters. Through the experience of involvement in the Clinic's legal practice, including its litigation, students will have many opportunities to develop skills in advocacy, interviewing clients, legal analysis and managing effective solicitor/client relationships. Students will work extensively with the time and case management system that the Queen's Law Clinic (QLC) uses. Instruction is provided through lectures, written materials and through individual supervision of student casework by the Clinic lawyers. The class will meet for 3 hours each week on a date and time to be set and students will attend at the QLC, 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston regularly and as required to meet with clinic lawyers and complete casework. Students will also attend at one or more penitentiaries regularly and as required in the course of their work. Grading will be based on an evaluation of the casework completed by the student throughout the year and other possible assignments. Participation in class discussions is encouraged.

A maximum of 18 students will be admitted to this course. Students will be selected by the Clinic Director based on a written application process.

Queen's Law policy limits students to only one of the following clinical courses: QBLC LAW 438, QELC LAW 695, QFLC LAW 527, QPLC LAW418, QLA LAW 590. Students enrolled in one of those five clinical courses are not eligible for enrolment in another.

Offering Faculty: Faculty of Law



LAW 419 Queen's Prison Law Clinic - Advanced Prison

Law: Human Rights and Test-Case Litigation Units: 8.00

PREREQUISITE: LAW 418 or Summer Employment with QPLC

RECOMMENDED: Administrative Law, Advanced Constitutional Law, Advanced Legal Research, Human Rights.

The Prison Law Clinic is a specialized legal clinic that provides legal advice, assistance and representation to prisoners in the seven penitentiaries in the Kingston area. This clinical course provides 2nd and 3rd year students, who have had prior experience with the Prison Law Clinic (either through LAW 418 or through summer employment), with the opportunity to develop advanced advocacy and litigation skills by having carriage of more complex prison law files, including involvement in the human rights and test-case litigation practice carried on by the Prison Law Clinic. Students will pursue multiple targeted research projects in support of current and anticipated prisoner-rights litigation, assist counsel in preparing materials for courts and/or tribunals in ongoing litigation matters. Students will observe hearings and/or mediation sessions related to their files. Students may be required to travel to area prisons interview clients, potential test-case litigants and/or witnesses, and represent prisoner clients in proceedings before administrative decision-makers where the Clinic intends to create a record for a potential test-case. A driver's licence is generally required. Students will complete casework and will attend at the QLC, 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston every two weeks or as required for individual supervision meetings with the course instructor. Grading will be based on an evaluation of the casework completed by the student throughout the year. Anticipated enrollment for this course is 4-6 students. Students will be selected by the course instructor based on a written application process.

Offering Faculty: Faculty of Law

LAW 427 Administrative Law Units: 4.00

Administrative law is all around us. It regulates not only the way we enter the world and the way we depart it, but everything in between from the food we eat to the air we breathe, from the education we receive to the workplaces in which we toil, from the roads that we use to the forms of public assistance on which we rely. No other branch of law governs so much. The purpose of this course is to explore the fundamental building blocks of Canadian administrative law. Central questions include: What is the point of the modern administrative state and the various agencies that comprise it? How do public law principles and presumptions make the exercise of administrative power accountable to members of the public? What constraints do written and unwritten constitutional principles impose on public authorities? What does the Canadian Charter of Rights and Freedoms have to say about the exercise of administrative power?

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 435 Tribunal Advocacy Units: 3.00

This course will focus on the elements of advocacy before administrative tribunals and other administrative decision-makers. Students will examine the manner in which core administrative law principles are utilized by administrative decision-makers on a practical level. Specifically, the concepts of procedural fairness and admissibility of evidence will be emphasized, and students will learn to apply these concepts to shape their arguments when advocating before administrative decision-makers. Skill-building exercises will be conducted in class so that students can see how evidence and argument can be used effectively in administrative proceedings. The various types of hearing and decision-making procedures will be reviewed and compared, and students will learn about the process of judicial review.

Requirements: Excl: LAW 350,360,364,365 or 645

Offering Faculty: Faculty of Law

LAW 437 International Investment Law Units: 3.00

This course introduces students to the international law governing foreign direct investment. International investment law regulates what States can do to restrict the flow of investment into their market, and imposes standards for the treatment of foreign investors and investments once an investment has been made. The course will delve into an array of topics revealing the richness of international investment law from the perspective of both the academic and practitioner. These include:

- Historical underpinnings and sources of law at the heart of the international investment law regime;
- Core substantive investment obligations -- non-discrimination, expropriation, minimum standard of treatment, performance requirements, transfers;
- The approach States take in their treaty practice to reserve the policy flexibility required to regulate in the public interest (reservations and exceptions), and limitations to same;
- The interplay between international investment law and domestic law, and between the various international investment law treaties to which Canada is a Party;
- Investor-State dispute settlement (ISDS) practice and procedure, with specific focus on issues of remedies and enforcement;
- How States go about terminating investment obligations;
- Criticism and perceived shortcomings of the international investment law regime and ISDS, current efforts at reform, and how this area of law may evolve.

The course will aim to illuminate the above topics through examples provided by the many free trade agreements and investment treaties that Canada has negotiated, and the even greater number of investment arbitration claims that it has defended, over the past twenty-five years. Classes will be conducted in a seminar format, with a lecture followed by discussion, debate, and an exchange of ideas on the issues that we address each week.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 438 Queen's Business Law Clinic Units: 8.00

This course provides students with the opportunity to provide supervised legal services to start-up and small businesses, and not for profit and charitable organizations located in Kingston and the broader region of Eastern Ontario. It is meant to augment the common and statutory law principles students learn in such courses as Contracts, Business Associations and basic intellectual property courses in a practical way. The course also provides a valuable service to the area community. Under the supervision of the Clinic Director and Review Counsel, students will work on client files that involve business and intellectual property law matters such as:

- Incorporation and organization of business and not-for profit organizations
 - Shareholder and partnership agreements
 - Business name and trademark work (including applications for registration)
 - Copyright advice and registration
 - General government regulatory compliance issues relevant to start-ups, not-for-profits and charities
 - Drafting and review of contracts covering a range of subject matter, from website or mobile app terms of use and privacy policies, through intellectual property licensing, various service agreements, employment contracts, to simple commercial leases, and subject to review counsel expertise and student interest, sports and entertainment law.
- Students will also be actively involved in the operation of the Clinic, learning and developing skills in practice administration and management, client development, Law Society regulation, the use of retainer agreements and the use of time and case management software.

The course will run from September until April. Clinic members will meet as a class for 2-3 hours most weeks, and students will be required to attend office hours and meet with the Clinic Director on a weekly basis.

Grading will be based on an evaluation of the casework completed by the student throughout the year and the completion of course-related assignments.

A maximum of 24 students will be admitted to this course. Student caseworkers will be selected by the Clinic Director based on a written application process.

Queen's Law policy limits students to only one of the following clinical courses: QBLC LAW 438, QELC LAW 695, QFLC LAW 527, QPLC LAW418, QLA LAW 590. Students enrolled in one of those five clinical courses are not eligible for enrolment in another.

Requirements: Business Law CoReq

Offering Faculty: Faculty of Law

**LAW 440 Business Associations Units: 4.00**

This introductory survey course explores the law of business associations primarily from a doctrinal perspective but with some elementary discussion of theoretical scholarship, as well. The topics to be canvassed in the course will include a brief history of the business corporation, theories of the firm, the foundational characteristics of the modern Canadian business corporation, disregard of the corporate entity, the capitalization of corporations, corporate governance, shareholder "voice" and directors' and officers' duties, and shareholders' (and others') remedies. During the initial portion of the course, students will examine alternatives to the corporate form of business association including sole proprietorships, (general) partnerships, limited partnerships, and unlimited companies. The principle goal of the course is to help students develop a basic framework within which to understand and analyze legal issues as they are encountered by lawyers, regulators, and policy makers. In addition, the course should provide the necessary groundwork for more specialized study in corporate finance, securities regulation, mergers & acquisitions, and so on.

Offering Faculty: Faculty of Law

LAW 441 Commercial Law: Sale of Goods Units: 3.00

This course considers both law and practice relating to the domestic and international sale of goods, an area of underrated importance to both business and consumer clients. It combines topics that might otherwise be taught in a dedicated Sale of Goods course with topics often covered in International Business Transactions courses. Roughly 60% of the term is spent on the law governing sales of goods in Canada's common law provinces and between Canada and other countries. The remainder of the term covers a range of issues relating to sales transactions, such as the transportation of goods across borders, how the price in large-scale sales transactions is paid, and some of the Rules that govern Canadian businesses in their activities abroad. Throughout, the course emphasizes not only knowledge of black-letter law but also litigation, negotiation, and contract-drafting skills.

Offering Faculty: Faculty of Law

LAW 443 Insurance Units: 3.00

The course aims to develop your legal skills assessing and solving insurance coverage problems in a variety of insurance law spheres: property, liability, auto, life, health, and disability insurance. The course also introduces how to use fundamental insurance and risk management principles in solving insurance coverage disputes. You will also practice how to navigate problems arising with key issues about insurance law: insurance policy interpretation, insurance causation, broker and agent liability concerns, issues with the duty to defend, subrogation, and overlapping coverage issues. The course relies on a high level of engaging participation and the use of real-world in-class hypotheticals to help you practice solving insurance coverage matters.

Offering Faculty: Faculty of Law

LAW 445 Commercial Bankruptcy and Restructuring Units: 3.00

This course will focus on Bankruptcy and Restructuring law as a legal response to business failure with an emphasis on the preservation and realization of value from viable but insolvent businesses. It will include an overview of enforcement and restructuring options available under Canadian law such as bankruptcy, receivership, proposals and plans of arrangement under the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act. It will explore the apparent conflict between the restructuring and business renewal objectives of bankruptcy and restructuring law and the need for certainty in the enforcement of legal rights. It will review the competing interests and rights of various creditor constituencies affected by commercial insolvency including secured and unsecured lenders, suppliers, employees and pension beneficiaries and the role of government as a participant in the restructuring process. The course will review the basic principles of court supervised sales of business assets and the priority of claims among creditors. Professional ethics issues in these matters will be addressed. Cross listed with LAW 845.

Offering Faculty: Faculty of Law

LAW 446 Competition Law Units: 3.00

This course will provide students with an overview of Canadian competition law - a body of law that has as its focus the creation and maintenance of competitive markets. Beginning with a discussion of what competition law is and a survey of its common law origins, students will then be provided with a background into the basic economic principles underlying competition law before turning to review the main statutory source of competition law - the federal Competition Act. In the context of reviewing the Act, students will learn not only what types of conduct the Act proscribes but also how to use basic economic principles and business insights to analyse complex legal problems involving mergers, conspiracies, monopolistic practices, and deceptive marketing practices. This course is not meant to be an exercise in statutory memorization or abstract theory. To this end, we will be focusing on practical real-world application of the Act. On completion of this course, students should be familiar with key provisions of the Act and have a general sense of how to identify and analyse some of the more prominent competition law issues that arise in day-to-day business activity.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 447 Patent Law Units: 3.00

This course will provide an overview of the Canadian law of patents for invention. We will review the historical development of patents for invention, explore the basic principles of the patent system in Canada, namely patentable subject matter, novelty, inventive step, utility and sufficiency of the patent specification and study the enforcement of one's rights, whether by action for infringement, by licence and assignment or by the Notice of Compliance regime in place for pharmaceutical products.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 448 Securities Regulation Units: 3.00

This course provides an introduction to the securities laws of the Canadian capital markets. We will cover a number of basic concepts including, among others, the purpose and scope of securities laws and regulations (i.e., what is a "security"?), initial public offerings and private placements, rules of certain stock exchanges, continuous disclosure obligations, registration requirements including those for dealers and advisers, insider trading and tipping, take-over bids, civil liability and securities enforcement. Most of these topics focus on the relationship between the investor and the issuer. Within these topics, we will discuss emerging issues in the Canadian capital markets, including the recent review to modernize securities legislation in Canada and the debate regarding regulatory burden and the tension between investor protection and efficiency of the capital markets. A main objective of the course is to review the legislation, regulations, policy and relevant rules and policies with a view to developing an understanding of the underlying policy considerations that animate securities regulation. Throughout the course, there will be opportunities to discuss and debate the policy choices reflected in the current rules.

Requirements: LAW 440

Offering Faculty: Faculty of Law

LAW 449 Structuring Business Transactions Units: 3.00

For many organizations the acquisition or sale of a business, or indeed a merger with another organization, can prove a transformative event in the life of that organization. A transaction of this kind can have dramatic consequences for many stakeholders: notably for employees, customers and investors, but frequently also for suppliers, communities and other constituencies connected to or affected by the businesses involved in the transaction. Lawyers play a central role in evaluating, structuring and implementing these kinds of transactions. This is in part because "getting deals done" frequently requires the ability to navigate many different areas of law that inevitably overlap in this context. But it is also because the experienced deal lawyer is able to anticipate challenging issues that parties to the transaction will have to confront, and then to come up with creative strategies for resolving those challenges. The focus of this course will be on providing students with an understanding of how deal lawyers approach different stages in the life of a transaction and the kinds of legal issues that emerge in each of these stages. In addition to developing an enhanced understanding of the issues at play, the course will ensure that students spend substantial time reviewing, analyzing and drafting a range of deal documents.

Pre-Requisite: Law 440

Requirements: LAW 440

Offering Faculty: Faculty of Law



LAW 451 Trademarks and Unfair Competition Units: 3.00

Trademark law protects `trade identity` by providing private remedies for the unauthorized use of trademarks and other distinctive indicia. Owners of trademarks have the exclusive right, under the Trademarks Act, and substantially in common law, to use a mark to indicate the source of a good or service and to protect related intangibles of commercial value. Unfair competition torts and common law protections will be discussed in the first part of the course. The main focus is, however, on the legislation and its impact on private rights to regulate the use of trademarks, trade names, and unfair competitive practices. Students will learn how the common law regulation of unfair competition (with our focus on the tort of passing off) complements the statutory protections afforded for brands and logos that now dominate modern consumer culture. Attention is given to theoretical justifications and normative frameworks for trademark protection; underlying public policy objectives; the basis for making a trademark application and grounds for opposition; claims to title; the grounds for attacking validity; the forms of infringement; the relationship between trademarks and trade names; and the significant changes that the Canadian trademark regime has recently undergone, most notably in the definition of a trademark and the basis for registration. These changes promise to shift the law towards greater protection for unconventional marks (e.g. scents) and unused marks, with potentially significant implication for marks-holders, competitors, and the public. Offered up for discussion is the interests of stakeholders, how they have played out, and may best be served, under Canadian law: from the desire of traders to prevent free-riding and to promote free and fair competition, to the consumer and public interest in protecting the integrity of trade in the market of goods and services from consumer confusion while retaining the ability to engage with a mark culturally in the market place of ideas to communicate meaning, even as parody, in recent jurisprudence. Cross listed with LAW 851.

Offering Faculty: Faculty of Law

LAW 452 Secured Transactions Units: 3.00

This course is about commercial transactions involving consensual arrangements to finance the supply of things. It deals with the law relating to secured transactions in personal property and, in particular, involves a detailed study of the Personal Property Security Act (the PPSA). Topics to be covered include the scope and application of the PPSA, the validity of security agreements, the rights of a secured party and debtor, registration, priority rules, enforcement, and security interests under the Federal Bank Act.

Offering Faculty: Faculty of Law

LAW 453 International Business Crime Units: 1.00

International Business Crime will focus on Canadian law and enforcement relating to corruption, sanctions, and other related areas such as money laundering, procurement, fraud, and other international business matters. The course will primarily survey the development of anti-corruption regimes by international bodies such as the World Bank and the Organization for Economic Cooperation and Development and select foreign anti-corruption laws (e.g., U.S. and U.K.) and the development of Canada's sanctions regime. The course will also address the fundamental building blocks of successful internal compliance policies and burgeoning issues businesses face in supply-chain management. Through case studies, students will have an opportunity to develop practical insights into internal and government investigations, case resolution, risk mitigation and compliance.

Offering Faculty: Faculty of Law

LAW 455 International Trade Law Units: 3.00

International trade law governs what states may do to encourage and restrict the flow of goods, services, capital and people across borders. The rules of international trade law thereby affect important aspects of all our lives ` how much we pay for the products that we purchase, what types of employment are open to us, and what our government can do to regulate the quality of goods and services that we consume. The course provides a comprehensive overview of international trade law, with a focus on the law of the World Trade Organization. Through the close study of the jurisprudence of WTO panels and the Appellate Body, students will learn to apply the core concepts of international trade law, such as market access and non-discrimination, and will explore how the trade regime seeks to strike a balance between trade promotion and other legitimate regulatory objectives. We will consider questions such as: Why did the Trump administration insist on renegotiating NAFTA, and how does the new NAFTA differ from the old one? How should Canada react to the imposition of steel and aluminum tariffs by the US on national security grounds? Does Canada have to fear retaliation from its trading partners for its subsidies to Bombardier? And should the European Union be allowed to ban imports of seal products to protect the moral sensibilities of its citizens?

Offering Faculty: Faculty of Law

LAW 457 International Trade Law Practicum Units: 4.00

In this project-based course, which is as much a law clinic as a traditional course, students will work on actual trade law problems for real “client” beneficiaries under the supervision of their professors. The practicum offers a unique opportunity for students to gain practical experience in international trade law, while at the same time enhancing their substantive legal knowledge through participation in weekly seminars. The practicum will enable students to work on a specific legal project, such as researching and preparing a legal opinion on the WTO consistency of proposed legislation, or drafting a submission in a WTO dispute for a beneficiary, such as a small business, an NGO, a union or a government. Moreover, the practicum is designed to build students’ professional skills by providing training in how to interact with beneficiaries, how to work in groups with other lawyers, how to present their work effectively, and how to communicate complex legal issues to diverse audiences. The practicum also hopes to introduce students to career opportunities in international trade law by allowing them to interact with beneficiaries and mentors working in the trade law field and exposing them first-hand to the practice of international trade law in Canada and beyond.

Students will work in small groups (“project teams”) under the close supervision of their professors and outside experts (“mentors”) on specific legal problems proposed by beneficiaries. Professors and mentors will provide substantive background instruction on the respective topics. The students will also benefit from instruction on improving their legal research and writing skills. At the end of the term, each team will present their projects to the class as well as to the beneficiary.

The practicum is part of a Joint University of Ottawa-Queen’s International Economic Law Clinic under the umbrella of the TradeLab network. To get an idea of the types of projects done in previous years by clinics in the network, please consult www.tradelab.org.

Requirements: LAW 457 Pre-Req

Offering Faculty: Faculty of Law

LAW 458 Adv. Issues In Contract Law Units: 3.00

Contracts and the law that governs them are fundamental to economic life in our society, and there is scarcely an area of legal practice in which issues of contract law do not figure. The first-year course in Contracts provides students with an excellent grounding in the subject. Advanced Contract Law builds on the foundations laid in first year, broadening and deepening the student’s knowledge of this richly-textured subject. The course will cover a selection of advanced issues in contract law that cannot be dealt with in any detail in a first course in the subject. Examples of topics that may be covered in any given year include: illegality; agency; assignment; contractual construction; good faith; implied terms; paternalism and the problem of standard forms; unconscionability; economic duress; the interaction of contract with tort and restitution; the estoppels (equitable; conventional; in pais; proprietary). The course will be structured around readings drawn primarily from cases decided by common law courts here and abroad, and also from the scholarly literature. Cross listed with LAW 894.

Offering Faculty: Faculty of Law

LAW 459 Securities Litigation Units: 3.00

This practitioner-led, small-class, experiential course is intended to simulate a practice in securities litigation. Participants will gain exposure to general substantive law and an opportunity to learn about different forums in which Ontario securities disputes may be raised. The course will use a theoretical and contemporary fact pattern against which participants will strategize. This course involves advocacy skill exercises, written assignments and moot-style assignments. The bulk of assessment will be based on participation and the mid-term and final moot performances.

Offering Faculty: Faculty of Law

LAW 460 Land Transactions Units: 3.00

This is a course in the law governing the purchase and sale of residential real estate in Ontario. It will be useful not only to those who intend to practice real estate law, but also to those who want to deepen their understanding of Canadian private law, particularly contract law, property law, the law of remedies, and the principles of equity. We will examine the law pertaining to the formation, enforceability and interpretation of the agreement of purchase and sale, and the remedies available for its breach. We will discuss mortgages and other kinds of security, land registration, title insurance, and the law governing real estate agents, among other topics.

