



First Year Courses

2019 – 2020

CONSTITUTIONAL LAW (LAW106H1F) Anna Su

First term: 5 credits

This course provides an introduction to the law of the Canadian constitution. It examines the Charter of Rights and Freedoms, federalism, and Aboriginal rights. The course considers the structure of the Canadian constitution, the role of judicial review, and general principles of interpretation with regard to the distribution of legislative authority, constitutional rights and freedoms, and Aboriginal rights. Selected federal and provincial powers, Aboriginal rights, and rights guaranteed by the Charter will be examined.

Evaluation: will be by a 3 hour open-book final examination during the scheduled examination period in December.

CONSTITUTIONAL LAW (LAW106H1S) Patrick Macklem

Second term: 5 credits

This course provides an introduction to the law of the Canadian constitution. It examines federalism, the Charter of Rights and Freedoms, and Aboriginal and treaty rights. The course considers the structure of the Canadian constitution, the role of judicial review, and general principles of interpretation with regard to the distribution of legislative authority, constitutional rights and freedoms, and Aboriginal and treaty rights. Selected federal and provincial powers, Aboriginal and treaty rights, rights guaranteed by the Charter will be examined.

Evaluation: will be by a final 3 hour open-book examination during the scheduled examination period in April.

CONSTITUTIONAL LAW A (LAW136Y1Y) Lorraine Weinrib

Both terms: 6 credits

This small group seminar provides an introduction to the law of the Canadian Constitution. It examines the federal structure of government, the *Canadian Charter of Rights and Freedoms, 1982*, and Aboriginal and treaty rights. Substantive content includes the Constitution's history and text, fundamental constitutional principles, institutional powers and responsibilities, and considerations of constitutional stability and change.

Evaluation: Written assignments (75%) and class participation (25%). Note: grade allocation is both quantitative and qualitative:

- Attendance (5%). Class attendance is required. Students are expected to attend all classes. (Students should notify Professor Weinrib by email in advance if unable to attend class.)

- Active class engagement (10%), e.g., contribution to discussion based on careful reading of assignments before class; class presentations and 'on call' participation; engagement in skills-building class exercises, and group work.
- Substantive regular contributions to Quercus discussion forum (10%), e.g., analysis of reading assignments, comments on class discussions or responses to other students' postings, or introduction of 'constitution in the news' items relevant to course material. Students should post to Quercus at least three times per month.

CONSTITUTIONAL LAW B (LAW137Y1Y) Ian Lee

Both terms: 6 credits

This small group seminar provides an introduction to the law of the Canadian Constitution. It examines the federal structure of government, the relationship between Indigenous peoples and the Canadian State, and the constitutional protection of individual rights and freedoms. Substantive content includes the Constitution's history and text; methods of constitutional interpretation, analysis and argument; and an examination of selected federal and provincial powers, Aboriginal rights and rights guaranteed under the Canadian Charter of Rights and Freedoms.

Evaluation: Written assignments (90%) and class participation (10%).

CONSTITUTIONAL LAW C (LAW138Y1Y) Ian Lee

Both terms: 6 credits

This small group seminar provides an introduction to the law of the Canadian Constitution. It examines the federal structure of government, the relationship between Indigenous peoples and the Canadian State, and the constitutional protection of individual rights and freedoms. Substantive content includes the Constitution's history and text; methods of constitutional interpretation, analysis and argument; and an examination of selected federal and provincial powers, Aboriginal rights and rights guaranteed under the Canadian Charter of Rights and Freedoms.

Evaluation: Written assignments (90%) and class participation (10%).

CONTRACT LAW (LAW101H1F) Gillian Hadfield

First term: 5 credits

This course will introduce students to the basic framework of contracts, exploring questions about when a contract comes into existence, what are the defenses to the enforcement of a contract, and how are contracts interpreted and enforced. Although our study will be framed by big-picture considerations about the role of contracting in economies and societies, the principal focus will be practical. To that end, we will engage not only in traditional discussion of doctrines and cases, but also in practical exercises designed to develop a student's ability to think pragmatically about client objectives and the strategic use of contract claims and defenses.

Evaluation: will be based on performance on these exercises during the term (20%), participation (10%) and an open book three-hour exam (70%).

CONTRACT LAW (LAW101H1S) Anthony Niblett

Second term: 5 credits

This course examines the enforcement of promises and agreements. The matters considered include the requirements of enforceability, remedies for breach, the effect of contracts on third parties, the effect of writing, and excuses for non-performance. These excuses include unfairness, unexpected circumstances, and public policy.

Evaluation: will be evaluated by a 3 hour open-book final examination in April worth 100% of your grade.

