

Law & Society 203 - 01
Introduction to Legal Knowledge, Fall - 2013
MWF 10:00 – 10:50; RM: ST 141

INSTRUCTOR: Rick Nilson, B.Comm, LL.B., MBA, LL.M.
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OFFICE HOURS: 11:00 – 12:00, MW
OFFICE: TBA

COURSE DESCRIPTION AND OBJECTIVES:

This course will introduce students to the fundamental elements of Canadian law and the Canadian legal system. Students will gain an appreciation of how law can be used as an instrument of social engineering.

The course is divided into three parts; each part will discuss fundamental legal concepts and then apply these concepts to particular topics of social significance.

PART ONE – INTRODUCTION TO LAW will include an overview of Legal Theory, the Canadian Legal System and the Sources of Law. There will be a discussion of Human Rights and an application of this area of the law to discrimination in the workplace.

PART TWO – PUBLIC LAW will start with an overview of Criminal Law accompanied by an application to the law of sexual assault and to illegal drugs in Canada. There will then be a discussion of Administrative Law and the related topic of Aboriginal Law as it applies to the development of Alberta's oil sands. Part Two will conclude with an introduction to International Law as it applies to the important issue of climate change.

PART THREE – PRIVATE LAW will start with an overview of Civil Procedure in Alberta. The substantive areas of Contract Law, Tort Law and Property Law will be accompanied by some famous cases in these areas as well as the application to current areas of the law such as consumer protection and intellectual property. Part Three will also look at how law changes to meet changing social values by examining the institution of the family. Part Three will conclude with an introduction to the Legal Profession in Canada.

TEXTBOOKS AND READINGS:

Neil Boyd, *Canadian Law: An Introduction, 5th Edition* (Nelson Education, 2011). Available for purchase at the University of Calgary Bookstore. Internet links will be given for readings not in the textbook, or publicly available documents may be posted on Blackboard for convenience.

The Instructor will also be posting his class presentation slides on Blackboard. However, students should be aware that these are at a summary level only.

COURSE EVALUATION

Course evaluation will be based on three examinations:

Mid-Term #1 - (30% of final grade). The first mid-term will cover Part 1 of the course: all material covered in class and the associated readings, up to and including the class before Mid-Term #1. It will be a multiple-choice examination.

Mid-Term #2 - (30% of final grade). The second mid-term will cover Part 2 of the course: all material covered in class and the associated readings after Mid Term #1 up to and including the class before Mid Term #2 (ie: it is not cumulative). It will be a multiple-choice examination.

Final Examination – Registrar Scheduled (40% of final grade). The final examination will consist of multiple choice and a long answer question. The multiple choice questions will cover only Part 3 of the course. The long answer question will relate to a given fact situation and will relate to the entire course.

The examinations may cover all assigned readings and all material covered in class. All examinations are closed-book.

REGISTRAR-SCHEDULED FINAL EXAMINATION: Yes

Please note: If your class is held in the evening, the Registrar's Office will make every attempt to schedule the final exam during the evening; however, there is NO guarantee that the exam will NOT be scheduled during the day.

The final exam is closed book.

GRADING SYSTEM

	Grading Scale
A+	96-100
A	90-95.99
A -	85-89.99
B+	80-84.99
B	75-79.99
B-	70-74.99
C+	65-69.99
C	60-64.99
C-	55-59.99
D+	53-54.99
D	50-52.99
F	0-49

SCHEDULE OF LECTURES AND READINGS

The following topics and readings will be covered, time permitting. Scheduling is approximate; topics may be advanced or delayed. Please read the assigned readings in **advance** as there will be class discussion on the readings.

