

COURSE OFFERINGS 2007-2008

TABLE OF CONTENTS

Section I: Undergraduate Courses (First Year)	1
Section II: Undergraduate Courses (Upper Years)	11
Section III: Graduate Courses	51
Section IV: Term Essays	59
Section V: Teaching Assistants	64
Section VI: Student-initiated Seminars	65
Section VII: Legal Clinic	66
Section VIII: McGill Law Journal	67
Section IX: Moot Competitions	70
Section X: Court and Administrative Tribunals Clerkship	71
Section XI: Note Project	72
Section XII: Writing and Drafting Project	72
Section XIII: Human Rights Internship	73
Section XIV: Honours Courses	74
Section XV: Major Internships	75

<u>COURSE TITLE:</u>	CIVIL LAW PROPERTY / <i>DROIT DES BIENS</i>	<u>Number:</u> PRV1 144 D1 PRV1 144 D2
		<u>Terms:</u> I & II
<u>Instructor:</u>	Professor Yaëll Emerich (003)	<u>Credits:</u> 5
<u>Language of Instruction:</u>	French	
<u>Description:</u>	Ce cours vise à étudier les relations entre la personne et les biens. On s'attardera sur les notions de patrimoine, de chose et de bien, sur le domaine. Les classifications fondamentales du droit civil des biens seront envisagées, notamment la distinction des droits réels, des droits personnels et des droits intellectuels. Les concepts de base du droit des biens seront examinés, tels que la possession et la propriété. On étudiera les modalités de la propriété, les démembrements de la propriété, ainsi que la publicité des droits. Une introduction à la fiducie sera faite, en insistant sur sa compréhension dans un contexte civiliste. Une attention particulière sera portée à la place de l'incorporel dans un droit traditionnellement marqué par la corporalité.	
<u>Prerequisites:</u>	None	
<u>Sequence:</u>	First year	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	December examination (25%); final April examination (75%)	
<u>Maximum Enrolment:</u>	60	
<u>Teaching Hours:</u>	I: Tues., Thurs.: 13:00-14:30 II: Mon.: 14:30-16:30	

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

<u>COURSE TITLE:</u>	CONSTITUTIONAL LAW	<u>Number:</u> PUB2 101 D1 PUB2 101 D2
		<u>Terms:</u> I & II
<u>Instructor:</u>	Professor Mark Antaki (001)	<u>Credits:</u> 6
<u>Language of Instruction:</u>	English	
<u>Description:</u>	A treatment of the theory, law and practice of the constitution, including legislative, executive and judicial institutions in Canada. Topics include: The rule of law in executive government and in the lawmaking process; Parliamentary sovereignty, constitutional amendment, and the federal system, including the division of legislative powers; judicial review of legislation and guarantees of fundamental freedoms. It will be assumed that students have a basic acquaintance with Canadian governmental institutions either through a course on Canadian government, or through the reading of one or more basic texts. Students are referred to the current edition of E.A. Forsey, <i>How Canadians Govern Themselves</i> , which is available at www.parl.gc.ca .	
<u>Prerequisites:</u>	None	
<u>Sequence:</u>	First year	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	In-term assignments (50%), and examinations (50%)	
<u>Maximum Enrolment:</u>	80	
<u>Teaching Hours:</u>	I: Tues., Thurs.: 10:00-11:30 II: Wed.: 11:00-12:30; Fri.: 10:00-11:30	

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

<u>COURSE TITLE:</u>	CONSTITUTIONAL LAW	<u>Number:</u> PUB2 101 D1 PUB2 101 D2
<u>Instructor:</u>	Professor Colleen Sheppard (002)	<u>Terms:</u> I & II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 6
<u>Description:</u>	This course provides an introduction to the theory, law and practice of the Constitution of Canada through an analysis of basic constitutional principles, the division of powers in federalism, Aboriginal rights, human rights, language rights and the <i>Canadian Charter of Rights and Freedoms</i> . The course is designed to provide students with a framework for analyzing constitutional issues and constructing constitutional arguments, as well as thinking critically about the role of constitutional law and its institutions in our society. It will be assumed that students have a basic acquaintance with Canadian governmental institutions. Students without such a background are referred to E.A. Forsey, <i>How Canadians Govern Themselves</i> , available at www.parl.gc.ca/information/library/idb/forsey/index-e.asp .	
<u>Prerequisites:</u>	None	
<u>Sequence:</u>	First year	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	Take home examination: 25%; written assignment: 25%; final examination: 50%	
<u>Maximum Enrolment:</u>	80	
<u>Teaching Hours:</u>	I: Tues., Thurs.: 10:00-11:30 II: Wed.: 11:00-12:30; Fri.: 10:00-11:30	

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

<u>COURSE TITLE:</u>	CONSTITUTIONAL LAW / DROIT CONSTITUTIONNEL	<u>Number:</u> PUB2 101 D1 PUB2 101 D2
<u>Instructor:</u>	Professor Fabien Gélinas (003)	<u>Terms:</u> I & II
<u>Language of Instruction:</u>	French	<u>Credits:</u> 6
<u>Description:</u>	I. Notions et sources – constitutionnalisme et principe de légalité; séparation des pouvoirs et institutions; principe démocratique; fédéralisme; suprématie parlementaire et contrôle judiciaire; délégation des pouvoirs. II. La répartition des compétences législatives – méthodologie et fondements III. Les libertés fondamentales – statut et portée des documents de protection; examen du contenu de certains droits et libertés.	
<u>Prerequisites:</u>	None	
<u>Sequence:</u>	First year	
<u>Seminar:</u>	Tutorial sessions with teaching assistant	
<u>Method of Evaluation:</u>	December examination: 25% to assist only. Final April examination: 75% or 100%.	
<u>Maximum Enrolment:</u>	60	
<u>Teaching Hours:</u>	I: Tues., Thurs.: 10:00-11:30 II: Wed.: 11:00-12:30; Fri.: 10:00-11:30	

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

Section II: Undergraduate Courses (Upper Years)

COURSE TITLE: **ABORIGINAL PEOPLES AND THE LAW** **Number:** CMPL 500
Instructor: Professor Kirsten Anker (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: This course will host a conversation between indigenous commentators speaking and writing about their own legal traditions and perspectives on colonial law, and non-indigenous commentators on the recognition of indigenous law by the state, through readings and a series of guest speakers. Topics include treaties, aboriginal title and rights, international law and contemporary land claims, as well as creation stories, the longhouse system and Iroquois confederacy, songs, art and oral histories.
Prerequisites: None
Seminar: Yes
Method of Evaluation: Class participation and presentation, research papers
Maximum Enrolment: 30 (25 undergraduate and 5 graduate students)
Teaching Hours: Tues., Thurs.: 13:00-14:30

COURSE TITLE: **THE ADMINISTRATIVE PROCESS** **Number:** PUB2 400
Instructor: Professor G. Blaine Baker (001) **Term:** summer 2008
Language of Instruction: English **Credits:** 3
Description: This course is about the processes by which policy is translated into law and applied by politically or socially responsible agencies in Canada. Most important, it considers ways in which the internal procedures and choices of administrators operating under statutory and consensual delegations of power are themselves governed by law. Following a thematic introduction to public processes of social ordering and value selection in Canada, several kinds of statutory decision-makers, and one consensual decision-maker, will be examined: a federal regulatory agency; a human rights commission; a criminal-injuries compensation board; a licensing/inspection agency; an ombudsman; a Crown corporation; and, a voluntary association or "domestic tribunal". These case studies are intended to demonstrate the allocative, rule-making, managerial, distributive, adjudicative, mediative, educational, and policy-making functions of government at work. Yet they also are designed to provide an introduction to such matters as statute interpretation, delegated legislation, administrative discretion, administrative procedures, judicial review, statutory appeals, and institutional design.
Prerequisites: None
Seminar: No
Method of Evaluation: T.B.A.
Maximum Enrolment: 75
Teaching Hours: T.B.A.

COURSE TITLE: **ADVANCED CRIMINAL LAW** **Number:** PUB2 501
Instructor: Professor Ronald B. Sklar (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: The topics selected may vary from one year to another. In past years, we have examined the various defences to criminal liability; the inchoate crimes of attempt and conspiracy; parties to offences; and we have considered in some detail the crime of sexual assault, both as to substantive issues (consent and honest but mistaken belief in consent) and evidentiary issues (the admissibility of prior sexual history and medical/therapy records).
Prerequisites: *Criminal Law*
Seminar: No
Method of Evaluation: A 100% final examination
OR an (optional) 50% in-term paper and 50% examination
Maximum Enrolment: 60 (55 undergraduate students; 5 graduate students)
Teaching Hours: Tues., Thurs.: 14:30-16:00

COURSE TITLE: **ADVANCED JURISPRUDENCE** **Number:** CMPL 505
Instructor: Professor David Lametti (001) **Term:** II
Language of Instruction: English **Credits:** 2
Description: **Theories of Property.** This course is an advanced study of the concept of private property and its justifications. It will focus on the works of leading contemporary writers such as James Harris, Stephen Munzer, James Penner, Jeremy Waldron, John Christman, Margaret Radin, William Singer, Lawrence Alexander and Carol Rose. The course revolves around three large themes: (1) What is property? (2) How is it justified? and (3) specific issues involving property and justice.
Prerequisites: None. While there are no prerequisites, and no previous philosophical background is presumed, students in this course must have a serious interest in legal and political theory.
Seminar: Yes
Method of Evaluation: The basis on which the final grade in this course will be calculated is as follows:
1. Two short "thought" papers worth 75% (15 pages each, double-spaced)
2. Seminar presentation/introduction of class reading: 15%
3. Class attendance and participation: 10%
Maximum Enrolment: 30 (25 undergraduate and 5 graduate students)
Teaching Hours: Wed.: 10:30-12:30

COURSE TITLE: **ADVANCED TORTS** **Number:** PRV5 182
Instructor: Professor Margaret Somerville (001) **Term:** I
Language of Instruction: English **Credits:** 2
Description: Students in this seminar examine in-depth, undertake a class presentation, and write a paper on a selected problem in the law of torts such as protection of privacy, interference with economic and other relations, defamation, products liability, liability for mental injury, systems negligence, environmental torts, prenatal torts, new areas of tort liability, professional malpractice, strict liability, the future of tort law, liability of statutory authorities, statutory compensation schemes, etc.
Prerequisites: None
Seminar: Yes
Method of Evaluation: Seminar presentation / class participation / term paper
Maximum Enrolment: 25
Teaching Hours: Mon.: 14:30-16:30

COURSE TITLE: **BANKRUPTCY** **Number:** BUS1 432
Instructor: M^c Kenneth Atlas* (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: Canadian federal bankruptcy laws, including the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act. Purpose of bankruptcy and insolvency laws. Voluntary and involuntary bankruptcy. Nature of claims provable in bankruptcy. Workouts and corporate restructuring, both as an alternative to and using insolvency laws. Effects on creditors. Avoidance powers. Discharges from bankruptcy.
Prerequisites: None
Seminar: No
Method of Evaluation: 100% final examination
Maximum Enrolment: 45
Teaching Hours: Fri.: 8:00-11:00

** M^c Kenneth S. Atlas, McGill BCL, LLB 1980, Quebec Bar 1981, Ontario Bar 1988, partner in Heenan Blaikie and chairman of its Lending and Restructuring Group, with a practice focused on corporate banking and bankruptcy and insolvency; Adjunct Professor, McGill, Faculty of Management 1982-1994, Faculty of Law since 1985.*

COURSE TITLE: **BUSINESS ASSOCIATIONS** **Number:** BUS2 365
Instructor: Professor Wendy Adams (001) **Term:** II
Language of Instruction: English **Credits:** 4
Description: The law of business associations can be understood as regulating the various relationships between market actors. When addressed in a trans-systemic fashion, this engages a comparative inquiry into the nature of the firm and its mechanisms of governance. In keeping with the trans-systemic methodology, this course will examine the foundational concepts and legal regulation of the corporation across jurisdictions in North America and Europe.
Prerequisites: None
Seminar: No
Method of Evaluation: 100% final examination
Maximum Enrolment: 55
Teaching Hours: Mon., Wed.: 10:30-12:30

COURSE TITLE: **BUSINESS ASSOCIATIONS** **Number:** BUS2 365
Instructor: Professor Lionel Smith (001) **Term:** I
Language of Instruction: English **Credits:** 4
Description: This course examines the law relating to business corporations and, to a lesser extent, other business associations. A sound understanding of the constitutional structure of a business association is the key to the analysis of the disputes that typically arise in this context. Such disputes may arise out of interactions between the association and persons external to it; or, they may arise out of interaction among parties internal to the association: its management, its investors, and the association itself. We will study in some detail the obligations of managers. We will also examine the different remedial options available to those who are dissatisfied with managerial or majority decisions.
Prerequisites: None
Seminar: No
Method of Evaluation: A mix of term work and final sit-down examination
Maximum Enrolment: 55
Teaching Hours: Mon.: 12:30-14:30; Wed.: 9:00-11:00

COURSE TITLE: **BUSINESS ASSOCIATIONS / SOCIÉTÉS ET COMPAGNIES** **Number:** BUS2 365

Instructor: Professor Richard Janda (003) **Term:** II

Language of Instruction: French **Credits:** 4

Description: Le droit des sociétés et compagnies est le droit constitutionnel des acteurs économiques. Nous étudierons, d'abord, les fondements conceptuels de la gouvernance des entreprises : l'entrepreneur seul, la société en nom collectif, la fiducie de revenue et la société par actions. Pourquoi y-t-il des entreprises au lieu d'une série de liens contractuels dans le marché? Qu'est-ce que le clivage entre propriété et contrôle? Le droit des société est-il un produit offert à un marché? Nous poursuivrons une étude trans-systémique en faisant la comparaison entre les types de gouvernance des entreprises les plus présents dans le marché mondial, en mettant l'accent sur l'Amérique du Nord, l'Europe et l'Asie. Pour vous donner de la confiance dans la gestion technique du droit, trois exercices de rédaction (un contrat de société en nom collectif, les statuts d'une entreprise, et des documents relié à une acquisition) seront étalés au cours du trimestre. La grande question pour terminer le cour est la possibilité d'une responsabilité sociale des entreprises.