CONTRACT LAW A (LAW120Y1Y) Stephen Waddams

Both terms: 6 credits

This course examines the enforcement of promises and agreements. The matters considered include the requirements of enforceability, remedies for breach, the effect of contracts on third parties, the effect of writing, and excuses for non-performance.

Evaluation: three assignments of equal value (90% in total) and class participation (10%).

CONTRACT LAW B (LAW121Y1Y) Catherine Valcke

Both terms: 6 credits

This course examines the enforcement of promises and agreements. The matters considered include the requirements of enforceability, remedies for breach, the effect of contracts on third parties, the effect of writing, and excuses for non-performance. These excuses include unfairness, unexpected circumstances, and public policy.

Evaluation: 10% participation (in class discussion and attendance) and 90% written assignments.

CONTRACT LAW C (LAW122Y1Y) Angela Fernandez

Both terms: 6 credits

This course examines the enforcement of promises and agreements. The matters considered include the requirements of enforceability, remedies for breach, the effect of contracts on third parties, the effect of writing, and excuses for non-performance. These excuses include unfairness, unexpected circumstances, and public policy.

Evaluation: First Term assignment (20%); Second-Term assignment (30%); Third end-of-year assignment (30%) and Participation (20%, 10% each semester).

CRIMINAL LAW (LAW102H1F) Kent Roach

First term: 5 credits

This course is an examination of the basic concepts of criminal law in the broad context of the entire criminal justice system, including certain procedural and pre-trial aspects, the Charter and the problem of the disposition of convicted offenders. The general principles of criminal liability are analyzed and applied to both Criminal Code and provincial offences. This is followed by an examination of general and specific defences that an accused may raise in criminal cases.

Evaluation: Students will be evaluated by a 3 hour open-book final examination (100%).

CRIMINAL LAW (LAW102H1S) Vincent Chiao

Second term: 5 credits

This course examines the basic concepts of the criminal law through sustained attention to an array of common offenses. We will also consider inchoate and group crimes, as well as the impact of the Charter on the substantive criminal law.

Evaluation: Students will be evaluated by a 3 hour open book final examination (90%) and course participation (10%).

CRIMINAL LAW A (LAW124Y1Y) Alan Brudner

Both terms: 6 credits

This course examines the central concepts of criminal law--culpable act, culpable mind, outcome responsibility, justification, and excuse--as shaped by the interaction between statute, common law, and the Charter of Rights and Freedoms.

Evaluation: Three written assignments (90%) and class participation (10%).

CRIMINAL LAW B (LAW125Y1Y) Simon Stern

Both terms: 6 credits

This course examines the central concepts of criminal law--culpable act, culpable mind, outcome responsibility, justification, and excuse--as shaped by the interaction between statute, common law, and the Charter of Rights and Freedoms. Time permitting, we may also consider some aspects of criminal procedure.

Evaluation: Three written assignments (90%) and class participation (10%).

LEGAL METHODS AA (0101) (LAW111H1F) Martha Shaffer

First Term: 2 credits

One of the central goals of our JD program is to train students to “think like lawyers.” The Legal Methods intensive course is designed to introduce students to the foundational information and reasoning needed to make the most of the JD program from the outset.

The course will provide general background information on the foundations of the Canadian legal system,

such as the important legal institutions, the distinction between private and public law, the sources of law, and the relationship between core first year courses.

The course will emphasize legal analytical methods and techniques used by law students. The course provides an introduction to analyzing and briefing cases, teaching students to identify key elements of a case and how to use precedents. The course also introduces students to statutory interpretation, the interaction between courts and the legislature, and an introduction on to how to prepare for and write law school exams.

Evaluation: This class is evaluated on a credit/no credit basis. To receive credit for the course, a student must attend all classes and satisfactorily complete two assignments: (1) a take-home briefing exercise; and (2) an in-class legal writing exercise.

LEGAL METHODS BB (0102) (LAW111H1F) Anthony Niblett

First Term: 2 credits

One of the central goals of our JD program is to train students to “think like lawyers.” The Legal Methods intensive course is designed to introduce students to the foundational information and reasoning needed to make the most of the JD program from the outset.

The course will provide general background information on the foundations of the Canadian legal system, such as the important legal institutions, the distinction between private and public law, the sources of law, and the relationship between core first year courses.

The course will emphasize legal analytical methods and techniques used by law students. The course provides an introduction to analyzing and briefing cases, teaching students to identify key elements of a case and how to use precedents. The course also introduces students to statutory interpretation, the interaction between courts and the legislature, and an introduction on to how to prepare for and write law school exams.

Evaluation: This class is evaluated on a credit/no credit basis. To receive credit for the course, a student must attend all classes and satisfactorily complete two assignments: (1) a take-home briefing exercise; and (2) an in-class legal writing exercise.