Offering Faculty: Faculty of Law



LAW 462 Wills and Estates Units: 3.00

An introduction to the basic tools of property disposition and management. The first part of the course will focus on the alternatives to testate succession such as gifting, inter-vivos trusts, life insurance, intestate succession, etc. The second part of the course will concentrate on testate succession and various doctrines applicable to wills. Topics such as testamentary capacity, due execution, revocation, various types of beneficiaries, etc. will be considered. The third part of the course will deal with administration of trusts and estates. Such topics as fiduciary duties, even-handedness between beneficiaries, accumulations, etc. will be considered. The course will also deal with taxation issues with respect to the various aspects of estate planning.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 463 Trusts and Equity Units: 3.00

The institution of the trust, involving the separation of the control (in trustees) from the beneficial enjoyment of property, is of foundational importance in our law. Trusts concepts and devices are employed in a variety of modern contexts and are also increasingly used in commercial transactions. This course will cover basic doctrine and explore selected areas in further detail: for example, the nature of a trust; formal requirements of trusts; constitution of trusts; secret trusts; trusts, powers and purposes; certainties; property-holding by unincorporated associations; trusts for charitable purposes; some aspects of trustees' powers and duties; variation of trusts; resulting and constructive trusts. 3 credits.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 465 Municipal Law Units: 2.00

This course provides an introduction to the common law and legislative framework under which municipalities operate. Topics addressed include the scope of municipal authority; the election and operation of council; drafting, enacting and enforcing by-laws; municipal contracts and tendering; mechanisms of planning and land use regulation and municipal liability. We will examine the unique role a municipal corporation plays in society and assess common issues faced by councils, boards and staff members in regional governance.

Offering Faculty: Faculty of Law

LAW 468 Copyright Law Units: 3.00

Though it may not fully be appreciated, most aspects of our culture, communication, and consumption are affected by the law of copyright; from the entertainment we enjoy or create, to the buildings we design and build, to our correspondences and visual exchanges, use of the internet, and the games we play and books we read, copyright is an integral part of our lives and impacts how we as a society relate, educate, create, earn a living, or simply participate in meaning making through the exercise of our expressive freedom. The year 2012 was celebrated as a turning point in Canadian copyright law with significant legislative reforms and five Supreme Court of Canada decisions (the "pentalogy") that could be said to have considerably expanded user rights and public interests in copyright. Can this celebration continue in light of more recent cases? The Copyright Act extends a limited term of protection to original literary, dramatic, musical and artistic works as well as neighbouring rights in a performer's performance, a maker's sound recording, and a broadcaster's broadcast of communication signals. This course provides a brief introduction to the field of intellectual property in order to situate copyright in the policy framework of industrial and cultural property. The theoretical rationales for and judicial understanding of the role and function of copyright are explored as means for examining the continued debates about the appropriate scope of rights, the need for limits, and the goal of "balance" to be given effect by copyright law and policy. The course is focused on two main issues: copyright subsistence and infringement, taking into consideration the differences between authorship and ownership, moral rights and economic rights, nature and extent of rights and the allowable exceptions, defences, and remedies. How should copyright law evolve in the face of major technological shifts? We will also consider some of the legal means by which copyright is made to expand or contract in accordance with public policies, through the use of internal doctrinal mechanisms such as the expression/idea dichotomy, the merger of expression with ideas, the allowable use of stock devices, and the freedom of users to deal fairly with copyrighted works, as with the user generated content exception, all of which may give more or less effect to the public interest in expressive freedom and a vibrant public domain. Copyright theory will be tested against its application, such as with the legal characterization of tampering with digital locks and technological protection measures as infringement. Students are encouraged to think critically about the law's inclusions and exclusions. Why is art protected but not craft? What has historically counted music? Ought food or yoga sequences be protected? Why or why not? Is copyright more about rights or utility? Whose rights? What utility? And, have we got the "balance" right? Cross listed with LAW 868.

Offering Faculty: Faculty of Law

LAW 469 Introduction to Intellectual Property Units: 4.00

What is intellectual property (IP)? How does the law facilitate and incentivize the creation, dissemination, and use of intangibles of considerable economic and cultural value through the grant of intellectual property rights (IPRs) and what are the distributional consequences of IPRs allocations? This course is designed to give students an introduction to intellectual property law by first examining what is captured in the concept of 'intellectual property' and the theoretical rationales for the protection of intellectual and industrial intangibles. To this end, students are invited to consider the implication of IP exclusions, the grant of exclusive property rights, the scope and duration of these rights, as well as the balancing mechanisms, including exceptions and defences, which can serve to protect the interests of users and the public in regulating IP. Not all forms of cultural, industrial, and intellectual production meet the normative prescriptions for acquiring title and those that do sometimes can secure double protection, raising IP overlaps in protection as another area for examination. What is classified as property and what is available for the taking as "public domain"? What is the significance of such distinction in the ability to extract value from these intangibles as business assets? This course offers a substantive introduction to specific areas of IP law (mainly copyright, trademarks and patents) to help navigate the Canadian landscape of protectable subject matter and scope of rights when advising businesses, and in building IP portfolios while avoiding litigation. The goal of this course is, equally, to teach you how to critically think about the normative and distributional consequences of IP, its transaction cost for businesses, and impositions for the exercise of expressive freedom.

Offering Faculty: Faculty of Law

LAW 470 Grand Moot Units: 1.00

The Grand Moot is an opportunity for four students to present oral arguments on a contemporary appellate public or private law case before a leading appellate court judge. Students who have previously served as oralists, coaches or researchers on a moot team in their 2L year are eligible to tryout for the Grand Moot. Tryouts are held in April of the 2L year. The Grand Moot takes place in September of the 3L year.

Offering Faculty: Faculty of Law

LAW 471 Immigration Law Units: 3.00

This course will provide an overview of the theoretical, historical, constitutional and policy underpinnings of Canadian immigration law. We will consider the legislative reforms implemented in the Immigration and Refugee Protection Act across the full range of immigrant and refugee categories. Key jurisprudence as well as critical and comparative perspectives will be considered throughout the course.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 472 Oceans Law Units: 3.00

Canada borders on three oceans and has the world's largest coastline. It possesses a continental shelf equivalent to 40% of its land mass. Its maritime resources are huge and of fundamental importance to its future development. In addition, Canada is a trading nation and relies on maritime transport for the import and export trade. Its environmental security is dependent on the proper management of its coastal areas. The course will address these issues mainly from the perspective of international law, and will cover the principles and practice of the law of the sea, its history and institutions, territorial sovereignty (including boundary definition), shipping, military uses of the sea, the regulation of the Polar Areas, international straits, piracy and the continental shelf.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 473 Competitive Moot Oralist Units: 3.00

Selections of oralists for an approved moot are made through a competitive selection process held in the fall term each year and administered by the Moot Court Committee or by the Faculty Supervisor assigned to the moot. Approved moots are listed at <https://law.queensu.ca/programs/jd/student-experience/moot-court-program/moot-information-for-students>

Offering Faculty: Faculty of Law

LAW 474 Competitive Moot II Oralist Units: 3.00

Upper-year JD or combined JD student selected as an oralist for an approved moot held in the fall or winter term and who has a previous registration in LAW-473.

Offering Faculty: Faculty of Law

LAW 475 Competitive Moot Oralist Units: 6.00

Designation of a moot registration must be made by the Moot Court Committee. Upper-year JD or JD combined degree program students selected as an oralist for a moot team will be enrolled in the fall and winter terms.

Offering Faculty: Faculty of Law



LAW 480 Competitive Moot Coach Researcher Units: 3.00

Upper-year J.D. or J.D. combined degree program students selected as a Competitive Coach/Researcher will be enrolled in LAW-480 in the academic year for three upper-year credit units. The Faculty Moot Supervisor will conduct the selection process and will give preference to the selection of students with a demonstrated proficiency in the subject matter of the moot, strong grades in completed coursework relevant to the moot subject matter, demonstrated proficiency from prior experience in drafting facta and/or prior experience in appellate advocacy, trial advocacy or skills in alternative dispute resolution or client counselling as would be relevant to the moot. A coach/researcher will be expected to conduct research and formulate legal arguments, assist with drafting and editing facta, crafting oral arguments, assessing the strength of oral arguments and will offer strategies to improve the quality or delivery of the legal arguments. Coach/researchers may also be called upon to fulfill administrative tasks associated with the logistics of the moot. The Faculty Supervisor will confirm the appropriate credit unit registration at the time of selection and will assign a letter grade for the course at the end of the registered term. Law 480 for three credits (graded) is to be taken in conjunction with Law 481 (pass/fail) for a full-year registration.

Offering Faculty: Faculty of Law

LAW 484 Competitive Moot Coach Researcher Units: 6.00

Upper-year J.D. or J.D. combined degree program students selected as a Competitive Coach/Researcher will be enrolled in LAW-484AB for the academic year for six upper-year credit units. The Faculty Moot Supervisor will conduct the selection process and will give preference to the selection of students with a demonstrated proficiency in the subject matter of the moot, strong grades in completed coursework relevant to the moot subject matter, demonstrated proficiency from prior experience in drafting facta and/or prior experience in appellate advocacy, trial advocacy or skills in alternative dispute resolution or client counselling as would be relevant to the moot. A coach/researcher will be expected to conduct research and formulate legal arguments, assist with drafting and editing facta, crafting oral arguments, assessing the strength of oral arguments and will offer strategies to improve the quality or delivery of the legal arguments. Coach/researchers may also be called upon to fulfill administrative tasks associated with the logistics of the moot. The Faculty Supervisor will confirm the appropriate credit unit registration at the time of selection and will assign a letter grade for the course at the end of the winter term.

Offering Faculty: Faculty of Law

LAW 506 International Taxation Units: 3.00

This introductory course to international taxation will provide an intensive examination of basic Canadian principles governing cross-border income taxation. Topics covered will include discussing:

- ¿ The Inbound and Outbound rules under the Income Tax Act (ITA) for the determination of residency of individuals, trusts, corporation and taxation of income ¿ this segment will include discussions on; the FAPI regime, the remote worker and their employer, regulation 105 and 102 of the ITA.; it will discuss the base erosion of profits concern under the OECD and will discuss Pillar One and Pillar Two;
- ¿ The extension of the General Anti-Avoidance Rules (GAAR) of the ITA to cross border transactions with a focus on the 2021 SCC decision in *Alta Energy*; we will also discuss the recent concerns of the Canada Revenue Agency on moving CCPCs to offshore jurisdiction which has led to the introduction of the mandatory disclosure rules released on July 22, 2023;
- ¿ The application of tax treaties to domestic law ¿ discussion will include the OECD Model Tax Treaty, the US Model Tax Treaty, the UN Model and the Multilateral Agreement (MLI)
- ¿ As part of the treaty discussion we will also discuss treaty overrides and will discuss section 7852(d)(1) of the Internal Revenue Code and the CRA administrative position with regards to ITA 94(3) Trusts;
- ¿ The foreign tax credit and transfer pricing.

Requirements: LAW 508

Offering Faculty: Faculty of Law

LAW 508 Taxation Units: 4.00

An introduction to income taxation and the principles and operation of the Income Tax Act. Some of the topics included in the course are residence, the definition of income, when income should be recognized, permitted deductions, capital cost allowance, capital gains, principles of tax avoidance, and the administration of the tax system.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 509 Taxation of Trusts and Estates Units: 3.00

In Tax and Estates Planning, students will learn how to help clients pass on assets and income to their beneficiaries in a tax effective manner, including through estate tax freezes, gifts and charitable contributions. The course reviews how tax affects estate planning and how to manage the consequences of these tax measures.

Requirements: LAW 508 as a pre or co req

Offering Faculty: Faculty of Law

LAW 511 Corporate Taxation Units: 3.00

This course examines the taxation of corporations and their shareholders. The general theory of corporate taxation is considered, as well as the specific rules of the Income Tax Act. Among specific issues considered are the tax consequences of incorporation and of corporate reorganizations, tax aspects of business finance, the treatment of dividends and distributions, and tax planning for the family business.

Requirements: LAW508

Offering Faculty: Faculty of Law

LAW 512 Corporate Finance Units: 3.00

This course will examine fundamental legal and regulatory issues relating to corporate finance in Canada. This will include a focus on the ways in which enterprises raise money to finance existing or proposed activities, the lawyer's role in assisting the enterprise through that process, and public interest issues relating to how that process unfolds. Topics will include such matters as: (i) the strengths and weaknesses of different legal entities that may be used to carry on the enterprise and raise financing, as well as factors relevant to decisions about which kind of vehicle makes sense for a given venture; (ii) different sources of financing, including the types of capital providers that are available at different stages in the life-cycle of an enterprise and their different approaches to investing (e.g. venture capital, private equity, mutual funds, pension funds, other financial institutions); (iii) the manner in which investments may be structured and the range of financial instruments that enterprises and investors rely on; (iv) public interest issues that are relevant to corporate finance in Canada; and (v) strengths and weaknesses of the regulatory framework that governs corporate finance in Canada. These issues will be analyzed through lectures and seminar presentations.

Pre-requisite: Law 440 Business Associations

Requirements: LAW 440

Offering Faculty: Faculty of Law

LAW 514 Mining Law, Policy and Communities Units: 3.00

In this seminar course, students will develop an understanding of how the national and international mining industry is structured and financed; learn about the process by which minerals and gems are extracted; learn about the effects of mining and mineral processing on the environment, culture, and society where it is located; learn about the key laws and regulations in Ontario that regulate mining, mineral processing, mine financing and corporate decision making; learn about key conflicts between communities, Aboriginal peoples and the mining industry; and learn how communities in Canada and around the world have worked with and/or resisted mining companies

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 516 Sexuality & Reproductive Justice Units: 3.00

This course will examine sexual and reproductive rights, domestically and globally. The concept of sexual and reproductive rights cuts across many legal doctrines such as family law, property, health law, criminal law, immigration, human rights, and constitutional law. A fulsome account of sexual and reproductive justice includes access to fertility treatment, pre- and post-natal care, contraception, pregnancy termination, genetic counseling, quality childcare, and the freedom to choose when and how one participates in sexual activity and expresses one's sexual identity. Yet, in public and political discussions, especially those driven by domestic and global initiatives of the United States, attention is often focused primarily on abortion. This course will begin by asking why abortion occupies a central place in sexual and reproductive rights campaigns. We will examine how the reproductive justice movement, a term popularized by American women of colour in the 1990s, has transformed reproductive advocacy by challenging the limits of law and the narrowness of the abortion right. Focusing specifically on Canada, we will consider how feminists in this country long considered abortion access to be integrally tied to other forms of emancipation including workplace equality, economic justice, and affordable childcare. This part of the course will address the abortion question through an interdisciplinary examination of historical, sociological, and public health articles as well as legal cases, literature, and film. After de-centering abortion in the sexual and reproductive justice field, we will use a case-study approach in each class to examine the following issues: sexual consent; adolescent parenting; sterilization (with a focus on the coercive sterilization of Indigenous women); male reproductive decision-making; the treatment of sexually transmitted infections, particularly HIV/AIDS; conscientious objection by medical providers; and transgender medical care. Some of the questions this course will consider are: What are the legal doctrines that constitute reproductive and sexual rights, and in being so constructed, what actions do they enable and constrain? What role has the Supreme Court of Canada played in constructing elite and popular debates? Why is abortion so central? How do moral and normative ideas about sex and sexuality inform the legal regulation of abortion, contraception, and parenting? And finally, how have Canadian governments and society regulated sex and reproduction differently along lines of age, class, migration, and Indigeneity? Cross listed with LAW 907.

Offering Faculty: Faculty of Law

**LAW 517 Environmental Protection Law Units: 3.00**

This seminar course provides a comprehensive review of environmental law and policy at the federal, provincial, and municipal levels of government. Topics covered by the course include constitutional matters, Charter rights, environmental torts, Indigenous rights, environmental assessment, public participation, land use planning, protected areas, species at risk, and regulatory and non-regulatory approaches for addressing air and water pollution. The key statutes and leading cases in relation to these topics will be examined during the course. Students will utilize their legal research/writing skills to complete two short assignments and a major paper in the environmental context.

Offering Faculty: Faculty of Law

LAW 519 Children's Law Units: 3.00

PRE/CO-REQUISITE: Law 520 Family or permission of the instructor.

The course deals with a number of related issues concerning the treatment of children and adolescents in the legal system. Tactical, ethical and policy questions are addressed, as well as substantive and procedural legal topics. We will also explore the role of lawyers in a variety of proceedings affecting children and adolescents. While the primary focus of the course is legal and process oriented, the legal issues must be seen in a multi-disciplinary context, as is reflected in the reading materials and the range of professionals who will visit the class as speakers. The major topics in the course are: (1) child welfare, including child abuse and neglect, focussing primarily on child protection proceedings and (2) youth criminal justice issues. Although all social and economic classes are affected by the issues raised in this course, many of the issues studied in this course tend to disproportionately affect those who are socially or economically disadvantaged in society, and, for example, the particular impact of these matters on aboriginal people will arise. This course may be of particular relevance to students with an interest in Family Law or Criminal Law, although some students take this course out of general interest. Many of the topics discussed are matters of considerable public controversy.

Requirements: LAW 520

Offering Faculty: Faculty of Law

LAW 520 Family Law Units: 4.00

An introductory course concerning the basic principles governing the formation, operation and dissolution of the family in Canada. Specific topics to be considered are validity and annulment of marriage, rights and obligations of persons who cohabit outside marriage, gay and lesbian relationships, domestic contracts, domestic violence, support, custody and access to children, the law of divorce and ownership, possession and division of matrimonial property. Most attention will be paid to the law applicable in Ontario, but where appropriate, references and comparisons may be made to developments in other provinces and countries. There is substantial similarity in the family law of Canada's common law jurisdictions. The primary focus of the course will be upon substantive legal principles, as developed by the legislatures and courts. Consideration will also be given to a variety of tactical, ethical, procedural and evidentiary issues as well as to questions of law reform. Tax implications of some situations will be discussed, but no background in this area is necessary. The psychological dynamics of matrimonial disputes will receive some attention as well. 4 credits, one term.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 521 Family & Child Law Placements Units: 3.00

Students in this course are placed with a professional or agency in the family and children's law field. Some of the placements will require the students to do some research, document drafting or client interviewing, but the primary focus is on learning from observation, review of files, reflection with the placement supervision, and class discussion. There is no scheduled class time, but there will be several class meetings arranged at times that do not conflict with any student's schedule. Students are required to keep a course log and write a short reflective piece. The placements include: Children's Aid Society, Family Court Judges, Victim Witness Program and Family Law Lawyers (6).

Requirements: LAW 520

Offering Faculty: Faculty of Law

LAW 522 Human Rights Units: 3.00

The Ontario human rights system has undergone significant changes in recent years. This course will examine the evolution of Ontario's human rights system as a mechanism for promoting and protecting human rights. It will also explore the meaning of discrimination with reference to recent cases from the Ontario Human Rights Tribunal. Particular attention will be paid to the interaction between the Charter and the Ontario Human Rights Code. The legal structure of Canadian human rights protection, its scope and its deficiencies, will be considered in depth.

Offering Faculty: Faculty of Law

LAW 524 Family and Children's Law Units: 3.00

This course will give students an opportunity to study a range of issues in the family and children's law area. Each student will be required to prepare a paper and give an oral presentation on a topic that he or she will select, in consultation with the instructor. The topic may be in the area of domestic relations, child protection, adoption or youth justice law. Students will be encouraged to take a broad approach to their research, considering the legal issues facing parents and children in a broader social and legal context, and perhaps including a comparative dimension to their research.

Requirements: LAW 520

Offering Faculty: Faculty of Law

LAW 525 Advanced Family Law Units: 3.00

This is an advanced family law seminar that examines policy questions in relation to the law's role in the creation and dissolution of the family status. Students will have an opportunity to research and write a paper on a topic of their choice related to a family law issue. The seminar will involve class discussions on topics including historical influences on the development of family law, reflections about "families" and "law", "public" and "private" family law policies, economic dependency, and gender-based violence. The first few weeks are designed to help students select a research topic and introduce students to possible research sources. Evaluation will consist of participation (including an opportunity for students to present their work to the class), and the final research paper. This seminar satisfies the requirements for the Substantive Term Paper.

Requirements: LAW 520

Offering Faculty: Faculty of Law

LAW 527 Queen's Family Law Clinic Units: 8.00

This course provides students with the opportunity to work at the Queen's Family Law Clinic (QFLC) which is a specialized clinic that provides legal advice, assistance and information to low-income individuals in Kingston and the surrounding area. Through involvement in the QFLC, students will have opportunities to develop skills in interviewing clients, preparing documents for court, carrying out legal analysis and managing effective relationships with clients. Instruction is provided through lectures, a course manual and class discussion as well as through individual supervision of student casework by the Director and the Review Counsel. In addition to clinic experience, student caseworkers will have opportunities to attend Family Court to observe and interact with clients and family justice professionals. Under the supervision of the clinic lawyers, students can expect to work directly with clinic clients, plan litigation strategy, prepare pleadings, issue, serve and file court documents, learn the basics and many intricacies of the Family Law Rules and work with a variety of family justice agencies in efforts to assist qualifying self-representing litigants navigate the complexities of Family Court litigation. Students will also be actively involved in the operation of the Clinic, learning and developing skills in practice administration and management, client development, Law Society regulation, the use of retainer agreements and the use of time and case management software.

