

Faculty of Law

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100 The Faculty of Law

The Faculty of Law at the University of Alberta was created in 1912 and was the first law Faculty to open in western Canada. The Faculty is proud of its history and its reputation for high academic achievement and research. Our graduates have served the discipline of legal scholarship, the nation and the province for over nine decades. Their outstanding careers and accomplishments in academia, public and private life speak eloquently for the worth of our legal education and the value of our degrees.

Our graduates include: Beverley McLachlin, Chief Justice of the Supreme Court of Canada; Peter Lougheed, former Premier of Alberta; Clarence Campbell, former president of the NHL; Catherine Fraser, first female Chief Justice of the Alberta Court of Appeal; Mark Cranwell, former head of content (legal) at British Telecommunications Retail; Willton Littlechild, former Member of Parliament; Ronald Martland and William Stevenson, former Justices of the Supreme Court of Canada; and Frank Macinnis, Chariman, EMCOR Group, Inc.

101 The Professors

101.1 Teaching and Scholarship

The Faculty of Law takes special pride in the teaching excellence and scholarship of its faculty members.

Faculty members have won University and national teaching awards. “Smart” classrooms allow instructors to use the latest advances in educational technologies.

Faculty members have produced leading journal articles, treatises, monographs and casebooks that are used by law students, lawyers, judges and legal scholars across Canada and internationally. These include works on property law, tort law, creditor-debtor law, personal property security law, trust law, health law, environmental law and professional responsibility, employing a broad range of perspectives, both doctrinal and theoretical.

101.2 Members of the Faculty

Staff

Administration

P Bryden, Dean
 JM Law, Vice-Dean
 M Hartley, Assistant Dean
 S Penney, Associate Dean (Research)
 RS Brown, Associate Dean (Graduate Studies)
 CS Miller, Director of Development and Alumni Relations
 P Neil, Career Development Officer

Honorary Professors

PL Freeman, QC, BA, LLB, MLLS
 LC Green, LLB, LL.D (Hon)
 The Honourable El Picard, BEd, LLB, LLM, LL.D
 The Honourable WA Stevenson, BA, LLB, LL.D

Professors Emeriti

TJ Christian, QC, BA (Hon), LLM
 DC Davies, QC, LLB, LLM
 CRB Dunlop, BA, LLB, LLM, MA
 RG Hopp, BEd, LLB
 WH Hurlburt, QC, BA, LLB
 FD Jones, QC, BA, LLB, LLM
 FA Laux, QC, BA, LLB, LLM
 PJ Lown, QC, LLB, LLM
 TW Mapp, BA, JD
 WJK Mis, BA, LLB, LLM

Professors

AE Acorn, BA, LLB, BCL
 RW Bauman, BA, LLB, MEd, LLM, DPhil
 CE Bell, BA, LLB (Dist), LLM
 BA Billingsley, BA, LLB, LLM
 P Bryden, BA, BA, BCL, LLM
 TM Buckwold, LLB, LLM
 TA Caulfield, BSc, LLB, LLM
 FC DeCoste, BA, MSW, LLB (Dist), LLM
 J Harrington, BA, JD, PhD
 EL Hughes, BSc, LLB, LLM
 LN Klar, QC, BA, BCL, LLM
 JM Law, BA, LLB, LLM
 MM Litman, LLB
 M McInnes, BA, LLB, LLM, PhD
 SK O'Byrne, BA, MA, LLB, LLM
 G Pavlich, BA (Hon), M Phil, MA, PhD (on leave)
 S Penney, BA, LLB, LM
 DR Percy, QC, MA, LLM
 LC Reif, LLB, LLM
 WN Renke, BA (Hon), MA, LLB, LLM
 GB Robertson, QC, LLB, LLM
 RJ Wood, LLB, LLM
 BH Ziff, BA, LLB, MLitt

Associate Professors

E Adams, BA, LLB, SJD
 RS Brown, BA, LLB, LLM, SJD
 P Carver, BA, MA, LLB, LLM
 C Hutchison, BA (Hon), LLB, LLM (Dist), SJD
 EL Nelson, BScPT, LLB, LLM, JSD
 C Sprysak, BCom, CA, LLB, LLM
 MA Yahya, BA (Hon), MA, PhD, JD (on leave)

Assistant Professors

E Kaplinsky, LLB, LLM, SJD
 M Lewans, BComm, LLB, BCL, LLM, SJD
 JW Muir, BA (Hon), M Phil, MA, PhD