LEGAL METHODS CC (0103) (LAW111H1F) Yasmin Dawood

First Term: 2 credits

One of the central goals of our JD program is to train students to “think like lawyers.” The Legal Methods intensive course is designed to introduce students to the foundational information and reasoning needed to make the most of the JD program from the outset.

The course will provide general background information on the foundations of the Canadian legal system, such as the important legal institutions, the distinction between private and public law, the sources of law, and the relationship between core first year courses.

The course will emphasize legal analytical methods and techniques used by law students. The course provides an introduction to analyzing and briefing cases, teaching students to identify key elements of a case and how to use precedents. The course also introduces students to statutory interpretation, the interaction between courts and the legislature, and an introduction on to how to prepare for and write law school exams.

Evaluation: This class is evaluated on a credit/no credit basis. To receive credit for the course, a student must attend all classes and satisfactorily complete two assignments: (1) a take-home briefing exercise; and (2) an in-class legal writing exercise.

LEGAL PROCESS AA (0101) (LAW100H1S) Hamish Stewart

Second Term: 4 credits

This course provides an introduction to civil legal process. We will focus on legal thinking, rules and processes of civil procedure and dispute resolution. After a short introduction to the legal system, we will consider the rules, statutes, and common-law doctrines governing parties and proceedings. Topics to be covered may include: standing; justiciability; the joinder of parties; intervention by non-parties; pleadings; limitation periods; relitigation; jurisdiction; preliminary relief; discovery; confidentiality and privilege; summary judgment; class proceedings; and the interaction between the civil litigation process and other modes of dispute resolution. The focus, during all of these discussions, will be on the rationales for the rules, standards, and doctrines that govern legal procedure, in light of the various interests that must be accommodated: the plaintiff's desire to be heard, the defendant's wish to avoid needless litigation, the efforts of non-parties to have their interests represented, the needs of potential future litigants to have the law clearly set out on the basis of accurate information, and the public's demand for an effective and efficient system.

Evaluation: Class participation and a short writing assignment (10%); and an open-book final examination (90%) not to exceed two hours.

LEGAL PROCESS BB (0102) (LAW100H1S) Angela Fernandez

Second Term: 4 credits

This course provides an introduction to civil legal process. We will focus on legal thinking, rules and processes of civil procedure and dispute resolution. After a short introduction to the legal system, we will consider the rules, statutes, and common-law doctrines governing parties and proceedings. Topics to be covered may include: standing; justiciability; the joinder of parties; intervention by non-parties; pleadings; limitation periods; relitigation; jurisdiction; preliminary relief; discovery; confidentiality and privilege; summary judgment; class proceedings; and the interaction between the civil litigation process and other modes of dispute resolution. The focus, during all of these discussions, will be on the rationales for the rules, standards, and doctrines that govern legal procedure, in light of the various interests that must be accommodated: the plaintiff's desire to be heard, the defendant's wish to avoid needless litigation, the efforts of non-parties to have their interests represented, the needs of potential future litigants to have the law clearly set out on the basis of accurate information, and the public's demand for an effective and efficient system.

Evaluation: Class participation and a short writing assignment (10%); and an open-book final examination (90%) not to exceed two hours.

LEGAL PROCESS CC (0103) (LAW100H1S) Anna Su

Second Term: 4 credits

This course provides an introduction to civil legal process. We will focus on legal thinking, rules and processes of civil procedure and dispute resolution. After a short introduction to the legal system, we will consider the rules, statutes, and common-law doctrines governing parties and proceedings. Topics to be covered may include: standing; justiciability; the joinder of parties; intervention by non-parties; pleadings; limitation periods; relitigation; jurisdiction; preliminary relief; discovery; confidentiality and privilege; summary judgment; class proceedings; and the interaction between the civil litigation process and other modes of dispute resolution. The focus, during all of these discussions, will be on the rationales for the

rules, standards, and doctrines that govern legal procedure, in light of the various interests that must be accommodated: the plaintiff's desire to be heard, the defendant's wish to avoid needless litigation, the efforts of non-parties to have their interests represented, the needs of potential future litigants to have the law clearly set out on the basis of accurate information, and the public's demand for an effective and efficient system.

Evaluation: Class participation and a short writing assignment (10%); and an open-book final examination (90%) not to exceed two hours.

PROPERTY LAW (LAW103H1F) Abraham Drassinower

Second term: 5 credits

The purpose of the course is to introduce students to the concepts that lawyers use in dealing with competing interests in land, chattels and other forms of wealth. The concept of "property" is examined as are the concepts of possession and ownership, and the consequences flowing from these concepts. Adverse possession, finders, bailment, gift, estates, Aboriginal title, easements, landlord and tenant, appropriation of personality, and intellectual property are among the other topics which may be covered.

