



DEPARTMENT OF SOCIOLOGY  
FACULTY OF ARTS

Law & Society 201 L02  
Introduction to Legal Studies  
Fall 2016

### **Course Summary**

INSTRUCTOR: Ian Brodie  
OFFICE: SS 920  
EMAIL: [irbrodie@ucalgary.ca](mailto:irbrodie@ucalgary.ca)  
OFFICE HOURS: T 3:15-4:15  
COURSE DAY/TIME: T Th 2:00-3:15  
COURSE LOCATION: EEL 161  
D2L NAME: TBA

### **CALENDAR DESCRIPTION:**

*Overview of the role of law in society. Examination of different concepts of law. Study of legal rules, institutions, processes and personnel in social context. Discussion of construction and exercise of the power of law. Emphasis on Canadian law and legal system.*

## **Course Details**

### **COURSE OVERVIEW**

This section of LWSO 201 is a lecture-based course. Students will learn about key aspects of the Canadian legal system and legal tradition. Some of the material relies on the textbook and supplementary readings like court cases, but most of the material comes in the class lectures. We will draw on both current and older issues.

Attendance is not mandatory and the instructor does post his class slides on D2L. However, students who do not attend the lectures will be ill-prepared for the exams. In the past, students who did not attend lectures did very poorly in the course.

Students should expect to spend one or two hours preparing for each class session by reading the assigned materials. All materials are required readings. Depending on the quality of the class notes taken, students may expect to spend another two to four hours preparing for the mid-term examination and then again for the final examination. While the written assignment will not require library research, it will require several hours to read and understand a court case and draft a short summary and analysis.

### **OTHER EXPECTATIONS**

Students are expected to arrive on time and having already read the readings for the week. The course moves quickly through a great deal of material.

To ensure the best learning environment for all students, students are asked to avoid use of laptops and other electronic note-taking devices in this course. Students who require the use of electronic devices for academic accommodation purposes are exempt from this policy. Please be considerate of others and switch off all cell phones when you enter the classroom. Sending/receiving texts and browsing the Web is extremely disruptive to others and will not be tolerated. Please no eating during class.

Feel free to contact me over email at any time. Please put your course number – LWSO201 – in your email's subject line. Emails will be answered within one business day. I do not answer emails over the weekend. Please take that into account when emailing me questions pertaining assignments or exams. If you have a course-related question, please check the course outline first. Also, please e-mail me for administrative purposes only, for example to set up an appointment. Please do not use e-mail as a replacement for an office visit, if there is something you want to discuss. Questions about the course content and readings, concerns about grades, or any other personal issues should be dealt with in person during my office hours.

## **LEARNING OUTCOMES**

In the first half of the course, students should be able to:

1. Identify some theoretical perspectives on the law and compare how they highlight different aspects of a particular legal problem,
2. Identify and describe key sources of Canadian law, including constitutional law,
3. Describe three modes of resolving legal disputes and compare the pros and cons of each,
4. Explain the key features of the Canadian judicial system and the various levels and types of courts in Canada.

In the second half of the course, students should be able to:

1. Outline the key features of the legal profession in Canada, especially those related to training and entry into the profession, the regulation of the profession and the types of work done by legal professionals,
2. Describe the key components of the criminal law in Canada, analyze the challenges of the “inherent evils” crimes, and compare the criminal law and torts as instruments of social control,
3. Describe the key elements of administration law and show how these apply to a familiar situation,
4. Analyze a court case in depth, understanding its social and historical context and evaluating its strong and weak points by producing a short summary and analysis.

## **LEARNING RESOURCES**

The following textbook has most of the required readings and can be found in the University of Calgary Bookstore ([www.calgarybookstore.ca](http://www.calgarybookstore.ca)):

- Boyd, N. (1995). Canadian law: An introduction. Sixth ed. Toronto: Nelson.

Other required readings are available on the D2L site for the course.

If you need help accessing or using D2L, please visit the Desire2Learn resource page for students: <http://elearn.ucalgary.ca/desire2learn/>.

## **ASSESSMENT COMPONENTS**

### **Mid-term examination**

**Value:** 30%

**Date, time and location:** October 25, 2016 in class

**Length:** One hour

**Type:** Closed-book, in class, invigilated

**Description:** Mixed multiple choice and short, written answers.

**Associated learning outcomes:** See first-half learning objectives

### **Written assignment**

**Value:** 30%

**Due Date:** November 24, 2016

**Type:** A short two- to three-page term paper graded in part on the quality of the writing.

**Description:** Details of the assignment will be distributed separately.

**Submission instructions:** Please upload a PDF of your assignment to the D2L dropbox for the course.

**Late paper policy:** At the discretion of the instructor, late papers may be penalized five points per day late. Papers late by more than seven (7) days will receive a zero grade.