Prerequisites: None

Seminar: No

Method of Evaluation: One compulsory and two optional in-term exercises up to 75% of grade; final examination up to 75% of grade

Maximum Enrolment: 55

Teaching Hours: Wed.: 14:30-16:30; Fri.: 13:00-15:00

COURSE TITLE: **CANADIAN LEGAL HISTORY** **Number:** CMPL 547

Instructor: Professor G. Blaine Baker (001) **Term:** I

Language of Instruction: English **Credits:** 3

Description: The history of Canadian law with emphasis on cultural history of law and legal history of Canadian society. A comparative approach to the history of institutional design. Topics include: professionalization and professional culture; industrialization and legal liability; and, crime and public disorder.

Prerequisites: None

Seminar: No

Method of Evaluation: Optional mid-term assignment; final take-home examination

Maximum Enrolment: 60 (50 undergraduate students; 10 graduate students)

Teaching Hours: Tues., Thurs.: 16:00-17:30

<u>COURSE TITLE:</u>	CIVIL LITIGATION WORKSHOP	<u>Number:</u> PROC 459
<u>Instructor:</u>	M ^c James Woods* (with M ^c Sarah Woods**) (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English and French	<u>Credits:</u> 3
<u>Description:</u>	The course is designed to provide both the technical and practical tools necessary to the advocate in civil litigation including the techniques applicable in discovery, production of exhibits, the examination of expert and ordinary witnesses, legal argument and trial tactics, culminating in a full day long simulated trial.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	Practical exercises and simulations	
<u>Maximum Enrolment:</u>	24 undergraduate students (not open to graduate or exchange students)	
<u>Teaching Hours:</u>	Wed.: 17:30-20:30	

*James A. Woods is the Principal partner of the firm Woods & Partners, experienced in civil, corporate and commercial litigation. Author of Cases and Materials in Civil Procedure (Carswell 1987) and numerous articles and papers, including "When a class action may be brought: The balance between efficiency and fairness" (2001) Vol. 5.1, 278, Corporate Litigation. Member of the Panel of Arbitrators of the American Arbitration Association; Fellow of the CIA. Member MBA, CBA, QBA, LSUC, ABA, IBA, ATLA and CACNIQ. Me. Woods was called to the Bars of Québec in 1976 and Ontario in 1979.

** Sarah Woods graduated from the Faculty in 2003. She is an associate with McCarthy Tétrault in Montréal.

<u>COURSE TITLE:</u>	COMMON LAW PROPERTY	<u>Number:</u> PRV4 144
<u>Instructor:</u>	Professor Kirsten Anker (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 4
<u>Description:</u>	An introduction to common law property as the regulation of the acquisition, distribution and use of resources with special attention to common law reasoning. How does property arise? What can become the object of property? What can you do with it? Main topics include: the rationales for private property, the concept of exclusive possession, the feudal bases of contemporary doctrines (tenures and estates), equity and trusts, the possibility of multiple interests in land (focusing on leases, licences and easements), limits on the freedom of transfer by sale, gift and succession, the registration system, land title in a colonial context and defining new objects of property.	
<u>Prerequisites:</u>	None	
<u>Sequence:</u>	Second year	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	30% in-term assignment and 70% sit-down examination	
<u>Maximum Enrolment:</u>	65	
<u>Teaching Hours:</u>	Tues., Thurs.: 14:30-16:30	

COURSE TITLE: **COMMON LAW PROPERTY** **Number:** PRV4 144
Instructor: Professor Dennis Klinck (002) **Term:** I
Language of Instruction: English **Credits:** 4
Description: This course explores the basic concepts in terms of which the Common Law constructs proprietary interests or exclusionary rights to things: classification of property, including instances of ambiguity (fixtures); the relationship of possession to ownership; original and derivative acquisition of proprietary interests, including gift and assignment; the doctrines of tenure and estates in land and the kinds of estates; the development of equity and the trust; sequential (or future) property interests and limits on their creation, including the rule against perpetuities; forms of concurrent ownership; and rights in the property of others, including bailments, easements, and covenants attaching to land. Attention will be given to the historical provenance of some of these doctrines and to such characteristics of the Common Law as its particularity, its analogical reasoning, and the interplay between case law and statute.
Prerequisites: None
Sequence: Second year
Seminar: No
Method of Evaluation: 25% in-term assessment; 75% final examination
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 11:30-13:00; Wed.: 11:30-12:30

COURSE TITLE: **COMMON LAW PROPERTY** **Number:** PRV4 144
Instructor: Professor Tina Piper (003) **Term:** I
Language of Instruction: English **Credits:** 4
Description: A survey of the basic concepts of the common law of property: concepts of ownership, possession; the doctrine of estates including determinable and defeasible estates, leases; bailment; rights in the property of another including bailments, easements and licenses; property as a negative or positive right; aboriginal title; novel claims including misappropriation of personality and property in biological materials.
Prerequisites: None
Sequence: Second year
Seminar: No
Method of Evaluation: 100% final examination or 66% final examination and 33% voluntary paper/presentation.
Maximum Enrolment: 65
Teaching Hours: Mon.: 10:30-12:30; Wed.: 14:30-16:30

COURSE TITLE: **COMPLEX LEGAL TRANSACTIONS** **Number:** LAWG 500
Instructor: Dr. Sunny Handa (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This course will combine a lecture, seminar and workshop style teaching method in order to expose students to complex corporate and commercial transactions. It will draw upon a number of different fields of law and will require students to apply a range of substantive and other skills (such as negotiation) in order to navigate through various exercises. The course will be structured into three or four modules, each involving a different form of complex legal transaction and a different area of law. These modules will be based on substantive rules in the fields of information technology, communications law, and intellectual property law and the transactions discussed will relate to corporate law (complex corporate structuring, mergers and acquisitions) and commercial law (licensing). Students are expected to actively participate as significant portions of this course will be “hands on”.
Prerequisites: None apart from basic contract law (although some corporate law knowledge would be helpful).
Seminar: Yes
Method of Evaluation: 1. Class participation: 25%
 2. Formal presentation (may be done as part of a group): 25%
 3. Written assignment: 50%, due by 5 p.m. April 23rd at SAO.
Maximum Enrolment: 30 (20 undergraduate and 10 graduate students)
Teaching Hours: Tues.: 16:00-19:00

COURSE TITLE: **COMPUTERS AND THE LAW** **Number:** CMPL 578
Instructor: Dr. Sunny Handa (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: Identification, analysis, and discussion of the legal issues raised by information technology, computing and networked environments. Consideration of : hardware, software licence and service agreements as well as computer contracting issues; cyber-torts; computer crime; protection of information (copyright, patent, trade-mark/domain name and trade secret law in the area); electronic commerce; competition law; encryption export/use rules; privacy laws; and multijurisdictional problems.
Prerequisites: None
Seminar: Yes
Method of Evaluation: Term paper: 75%. Participation/presentation: 25%.
Maximum Enrolment: 30 (20 undergraduate and 10 graduate students)
Teaching Hours: Tues.: 16:00-19:00

COURSE TITLE: **CONSTITUTIONAL LAW OF** **Number:** PUB2 102
Instructor: Professor Ronald B. Sklar (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: This course provides an introduction to the theory and methodology of constitutional law interpretation in the United States and, in particular, includes an examination of the role of the Supreme Court, federalism versus states’ rights, freedom of speech and religion, equal protection and the due process clause.
Prerequisites: None
Seminar: No
Method of Evaluation: Examination and possible in-term assignment(s)
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **CORPORATE FINANCE** **Number:** BUS2 505
Instructor: M^c Marc Barbeau (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This course focuses on advanced issues in business and corporate law. It provides students with the opportunity to understand how disparate areas of law actually come to inform particular legal problems and how these areas interact with one another. Also, in many contexts, lawyers need to understand the principles underlying decisions about a corporation's capital structure. Topics considered include the distinctive aspects and rights of corporate securities, including common shares, preferred shares and debt, and credit documentation. The course requires students to draw upon their entire legal studies to address practical issues in corporate law.
Prerequisites: *Business Associations*
Seminar: No
Method of Evaluation: Take-home examination
Maximum Enrolment: 35 (25 undergraduate students; 10 graduate students)
Teaching Hours: Fri.: 8:30-11:30

COURSE TITLE: **CORPORATE TAXATION** **Number:** PUB2 417
Instructor: M^c Robert Raizenne (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: An extensive treatment of the taxation of business entities with an emphasis on the corporation and its shareholders; incorporation; continuance; reorganizations; distributions; some elements of the taxation of corporate finance; specific tax avoidance doctrines and rules; the General Anti-Avoidance Rule; and some consideration of the taxation of partnerships and trusts.
Prerequisites: *Business Associations and Taxation*
Seminar: No
Method of Evaluation: Final examination (100%) will be a 48-hour take-home examination.
Maximum Enrolment: 25
Teaching Hours: Mon.: 14:30-17:30

COURSE TITLE: **CRIMINAL LAW** **Number:** PUB2 111
Instructor: Professor Payam Akhavan (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: An introduction to general principles of substantive criminal law as interpreted and applied under the *Charter of Rights, Criminal Code*, and the common law. These principles constitute moral and utilitarian justifications for attributing criminal liability to individuals for culpable conduct and the corresponding grounds for exclusion of such liability. The course will begin by examining the fundamental principle of legality (*nullum crimen sine lege*) as a safeguard against arbitrary deprivation of individual liberty by the State, and more generally, limits on the type of conduct that can be criminalized by the State, using pornography, marijuana, and hate speech as illustrations. Next, the basic ingredients of a crime, comprising a mental element (*mens rea*) and a material element (*actus reus*), will be explored with a view to understanding their scope, complexity, and interrelationship. The material element, including both acts and omissions, will be considered through the prism of voluntariness and causation. Exploration of the mental element focuses on the notion of moral choice, and the hierarchy of culpable states of mind including intentionality, foreseeability, wilful blindness and, with respect to less serious “regulatory” or “public welfare” offences where utilitarian considerations are more prevalent, mere negligence or even absolute liability. Extension of liability beyond physical perpetrators of crimes to other participants will also be considered, including concepts of co-perpetration, aiding and abetting, collective criminality, accessory liability, and corporate officer liability. Liability for inchoate offences such as attempt, incitement, and conspiracy, will also be analyzed in terms both of moral blameworthiness for un consummated crimes. Finally, grounds for exclusion of criminal liability will be explored including automatism and mental disorder, duress, self-defence, necessity, and provocation.
Prerequisites: None
Seminar: No
Method of Evaluation: 80% final examination; 20% writing assignment and class participation
Maximum Enrolment: 75 (50 upper-year and 25 first-year students)
Teaching Hours: Mon., Wed.: 9:00-10:30

COURSE TITLE: **CRIMINAL LAW** **Number:** PUB2 111
Instructor: Professor Patrick Healy (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: An introduction to principles of liability in substantive criminal law, as found in the Constitution, the *Criminal Code* and the common law.
Prerequisites: None
Seminar: No
Method of Evaluation: Examination: 100%
Maximum Enrolment: 75
Teaching Hours: Tues., Thurs.: 8:30-10:00

<u>COURSE TITLE:</u>	CRIMINAL LAW / DROIT PÉNAL GÉNÉRAL	<u>Number:</u>	PUB2 111
<u>Instructor:</u>	Professor Frédéric Mégret (003)	<u>Term:</u>	II
<u>Language of Instruction:</u>	French	<u>Credits:</u>	3
<u>Description:</u>	Ce cours constitue une introduction au droit criminel canadien, qui se veut en même temps généraliste, inter-disciplinaire et partiellement comparative. Le droit criminel général est l'armature conceptuelle du droit criminel : l'ensemble des principes et concepts qui structurent son ordonnancement. Le cours ne portera que sur le droit criminel substantif, et n'envisagera la procédure pénale que de manière très incidente.		
	On sera donc appelé à examiner les idées fondatrices du droit criminel moderne en ce qu'elles permettent de définir un certain nombre d'infractions, ainsi que les tensions auxquelles elles donnent nécessairement lieu dans la jurisprudence. Les notions clefs d'actus reus et de mens rea, l'imputation de la responsabilité pénale, ainsi que les principales défenses feront l'objet d'une attention détaillée. On verra en particulier comment l'adoption de la Charte des droits et libertés a amené les tribunaux à s'interroger sur des pans entiers du droit criminel. Le droit criminel, peut-être plus que toute autre branche du droit, ne saurait s'affranchir d'une compréhension des grands enjeux sociaux dans lesquels il s'insère.		
<u>Prerequisites:</u>	None		
<u>Seminar:</u>	No		
<u>Method of Evaluation:</u>	Final examination		
<u>Maximum Enrolment:</u>	60 (40 upper-year and 20 first-year students)		
<u>Teaching Hours:</u>	Mon., Wed.: 9:00-10:30		

<u>COURSE TITLE:</u>	EMPLOYMENT LAW	<u>Number:</u>	LEEL 470
<u>Instructor:</u>	M ^e Thomas Davis* (001)	<u>Term:</u>	I
<u>Language of Instruction:</u>	English	<u>Credits:</u>	3
<u>Description:</u>	Survey of the employment contract including hiring practices, dismissals, duties of the employer and the employee including loyalty, non-competition, impact of statutes (Labour Standards Act, Charter of the French Language, etc.) and recourses. The purpose of the course is to deal with non-collective agreement employment contracts, which govern most of the working population. The course will also look at basic common law employment issues and compare them to Quebec.		
<u>Prerequisites:</u>	None		
<u>Seminar:</u>	No, but extensive student participation welcome		
<u>Method of Evaluation:</u>	Final examination; possible in-term assignments TBA		
<u>Maximum Enrolment:</u>	60		
<u>Teaching Hours:</u>	Tues., Thurs.: 8:00-9:30		

**Me Davis was called to the Quebec Bar in 1981, after obtaining a B.A. with a major in Industrial Relations from McGill in 1976 and his LL.B. and B.C.L. degrees from McGill in 1980. He has practised labour and employment law since 1981 and regularly appears before arbitrators and administrative tribunals. He is co-author of La nouvelle loi sur les normes du travail and Solutions for the Canadian Workplace and has published articles in La Revue du barreau and Développements récents en droit du travail.*