Schedule	Topics	Readings
Sept. 9	<u>Course Overview</u>	Course Syllabus
PART ONE	<i>INTRODUCTION TO LAW</i>	
Sept 11, 13	<u>Legal Theory</u> The role of law in society Theoretical legal perspectives	Boyd, Chapter 1 <i>The Case of the Speluncean Explorers</i> (Lon Fuller, Harvard Law Review, 1949). http://www.nullapoenade/stud/explorers.html
Sept 16, 18	<u>The Canadian Legal System</u> Historical evolution of our legal system Principles of our political/legal system The Canadian court system Conceptual Divisions of Law	Boyd, Chapter 2 (pp. 29 - 33); Boyd, Chapter 5 (pp. 133 - 145);
Sept 20, 23, 25	<u>Sources of Law</u> The Canadian Constitution Statute Law Common Law Secondary Sources	Boyd, Chapter 2 (pp. 33 - 46); Boyd, Chapter 4 (pp. 90 - 105); Boyd, Chapter 3 (pp. 66 - 71); Boyd, Chapter 3 (pp. 80 - 81);
Sept 27, 30 Oct 2	<u>Human Rights</u> <i>Canadian Charter of Right and Freedoms</i> <i>Alberta Human Rights</i> Application: Employment Discrimination	Boyd, Chapter 4 (pp. 105 -127); <i>Canadian Charter of Rights and Freedoms</i> , Boyd, Appendix (pp. 331-336) <i>Alberta Human Rights Act</i> , Sections 3-11, 20-26, http://www.qp.alberta.ca/Laws Online.cfm <i>Callan v Suncor</i> , 2006 ABCA 15
Oct 4	Review of Part One	
Oct 7	<u>MID TERM #1</u> (In Class)	
PART TWO	<i>PUBLIC LAW</i>	
<u>Week #5</u> Oct 9, 11	<u>Criminal Law</u> Criminal Offences Elements of Crimes Application : Sexual Assault	Boyd, Chapter 10 Boyd, Chapter 5 (pp. 144 - 153); Excerpts from the <i>Criminal Code of Canada</i>
Oct 14	<i>Thanksgiving – No Class</i>	
<u>Week #6</u> Oct 16, 18	<u>Criminal Law</u> (cont'd) Criminal Procedure Application : Illegal Drugs	Boyd, Chapter 2 (pp. 46 - 55); Excerpts from the <i>Criminal Code of Canada</i> <i>Controlled Drugs and Substances Act</i> (Particularly Sections 4, 5, 6, 7, 10).

Oct 21, 23, 25	<u>Administrative Law</u> Environmental Regulations Environmental Assessment Offences, Prosecution & Penalties <i>Application : Alberta's Oil Sands</i>	Boyd, Chapter 9 Excerpts from <i>Alberta Environmental Protection and Enhancement Act</i> <i>Canada's Oil Sands-Come See For Yourself</i> http://www.capp.ca/canadaIndustry/oilSands/Diologue-Resources/oil-sands-videos/Pages/Oil-Sands-Tour.aspx
Oct 28, 30,	<u>Aboriginal Law</u> Aboriginal Rights Treaties Obligations of the Crown	<i>R v Sparrow</i> (Headnote); Treaty 7
Nov 1, 4	<u>International Public Law</u> Nature of International Law <i>Application: Climate Change</i>	Garret Hardin, <i>Tragedy of the Commons</i> http://www.sciencemag.org/content/162/3859/1243.full.pdf <i>United Nations Framework Convention on Climate Change – Fact Sheet</i>
Nov 6	Review of Part Two	
Nov 8	<u>MID TERM #2</u>	
Nov 11	<i>Remembrance Day – No Class</i>	
PART THREE	PRIVATE LAW	
Nov 13	Civil Procedure	TBA
Nov 15, 18	<u>Contracts</u> Elements of a Contract Employment Law Sale of Goods	TBA <i>Sale of Goods Act</i> http://www.qp.alberta.ca/Laws_Online.cfm
Nov 20, 22	<u>Torts</u> Negligence, Nuisance <i>Application: Consumer Protection</i>	Boyd, Chapter 7;
Nov 25, 27	<u>Property Law</u> Real Property Personal Property Intellectual Property	TBA
Nov 29	Law and Social Change <i>Application : The Family</i>	Boyd, Chapter 8
Dec 2, 4	The Legal Profession	Boyd, Chapter 6;
Dec 6	Review of Part Three	
TBA	<u>FINAL EXAM</u> (Registrar Scheduled)	

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This course is conducted in accordance with the Freedom of Information and Protection of Privacy Act (FOIP). As one consequence, **students should identify themselves on all written work by using their ID number. Also you will be required to provide a piece of picture identification in order to pick up an assignment or look at a final exam.**

For more information see also <http://www.ucalgary.ca/secretariat/privacy>.