Grading will be based on an evaluation of the casework completed by the student throughout the year and the completion of course-related assignments including reflective journals based on six (6) attendances at Family Court and participation in a public legal education (PLE) presentation. The course will run from September until April and takes place at the downtown offices of the Queen's Law Clinics (QLC), 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston. Student caseworkers will meet as a class for three hours each week and will attend at the QLC regularly and as required to meet with clinic lawyers and complete casework. Student will also be required to attend at other locations in the course of their work including the Kingston Family Court at 469 Montreal Street, Kingston.

RECOMMENDED: Law 320 Evidence and Law 225 Civil Procedure

Queen's Law policy limits students to only one of the following clinical courses: QBLC LAW 438, QELC LAW 695, QFLC LAW 527, QPLC LAW418, QLA LAW 590. Students enrolled in one of those five clinical courses are not eligible for enrolment in another.

Requirements: Family Law CoReq

Offering Faculty: Faculty of Law

**LAW 529 Advanced Constitutional Units: 3.00**

Positive rights demand state action rather than forbearance. This course confronts a set of difficulties that courts around the world have encountered in adjudicating positive rights claims. Are positive rights justiciable or are they merely political aspirations? How does one determine whether a constitution protects positive rights and what positive rights it protects? Does the Charter of Rights and Freedoms protect positive rights? More specifically, does the Charter recognize positive rights to housing, education, or environmental protection? When designing programs to fulfill positive rights, what legal standards bind legislatures? What doctrines should courts employ when adjudicating positive rights claims? What impact would the recognition of a set of rights that are both positive and constitutional have on the ongoing project of reconciliation and on Canadian society more broadly? These and other questions will be explored through the prism of comparative and theoretical materials.

Offering Faculty: Faculty of Law

LAW 532 Aboriginal Law Units: 3.00

This course examines the legal and constitutional rights of Aboriginal peoples in Canada. It considers the legal legacy of Canada's colonial past; the implications, that is, for the present constitutional order of European settlement in territories that were occupied and governed by indigenous peoples. Much of the course focuses upon the interpretation of section 35 of the Constitutional Act, 1982, which entrenches 'existing aboriginal and treaty rights'. Particular attention will therefore be given to Aboriginal rights to lands, natural resources, and self-government, as well as the identification and interpretation of Aboriginal treaty rights. In the course of addressing these topics, we will confront constitutional issues relating to federalism and human rights, theoretical issues relating to legal interpretation in a cross-cultural setting, comparisons with indigenous rights in other former colonies, and the status of indigenous peoples and rights under international law. The general purpose of the course, then, is to examine the possibilities and challenges associated with Canada's multi-national and legally-pluralist constitutional order from a variety of legal, cultural, and theoretical perspectives.

Offering Faculty: Faculty of Law

LAW 535 Equality Rights and the Charter Units: 3.00

More equality rights seekers have lost than won at the Supreme Court of Canada which raises a fundamental question: why? To brainstorm possible answers, the first class reviews the record of wins and losses. To what should we attribute these outcomes? To equality rights doctrine, its application to factual contexts, both doctrine and context, or some other reason? In subsequent classes we examine some of the key themes that animate Charter equality controversies including, where time permits: grounds, substantive equality, discrimination, intersectionality, competing rights, proportionality, comparison, affirmative action, etc. The course requires you to apply at least one of these themes to a Charter equality rights topic that you research, present in class, and write about in a factum, feminist judgment, or essay. Your objective is to assess whether Charter equality rights doctrine makes social justice available to equality seekers and, if not, what change(s) you would recommend. Put differently, what values animate the Court's approach to equality rights and are they consistent with yours? Cross-listed with LAW 835.

Offering Faculty: Faculty of Law

LAW 536 Advanced Issues in International Law Units: 3.00

The seminar will offer an opportunity for students to explore, in detail, both the theoretical and practical application of international law. Students will prepare a major paper, for 80 percent of the class mark, and participate actively in class discussions, for 20 percent. The relationship between domestic and international law; the relationship between foreign policy and international law; and the role of international legal institutions and other actors, including non-State actors, in the development of international law will form a recurring theme throughout the course. Cross listed with LAW 836.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 537 International Climate Law Units: 2.00

Multilateral efforts to reduce greenhouse gas emissions are accelerating but climate scientists and environmental activists believe that far more ambitious efforts are needed to avoid the risk of irreparable, grave harm in the Earth's climate system and cascading failures which will imperil ecosystems and society. The recent global climate conference, in Glasgow in November 2021, demonstrated that the political and economic challenges to improving international climate law remain as difficult as ever, though some modest progress was made.

This course examines the international legal and policy features which govern efforts to manage global climate change, and explores what governance reforms could or should be made. Such an enquiry introduces important ethical, political and scientific issues, which require that the course subject matter be approached through a critical, interdisciplinary lens.

The course comprises six principal topics, and begins with the science and geopolitical context of climate change, as well as introducing the foundational elements of international environmental law that underpin much of the field of climate law. We then delve into the development of the principal intergovernmental agreements, beginning with the Framework Convention on Climate Change and concluding with the Glasgow agreement of 2021. Specialist topics are then examined, including the role of market mechanisms and finance as tools for mobilising climate action, and the role of environmental activists and climate litigation to spur changes to law and policy. The readings in the course draw on a mix of scholarly research and recent media literature.

Offering Faculty: Faculty of Law

LAW 538 International Environmental & Resource Law Units: 3.00

International environmental and resource governance present some of our most pressing current policy issues. This course will examine potential frameworks for resolution of international environmental and resource problems and the role for law and legal institutions. We will examine a variety of legal approaches, including treaty-based international law, customary international law, and rights-based environmental claims. We will also consider how international environmental and resource law intersect with other international legal regimes, including trade and human rights, the role of private actors and the legal rules that apply.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 540 Public International Law Units: 3.00

This course will provide students with an introduction to Public International law. We will discuss the role of states as the primary authors and subjects of international legal norms and obligations; the application of international law by international and national decision-makers; and the status and increasing significance of non-state actors such as intergovernmental organization (notably the United Nations), non-governmental organizations, multinational corporations, peoples, and individuals in the international legal system. In addition, the course will provide coverage of substantive law in various areas, including state jurisdiction over territory and persons, dispute settlement, state responsibility, the law on the use of force, the law of the sea, and sovereign and diplomatic immunities.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 542 International Human Rights Law Units: 3.00

International Human Rights has increasingly become one of the yardsticks for measuring the conduct of States and non-state actors. Reference to human rights is frequently used in common discourse, the media and in allegations against human rights "violators" as if human rights are self-evident, self explanatory and automatically binding. This course provides an overview of the international system for the protection of human rights. It attempts to unpack the concept of human rights, its evolution and critiques of human rights. We will learn about enforcement mechanisms such as United Nations mechanisms, the European Court of Human Rights and in certain cases domestic implementation of international human rights obligations. We will delve into current issues, such as the prohibition on torture, discrimination against women, cultural relativism, economic and social rights, non-state actors including corporations and the intersection of international human rights law and international criminal law. We will also focus on the realities of human rights practice and advocacy and legal strategies to address human rights.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

Course Learning Outcomes:

1. NA

**LAW 549 International Humanitarian Law Units: 3.00**

International humanitarian law (IHL; also known as the 'law of war' or the 'law of armed conflict') is a set of rules which seek to limit the effects of armed conflict. Its object and purpose is to protect persons who are not or are no longer participating in hostilities, and it restricts the means and methods of warfare that belligerents may use. The topics that may be covered include: historical development; contemporary sources; types of armed conflict; individual status in IHL; protection of wounded, sick and shipwrecked; the law of belligerent occupation; means and methods of warfare; implementation, enforcement and accountability; relationship to other bodies of PIL, most especially international human rights law, international criminal law, and the law governing the use of force.

Offering Faculty: Faculty of Law

LAW 550 Conflict Of Laws Units: 3.00

Every civil litigator and private law solicitor should take this theoretically rich and practically useful course. Conflicts arise in every case that involves more than one province or more than one state. This course addresses: 1) whether a court has jurisdiction to decide a dispute; 2) when a court should decline to exercise jurisdiction; 3) what law applies to a dispute; and 4) whether a foreign judgment will be recognized and enforced. Examples may be drawn from all areas of private law, including torts, contracts, property, succession, and family law. The course will include a significant online component of lectures and exercises, as well as in-class discussions, problem-solving and exercises.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 551 Conflict Analytics Practicum Units: 2.00

The Conflict Analytics Practicum is a project-based course jointly offered with Smith School of Business Masters in Artificial Intelligence program. The practicum is a forum for lawyers, data scientists and computer scientists to collaborate and develop new technology for the legal industry (mainly, but not exclusively, for industry partners of the Conflict Analytics Lab). Participants will act as either project leaders or analysts. At this stage, the Lab has identified discrete tech projects in the following fields: employment (calculation of severance and determination of worker status); insurance (calculation of non-pecuniary damages); dispute settlement (an intelligent negotiation system for law firms); trademark (risk-of-confusion assessment); and customer disputes (determination of customer compensation).

Offering Faculty: Faculty of Law

LAW 552 Fiduciary Obligation Units: 3.00

Fiduciary Obligation will explore the rapid escalation to its current prominent status in modern Canadian jurisprudence. The course will trace the concept from its ancient origins in Equity to its ubiquitous presence in all areas of commercial, corporate, private and governmental law. Commencing with a discussion of the concept itself, the course will endeavour to deal with several distinct areas where the relationships have as their underpinnings a fiduciary duty: agent (real estate, stock brokers, promoters), solicitor-client, corporate (directors, officers, employees), private (clergy, teachers, family), governmental (aboriginal affairs, elected officials), etc. The course will conclude with an in depth discussion of the remarkable remedial power where the duty of utmost good faith applies and the courts' use of such equity-based power.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 559 International Labour Law Units: 3.00

New methods of international and transnational labour regulation are emerging as economic globalization renders domestic systems impotent. This course will introduce students to the main legal and policy issues surrounding labour law in the international context. Topics will include: free trade and economic integration; international labour standards and the International Labor Organization (ILO); labour rights, human rights and social justice; regional systems of worker protection (the European Union, the NAFTA); the relationship between labour standards and international trade law; problems posed by labour migration; and corporate social responsibility and codes of conduct. Students will emerge from this course with an understanding of the challenges of regulating work in the global marketplace and an appreciation of the promise of emerging methods of international and transnational labour regulation.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 560 Labour Law Units: 4.00

This course is a survey of the law of labour-management relations, with emphasis on collective bargaining. It will first consider the purposes, regulatory strategies and functions of labour law as a form of regulated market ordering. It will then provide an overview of the legal background and context of collective bargaining, including constitutional divisions of powers, the common law contract of employment, and regulation of the individual employment relationship. It will review the key elements of the law of collective bargaining (acquiring and terminating bargaining rights, protection against unfair labour practices, duty to bargain, regulation of strikes, lockouts and other industrial disputes, arbitration of differences under collective agreements, protection of individual rights and interests), focusing on Ontario legislation and the freedom of association provisions of the Canadian Charter of Rights and Freedoms. Finally it will briefly survey how the new economy - including globalization and major changes in the Canadian economy and society - are reshaping labour law at the domestic and international levels today.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 562 Coll. Agreements Arbitration Units: 3.00

The collective agreement establishes the legal framework that governs the ongoing relationship between the employer, the union, and the unionized workforce. Grievance arbitration is the special mechanism that provides for the enforcement of this framework. This course examines some of the most important areas of arbitral jurisprudence and the main areas of interface between the arbitral process and the general legal process. Examples of topics to be covered are discipline and discharge, seniority, management rights, the remedial powers of arbitrators, the impact of external legislation, and evidentiary and procedural issues.

Requirements: LAW 560

Offering Faculty: Faculty of Law

LAW 564 Pensions And The Law Units: 3.00

Pension plans are dynamic in Canadian society. They are a source of income in retirement to individuals, compensation tools for employers, social planning tools for government, sophisticated multi-billion dollar financial institutions, and can be the largest liability on a corporate balance sheet, and the largest asset on the family balance sheet. Pension law is equally dynamic. As a practice, it intersects with corporate, labour and employment, human rights, trusts, tax, contract, tort, agency, insolvency, insurance, family, administrative and regulatory law, among others. Moreover, now is an exciting time to practice and study pension law. Governments across Canada are enacting sweeping reforms to the system in an effort to strike a better balance among the interests of pension stakeholders, pension policy continues to make headlines in corporate insolvencies, and reform continues in the public sector pension system. The purpose of this course is to introduce students to the various legal issues relating to the design and operation of Canadian pension plans and the place they occupy in Canadian society. Given the multi-disciplinary nature of pension law, the course is ideal for students interested in a variety of areas of future practice.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 566 Advanced Labour Law Units: 3.00

The course will explore key issues in labour and employment law. The seminar format will provide a flexible blend of directed class discussion, guest speakers and student engagement. Cross listed with LAW 815.

Requirements: LAW 560

Offering Faculty: Faculty of Law



LAW 567 Employment Law Units: 3.00

Employment Law in Canada is the study of the legal regulation of work. Law frames most aspects of working life, from who is an employee and what constitutes employment, to how work relationships are formed, operate, and are terminated. Employment Law is traditionally understood to be the law of relationships between workers and employers, usually formed in contract. However, employment relationships today are shaped as much by statute as by the common law. Both dictate whether a legally enforceable or recognizable employment relationship exists, what the terms and conditions are and how it is to be interpreted. Further, the global economy and the changing nature of work is putting pressure on the traditional concept of employment, standard employment contracts and on the way our laws are structured and applied.

This course is intended to provide you with an introduction to the law of employment in Canada. We will explore the following issues and themes: what is employment; who are considered to be employees and employers and who aren't; how employment relationships are formed and what are the rights and duties of the parties; how do statutes influence the employment relationship; how are employment relationships terminated and what are the rights and remedies available to employees when they end? You will be introduced to some of the emerging issues and themes around the changing nature of work. We will briefly look at how that impacts our understanding of the role of employment laws and how Canada's legal regimes are evolving.

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 568 Special Topics in Labour and Employment Law Units: 3.00

This course will expose students to the law and theory of human rights in employment. We will begin by inquiring how and why the workplace is an important target of human rights legislation. To that end, we will start by engaging with arguments about the moral significance of work, the nature of social equality, and the history of labour markets in fostering social inequalities. With this philosophical and social background in mind, for the remainder of the course students will learn, apply, and critically assess human rights law in the workplace. Students will learn the main forms of unlawful workplace discrimination, focusing primarily on provincial human rights codes and related legal doctrine. We will then take a closer look at the law and theory of particular prohibited grounds of discrimination, such as gender and race, by reading and discussing a combination of human rights cases, personal narratives, and philosophical writing on race, gender, intersectionality, and colonialism. Students should come away from the course with an informed view of the role and limits of human rights law in preventing and remedying workplace inequalities.

Offering Faculty: Faculty of Law

LAW 573 Research Methods & Perspectives Units: 3.00

This course surveys the different theories and perspectives that inform current legal scholarship, and the range of research methods that can be applied to legal questions. The course is intended for LLM and PhD students but is open to JD students interested in academic legal research. Through readings, class discussions, and guest presentations, students will become familiar with a variety of legal research perspectives and methods, and will learn how to apply that knowledge to their own research. Students should come to the class with a legal research project in mind, either an LLM or PhD thesis or a seminar paper or independent study project, to be written either concurrently with or after completing the course.

Cross listed with LAW-880.

Offering Faculty: Faculty of Law

LAW 575 Racism & Canadian Legal Cult. Units: 3.00

The purpose of this seminar course is to examine the role and effect of racism in Canadian legal culture. We will be discussing racism in Canadian legal history and the use of law in particular moments of Canadian social history characterized by racism. We will then examine racism in legal education (and education generally) and in the legal profession and then discuss manifestations of racism in Canadian legal doctrine and the Canadian system of justice. There will be a greater focus on criminal law issues: such as Policing; Bails; Prosecution; juries; Sentencing and Hate Crimes.

Offering Faculty: Faculty of Law

LAW 577 PKI Global Justice Journal - Editorial Intern Units: 4.00

The PKI Global Justice Journal aims to critically inform readers of new developments in the realms of international, transitional and transnational justice. The Journal provides in-depth analyses, reviews of novel scholarly pieces, and interviews with specialists. By inviting a plurality of views and voices to react to its content, the Journal endeavours to create a forum for discussion and debate. The Journal publishes in both English and French.

Offering Faculty: Faculty of Law

LAW 578 CJCA Student Editor Units: 4.00

Canadian Journal of Commercial Arbitration

Offering Faculty: Faculty of Law

LAW 579 CJCA Senior Student Editor Units: 4.00

Canadian Journal of Commercial Arbitration

Offering Faculty: Faculty of Law

LAW 581 CLELJ Student Editor Units: 4.00

Offering Faculty: Faculty of Law

LAW 582 CLELJ Senior Student Editor Units: 4.00

Offering Faculty: Faculty of Law

LAW 584 Queen's Law Journal Credit Units: 3.00

The Queen's Law Journal is a refereed periodical devoted to the advancement of legal scholarship. Published twice annually, the Journal contains articles by academics, practitioners, judges, and some exceptionally high-quality student writing. The Journal offers training and experience in legal research, critical analysis, and precise writing. The Journal is managed and edited by a board of student editors under the supervision of a faculty advisor. The editorial board is directed by six senior editors: the editor-in-chief, the managing editor, the planning editor, the production editor, the articles editor, and the submissions editor. Additional students round out the editorial board. Editors are chosen for their academic excellence, relevant experience, and writing ability. The editor-in-chief receives 6 credits (LAW-589A/B), the other senior editors receive 6 credits (LAW-588A/B) and the associate editors receive 4 credits (LAW-587A/B) upon successful performance of editorial and production duties. LAW 584 is reserved for editors who participate in a single term. Editorial positions with academic credit are open only to second and third year J.D. students and to LL.M. students, but first year J.D. students are encouraged to become involved to familiarize themselves with the Journal.

Offering Faculty: Faculty of Law

LAW 587 Queen's Law Journal Credit-Associate Editor Units: 4.00

The Queen's Law Journal is a refereed periodical devoted to the advancement of legal scholarship. Published twice annually, the Journal contains articles by academics, practitioners, judges, and some exceptionally high-quality student writing. The Journal offers training and experience in legal research, critical analysis, and precise writing. The Journal is managed and edited by a board of student editors under the supervision of a faculty advisor. The editorial board is directed by six senior editors: the editor-in-chief, the managing editor, the planning editor, the production editor, the articles editor, and the submissions editor. Additional students round out the editorial board. Editors are chosen for their academic excellence, relevant experience, and writing ability. The editor-in-chief receives 6 credits (LAW-589A/B), the other senior editors receive 6 credits (LAW-588A/B) and the associate editors receive 4 credits (LAW-587A/B) upon successful performance of editorial and production duties. LAW 584 is reserved for editors who participate in a single term. Editorial positions with academic credit are open only to second and third year J.D. students and to LL.M. students, but first year J.D. students are encouraged to become involved to familiarize themselves with the Journal.

Offering Faculty: Faculty of Law

LAW 588 Queen's Law Journal Credit Units: 3.00

Offering Faculty: Faculty of Law

LAW 589 Queen's Law Journal Credit-Editor-in-Chief Units: 6.00

The Queen's Law Journal is a refereed periodical devoted to the advancement of legal scholarship. Published twice annually, the Journal contains articles by academics, practitioners, judges, and some exceptionally high-quality student writing. The Journal offers training and experience in legal research, critical analysis, and precise writing. The Journal is managed and edited by a board of student editors under the supervision of a faculty advisor. The editorial board is directed by six senior editors: the editor-in-chief, the managing editor, the planning editor, the production editor, the articles editor, and the submissions editor. Additional students round out the editorial board. Editors are chosen for their academic excellence, relevant experience, and writing ability. The editor-in-chief receives 6 credits (LAW-589A/B), the other senior editors receive 6 credits (LAW-588A/B) and the associate editors receive 4 credits (LAW-587A/B) upon successful performance of editorial and production duties. LAW 584 is reserved for editors who participate in a single term. Editorial positions with academic credit are open only to second and third year J.D. students and to LL.M. students, but first year J.D. students are encouraged to become involved to familiarize themselves with the Journal.

