



First Year Coursesⁱ

2022 - 2023

CONSTITUTIONAL LAW (SECTIONS):

CONSTITUTIONAL LAW (LAW106H1F) (0101) Yasmin Dawood

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, Aboriginal law, the structure of the Canadian constitution, interpretive principles, and the role of judicial review.

Evaluation: will be by a limited open book, final 3-hour examination during the scheduled examination period in December (worth 90%), and a 10% participation score.

CONSTITUTIONAL LAW (LAW106H1F) (0102) Richard Stacey

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 Indigenous rights. The course introduces the concept of constitutionalism and explores the nature of Canadian constitutionalism specifically. We ask what constitutions mean and what they are meant to achieve. We look at how the Canadian Constitution is structured and, in turn, how it structures public power in Canada. We consider the role of judicial review and the relationship between courts and legislatures, with respect to the distribution of legislative authority, constitutional rights and freedoms, and Indigenous rights. We will examine selected federal and provincial powers, Indigenous rights, and Charter rights in more detail.

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

CONSTITUTIONAL LAW (LAW106H1S) Richard Stacey

Second 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 April.

CONSTITUTIONAL LAW (SMALL GROUPS):

CONSTITUTIONAL LAW A (LAW136Y1Y) 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 (100%)

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 (100%)

CONSTITUTIONAL LAW C (LAW138Y1Y) Anna Su

Both Terms: 6 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: Written assignments (85%) and class participation 15% (10% participation in class and electronic discussion board and 5% attendance).

CONSTITUTIONAL LAW D (LAW139Y1Y) John-Christophe Bédard-Rubin

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: It will be 90% for short essays (3 essays of 2000 words each) and 10% for participation.

CONTRACT LAW (SECTIONS):

CONTRACT LAW (LAW101H1F) (0101) Stephen Waddams

First 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 December.

CONTRACT LAW (LAW101H1F) (0102) Anthony Niblett

First term: 5 credits

This course examines the enforcement of promises and agreements. We will explore the requirements of enforceability, remedies for breach, the effect of contracts on third parties, the effect of writing, and excuses for non-performance.

Evaluation: There are two modes of evaluation. (1) Open-book 3-hour final examination worth 70% of the grade; (2) Six short writing responses throughout the semester, each worth 5% (for a total of 30%).

CONTRACT LAW (SMALL GROUPS):

CONTRACT LAW A (LAW120Y1Y) Peter Benson

Both Terms: 6 credits

This course examines the main principles and doctrines 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 and good faith, the relation between contract law and tort law, and more. Via a careful and unrushed study of the cases, we shall try to develop a solid understanding of these different doctrines, debate competing interpretations of them, consider how they might be interconnected, and explore different approaches to assessing their possible justifications and limitations.

Evaluation: The evaluation process will consist of three written assignments, done at appropriate intervals during the year, that will count respectively 10%, 40, and 50%. The first assignment will be ungraded. The second and third assignments will be graded. I will announce and discuss well in advance the timing and nature of each assignment. The aim will be to help students learn to write on and research substantive legal topics and to go into more depth about interesting and fundamental issues in contract law.

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. No laptops.

CRIMINAL LAW (SECTIONS):

CRIMINAL LAW (LAW102H1F) Malcolm Thorburn

First term: 5 credits

This course examines the basic concepts of criminal law with particular emphasis on the elements of culpability and the conditions of excuse and justification. It seeks to understand the general part of the criminal law from the point of view of various perspectives on the aims and justification of punishment. Right-based and utilitarian theories of punishment are discussed and their implications for doctrine examined. The intersection of criminal law and the Charter forms another central theme of the course as does the distinction between criminal and public welfare offences. The aim is to understand the penal law as an integrated whole composed of several diverse but interconnected parts.

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

CRIMINAL LAW (LAW102H1S) Simon Stern

Second term: 5 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: Students will be evaluated by a 3-hour open-book final examination (90%) and class participation (10%). The class participation grade includes both participation when "on call," and the writing assignment as specified in the syllabus.

CRIMINAL LAW (SMALL GROUPS):

CRIMINAL LAW A (LAW124Y1Y) Martha Shaffer

Both Terms: 6 credits

This course examines the basic principles of the criminal law, including the concepts of acts reus (the physical element of an offence) and mens rea (the mental element). We will also examine different forms of participation (as a principal, an aider and abettor, and through common intention) and the kinds of claims that give rise to defences (mistake of fact, intoxication, mental disorder, self-defence, duress and necessity). Along the way, we will examine the impact of the Canadian Charter of Rights and Freedoms, and in particular the principles of fundamental justice, on the development of the criminal law. We will frame our exploration of these legal principles with an examination of the concrete impact of these principles in the real world, focusing in particular on the impact of the criminal law on Indigenous and racialized persons, as well as on the criminal law's response to gender based violence.

Evaluation: First Term assignment (20%); Second-Term assignment (30%); Third end-of-year assignment (40%) and Participation (10%).

CRIMINAL LAW B (LAW125Y1Y) Alan Brudner

Both Terms: 6 credits

This course examines the central concepts of criminal law—the presumption of innocence, 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 (90%). Participation (10%).

INDIGENOUS PEOPLES & THE CANADIAN LEGAL SYSTEM (SECTIONS):

INTRODUCTION TO INDIGENOUS PEOPLES & THE LAW (LAW107H1F) **TBD**

First term: 1 credits

This course aims to provide an introduction to basic competency on the history and present situation of Indigenous peoples in Canada.

Evaluation: This class is evaluated on a credit/no credit basis. Written assignments.