ETHICS

Whenever you perform research with human participants (i.e. surveys, interviews, observation) as part of your university studies, you are responsible for following university research ethics guidelines. Your instructor must review and approve of your research plans and supervise your research. For more information about your research ethics responsibilities, see <http://arts.ucalgary.ca/research/for-researchers/ethics>. This course does not involve research using human subjects.

PLAGIARISM

Using any source whatsoever without clearly documenting it is a serious academic offense. Consequences include failure on the assignment, failure in the course and possibly suspension or expulsion from the university.

You must document not only direct quotations but also paraphrases and ideas where they appear in your text. A reference list at the end is insufficient by itself. Readers must be able to tell exactly where your words and ideas end and other people's words and ideas begin. This includes assignments submitted in non-traditional formats such as Web pages or visual media, and material taken from such sources.

Please consult your instructor if you have any questions regarding how to document sources.

INTERNET AND ELECTRONIC COMMUNICATION DEVICE INFORMATION

Use of internet and cell phones during class is strongly discouraged. No electronics are allowed during examinations, including midterm examinations.

POLICY ON RECORDING OF LECTURES

Recording shall be permitted for individual private study only at the discretion of the instructor. For any other use, whether by duplication, transcription, publication, sale or transfer of recordings, written approval must be obtained from the instructor for the specific use proposed. Any other use of recordings constitutes academic misconduct and may result in suspension or expulsion. For more information on recording of lectures please see: <http://www.ucalgary.ca/pubs/calendar/current/e-6.html>

ACADEMIC MISCONDUCT

For information on academic misconduct and the consequences thereof please see the current University of Calgary Calendar at the following link:

<http://www.ucalgary.ca/pubs/calendar/current/k.html>

ACADEMIC ACCOMMODATION POLICY

If you are a student with a disability who may require academic accommodation, it is your responsibility to register with the Student Accessibility Services (220-8237) and discuss your needs with your instructor no later than fourteen (14) days after the start of the course. For further information, please see <http://www.ucalgary.ca/access/>

EMERGENCY EVACUATION AND ASSEMBLY POINTS

Please note the evacuation points for this particular classroom. All classrooms on campus exit to specific places in case of emergency. The emergency assembly points differ depending upon where your classroom is located. For information on the emergency evacuation procedures and the assembly points see <http://www.ucalgary.ca/emergencyplan/assemblypoints>

"SAFEWALK" PROGRAM

Campus Security will escort individuals day or night -- call 403-220-5333 for assistance. Use any campus phone, emergency phone or the yellow phone located at most parking lot booths.

STUDENT REPRESENTATION

There are four Arts reps, with the email addresses being arts1@su.ucalgary.ca, arts2@su.ucalgary.ca, arts3@su.ucalgary.ca, and arts4@su.ucalgary.ca. Please contact them if you have questions related to Students Union matters, events, or concerns. For your student ombudsman, please see <http://www.ucalgary.ca/provost/students/ombuds>

FACULTY OF ARTS PROGRAM ADVISING AND STUDENT INFORMATION RESOURCES

- Have a question, but not sure where to start? The Faculty of Arts Program Information Centre (PIC) is your information resource for everything in Arts! Drop in at SS102, call us at 403-220-3580 or email us at artsads@ucalgary.ca. You can also visit the Faculty of Arts website at <http://arts.ucalgary.ca/undergraduate> which has detailed information on common academic concerns.
- For program planning and advice, contact the Student Success Centre (formerly the Undergraduate programs Office) at (403) 220-5881 or visit them on the 3rd Floor of the Taylor Family Digital Library
- For registration (add/drop/swap), paying fees and assistance with your Student Centre, contact Enrolment Services at (403) 210-ROCK [7625] or visit them at the MacKimmie Library Block.