Centres and Institutes

Directors
 TA Caulfield, Research Director, Health Law Institute & Science Policy Group
 P Paradis, Executive Director, Centre for Constitutional Studies
 PJ Lown, QC, Director, Alberta Law Reform Institute

Sessional Lecturers

R Aloneissi, BA, LLB
 SA Beaver, BA, LLB
 BA Beresh, QC, BA, LLB
 D Bottos, BEd, LLB
 K Brown, BA, LLB
 S Burningham, BCL, LLB
 T Chalifoux, BA, LLB
 AJ Chamberlain, LLB
 R Chambers, BEd, LLB, DPHIL
 S Corbett, BA, LLB
 D Curcio Lister, BA, LLB
 M Duckett, QC, LLB
 E Eacott, BA, LLB

J Fagnan, LLB, LLM
 KP Feehan, QC, LLB
 ML Gordon, QC, BA, LLB
 P Hebert, BA, LLB
 K Hewitt, BA, LLB, LLM
 B Howell, QC, BA, LLB
 L Johnson, LLB
 B Kash, BA, LLB
 K Kimmis, BEd, LLB
 EJ Kindrake, BA, LLB
 B King, CD, BA, LLB
 N Kortbeek, BA, LLB, LLM
 DCI Lucky, BCom, LLB, LL.M
 M Mackay, LLB
 D Mah, QC, BA, LLB
 T Mavko, LLB
 K Mawani, LLB
 RD McDonald, LLB
 M McGuire, BA, LLB
 D Molzan, LLB

DB Murphy, BA, LLB
 P Nugent, BSc, BA, LLB
 E O'Neill, BA, LLB
 W Ostapek, LLB
 P Pagano, QC, BA, LLB
 P Paradis, BA, MEd, LLB
 LK Penrod, LLB (LSE), LLM
 DH Peterson, BA, LLB
 C Pratt, BComm, LLB
 GN Reddekopp, BA, MA, LLB
 RTG Reeson, QC, BAdmin, LLB
 R Reynolds, QC, BA (Hons) LLB
 B Rosborough, BA, LLB
 M Rosborough, BA, LLB
 PJ Royal, QC, BA, LLB, LLM
 K Sandstrom, QC, LLB
 N Schmol, BMus, LLB
 DN Scott, LLB
 B Shoyele, LLB, LLM, PhD
 G Sim, BSc, LLB
 J Simonson, BA CD
 K Smith, BA(Hon), LLB
 DR Sommerfeldt, BA, MA, LLB, LLM

D Stam, LLB
 S Stevenson, LLB
 J Taylor, LLB
 B Vail, BCom, LLB
 I Wachowicz, LLB
 K Weaver
 D Wedge, BA, LLB
 RWilson, QC, LLB
 S Yanitski, BA, LLB
 ET Yoo, BSc, LLB

Legal Research and Writing

Lecturers
 J Fagnan, LLB, LLM
 K Kimmis, LLB
 M McGuire, BA, LLB
 N Schmol, BMus, LLB
 O Shoyele, LLB, LLM, PhD

Additional Members of Faculty Council

President and Vice-Chancellor
 IV Samarasekera, O.C.

Director, Alberta Law Reform Institute
 PJ Lown, QC, LLB, LLM

Representative of Law Society
 BA Beresh, QC, BA, LLB

Registrar of the University

Sessional Instructors Representative

102 History of the Law Faculty

Early Foundations

Law students at the Faculty of Law in Edmonton from 1912 to 1921 attended classes early in the morning and late in the afternoon at the Edmonton Courthouse while clerking for firms for the remainder of the day. This changed in 1921 when the Faculty shifted from the professional model of part-time instruction to the university model of full-time legal education. The establishment of a university-based model of legal education was inspired by changes instituted at Harvard Law School by Dean Langdell. It demanded a scholarly approach to law as an academic discipline.

President HM Tory, the first president of the University of Alberta, was committed to this model and was instrumental in its implementation. In 1921, the Faculty of Law was reorganized to provide a three-year course of full-time study on campus, leading to the LLB (designation changed to JD in 2011). Instructors used the Socratic method of instruction in which students were expected to come to class prepared to participate in a thorough and sophisticated analysis of the case law. Mandatory moot court exercises were introduced in 1921 to improve students' research and rhetorical abilities; this vital part of legal education continues to this day. John Alexander Weir was the Faculty's first full-time teacher. Weir was chosen for a 1914 Rhodes Scholarship and, after three years of service in the RAF as a Flying Officer, he earned a Bachelor of Arts with first-class honours from Oxford. He was hired as a lecturer in 1921 and became the first Dean of Law in 1926. He continued in that capacity until his untimely death in 1942. Two John A Weir Memorial Scholarships are offered annually to students entering the Faculty.