Offering Faculty: Faculty of Law



LAW 590 Clinical Litigation Practice Units: 8.00

This course provides 2nd and 3rd year students with the opportunity to work at Queen's Legal Aid (QLA), a poverty law clinic which serves low-income area residents as well as students at Queen's University. QLA typically assists with criminal and quasi-criminal offences, small claims court litigation, landlord/tenant disputes, creditor/debtor matters, employment claims, human rights complaints, student academic appeals, and appeals to obtain income support for persons with disabilities.

The students obtain first-hand litigation experience before various decision-makers, helping them develop skill and confidence as legal professionals. Under the supervision of experienced lawyers, students will interview clients and potential witnesses, research legal issues, draft legal memoranda, provide draft legal opinions, prepare pleadings or applications, negotiate settlements and conduct or assist in trials before criminal and civil courts, as well as hearings before administrative tribunals including the Landlord and Tenant Board, the Social Benefits Tribunal and the Human Rights Tribunal of Ontario. Students will also be actively involved in the operation of QLA, learning and developing skills in practice administration and management, advocacy, client development, Law Society regulation, the use of retainer agreements and the use of time and case management software.

The course will run from September until April (i.e. two terms) and takes place at the downtown offices of the Queen's Law Clinics (QLC), 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston. Student caseworkers will meet as a class for up to three hours each week on a date and time to be set. In addition, students will attend at QLC on a weekly basis and as required to meet with Review Counsel and clients, to attend weekly group meetings, to fulfill clinic duties and complete casework. Students will also be required to attend at other locations to complete their work including court and tribunal locations in Kingston and Napanee. QLA has a vehicle for transportation; a driver's licence is an asset but is not required.

The course is graded on a letter grade basis, based on an evaluation of the casework completed by the student throughout the year, involvement in the effective and efficient operation of QLA, and participation in course-related activities.

A maximum of 24 students will be admitted to this course. Student caseworkers will be selected by the Clinic Director based on a written application process that occurs in February.

This course fulfills either the Advocacy requirement, OR the Practice Skills Requirement.

RECOMMENDED: Law 320 Evidence and Law 225 Civil Procedure

Queen's Law policy limits students to only one of the following courses: LAW 590, LAW 592, LAW 593, LAW 594, LAW 595, LAW 596, LAW 597, LAW 598, LAW 599, LAW 600, LAW 601, LAW 602, LAW 603, LAW 604, LAW 605, LAW 606, LAW 607, LAW 608, LAW 609, LAW 610, LAW 611, LAW 612, LAW 613, LAW 614, LAW 615, LAW 616, LAW 617, LAW 618, LAW 619, LAW 620, LAW 621, LAW 622, LAW 623, LAW 624, LAW 625, LAW 626, LAW 627, LAW 628, LAW 629, LAW 630, LAW 631, LAW 632, LAW 633, LAW 634, LAW 635, LAW 636, LAW 637, LAW 638, LAW 639, LAW 640, LAW 641, LAW 642, LAW 643, LAW 644, LAW 645, LAW 646, LAW 647, LAW 648, LAW 649, LAW 650, LAW 651, LAW 652, LAW 653, LAW 654, LAW 655, LAW 656, LAW 657, LAW 658, LAW 659, LAW 660, LAW 661, LAW 662, LAW 663, LAW 664, LAW 665, LAW 666, LAW 667, LAW 668, LAW 669, LAW 670, LAW 671, LAW 672, LAW 673, LAW 674, LAW 675, LAW 676, LAW 677, LAW 678, LAW 679, LAW 680, LAW 681, LAW 682, LAW 683, LAW 684, LAW 685, LAW 686, LAW 687, LAW 688, LAW 689, LAW 690, LAW 691, LAW 692, LAW 693, LAW 694, LAW 695, LAW 696, LAW 697, LAW 698, LAW 699, LAW 700, LAW 701, LAW 702, LAW 703, LAW 704, LAW 705, LAW 706, LAW 707, LAW 708, LAW 709, LAW 710, LAW 711, LAW 712, LAW 713, LAW 714, LAW 715, LAW 716, LAW 717, LAW 718, LAW 719, LAW 720, LAW 721, LAW 722, LAW 723, LAW 724, LAW 725, LAW 726, LAW 727, LAW 728, LAW 729, LAW 730, LAW 731, LAW 732, LAW 733, LAW 734, LAW 735, LAW 736, LAW 737, LAW 738, LAW 739, LAW 740, LAW 741, LAW 742, LAW 743, LAW 744, LAW 745, LAW 746, LAW 747, LAW 748, LAW 749, LAW 750, LAW 751, LAW 752, LAW 753, LAW 754, LAW 755, LAW 756, LAW 757, LAW 758, LAW 759, LAW 760, LAW 761, LAW 762, LAW 763, LAW 764, LAW 765, LAW 766, LAW 767, LAW 768, LAW 769, LAW 770, LAW 771, LAW 772, LAW 773, LAW 774, LAW 775, LAW 776, LAW 777, LAW 778, LAW 779, LAW 780, LAW 781, LAW 782, LAW 783, LAW 784, LAW 785, LAW 786, LAW 787, LAW 788, LAW 789, LAW 790, LAW 791, LAW 792, LAW 793, LAW 794, LAW 795, LAW 796, LAW 797, LAW 798, LAW 799, LAW 800, LAW 801, LAW 802, LAW 803, LAW 804, LAW 805, LAW 806, LAW 807, LAW 808, LAW 809, LAW 810, LAW 811, LAW 812, LAW 813, LAW 814, LAW 815, LAW 816, LAW 817, LAW 818, LAW 819, LAW 820, LAW 821, LAW 822, LAW 823, LAW 824, LAW 825, LAW 826, LAW 827, LAW 828, LAW 829, LAW 830, LAW 831, LAW 832, LAW 833, LAW 834, LAW 835, LAW 836, LAW 837, LAW 838, LAW 839, LAW 840, LAW 841, LAW 842, LAW 843, LAW 844, LAW 845, LAW 846, LAW 847, LAW 848, LAW 849, LAW 850, LAW 851, LAW 852, LAW 853, LAW 854, LAW 855, LAW 856, LAW 857, LAW 858, LAW 859, LAW 860, LAW 861, LAW 862, LAW 863, LAW 864, LAW 865, LAW 866, LAW 867, LAW 868, LAW 869, LAW 870, LAW 871, LAW 872, LAW 873, LAW 874, LAW 875, LAW 876, LAW 877, LAW 878, LAW 879, LAW 880, LAW 881, LAW 882, LAW 883, LAW 884, LAW 885, LAW 886, LAW 887, LAW 888, LAW 889, LAW 890, LAW 891, LAW 892, LAW 893, LAW 894, LAW 895, LAW 896, LAW 897, LAW 898, LAW 899, LAW 900, LAW 901, LAW 902, LAW 903, LAW 904, LAW 905, LAW 906, LAW 907, LAW 908, LAW 909, LAW 910, LAW 911, LAW 912, LAW 913, LAW 914, LAW 915, LAW 916, LAW 917, LAW 918, LAW 919, LAW 920, LAW 921, LAW 922, LAW 923, LAW 924, LAW 925, LAW 926, LAW 927, LAW 928, LAW 929, LAW 930, LAW 931, LAW 932, LAW 933, LAW 934, LAW 935, LAW 936, LAW 937, LAW 938, LAW 939, LAW 940, LAW 941, LAW 942, LAW 943, LAW 944, LAW 945, LAW 946, LAW 947, LAW 948, LAW 949, LAW 950, LAW 951, LAW 952, LAW 953, LAW 954, LAW 955, LAW 956, LAW 957, LAW 958, LAW 959, LAW 960, LAW 961, LAW 962, LAW 963, LAW 964, LAW 965, LAW 966, LAW 967, LAW 968, LAW 969, LAW 970, LAW 971, LAW 972, LAW 973, LAW 974, LAW 975, LAW 976, LAW 977, LAW 978, LAW 979, LAW 980, LAW 981, LAW 982, LAW 983, LAW 984, LAW 985, LAW 986, LAW 987, LAW 988, LAW 989, LAW 990, LAW 991, LAW 992, LAW 993, LAW 994, LAW 995, LAW 996, LAW 997, LAW 998, LAW 999, LAW 1000

LAW 592 Queen's Legal Aid & Advanced Clinical Casework Units: 2.00

This course provides 3rd year students who have completed either the Queen's Legal Aid & Clinical Litigation Practice course or the Queen's Legal Aid & Student Leadership course an opportunity to complete advanced casework at Queen's Legal Aid (QLA), a poverty law clinic which serves low-income area residents as well as students at Queen's University. QLA typically assists with criminal and quasi-criminal offences, small claims court litigation, landlord/tenant disputes, creditor/debtor matters, employment claims, human rights complaints, student academic appeals, and appeals to obtain income support for persons with disabilities.

Students will be expected to assume carriage of up to two QLA client files at any one time. The files to which course participants will be assigned will be drawn from some of QLA's most complex cases which are expected to proceed to a hearing or trial during the academic year. Students selected to participate in this course will have demonstrated an ability to work independently and good judgment in seeking Review Counsel's periodic guidance, as required.

The course will run from September until April (i.e. two terms) and takes place at the downtown offices of the Queen's Law Clinics (QLC), 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston. Course participants will also be provided access to QLA's remote desktop, and may be able to complete much of their file work remotely. While there is no in-class component to this course, course participants will be assigned to a QLA group, and will be expected to attend bi-weekly group meetings, at which they will act as an experienced resource person for QLA 1L Volunteers and students enrolled in the Clinical Litigation Practice Course. The course is graded on a PASS/FAIL basis, based on an evaluation of the casework completed by the student throughout the year, involvement in the effective and efficient operation of QLA, and participation in course-related activities.

A maximum of 10 students will be admitted to this course. Student caseworkers will be selected by the Clinic Director based on an expression of interest from the student.

PREREQUISITE: Either LAW 590 A/B: Queen's Legal Aid & Clinical Litigation Practice OR LAW 593 A/B: Queen's Legal Aid & Student Leadership.

Offering Faculty: Faculty of Law

**LAW 593 Queen's Law Clinics Student Leadership Units:
4.00**

This course provides 2nd and 3rd year students previously employed by the Queen's Business Law Clinic (QBLC), the Queen's Elder Law Clinic (QELC) or the Queen's Family Law Clinic (QFLC) and/or previously enrolled in LAW 438 (QBLC), LAW 695 (QELC) or LAW 527 (QFLC) with the opportunity to return to the QLC to secure course credit providing student leadership at the QLC. Up to six (6) students will be selected to rejoin each of the QBLC, QELC and QFLC in the role of 'Clinic Mentor' during the academic year. The course will run from September until April (i.e. two terms) and takes place at the downtown offices of the Queen's Law Clinics (QLC), 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston. Course participants act as leaders and mentors for an assigned group of students from the corresponding eight-credit clinic course or, where applicable, the clinic volunteer program. While there is no in-class component, course participants are responsible for conducting regular meetings and training sessions with their assigned group. Clinic Mentors are responsible for monitoring the progress of their group members files, liaising with the Director and any Review Counsel and completing evaluations and file audits for their group members. Course participants may be invited to take carriage of legal files.

The course is graded on a PASS/FAIL basis, based on an evaluation of the participant's involvement in the effective and efficient operation of the QLC and participation in course-related activities.

This opportunity is open to 2nd and 3rd year students who were either or both of enrolled in one of the QBLC, QELC or QFLC courses during the preceding year or employed for the summer at one of one of the QBLC, QELC or QFLC. Students seeking enrollment in Law 593 A/B apply for enrollment by sending a letter of interest to the Director of the clinic to which they are applying. Only students selected by the Director will be registered in LAW 593 A/B. This course fulfills the Practice Skills Requirement.

Offering Faculty: Faculty of Law

**LAW 594 Queen's Legal Aid Student Leadership Units:
4.00**

This course provides 2nd and 3rd year students who worked at Queen's Legal Aid (QLA) for the summer with the opportunity to provide student leadership at QLA, a poverty law clinic which serves low-income area residents as well as students at Queen's University. QLA typically assists with criminal and quasi-criminal offences, small claims court litigation, landlord/tenant disputes, creditor/debtor matters, employment claims, human rights complaints, student academic appeals, and appeals to obtain income support for persons with disabilities.

Approximately seventy students work on client files during the academic year. Up to ten students are hired to take responsibility for the files from May through August. In the academic year following their summer employment, these students take on mentoring and administrative responsibilities and are eligible for academic credit as student leaders of QLA.

The course will run from September until April (i.e. two terms) and takes place at the downtown offices of the Queen's Law Clinics (QLC), 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston. Course participants act as Group Leaders and mentors for a group of up to nine students who are either enrolled in LAW 590 A/B or are volunteers at QLA. While there is no in-class component to this course, course participants are responsible for conducting weekly meetings and training sessions with their group in the fall term, and bi-weekly group meetings in the winter term. Course participants are responsible for monitoring the progress of their group members files, liaising with Review Counsel, and for completing evaluations and file audits for their group. In addition, course participants are required to maintain carriage of a small number of legal files that carry over from their summer employment. This typically involves files that have hearing dates scheduled in September or October, or files of a more complicated nature from within QLAs area of legal practice.

The course is graded on a PASS/FAIL basis, based on an evaluation of the casework completed by the student throughout the year, involvement in the effective and efficient operation of QLA, and participation in course-related activities including the leadership provided to group members.

Students are eligible for enrollment only if they are hired as Summer Caseworkers in the summer immediately preceding the academic year in which they enroll in LAW 594A/B, and must enroll in LAW 594A/B as a condition of their summer employment.

This course fulfills either the Advocacy requirement, OR the Practice Skills Requirement.

Offering Faculty: Faculty of Law

**LAW 602 Corporate Governance Units: 3.00**

This course will examine selected issues in corporate and securities law in order to probe the theories of the firm and the public policy objectives that shape how Canada's business law framework deals with issues in corporate governance, as well as how business law frameworks in several other countries come at the same questions. Consideration will be given to the law and economics movement and to more recent approaches to how best to understand the nature of the corporation and to structure a corporate governance framework. The course will regularly adopt a comparative approach, examining approaches to corporate governance issues in North America, Europe and Asia. Topics will include the nature of the firm, the status of shareholders relative to other stakeholders, the role of directors and the nature of fiduciary duties, current issues in corporate governance and the roles of courts and securities commissions in regulating corporate governance.

Requirements: Law 440 as a pre or co req

Offering Faculty: Faculty of Law

LAW 606 Commercial Bankruptcy Units: 3.00

Requirements: Commercial Bankruptcy Pre-Req

Offering Faculty: Faculty of Law

LAW 608 Advanced Corporate Law I Units: 3.00

The purpose of the course is to examine in detail the principal legal issues and considerations involved in a variety of key transactions and other events that typically arise for a substantial private or public corporation. The topics to be considered include: share attributes and other 'corporate governance' matters affecting the organization of more complicated corporate entities, debt financings (including the preparation and negotiation of loan agreements and dealings with financial institutions generally), insolvencies and restructurings, amalgamations, reorganizations and other 'fundamental changes' and various aspects of corporate acquisitions. Emphasis would also be placed upon the role and responsibilities of lawyers involved in corporate organizations and transactions, taking into account potential ethical and conflict of interest considerations, and practices that a lawyer may or should adopt to reflect these considerations and to best serve the client's interests.

PREREQUISITE LAW -440 Business Associations

Requirements: LAW 440

Offering Faculty: Faculty of Law

LAW 614 Mergers & Acquisitions Units: 3.00

This course is designed to introduce students to the legal, regulatory, and public policy aspects of a variety of frequently used methods for effecting changes in corporate control including major asset sales, amalgamations, takeover bids, second step transactions, statutory plans of arrangement, and proxy contests. Discussion of these topics will integrate legal rules with economic and financial principles. The assigned reading will include, amongst other things, Canadian and U.S. judicial decisions, statutory and regulatory materials, and scholarly articles.

Requirements: LAW 440

Offering Faculty: Faculty of Law

LAW 617 Information Privacy Units: 3.00

This seminar focuses on the challenges of protecting information privacy against the threat of emerging technologies (such as biotechnologies, internet communication technologies, information tracking technologies, cloud computing, biometrics, and surveillance technologies to name a few). Information has been central to the form and function of the knowledge economy and plays a vital role as between individuals and in relationship with the state, raising issues related to control, access, aggregation, storage, retrieval, use, retention, deletion, and dissemination. Privacy in private and public spaces has long been an area for legal debate. In an era when data collection and data trails have become ubiquitous, however, new technologies operationally interrogate existing dominant conceptions of privacy and introduce fresh areas for legal contestation that question the need for a coherent theoretical framework. This course will survey the mixed regulatory mechanisms available for protecting privacy in Canadian law, ranging from constitutional to statutory, common law and criminal protections, and will examine how normative conceptual understandings of privacy, and attendant perceptions of any necessary trade-offs, mediate new technologies, civil liberties, democratic values, public policy, law and reform efforts. Whether there is a normative moral claim for protecting privacy beyond our reasonable expectation becomes a critically pressing concern if we are to accept the idea that we live in a surveillance society. The course asks the questions of protection of "what" (what counts as personal information) from "whom" (are there differences to be drawn between the private and public holders and uses of such information), "how" (from collection, use, and disclosure), and the implications that such inquiries may have on forms of consent and fair information practices, in order to debate the regulatory and legal responses that may be necessary and "why". Cross listed with LAW 877.

Offering Faculty: Faculty of Law

LAW 624 Advanced Employment Law: M&A Transactions and Restructuring Units: 2.00

Many of the most interesting and challenging applications of employment law arise in the context of M&A transactions and large-scale restructurings. Building on core principles of employment and labour law, this hands-on seminar examines the main issues that arise in the purchase, sale and restructure of businesses including: how employment law applies in different types of transactions; conducting efficient and thorough due diligence; standard representations and warranties for employment; how collective bargaining rights are preserved in transactions; mass termination rules; planning and strategy for large-scale restructuring; and the interaction between bankruptcy/insolvency and employment law.

Requirements: Law 567 OR LAW 560

Offering Faculty: Faculty of Law

LAW 633 Writing & Written Advocacy Units: 1.00

This is an intensive course in legal writing and written advocacy. There will be some classes where the students will work on writing exercises. There will be others where the classes will be in lecture format, but with strong interaction with the students. Class participation at all times is necessary and strongly encouraged. Attendance is mandatory.

Offering Faculty: Faculty of Law

LAW 636 Statutory Interpretation Units: 2.00

How shall we interpret statutes? Based on their text? Their purpose? The intention of the legislators who voted on it? Or perhaps other methods? Should the interpretation of statutes be different than that of the constitution, judicial decisions, or contracts? How do Canadian courts go about interpretation? In this introductory course we will explore the foundations of legal and statutory interpretation, in a way that would be both useful for the practicing lawyer and for those interested in the conceptual relationship between law and language.

Offering Faculty: Faculty of Law

LAW 640 Law & Injustice Units: 3.00

This course explores the relationship between law and injustice, focusing in particular on theorising injustice, and especially those injustices that infect but do not originate in the law. Through readings in contemporary political and legal philosophy and political essays, we consider: different types of injustice, such as structural, historical, epistemic, and indigenous; duties to resist injustice for victims, bystanders, and beneficiaries; and forms of responding to injustice, including anger, civil and uncivil disobedience, and political violence.

Offering Faculty: Faculty of Law

LAW 645 Estate Litigation Units: 3.00

This seminar will explore the assets of estate litigation including will challenges, claims against an Estate, and applications in relation to the administration of an Estate. Students will be expected to participate in role-playing exercises in class and a culminating advocacy exercise at the end of the course. LAW 462 or LAW 463 recommended, but not required.

Requirements: Excl: LAW 350,360,364,365 or 645

Offering Faculty: Faculty of Law

LAW 681 Occupational Health, Safety and Workers' Compensation Law Units: 3.00

The world of work is changing. Is the law keeping up? Workplace conditions can produce hazards for workers and substantial liability for their employers. In Canada, these issues are addressed in two primary ways: (1) occupational health and safety regulations, and (2) workers' compensation. The overwhelming personal risk is felt by workers; the overwhelming financial and regulatory burden, is felt by employers.

Law 681 examines the historical methods for protecting workers and for insuring those are injured due to work. It explains the legal and financial systems designed to achieve those goals, and questions the adequacy of established methods, in a rapidly transforming economy.

Offering Faculty: Faculty of Law

LAW 682 Class Actions & Proceedings Units: 3.00

This seminar course is intended to provide a broad introduction to class proceedings. It will examine the policy objectives of class proceedings and ethical issues arising in the field; but predominately it will explore the practice of class action litigation. The course will examine each of the relevant stages and aspects of a class proceeding, including practical and procedural aspects of certification, the substantive tests for certification, inter-jurisdictional class action litigation, the interplay between class proceedings and limitation periods, the economics of class litigation, including costs and class fees, and common issues trials. The course will include discussions concerning a number of the most recent and significant developments in the field.