<u>COURSE TITLE:</u>	ESTATE PLANNING	<u>Number:</u> BUS1 414
<u>Instructor:</u>	M ^c Guy Fortin* (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	What is estate planning? Anti-avoidance rules, attribution rules and basic income splitting techniques, income tax consequences arising upon death, taxation of estate and trust and their beneficiaries, post mortem tax planning, use of corporations in estate planning, estate freezes, transfer of family businesses, income tax aspects of buy-sell agreements between shareholders, basic principles of valuation, deferred income plans, retirement planning, registered charities, income tax consequences of matrimonial regimes. Particular emphasis will be placed upon those aspects of personal and corporate income tax which are relevant in designing and implementing estate plans.	
<u>Prerequisites:</u>	<i>Taxation</i>	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	Assignments (75%); class participation (25%)	
<u>Maximum Enrolment:</u>	25	
<u>Teaching Hours:</u>	Wed.: 8:30-11:30	

**Former Senior partner with Ogilvy Renault, M^c Fortin is currently Director of a Family Office. He practises in the area of taxation (corporate, international and private wealth). He was Chairman of the Board of Governors of the Canadian Tax Foundation and served as Governor (1985-1988 and 1992-1996), Vice-President (1984) and President (1985) of the Taxation Section of the Canadian Bar Association, Québec Division. He is a member of the International Academy of Trusts and Estates. M^c Fortin has published numerous articles in his area of expertise. He was admitted to the Québec Bar in 1977 and has taught in the Faculty for over 15 years.*

<u>COURSE TITLE:</u>	EUROPEAN COMMUNITY LAW I	<u>Number:</u> CMPL 536
<u>Instructor:</u>	Professor Armand de Mestral (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	An analysis of the institutional provisions of the Treaties establishing the European Union and current projects in creating a homogenous structure for commerce and competition within the Single Market. This course will stress the law governing the institutions, the relationship between community and domestic law and the process of judicial review by the Court of European Communities, external relations and the principles governing the free movement of goods, services, persons and capital. Comparisons are made with federal systems and free trade areas.	
<u>Prerequisites:</u>	None (<i>Public International Law</i> recommended)	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	100% examination or 66 % examination and 33 % optional paper	
<u>Maximum Enrolment:</u>	60 (50 undergraduate and 10 graduate students)	
<u>Teaching Hours:</u>	Wed.: 11:00-12:30; Fri.: 10:00-11:30	

COURSE TITLE: **EVIDENCE (CIVIL MATTERS)** **Number:** LAWG 415
Instructor: Professor Frédéric Bachand (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: Basic principles of evidence as applied and developed in the context of civil litigation in Canadian jurisdictions and, more generally, in the French civil law and the Anglo-American common law traditions. Topics include theories of proof and evidence, adversarial and inquisitorial systems of proof, burden and standard of proof, relevance, the different kinds of evidence, i.e. notarial and documentary evidence, testimonial evidence (lay and opinion evidence), presumptions, admissions, demonstrative and autoptic evidence, the principal rules of admissibility, including the hearsay rule and its exceptions, and rules of extrinsic policy such as privileges and the exclusion of improperly obtained evidence.
Prerequisites: None
Seminar: No
Method of Evaluation: Final 48-hour take-home examination
Maximum Enrolment: 70
Teaching Hours: Mon.: 13:00-14:30; Wed.: 9:30-11:00

COURSE TITLE: **EVIDENCE (CIVIL MATTERS)** **Number:** LAWG 415
Instructor: Dr. Pierre-Emmanuel Moysé (001) **Term:** II
Language of Instruction: French **Credits:** 3
Description: Principes fondamentaux de la preuve tels qu'appliqués en matière civile au Canada. Les sujets traités incluent : fardeau et standard de preuve; pertinence; types de preuve, par ex. preuve documentaire, preuve testimoniale, preuve d'expert; présomptions; admissions; principales règles d'admissibilité, incluant la règle du oui-dire et ses exceptions.
Prerequisites: None
Seminar: No
Method of Evaluation: Take-home examination
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 13:00-14:30

COURSE TITLE: **EVIDENCE (CRIMINAL MATTERS)** **Number:** LAWG 426
Instructor: Professor Patrick Healy (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: An introduction to principles of evidence with a focus on admissibility in criminal matters. Topics include relevance, hearsay, opinion, character, similar facts, confessions and illegally-obtained evidence. The course begins with a discussion of burdens and standards of proof.
Prerequisites: *Evidence (Civil Matters)* (or co-requisite)
Seminar: No
Method of Evaluation: Examination: 100%
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 13:00-14:30

COURSE TITLE: **EXTRAJUDICIAL DISPUTE RESOLUTION** **Number:** CMPL 568
Instructor: Professor Frédéric Bachand (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This is a transsystemic course on so-called alternative dispute resolution (ADR) in civil and commercial matters. It is concerned with the law and practice relating to the extrajudicial means – negotiation, mediation/conciliation and arbitration – through which the majority of civil and commercial disputes are nowadays resolved in common law as well as in civil law jurisdictions. Selected topics will be emphasized, such as the effective drafting of mediation and arbitration agreements, the relationship between extrajudicial means of dispute resolution and the judicial process as well as the enforcement of settlements and arbitration awards.
Prerequisites: *Judicial Institutions and Civil Procedure/Droit judiciaire*
Seminar: Yes
Method of Evaluation: Class participation (25%); final take-home examination (75%)
Maximum Enrolment: 30 (20 undergraduate students; 10 graduate students)
Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **FAMILY LAW** **Number:** LAWG 273
Instructor: Professor Angela Campbell (001) **Term:** summer 2008
Language of Instruction: English **Credits:** 3
Description: This course examines law's conception of the family and the relationships that exist within it, in particular, those between spouses and persons in intimate personal relationships, between children and parents, and between children and persons having a *quasi*-parental role (e.g., grandparents, step-parents). Particular themes considered include the nature and effects of the parent-child relationship (including issues related to establishing parentage through biological, social and adoptive links; surrogacy; assisted reproduction; custody and access; and child support), and the nature and effects of conjugal relationships (including issues related to marriage and *de facto* partnerships, separation, divorce, spousal support and domestic agreements). The course will examine how these issues are understood and addressed within the common law, civil law and Aboriginal legal traditions of Canada.
Prerequisites: None
Seminar: No
Method of Evaluation: 100% final examination
Maximum Enrolment: 75
Teaching Hours: T.B.A.

<u>COURSE TITLE:</u>	FAMILY LAW	<u>Number:</u> LAWG 273
<u>Instructor:</u>	Professor Robert Leckey (001)	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	Family law attempts to cram our most intimate relationships into the lawyer's lexicon of civil status, rights and obligations. This course examines legal conceptions of the family and family relationships. In particular, it will study the civil status consequences of marriage and other intimate adult relationships, parent-child relationships, and relations between children and other parental figures. The course will examine how these issues are currently treated in the common and civil law traditions of Canada, setting contemporary regulation against historical treatments. The course will also introduce different theoretical approaches to family law, e.g. feminist, queer, legal pluralist, and law and economics. A subsidiary theme will be the appropriate forum for law reform, contrasting constitutional rights litigation with legislative reform.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	75% sit-down open-book examination; 25% multi-step writing assignment involving drafting and revision of a short paper	
<u>Maximum Enrolment:</u>	75 (50 upper-year students; 25 first-year students)	
<u>Teaching Hours:</u>	Tues., Thurs.: 8:30-10:00	

<u>COURSE TITLE:</u>	FAMILY PROPERTY LAW/ DROIT PATRIMONIAL DE LA FAMILLE	<u>Number:</u> LAWG 300
<u>Instructor:</u>	Professor Nicholas Kasirer (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	French	<u>Credits:</u> 3
<u>Description:</u>	Administration et droits à l'égard des biens dans les relations conjugales et autres relations personnelles intimes, en common law et en droit civil, avec un regard porté sur d'autres traditions juridiques et sur le phénomène de la migration des familles. Gestion et distribution des ressources financières familiales selon les règles des régimes matrimoniaux, contrats domestiques et de mariage, mandats domestiques, fiducies, régimes législatifs de partage de biens familiaux, libéralités et pratiques sociales.	
<u>Prerequisites:</u>	<i>Civil Law Property or Common Law Property, Family Law</i> is recommended. For students not having completed this course concurrently or as a prerequisite, reading an introductory text on Canadian family law is mandatory.	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	Examination and essay, the latter which may be optional	
<u>Maximum Enrolment:</u>	60	
<u>Teaching Hours:</u>	Mon.: 11:00-12:30; Wed.: 9:30-11:00	

COURSE TITLE: **FEMINIST LEGAL THEORY** **Number:** CMPL 504
Instructor: Professor Colleen Sheppard (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: This seminar explores recurrent themes related to feminist methodology, including the concern that the contextual realities of diverse women's lives be incorporated into the study and interpretation of law. It further examines the historical development of feminist legal thought, assessing how liberal feminism, cultural feminism, dominance feminism, lesbian feminism, critical race theory, critical disability theory, postmodernism and post-colonial theory have influenced feminist legal theory and practice.
Prerequisites: None
Seminar: Yes
Method of Evaluation: Assignment #1: 40%. Assignment #2: 40%. Seminar participation: 20%.
Maximum Enrolment: 30 (25 undergraduate and 5 graduate students)
Teaching Hours: Mon., Wed.: 14:30-16:00

COURSE TITLE: **GOVERNMENT CONTROL OF BUSINESS** **Number:** CMPL 574
/ RÉGULATIONS DE L'ÉCONOMIE
ET DROITS DE LA CONCURRENCE **Term:** I
Instructor: Professor Jean-Guy Belley (001) **Credits:** 3
Language of Instruction: French
Description: Les régulations publiques et privées de l'économie contemporaine : le droit économique national et supranational ; le groupe de sociétés d'envergure mondiale ; les alliances stratégiques ; la concurrence ; les standards techniques. Les tendances d'évolution des droits de la concurrence principalement ceux des États-Unis et de l'Union européenne. La perspective du cours est interdisciplinaire et critique.
Prerequisites: None
Seminar: No
Method of Evaluation: Research paper (50%); take-home examination (50%).
Maximum Enrolment: 60 (50 undergraduate and 10 graduate students)
Teaching Hours: Tues., Thurs.: 13:00-14:30

COURSE TITLE: **IMMIGRATION AND REFUGEE LAW** **Number:** PUB2 451
Instructor: Professor Evan Fox-Decent (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: Immigration and refugee law concerns the fundamental question of who gets to be a member of a particular political community. This course deals with the central issues related to this question. We will examine the limits and promise of the Immigration and Refugee Protection Act as a framework for addressing these issues, which include: admissions categories, the refugee process, national security, the security certificate process, employment policy, applications based on humanitarian and compassionate considerations, judicial review of immigration decisions, the Safe Third Country Agreement with the U.S.A., the impact of the *Charter* and international human rights law, and the extent to which the rule of law generally can protect potential entrants who lack status as citizens or permanent residents.
Prerequisites: None
Seminar: No
Method of Evaluation: 35% one-hour mid-term examination; 65% two-hour final examination (open book)
Maximum Enrolment: 75
Teaching Hours: Tues., Thurs.: 16:00-17:30

COURSE TITLE: **INSURANCE** Number: BUS2 461
Instructor: M^c Helena Lamed (001) Term: II
Language of Instruction: English Credits: 3
Description: Principles of insurance law, private insurance of persons and property, public regimes, and the relationship to contractual and extra-contractual obligations, across jurisdictions.
Prerequisites: None
Seminar: No
Method of Evaluation: 100% final examination
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 13:00-14:30

COURSE TITLE: **INTELLECTUAL AND INDUSTRIAL PROPERTY** Number: BUS2 502
Instructor: Professor Wendy Adams (001) Term: I
Language of Instruction: English Credits: 3
Description: In this course, we examine the public nature of private space and the ways in which legal systems and markets govern that space using intellectual and industrial property as our example. In particular, the course will analyze the distributive assumptions inherent in private ordering and the role of governing institutions in shaping distributive outcomes. Intellectual property regimes - copyright, trademark, patent, and trade secret - and competition law provide a means through which to compare and contrast various ways of creating private space.
The course will provide students with a general knowledge of the basic intellectual property regimes, and with a foundation upon which to build a deeper knowledge of particular intellectual property regimes in the future.
Prerequisites: *Common Law Property* strongly recommended
Seminar: No
Method of Evaluation: 100% sit-down examination
Maximum Enrolment: 35 (30 undergraduate students; 5 graduate students)
Teaching Hours: Tues., Thurs.: 16:00-17:30

COURSE TITLE: **INTELLECTUAL AND INDUSTRIAL PROPERTY** Number: BUS2 502
Instructor: Professor E. Richard Gold (001) Term: II
Language of Instruction: English Credits: 3
Description: In this course, we take a transsystemic approach to the study of intellectual property regimes: copyright, trade marks and patents. Through this approach, in which we examine the ways that these different legal regimes respond to similar questions over which ideas are protected and how, we also evaluate the way in which public law shapes opportunities for private legal ordering. The international nature of intellectual property rights also provides students with the ability to examine the interrelationship between international and national law.
The course will provide students with a general knowledge of the basic intellectual property regimes and a foundation upon which to build a deeper knowledge of particular intellectual property regimes in the future.
Prerequisites: *Common Law Property* strongly recommended
Seminar: No
Method of Evaluation: Term assignment: 33.3%. Final examination: 66.67%.
Maximum Enrolment: 35 (30 undergraduate students; 5 graduate students)
Teaching Hours: Tues., Thurs.: 16:00-17:30

COURSE TITLE: **INTELLECTUAL AND INDUSTRIAL PROPERTY** **Number:** BUS2 502

Instructor: Professor Tina Piper (002) **Term:** II

Language of Instruction: English **Credits:** 3

Description: In this course, we examine the public nature of private space and the ways in which legal systems and markets govern that space using intellectual and industrial property as our example. In particular, the course will analyze the distributive assumptions inherent in private ordering and the role of governing institutions in shaping distributive outcomes. Intellectual property regimes - copyright, trademark, patent, and trade secret - and competition law provide a means through which to compare and contrast various ways of creating private space. The international nature of intellectual property rights also provides students with the ability to examine the interrelationship between international and national law.