Growth of the Faculty

Until the end of the Second World War the Law Faculty remained relatively small. There were only two full-time Faculty members and most classes contained fewer than 20 students. The size of the Faculty began to swell after World War II when veterans began legal studies in preparation for joining the postwar economy. In 1945, Wilbur F Bowker was hired to teach full time. He became Acting Dean in 1947, and Dean of Law in 1948. Dean Bowker was destined to steward the Faculty through a remarkable period of growth and consolidation. The full-time teaching complement expanded. The Law Faculty and its library was moved from its cramped quarters in the Arts Building to the first floor of the Rutherford Library.

The Modern Law Faculty

By the mid-1960s the Faculty of Law had again outgrown its facilities. In 1972, the Law Centre was officially opened, consolidating administrative and Faculty offices, institutes, students' groups and the library into a building specifically designed for the Faculty. The facilities offer comfortable classrooms, a well-appointed Moot Courtroom and one of the finest law libraries in Canada. The Law Centre is now home to more than 500 law students and 35 full-time members of Faculty. The Faculty has many nationally and internationally recognized scholars, and their articles, books and treatises are widely used in law schools, court houses and law firms throughout Canada. Close ties to the legal profession are maintained by virtue of the contributions of more than 50 members of the judiciary and practising bar who serve as sessional lecturers.

The process of building the Faculty continues, thanks in no small part to the financial commitment of individual and corporate donors. Law Campaign 75, launched in 1995, raised over \$4 million. Some of these financial resources were devoted to expanding and enhancing the Law Centre's physical plant, including technologically advanced classrooms, library space and a renovated moot court room. Funds were also used to support the moot court program and establish new scholarships and bursaries for students. Law Campaign 2008, which was launched in 2005, has resulted in contributions and pledges of over \$18 million. These funds are being used to meet Faculty priorities such as additional financial support for students and student programs; new chairs and professorships; and upgrades to our facilities, including the creation of new student service, teaching and research space as a result of the opening of the Frank and Beverley MacInnis Centre.

The Future

Although the complexion of the Faculty has changed over the years, its aspirations have not. The Faculty holds fast to its fundamental belief in the value of university legal education and the importance of legal research. It strives to impart the knowledge, skills and ethical values that will enable its students to add their own life's work to the enduring legacy of scholarship, service and achievement left by its distinguished graduates.

103 General Information

- (1) **The JD Program:** The Faculty of Law at the University of Alberta offers a program of required and optional law courses designed to
- provide students with a general legal education in the fundamental principles of law, the components of the Canadian legal system, and the history and philosophy of law;
 - qualify students to articulate and engage in the practice of law in Alberta or other common law jurisdictions in Canada; and
 - train students in the legal aspects of business and government administration.

The program requires the equivalent of full-time attendance for three academic years and leads to the degree of Juris Doctor (JD).

- (2) Prospective law students should consult the Admissions Office of the Faculty for admission advice. Inquiries on selecting options or any other academic problems should be directed to the Vice Dean. See \$15.8 for further details concerning admission requirements.
- (3) A University degree in law is a basic prerequisite for admission to article and practise throughout Canada. The Alberta JD degree will normally be accepted in other Canadian common law jurisdictions to satisfy this prerequisite. Graduates of the Faculty intending to practice law outside Alberta must meet any additional requirements of the jurisdiction in which they intend to practise.

A resident law graduate seeking admission to the Alberta Bar must articulate with a practicing member of the Bar for one year. The graduate must also successfully complete the Centre for Professional Legal Education course.

Convictions for offences may affect a graduate's admission to the Law Society of Alberta. Students who have doubts about their ability to meet the test of good character and reputation may apply to the Credentials and Education Committee of the Law Society of Alberta for a ruling.