The seminar course will be conducted primarily in a lecture format, but students will be expected to participate actively in the class, including participation in in-class discussions, drafting and practical skills-based exercises such as arguing a motion typical to a class proceeding. Content will be delivered by the instructor and supplemented from time to time by other practitioners.

Requirements: Civ Pro prereq

Offering Faculty: Faculty of Law



LAW 683 International Trade Remedies Units: 2.00

The objective of this course is to provide students with a comprehensive understanding of the law and practice of domestic and international trade remedies. The course will provide necessary background, through readings and lectures, on major areas of practice in international trade remedies, including: safeguard measures, anti-dumping duties, countervailing duties, customs valuations and tariff classifications, government procurement challenges, judicial reviews, investor-state disputes, World Trade Organization (WTO) dispute procedures, and trade remedies and competition law. Students will also engage in problem-based studies.

Offering Faculty: Faculty of Law

LAW 684 Accounting & the Law Units: 3.00

Accounting has been defined as "the language of business" because it is the basic tool keeping score of a business's activity. It is with accounting numbers that an organization records, reports, and evaluates economic events and transactions that affect the company. So, it is not surprising that accounting related issues are at the heart of many business disputes, negotiations, mediations or arbitrations. Accounting information is also centrally involved in the contractual making of mergers and acquisitions where lawyers are facing a strong competition from accounting firms. Thus, in today's world of increased global finance and sophisticated market instruments, understanding and analyzing the production of accounting information has become of paramount importance for any students interested in the practice of business law and taxation. The objective of this course is therefore to equip law students with a relevant and applied understanding of the key principles, regulations and legal implications underlying the production, analysis and auditing of accounting information.

Requirements: Law 440 as a pre or co req

Offering Faculty: Faculty of Law

LAW 687 Freedom Of Expression Units: 3.00

This seminar explores some moral principles that might ground arguments for freedom of expression (including freedom of speech, freedom of the press, and artistic freedoms). We then turn to examine two contemporary areas of debate where these ideas are put to work, and put to the test: hate speech and pornography. Apart from a few doctrinal examples, the readings we discuss are mostly works in jurisprudence and political philosophy.

Offering Faculty: Faculty of Law

LAW 690 Adv. Issues - Law Of Damages Units: 2.00

Offering Faculty: Faculty of Law

LAW 692 Fem Legal Studies Workshop I Units: 1.00

The Feminist Legal Studies Workshop is designed to enable students to work closely with faculty in analyzing and discussing, with leading feminist theorists and scholars visiting Queen's Faculty of Law, the topics of the speakers' papers.

Offering Faculty: Faculty of Law

LAW 693 Fem Legal Studies Workshop II Units: 1.00

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 695 Queen's Elder Law Clinic Units: 8.00

RECOMMENDED: Law 225 Civil Procedure, Law 462 Wills & Estates

This course provides 2nd and 3rd year students with the opportunity to work at the Queen's Elder Law Clinic (QELC), which is a specialized clinic that provides legal advice, services, assistance and information to low-income seniors in the Kingston and surrounding area.

Through involvement in the QELC, students will have opportunities to develop skills in interviewing clients, managing client files, preparing and advising on simple wills, powers of attorney for personal care, powers of attorney for property, responding to general estate inquiries, and preparing applications for Certificates of Appointment of Estate Trustee (With and Without a Will).

Students will also assist elderly and vulnerable clients with a variety of age-related legal issues such as capacity, substitute decision making, understanding rights under current legislation, how to effectively communicate with third parties on legal issues, and identifying and addressing misuse or abuse of authority on the part of grantees. Students will also carry out legal analysis, manage effective relationships with clients, and become familiar with best practices for assisting elderly, disabled, or vulnerable clients. Lastly, students will also research legal issues related to aging and substitute decision making, and then present seminars and written material on topics to both the course, and to interested community groups (public legal education).

Instruction is provided through lectures and class discussion, as well as through individual student casework supervised by the Director and/or Review Counsel.

Students will also be actively involved in the operation of the Clinic, learning and developing skills in practice administration and management, client development, Law Society regulations, the use of retainer agreements and the use of time and case management software.

The course will run from September until April (two terms) and take place at the downtown offices of the Queen's Law Clinics (QLC), 5th Floor, LaSalle Mews, 303 Bagot Street, Kingston. Student caseworkers will meet as a class for three hours each week on a date and time to be set and, in addition, will attend at the QLC regularly and as required to meet with the clinic Director and/or Review Counsel, and to complete casework. Students will normally be required to attend at other locations in the course of their work including Kingston General Hospital, Providence Care Hospital, local penitentiaries, local retirement homes or long term care facilities, and community legal aid clinics outside of Kingston. Grading will be based on an evaluation of the casework completed by the student throughout the year, participation in class discussions, professionalism, and the completion of course-related assignments such as presentations and public legal education.

LAW 696 Experiential Learning Units: 1.00

In Experiential Learning, students will undertake an intensive, work-based internship or placement at an office providing legal or law-related services. Placements may include NGOs, law firms, government agencies, judicial offices, and other non-profit organizations. Placements may be inside or outside of Canada. Placements must be at least 50 hours and no more than 480 hours. Depending on volume and intensity of work, a minimum of 2 credits and a maximum of 8 credits may be awarded over one or two terms. No remuneration will be provided. Supervision will be provided on-site by a designated contact for the organization who is familiar with the experience and any work of the student, and who will provide a report on the student. There will also be supervision and grading by a full time Faculty member or the Assistant Dean of Students (instructors can also opt for 'pass/fail' evaluation). Students will be required to provide a log documenting time spent and activities undertaken, and write a reflective piece to explain how the experience has contributed to their legal education.

Offering Faculty: Faculty of Law

LAW 697 Student Clerk Placement Units: 6.00

This placement involves research, as well as opportunities for observation and mentoring by the judges at Ontario Superior Court or at the Ontario Court of Justice in Kingston. Each student will spend an average of two days a week (12-16 hours) on the placement. Students selected for this course must have a strong academic record and a demonstrated interest in criminal law. Students are required to keep a course log and write a reflective piece (10-12 pages) and the end of the term. The students will meet periodically with the Faculty supervisor. This is an excellent experiential opportunity for students who will be applying for a Clerkship (or who has secured one).

Offering Faculty: Faculty of Law

LAW 698 Clinical Externship Units: 3.00

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

LAW 699 Federal Government Internship Units: 3.00

Requirements: Upper Yr JD/GLAW only

Offering Faculty: Faculty of Law

**LAW 800 Law and Neuroscience Units: 3.00**

¿Scientists studying the inner workings of the human organism have found no soul there. They increasingly argue that human behaviour is determined by hormones, genes and synapses, rather than by free will - the same forces that determine the behaviour of chimpanzees, wolves, and ants. Our judicial and political systems largely try to sweep such inconvenient discoveries under the carpet. But in all frankness, how long can we maintain the wall separating the department of biology from the departments of law and political science?¿ Yuval Noah Harari Contemporary neuroscientists look at how human behaviour arises from brain activity. Their findings have increasingly been used to address many legal questions. In this seminar, students will learn about: a) brain scanning technologies and the extent to which conclusions about human behaviour can be drawn from studies using these technologies; b) how to assess and use neuroscience evidence; c) how neuroscience evidence has been used to address particular legal issues, including: whether a party had mental capacity to enter into a contract, make a will, or get married; the mental state of an accused at the time of an alleged crime; how the state of a minor¿s brain development affects cognitive capacity; the accuracy of eye-witness testimony; and how particular brain injuries affect mental functioning. (to be offered jointly with LAW-308.)

Offering Faculty: Faculty of Law

LAW 801 Reading Course Units: 3.00

Offering Faculty: Faculty of Law

LAW 802 Animals, Politics and the Law Units: 3.00

Animal law is one of the fastest-growing areas of law both domestically and internationally, but is also highly contested. Existing laws typically define animals as the property of their human owners - a framework that many critics argue is unable to afford any true protection to the rights and interests of animals. Various models have been proposed to supplement, or entirely replace, this property framework. This seminar will explore existing legislative regimes related to animals in Canada and internationally, and the limited protections they offer. We will then explore a range of proposals by animal rights advocates for future reform of animal law. These include proposals to accord legal standing or legal personhood to animals, to recognize companion animals as members of the family, to accord farm animals and service animals the rights of workers, to accord wilderness animals rights to territory, and more generally to recognize animals as members of our political community, with rights to representation or citizenship. While many of these proposals may seem utopian, we can see preliminary manifestations of these ideas surfacing in a number of recent legal cases and campaigns for legislative reform. In Lesli Bisgould's terms, we can see a possible shift from "animal law" to "animal rights law". We will discuss the prospect for real change in this field, and the capacity of law to serve as a vehicle of justice for animals. Student evaluation will be based upon attendance, in-class presentations and a course paper. There will also be an opportunity for a limited number of students to enrol in an additional 3-credit independent study project to develop a legal opinion on a specific legal issue of animal law confronting Canada today. (To be offered jointly with LAW-250.) Three term hours.

Offering Faculty: Faculty of Law

LAW 803 Remedies Units: 3.00

This is a course on civil judicial remedies. The primary focus will be on current problems and issues in the law of damages, but equitable remedies will also be discussed. You have encountered judicial remedies in earlier courses, such as contract and tort, which treat the topic as an adjunct to the study of particular substantive causes of action. In this context remedial questions are usually overshadowed by the study of substantive primary rights. This is unfortunate since remedial problems are among the most interesting and practically relevant in the law. Through a close analysis of remedial principles this course will enrich your understanding of the basic areas of private law. Cross listed with LAW 314.

Offering Faculty: Faculty of Law

LAW 804 Reading Course II Units: 3.00

Offering Faculty: Faculty of Law

LAW 805 Tax Policy Units: 3.00

The principal aim of this course is to give students the opportunity to undertake a substantial research project into some aspects of tax law or policy of the student's choice. In order to prepare students for this task, the introductory part of the course will examine basic, theoretical issues, such as the objectives of taxation, taxation as a redistributory mechanism, the effects of taxation upon consumption and work choices, upon economic growth and international competitiveness. The remainder of the course will concentrate on important current tax issues such as taxation of the family unit, corporate tax reform, harmful tax competition and the various proposals for a 'flat tax'. (To be offered jointly with LAW-505.) Three term hours.

Offering Faculty: Faculty of Law

LAW 806 International Taxation Units: 3.00

International Tax overviews the essential elements of the Canadian international income tax system, including tax issues surrounding investing in foreign countries and foreign investments into Canada. Tax planning for international e-commerce activities will comprise a significant element of the course. (To be offered jointly with LAW-506.) Three term hours. PREREQUISITE OR CO-REQUISITE: LAW-508 Taxation

Offering Faculty: Faculty of Law

LAW 807 Health Law Units: 3.00

The course will provide an overview of fundamental legal issues in the field of health care. Beginning with the doctor-patient relationship, we will examine informed decision-making and the changing dynamics of medical practitioners and patients. This part of the course focuses on treatment decisions, substitute decision-making and medical malpractice. Following this we will explore questions in particular areas such as regulation of health professionals, construction of disease, reproduction and genetics, and confidentiality. In the course we will consider the extent to which core legal values are achieved in the health law area and analyze the impact on medical practice of legal practices and structures. (To be offered jointly with LAW-307.) Three term hours.

Offering Faculty: Faculty of Law

LAW 808 Taxation Units: 4.00

A comprehensive introduction to income taxation and the principles and operation of the Income Tax Act. Some of the topics included in the course are residence, the definition of income, deductions, capital cost allowance, capital gains and the taxation of corporations and their shareholders. (To be offered jointly with LAW-508.) Four term hours.

Offering Faculty: Faculty of Law

LAW 809 International Criminal Law Units: 3.00

This course explores the rapidly developing discipline of international criminal law (ICL), i.e. international efforts to prosecute individuals responsible for genocide, crimes against humanity and war crimes. We will examine: the major institutions, the politics that shaped them, and how they in turn shape politics; definitions of crimes; principles and defenses; issues of transitional justice, amnesties and truth and reconciliation; and the major controversies and perspectives on ICL. The course supplements traditional instruction methods with considerable emphasis on active and interactive learning. Accordingly, seminars will include lecture, interactive discussion, videos, exercises and simulations. Cross listed with LAW 410.

Offering Faculty: Faculty of Law

LAW 810 Advanced Criminal Law Units: 3.00

This seminar aims to explore, at an advanced level, various current issues in criminal law, procedure and evidence. Emphasis will be placed on areas where the law is conceptually challenging, controversial, or in flux. Specific topics to be discussed are likely to include, but will not be limited to, wrongful convictions, police interrogation, forensic science, jury adjudication, domestic violence, Aboriginal and restorative justice and cultural defences. Students will prepare short weekly response papers and participate in class discussions. Evaluation will be based primarily on a research paper on a topic chosen by the student and approved by the instructor. (To be offered jointly with LAW-411.) Three term hours.

Offering Faculty: Faculty of Law

LAW 811 Mining Law and Policy Units: 3.00

Canada has been a leader in mineral exploration and mine development and finance for many decades. However, to prosper today many practices which are a carry-over from the 19th and 20th centuries must change. Failure to do so will adversely affect the long-term sustainability of the Canadian industry and the professionals who service it. Using film, small group discussion, role plays and lectures this course will provide an overview of the process by which minerals and gems are extracted, develop an understanding of how the national and international mining industry is structured and financed, and analyse the effects on the economy, environment, culture, and society. Students will critically evaluate existing and proposed laws and regulations in Ontario and Canada for mining, mineral processing, mine financing and corporate decision making having regard to the experience of communities, Aboriginal peoples and the mining industry in Canada and abroad. (To be offered jointly with LAW-514.) Three term hours.

Offering Faculty: Faculty of Law

**LAW 812 International Law Units: 3.00**

This is an introductory survey course, in which we will discuss the general foundations of international law. Accordingly, we will discuss the sources of international law and the relevant actors (such as States and "peoples") and forums (such as the United Nations and the International Court of Justice). We will also examine selected topics such as state responsibility, extraterritorial jurisdiction, immunities, the use of force, the responsibility to protect and human rights. The course focuses not only on the relevant rules but on how to analyze problems and construct successful legal arguments using international legal tools, in a milieu where power, politics and principles are in constant interplay. (To be offered jointly with LAW-540.) Three term hours.

Offering Faculty: Faculty of Law

LAW 813 Labour Law Units: 4.00

This course is a survey of the law of labour-management relations, with emphasis on collective bargaining in the private sector. It will first consider the purposes, regulatory strategies and functions of labour law as a form of regulated market ordering. It will then provide an overview of the legal background and context of collective bargaining, including constitutional divisions of powers, the common law contract of employment, and regulation of the individual employment relationship. It will review the key elements of the law of collective bargaining (acquiring and terminating bargaining rights, protection against unfair labour practices, duty to bargain, regulation of strikes, lockouts and other industrial disputes, arbitration of differences under collective agreements, protection of individual rights and interests), focusing on Ontario legislation and the freedom of association provisions of the Canadian Charter of Rights and Freedoms. Finally it will briefly survey how the new economy - including globalization and major changes in the Canadian economy and society - are reshaping labour law at the domestic and international levels today. (To be offered jointly with LAW-560.) Four term hours.

Offering Faculty: Faculty of Law

LAW 814 Jurisprudence Units: 3.00

This course will be an introduction to philosophical study of the law. Subjects that will be discussed may include such things as the following: what law is; positivism and 'natural law'; the nature of legal authority and the obligation to obey the law; the rule of law; adjudication and interpretation; responsibility, liability, and punishment; legal rights; democracy, liberty, and equality; economic approaches to law; critical and feminist approaches to law. No philosophical background or training is necessary. Cross listed with LAW 263.

Offering Faculty: Faculty of Law

LAW 815 Advanced Labour Units: 3.00

Advanced Labour Law: Human Rights in the Workplace. This course will examine selected human rights issues in the contemporary workplace. The class will challenge students to identify key human rights issues currently confronting Canadian employers and workers, to develop practical approaches for advising both employers and employees on the implementation and enforcement of workplace human rights laws, and to reflect on workplace human rights issues in Canada within a comparative and international context. This year, the course will focus on recent substantive developments in the law of discrimination on the basis of pregnancy and family status, the accommodation of disability and the problem of remedies for systemic discrimination. We will also examine current challenges in the adjudication of workplace human rights, including the complex relationship between human rights tribunals and labour arbitrators, and the role of unions in workplace human rights enforcement. The seminar format will be a flexible blend of directed class discussion, guest speakers and student presentations. Enrolment is limited to 20 students. Students will be evaluated based on class participation, a 15-20 page paper and a seminar presentation related to the paper topic. (To be offered jointly with LAW-566.) Three term hours.

Offering Faculty: Faculty of Law

LAW 817 Environmental Protection Law Units: 3.00

This seminar course will focus on the conceptual foundations of environmental protection law, and on the writing of a research paper. We will examine and challenge the principles that underpin environmental legislation and policy, and explore how to think about, research, and write about environmental law. Topics such as environmental regulation, ecosystem management, and liability for environmental harm will be considered. The emphasis will be on critical analysis of environmental law and policy. (To be offered jointly with LAW-517.) Three term hours.

Offering Faculty: Faculty of Law

LAW 818 Social and Economic Rights in Constitutional Law Units: 6.00

This advanced course in constitutional law offers an in-depth analysis of several Charter rights, particularly s. 2, 7, and 15, with an emphasis on "positive" rights, that is, rights that requires governments not only to refrain from certain actions (such as limiting expression) but also to positively secure certain rights (such as healthcare). The course will be of interest to students interested in advanced constitutional law, in public policy, in social justice, or in the relationship between the constitution and economic regulation. As the jurisprudence on the aforementioned Charter rights is in constant flux, we will be addressing several recent cases and examining the way the doctrinal shifts contained in them have been used in case law and may be used by litigants in future cases. Students will have the choice between a take-home examination and a paper. (To be offered jointly with LAW-305) Three term hours.

Offering Faculty: Faculty of Law

LAW 819 Advanced Corporate Law Units: 3.00

The purpose of the course is to examine in detail the principal legal issues and considerations involved in a variety of key transactions and other events that typically arise for a substantial private or public corporation. The topics to be considered include: share attributes and other 'corporate governance' matters affecting the organization of more complicated corporate entities, debt financings (including the preparation and negotiation of loan agreements and dealings with financial institutions generally), insolvencies and restructurings, amalgamations, reorganizations and other 'fundamental changes' and various aspects of corporate acquisitions. Emphasis would also be placed upon the role and responsibilities of lawyers involved in corporate organizations and transactions, taking into account potential ethical and conflict of interest considerations, and practices that a lawyer may or should adopt to reflect these considerations and to best serve the client's interests. (To be offered jointly with LAW-608.) Three term hours.

PREREQUISITE: Law 440 Business Associations

Offering Faculty: Faculty of Law

LAW 820 International Bus. Transaction Units: 3.00

This course is designed to develop a framework that students can use to analyze and resolve issues relating to international business transactions. In order to achieve this objective, the course introduces students to the rules, practices and institutions which are relevant to international business transactions. Students will acquire an understanding of how legal tools can be used to manage risk in the international context. The course also provides the business background for common types of transactions and discusses the role that lawyers play in helping business people to fulfill their objectives. Throughout the course, students will have opportunities to apply the course material to practical problems. In terms of specific content, the course focuses on the strategies used by firms seeking to enter a new foreign market. After a discussion of the general business considerations, the main types of legal structures for market entry are discussed: the sale of goods and services, directly and through various distribution arrangements; direct investment, including joint ventures; technology and intellectual property licensing. (To be offered jointly with LAW-610.)

Offering Faculty: Faculty of Law

LAW 821 Comparative Constitutional Law Units: 3.00

The Supreme Court increasingly refers to other legal systems in its constitutional decisions; at the same time, decisions such as *R. v Oakes* have been cited worldwide. This course examines the way other constitutional systems resolve constitutional questions we often deal with, in areas such as equality, fundamental freedoms, and the relationship between courts and legislatures. Beyond the exposure to other systems, the exercise of comparison will naturally afford students a deeper understanding of our own constitutional law since the comparison highlights both the universal and the peculiar in the Canadian constitutional system. Cross listed with LAW 221.

Offering Faculty: Faculty of Law

LAW 822 Human Rights Units: 3.00

The Ontario human rights system has undergone significant changes in recent years. This course will examine the evolution of Ontario's human rights system as a mechanism for promoting and protecting human rights. It will also explore the meaning of discrimination with reference to recent cases from the Ontario Human Rights Tribunal. Particular attention will be paid to the interaction between the Charter and the Ontario Human Rights Code. The legal structure of Canadian human rights protection, its scope and its deficiencies, will be considered in depth. (To be offered jointly with LAW-522.) Three term hours.