The course will provide students with a general knowledge of the basic intellectual property regimes. This course will also provide those students wishing to develop greater knowledge about intellectual property with a foundation upon which to build their knowledge of particular intellectual property regimes.

Prerequisites: *Common Law Property* strongly recommended

Seminar: No

Method of Evaluation: 60% final examination and 40% assignment

Maximum Enrolment: 35 (30 undergraduate and 5 graduate students)

Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **INTELLECTUAL AND INDUSTRIAL PROPERTY / LA PROPRIÉTÉ INTELLECTUELLE ET INDUSTRIELLE** **Number:** BUS2 502

Instructor: Professor David Lametti (003) **Term:** I

Language of Instruction: French **Credits:** 3

Description: Ce cours propose un examen de la nature de la propriété intellectuelle, de sa portée et des modes de réglementation disponibles («governance»). Nous étudierons les régimes formels des catégories traditionnelles de la propriété intellectuelle — le droit d’auteur, les brevets, les marques de commerce ainsi que l’information confidentielle; les régimes formels dans des domaines contigus comme le contrat, la responsabilité civile, le droit de la concurrence ou des régimes alternatifs. Nous chercherons à comprendre les enjeux des décisions réglementaires et leur effet sur des questions de création, de définition, de protection et de distribution de droits considérés comme patrimoniaux. Les outils de réglementation pourraient être à la fois informels (par exemple les «patent pools» et le mouvement «open source») ou innovateurs (par exemple la réglementation des noms de domaine). Les régimes internationaux fourniront une occasion d’examiner la relation entre le droit national et le droit international.

Ce cours fournira une connaissance de base dans le domaine, mais aussi une base critique qui pourra servir comme point de départ pour des études approfondies des régimes particuliers de la propriété intellectuelle.

Prerequisites: *Common Law Property* strongly recommended

Seminar: No

Method of Evaluation: One final exam worth 100% of the grade. Students may elect to write an optional 15-page essay that will count towards one-third of the final grade and which is due on the last day of classes. If they do, they will answer two of the three parts of the exam.

Maximum Enrolment: 35 (30 undergraduate and 5 graduate students)

Teaching Hours: Mon., Wed.: 14:30-16:00

<u>COURSE TITLE:</u>	INTERNATIONAL CRIMINAL LAW	<u>Number:</u> PUB2 502
<u>Instructor:</u>	Professor Frédéric Mégret (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	Pinochet, Milosevic, Hussein, Kambanda, Taylor, Habré... The worldwide trend which is bringing former heads of states to account for some their crimes is one of the most noteworthy in the recent development of international law. Drug trafficking, money laundering, corruption, organized crime, cybercrime... there seems to be no end to the need for the criminal law to internationalize itself.	
	Together, these two trends – the criminalization of international law and the internationalization of criminal law – form part of the burgeoning discipline of international criminal law. This seminar proposes to discuss the main stakes behind the emergence of international criminal law. Both substantive international criminal law (the actual crimes) and its enforcement mechanisms (domestic and international trials but also prevention and judicial cooperation) will be studied.	
<u>Prerequisites:</u>	Recommended: <i>Criminal Law</i> and <i>Public International Law</i> .	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	40%: two short papers of 1500 words each; 20%: class participation 40%: either a long paper of 3500 words, a class presentation or a final closed book examination	
<u>Maximum Enrolment:</u>	35 (25 undergraduate and 10 graduate students)	
<u>Teaching Hours:</u>	Mon.: 13:00-14:30; Wed.: 9:30-11:00	

<u>COURSE TITLE:</u>	INTERNATIONAL DEVELOPMENT LAW	<u>Number:</u> CMPL 516
<u>Instructor:</u>	Professor Jane M. Glenn (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	This course will focus on human settlements in developing countries as a vehicle for exploring international and domestic issues relating to development. This exploration will include such issues as the nature of development and claims to it; the role of the United Nations and its related agencies (i.e. UNDP, UN-Habitat, etc.); regional organizations (i.e. CARICOM, Association of Caribbean States); multilateral and bilateral financial assistance (i.e. World Bank, regional banks, CIDA, etc); foreign direct investment (i.e. privatization of utilities); effect of domestic law on access to land; land tenure regularization (squatters, chattel houses, family land); indigenous title (i.e. ejido land in Mexico); interrelationship between environment and development (i.e. coastal zone management; tourism), gender and development (i.e. women's property rights), and human rights and development (i.e. rights to housing, etc.); the informal sector; etc.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes. The course will be taught in two accelerated phases. Specific dates will be announced at the beginning of term. The first phase will be given as introductory lectures to the general field of international development law, and the second will consist of class presentations on issues related to law, development and human settlements, inclusively. The presentations will be organised in the form of conference panels with a view to introducing students to effective conference participation (as chair, presenter and participant), including the use of visual aids.	
<u>Method of Evaluation:</u>	<i>Class participation</i> (including oral presentation): 25%. <i>Written paper</i> : 75%. The written paper will consist of 4 submissions throughout the term, to be evaluated as follows: draft research proposal: 5%; final research proposal: 10%; outline and bibliography: 10%; final paper: 50%.	
<u>Maximum Enrolment:</u>	28 (16 undergraduate and 12 graduate students)	
<u>Teaching Hours:</u>	Tues., Thurs.: 16:00-18:00	

COURSE TITLE: **INTERNATIONAL ENVIRONMENTAL LAW** **Number:** CMPL 546
Instructor: Professor Jaye Ellis (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This course addresses the emergence of international environmental law out of the framework of protection of territorial sovereignty and its more recent attempts to address common interests in the health of ecosystems. The central principles of international environmental law will be considered and their operation examined through case studies. The course also addresses thematic issues such as risk and liability, compliance and choice of regulatory instruments.
Prerequisites: *Public International Law*
Seminar: No
Method of Evaluation: One written assignment in-term (40%); final assignment (60%)
Maximum Enrolment: 60 (45 undergraduate and 15 graduate students)
Teaching Hours: Tues., Thurs.: 10:00-11:30

COURSE TITLE: **INTERNATIONAL LAW OF HUMAN RIGHTS** **Number:** CMPL 571
Instructor: Professor Frédéric Mégret (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: THE GLOBALIZATION OF HUMAN RIGHTS: Human rights have become the ubiquitous discourse of the international community. But what lies behind the rhetoric? Is there such a thing as international human rights? How does it relate to state sovereignty? Are international human rights part of international law? Do they have special value? Do international human rights make a difference in the practice of states?
This course will depart from a classical international human rights law course, in that it will try to envisage human rights law from the angle of globalization. What does it mean to say that human rights as an idea has become globalized?
This course will examine the birth of the international human rights regime, from minority protection in the inter-war to the drafting of the Universal Declaration and the Covenants, and various regional sources embodying human rights principles. It will provide an introductory analysis of different generations of rights, their content and relation to each other, as well as the impact of inter-civilizational dialogue on the formulation of the global human rights regime. It will assess the role of universal (United Nations) and regional (American, European and African) human rights mechanisms, whether judicial or not, in promoting and protecting human rights, as well as some of the tensions that may arise with states as a result. The course will also consider some transnational human rights issues (terrorism, refugees, conditionality in development assistance, multinational corporations, transnational human rights litigation). Finally, some human rights problems arising out of global governance arrangements (world trade and human rights, collective security and human rights) will be studied.
Prerequisites: Recommended: *Public International Law*
Seminar: No
Method of Evaluation: 100% final examination, closed book
Maximum Enrolment: 60 (45 undergraduate and 15 graduate students)
Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **INTERNATIONAL MARITIME CONVENTIONS** **Number:** CMPL 553
Instructor: M^c John G. O'Connor (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: A comparative course dealing with maritime law in Canada, the U.K., the U.S. and France, with a special focus on international maritime conventions. Substantive maritime law topics will include the history, jurisdiction and practice of the Admiralty Courts, ship registration, ship mortgages, general average, marine insurance and pilotage. International conventions in respect of collisions, limitation of liability, ship arrest, salvage, maritime liens, marine pollution and the safety of life at sea will be compared to national laws.
Prerequisites: None
Seminar: No
Method of Evaluation: Examination
Maximum Enrolment: 60 (40 undergraduate and 20 graduate students)
Teaching Hours: Wed.: 16:30-19:30

COURSE TITLE: **JUDICIAL INSTITUTIONS AND CIVIL PROCEDURE** **Number:** PROC 124
Instructor: Professor H. Patrick Glenn (001) **Term:** I
Language of Instruction: English **Credits:** 4
Description: Legal representation and the legal professions; ethics; judicial role and judicial structures; jurisdiction; scope of litigation; initiation of proceedings; pleadings; case management and preliminary contestation; discovery.
Prerequisites: None
Seminar: No
Method of Evaluation: Final examination worth 100% or 80%; optional essay 20%.
Maximum Enrolment: 50
Teaching Hours: Mon.: 12:30-14:30; Wed.: 9:00-11:00

COURSE TITLE: **JUDICIAL INSTITUTIONS AND CIVIL PROCEDURE** **Number:** PROC 124 D1
Instructor: Professor Rosalie Jukier (001) **Terms:** I & II
Language of Instruction: English **Credits:** 4
Description: Procedure: pre-trial civil procedure and applications for appeal in Canada. Launching a civil action and pleadings; jurisdiction and judicial organization; prerogative writs and evocation; motions and interlocutory relief; pre-trial mediation and settlement; discovery and costs. Emphasis on Québec Code of Civil Procedure, Ontario Courts of Justice Act and Rules of Practice, Supreme Court Rules and Federal Court Rules.
Prerequisites: None
Seminar: No
Method of Evaluation: Mid-term in December; final examination in April; in-term assignment
Maximum Enrolment: 50
Teaching Hours: I: Tues., Thurs.: 11:30-12:30
 II: Mon., Wed.: 11:30-12:30

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

COURSE TITLE: **JUDICIAL REVIEW OF ADMINISTRATIVE ACTION** **Number:** PUB2 401
Instructor: Professor Evan Fox-Decent (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This is a course in public law that examines the theory and practice of judicial review of administrative action. The jurisprudence we will cover is relevant to many substantive areas of law such as labour law, immigration law, environmental law, health law, municipal law, communications law, banking and securities law, and landlord-tenant law. You are encouraged to take Administrative Process prior to or concomitantly with this course, since the focus of that offering is the internal law developed by administrative agencies, and it is judicial review of this law and its outcomes that comprises the subject matter of the present course. Note as well that you should take this course, Judicial Review, if you wish to participate in the Laskin Moot. The Laskin is based on judicial review and constitutional law, and having taken this course will count in your favour during the selection of McGill's Laskin team.
Prerequisites: *Administrative Process* recommended (or can be taken concurrently)
Seminar: No
Method of Evaluation: 35% one-hour mid-term examination; 65% two-hour final examination (open book)
Maximum Enrolment: 75
Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **JURISPRUDENCE** **Number:** CMPL 501
Instructor: Professor Stephen Smith (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This course provides an introduction to anglo-american legal theory. We will discuss the nature of law, in particular the connection between law and morality, as well as related topics such as whether there is an obligation to obey the law.
Prerequisites: None
Seminar: No
Method of Evaluation: In-class assignment (30%), class participation (20%), examination (50%).
Maximum Enrolment: 25 (20 undergraduate and 5 graduate students)
Teaching Hours: Tues., Thurs.: 10:00-11:30

COURSE TITLE: **LABOUR LAW** **Number:** LEEL 369
Instructor: Professor Adelle Blackett (001) **Term:** II
Language of Instruction: English (with extensive class participation both in French and English) **Credits:** 3
Description: This course provides a general introduction to labour law, focusing on collective bargaining and labour relations. Its emphasis is on the Quebec Labour Code and the Canada Labour Code, with frequent references to Ontario and other provincial developments. The course will also examine the effects of economic globalization on the efficacy of existing approaches to labour law.
Prerequisites: None, although *Administrative Process* is recommended
Seminar: No, although students are invited to participate extensively and thoughtfully in classroom discussion.
Method of Evaluation: Class participation: 20%; final examination: 50% or 80%; optional assignment or essay: 30%.
Maximum Enrolment: 75
Teaching Hours: Tues., Thurs.: 14:30-16:00

COURSE TITLE: **LAND USE PLANNING** **Number:** PRV4 145
Instructor: Professor Jane M. Glenn (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: A study of private and public control of land use and development, including: constitutional jurisdiction; provincial, regional and local planning; regulatory and discretionary tools (e.g. zoning by-laws, subdivision control, site-plan control); acquired rights; expropriation, land values and compensation; territorial organisations; protection of sensitive areas (e.g. heritage property, agricultural land).
Prerequisites: None
Seminar: No
Method of Evaluation: Class participation, and written case briefs: 5%; written case comments: 20%. Final examination (open book): 75%. The written case briefs and written case comments are to be circulated to all students in the class.
Maximum Enrolment: 30. This class is also open to Masters of Urban Planning students.
Teaching Hours: Fri.: 13:00-16:00

COURSE TITLE: **LAW AND PRACTICE OF INTERNATIONAL TRADE** **Number:** CMPL 543
Instructor: Professor Armand de Mestral (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This course will concentrate on several fundamental aspects of the law of international trade. The primary focus is on the World Trade Organisation Agreement 1994, the covered agreements and the standards governing the conduct of states in their treatment of foreign goods, services, capital and persons, as well as the North-American Free Trade Agreement and the settlement of disputes under these agreements. Comparisons are made to other regional agreements.
Prerequisites: *Public International Law* recommended
Seminar: No
Method of Evaluation: 100% examination or 66% examination and 33% optional paper
Maximum Enrolment: 75 (60 undergraduate and 15 graduate students)
Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **LAW AND PSYCHIATRY** **Number:** PUB2 500
Instructor: Professor Ronald B. Sklar (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: An examination of the roles of lawyers and psychiatrists in the handling of the mentally ill individual within the legal process. Consideration will be given to the question of the potential application of psychoanalytic theory and neuroscience to law (especially the Criminal Law); the civil commitment process; the insanity, diminished capacity and "automatism" defences; the psychiatric expert in the courtroom; the rights of psychiatric patients, especially as regards treatment. Some sessions will be conducted jointly with members of the psychiatric profession.
Prerequisites: *Criminal Law*
Seminar: Yes
Method of Evaluation: Combination of take-home examination and optional paper
Maximum Enrolment: 25 (20 undergraduate and 5 graduate students)
Teaching Hours: Wed.: 11:00-12:30; Fri.: 10:00-11:30

<u>COURSE TITLE:</u>	LAW OF INTERNATIONAL ORGANIZATIONS/	<u>Number:</u>	PUB2 406
	DROIT DES ORGANISATIONS INTERNATIONALES	<u>Term:</u>	II
<u>Instructor:</u>	Dr. Aristide Nononsi* (001)	<u>Credits:</u>	2
<u>Language of Instruction:</u>	French		
<u>Description:</u>	Les aspects juridiques de la diplomatie multilatérale institutionnalisée. Étude comparée des actes constitutifs des agences spécialisées du système des Nations Unies et de leur fonction normative. Problèmes juridiques de la fonction publique internationale.		
<u>Prerequisite:</u>	<i>Public International Law</i>		
<u>Seminar:</u>	Yes		
<u>Method of Evaluation:</u>	15 to 20-page essay (75%); participation (25%)		
<u>Maximum Enrolment:</u>	30 (20 undergraduate students; 10 graduate students)		
<u>Teaching Hours:</u>	Mon.: 12:30-14:30		

*Dr. Aristide Nononsi will take up positions as Senior Boulton Fellow in the Faculty of Law and Executive Director of the Centre for Developing Area Studies in the Faculty of Arts beginning in the summer of 2007. From 1999 to 2007, he served as Secretary to the Staff Appeals Committee and Head of the Appeal Committee Unit in the African Development Bank. He has worked for the International Labour Office (ILO) in Côte d'Ivoire, Switzerland and Tunisia. He completed his doctoral studies at the Université Montesquieu in Bordeaux, France, specializing in public international law.