- (4) **Combined Programs:** In conjunction with the Faculty of Business, the Faculty of Law offers the degree of Master of Business Administration–Juris Doctor Combined Degree (MBA–JD). For further information, see \$205.36.4.
- (5) **Dual Degree Program:** In conjunction with the University of Colorado Law School, the Faculty of Law offers a program leading to the degrees of Juris Doctor (Alberta) and Juris Doctor (Colorado). For further information, see \$106.4.
- (6) **Graduate Programs:** The Faculty of Law offers a Master of Laws (LLM) degree and a Doctor of Philosophy in Law (PhD) degree. For further information, see \$205.36.

104 Facilities and Affiliations

Law Centre

Located on campus, the Law Centre contains the John A Weir Memorial Law Library, Faculty offices, and classrooms. It also houses the Alberta Law Reform Institute, the Health Law Institute, the Centre for Constitutional Studies, and the John V Decore Centre for Alternative Dispute Resolution, as well as many student organizations.

John A Weir Memorial Law Library

The Law Library has always occupied a central position in the lives of the students and professors. It is the Faculty's primary research laboratory and most prized resource, for in it is found the raw data that comprises the law—cases, statutes, texts and journals.

The Weir Law Library has a collection of approximately 390,000 volumes, including the law reports and statutes for Canada, the United Kingdom, the United States and many Commonwealth countries. It receives nearly 4,000 serial publications and acquires treatises from around the world, providing students with a wide coverage of current legal thought and historical sources. The library's print collection is supplemented by information in electronic form. The study and research needs of the students and Faculty are met by a full range of library services including library orientation and tours, reference and inter-library loan services, and instruction in research methods. The library's collection is supplemented by access to computer-assisted research services which include

European and American data bases as well as internally developed data bases. Computer-based research instruction is compulsory in the first year of LLB studies. Continued training is available to second-year, third-year and graduate students.

Technology at the Law Centre

The computer lab is located in the Law Centre. Up-to-date software is installed in the lab, with Microsoft Office. Many classrooms are now equipped as "smart" classrooms. The Law Centre has full wireless coverage.

The Alberta Law Reform Institute

The Alberta Law Reform Institute is the primary law reform agency for Alberta. Sited at the Law Centre, the Institute has access to what is acknowledged as one of the finest law libraries in the country, ready access to qualified consultants and critics and a stimulating environment in which to carry out law reform work. Through its tripartite founding agreement and its Board appointments, the Institute has a strong relationship with the Law Faculty, the Law Society of Alberta and the Alberta Department of Justice. This unique arrangement has enhanced the independence, objectivity and credibility of the Institute. When Institute recommendations are forwarded to the provincial government, they arrive with the status of the body officially charged with law reform activity in the Province, with a background of excellence of research, and with a practical awareness that has led to the implementation of many of the Institute recommendations.

The Institute has been the catalyst for many changes in the Alberta legal system. Some of these changes have been of a systematic nature and have had a significant impact on the life of Albertans. The introduction of the Business Corporations Act, the Matrimonial Property Act, the Arbitration Act and the Civil Enforcement Act have had a huge effect on Alberta's legal system. Its work on the Alberta Rules of Court shall have an equally profound effect. Other projects have been smaller in scope, but of no less importance, such as the provisions of the Fatal Accidents Act, Survivorship Act and Powers of Attorney Act. The Institute is an important contributor to the legislative process, and its input on policy and legislative implementation is in demand. It plays a significant role in the harmonization of law, through its participation in the Uniform Law Conference of Canada.

The Centre for Constitutional Studies

The Centre for Constitutional Studies was established in 1987 through the collaborative efforts of the Departments of History and Political Science and the Faculty of Law. The Centre was founded to encourage and facilitate the interdisciplinary study of constitutional matters both nationally and internationally. The Centre's research activities are complemented by an educational program consisting of public lectures, conferences and publications. The object of the Centre's program of research activities has been to stimulate thinking about subjects of constitutional concern from a variety of perspectives and disciplines. Centre research projects have ranged from studies of Canadian constitutional reform to the powers of the police; from Charter rights and social rights to Aboriginal self-government.

The Centre's active publication program covers a range of constitutional subjects. Centre projects and conferences have culminated in a series of books which have been published in association with legal publishers and university presses. The Centre regularly publishes two periodicals, *Constitutional Forum* and *Constitutionnel* and the *Review of Constitutional Studies*. These include timely commentaries and scholarly essays with contributions from established and emerging scholars. The Centre has hosted a variety of conferences, symposia, and panel discussions on topics of national importance, involving scholars from a variety of disciplines, government officials, lawyers, and the general public.