INDIGENOUS PEOPLES & THE LAW (LAW108H1S) (0101) (0102) (0103) **John Borrows**

Second term: 3 credits

This course aims to address the range of considerations arising out of past and present interactions between Indigenous peoples and the Canadian legal system. Topics to be covered may include the following: the history of Crown-Indigenous relations, Indigenous legal orders, the nature of Indigenous sovereignty, Aboriginal Rights and law, Treaties, UNDRIP, the history and legacy of residential schools, and other contemporary topics.

Evaluation: Final examination during the scheduled examination period in April.

LEGAL METHODS (AUGUST 22 – SEPTEMBER 2, 2022)

LEGAL METHODS AA (LAW111H1F) (0101) 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 METHODS BB (LAW111H1F) (0102) Simon Stern

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 (LAW111H1F) (0103) 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.

ii LEGAL RESEARCH & WRITING (FALL TERM)

LEGAL RESEARCH & WRITING (LAW149H1F) (0101) Emily Lewsen

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: Written assignments (90%) and class participation (10%). The assignments are:
Assignment 1. case comment, 20% (due date for assignment 1, week 4)
Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)
Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

LEGAL RESEARCH & WRITING (LAW149H1F) (0102) Catherine Fan/Denise Cooney

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: Written assignments (90%) and class participation (10%). The assignments are:
Assignment 1. case comment, 20% (due date for assignment 1, week 4)
Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)
Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

LEGAL RESEARCH & WRITING (LAW149H1F) (0103) Colleen McKeown

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: Written assignments (90%) and class participation (10%). The assignments are:
Assignment 1. case comment, 20% (due date for assignment 1, week 4)
Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)
Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

LEGAL RESEARCH & WRITING (LAW149H1F) (0104) Daniella Murynka

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

Assignment 1. case comment, 20% (due date for assignment 1, week 4)

Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)

Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

LEGAL RESEARCH & WRITING (LAW149H1F) (0105) Judith Manger

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

Assignment 1. case comment, 20% (due date for assignment 1, week 4)

Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)

Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

LEGAL RESEARCH & WRITING (LAW149H1F) (0106) Sam Greene

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

Assignment 1. case comment, 20% (due date for assignment 1, week 4)

Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)

Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

LEGAL RESEARCH & WRITING (LAW149H1F) (0107) Bonnie Fish

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

Assignment 1. case comment, 20% (due date for assignment 1, week 4)

Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)

Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

LEGAL RESEARCH & WRITING (LAW149H1F) (0108) Robert Stellick

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

Assignment 1. case comment, 20% (due date for assignment 1, week 4)

Assignment 2. one-issue memorandum of law, 30% (due date for assignment 2, week 8)

Assignment 3. two-issue memorandum of law, 40%. (due date for assignment 3, December 19, 2022, last day for written work).

PROPERTY LAW (SECTIONS):

PROPERTY LAW (LAW103H1S) (0101) Jim Phillips

Second 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: will be evaluated through a two-part final exam. There will be a one-hour closed book 'test' on basic concepts at c. 9.30 a.m., followed by a set of problem questions to be completed by 5 p.m. on the same day.

PROPERTY LAW (LAW103H1S) (0102) Chris 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: Students will be evaluated by a take-home final examination (90%) on a specified day during the scheduled examination period in April, class participation (10%).

PROPERTY LAW (SMALL GROUPS):

PROPERTY LAW A (LAW128Y1Y) Abraham Drassinower

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. Adverse possession, finders, bailment, gift, estates, easements, landlord and tenant, appropriation of personality, and intellectual property are among the other topics which may be covered.

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

PROPERTY LAW B (LAW129Y1Y) 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 C (LAW130Y1Y) Larissa Katz

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, 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 (SECTIONS):

TORT LAW (LAW104H1F) Anthony Niblett

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 we shall also look at nuisance, defamation, as well as introducing strict liability and intentional torts. Different theoretical perspectives on tort law will be analyzed and consideration given to alternative methods of compensation.

Evaluation: There are two modes of evaluation. (1) Open-book 3-hour final examination worth 70% of the grade; (2) Six short writing responses throughout the semester, each worth 5% (for a total of 30%).

TORT LAW (LAW104H1S) 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 (SMALL GROUPS):

TORT LAW A (LAW132Y1Y) Abdi Aidid

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.

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

ⁱ Class Sizes and Formats

To increase pedagogical innovation, the sizes of the classes in which students take their courses vary across the first year program. Each student will take:

- Five of their courses in a section of approximately 60 to 90 students
- One of their courses in a small group of approximately 18-20 students

Students will receive their class assignments in their orientation materials.

Each first-year student studies one of their courses in a small group, which allows for close, personal interaction with fellow students and a law professor. Small groups meet for 3 hours per week in both terms, which allows for more in-depth discussion. The intimate environment of the small group also provides students with a greater opportunity to complete and obtain feedback on written work, as well as gain exposure to the basics of legal research. There will also be a customized session on legal research and writing specifically geared to help you with your small group research assignment(s).

ⁱⁱ Legal Research and Writing

Acquiring basic legal research and writing skills is a vital component of a well-rounded legal education. First year students will successfully complete a 2-credit, 24-hour course on legal research and writing. The Faculty believes that, in order to be effective, instruction on legal research and writing must be tied to a substantive area of law. Therefore, further legal research and writing instruction is tied to our course offerings in the small groups.

The Law Library has also created an extensive online legal research and writing tutorial available to law students 24 hours per day via e.Legal, the Library's intranet. (Students will be given their username and password to e.Legal in early September, if not earlier) Additional resources can be found at: <https://library.law.utoronto.ca/>

Legal research and writing in upper years is provided through the Advanced Legal Research and Writing elective, involvement in moot competitions, working on law reviews or journals, working as a faculty research assistant and ongoing computer lab training.