Evaluation: will be evaluated by 3 hour closed-book final examination (100%).

PROPERTY LAW (LAW103H1S) Larissa Katz

Second term: 5 credits

The purpose of the course is to introduce students to the core concepts that lawyers use in dealing with competing interests in land, chattels and other forms of wealth. The concept of "property" is examined as are the concepts of possession and ownership, and the consequences flowing from these concepts. The doctrine of estates in land, takings, concurrent ownership, findings, covenants, easements, adverse possession, and aboriginal title are among the other topics which may be covered.

Evaluation: will be evaluated through a 3 hour closed-book final examination worth 100% of the grade.

PROPERTY LAW A (LAW128Y1Y) Lisa Austin

Both terms: 6 credits

The purpose of the course is to introduce students to the concepts that lawyers use in dealing with competing interests in land, chattels and other forms of wealth. The concept of "property" is examined as are the concepts of possession and ownership, and the consequences flowing from these concepts. The doctrine of estates in land, takings, concurrent ownership, landlord-tenant relations, findings, future interests, covenants, easements, licenses, adverse possession, aboriginal title and intellectual property are among the other topics which may be covered.

Evaluation: 85% written assignments (no test or exam), 10% contributions to class discussion and 5% attendance.

PROPERTY LAW B (LAW129Y1Y) Douglas Sanderson

Both terms: 6 credits

This course introduces students to the concepts lawyers use in dealing with competing interests in land, chattels and other forms of wealth. Property is a highly conceptual aspect of the law. The main purpose of this course is get students comfortable with understanding property as a legal construct, and the consequences flowing from these constructs. The doctrine of estates in land, takings, concurrent ownership, landlord-tenant relations, equity, future interests, covenants, easements, licenses, adverse possession, and Aboriginal title are among the topics that may be covered. No laptops are permitted in class. Students are encouraged to take notes using pen and paper.

Evaluation: Written assignments (90%) and class participation (10%).

PROPERTY LAW C (LAW130Y1Y) Arnold Weinrib

Both terms: 6 credits

The purpose of the course is to introduce students to the core concepts that lawyers use in dealing with competing interests in land, chattels and other forms of wealth. The concept of "property" is examined as are the concepts of possession and ownership, and the consequences flowing from these concepts. The doctrine of estates in land, takings, landlord-tenant relations, covenants, easements, adverse possession, and aboriginal title are among the other topics which may be covered.

Evaluation: Written assignments (90%) and class participation (10%).

TORT LAW (LAW104H1F) Ernest Weinrib

First term: 5 credits

The law of torts deals with the sorts of disputes which arise when one person has caused injury or property loss to another. The largest part of the course will deal with the tort of negligence, but intentional torts, strict liability torts, and nuisance will also be discussed. Different theoretical perspectives on tort law will be presented.

Evaluation: a 3 hour closed book final examination worth 100% of the course grade.

TORT LAW (LAW104H1S) Christopher Essert

Second term: 5 credits

The law of torts deals with the sorts of disputes which arise when one person has caused injury or property loss to another. The largest part of the course will deal with the tort of negligence, but intentional torts, strict liability torts, and nuisance will also be discussed. Different theoretical perspectives on tort law will be analyzed and some consideration given to alternative methods of compensating for personal injuries.

Evaluation: a 3 hour open-book final examination worth 100% of the course grade.

TORT LAW A (LAW132Y1Y) Bruce Chapman

Both terms: 6 credits

The law of torts deals with the sorts of disputes which arise when one person has caused injury or property loss to another. The largest part of the course will deal with the tort of negligence, but intentional torts, strict liability torts, and nuisance will also be discussed. Different theoretical perspectives on tort law will be analyzed and some consideration given to alternative methods of compensating for personal injuries.

Evaluation: Written assignments (100%).

TORT LAW B (LAW133Y1Y) Sophia Reibetanz Moreau

Both terms: 6 credits

The law of torts deals with the sorts of disputes which arise when one person has caused injury or property loss to another. The largest part of the course will deal with the tort of negligence, but intentional torts, strict liability torts, and nuisance will also be discussed. Different theoretical perspectives on tort law will be analyzed and some consideration given to alternative methods of compensating for personal injuries.

Evaluation: 85% written assignments, 10% contribution to class discussion and 5% attendance.

LEGAL RESEARCH & WRITING (LAW149H1F)

First Term: 2 credits

Legal research and writing introduces students to the way lawyers read, write, analyze and frame legal arguments. Students learn research and writing skills by engaging in numerous in-class exercises and preparing as assignments various legal documents including a legal memorandum and a factum. To maximize the pedagogical benefit to students, active engagement and participation in class is encouraged.

Evaluation: n/a