Health Law Institute

The Health Law Institute was established in 1977 by Madam Justice Ellen Picard, then a Professor in the Faculty of Law. The Institute has a dual mandate: to conduct research and to provide legal education through its programs and activities. It endeavours to address significant developments in legislation, case law and new medical technologies. As a research centre, the Institute consults and collaborates with experts in other disciplines. The Institute responds to developments in health law by providing current, reliable information on all aspects of health law to health-care professionals, members of the practising bar and the public. The resources and services of the Institute are available for contract research to public agencies and private organizations. The Health Law Institute publishes two periodicals. The *Health Law Journal* offers authoritative research on medical/legal issues of interest to health-care and legal professionals and to the academic community. The *Health Law Review* meets the needs of a more general audience with an interest in current developments in health law.

Institute staff are available to deliver lectures and presentations in response to requests from professional and business organizations and public interest groups. In addition, the Institute co-sponsored the First International Conference

on DNA Sampling, held in September 1996, in Montreal, and hosted the second International Conference in Edmonton in 1998. In September 2002, the Institute hosted a Health Law Conference to celebrate its 25th anniversary. The Institute invites internationally recognized speakers to address significant issues of current interest. The Annual Picard Lecture in Health Law has featured a number of distinguished scholars in the field. The University of Alberta has recognized Health Law and Policy as one of its emerging areas of excellence.

The Health Law Science Policy (HealS) Group comprises of faculty members and research associates working in the areas of health law and science policy. HealS conducts health law and science policy research, disseminates scholarly outputs and policy work to a broad interdisciplinary community, facilitates collaborative opportunities with national and internationally based researchers and organizations, and attracts top graduate students to the Faculty of Law.

Student Services

Student Services in the Faculty of Law is designed to help students positively transition in, through, and out of law school. The office's open door policy invites all prospective and current students to visit and take advantage of the many services offered that aim to support academic success and overall student health and well-being. These services include: admissions information and advising for prospective students, guidance and practical support for current students in all aspects of their career search, financial information for the Faculty and University scholarships, bursaries, and awards program, counselling on both academic and personal matters and helping to accommodate students with special circumstances, representing student concerns to various Faculty administration to decision making, and providing information on international exchanges and other rewarding opportunities. A collaborative relationship exists with Indigenous Academic Services and with the University's Aboriginal Student Services Centre to promote a supportive academic environment for Indigenous students. Indigenous Academic Services assists interested and qualified Aboriginal students achieve their goals of obtaining a legal education. The Student Services office also works closely with the University's Student Services and can refer students based on their needs.

Aboriginal Law Students' Association

The Aboriginal Law Students' Association is a student club which promotes awareness and understanding of Aboriginal issues and advocating reform. This is accomplished through sponsoring speakers and other activities. The group acts as a support network for Aboriginal students. Membership is open to all Law students.

Alberta Law Review

The *Alberta Law Review* is a scholarly legal journal published four times annually by second- and third-year law students in consultation with Faculty and members of the Law Society of Alberta. Past editors have become justices of the Supreme Court of Canada, Alberta Court of Appeal and Court of Queen's Bench. The *Law Review* has existed since 1955. Subscribers include law firms and sole legal practitioners in Alberta, as well as judges, students, academics, universities and libraries worldwide.

Articling Committee

The Articling Committee facilitates the application and interview process for students seeking articles. The Committee liaises between law firms and students by gathering and providing information about the firms, posting notices of available articling and summer legal employment positions, and providing information about articling match programs. In addition, the Committee annually organizes Career Days, a forum where students and prospective employers may meet. Legal career and articling information with respect to Alberta and other provinces is maintained by the Committee and made available to law students.

Canons of Construction

Since the early 1970s, Law students have published the *Canons of Construction: The Law Students' Newspaper*. Its mandate is to inform and entertain the university legal community. It is funded by the sale of sponsorships and advertising. Students are encouraged to volunteer as *Canons* staff in the areas of reporting, sales, cartoons and distribution. Submissions of law school news and views to the *Canons* are welcome.

Law Students' Association

The Law Students' Association (LSA) is a committee that promotes and fosters academic, cultural, social, intellectual and professional activities for the student body. As well as organizing social and sporting events, the LSA provides services to its members such as lockers, a video games room, photocopiers, cable television, a student directory, and an annual yearbook. The LSA provides a link between administration and students and seeks to make the three years at the Faculty both enjoyable and educational.