<u>COURSE TITLE:</u>	LEGAL WRITING, MOOTING, AND	<u>Number:</u>	PRAC 155 D1
	ADVANCED LEGAL RESEARCH		PRAC 155 D2
<u>Instructor:</u>	M ^c Helena Lamed and M ^c Daniel Boyer (001)	<u>Terms:</u>	I & II
<u>Language of Instruction:</u>	English and French	<u>Credits:</u>	2
<u>Description:</u>	This second year course complements the first year <i>Introductory Legal Research</i> , refining research, writing and oral presentation skills. First term focuses on Legal Ethics and Professional Responsibility. In second term, students write an appeal factum and plead. Teaching alternates between the Class of the Whole and tutorial groups.		
<u>Prerequisites:</u>	<i>Introductory Legal Research</i>		
<u>Sequence:</u>	Second Year		
<u>Seminar:</u>	No		
<u>Method of Evaluation:</u>	In-term assignments, written and oral. Factums will be written in second term.		
<u>Maximum Enrolment:</u>	180		
<u>Teaching Hours:</u>	I: Fri.: 11:30-12:30 II: Tues.: 10:00-11:00		
<u>Tutorial Sessions:</u>	Registration will open in early September.		

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

<u>COURSE TITLE:</u>	LINGUISTIC AND LITERARY APPROACHES TO THE LAW	<u>Number:</u> CMPL 507
<u>Instructor:</u>	Dr. Sieglinde Pommer* (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 2
<u>Description:</u>	Law is constructed by and in manifold ways dependent on language. In this seminar, we will embark on an interdisciplinary exploration of this highly complex interaction. Drawing on ideas from philosophy, linguistics, translatology, communication theory, and literary studies, we will gain insight on the contributions and limitations of techniques of linguistic analysis for the interpretation and evaluation of legal texts as well as legal argumentation. Placing special emphasis on the difficulties arising due to legal multilingualism and the role of comparative law for legal translation, our goal is to raise awareness of the importance of language for legal thought.	
<u>Prerequisites:</u>	None. Graduate students should note that the course assumes the ability to read French legal texts.	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Reaction papers and class participation: 40%; seminar presentation: 10%; final examination: 50%.	
<u>Maximum Enrolment:</u>	30 (25 undergraduate students; 5 graduate students)	
<u>Teaching Hours:</u>	Mon.: 12:30-14:30	

* *Dr.iur. Dr.phil. Sieglinde Pommer is currently a Post-doc Fellow at the Quebec Centre of Private and Comparative Law in the Faculty of Law. A member of the New York Bar, she holds doctoral degrees in law and philosophy from the University of Vienna, an LL.M. degree from Harvard Law School, and the Diplôme Supérieur de Droit Comparé from Strasbourg. Dr. Pommer is interested and has published widely in the areas of comparative law and jurilinguistics, in particular on topics related to legal translation.*

<u>COURSE TITLE:</u>	MEDICAL LIABILITY	<u>Number:</u> CMPL 522
<u>Instructor:</u>	Professor Lara Khoury (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	Transsystemic and critical examination of medical liability issues, including doctor-hospital-patient relationship; medical duty of care, fault and causation; wrongful life, birth conception; informed consent and refusal; lack of resources; defective products; nosocomial infections; contaminated blood transfusions; interaction between law and science; no-fault approaches to liability and compensation.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	Final take-home examination (90% or 50%), optional paper (40%) and class participation (10%).	
<u>Maximum Enrolment:</u>	35 (30 undergraduate and 5 graduate students)	
<u>Teaching Hours:</u>	Mon.: 11:00-12:30; Wed.: 9:30-11:00	

<u>COURSE TITLE:</u>	PAYMENT MECHANISMS (BANKS AND PAYMENT INSTRUMENTS)	<u>Number:</u> BUS1 431
<u>Instructor:</u>	M ^c Marc Lemieux* (001)	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	This course deals with the laws governing payments systems and the use of paper-based and electronic payment instruments (e.g., cheques, notes, credit cards and electronic funds), as well as the role played by banks in payment transactions and the banker-customer contract. It considers the federal Bills of Exchange Act dealing with paper-based transactions, the Rules of the Canadian Payment Association governing electronic payment instruments and clearing and settlement among participating banks, civil and common law principles and caselaw respecting the relationship between banks and their customers in payment transactions, and also introduces students to analogous provisions of the American Uniform Commercial Code. The course approaches this subject matter from a practical and trans-systemic point of view.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	100% open-book final examination	
<u>Maximum Enrolment:</u>	60	
<u>Teaching Hours:</u>	Tues., Thurs.: 8:30-10:00	

*Marc Lemieux, B.Sc. (Math) McGill 1978; M.Sc. (Math) U.B.C. 1981; B.C.L.-LL.B. McGill 1987, Law clerk to Honorable Justice L'Heureux-Dubé 1989-90, Bars of Québec and Ontario, Partner, McCarthy Tétrault (1990-2006), and Vice-President, Legal Affairs and Corporate Secretary, Gaz Metro inc. (2007 to present), author of numerous publications on banking law.

<u>COURSE TITLE:</u>	POLICIES, POLITICS AND THE LEGISLATIVE PROCESS	<u>Number:</u> CMPL 518
<u>Instructor:</u>	Mr. Gregory Tardi* (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	The interaction among law, policy and politics, and the influence of law on governance in Canada.	
<u>Prerequisites:</u>	<i>Administrative Process</i> or <i>Judicial Review of Administrative Action</i> recommended	
<u>Seminar:</u>	Combination of lecturing by instructor with seminar-style class discussion	
<u>Method of Evaluation:</u>	Major paper for 70%; small paper for 10%; two class presentations for 20% (2 x 10%)	
<u>Maximum Enrolment:</u>	30 (25 undergraduate students; 5 graduate students)	
<u>Teaching Hours:</u>	Tues.: 18:00-21:00	

*Gregory Tardi is Senior Legal Counsel (Team Leader) in Legal Services at the House of Commons. He advises both the House of Commons as an institution and the individual Members of Parliament. This practice is focused on constitutional and other aspects of public law, with a particular emphasis on the law, custom and privilege of Parliament. As Senior Counsel, he is personally involved with a broad range of legal matters, including the corporate functioning of the House, the work of parliamentary committees, litigation on issues of political speech and defamation, as well as election and redistribution law. Mr. Tardi graduated from McGill (B.C.L. 1974) and Ottawa (LL.B. 1981. He has published *The Law of Democratic Governing*, Vol. I - Principles and Vol. II - Jurisprudence, as well as *The Legal Framework of Government: A Canadian Guide*.

COURSE TITLE: **PRIVATE INTERNATIONAL LAW** **Number:** LAWG 316
Instructor: Professor Catherine Walsh (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: An introduction to the principles, policies and methodologies of private international law, including jurisdiction, effects of foreign judgments and choice of law in selected areas. The doctrinal perspective is primarily Canadian – the Civil Code of Quebec, Canadian common law, and federal law – but frequent reference will be made to other national regimes, to regional and multilateral conventions, and to significant national, regional and multilateral reform initiatives.
Prerequisites: None
Seminar: No
Method of Evaluation: Take-home examination: 70%; mid-term assignment: 30%
Maximum Enrolment: 60
Teaching Hours: Wed.: 9:30-11:00; Fri.: 8:30-10:00

COURSE TITLE: **PRIVATE INTERNATIONAL LAW/
DROIT INTERNATIONAL PRIVÉ** **Number:** LAWG 316
Instructor: Professor H. Patrick Glenn (001) **Term:** II
Language of Instruction: French **Credits:** 3
Description: Les litiges en Amérique du Nord, dans le droit du Québec, du Canada, des États-Unis et du Mexique. Les professions juridiques, les systèmes judiciaires, la compétence territoriale, la collaboration judiciaire internationale, la procédure et la preuve, la reconnaissance des jugements étrangers, le choix de la loi applicable.
Prerequisites: None
Seminar: No
Method of Evaluation: 100% final examination
OR an (optional) 33⅓% in-term paper and % a 66⅔% examination
Maximum Enrolment: 60
Teaching Hours: Mon.: 10:30-11:30; Wed.: 10:30-12:30

COURSE TITLE: **PUBLIC INTERNATIONAL LAW** **Number:** PUB2 105
Instructor: Professor Payam Akhavan (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: An introduction to the public international legal system, focusing on the complex inter-relationship between normative aspirations, power realities, and the globalization process. Topics covered include sources and elements of law-making; subjects of the law and international persons; the relationship between international and municipal law; the concept and recognition of Statehood; self-determination and the acquisition of territory; the law of treaties; State responsibility and remedies for violations of international law; human rights; international criminal law; exercise of jurisdiction and State immunities; international dispute settlement; the use of armed force under the UN Charter and other coercive enforcement of international law.
Prerequisites: None
Seminar: No
Method of Evaluation: Final examination: 80%; writing assignment and class participation: 20%
Maximum Enrolment: 35
Teaching Hours: Tues., Thurs.: 14:30-16:00

COURSE TITLE: PUBLIC INTERNATIONAL LAW **Number:** PUB2 105
Instructor: Professor Ram Jakhu (002) **Term:** I
Language of Instruction: English **Credits:** 3
Description: The course covers traditional topics of Public International Law including nature and sources; recognition; territory and acquisition of territory; jurisdiction over the high seas; nationality; diplomatic and consular privileges and immunities; responsibility of states; interpretation of treaties; legal control of force and the U.N. Charter; special Canadian problems of public international law.
Prerequisites: None
Seminar: No
Method of Evaluation: 100% examination (open book) **OR** 66⅔% examination (open book) and 33⅓% voluntary paper
Maximum Enrolment: 35
Teaching Hours: Tues., Thurs.: 13:00-14:30

COURSE TITLE: PUBLIC INTERNATIONAL LAW **Number:** PUB2 105
Instructor: Professor René Provost (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: A general introduction aiming to acquaint students with basic principles of Public International Law, in addition to fostering a critical appreciation of this regime devoid of elements generally associated with the existence of any formal legal system (executive, legislative and judicial powers). We will study in detail the nature and identity of international actors as well as law-making processes, before considering a variety of topics including state jurisdiction, nationality, rules on the use of force, human rights, state responsibility, and the United Nations system.
Prerequisites: None
Seminar: No
Method of Evaluation: Two in-term essays (40%) and a final examination (60%)
Maximum Enrolment: 40 (30 upper-year students; 10 first-year students)
Teaching Hours: Tues., Thurs.: 14:30-16:00

COURSE TITLE: PUBLIC INTERNATIONAL LAW / **Number:** PUB2 105
DROIT INTERNATIONAL PUBLIC **Term:** II
Instructor: Professor Jaye Ellis (003) **Credits:** 3
Language of Instruction: French
Description: Il s'agit d'une introduction générale au droit international public, visant à donner aux étudiants non seulement une connaissance de base des éléments du droit international, mais aussi une vision critique de ce système dans lequel les éléments généralement considérés comme fondamentaux à tout système juridique (exécutif, législatif, judiciaire) sont organisés de façon horizontale. Nous examinerons en détail les processus de formation du droit international et le contenu des normes de certains secteurs du droit international, y compris la juridiction des États, la nationalité, l'emploi de la force, les droits de la personne, la responsabilité étatique, et les Nations Unies.
Prerequisites: None
Seminar: No
Method of Evaluation: Written assignments and Examination
Maximum Enrolment: 40 (30 upper-year and 10 first-year students)
Teaching Hours: Tues., Thurs.: 14:30-16:00

COURSE TITLE: **REAL ESTATE TRANSACTIONS** **Number:** PRV4 451
Instructor: Professor William F. Foster (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: Discussion of the following items: the broker and the broker's entitlement to commission; the contract of purchase and sale; relationship of vendor and purchaser between signing of the contract and the conveyance, including problems arising from the discovery of physical and title defects; the conveyance and its legal consequences; remedies both before and after conveyance.
Prerequisites: *Common Law Property*
Seminar: No
Method of Evaluation: Final examination
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 8:30-10:00

