

Introduction to Canadian Law and Legal Institutions

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**INSTRUCTORS:** David Christie, BA, LLB and Lauren Whyte, BA, JD - Barristers and Solicitors

**OFFICE HOURS:** One hour before class each week, or as can be arranged

**OFFICE LOCATION:** Classroom

**CLASSROOM:** TBD

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**TIME:** 7:00 - 10:00 p.m.

**TELEPHONE:** (867) 667-5255  
**Fax:** (867) 393-6361

**DATES:** Wednesdays, Sept 7- Dec 20, 2016

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**COURSE DESCRIPTION**

An introduction to the Canadian and Yukon legal systems. The course examines the nature of authority, the foundations of law-related institutions, including sources of law, the relationship of law to the political process, the role of lawyers, the judiciary and the courts in the development of law.

**COURSE PREREQUISITES**

None.

**EQUIVALENCY/TRANSFERABILITY**

CAMO Crim 170 (3)

KPU Crim 1107 (3)

SFU Crim 135 (3) - B-Soc

TRU-OL Crim 1359 (3)

TWU Huma 100 lev (3)

UFV Crim 135 (3)

UNBC Sosc 1xx (3)

VIU Crim 135 (3)

UAF Just F1 S (3)

UR JS 230 (3)

**LEARNING OUTCOMES**

The objective of this course is to promote critical thinking about the Canadian legal system based on knowledge of theoretical concepts and actual functioning of law, police, counsel, the courts and corrections.

Upon successful completion of the course, students will be able to:

1. Describe the hierarchy and structure of the Canadian and Yukon Courts

2. Explain the importance of our constitution, the Rule of Law, and the Charter of Rights and Freedoms
3. Identify the federal and provincial areas of legislative jurisdiction.
4. Articulate and apply basic principles of law in the subject areas of torts and contracts
5. Recognize restrictions on non-lawyers and the various ethical duties imposed on members of the legal profession as defined in the Rules of Professional Conduct and the Legal Profession Act
6. Identify the role of judges, their ethical duties, and the importance of the independence of the judiciary

## COURSE FORMAT

Course will be a total of 45 class hours plus a final exam. Lectures are conducted in a seminar/class participation format.

## ASSESSMENTS

1. **Essay / Presentation: CHOICE:** Each student is required to do either:
  - a. **Essay:** an 8 - 10 page, typed essay in APA format, which will be worth 20% of your final grade. Based on the lectures, readings, and research from a minimum of 10 sources, of which there must be *at least* 5 peer-reviewed journal articles, draft a written essay that addresses one of the topics provided in class. Available topics and more details will be provided in class; or
  - b. **Presentation:** an oral assignment which will be worth 20% of your final grade. Each student must prepare a 15-20 minute presentation to the class. Students will be graded on their presentation style and substance. Available topics and more details will be provided in class.
2. **Essay:** Students are also required to submit an 8 - 10 page, typed essay in APA format, which will be worth 20% of your final grade. Based on the lectures, readings, and research from a minimum of 10 sources, of which there must be *at least* 5 peer-reviewed journal articles, draft a written essay that addresses one of the topics provided in class. Available topics and more details will be provided in class

**NOTE:** Each student will do either two essays (#1(a) and #2) or one Presentation (#1(b)) and one essay (#2)

Written assignments for this course must be word processed and meet the basic requirements for FORMAL ACADEMIC PAPERS (i.e. APA format, 12 point font, 1 inch margins etc.). Proper referencing (APA) is required. Note also that despite APA

guidelines, we require that all quotations and paraphrases include the page number of the source when referenced.

### **Evaluation Guides and Tools**

APA referencing guide

[http://www.yukoncollege.yk.ca/library/pages/cite\\_your\\_sources](http://www.yukoncollege.yk.ca/library/pages/cite_your_sources)

<http://www.lib.sfu.ca/help/writing/apa>

Presentation Tips for Public Speaking

<http://www.aresearchguide.com/3tips.html>

Criteria to evaluate the credibility of www resources

<http://mason.gmu.edu/~montecin/web-eval-sites.htm>

So, you have to write a term paper

<http://yclibw.yukoncollege.yk.ca/Handouts/WritingaResearchpaper.pdf>

3. **Mid-term Examination:** which will be worth 20% of your final grade.
4. **Final Examination:** which will be worth 30% of your final grade.
5. **Attendance and Participation:** Students will be expected to have read and be prepared to discuss the assigned readings for each class. Students will also be expected to read and study materials handed out in class. Students are expected to participate fully in any group exercises that may be assigned during class time. Class attendance and participation will be worth 10% of your final grade.

Mere presence in the classroom is not sufficient. Students will be assessed for active listening skills, demonstrated knowledge of the required readings, and proven understanding of the issues. Students are encouraged to express their own views, to criticize the instructors' analysis, and to raise questions from current events that relate to course content. The Instructor will call upon individual students to answer questions about the materials each week. Students are strongly encouraged to keep up with the assigned readings and to be prepared for each class.

### **REQUIRED TEXTBOOKS / MATERIALS:**

Canadian Law: An Introduction, 6th Edition (2015): Neil Boyd:

Additional, Required Course Readings will be provided in class or by email

## COURSE REQUIREMENTS / EVALUATION

Student performance will be evaluated by grading in each of the following areas:

Attendance and Participation	10%
Oral Presentation	20%
Written Essay	20%
Midterm Examination	20%
Final Examination	30%
Total	100%

## WRITTEN ASSIGNMENT REQUIREMENTS

Written assignments for this course must be word-processed and fulfil the basic requirements for formal academic papers. You also should note that **LATE ASSIGNMENTS WILL BE PENALIZED BY ONE MARK PER DAY** unless an extension is legitimately warranted and approved by the course instructor in advance of the assignment due date. Assignments submitted late without instructor approval will not be graded.