Pro Bono Students Canada

Pro Bono Students Canada (PBSC) is a network of law schools and community organizations that matches law students who want to do pro bono

work during the academic year and summer with public organizations, non-governmental organizations, government agencies, tribunals, legal clinics and law firms. Students spend approximately three hours a week during the semester performing a variety of activities. Participating students can gain practical experience while working with national or community organizations. A placement is an opportunity for students to apply what they learn in the classroom and to contribute to the development of a community or a cause, with the benefit of supervision by a member of the bar.

Student Legal Services

Since 1971, Student Legal Services has been a non-profit charitable organization of Law students providing legal assistance and information to people who do not qualify for Legal Aid and who cannot afford a lawyer. The largest student legal aid clinic in Canada, SLS assists over 10,000 people each year. Over 250 law students volunteer each year to work on various projects including criminal law, civil law (including administrative law), family law, student appeals, legal education and law reform. SLS has two offices in Edmonton. Emily Murphy House, a historic site and once the home of the first woman magistrate in the British Empire, is the main base of operation for SLS on campus. In addition, the Corona Criminal office operates in the downtown area. Services vary from court appearances in criminal and civil law matters to answering telephone inquiries for information or assisting individuals in the completion of divorce applications in clinics hosted by the family law project. SLS engages in legal research and education in areas of general community interest and concern.

Women's Law Forum / NAWL

The Women's Law Forum is the University of Alberta's National Association of Women and the Law (NAWL) caucus. The goals of the Women's Law Forum/NAWL include promoting effective participation of women in the study, practice and development of law including increased involvement in the law-making process, promoting the meaning and importance of feminism within the law school and the community at large, and providing a focus for discussion and action on issues related to women and the law.

Other Organizations and Activities

Other student organizations and activities include a law student branch of the Canadian Bar Association, the Environmental Law Students Society, The Golden Bearristers Rugby Club, the Law Show, the Phi Delta Phi legal fraternity, Vin Ordinaire wine tasting club, the Women's Running Club, International Law Students' Association, OUTLaw, Parents in Law, Law Students Philanthropy, Women's Law Forum, Law and Older and Women's Rugby.

105 Admissions

For general admission requirements to the University, see §§13 and 14. Specific admission information regarding the JD program is set out in §15.8.

106 Programs of Study

106.1 Degree of JD

Over the duration of their program students in a JD must register in and be assessed fees for a minimum of ★92.

In special circumstances, a student may be granted letters of permission by the Dean or the Dean's delegate to attend another law school or law schools for a maximum of two terms (and a maximum of ★30) in the upper years of the student's JD program. Students in the MBA-JD program may obtain letters of permission to attend another law school or law schools after completing no less than one and one-half years of the law studies portion of the program.

(1) Required Courses for the Completion of the JD

Year 1 (See Note)

1. LAW 401
2. LAW 405
3. LAW 410
4. LAW 420
5. LAW 430
6. LAW 435
7. LAW 440

Upper Year Required Courses

1. LAW 450
2. LAW 451
3. LAW 452
4. LAW 453
5. LAW 454
6. LAW 456
7. LAW 486 or 496

Note: Students in the first year are required to successfully complete an oral exercise, which may take the form of a moot or some other oral communication skills exercise.

(2) Required Courses for Part-Time Students

The required units of course weight and sequence of courses for part-time students are as follows:

- a. In the first year of Year 1, part-time students must complete LAW 401, Foundations to Law; LAW 405, Legal Research and Writing; and two other Year 1 ★5 courses.
 - b. In the second year of Year 1, part-time students must complete the remaining three Year 1 ★5 courses and must register in a minimum of ★6 per term.
- (3) **Written Work Requirement:** A written work requirement is compulsory in the upper years of the program. The paper must constitute at least 60% of the final grade in the course, and a minimum grade of C must be obtained on the paper.

Note: Descriptions of required and optional courses are found in the Course Listings §231 under Law (LAW).

- (4) **Marking:** Marking in the Faculty is based on the University of Alberta marking scale. See §23.4.