Offering Faculty: Faculty of Law

**LAW 823 Advanced Civil Procedure Units: 3.00**

This course will focus on the procedural subjects which are most commonly encountered in a civil litigation practice. Topics will include oral and documentary discovery, motions for summary judgment, injunction proceedings, class proceedings, trial practice and procedure, and appeals. The course will also examine the use of variety of alternate dispute resolution techniques to supplement or replace traditional civil procedure mechanisms. Two drafting assignments will be handed out during the course to provide the student with practical experience. (To be offered jointly with LAW-323.)

Offering Faculty: Faculty of Law

LAW 824 Comparative Federalism Units: 3.00

A study of how different federal systems deal with similar problems. Although the Canadian and American systems form the basis for most comparisons, the course often examines other federations - Australia, Germany and Switzerland - and the institutions of 'near federations' such as the European Union. (To be offered jointly with LAW-424.)

Offering Faculty: Faculty of Law

LAW 825 International Refugee Law Units: 3.00

This course examines the legal framework for refugee protection including a comprehensive analysis of the elements of the refugee definition in international law as well as refugee status determination procedures. Drawing on comparative jurisprudence of leading asylum countries, the course situates Canadian refugee law in its global context and encourages a critical appraisal of both state practice and international efforts to regulate and control asylum flows. The format of the course includes lectures as well as some in-class simulation exercises, small group discussion of case studies and video screenings. (To be offered jointly with LAW-375.) Three term hours.

Offering Faculty: Faculty of Law

LAW 826 Sentencing & Imprisonment Units: 3.00

This course will look primarily at three aspects of "Sentencing and Imprisonment": (1) The Principles of Sentencing: Philosophical and Empirical Perspectives; (2) The Law of Sentencing in Canada; and (3) Judicial Remedies for Convicted Persons. Time permitting, specific topics like Murder, Preventive Detention and Aboriginal Offenders will be looked at. The course will follow a lecture/discussion format. (To be offered jointly with LAW-416.) Three term hours.

Offering Faculty: Faculty of Law

LAW 827 International Trade Law Units: 3.00

International trade law governs what states may do to encourage and restrict the flow of goods, services, capital and people across borders. The rules of international trade law thereby affect important aspects of all our lives – how much we pay for the products that we purchase, what types of employment are open to us, and what our government can do to regulate the quality of goods and services that we consume. The course provides a comprehensive overview of international trade law, with a focus on the law of the World Trade Organization. Through the close study of the jurisprudence of WTO panels and the Appellate Body, students will learn to apply the core concepts of international trade law, such as market access and non-discrimination, and will explore how the trade regime seeks to strike a balance between trade promotion and other legitimate regulatory objectives. We will consider questions such as: Why did the Trump administration insist on renegotiating NAFTA, and how does the new NAFTA differ from the old one? How should Canada react to the imposition of steel and aluminum tariffs by the US on national security grounds? Does Canada have to fear retaliation from its trading partners for its subsidies to Bombardier? And should the European Union be allowed to ban imports of seal products to protect the moral sensibilities of its citizens. (to be offered jointly with LAW 455)

Offering Faculty: Faculty of Law

LAW 828 Taxation Of Trusts & Estates Units: 3.00

Taxation of the estates of deceased persons and of testamentary and inter vivos trusts. Emphasis will be placed on the elections which may be made by executors to reduce the impact of taxation and upon the steps which may be taken in advance to minimize the tax costs of providing for surviving dependents. The course offers an introduction to personal tax planning, and will also cover such subjects as provision for retirement, tax deferral and techniques of estate freezing. Winter. D. Kerzner. (To be offered jointly with LAW-509.)

Offering Faculty: Faculty of Law

LAW 829 Advanced Constitutional Law Units: 3.00

This seminar asks if recent jurisprudence under the Constitution Act, 1982, and especially under the Canadian Charter of Rights and Freedoms, enhances or marginalizes "rights talk". Has the original "rights and limits" approach which also manifested as "no rights are absolute" nevertheless changed with the invocation of new discourse about "no hierarchy of rights", "competing rights", "reconciling rights", accommodation, the duty to consult, and "contextual balancing"? We examine cases involving religious minorities, gays and lesbians, women, aboriginal peoples, etc., to determine whether the new constitutionalism serves them well or badly. (To be offered jointly with LAW-529.) Three term hours.

Offering Faculty: Faculty of Law

LAW 830 Mental Health Law Units: 3.00

The aim of this course is to explore the various facets of mental health law in the criminal and civil contexts, focusing on particular areas of concern as reflected in the case law. Mental illness poses unique difficulties for a legal system that is premised on self-determination and the rights of the individual, as the courts struggle to find a balance between the recognition of those rights and the necessity for assessment or intervention where decision-making capacity is imperiled. Those who suffer from mental illness also often face unique obstacles, as their illness frequently goes unrecognized, and may give rise to stigma and discrimination. Like many course designations, mental health law actually covers a broad range of legal categories and the cases are quite diverse. Throughout the course, a recurrent theme will be the protection of the rights of those who suffer from a mental illness, and the need to balance those rights against competing concerns about the need for treatment, public safety and other social interests. We review topics such as the civil committal process, capacity assessments, addictions, NCR findings, review board decisions, confidentiality, and the duty to warn. (To be offered jointly with LAW-403.) Three term hours.

Offering Faculty: Faculty of Law

LAW 831 Fiduciary Obligations Units: 3.00

Fiduciary Obligation will explore the rapid escalation to its current prominent status in modern Canadian jurisprudence. The course will trace the concept from its ancient origins in Equity to its ubiquitous presence in all areas of commercial, corporate, private and governmental law. Commencing with a discussion of the concept itself, the course will endeavour to deal with several distinct areas where the relationships have as their underpinnings a fiduciary duty: agent (real estate, stock brokers, promoters), solicitor-client, corporate (directors, officers, employees), private (clergy, teachers, family), governmental (aboriginal affairs, elected officials), etc. The course will conclude with an in depth discussion of the remarkable remedial power where the duty of utmost good faith applies and the courts' use of such equity-based power. (To be offered jointly with LAW-552.)

Offering Faculty: Faculty of Law

LAW 832 Aboriginal Law Units: 3.00

This course examines the legal and constitutional rights of Aboriginal peoples in Canada. It considers the legal legacy of Canada's colonial past - the implications, that is, for the present constitutional order of European settlement in territories that were occupied and governed by indigenous peoples. Much of the course focuses upon the interpretation of section 35 of the Constitutional Act, 1982, which entrenches 'existing aboriginal and treaty rights'. Particular attention will therefore be given to Aboriginal rights to lands, natural resources, and self-government, as well as the identification and interpretation of Aboriginal treaty rights. In the course of addressing these topics, we will confront constitutional issues relating to federalism and human rights, theoretical issues relating to legal interpretation in a cross-cultural setting, comparisons with indigenous rights in other former colonies, and the status of indigenous peoples and rights under international law. The general purpose of the course, then, is to examine the possibilities and challenges associated with Canada's multi-national and legally-pluralist constitutional order from a variety of legal, cultural, and theoretical perspectives. (To be offered jointly with LAW-532.) Three term hours.

Offering Faculty: Faculty of Law

LAW 833 Law Gender Equality Units: 3.00

Since law shapes women's lives, we need a "gender audit" of Canadian sex equality law and jurisprudence: what works and what has harmed women? In the 2012 fall term, this audit will focus mainly on women's claims of intersectional rights in a variety of legal contexts. Students will be asked to identify legal doctrines and advocacy strategies that feminist lawyers could invoke to litigate women's equality rights cases successfully. (To be offered jointly with LAW-533.) Three term hours.

Offering Faculty: Faculty of Law



LAW 834 Feminist Jurisprudence Units: 3.00

The seminar will involve an in-depth exploration of contemporary gender theories and their implications for the resolution of problems of legal significance. The objective of the seminar is to develop a theory of gender justice which reflects the feminist perspective. (To be offered jointly with LAW-534.)

Offering Faculty: Faculty of Law

LAW 835 Equality Rights & The Charter Units: 3.00

More equality rights seekers have lost than won at the Supreme Court of Canada which raises a fundamental question: why? To brainstorm possible answers, the first class reviews the record of wins and losses. To what should we attribute these outcomes? To equality rights doctrine, its application to factual contexts, both doctrine and context, or some other reason? In subsequent classes we examine some of the key themes that animate Charter equality controversies including, where time permits: grounds, substantive equality, discrimination, intersectionality, competing rights, proportionality, comparison, affirmative action, etc. The course requires you to apply at least one of these themes to a Charter equality rights topic that you research, present in class, and write about in a factum, feminist judgment, or essay. Your objective is to assess whether Charter equality rights doctrine makes social justice available to equality seekers and, if not, what change(s) you would recommend. Put differently, what values animate the Court's approach to equality rights and are they consistent with yours? Cross-listed with LAW 535.

Offering Faculty: Faculty of Law

LAW 836 International Legal Problems Units: 3.00

This seminar will examine situations in which a lawyer in private practice will have to take international law rules into account. Particular issues covered include diplomatic immunity, espousal of the claims of nationals, mass migrations and refugee claims, international terrorism and extradition requests. Current issues in international law will be considered as well. Cross listed with LAW-536.

Offering Faculty: Faculty of Law

LAW 837 Evidence Units: 3.00

What are the objectives and what is the structure and content of the law governing judicial proof? As part of an allegedly rational system, how far are the rules consistent in principle and how do they work together? The course covers the common law of evidence, both civil and criminal, as it has been affected by legislation. Specifically, matters to be discussed include competence and compellability of witnesses, rules relating to the examination of witnesses, corroboration, burdens of proof and presumptions, judicial notice, illegally obtained evidence, privilege, hearsay, character, opinion, documentary and real evidence. Some attention will be devoted to the impact of new scientific knowledge and fact-finding techniques upon the system of judicial proof. (To be jointly with LAW-320.) Four term hours.

Offering Faculty: Faculty of Law

LAW 838 International Environmental and Resource Law Units: 3.00

International environmental and resource governance presents some of our most pressing current policy issues. This course will examine potential frameworks for resolution of international environmental and resource problems and the role for law and legal institutions. We will examine a variety of legal approaches, including treaty-based international law, customary international law, and rights-based environmental claims. We will also consider how international environmental and resource law intersect with other international legal regimes (GATT/WTO), the global activities of non-legal norm-setters, such as multinational enterprises, and consider how international and domestic law relate within this field. (To be offered jointly with LAW-538.) Three term hours

Offering Faculty: Faculty of Law

LAW 839 Law and Injustice Units: 3.00

: This course explores the relationship between law and injustice, focusing in particular on theorising injustice, and especially those injustices that infect but do not originate in the law. Through readings in contemporary political and legal philosophy and political essays, we consider: different types of injustice, such as structural, historical, epistemic, and indigenous; duties to resist injustice for victims, bystanders, and beneficiaries; and forms of responding to injustice, including anger, civil and uncivil disobedience, and political violence. (to be offered jointly with LAW 640)

Offering Faculty: Faculty of Law

LAW 840 Business Associations Units: 3.00

The course is a study of the establishment and operation of business organizations, including partnerships and closely and widely-held corporations. The nature of capital and corporate securities, and the formation of companies including the transfer of a business, will be considered. The consequences of carrying on business in the corporate form, including the liability of a corporation for the conduct of its agents and controllers will be examined. A major portion of the course will be taken up by a consideration of the powers, duties and liabilities of directors, officers and controlling shareholders, corporate responsibility and the rights of minority shareholders and other stakeholders, and the remedies of dissenters in a corporation. (To be offered jointly with LAW-440.) Four term hours.

Offering Faculty: Faculty of Law

LAW 841 Contested Transactions Units: 3.00

This course will examine and analyze the legal and tactical issues involving Canadian contested change of control transactions primarily from the perspective of a target company. The course will focus on corporate and securities law issues relating to hostile take-over bids and proxy contests, including issues being currently debated and that are critical to a firm understanding of the topic. It is intended that students will develop practical skills that are critical for a successful practice as a business lawyer. Seminars include classroom lectures, guest lectures, problem-solving and in-class negotiations. Cross listed with LAW 280.

Offering Faculty: Faculty of Law

LAW 842 International Human Rights Law Units: 3.00

This seminar will provide an overview of the international system for the protection of human and peoples' rights. The course will begin with a critical survey of the history of public international law generally. Subsequent seminars will examine the treaties, procedures and institutions that have evolved to advance rights at the international and regional levels. Some of the particularly challenging dimensions of international human rights law will be explored, including efforts to bridge the public/private divide, questions of cultural relativism, the role of prosecutions versus truth commissions in post-conflict societies, the ethics and legality of humanitarian intervention; and the capacity of international law to promote corporate accountability in a globalized world. Overarching questions which animate the seminar include: to what extent has international human rights law challenged traditional conceptions of state sovereignty? Has international human rights law delivered on its promises of justice and equality? How might international human rights law and practice be re-imagined/ reformulated? Cross listed with LAW 542.

Requirements: LAW 540

Offering Faculty: Faculty of Law

LAW 843 Insurance Units: 3.00

The course prompts an examination of fundamental issues in insurance law in a prescriptive way, relevant to today's lawyers. Insurance law is really a melding of contract principles with tort claims and so necessarily draws on the analytical foundation from both major areas of law. Really, insurance law is often about seeking compensation for a person in the wrong place at the wrong time. This course will focus on insurance arising from motor vehicle accidents. We will address the SABS (Statutory Accident Benefits Schedule), definition of Catastrophic Impairment, collateral benefits, available of various heads of damages, and the threshold. This course aims to provide a working knowledge of the terminology and doctrine in a variety of insurance law spheres: automobile, liability, property, life, health and disability insurance. However, particular emphasis is placed on auto insurance. (To be offered jointly with LAW-443.) Three term hours.

Offering Faculty: Faculty of Law

LAW 844 Criminal Law Theory Units: 3.00

Criminal law is among the most theoretically rich areas of law. It raises fundamental questions about human agency, moral responsibility, the rule of law, and the limits of legitimate state coercion. In this course we will study the theoretical underpinnings—conceptual, moral, and political—of both the institution of criminal justice as a whole and various criminal offences and defences. Potential topics include (but are not limited to): the justifying aims and moral limits of punishment; the criminal law's conception of moral responsibility; the limits of legitimate criminalization; punishment versus alternative modes of behavioural regulation; the theory of possessory offences, attempts, and hate crimes; the foundations of justification and excuse in general; and the structure of specific defences such as self-defence, provocation, duress, and entrapment (to be offered jointly with LAW-407)

Offering Faculty: Faculty of Law

**LAW 845 Com Bankruptcy & Restructuring Units: 3.00**

This course will focus on Bankruptcy and Restructuring law as a legal response to business failure with an emphasis on the preservation and realization of value from viable but insolvent businesses. It will include an overview of enforcement and restructuring options available under Canadian law such as bankruptcy, receivership, proposals and plans of arrangement under the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act. It will explore the apparent conflict between the restructuring and business renewal objectives of bankruptcy and restructuring law and the need for certainty in the enforcement of legal rights. It will review the competing interests and rights of various creditor constituencies affected by commercial insolvency including secured and unsecured lenders, suppliers, employees and pension beneficiaries and the role of government as a participant in the restructuring process. The course will review the basic principles of court supervised sales of business assets and the priority of claims among creditors. Professional ethics issues in these matters will be addressed. Cross listed with Law 445. Three term hours.

Offering Faculty: Faculty of Law

LAW 846 Competition Law Units: 3.00

Competition law promises to be a fundamental government tool of business discipline in the global economy of the 21st century. This course examines the fundamentals of Canadian competition law, including its rationales, constitutional roots, enforcement mechanisms, as well as substantive provisions of the Competition Act. Among other hot topics, we will also examine the implementation of the amendments introduced by the Budget Implementation Act, 2009 ("Bill C-10"). (To be offered jointly with LAW-446.) Three term hours.

Offering Faculty: Faculty of Law

LAW 847 Mergers & Acquisitions Units: 3.00

An advanced international trade and investment law course, which will examine the substantive principles (and their procedural underpinnings in domestic law) of NAFTA, the new GATT/World Trade Organization, the World Bank's ICSID system to the extent that it is relevant under NAFTA, and other related instruments designed to maintain a liberal trading regime providing freer market access and non-discriminatory foreign investment practices. (To be offered jointly with LAW-547.)

Offering Faculty: Faculty of Law

LAW 848 Securities Regulation Units: 3.00

This course examines the regulation of the Canadian capital markets. The course focuses on a number of specific issues such as disclosure obligations, the exempt market, public offerings, registration, self-regulatory organizations and enforcement issues. The course will examine the regulation pertaining to certain acquisition transactions such as take-over bids and going-private transactions. A main objective of the course will be to analyze the legislation and relevant case law with a view to developing an understanding of the rationale underlying securities law. A further focus of the course will be to discuss the law from a critical perspective to discern areas in which the regulation may be improved. (To be offered jointly with LAW-448.) Three term hours. PREREQUISITE OR COREQUISITE: LAW-440 Business Associations.

Offering Faculty: Faculty of Law

LAW 849 Structuring Business Transactions Units: 3.00

For many organizations the acquisition or sale of a business, or indeed a merger with another organization, can prove a transformative event in the life of that organization. A transaction of this kind can have dramatic consequences for many stakeholders: notably for employees, customers and investors, but frequently also for suppliers, communities and other constituencies connected to or affected by the businesses involved in the transaction. Lawyers play a central role in evaluating, structuring and implementing these kinds of transactions. This is in part because getting deals done frequently requires the ability to navigate many different areas of law that inevitably overlap in this context. But it is also because the experienced deal lawyer is able to anticipate challenging issues that parties to the transaction will have to confront, and then to come up with creative strategies for resolving those challenges. The focus of this course will be on providing students with an understanding of how deal lawyers approach different stages in the life of a transaction and the kinds of legal issues that emerge in each of these stages. In addition to developing an enhanced understanding of the issues at play, the course will ensure that students spend substantial time reviewing, analyzing and drafting a range of deal documents. This course is an introduction to graduate level time series econometrics. The goal of the course is to provide a foundation in core time series methods that will permit students to undertake serious empirical work or pursue more advanced theoretical modeling. The course focuses on time series methods that have become popular and widely used in economics, and economic examples will often be used as motivation. (to be offered jointly with LAW-449)

Offering Faculty: Faculty of Law

LAW 850 Fem. Legal Studies Workshops Units: 3.00

The Feminist Legal Studies Workshop is designed to enable students to work closely with faculty in analyzing and discussing, with leading feminist theorists and scholars visiting Queen's Faculty of Law, the topics of the speakers' papers. These courses will be offered jointly with JD course Law 692 (Fall) and Law 693 (Winter). Graduate Students must take both LAW- 850*A (Fall) and LAW- 850*B (Winter) and pass each section in order to receive 3.0 course credit

Offering Faculty: Faculty of Law

LAW 851 Trademarks & Unfair Competition Units: 3.00

Trademark law protects trade identity by providing private remedies for the unauthorized use of trademarks and other distinctive indicia. Owners of trademarks have the exclusive right, under the Trademarks Act, and substantially in common law, to use a mark to indicate the source of a good or service and to protect related intangibles of commercial value.

Unfair competition torts and common law protections will be discussed in the first part of the course. The main focus is, however, on the legislation and its impact on private rights to regulate the use of trademarks, trade names, and unfair competitive practices. Students will learn how the common law regulation of unfair competition (with our focus on the tort of passing off) complements the statutory protections afforded for brands and logos that now dominate modern consumer culture. Attention is given to theoretical justifications and normative frameworks for trademark protection; underlying public policy objectives; the basis for making a trademark application and grounds for opposition; claims to title; the grounds for attacking validity; the forms of infringement; the relationship between trademarks and trade names; and the significant changes that the Canadian trademark regime has recently undergone, most notably in the definition of a trademark and the basis for registration. These changes promise to shift the law towards greater protection for unconventional marks (e.g. scents) and unused marks, with potentially significant implication for marks-holders, competitors, and the public. Offered up for discussion is the interests of stakeholders, how they have played out, and may best be served, under Canadian law: from the desire of traders to prevent free-riding and to promote free and fair competition, to the consumer and public interest in protecting the integrity of trade in the market of goods and services from consumer confusion while retaining the ability to engage with a mark culturally in the market place of ideas to communicate meaning, even as parody, in recent jurisprudence. Cross listed with LAW 451.

Offering Faculty: Faculty of Law

LAW 852 Commercial Law Units: 3.00

This course covers domestic and international commercial sales transactions. It considers in detail the law applicable to domestic sales of goods (in particular the Ontario Sale of Goods Act) and the international instruments that govern cross-border commercial transactions. It also provides an introduction to related issues, including the delivery of goods, passage of risk, and payment systems. (To be offered jointly with LAW-441.)