COURSE TITLE: **REMEDIES** **Number:** PRV3 434
Instructor: Professor Stephen Smith (001) **Term:** I
Language of Instruction: English **Credits:** 3
Description: This course is a study of private law remedies such as injunctions, specific performance, damages, and constructive trusts. Because the law of remedies cannot be understood separately from the substantive law, the materials for this course range across nearly the entirety of private law. The course could be called 'advanced advanced common law'. Thus the course examines both personal and proprietary remedies, and does so in the context of claims based not just on contract and tort, but also fiduciary obligations, unjust enrichments, and other sources of obligations. Special emphasis is given to understanding the role of remedial rights within the broader structure of private law. Other themes will include the appropriateness of proprietary remedies, the desirability of giving judges discretion when awarding remedies, and the (alleged) distinctiveness of both equitable remedies and remedies for the breach of equitable duties. Some reference will be made to the civil law.
Prerequisites: Recommended: *Advanced Common Law Obligations, Equity and Trusts* or *Restitution*
Seminar: No
Method of Evaluation: Take-home examination; possible other assignments TBA.
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 14:30-16:00

COURSE TITLE: **RESOLUTION OF INTERNATIONAL DISPUTES** **Number:** CMPL 533
Instructor: Professor Armand de Mestral (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: A seminar dealing with current methods of resolving international disputes, with an emphasis on international commercial arbitration. Alternative Dispute Resolution (ADR) mechanisms will also be examined in their international aspects. The course will address the issue of transnational rules and the interplay between rules of public and of private international law in the context of dispute resolution between states and private parties.
Prerequisites: *Public International Law* or *Private International Law*
Seminar: Yes
Method of Evaluation: Paper and class participation
Maximum Enrolment: 30 (15 undergraduates and 15 graduate students)
Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **RESTITUTION** **Number:** PRV4 500
Instructor: Professor Lionel Smith (001) **Term:** II
Language of Instruction: English **Credits:** 3
Description: This course is concerned with the cause of action in unjust enrichment in the common law tradition. It deals with the situation where there has been a transfer of wealth or value from the plaintiff to the defendant, but the circumstances surrounding the transfer are such that the law regards it as reversible at the instance of the plaintiff. In studying this body of law, we will spend most of our time trying to understand what circumstances make a transfer of wealth legally reversible. We will also consider some issues arising out of the question whether the defendant can be said to have been enriched, and whether that enrichment can be said to have been at the expense of the plaintiff. Finally we will address a number of defences.
Prerequisites: *Common Law Property. Equity and Trusts* recommended
Seminar: No
Method of Evaluation: A mix of term work and final sit-down examination
Maximum Enrolment: 60 (50 undergraduate and 10 graduate students)
Teaching Hours: Tues., Thurs.: 11:30-13:00

COURSE TITLE: **SALE / VENTE** **Number:** LAWG 200
Instructor: Professor Pierre-Gabriel Jobin (001) **Term:** I
Language of Instruction: French **Credits:** 4
Description: Introduction au droit de la consommation. Le contrat de vente dans les traditions de droit civil et de *common law* : nature et domaine de la vente; conditions de formation; obligations du vendeur, incluant la délivrance, la garantie de qualité et de titre; obligations de l'acheteur; transfert du titre; responsabilité du fabricant.
Prerequisites: None
Seminar: No
Method of Evaluation: End of term, open-book, 3-hour examination for 100% of the grade
Maximum Enrolment: 60
Teaching Hours: Tues., Thurs.: 11:30-13:00; Wed.: 11:30-12:30

COURSE TITLE: **SECURED TRANSACTIONS** **Number:** LAWG 400
Instructor: Professor Catherine Walsh (001) **Term:** I
Language of Instruction: English **Credits:** 4
Description: This course is about legal institutions by which vendors and lenders, as well as non-consensual and judgment creditors, may secure the performance of an obligation due by their debtor. It will examine security over movable and immovable property (personalty and realty) as well as other mechanisms such as conditional ownership, leases, trusts and collateral guarantees by which property can be deployed as security. The course explores the economic and political logic of secured transaction regimes in market economies.
Prerequisites: *Common Law Property*
Seminar: No
Method of Evaluation: Take-home examination: 70%; mid-term assignment: 30%
Maximum Enrolment: 60
Teaching Hours: Wed.: 14:30-16:30; Fri.: 13:00-15:00

COURSE TITLE: **SECURED TRANSACTIONS /
LES SÛRETÉS RÉELLES** **Number:** LAWG 400

Instructor: Professor Yaëll Emerich (001) **Term:** II

Language of Instruction: French **Credits:** 4

Description: Ce cours aborde les diverses techniques par lesquelles les vendeurs et les prêteurs, ainsi que les créanciers qui ne détiennent pas de sûretés conventionnelles, peuvent garantir l'exécution d'une obligation qui leur est due par leur débiteur. Il traite des sûretés mobilières et immobilières tant en droit civil qu'en *common law*, ainsi que d'autres mécanismes juridiques tels que la vente à tempérament, le crédit-bail ou la fiducie-sûreté. Le cours aborde principalement le régime législatif des hypothèques (CCQ) et les sûretés mobilières (PPSA), avec quelques incursions dans le droit des *mortgages*.

Prerequisites: *Common Law Property*

Seminar: No

Method of Evaluation: Examination; optional paper (25%)

Maximum Enrolment: 60

Teaching Hours: Tues., Thurs.: 14:30-16:30

COURSE TITLE: **SENTENCING IN CANADIAN LAW** **Number:** PUB2 504

Instructors: M^e Suzanne Costom* & M^e Isabel Schurman** (001) **Term:** II

Language of Instruction: English **Credits:** 3

Description: Survey of principles of sentencing and correctional law in Canada. This course reviews general principles: aims of sentencing, procedure and evidence, and review by appellate courts. A detailed examination of selected topics including for example participation of victims in sentencing, dangerous offenders, young offenders, aboriginal offenders and homicide cases. Guest lecturers are invited to speak to specific subjects.

Prerequisites: *Criminal Law*. Recommended: *Criminal Procedure*, and *Evidence (Civil Matters)* or *Evidence (Criminal Matters)*.

Seminar: Yes

Method of Evaluation: 100% final examination (open-book)

Maximum Enrolment: 60 (50 undergraduate students; 10 graduate students)

Teaching Hours: Fri.: 13:00-16:00

*Suzanne Costom graduated from the Faculty of Law at McGill University in 1993, earning degrees in both civil and common law. She was awarded the Aimé Geoffrion National Programme Gold Medal, the Elizabeth Torrance Gold Medal, as well as the Chief Justice Greenshields Prize in Criminal Law. In 1993-94, she attended the Université de Paris II where she obtained her D.E.A. (Diplôme d'Études Approfondies) in criminal law, with a focus on the European Convention of Human Rights. Since 1994, she has been working as a defence attorney, and is a partner at the firm Shadley Battista.

**Isabel J. Schurman, B.C.L. 1982, LL.B. 1983, Québec Bar Admission 1984. Criminal law practitioner Centre Communautaire juridique de Montréal 1984-85; Lapointe, Schachter, Champagne & Talbot 1985-1999; Schurman, Longo & Duggan 1999-2002; Schurman, Longo, Grenier 2002-present.

<u>COURSE TITLE:</u>	SPECIALIZED TOPICS IN LAW 5 (<i>ENJEUX ACTUELS DE LA JUSTICE CIVILE</i>)	<u>Number:</u> LAWG 515
<u>Instructor:</u>	Professor Daniel Jutras & several guest speakers (001)	<u>Term:</u> II
<u>Language of Instruction:</u>	French	<u>Credits:</u> 2
<u>Description:</u>	Il s'agit d'un séminaire dont l'objet est d'examiner les questions les plus pressantes qui touchent la justice civile dans les régimes juridiques occidentaux, avec un accent particulier sur les problèmes qui se posent au Québec et en France, envisagés dans une perspective comparative. Parmi les questions qui pourront faire l'objet d'un examen: (i) la profession juridique, son rôle et sa régulation : libéralisation des services juridiques; avocats en entreprises; secret professionnel et problèmes de conflit d'intérêt de l'avocat dans le cadre complexe des cabinets transnationaux; ordres professionnels; recours disciplinaires ; sociologie et histoire de la profession; déontologie; honoraires avec les pactes de quota litis, etc. (ii) les institutions judiciaires dans un monde en transformation : la déontologie judiciaire, le rôle du juge dans l'assistance à la partie non représentée; la querulence, les recours-baillon / SLAPP, le recours collectif et ses limites, l'émergence d'un contentieux transnational exigeant la coopération entre les instances judiciaires de différentes juridictions, les coûts de la justice civile, l'autonomie administrative des instances judiciaires, le déclin (en termes quantitatifs) du contentieux civil devant les instances judiciaires, l'émergence de la justice privée, les enjeux du pluralisme culturel et ethnique devant les instances civiles, les modalités et critères de nomination des juges, le rôle des cours d'appel, etc. Le cours sera offert en douze séances de deux heures, qui s'étaleront au cours du trimestre selon l'horaire des invités, dans la plage horaire indiquée ci-dessous. Parmi les invités qui contribueront au séminaire, on compte l'honorable Yves-Marie Morissette, juge à la Cour d'appel du Québec, et le professeur Christophe Jamin, professeur à l'Institut d'études politiques de Paris. D'autres professeurs et magistrats français, y compris le juge Guy Canivet, autrefois premier président à la Cour de Cassation, se joindront probablement au séminaire.	
<u>Prerequisites:</u>	<i>Judicial Institutions and Civil Procedure</i> recommended.	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Multiple assignments/short essays throughout the term	
<u>Maximum Enrolment:</u>	25 (20 undergraduate students; 5 graduate students)	
<u>Teaching Hours:</u>	Tues., Thurs.: 16:30-18:30	

N.B.: This course will be taught in several accelerated phases. Specific dates will be announced at the beginning of term.

<u>COURSE TITLE:</u>	SPECIALIZED TOPICS IN LAW 5 (ISLAMIC LEGAL THEORIES IN A COMPARATIVE PERSPECTIVE)	<u>Number:</u> CMPL 515
<u>Instructor:</u>	Mr. Mohammad Nsour* (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 2
<u>Description:</u>	This course will introduce students to the fundamental concepts of Islamic law as a legal system. The course will examine the history of the Islamic legal system and outlines its origins. The course will then explore several substantive areas of Islamic Law including financial and economic laws, criminal law, and Family law. It will encourage students to tackle the issues discussed in the class through a transsystemic lens, thus compare Islamic law to common and civil laws. The course will also encompass case studies regarding controversial issues such as human rights, women's rights, and minorities' rights under Islamic Law.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Class participation and attendance: 20%; in-term written assignments: 20%; final paper: 60%.	
<u>Maximum Enrolment:</u>	30 (25 undergraduate students; 5 graduate students)	
<u>Teaching Hours:</u>	Mon.: 12:30-14:30	

**Mr. Mohammad Nsour holds an LLB from the University of Jordan, an LLM from Fordham University School of Law and is in his final year of the doctoral program at McGill. Prior to his arrival at McGill, he worked as an attorney in Jordan and in New York. He is currently working with the Social Sciences and Humanities Research Council's project on regional trade agreements. He is also engaged in a book project on secularism and the Islamic legal tradition.*

<u>COURSE TITLE:</u>	SPECIALIZED TOPICS IN LAW 6 (LABOUR LAW IN THE NEW ECONOMY)	<u>Number:</u> LAWG 516
<u>Instructor:</u>	Professor Adelle Blackett (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 2
<u>Description:</u>	This advanced seminar will consider the regulation of labour and employment law in the New Economy. It will consider both domestic and transnational regulatory challenges, and critically assess some of the most innovative proposals for reform.	
<u>Prerequisites:</u>	<i>Labour Law</i> and/or <i>Employment Law</i> , or comparable experience or expertise.	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	15-page writing assignment (80%) and extensive class participation (20%)	
<u>Maximum Enrolment:</u>	30 (20 undergraduate students; 10 graduate students)	
<u>Teaching Hours:</u>	Thurs.: 14:30-16:30	

<u>COURSE TITLE:</u>	SUSTAINABLE DEVELOPMENT	<u>Number:</u> LAWG 502
<u>Instructor:</u>	Professor Richard Janda (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	This course will focus on the conceptual foundations of sustainable development as a justice claim. The idea of sustainable development emerged as the ideology wars between left and right were being re-oriented with the demise of communist states. The working hypothesis of the course is that sustainable development is a post-Marxist emancipatory justice claim that has come to legitimate much of contemporary law and politics. The first part of the course will seek to situate sustainable development within a selection of post-Marxist theories of justice. The second part of the course will test examples of contemporary legal deployment of the concept against these theories of justice so as to evaluate what in fact we mean when we erect sustainable development as a norm. Practical exercises will be staged allowing students to test the use of the concept in public and private normative regimes.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Short theory paper and presentation: 75%. Participation in practical exercises: 25%.	
<u>Maximum Enrolment:</u>	30 (20 undergraduate and 10 graduate students)	
<u>Teaching Hours:</u>	Wed.: 14:30-16:00; Fri.: 13:00-14:30	

N.B.: Registration for this course will open at a date to be announced later.