(5) Promotion of Full-time Students

- a. **Units of course weight:** After the required first year, law students must take a program of required and optional courses totalling no more than ★15 in a single Fall or Winter Term (see §231 for required courses, optional courses and units of course weight) and no more than ★6 credit hours in a single Spring or Summer Term. Students must accumulate a total of not less than ★92 to qualify for the degree of Juris Doctor. The Dean or the Dean's delegate may permit a student to register for more than the prescribed maximum units of course weight in an academic year. Students must pass each course attempted with a minimum grade of D before receiving credit for the course.
- b. The Faculty operates under a minimum grade point average system which requires that a minimum grade point average of 2.0 is required for promotion for all years. Any student failing to obtain a 2.0 average in an academic year is required to withdraw from the Faculty. Any student with a 2.0 average or better receives credit for each course in which a passing grade is obtained and receives no credit in a course or courses in which a failing grade is obtained. Any compulsory course failed must be repeated, and any noncompulsory course failed may be repeated. Students are not permitted to spend more than a total of four additional years of study after the completion of first year in the Faculty to acquire the ★92.

(6) Part-Time Students

To the extent possible, the academic and administrative regulations and policies apply to part-time students as to full-time students.

(7) Reexaminations:

See §23.5.

- (8) **Appeals:** A student adversely affected by the regulations or their application has a right to appeal in accordance with the Faculty's Academic Appeals Procedure (Appeal Policies and Procedures are available on the Faculty website) with a further right of appeal to the Academic Appeals Committee of General Faculties Council (see §23.8). However, remedies granted on such further appeal shall not be inconsistent with the Faculty's regulations published herein.

- (9) **Viva voce (oral) examination:** All students seeking the degree of JD may be required by the Faculty to pass a viva voce examination at the end of their last year. Such an examination would be of general character covering the work of the three years of the Law program.

106.2 Moot Court

The Faculty of Law runs an extensive Moot Court program designed to give students experience in the preparation and presentation of cases at trial and on appeal, in interviewing and counseling clients and in Aboriginal dispute resolution contexts. Students in first-year Law are required to argue a moot case. The moot takes place in the Winter Term. Grading is based on written advocacy (factum preparation) and oral advocacy. In upper years, students may participate in the competitive moot program. There are four main groups of competitive moots: appellate advocacy moots, a trial moot, client counseling and labour arbitration competitions, and an Aboriginal law moot. Course credit is offered for moot participation. An instructor is assigned to each moot as an advisor. Students are graded on their written and oral advocacy. Students may also participate (without credit) in the Negotiation Competition.

Students are selected for the appellate advocacy moots through either the in-house Brimacombe Selection Round or through selection processes for individual moots, held each Fall. Through the Brimacombe Selection moot, students are allocated to the moot teams based on their ranking in the moot, grades received, their preferences and restrictions on participation in the various competitive moots. The criteria for all other moots will vary depending on the moot. There are seven appellate advocacy moots: the Jessup Moot (an international law moot); the Laskin Moot (a national, bilingual moot); the Gale Cup Moot (a national moot typically in constitutional or criminal law); the Canadian Corporate/Securities Law Moot; the Clinton J Ford Moot (an in-house moot, open to students with a minimum of ★60); the National Taxation Moot; and the Alberta Court of Appeal Moot (a competition between the Universities of Alberta and Calgary, open to students with more than ★32 but less than ★60).

Students are selected for Western Canada Trial Moot (a trial advocacy moot involving law schools in British Columbia, Alberta, Saskatchewan and Manitoba) through the in-house Coughlan Moot, held in the Fall Term. If the team places in the top three at the Western Canada Trial Moot, the team will compete in the National Trial Moot.

Students are selected for the Client Counseling and Negotiation Competitions (international competitions under the auspices of the American Bar Association) and for the Labour Arbitration Moot through separate procedures.

Students are selected for the Kawaskimhon National Aboriginal Moot through an in-house selection process.

106.3 Graduate Programs

The Faculty of Law offers graduate programs leading to a Master of Laws (LLM) degree and a Doctor of Philosophy (PhD) degree. The Faculty also offers a program of joint study with the Faculty of Business leading to the combined MBA-JD degree. See §205.

106.4 The Dual Degree Program in Law

The University of Alberta Faculty of Law ("Alberta Law") and the University of Colorado Law School ("Colorado Law") offer a program of study which permits qualified students to earn both the Alberta JD and the Colorado JD degrees in four years.

Each student must apply separately to Alberta Law (for admission into the JD program) and to Colorado Law (for admission into the JD program). See §15.8 of the Calendar for details respecting Alberta Law admissions and see the Colorado Law admissions website (www.colorado.edu/law/admissions) for details concerning Colorado Law admissions.