Offering Faculty: Faculty of Law

LAW 853 Law and Poverty Units: 3.00

This course will be about homelessness and, to a lesser extent, housing. We will consider the sociology of homeless and we will ask why it is bad and why it is wrong (and if those two are different). Then we will consider various legal and policy routes to addressing homelessness, with an eye to both their effectiveness and to their aptness as responses to the wrongness of homelessness. Some things we may talk about include: subsidized housing legislation, shelters, and recent attempts to establish a Charter right to housing. Evaluation will be by paper and by class participation/ presentation. (To be offered jointly with LAW-303.) Three term hours.

Offering Faculty: Faculty of Law

LAW 854 International Economic Law Units: 3.00

With the rise of globalization, international laws governing how nations trade and invest across borders are increasingly important. These laws limit government actions and affect the daily lives of people around the world. This course introduces international trade and investments laws. We will focus on the trade laws of the WTO and the investment provisions of Chapter 11 of the NAFTA. The course addresses the application of these laws in key cases and critically examines the principles underlying them. (To be offered jointly with LAW-454.) Three term hours.

Offering Faculty: Faculty of Law

LAW 855 Fundamental Issues in Corporate Governance Units: 3.00

This course examines the governance of public corporations, focusing on issues such as corporate ownership and control, the structure and function of the board of directors, agency theory and associated justifications of shareholder primacy, labour participation in corporate governance and corporate social responsibility. Although the focus will be on Canadian law, relevant comparisons will be drawn with developments in other jurisdictions such as the UK, the USA and Europe which offer deeper insight into the Canadian debates. (To be offered jointly with LAW-602.) Three term hours.

Offering Faculty: Faculty of Law

**LAW 856 Entertainment Law Units: 3.00**

This course will address the fundamentals of entertainment law, from a theoretical and applied perspective. It will consider the topic from its foundation as a particular application of the law of contract, to an examination of practical issues and approaches that arise in this specialized area of practice. (To be offered jointly with LAW-326.)

Offering Faculty: Faculty of Law

LAW 858 Freedom of Expression Units: 3.00

This seminar explores some moral principles that might ground arguments for freedom of expression (including freedom of speech, freedom of the press, and artistic freedoms). We then turn to examine two contemporary areas of debate where these ideas are put to work, and put to the test: hate speech and pornography. Apart from a few doctrinal examples, the readings we discuss are mostly works in jurisprudence and political philosophy. Cross-listed with LAW 687.

Offering Faculty: Faculty of Law

LAW 859 Miscarriages Of Justice Units: 3.00

This seminar is focused on emerging problems related to miscarriages of justice in Canadian criminal law. In the wake of famous cases such as Marshall, Milgaard, Morin and Sophonow, we explore the systemic causes of wrongful convictions in Canada. The suggested primary causes of wrongful convictions are examined, including police misconduct in the investigative process (with special emphasis on interrogation tactics); prosecutorial misconduct; ineffective assistance of counsel and its relation to wrongful conviction; and fallibility of professional and lay decision-makers in the process. The role of the media in uncovering or "creating" wrongful convictions is given separate consideration. Traditional institutional responses to wrongful convictions are evaluated, such as the efficacy of appellate review, Ministerial reviews under s.690, Royal Prerogative of Mercy, commissions of inquiry and the possibility of an independent tribunal designed and created to address wrongful convictions (as is the case in England with the Criminal Cases Review Commission). (To be offered jointly with LAW-679.)

Offering Faculty: Faculty of Law

LAW 860 Land Transactions Units: 3.00

Real estate represents the single greatest source of wealth for Canadians and Canadian businesses. It is complex with long standing historical roots. We will examine the agreement of purchase and sale which is the foundation of every real estate transaction, when is it enforceable, what should be in it, how it should be drafted and why, when to use conditions, promises or representations, how it is completed and what remedies are available for its breach. Other issues which will be examined include the land registration system, real estate agents duties, mortgages and other security, mortgage remedies, easements, title insurance, Planning Act, fraud and solicitor's opinions. Relevant caselaw will be reviewed. (To be offered jointly with LAW-460.) Three term hours.

Offering Faculty: Faculty of Law

LAW 861 International Investment Law Units: 3.00

The course introduces students to the international law governing foreign direct investment, as well as the domestic legal framework for foreign direct investment in Canada provided by the Investment Canada Act. International investment law regulates what states can do to restrict a channel the flow of investment into their markets, and it imposes standards for the treatment of foreign investors and investments once the investment has occurred. The course provides an in-depth discussion of the core obligations established by international investment law, in particular the disciplines relating to expropriation, the minimum standard of treatment, and non-discrimination. The course will also expose students to the debates that have engulfed international investment law in recent years because of a perception that it unduly constrains governments' ability to safeguard the environment and pursue other public interests. The unique dispute settlement system established by many international investment treaties, whereby an investor can directly sue a host state for compensation in binding international arbitration, has attracted particular scrutiny. Canada has been a focal point of these debates. As a party to NAFTA, it has been a frequent respondent in disputes brought by US investors, and it has recently led the way, along with the European Union, in proposing a fundamental reform of the system of international investment arbitration through the establishment of a multilateral investment court. (to be offered jointly with LAW-437)

Offering Faculty: Faculty of Law

LAW 862 Collective Agreement and Arbitration Units: 3.00

The collective agreement establishes the legal framework that governs the ongoing relationship between the employer, the union, and the unionized workforce. Grievance arbitration is the special mechanism that provides for the enforcement of this framework. This course examines some of the most important areas of arbitral jurisprudence and the main areas of interface between the arbitral process and the general legal process. Examples of topics to be covered are discipline and discharge, seniority, management rights, the remedial powers of arbitrators, the impact of external legislation, and evidentiary and procedural issues. (To be offered jointly with LAW-562.) Three term hours. PREREQUISITE: LAW-560 Labour Law.

Offering Faculty: Faculty of Law

LAW 863 Trust Units: 3.00

The institution of the trust, involving the separation of the control (in trustees) from the beneficial enjoyment of property, is of foundational importance in our law. Trusts concepts and devices are employed in a variety of modern contexts and are also increasingly used in commercial transactions. This course will cover basic doctrine and explore selected areas in further detail: for example, the nature of a trust; formal requirements of trusts; constitution of trusts; secret trusts; trusts, powers and purposes; certainties; property-holding by unincorporated associations; trusts for charitable purposes; some aspects of trustees' powers and duties; variation of trusts; resulting and constructive trusts. (To be offered jointly with LAW-463.) Three term hours.

Offering Faculty: Faculty of Law

LAW 864 Municipal Law Units: 18.00

This course examines the structure, powers and functions of local government institutions in Canada. Among the particular questions to be examined are: What is the place of municipalities in the Canadian constitutional order? How are municipalities formed and how are their boundaries altered? How do municipalities address issues that have a regional scope? What are the mechanisms of land use control? The judicial, legislative and administrative responses to these questions will be examined in light of normative debates about the nature and purposes of local government regulation. Cross listed with LAW 465.

Offering Faculty: Faculty of Arts and Science

LAW 865 Comparative Labour Law Units: 3.00

Through a study of some of the major differences between the Canadian and Western European systems of labour law and industrial relations, this course attempts to encourage a broader and more critical understanding of the Canadian system. (To be offered jointly with LAW-565.)

Offering Faculty: Faculty of Law

LAW 867 Employment Law Units: 3.00

The Supreme Court of Canada has acknowledged that the contract of employment is "unique", and governs a "special relationship" between the employer and the individual non-unionized employee. This course will explore central issues and themes in employment law, and will focus on the following topics: 1) the formation of the employment contract; 2) employee or independent contractor?; 3) who is the employer?; 4) the impact of legislation upon the employment relationship (The course will focus on employment standards, pay equity, and human rights legislation); 5) termination of the employment relationship including wrongful dismissal, just cause termination; 6) the rights and remedies available to employees (including a comparison of the federal statutory regime with the provincial regime). If time permits, there will be a discussion of issues pertaining to employees with disabilities including a discussion of the workers' compensation and occupational health and safety legislative regimes. (To be offered jointly with LAW-567.) Three term hours.

Offering Faculty: Faculty of Law



LAW 868 Copyright Law Units: 3.00

Though it may not fully be appreciated, most aspects of our culture, communication, and consumption are affected by the law of copyright; from the entertainment we enjoy or create, to the buildings we design and build, to our correspondences and visual exchanges, use of the internet, and the games we play and books we read, copyright is an integral part of our lives and impacts how we as a society relate, educate, create, earn a living, or simply participate in meaning making through the exercise of our expressive freedom. The year 2012 was celebrated as a turning point in Canadian copyright law with significant legislative reforms and five Supreme Court of Canada decisions (the pentalogy) that could be said to have considerably expanded user rights and public interests in copyright. Can this celebration continue in light of more recent cases? The Copyright Act extends a limited term of protection to original literary, dramatic, musical and artistic works as well as neighbouring rights in a performer's performance, a maker's sound recording, and a broadcaster's broadcast of communication signals. This course provides a brief introduction to the field of intellectual property in order to situate copyright in the policy framework of industrial and cultural property. The theoretical rationales for and judicial understanding of the role and function of copyright are explored as means for examining the continued debates about the appropriate scope of rights, the need for limits, and the goal of balance to be given effect by copyright law and policy. The course is focused on two main issues: copyright subsistence and infringement, taking into consideration the differences between authorship and ownership, moral rights and economic rights, nature and extent of rights and the allowable exceptions, defences, and remedies. How should copyright law evolve in the face of major technological shifts? We will also consider some of the legal means by which copyright is made to expand or contract in accordance with public policies, through the use of internal doctrinal mechanisms such as the expression/idea dichotomy, the merger of expression with ideas, the allowable use of stock devices, and the freedom of users to deal fairly with copyrighted works, as with the user generated content exception, all of which may give more or less effect to the public interest in expressive freedom and a vibrant public domain. Copyright theory will be tested against its application, such as with the legal characterization of tampering with digital locks and technological protection measures as infringement. Students are encouraged to think critically about the law's inclusions and exclusions. Why is art protected but not craft? What has historically counted music? Ought food or yoga sequences be protected? Why or why not? Is copyright more about rights or utility? Whose rights? What utility? And, have we got the balance right? Cross listed with LAW 468.

Offering Faculty: Faculty of Law

LAW 869 Advanced Intellectual Property Units: 3.00

This seminar will consider recent topics of controversy and political debate in the field of intellectual property and the protection of knowledge goods. The purpose of this course is to provide students with the opportunity to critically examine some of the normative and theoretical underpinnings for legally protecting intellectual contributions and to foster an understanding of how these rationales play out in terms of politics, policy development, and legal doctrine in specific substantive areas. These insights are relevant to the selected special topics that focus on the relationship of intellectual property protection with culture, communication, development, trade, human rights, and the tension between national objectives and international obligations. Students are expected to have some basic substantive knowledge in at least one area of intellectual property law and to be eager to critically engage with advanced "fringe" issues of IP. Topics vary from year to year but may include copyright protection for oral works and folklore, the use of intellectual property to protect traditional and indigenous knowledge, biodiversity, biopiracy, and biocolonialism, the politics of property in the human genome and the patenting of life, the growing anti-competitive uses of intellectual property and proliferation of "bad patents", farmer's rights to save seeds, the trade related aspects of intellectual property and implications of expanding IPRs, trademark protection for geographic appellations, the special status of famous marks, and the effects of property fundamentalism on the promotion of progress in science and the useful arts. (To be offered jointly with LAW-469.) Three term hours.

Offering Faculty: Faculty of Law

LAW 871 Immigration And Refugee Law Units: 3.00

This course will provide an overview of the theoretical, historical, constitutional and policy underpinnings of Canadian immigration law. We will consider the legislative reforms implemented in the Immigration and Refugee Protection Act across the full range of immigrant and refugee categories. Key jurisprudence as well as critical and comparative perspectives will be considered throughout the course. (To be offered jointly with LAW-471.) Three term hours.

Offering Faculty: Faculty of Law

LAW 873 Corporate Taxation Units: 3.00

This course examines the taxation of corporations and their shareholders and contrasts it with the treatment of partnerships, trusts and other taxable entities and intermediaries. The general theory of corporate taxation is considered, as well as the specific rules of the Income Tax Act. Among specific issues considered are the tax consequences of incorporation and of corporate reorganizations, tax aspects of business finance, the treatment of dividends and distributions, and tax planning for the family business. (To be offered jointly with LAW-511.) Three term hours.

PREREQUISITE: LAW 508 Taxation

Offering Faculty: Faculty of Law

LAW 874 Family Law Units: 3.00

An introductory course concerning the basic principles governing the formation, operation and dissolution of the family in Canada. Specific topics to be considered are validity and annulment of marriage, rights and obligations of persons who cohabit outside marriage, gay and lesbian relationships, domestic contracts, domestic violence, support, custody and access to children, the law of divorce and ownership, possession and division of matrimonial property. Most attention will be paid to the law applicable in Ontario, but where appropriate, references and comparisons may be made to developments in other provinces and countries. There is substantial similarity in the family law of Canada's common law jurisdictions. The primary focus of the course will be upon substantive legal principles, as developed by the legislatures and courts. Consideration will also be given to a variety of tactical, ethical, procedural and evidentiary issues as well as to questions of law reform. Tax implications of some situations will be discussed, but no background in this area is necessary. The psychological dynamics of matrimonial disputes will receive some attention as well. (To be offered jointly with LAW-520.) Four term hours.

Offering Faculty: Faculty of Law

LAW 875 Advanced Family Law I Units: 3.00

The seminar will allow students to research a Family Law or Children's Law issue that is of particular interest to them. During the first few weeks, while students are conducting research for their presentations and papers, the instructor will make presentations and lead discussion on international and transnational aspects of family law. Following this initial set of classes, students will present and discuss their research with the class. (To be offered jointly with LAW-525.)

Offering Faculty: Faculty of Law

LAW 876 Children's Law Units: 3.00

The course deals with a number of related issues concerning the treatment of children and adolescents in the legal system. Tactical, ethical and policy questions are addressed, as well as substantive and procedural legal topics. We will also explore the role of lawyers in a variety of proceedings affecting children and adolescents. While the primary focus of the course is legal and process oriented, the legal issues must be seen in a multi-disciplinary context, as is reflected in the reading materials and the range of professionals who will visit the class as speakers. Lawyers, judges, social workers, probation officers, youth workers and others will be guest speakers. The major topics in the course are: (1) child welfare, including child abuse and neglect, focussing primarily on child protection proceedings, but also considering criminal law issues, such as those relating to child witnesses and corporal punishment; (2) adoption; (3) youth justice issues. Although all social and economic classes are affected by the issues raised in this course, many of the issues studied in this course tend to disproportionately affect those who are socially or economically disadvantaged in society, and, for example, issues of aboriginal status arise in each section of the course. This course may be of particular relevance to students with an interest in Criminal or Family Law, although some students take this course out of general interest. Many of the topics discussed are matters of considerable public controversy. (To be offered jointly with LAW-519.) Three term hours. PREREQUISITE OR COREQUISITE: LAW-520 Family Law or permission of the instructor.

Offering Faculty: Faculty of Law

**LAW 877 Information Privacy Units: 3.00**

This course focuses on the challenges of protecting information privacy against the threat of emerging technologies (such as biotechnologies, internet communication technologies, information tracking technologies, cloud computing, biometrics, and surveillance technologies to name a few). Information has been central to the form and function of the knowledge economy and plays a vital role as between individuals and in relationship with the state, raising issues related to control, access, aggregation, storage, retrieval, use, retention, deletion, and dissemination. Privacy in private and public spaces has long been an area for legal debate. In an era when data collection and data trails have become ubiquitous, however, new technologies operationally interrogate existing dominant conceptions of privacy and introduce fresh areas for legal contestation that question the need for a coherent theoretical framework. This course will survey the mixed regulatory mechanisms available for protecting privacy in Canadian law, ranging from constitutional to statutory, common law and criminal protections, and will examine how normative conceptual understandings of privacy, and attendant perceptions of any necessary trade-offs, mediate new technologies, civil liberties, democratic values, public policy, law and reform efforts. Whether there is a normative moral claim for protecting privacy beyond our reasonable expectation becomes a critically pressing concern if we are to accept the idea that we live in a surveillance society. The course asks the questions of protection of what (what counts as personal information) from whom (are there differences to be drawn between the private and public holders and uses of such information), how (from collection, use, and disclosure), and the implications that such inquiries may have on forms of consent and fair information practices, in order to debate the regulatory and legal responses that may be necessary and why. Cross listed with LAW 617.

Requirements: LAW 520

Offering Faculty: Faculty of Law

LAW 879 Advanced Torts Units: 3.00

This seminar will provide students with the opportunity to explore tort law in greater depth. There will be in-class discussion on timely public issues, and we will examine the new conceptions of duty and causation that are currently emerging from decisions of the Supreme Court of Canada. Standard areas covered are defamation, class actions, vicarious liability, ex turpi causa, liability of public authorities, and the use of negligence as a mechanism for political change. We will also consider emerging actions in tort law relating to privacy and freedom of speech, along with novel duties in negligence such as negligent investigation and the duty to control the conduct of others. (To be offered jointly with LAW-339.) Three term hours.

Offering Faculty: Faculty of Law

LAW 880 Legal Research Methods & Perspectives Units: 3.00

This seminar surveys the different theories and perspectives that inform current legal scholarship, and the range of research methods that can be applied to legal questions. The course is intended for LLM and PhD students but is open to JD students interested in academic legal research. Through readings, class discussions, and guest presentations, students will become familiar with a variety of legal research perspectives and methods, and will learn how to apply that knowledge to their own research. Students should come to the class with a legal research project in mind, either an LLM or PhD thesis or a seminar paper or independent study project, to be written either concurrently with or after completing the course. Cross listed with LAW-573.

Offering Faculty: Faculty of Law

LAW 881 Advanced Legal Research Units: 3.00

LAW881 builds on concepts discussed in LAW880. Through readings, lecture segments, in-class discussion and exercises, students will reflect on and develop their research techniques and explore how their chosen methodology imposes information requirements. The course highlights concepts in information and database literacy, and promotes the development of efficient information-seeking and information management strategies for scholarship.

Offering Faculty: Faculty of Law

LAW 882 Legal Educ. & Pedagogy Seminar Units: 3.00

This optional Graduate Seminar will consider issues in legal education and pedagogy. There will be presentations by invited faculty members. Using materials, problems and simulated exercises, graduate students will develop skills in teaching law to both large classes and small seminars. Priority for enrollment will be given to LL.M. students, but a limited number of J.D. students may be admitted. (To be offered jointly with LAW-382).

Offering Faculty: Faculty of Law

LAW 883 Social Science Research Method Units: 3.00

This optional Graduate Seminar will consider how legal scholars, lawyers and judges use social science research. As the study of law and growth of legal scholarship becomes more inter-disciplinary and cross-disciplinary, the need to deal with social science material is increasing. This course will have a mandatory component designed to teach students how to read, understand and work with the results of social science methodologies. There will also be an optional component which will give students an opportunity to learn how to use basic statistical methods. Priority for enrollment will be given to LL.M. students, but a limited number of LL.B. students may be admitted. (To be offered jointly with LAW-383). Not offered 2010-2011.

Offering Faculty: Faculty of Law

LAW 884 Individual Supervised Project Units: 3.00

Under faculty supervision, a student may be permitted to undertake an independent study. The nature of the work is to be agreed upon between the faculty supervisor and the student, but it will usually involve a significant written project (25-35 pages) or several shorter pieces of writing; The topic of this study may be a topic related to a graduate student's thesis or Graduate Research Project, but it may not duplicate that project. Graduate students may do more than one GISP.

Offering Faculty: Faculty of Law

LAW 885 Private Law Theory Units: 3.00

This seminar will explore selected topics in the theory of the private law. Private law theory is concerned with explaining the nature and basis of the rights and obligations that issue from the law of contract, tort, restitution, and property. (To be offered jointly with LAW-315.)

Offering Faculty: Faculty of Law

LAW 886 Conflict Of Laws Units: 3.00

Every civil litigator and private law solicitor should take this theoretically rich and practically useful course. "Conflict of laws" is the collective term given to rules that regulate foreign-ness in private disputes. Conflicts arise in every case that involves more than one province or more than one state. In particular, we will consider the rules that govern: (1) which court has jurisdiction to decide a dispute; (2) whether a foreign judgment will be recognized and enforced and, alternatively, whether a foreign proceeding can be restrained; and (3) which law applies to the merits of the dispute. Examples will be drawn from all areas of private law, including torts, contracts, property, succession, and family law. (To be offered jointly with LAW-550.) Three term hours.