<u>COURSE TITLE:</u>	TALMUDIC LAW	<u>Number:</u> CMPL 513
<u>Instructor:</u>	Rabbi Michael Whitman* (001)	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	This course will trace the philosophical, theological, and historical foundations of classical Jewish Law. We will also study the methodology, structure, and practice of Jewish Law. We will seek to formulate an understanding of the process of decision making in Jewish Law, as distinct from the process in Civil Law or in Common Law. Then, in the second half of the course, we will apply these principles to specific areas of Family Law.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Parts of the course will be lecture and parts of the course will be seminar.	
<u>Method of Evaluation:</u>	Class participation (25%) and a research paper (75%)	
<u>Maximum Enrolment:</u>	30 (25 undergraduate and 5 graduate students)	
<u>Teaching Hours:</u>	Tues., Thurs.: 13:00-14:30	

**Rabbi Michael Whitman is Senior Rabbi at Adath Israel Congregation in Montreal. He holds a Master of Talmudic Law from Ner Israel Rabbinical College (Baltimore, MD) and was adjunct instructor at Yale University Law School (New Haven, CT) from 1995 to 2001.*

Not open to students who have taken *Social and Ethical Issues in Jewish Law (JWST 316), Talmud and Law 1 (JWST 374), Talmud and Law 2 (JWST 375) or Jewish Law (JWST 201).*

<u>COURSE TITLE:</u>	TAXATION	<u>Number:</u> PUB2 313
<u>Instructor:</u>	M ^c Claudette Allard* (001)	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 4
<u>Description:</u>	This course covers the basic principles of Canadian Income Tax Law as they apply to individuals resident in Canada, including the significance and determination of residence; the classification of income by source, such as office or employment, business or property, and taxable capital gains, and the distinctive sets of rules governing each.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	Examination counts for 100%	
<u>Maximum Enrolment:</u>	60	
<u>Teaching Hours:</u>	Tues., Thurs.: 8:00-10:00	

**Claudette Allard obtained a B.C.L. and LL.B. from McGill University in 1982 and is a member of the Quebec Bar and the Law Society of Upper Canada. She is a partner with the business law section of Fasken Martineau DuMoulin LLP specializing in mergers and acquisitions and private financing, with a background in tax law. She is the author or co-author of several publications in the field of tax law.*

<u>COURSE TITLE:</u>	TAXATION	<u>Number:</u> PUB2 313
<u>Instructor:</u>	T.B.A. (001)	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 4
<u>Description:</u>	This course covers the basic principles of Canadian Income Tax Law, including the significance and determination of residence; the classification of income by source, such as office or employment, business or property, and taxable capital gains, and the distinctive sets of rules governing each; the taxation of income received by and from a corporation; and an introduction to the principles governing tax avoidance. There will be some emphasis on policy aspects of revenue law. The principal legal source will be the <i>Income Tax Act</i> (federal).	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	T.B.A.	
<u>Maximum Enrolment:</u>	60	
<u>Teaching Hours:</u>	Mon., Wed.: 9:30-11:30	

<u>COURSE TITLE:</u>	TRIAL ADVOCACY	<u>Number:</u> PUB2 420
<u>Instructor:</u>	M ^c P. Kalichman* & M ^c C. McKenzie** (001)	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	The purpose of this course is to analyze and instruct on the methods and techniques of court room advocacy at the trial and appellate level in written and oral pleadings. The course will investigate how evidence, law and jurisprudence can be organized and structured into legal arguments. Examples of pleadings and Court room orations will be studied. The role and conduct of plaintiff, Crown and defense counsel as pleaders will be examined. The ethics of trial advocacy will be studied. Secondary aspects of pleading such as the pleading of objections to evidence and motions will also be examined. Class time will be used in theoretical lectures, practical exercises and demonstrations. The emphasis will be on student participation.	
<u>Prerequisites:</u>	<i>Judicial Institutions and Civil Procedure</i>	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	A combination of oral presentation/pleading, written assignment, class participation and final examination. The oral submission will be based on the presentation of an argument. The written aspect will be based on a written pleading such as notes and authorities or a factum.	
<u>Maximum Enrolment:</u>	30	
<u>Teaching Hours:</u>	Wed.: 16:30-19:30	

*M^c Peter Kalichman (BCL 1988) is a partner at Irving Mitchell Kalichman, a boutique litigation firm.

**M^c Catherine McKenzie (BCL/LLB 1999) is a partner at Irving Mitchell Kalichman, a boutique litigation firm.

Section III: Graduate Courses

<u>COURSE TITLE:</u>	AIRLINE BUSINESS AND LAW	<u>Number:</u> ASPL 614
<u>Instructor:</u>	Professor Paul Dempsey	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	This course provides an interdisciplinary analysis of the legal, business, and managerial issues confronting airlines in such areas as economics, finance, securities, bankruptcy, pricing, marketing, distribution, planning, operations, alliances, joint-ventures and competition. <i>Airline Business and Law</i> focuses on such legal issues as: Safety Regulation; Security Regulation; Environmental Regulation; Air Traffic Rights; Carrier Licensing; Aircraft Finance; Aircraft Certification; Nationality and Cabotage Restrictions; Airline Alliances; Carrier Liability; Liability Insurance; Predation, Monopolization and Competition Law; Airline and Airport Privatization; Bankruptcy; Labour Law.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Term paper	
<u>Maximum Enrolment:</u>	30; limit of 10 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)	
<u>Teaching Hours:</u>	Mon.: 9:30-12:30	

COURSE TITLE: **CIVIL LAW PERSPECTIVES** Number: CMPL 601
Instructor: Professor Pierre-Gabriel Jobin Term: II
Language of Instruction: English Credits: 4
Restriction: Open only to students who do not have a first degree in civil law.
Description: Provides students from the common law tradition with a graduate-level perspective on the civil law tradition.
Prerequisites: None
Seminar: Yes
Method of Evaluation: Examination and possible assignments
Maximum Enrolment: 5 graduate students (no undergraduate students)
Teaching Hours: Tues., Thurs.: 9:00-10:00; Wed.: 11:30-12:30

COURSE TITLE: **COMMON LAW PERSPECTIVES** Number: CMPL 602
Instructor: Professor Stephen Smith Term: II
Language of Instruction: English Credits: 4
Description: Provides students from the Civil Law tradition with a graduate-level perspective on the Common Law tradition.
Restriction: Open only to students who do not have a first degree in the Common Law.
Prerequisites: None
Seminar: Yes
Method of Evaluation: 100% final examination
Maximum Enrolment: 25 graduate students (no undergraduate students)
Teaching Hours: Fri.: 9:30-11:30; Wed.: 10:30-11:30

COURSE TITLE: **GOVERNMENT REGULATION OF AIR TRANSPORT** Number: ASPL 613
Instructor: Professor Ludwig Weber Term: II
Language of Instruction: English Credits: 3
Description: Economic regulation of air transport and navigation, deregulation, liberalization, open skies. Economic and regulatory theories, competition, anti-trust regulation. Status, negotiation, and implementation of international agreements on air services.
Prerequisites: None
Seminar: No
Method of Evaluation: T.B.A.
Maximum Enrolment: 30; limit of 10 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)
Teaching Hours: Wed.: 9:30-12:30

<u>COURSE TITLE:</u>	GOVERNMENT REGULATION OF SPACE ACTIVITIES	<u>Number:</u> ASPL 639
<u>Instructors:</u>	Professor Ram Jakhu	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 3
<u>Description:</u>	National public and private law and regulatory regimes governing space activities, particularly those that are carried out by private entities for commercial purposes.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Class participation (25%) and term paper (75%)	
	- <i>Class participation (25%)</i> : Each student must regularly attend and actively participate in class discussions. Each student must make a seminar presentation on a topic to be selected, out of the given list, with the consent of the instructor.	
	- <i>Seminar Presentation and Term Paper (75%)</i> : Each student must produce a Term Paper. The formal Term Paper, which must accord with the Faculty of Law criteria and contain a table of contents and bibliography, will be evaluated to assess the student's ability to analyse and synthesise the material with which he/she works and to exercise legal judgment in applying it to the issues involved in the subject of the paper. This evaluation is sub-divided into research and analysis (20%), organisation and quality of the material presented (20%), and comprehension of subject matter (20%) and awareness of the relevant literature (15%).	
<u>Maximum Enrolment:</u>	30; limit of 10 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)	
<u>Teaching Hours:</u>	Tues.: 14:30-17:30	

<u>COURSE TITLE:</u>	HUMAN RIGHTS AND CULTURAL DIVERSITY	<u>Number:</u> CMPL 603
<u>Instructor:</u>	Professor Payam Akhavan	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 4
<u>Description:</u>	An examination of international human rights law and enforcement in the context of cultural diversity. The seminar examines the historical evolution of human rights in the Western Enlightenment tradition, its universalization in international law, and the complex interaction between the proliferation of norms and particular cultural contexts. The tension between human rights as hegemonist discourse rather than grassroots liberation, and the mediation of the global and local in prioritizing norms, will be the focus of discussions. Topics covered include: origins and sources of human rights in international law; conceptions of sovereignty, culture and power; the relationship between civil-political "negative" rights and economic-social-cultural "positive" rights; the relationship between the right of self-determination and individual rights; rights of indigenous peoples and minority protection; women's rights; humanitarian law; mechanisms for implementation of human rights; the role of NGOs; transitional justice and international criminal tribunals.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Take-home final examination: 80%; class participation: 20%	
<u>Maximum Enrolment:</u>	30; limit of 5 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)	
<u>Teaching Hours:</u>	Mon.: 13:00-14:30; Wed.: 15:30-17:00	

COURSE TITLE: **INTERDISCIPLINARY SEMINAR
IN EUROPEAN STUDIES** **Number:** LAWG 659

Instructor: Professor Mark Antaki & Professor Jacob Levy **Term:** II

Language of Instruction: English **Credits:** 3

Description: An interdisciplinary seminar on a theme relevant to the study of Europe. This course serves as a capstone for students registered in the LLM – European Studies Option.

Prerequisites: None

Seminar: Yes

Method of Evaluation: T.B.A.

Maximum Enrolment: 15 (a limited number of law undergraduate students may be admitted with permission of the Assistant Dean (Internal Affairs) and GPSO)

Teaching Hours: Mon., Wed.: 16:30-18:00

COURSE TITLE: **INTERNATIONAL BUSINESS LAW** **Number:** CMPL 604

Instructor: Professor Catherine Walsh **Term:** II

Language of Instruction: English **Credits:** 4

Description: This course will focus on two areas of topical interest in International Business Law: (i) international harmonising instruments, both formal and informal, promulgated by institutions such as UNCITRAL, Unidroit, ICC, the Basel Committee, etc., on topics such as banking, secured transactions and securities laws; (ii) doing business in emerging economies, notably in Eastern Europe, Southeast Asia and China.

Prerequisites: T.B.A.

Seminar: Yes

Method of Evaluation: 60% research essay due the first day of the examination period;
40% 24-hour take-home examination to be done at any time during the examination period.

Maximum Enrolment: 25 (a limited number of law undergraduate students may be allowed to register with permission from the Assistant Dean (Internal Affairs) and GPSO)

Teaching Hours: Tues., Thurs.: 16:00-17:30

COURSE TITLE: **LAW OF SPACE APPLICATIONS** **Number:** ASPL 638

Instructor: Professor Ram Jakhu **Term:** II

Language of Instruction: English **Credits:** 3

Description: This course deals with the international legal aspects of various space applications. In particular, the course examines the international law related to satellite telecommunications, the role therein of various international organizations as well as broadcasting by satellite, navigational services, remote sensing by satellites, space stations, space travel, etc. Certain specific aspects of international law will be discussed as they relate to international technology transfers, military uses of outer space, trade in space products, satellite telecommunications and launch services.

Prerequisites: None (however, some knowledge of *Public International Law* is assumed)

Seminar: No

Method of Evaluation: 100% examination (open book) **OR** 66% examination (open book) and 33% voluntary paper

Maximum Enrolment: 30; limit of 10 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)

Teaching Hours: Mon.: 14:30-17:30

<u>COURSE TITLE:</u>	LEGAL RESEARCH METHODOLOGY	<u>Number:</u> CMPL 610 D1 CMPL 610 D2
<u>Instructor:</u>	Professor Shauna Van Praagh	<u>Terms:</u> I & II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 4
<u>Description:</u>	The purpose of this course is to enable graduate students to develop their legal research and writing skills. This course centers on the practical skills required for accessing, processing and presenting legal information. Graduate students will work on their research agenda. The course provides graduate students with a forum for sharing their ideas about their research projects and to facilitate criticism of their work and points of view.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes; and classroom instructions	
<u>Method of Evaluation:</u>	Assignments and final research project proposal	
<u>Maximum Enrolment:</u>	75 graduate students (no undergraduate students)	
<u>Teaching Hours:</u>	I & II: Fri.: 11:30-13:00	

Note: A schedule of library tours, computer orientation sessions and introductory sessions for non-Canadian students, which are part of this course, will be available at the registration information session or sent to you by e-mail. Some of these sessions will take place in August during the registration period.

<u>COURSE TITLE:</u>	LEGAL TRADITIONS	<u>Number:</u> CMPL 600
<u>Instructor:</u>	Professors Helge Dedek and H. Patrick Glenn	<u>Term:</u> II
<u>Language of Instruction:</u>	English	<u>Credits:</u> 4
<u>Description:</u>	The concept of a legal tradition. Nature of particular legal traditions such as those of the civil and common law; selected other traditions, both secular and religious, to be presented by members of the Faculty or invited guests. Philosophical foundations of particular traditions and their implementation through the institutions of each tradition. Reciprocal influence of traditions. Relation of traditional thought to systemic thought and legal theory. Role of legal traditions in contemporary society.	
<u>Prerequisites:</u>	None	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Seminar presentation; take-home examination	
<u>Maximum Enrolment:</u>	35; limit of 5 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)	
<u>Teaching Hours:</u>	Mon.: 14:30-16:30; Wed.: 14:30-15:30	

COURSE TITLE: **PRIVATE INTERNATIONAL AIR LAW** **Number:** ASPL 636
Instructor: Professor Paul Dempsey **Term:** I
Language of Instruction: English **Credits:** 3
Description: This course covers the unification of private international air law through the adoption of international conventions. It examines, in particular, the liability of air carriers towards passengers and shippers under the Warsaw Convention, as amended and supplemented by several other international legal instruments, in particular the new Montreal Convention signed on 28 May 1999. The course also examines the basic framework of certain other private air law conventions, amended or unamended, such as the Rome Convention on surface damage done by aircraft, the Geneva Convention on recognition of rights in aircraft, the UNIDROIT Convention on international interests in mobile assets, ICAO's initiative to revise the 1952 Rome convention, etc. Insurance aspects and implications of the air carrier's international liability will also be analyzed.
Prerequisites: None
Seminar: No
Method of Evaluation: Take-home examination
Maximum Enrolment: 30; limit of 10 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)
Teaching Hours: Tues.: 10:00-13:00

COURSE TITLE: **PUBLIC INTERNATIONAL AIR LAW** **Number:** ASPL 633
Instructor: Professor Paul Dempsey **Term:** I
Language of Instruction: English **Credits:** 3
Description: A study of the relevant principles and rules of international law that affect the use of air space and aeronautics. The following topics are included: sources of international air law; the law-making process affecting the regime of air space and international air navigation and air transport. The study will include the legal regime of national and international air space, the concept of civil and state aircraft, certification and licensing by international standards, exchange of traffic rights, aircraft accident investigation, etc. A case study of international aviation organizations (ICAO, IATA, regional bodies) and their law-making functions will be presented. The legal management of aviation security and dispute resolution will be addressed.
Prerequisites: None
Seminar: No
Method of Evaluation: Take-home examination
Maximum Enrolment: 30; limit of 10 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)
Teaching Hours: Thurs.: 10:00-13:00