## LORENE ROBERTSON WRITING CENTRE

All students are encouraged to make the Lorene Robertson Writing Centre a regular part of the writing process for coursework. Located in Room C2211 (in the College Library), the Lorene Robertson Writing Centre offers writing coaching sessions to students of all writing abilities. For further information or to book an appointment, visit the Centre's website: [dl1.yukoncollege.yk.ca/Writing Centre](http://dl1.yukoncollege.yk.ca/Writing%20Centre). At the instructor's discretion, students may be required to attend Writing Centre coaching sessions during the composition process of their paper(s) as a condition of assignment completion. At the instructor's discretion, students may be required to attend Writing Centre.

## ACADEMIC AND STUDENT CONDUCT

Information on academic standing and student rights and responsibilities can be found in the current Academic Regulations that are posted on the Student Services/ Admissions & Registration web page.

## PLAGIARISM

Plagiarism is a serious academic offence. Plagiarism occurs when students present the words of someone else as their own. Plagiarism can be the deliberate use of a whole piece of another person's writing, but more frequently it occurs when students fail to acknowledge and document sources from which they have taken material. Whenever the words, research or ideas of others are directly quoted or paraphrased, they must be documented according to an accepted manuscript style (e.g., APA, CSE, MLA, etc.). Resubmitting a paper which has previously received credit is also considered plagiarism. Students who plagiarize material for

assignments will receive a mark of zero (F) on the assignment and may fail the course. Plagiarism may also result in dismissal from a program of study or the College.

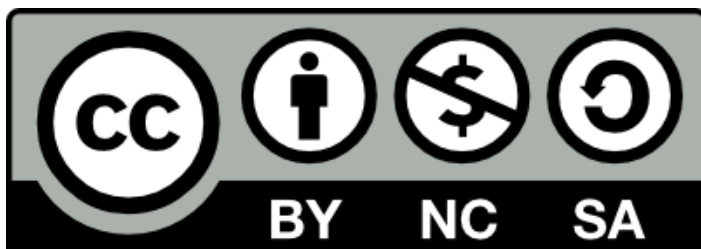
**Do not jeopardize your academic future with plagiarism. It is dishonest and can have serious consequences.**

### **ACADEMIC ACCOMMODATION**

Reasonable accommodations are available for students requiring an academic accommodation to fully participate in this class. These accommodations are available for students with a documented disability, chronic condition or any other grounds specified in section 8.0 of the Yukon College Academic Regulations (available on the Yukon College website). It is the student's responsibility to seek these accommodations. If a student requires an academic accommodation, he/she should contact the Learning Assistance Centre (LAC) at (867) 668-8785 or [lassist@yukoncollege.yk.ca](mailto:lassist@yukoncollege.yk.ca).

### **YUKON FIRST NATIONS CORE COMPETENCY**

Yukon College recognizes that a greater understanding and awareness of Yukon First Nations history, culture and journey towards self-determination will help to build positive relationships among all Yukon citizens. As a result, to graduate from ANY Yukon College program, you will be required to achieve core competency in knowledge of Yukon First Nations. For details, please see [www.yukoncollege.yk.ca/yfnccr](http://www.yukoncollege.yk.ca/yfnccr).



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**INTRODUCTION TO CANADIAN LAW AND LEGAL INSTITUTIONS**

**TOPIC OUTLINE**

Chapters referred to are from: Canadian Law: An Introduction, 6th Ed. Neil Boyd: 2015

Class #	DATE	TOPICS
Class #1	Sept 7	Introduction Chapter 1: The Role of Law: Coming to Terms with the Relevance and Purpose
Class #2	Sept 14	Chapter 2: The Sources of Canadian Law: From the Plains of Abraham to Statutes
Class #3	Sept 21	Chapter 3: How do Judges Interpret Ambiguous Statutes? Rules and Principles and Their Application
Class #4	Sept 28	Chapter 4: The Constitution of Canada: The British North America Act, 1867, the Constitution Act, 1982, the Future of Federalism, and The Charter of Rights and Freedoms
Class #5	Oct 5	Chapter 5: Canada's Courts: The Processes of Dispute Resolution
Class #6	Oct 12	<b>Mid-Term Examination</b>
Class #7	Oct 19	Chapter 6: The Study of Law, Lawyers, and Judges: The Changing Face of the Legal Profession
Class #8	Oct 26	Chapter 7: Torts of Intention and Negligence: Private Law, Public Interest
Class #9	Nov 2	<b>Oral Presentations / Essay Due</b>
Class #10	Nov 9	Chapter 8: The Changing Family and Family Law: Marriage, Divorce, Support, and Custody
Class #11	Nov 16	Chapter 9: Administrative Law: The State and Its Duty to Be Fair
Class #12	Nov 23	<b>Final Essay Due</b> Chapter 10: Criminal Law: <i>Mens Rea</i> , <i>Actus Reus</i>
Class #13	Nov 30	Class Review, Exercises, and Discussion
Class # 14	TBD	<b>Final Exam (Date &amp; Time TBA)</b>