Offering Faculty: Faculty of Law

LAW 887 Patent Law Units: 3.00

Patents are essential to the protection of innovation in many industrial sectors including manufacturing, pharmaceuticals, aerospace and information and technology. A number of international and bilateral agreements seek to "harmonize" the patent protection available worldwide. Nations become signatories to such agreements, in part, in an effort to attract capital and jobs. This course will provide an overview of the Canadian law of patents for invention. We will review the historical development of patents for invention, briefly discuss the interrelationship between patents and other branches of Canadian IP law such as trade secrets, industrial designs, integrated circuit topographies, plant breeder's rights, copyrights and trade-marks and consider the formalities of filing a patent application in Canada. We will explore the basic principles of the patent system in Canada, namely patentable subject matter, novelty, inventive step, utility and sufficiency of the patent specification and discuss the various mechanisms for modifying a granted patent. We will study the enforcement of one's rights, whether by action for infringement, by licence and assignment or by the Notice of Compliance regime in place for pharmaceutical products. Finally, we will briefly contrast differences in the patent procurement and enforcement schemes in place in the United States, Europe and Japan with those of Canada, as well as anticipated developments in patent law in the future, to the extent that time permits. (To be offered jointly with LAW-447.) Three term hours.

Offering Faculty: Faculty of Law



LAW 888 Administrative Law Units: 3.00

This course is an introduction to the body of law that governs administrative decision-making. The course does not focus on any single substantive area of law or policy but rather on foundational rules and principles that apply across a broad swath of administrative decision-making. Through administrative law processes, the executive branch of government implements legislative policy and delivers government services in diverse fields, including public health and safety, immigration, labour relations, social benefits, securities regulation, business licensing and approvals, communications and broadcasting, and environmental protection, just to name a few. Administrative law also incorporates the law and policy arising from adjudicative tribunals, such as landlord-tenant boards, immigration tribunals, or human rights tribunals, in addition to regulatory bodies that govern energy, transportation, communications, etc. Finally, administrative law also applies to the broader public sector, for example, municipalities, universities, schools, and hospitals.

The course will examine the doctrines of procedural fairness (how administrative decisions are made, the entitlement of individuals to participate in decision-making that affects them, and impartiality and independence of decision-makers), and substantive review (the degree to which courts will review the merits or outcomes of administrative decisions). The appropriate relationship between courts and administrative tribunals and officers is an overarching concern. Students will develop an understanding of the executive and administrative processes of government and will appreciate some of the structural challenges and tensions inherent in designing a system of public decision-making predicated on the goals of both efficiency and justice. The course also includes a unit on the duty to consult and accommodate Aboriginal Peoples within administrative law. The material for this unit will be presented with reference to the historical context of cultural genocide, the legacy of residential schools and the Truth and Reconciliation Commission of Canada's calls to action. In thinking about administrative decision-making throughout the course, we will be attentive to questions about power. Whose power (individually and collectively) is enhanced or minimized through administrative law doctrines and processes; and what are the implications for law reform?

Cross listed with LAW 427

Offering Faculty: Faculty of Law

LAW 889 Business Finance Units: 3.00

This seminar will examine the public interest and the lawyer's role in assisting an enterprise to raise money to finance its existing or proposed activities. The legal entity or entities which may be used to carry on the enterprise and raise the money, whether an individual, partnership, private corporation, public corporation, not-for-profit corporation, co-operative, trust or combination of entities, and the consideration to be given in exchange for the money, will be reviewed. Sources of money, including family, friends, community, governments, fourth pillars, angels, venture capitalists, mutual funds, pension funds, banks, insurance companies and other financial institutions, and the manner in which investments by them may be structured and regulated, will be analyzed through seminar presentations. The seminar will include both theoretical review and the application of theory to case studies. Seminars will include introductory lectures (it is assumed students do not have undergraduate degrees in business or finance), and student-led presentations and discussions of third party materials and their own work. 3 credits, winter term. (To be offered jointly with LAW-512.) Three term hours. PRE-REQUISITES: LAW-440 Business Associations AND LAW-448 Securities Regulation
Offering Faculty: Faculty of Law

LAW 890 International Labour Law Units: 3.00

The course focuses on international labour law as a response to globalization. It will introduce students to the main legal and policy issues surrounding labour law in the international context. Topics will include the multilateral system of workers' rights (the International Labour Organization and international human rights conventions), regional systems of worker rights (the European Union, the NAFTA), the relationship between labour standards and international trade law, and corporate social responsibility and codes of conduct as alternatives to international legal regulation of work. (To be offered jointly with LAW-559.) Three term hours.
Offering Faculty: Faculty of Law

LAW 891 Law And Economics Units: 3.00

Law and Economics has become a highly influential lens through which law is conceptualized and analyzed. Economic analysis provide one means of critically examining the way that law functions and thinking about how we might want to design laws to better achieve the social objectives that underpin them. This course will involve both study and critique of the law and economics approach. The course will introduce students to the central tools and concepts of law and economics. We will begin with a brief introduction to some basic economic theory and move on to study the application of law and economics analysis to particular problems in a variety of substantive legal domains. Applications in the area of property, tort, criminal, environmental law, equality rights, and operation of the legal system, among other substantive domains, will be considered. (To be offered jointly with LAW-328.) Three term hours.

Offering Faculty: Faculty of Law

LAW 892 Legislation & Statutory Interpretation Units: 3.00

Statutes are a very important source of law. Nevertheless, in the study of law, we spend much more time learning about cases and seeking to understand judging than reading legislative debates and seeking to understand legislating. This course explores several topics concerning legislatures and statutory interpretation. We will start with a discussion of the ideas of democracy, constitutionalism, deliberation, and interpretation. We will then explore the dialogue between courts and legislatures. In the last part of the course, we will explore some practical implications of our theoretical analysis, in the field of statutory interpretation, which would be useful for lawyers-to-be. For example: How shall we interpret statutes? Based on their text? Their purpose? The intention of the legislators? The first part of the course involves lectures on the legislative process, on the various concepts required for the study of legislatures, and on statutory interpretation. The second part includes presentations by students of their paper idea, work in progress, or draft paper (depending on how much progress they have made on the paper by the time of their presentation.) The presentation will be fail safe and will not count if the paper's grade is higher than the presentation grade. (To be offered jointly with LAW-222.) Three term hours.

Offering Faculty: Faculty of Law

LAW 894 Advanced Issues in Contract Law Units: 3.00

Contracts and the law that governs them are fundamental to economic life in our society, and there is scarcely an area of legal practice in which issues of contract law do not figure. The first-year course in Contracts provides students with an excellent grounding in the subject. Advanced Contract Law builds on the foundations laid in first year, broadening and deepening the student's knowledge of this richly-textured subject. The course will cover a selection of advanced issues in contract law that cannot be dealt with in any detail in a first course in the subject. Examples of topics that may be covered in any given year include: illegality; agency; assignment; contractual construction; good faith; implied terms; paternalism and the problem of standard forms; unconscionability; economic duress; the interaction of contract with tort and restitution; the estoppels (equitable; conventional; in pais; proprietary), The course will be structured around readings drawn primarily from cases decided by common law courts here and abroad, and also from the scholarly literature. (To be offered jointly with LAW-458.) Three term hours. Prerequisites: Students may enrol in Advanced Issues in Contract Law only if they have successfully completed first-year courses in Torts, Property, and Contract Law.

Offering Faculty: Faculty of Law

LAW 893 Law and Philosophy Units: 3.00

This seminar in general jurisprudence explores the foundations of law. Students will have the opportunity to participate in a wide range of jurisprudential discussions, drawing on moral and political philosophy. The syllabus includes coverage of persistent foundational questions in the philosophy of law, which may include: community, justice, rights, authority, positive law, obligation, and their interrelationships. This seminar complements LAW310 Jurisprudence, but that course is not a prerequisite and no prior philosophical training is required. (To be offered jointly with LAW-309) Three term hours.

Offering Faculty: Faculty of Law

**LAW 895 Wills and Estate Planning Units: 3.00**

An introduction to the basic tools of property disposition and management. The first part of the course will focus on the alternatives to testate succession such as gifting, inter-vivos trusts, life insurance, intestate succession, etc. The second part of the course will concentrate on testate succession and various doctrines applicable to wills. Topics such as testamentary capacity, due execution, revocation, various types of beneficiaries, etc. will be considered. The third part of the course will deal with administration of trusts and estates. Such topics as fiduciary duties, even-handedness between beneficiaries, accumulations, etc. will be considered. The course will also deal with taxation issues with respect to the various aspects of estate planning. (To be offered jointly with LAW-462.) Three term hours.

Offering Faculty: SGS and Postdoctoral Affairs

LAW 896 Criminal Procedure Units: 3.00

Procedural dimensions of the criminal justice system are critically examined. The pervasive impact of the Charter is fully integrated and assessed. The pre-trial section includes police power to search and arrest, legal and illegal police discretion, show cause hearings (bail), the right to counsel, prosecutorial powers and discretion and plea bargaining. Trial topics are jurisdiction, election, formal objections, joint trials, pleas, the doctrine of included offences, double jeopardy, preliminary inquiries, direct indictment, discovery and the unique features of trial by jury. At the post-trial stage, sentence and appellate options and the prerogative writs are briefly explored. (To be offered jointly with LAW-404.) Four term hours.

Offering Faculty: Faculty of Law

LAW 897 Graduate Paper Units: 6.00

Graduate Paper (35-40 pages in length, about 12,000 words) under the supervision of a faculty member on a topic to be mutually agreed.

Offering Faculty: Faculty of Law

LAW 898 Substantial Graduate Research Project Units: 6.00

Substantial Graduate Research Project (mini-thesis) (50-70 pages in length & about 13,000-18,000 words) under the supervision of a faculty member. Upon completion, the student will submit the Research Project to a faculty evaluative Committee consisting of three members (including the supervisor).

Offering Faculty: Faculty of Law

LAW 899 Master's Thesis Research Units: 6.00

A Masters Thesis (not to exceed 35,000 words) written under the supervision of a faculty member. Upon completion, the student will defend the thesis before a Committee of the School of Graduate Studies and Postdoctoral Affairs composed of the student's supervisor, a professor from Law and a second professor from Law or a professor from another department at Queen's and the Chair.

Offering Faculty: Faculty of Law

LAW 900 Public Health Law Units: 3.00

Public Health Law has emerged recently as a distinct field, as the threat of contagious diseases such as SARS has grown with globalization, and as tobacco, food and drug-related illnesses, and the environment have been recognized as significant factors affecting human health. This course examines the role of law in promoting public health and its core value of social justice. Collective protections such as those found in the revised International Health Regulations will be examined in relation to individual rights, including rights to the benefits of such health promotion activities. By analyzing such questions as mandatory immunization, advertising limitations, compulsory disclosure of personal information, quarantine and the use of emergency powers to counter biological warfare, the course explores the intersection of health, law and policy, provides a foundation of legal understanding of Canadian and global health law, and assesses the legal role in promoting the fair and equitable conditions necessary for public health. (To be offered jointly with LAW-304.) Three term hours.

Offering Faculty: Faculty of Law

LAW 901 Occupational Safety, Health and Workers' Compensation Law Units: 3.00

Workplace health is a principal concern of industrial relations practice and generates considerable risk and liability for organizations. This course examines occupational safety and health (OSH) and workers' compensation law, policy, administration and compliance. With a focus on industrial relations practice, the course addresses the purpose, economic rationale, business value and human resource implications of how the state regulates health in the workplace. The course examines occupational safety and health and workers' compensation systems, addressing such issues as OSH standards, due diligence, prosecutions, workplace injury and disease (for example, cancers and SARS). (To be offered jointly with LAW-681.) Three term hours.

Offering Faculty: Faculty of Law

LAW 907 Law And Sexuality Units: 3.00

This interdisciplinary seminar will focus on the legal status and civil rights of lesbian women, gay men, and other sexual minorities in Canada and other countries. It will include a consideration of employment law, estate planning and property rights of lesbians and gays, domestic law relating to same-sex relationships and partnership benefits, violence against lesbians and gays, race, gender and discrimination/constitutional law. The emphasis in the seminar will be on the development of a multi- and interdisciplinary perspective on this area of study, and will employ traditional research resources as well as emerging computer resources in the collection of materials. The course will be suitable for non-law students who have an interest in the contemporary or historical status of lesbian women, gay men and other sexual minorities, and previous study of law will not be required for enrolment. (To be offered jointly with LAW-516.)

Offering Faculty: Faculty of Law

LAW 914 Graduate Legal Studies Forum I Units: 3.00

The Graduate Legal Studies Forum aims to expose graduate students to a diverse range of approaches to and topics in legal scholarship. Students will attend and participate in a minimum of eight seminars per term presented by visiting scholars and Queen's faculty. The class will also meet as a group with the course instructor two to three times per term. The Graduate Legal Studies Forum is designed to develop the students' skills as critical and reflective legal scholars. Emphasis will be placed on cultivating proficiency in rigorous scholarly criticism through written and oral engagement with cutting-edge legal scholarship. Students will develop in their appreciation for the methodological diversity of legal scholarship, in their ability to evaluate arguments by leading thinkers in a variety of legal disciplines, in their ability to actively engage with scholars in a seminar setting, and in their facility with presenting their own scholarship to peers.

Offering Faculty: Faculty of Law

LAW 915 Graduate Legal Studies Forum II Units: 3.00

The Graduate Legal Studies Forum aims to expose graduate students to a diverse range of approaches to and topics in legal scholarship. Students will attend and participate in a minimum of eight seminars per term presented by visiting scholars and Queen's faculty. The class will also meet as a group with the course instructor two to three times per term. The Graduate Legal Studies Forum is designed to develop the students' skills as critical and reflective legal scholars. Emphasis will be placed on cultivating proficiency in rigorous scholarly criticism through written and oral engagement with cutting-edge legal scholarship. Students will develop in their appreciation for the methodological diversity of legal scholarship, in their ability to evaluate arguments by leading thinkers in a variety of legal disciplines, in their ability to actively engage with scholars in a seminar setting, and in their facility with presenting their own scholarship to peers.

Offering Faculty: Faculty of Law

LAW 916 Colloquium in Legal and Political Philosophy Units: 3.00

This Colloquium course explores new work in legal and political philosophy. Once every two weeks, a legal, moral, or political philosopher will present a paper falling within the general boundaries of the Colloquium's ambit. In alternate weeks, students will meet with the Colloquium convenors to prepare for the forthcoming session, examining the paper in depth. Cross listed with LAW 240.

Offering Faculty: Faculty of Law

LAW 921 Pensions and the Law Units: 3.00

Pension law is a growing field and one that intersects with many different areas of law including labour and employment, human rights, trusts, tax, contract, tort, agency, bankruptcy, family, administrative and regulatory law. It is also an exciting time as pension legislation across Canada is being reformed in an attempt by governments to balance the need for individuals to have retirement income security with the need to make offering a pension plan viable for employers. Pension policy continues to make headlines as governments address the public and private pension systems, the pensions of public sector employees, and as workplace pension and benefit issues continue to be a focus in collective bargaining and corporate insolvencies. The purpose of this course is to introduce students to the various legal issues relating to the design and operation of Canadian pension and benefit plans. (To be offered jointly with LAW-564). Three term hours.

Offering Faculty: Faculty of Law

**LAW 941 International Humanitarian Law Units: 3.00**

International humanitarian law (IHL) is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare that belligerents may use. International humanitarian law is also known as the law of war or the law of armed conflict. IHL is related to other fields of public international law, in particular to International Criminal Law and to International Human Rights Law. Because IHL purports to regulate the conduct of hostilities, it must, in order to remain relevant, be inherently flexible and fluid in its development. This seminar course explores the evolution and operation of IHL from its ancient roots through to contemporary armed conflicts. The primary focus of this course will be to understand how and why IHL has evolved; use that understanding to analyze how it addresses the challenges posed by the complex nature of contemporary armed conflict; and assess how new legal approaches might be used to provide enhanced protection to victims of armed conflict. Cross listed with LAW 549.

Offering Faculty: Faculty of Law

LAW 964 Intro to Intl Law and Inst Units: 3.00

This course will provide an introduction to public international law for students in the Public International Law stream. In the first week of the course, which may be taken jointly with the students in the International Business Law stream, students will be introduced to the core concepts and principles of international law, including the sources of international law, the subjects of international law, and the concept of jurisdiction. In the second week of the course, the students will explore legal rules and institutions that provide important context for the subject matters covered in the remainder of the program, including the law on the use of force, arms control, state responsibility, jurisdictional immunities, and economic sanctions. The work of the United Nations as well as the practice of the Canadian government will receive particular attention. (To be offered jointly with Law 670. Offered only as part of the Law Faculty's summer International Law Programs, held at the Bader International Study Centre in the UK.)

Offering Faculty: Faculty of Law

LAW 965 Intro to Intl Business Law Units: 3.00

This course will provide an introduction to public international law for students in the International Business Law stream. In the first week of the course, which may be taken jointly with the students in the Public International Law stream, students will be introduced to the core concepts and principles of international law, including the sources of international law, the subjects of international law, and the concept of jurisdiction. In the second week of the course, the students will explore legal rules and institutions that provide important context for the subject matters covered in the remainder of the program, including the international financial architecture, international taxation, and the related work of the World Bank, the OECD, the IMF and the United Nations. (To be offered jointly with Law 673. Offered only as part of the Law Faculty's summer International Law Programs, held at the Bader International Study Centre in the UK.)

Offering Faculty: Faculty of Law

LAW 966 Law, Armed Conflict & Intl Crimes Units: 3.00

This course introduces students to the law governing the conduct of armed conflict and to the crimes for which individuals incur individual criminal responsibility under international law, including war crimes, crimes against humanity, and genocide. The law of armed conflict, or international humanitarian law, is a set of rules which seeks to limit the effects of armed conflict. It protects persons who are not or are no longer participating in hostilities and restricts the means and methods of warfare that may be employed by parties to a conflict. International humanitarian law faces a number of challenges in contemporary armed conflicts, which differ significantly from the types of conflicts that were prevalent when this body of law was first developed. A recent approach to addressing certain violations of international humanitarian law has been the establishment of international criminal tribunals and mixed international / domestic tribunals tasked with prosecuting individuals allegedly responsible for serious violations of international humanitarian law and other serious international crimes. The first part of the course will examine the history, principles, operation and application of international humanitarian law. The second part of the course will focus on the development of the law applicable to individual criminal responsibility, immunity, substantive elements of crimes, and certain modes of liability under international criminal law. (To be offered jointly with Law 664. Offered only as part of the Law Faculty's summer International Law Programs, held at the Bader International Study Centre in the UK.)

Offering Faculty: Faculty of Law

LAW 967 Intl Protection Human Rights & Refugees Units: 3.00

The course provides an introduction to the international law of human rights and to the more specialized protections applicable to refugees, as well as the interrelationship between these bodies of law. The aim of the course is to provide the students with a coherent framework for understanding the instruments and mechanisms through which international law protects the fundamental rights of every human being as well as those of particularly vulnerable groups, such as refugees. In discussing the various facets of the international human rights and refugee protection regimes, emphasis will be given to their conceptual foundations, their enforcement at the international, regional and domestic level, as well as their practical implications and current challenges. Specific attention will be given to the institutional features of the human rights regime, including at the regional level (Organisation of American States), the reception of international human rights law into the Canadian legal system, and the relationship of human rights and refugee law to related areas, such as humanitarian law and international criminal law. (To be offered jointly with Law 665. Offered only as part of the Law Faculty's summer International Law Programs, held at the Bader International Study Centre in the UK.)

Offering Faculty: Faculty of Law

LAW 968 International Commercial Law Units: 3.00

The course introduces students to the law governing international business transactions as well as the different forms of dispute resolution that are open to the parties in such transactions. The first part of the course focuses on the rules governing the international sale of goods and the financing of international business transactions. We will discuss the considerations that inform the parties' choices of the law that will govern their transactions, with a particular focus on the options provided by the United Nations Convention on the International Sale of Goods. The course also provides an overview of other forms of international transactions, such as bank finance transactions. The second part of the course introduces the students to different forms of dispute resolution, including mediation, international litigation, and arbitration, with a focus on commercial arbitration. Students will gain an understanding of the intersection of international law, national law, and private contract that comprises the governing regime for this important means for the resolution of international business disputes. Specific topics include the drafting and enforcement of arbitration agreements, the laws applicable to different aspects of the arbitration, the jurisdiction, composition and powers of the tribunal, confidentiality, interim measures, the conduct of the hearing, and the recognition and enforcement of arbitral awards. (To be offered jointly with Law 666. Offered only as part of the Law Faculty's summer International Law Programs, held at the Bader International Study Centre in the UK.)

Offering Faculty: Faculty of Law

LAW 999 Ph.D. Thesis Research Units: 6.00

Offering Faculty: Faculty of Law