**Associated learning outcomes:** Students should be able to analyze a court case in depth, understanding its social and historical context and evaluating its strong and weak points by producing a short summary and analysis.

### **Final examination**

**Value:** 40%

**Date, time and location:** As scheduled by the Registrar

**Length:** Two hours

**Type:** Closed-book, invigilated

**Description:** Short, written answers

**Associated learning outcomes:** See second-half learning objectives

## **GRADE SCALE**

The following grading scale will be used:

A+ (91-100)	B+ (77-79)	C+ (67-69)	D+ (55-59)
A (85-90)	B (73-76)	C (63-66)	D (50-54)
A- (80-84)	B- (70-72)	C- (60-62)	F (0-49)

## **Other policies and information**

### **Grade reappraisals**

Up to one week after an exam or assignment is returned, a student may seek a reappraisal of the grade from the instructor. To do so, the student must submit a written request briefly explaining the grounds for the reappraisal. Note, a reappraisal may raise, lower or confirm the grade originally assigned.

### **Absence from Mid Term Examination**

Students who are absent from the mid-term examination for legitimate reasons (e.g. illness with the appropriate documentation) are responsible for contacting the instructor via email within 48 hours of the missed test to discuss alternative arrangements. A copy of this email may be requested as proof of the attempt to contact the instructor. Any student who fails to do so forfeits the right to a makeup test.

### **Deferral of Final Examination**

When possible, please provide advance notice if you are unable to write an exam or complete/turn-in assignments on time. All requests for deferral of a course component due to health reasons must be accompanied by written documentation as outlined in the University Calendar and should be obtained while the student has the health issue rather than after recovery. Deferrals will be allowed in the following circumstances: illness, domestic affliction or religious conviction. Travel arrangements, misreading the syllabus, and scheduling conflicts with other classes or employment are not valid reasons for requesting a deferral. Deferrals will not be granted if it is determined that just cause is not shown by the student.

If you have missed a test for a legitimate reason, the instructor can require you to write a “make up” test as close in time to the original test as possible or can choose to transfer the percentage weight to another course component. If the instructor schedules a “make up” test for you, its date and location will be at the convenience of the Department of Sociology.

Deferred Final Exam Form: Please note that requests to defer a Registrar scheduled final exam are dealt with through the Registrar's Office. Further information about deadlines, and where paperwork should be taken, is available on the form, which can be found at: <https://www.ucalgary.ca/registrar/student-forms>

Deferred Term Work Form: Deferral of term work past the end of a term also requires a form to be filled out. It's available at  
[https://www.ucalgary.ca/registrar/files/registrar/deferred\\_termwork15\\_0.pdf](https://www.ucalgary.ca/registrar/files/registrar/deferred_termwork15_0.pdf)

Once an extension date has been agreed between instructor and student, the form should be taken to the Faculty of Arts Program Information Centre (SS 110) for approval by an Associate Dean (Students).

## **Appeals**

If a student has a concern about the course or a grade they have been assigned, they must first discuss their concerns with the instructor. If this does not resolve the matter, the student can then proceed with an academic appeal. The first in an academic appeal is to set up a meeting with the Department Head.

## **University Regulations**

Students are encouraged to familiarize themselves with the University policies found in the Academic Regulations sections of the Calendar at [www.ucalgary.ca/pubs/calendar/current/academic-regs.html](http://www.ucalgary.ca/pubs/calendar/current/academic-regs.html).

## **Academic Accommodation**

Students needing an Accommodation because of a Disability or medical condition should contact Student Accessibility Services (MC 293, phone 403-220-8237) in accordance with the Procedure for Accommodations for Students with Disabilities available at [http://www.ucalgary.ca/policies/files/policies/student-accommodation-policy\\_0.pdf](http://www.ucalgary.ca/policies/files/policies/student-accommodation-policy_0.pdf). Please provide academic accommodation letters to the instructor as early in the semester as possible and no later than two weeks after the course begins.

## **Plagiarism and Other Forms of Academic Misconduct**

Academic misconduct in any form (e.g. cheating, plagiarism) is a serious academic offence that can lead to disciplinary probation, suspension or expulsion from the University. Students are expected to be familiar with the standards surrounding academic honesty; these can be found in the University of Calgary calendar at [www.ucalgary.ca/pubs/calendar/current/k-2.html](http://www.ucalgary.ca/pubs/calendar/current/k-2.html). Such offences will be taken seriously and reported immediately, as required by Faculty of Arts policy.

