



UNIVERSITY OF TORONTO
FACULTY OF LAW

First Year Courses

2020 – 2021

CONSTITUTIONAL LAW (LAW106H1F) (0101) Ian Lee

First term: 5 credits

This course 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: will be by way of a one-hour in-class midterm test (20%), class participation (10%), and a two-hour final examination (70%). The test and examination will be open-book.

CONSTITUTIONAL LAW (LAW106H1F) (0102) David Schneiderman

First term: 5 credits

This course provides an introduction to the law of the Canadian constitution. The course examines the law of federalism, Aboriginal and treaty rights, and the Charter of Rights and Freedoms. We consider such things as the origins and structure of the Canadian constitution, the role of judicial review, general principles of interpretation with regard to the distribution of legislative authority, key principles arising under Aboriginal and treaty rights, and a selection of rights and freedoms under the Charter.

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

CONSTITUTIONAL LAW (LAW106H1S) (0101) 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 (LAW106H1S) (0102) Ariel Katz

Second 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 final 3 hour open-book examination during the scheduled examination period in April. Note: This evaluation method may be updated to account for COVID-19-related changes in the mode of delivery. Any such changes will be announced in accordance with University policy.

CONTRACT LAW (LAW101H1S) (0101) Peter Benson

Second term: 5 credits

This course examines the main principles of basic contract law. These include remedies for breach of contract, the requirements of contract formation, the theory of interpretation, implied terms, conditions, and excusing doctrines, principles of contractual fairness in both ordinary and boilerplate agreements, and the relation between contract law on the one hand and tort law as well as property on the other hand. Our aim in the course is, through detailed and in-depth discussion, to explore the unity that may underlie these many doctrines and to see whether they express morally acceptable notions of rights in a modern liberal state.

Evaluation: 2 hour open book exam worth 60% plus a 2,000- 2,200 words paper assignment worth 40% to be handed in the last day when written assignments are due.

CONTRACT LAW (LAW101H1S) (0102) Catherine Valcke

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 90% of your grade and 10% participation.

CONTRACT LAW (LAW101H1S) (0103) Stephen Waddams

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.

Evaluation: 3 hour open book examination during the scheduled examination period in April.

CONTRACT LAW A (LAW120H1F) Brian Langille

First term: 6 credits

This course examines a very basic and important component of, and issue for, our economy and society – the nature and role of contract. The matters considered include the requirements of enforceability, remedies for breach, the effect of contracts on third parties, and excuses for non-performance. These excuses include unfairness, unexpected circumstances, and public policy. Throughout there is strong emphasis on how contracts are formed and interpreted.

Evaluation: Written assignments (80%) and class participation 20% (10% attendance, preparation, and active class engagement and 10% pre-assigned, in class, oral presentations and responses to questions). Note: class attendance is mandatory (and when on-line, with camera on). Students are expected to attend all classes and students are to notify Professor Langille by email in advance if unable, for a good reason, to attend class. Laptops to be used for class and coursework purposes only during class. No other devices, platforms, or channels of communication to be used during class. Only chat function to be used is Zoom, and only when class online.

CONTRACT LAW B (LAW121H1F) Peter Benson

First term: 6 credits

This course examines the main principles of basic contract law. These include remedies for breach of contract, the requirements of contract formation, the theory of interpretation, implied terms, conditions, and excusing doctrines, principles of contractual fairness in both ordinary and boilerplate agreements, and the relation between contract law on the one hand and tort law as well as property on the other hand. Our aim in the course is, through detailed and in-depth discussion, to explore the unity that may underlie these many doctrines and to see whether they express morally acceptable notions of rights in a modern liberal state.

Evaluation: written assignments (100%).

CRIMINAL LAW (LAW102H1S) (0101) Vincent Chiao

Second term: 5 credits

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

Evaluation: Three hour open book final examination (90%); class participation (10%).

CRIMINAL LAW (LAW102H1S) (0102) Hamish Stewart

Second term: 5 credits

This course examines the basic concepts of the criminal law through sustained attention to several core criminal offenses, notably the varieties of homicide and sexual assault. Along the way, we will also spend significant time considering inchoate crimes, accessory liability, and defences of excuse and justification. Themes of the course include the impact of the Charter on the substantive criminal law and the scope of criminalization in a liberal society.

Evaluation: Students will be evaluated by an open-book final examination (90%) and class participation (10%).

CRIMINAL LAW (LAW102H1S) (0103) Kent Roach

Second 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 written assignment (25%) and an open-book final examination (75%).