In addition, students must complete an Application to Participate in the Dual Degree Program form and associated documents.

In addition to new entrants, students in the first year of the regular Alberta Law and Colorado Law programs are eligible to apply for admission to the Dual Degree Program.

Entrance Requirements

Acceptance by Alberta Law (for admission into the Alberta JD program) and by Colorado Law (for admission into the Colorado JD program) separately, are prerequisites for admission into the Dual Degree Program in Law. Admission into each program will be determined by the same selection process and criteria as for other students.

Program Requirements

The first two years are taken entirely within one program (Alberta Law or Colorado Law), and the third and fourth years are taken entirely within the other program (Colorado Law or Alberta Law). The Dual Degree Program involves four years of full-time study, requiring the equivalent of eight terms with (approximately) a normal load of five courses per term.

A total of 89 credit hours is required for the JD degree from Colorado Law School, with at least 45 credit hours taken in residence at Colorado Law School; a total of 92 credit hours is required for the JD degree from the University of Alberta with at least 60 credit hours taken in residence at the University of Alberta.

Colorado Law shall grant credit toward the JD degree for up to 32 credit hours of acceptable performance in preapproved law courses taken by a Dual Degree Student at Alberta Law. Alberta Law shall grant credit toward the JD degree for up to 32 credit hours of acceptable performance in preapproved law courses taken by a Dual Degree Student at Colorado Law.

Dual Degree students who commence the Dual Degree Program at Alberta Law must complete the following courses at Alberta Law: the entire First Year Curriculum (Contracts, Constitutional Law, Criminal Law, Torts, Property Law, Foundations to Law, Legal Research and Writing), Evidence, Professional Responsibility, Civil Procedure, Corporations, Conflict of Laws, Administrative Law, one of either Jurisprudence or Legal History, and complete the written work requirement.

Dual Degree students who commence the Dual Degree Program at Colorado Law must complete the following courses at Colorado Law: the entire First Year Curriculum (Contracts, Civil Procedure I and II, Property I and II, Torts, Legal Writing, Appellate Advocacy, Constitutional Law and Criminal Law), Civil Procedure, Evidence, Legal Ethics, at least one seminar, and satisfy a Practice Course Requirement and Professionalism requirement.

Dual Degree students may petition the Dean at either Law school to waive a specific requirement if the equivalent course has been completed at the other Law school. Dual Degree students may complete requirements of both programs by completing designated courses at one Law school or the other. All Dual Degree students, whether commencing at Alberta Law or Colorado Law must complete Constitutional Law at both Law schools.

A student must have earned a grade of C or better in each course at Alberta Law for the performance to be acceptable for Colorado Law credit. Colorado Law credit shall be given on a pass basis, and shall not be counted in the computation of class rank or in the computation of the cumulative 72 grade point average graduation requirement for the JD degree.

A student must have earned a grade of C or better in each course at Colorado Law for the performance to be acceptable for Alberta Law credit. Alberta Law credit shall be given on a pass basis, and shall not be counted in the computation of the grade point average requirement for the University of Alberta degree.

No student in the Dual Degree Program may take fewer than 10 credit hours or more than 15 credit hours during any term without consent. Registration in fewer than 10 credit hours in a term may result in the student being terminated from the Dual Degree Program.

Academic Standing

A Dual Degree Program student is subject to the academic standing regulations and routes of appeal for grades and academic standing of the Law school in which the student is resident and taking courses.

Discipline

Dual Degree Program students are, regardless of their University of residence, subject to the Colorado Honor Code and the Alberta Code of Student Behaviour.

Termination of Dual Degree Program Status

If a student withdraws from one of the degree programs or is required to withdraw because of unsatisfactory academic standing but wishes to remain in the other degree program, the student may be permitted to continue the program of study in the Law school in which the student retains good academic standing.

Length of Program

Students will normally finish all the requirements for the Dual Degree Program by the end of the fourth year. All Dual Degree students must complete their entire course of study within five (5) years of commencement of the Dual Degree Program; however, under extraordinary circumstances and with written permission from both Alberta Law and Colorado Law, this time period may be extended.

Further Information

Inquiries respecting the Dual Degree Program may be directed to the Vice-Dean at the Faculty of Law of the University of Alberta, or to the Associate Dean for Academic Affairs at the University of Colorado Law School.

107 Courses

Faculty of Law courses are listed in S231, Course Listings, under Law (LAW).