## **Freedom of Information and Protection of Privacy (FOIP)**

The Freedom of Information and Protection of Privacy (FOIPP) legislation does not allow students to retrieve any course material from public places. Anything that requires handing back will be returned directly during class or office hours. If students are unable to pick up their assignments from the instructor, they provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment.

Any uncollected assignments and tests will be destroyed after three months; final

examinations are destroyed after one year.

Final grades are not posted by the Sociology Department. They are only available online.

### **Evacuation Assembly Points**

In the event of an emergency evacuation from class, students are required to gather in the designated assembly point. For this course the assembly point is the **ICT Building food court**.

### **Faculty of Arts Program Advising and Student Information Resources**

For program planning and advice, visit the Arts Students' Centre in Social Sciences 102, call 403-220-3580 or email [artsads@ucalgary.ca](mailto:artsads@ucalgary.ca). You can also visit [arts.ucalgary.ca/advising](http://arts.ucalgary.ca/advising) for program assistance.

For registration (add/drop/swap), paying fees and assistance with your Student Centre, contact Enrolment Services at (403) 210-ROCK [7625] or visit their office in the MacKimmie Library Block.

### **Student Representation**

The 2016-17 Students' Union VP Academic is Alicia Lunz ([suvpaca@ucalgary.ca](mailto:suvpaca@ucalgary.ca)). The Faculty of Arts has four SU representatives who may be contacted at any of the following email addresses: [arts1@ucalgary.ca](mailto:arts1@ucalgary.ca), [arts2@ucalgary.ca](mailto:arts2@ucalgary.ca), [arts3@ucalgary.ca](mailto:arts3@ucalgary.ca), and [arts4@ucalgary.ca](mailto:arts4@ucalgary.ca). You may also wish to contact the Student Ombudsperson for help with a variety of University-related matters:  
<http://www.ucalgary.ca/provost/students/ombuds/role>

### **Emergency Evacuations**

In the case of fire or other emergency evacuation of this classroom, please proceed to the assembly point: The Education Block Food Court.

### **Safewalk**

The University of Calgary provides a “safe walk” service to any location on Campus, including the LRT, parking lots, bus zones, and campus housing. For Campus Security/Safewalk call 220-5333. Campus Security can also be contacted from any of the “Help” phones located around Campus.

## **Course Schedule and Readings**

Note that the schedule and readings are subject to change. Any changes will be announced during the lecture sessions and posted under the “News” section of the D2L site for the course.

### **Part I – Introduction**

September 13 & 15: What is “law”? Why do we have law? What is a legal system?

- Please read Boyd, Chapter 1: The Role of Law

September 20 & 27: Where does law come from?

- Please read Boyd, Chapter 2: The Sources of Canadian Law
- Note – the class will not meet on September 22

September 29, October 4: The Constitution

- Please read Boyd, Chapter 4: The Constitution of Canada
- Please also read R. v. Comeau

### **Part II – Law, Legal Disputes and the Courts**

October 6, 11: Mediation, Arbitration, and Litigation

- Please read McEwen, C., & Maimon, R. (2005). Arbitration and Mediation as Alternatives to Court. Policy Studies Journal, 712-726.

October 13, 18: Canada’s Courts

- Please read Boyd, Chapter 5: Canada’s Courts

October 20: Review session

October 25: Mid-term examination

October 27: The legal profession

- Please read Boyd, Chapter 6: The Study of Law, Lawyers and Judges

### **Part III – Substantive Law**

November 1, 3, 8: Criminal Law

- Please read Boyd, Chapter 10: Criminal Law and Chapter 7: Torts of Intention and Negligence
- Please also read Manfredi, C. (2001). Judicial power and the charter: Canada and the paradox of liberal constitutionalism (2nd ed.). Don Mills, Ont.: Oxford University Press, Chapter 5.

November 10: Reading Break

November 15: Administrative Law

- Please read Boyd, Chapter 9: Administrative Law

November 17, 22: Family Law

- Please read Boyd, Chapter 8: The Changing Family and Family Law

### **Part V – Current Issue: Polygamy**

November 24: Freedom of Religion in Canada

- Please read Big M Drugmart, Edwards Books and Art, and Trinity Western

November 27: Polygamy Laws in the US and Canada

- Please read Reference re: s. 293 of the Criminal Code of Canada, (BC Supreme Court: November 23, 2011)

December 1: The class will not meet

December 6: Evaluating Polygamy Laws in Canada

December 8: Review session