CRIMINAL LAW A (LAW124H1F) Vincent Chiao

First term: 6 credits

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

Evaluation: written assignments plus oral presentation (90%); class participation (10%).

CRIMINAL LAW B (LAW125H1F) Alan Brudner

First term: 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: written assignments (100%).

LEGAL METHODS AA (0101) (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 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.

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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) Adriana Robertson

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 DD (0104) (LAW111H1F) Adriana Robertson

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 EE (0105) (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) (LAW100H1F) Kent Roach

First Term: 4 credits

This course provides an introduction to civil legal process in the context of dispute resolution and the processes of civil procedure. Topics to be examined include limitation periods, standing, class proceedings, intervention, preliminary remedies, discovery, summary judgment and trial by judge and jury. Comparisons will be made between civil procedures and public law litigation, criminal proceedings and international law proceedings.

Evaluation: Students will be evaluated by a written assignment (25%) and an open-book final examination (75%).

LEGAL PROCESS BB (0102) (LAW100H1F) Angela Fernandez

First 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: a two-hour 100% open-book examination to be written on December 18, 2020 at 10:00 am.

LEGAL PROCESS CC (0103) (LAW100H1F) Angela Fernandez

First 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: a two-hour 100% open-book examination to be written on December 18, 2020 at 10:00 am.

LEGAL PROCESS DD (0104) (LAW100H1F) Hamish Stewart

First Term: 4 credits

This course provides an introduction to the processes of legal dispute resolution. The principal focus of the course will be the civil litigation process. Topics to be covered may include: pleadings; standing; justiciability; the joinder of parties; intervention by non-parties; limitation periods; relitigation; jurisdiction; preliminary relief; discovery; confidentiality and privilege; summary judgment; and the trial process. The course will also provide a brief introduction to the criminal process and, if time permits, other dispute-resolution processes. 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 (10%) and a 2 hour take-home examination on the day the exam is scheduled (90%).

PROPERTY LAW (LAW103H1F) (0101) Jim Phillips

First term: 5 credits

This course introduces students to the basic concepts needed for understanding the common law of property. We begin by asking what lawyers mean by the word 'property', and by looking at why and how the common law conceives of some things as property. We then examine the links between possession and ownership, and at how interests in land are arranged (estates in land, concurrent ownership, servitudes). There are also sections on de facto expropriation, aboriginal title and the allocation of rights of occupation on reserve land, and landlord-tenant relations.

Evaluation: There will be a 3-hour final exam. If you prefer to be wholly evaluated by 100% exam, you may choose to do so. If you prefer to diversify your evaluation, you may choose to also write a paper. The paper must be chosen from a set of questions/topics which will be distributed to you early in the semester. The paper must be a maximum of 3,000 words, and will be worth 35% of the final grade. The exam will thus be worth 65% of your grade. The final date on which the paper may be handed in is the last day of classes in December.

PROPERTY LAW (LAW103H1S) (0101) 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 open-book final examination worth 100% of the grade.

PROPERTY LAW (LAW103H1S) (0102) Christopher Essert

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, easements, appropriation of personality, and intellectual property are among the other topics which may be covered.

Evaluation: a 3 hour open-book final examination (90%), class participation (10%).

PROPERTY LAW A (LAW128H1F) Douglas Sanderson

First term: 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 B (LAW129H1F) Larissa Katz

First term: 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, concurrent ownership, findings, 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) (0101) Bruce Chapman

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 analyzed and some consideration given to alternative methods of compensating for personal injuries.

Evaluation: Students will be evaluated by way of an open-book 3 hour final examination worth 100% of the course grade.

TORT LAW (LAW104H1S) (0101) Arthur Ripstein

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: Students will be evaluated by way of an open-book 3 hour final examination worth 100% of the course grade.

TORT LAW (LAW104H1S) (0102) Bruce Chapman

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: Students will be evaluated by way of an open-book 3 hour final examination worth 100% of the course grade.

TORT LAW A (LAW132H1F) Sophia Reibetanz Moreau

First term: 6 credits

Tort law is the law governing private wrongs, or invasions of one person's legal rights by another. This course focuses on the reasoning that judges have used, and continue to use, in thinking about different kinds of torts. We will spend most of our time on negligence law, but will also discuss some intentional torts and some strict liability torts. We will also read *The Measure of Injury*, a book by American legal theorists Martha Chamallas and Jennifer Wriggins. This book offers a feminist and critical race perspective on tort law and raises important questions about the interests and the people whom tort law fails to protect.

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

TORT LAW B (LAW133H1F) Christopher Essert

First term: 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 may also be discussed.

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

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