COURSE TITLE: **REGULATION TECHNOLOGY/SOCIETY** **Number:** CMPL 605
Instructor: Professor E. Richard Gold **Term:** II
Language of Instruction: English **Credits:** 4
Description: This seminar will examine the role of intellectual property, chiefly patents, in the creation, development and distribution of health and agricultural biotechnology with a particular focus on developing countries. The seminar will examine a range of materials on the topic of intellectual property, innovation and social and economic policy including material produced by the Intellectual Property Modeling Group organized through the Centre for Intellectual Property Policy. Students should be prepared to read large academic and policy reports and to actively participate in class discussions.
Prerequisites: *Intellectual and Industrial Property* or an equivalent course that covers the basics of patent law.
Seminar: Yes
Method of Evaluation: Participation in class discussions: 10%.
 In-class group presentation: 20%.
 Paper (20-25 pages): 70%, broken down as follow:
 topic statement (5%); outline (15%); final paper (50%).
Maximum Enrolment: 30; limit of 5 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)
Teaching Hours: Tues., Thurs.: 10:00-11:30

COURSE TITLE: **SPACE LAW: GENERAL PRINCIPLES** **Number:** ASPL 637
Instructor: Professor Ram Jakhu **Term:** I
Language of Instruction: English **Credits:** 3
Description: The objective of the course is to examine the role of international law in the regulation of outer space activities. The course covers the following topics: current and potential future uses of outer space; the law-making process relating to space activities and the international institutions that are involved in this process; the legal regime of outer space and celestial bodies including the exploitation of their natural resources; the legal status of spacecraft including their registration; liability for damage caused by space activities; assistance to astronauts and spacecraft in distress, settlement of space-related disputes etc.
Prerequisites: None (however, some knowledge of public international law is assumed)
Seminar: No
Method of Evaluation: Examination (open book; 3 hours)
Maximum Enrolment: 30; limit of 10 undergraduate students (permission of Assistant Dean (Internal Affairs) and GPSO required)
Teaching Hours: Mon.: 14:30-17:30

<u>COURSE TITLE:</u>	THEORETICAL APPROACHES TO LAW	<u>Number:</u> CMPL 641
<u>Instructor:</u>	Professors Antaki, Emerich and Leckey	<u>Term:</u> I
<u>Language of Instruction:</u>	English	<u>Credits:</u> 4
<u>Description:</u>	Introduction to a variety of theoretical approaches to law, legal education, and legal scholarship. The seminar will emphasize the importance of theoretical concerns in all legal scholarship, especially in the definition of research objectives, the choice of research methods, and the framing of conclusions. The seminar is designed to support students' thesis research by directing their attention to theoretical concerns, and encouraging them to subject their own methodological assumptions to re-evaluation.	
<u>Prerequisites:</u>	None. Open to graduate students only.	
<u>Seminar:</u>	Yes	
<u>Method of Evaluation:</u>	Final paper and in-term writing assignments, to be confirmed	
<u>Maximum Enrolment:</u>	60 graduate students (no undergraduate students)	
<u>Teaching Hours:</u>	Mon.: 14:30-16:00; Wed.: 16:00-17:30	

Section IV: Term Essays

<u>COURSE TITLE:</u>	TERM ESSAY 1 (001)	<u>Number:</u> WRIT 491 <u>Term:</u> I or II or summer
<u>Description:</u>	See description below.	<u>Credits:</u> 3
<u>COURSE TITLE:</u>	TERM ESSAY 2 (001)	<u>Number:</u> WRIT 492 <u>Term:</u> I or II or summer
<u>Description:</u>	See description below.	<u>Credits:</u> 3
<u>COURSE TITLE:</u>	TERM ESSAY 3 (001)	<u>Number:</u> WRIT 493 <u>Term:</u> I or II or summer
<u>Description:</u>	See description below.	<u>Credits:</u> 3
<u>COURSE TITLE:</u>	TERM ESSAY 4 (001)	<u>Number:</u> WRIT 494 <u>Term:</u> I or II
<u>Description:</u>	See description below.	<u>Credits:</u> 3
<u>COURSE TITLE:</u>	TERM ESSAY 5 (001)	<u>Number:</u> WRIT 495 <u>Term:</u> I or II
<u>Description:</u>	See description below.	<u>Credits:</u> 3
<u>COURSE TITLE:</u>	TERM ESSAY 6 (001)	<u>Number:</u> WRIT 496 <u>Term:</u> I or II
		<u>Credits:</u> 3

Description: Students who have completed one year in the program may elect, with the permission of the Associate Dean (Academic), to write an essay for credit. It is the responsibility of applicants to arrange with a full-time member of the Faculty to act as a Supervisor for their essays (see below for a list of the subject areas which individual professors have indicated an interest in supervising). Supervisory resources are limited, so it is best to approach potential supervisors as early as possible.

Application forms are available at the SAO. A proposed table of contents, a clear statement of the essay thesis, and a preliminary bibliography of sources must be appended to the application form and approved by the supervisor before the application is submitted. Applications are to be submitted to the SAO **on or before Friday, 7 September 2007 for the Fall Term, Wednesday, 9 January 2008 for the Winter Term and Monday, 5 May 2008 for the Summer Term 2008**. Once authorization to write an essay has been given, students must register in the appropriate term essay course on Minerva.

Essays are due on or before the fifth working day prior to the last working day of the examination period for the term in which the essay is being written.

Students may not register for more than two Term Essays in any given term. If two term essays are completed in the same term, they must be supervised by two different professors.

M^e Daniel Boyer: Legal research and writing; computer assisted legal research; heritage preservation; legal bibliography

Professor Angela Campbell: Health Law (especially topics related to Public Health, Women's Health, Children's Health, Reproductive Technologies, Social and Economic Determinants of Health), Family Law, Children and the Law, Feminist Legal Theory, Wills and Successions (**on leave April 2007-April 2008**)

Professor Irwin Cotler: Charter Law (Principles of Interpretation, Freedom of Expression, etc.); International Human Rights; International Criminal Law - War Crimes, Crimes Against Humanity, Genocide; Contemporary Issues in Civil Liberties Law and Advocacy (**on leave 2007-2008**)

Professor Armand de Mestral: International Trade Law; Public International Law; Law of the Sea; International Environmental Law; Constitutional Law and Comparative Constitutional Law; European Community Law; The Law of International Economic Integration; International Humanitarian Law.

Professor Jaye Ellis: International environmental law; international legal theory; public international law

Professor Yaëll Emerich: Droit civil des biens (spécialement propriété et théorie de la propriété); théorie du droit; droit des sûretés; droit et langue

Professor Evan Fox-Decent: Administrative Law, Aboriginal Peoples and the Law, Legal Theory and Philosophy

Professor Fabien Gélinas: Constitutional law, international dispute resolution

Professor H. Patrick Glenn: Legal Profession; the Judiciary; Civil Procedure; Private International Law; Legal Traditions

Professor Jane M. Glenn: Land law and land use issues in developing countries with particular emphasis on the Caribbean; access to housing; land use planning; agricultural law

Professor Robert Godin: Civil law of property, some areas of Environmental Law

Professor E. Richard Gold: Common law property; intellectual property; international intellectual property; patents; biotechnology

Professor Patrick Healy: Criminal Law, Criminal Procedure, Criminal Evidence, Sentencing, International Criminal Law, Corporate and Commercial Crime, Law Reform, Codification of Criminal Law, Comparative criminal jurisprudence, Judicial Discipline and Ethics (**on leave Winter 2008**)

Professor Ram Jakhu: Air and Space Law, International Telecommunication Law, Public International Law, Canadian Communications Law, Canadian Immigration Law

Professor Richard Janda: Public Goods, Corporate Social Responsibility, Theories of Justice

Professor Pierre-Gabriel Jobin: Obligations et droit commun des contrats. Vente, louage, crédit-bail, contrat d'entreprise. Réforme du Code civil. Contrat et droits de la personne.

Professor Rosalie Jukier: Contractual Obligations, Remedies

Professor Daniel Jutras: Tout le droit des obligations, en droit civil et en common law (Contrats, responsabilité civile, enrichissement injustifié); Procédure civile, (y compris accès à la justice, recours collectifs, etc); Institutions judiciaires (Cour suprême, indépendance, éthique des juges, etc); Aspects comparatifs du droit des obligations; Aspects sociologiques ou anthropologiques du droit des obligations. In French or in English.

Professor Nicholas Kasirer: Quebec legal culture (especially from historical or comparative perspectives); legal translation and the relationship between law and language generally; family property law, including successions and the trust; cultural property law

Professor Lara Khoury: Health Law; Medical Liability; Public Health and Law (including nutrition, infectious diseases, chronic disease, etc.); Environmental Liability; Biotechnologies and Law; Genetics and Law; Extra-contractual obligations / Tort Law; Comparative Law (private law); Civil law obligations; Science and Law

Professor Dennis Klinck: Equity, Trusts and Fiduciary Obligations; History and Theory of Judicial Equity; Literary and Semiotic Analysis of Law; Law in Literature (selected periods); Common Law Property; Statutory Interpretation

Professor David Lametti: Civil Law Property; Private Law Theory (Common Law and Civil Law); Legal Theory and Legal Philosophy; Intellectual Property

Professor Robert Leckey: family law, especially marriage, regulation of same-sex relationships, and feminist analysis; comparative family law; administrative law; connections between private law and public law; law and language; legal culture.

Professor Roderick Macdonald: Legal pluralism, access to justice, law reform, legal theory, sociology of law, administrative law, secured transactions. **(on leave 2007-2008)**

Professor Desmond Manderson: Contemporary legal theory, poststructuralism (including Foucault, Derrida, and Levinas), law and literature, law and art, ethics, tort theory, feminist legal theory, law and discourse analysis. **(on leave 2007-2008)**

Professor Frédéric Mégret: public international law, international human rights, laws of war, international criminal law

Dr. Pierre-Emmanuel Moyse: property law, intellectual and industrial property law

Professor Tina Piper: Common law property; intellectual property; intellectual property and music; international intellectual property; intellectual property and development; canadian legal history.

Professor René Provost: Public International Law; International Human Rights Law; Humanitarian Law of Armed Conflict; International Criminal Law; International Environmental Law; Legal Pluralism; Legal Anthropology

Professor Geneviève Saumier: Private International Law; Class Actions; International Commercial Law; International Litigation and Civil Procedure; International and Comparative Private Law; International Family Law; Products Liability

Professor Colleen Sheppard: Constitutional law, Human rights (especially equality rights), Labour Law (workplace discrimination issues), Feminist legal theory; Comparative Constitutional Law (especially Canada-U.S.).

Professor Ronald B. Sklar: Criminal Law; rights of psychiatric patients; interrelationship of psychiatry and psychoanalytic theory and the criminal law; Canadian Charter; Animal Law and Animal Rights

Professor Lionel Smith: Private Law

Professor Stephen Smith: Commercial Transactions, Contracts, Legal Theory, Private Law generally, the law of Remedies

Professor Margaret Somerville: Science, Medicine, Ethics and Law

Professor William Tetley: Maritime Law; Conflicts of Law; Constitutional Law (language); Commercial Law (international); Law of the Sea; Arbitration

Professor Shauna Van Praagh: Children and Law; Extra-contractual Obligations/Tort Law; Religion and Law; Feminist Legal Theory; Legal Education

Professor Catherine Walsh: Secured Transactions, Conflict of Laws or Private International Law, International Unification of Private Commercial Law

<u>COURSE TITLE:</u>	LEGAL METHODOLOGY TEACHING GROUP 2 (SECOND-YEAR)	<u>Number:</u> WRIT 017 D1 WRIT 017 D2
<u>Faculty Coordinator:</u>	M ^c Helena Lamed and M ^c Daniel Boyer (001)	<u>Terms:</u> I & II
<u>Language of Instruction:</u>	English and French	<u>Credits:</u> 4
<u>Description:</u>	Not open to students who have taken WRIT 016. A minimum of eight upper-year students who have completed at least two years in the program may register in this course, with the permission of the Associate Dean (Academic). Students registered in <i>Legal Methodology Teaching Group 2 (Second Year)</i> are responsible for a significant portion of the instructional component of the <i>Legal Writing, Mooting, and Advanced Legal Research</i> course. The tutors will meet with their group of second-year students for one hour on a regular basis. They will also meet periodically with the Instructor.	
	All second-year groups are taught in both English and French.	
<u>Prerequisites:</u>	Completion of at least two years in the program, fluency in English and French, academic achievement in the Faculty of Law, interpersonal and organisational skills, demonstrated ability in legal research and writing, and teaching experience. Persons interested in serving as members of the Teaching Group must apply to the Faculty Director in the winter preceding service. Selection is based on the applicants' resume, grades and an interview.	
<u>Seminar:</u>	Tutors will meet every week as a group	
<u>Method of Evaluation:</u>	Evaluation based on overall performance in the course	
<u>Teaching Hours:</u>	I: Tues.: 13:00-14:00 II: Fri.: 11:30-12:30	

Section VI: Student-initiated Seminars

<u>COURSE TITLE:</u>	STUDENT-INITIATED SEMINAR	<u>Number:</u> LAWG 521
<u>Instructor:</u>	Designated by Faculty (001)	<u>Term:</u> I or II
<u>Language of Instruction:</u>	English or French	<u>Credits:</u> 3
<u>Description:</u>	Supervised student-initiated seminar. This course is meant to provide students with the opportunity to conduct self-directed research in areas not taught by faculty members or in topics of inherent interest.	
	Students prepare a detailed course proposal that is submitted to the Associate Dean (Academic). Each proposal must be approved by a Committee composed of the Associate Dean (Academic), the Assistant Dean (Internal Affairs) and the Chair of the Curriculum Committee. As per University rules, a full-time member of Faculty will be responsible for supervising each course. Interested students should contact the Associate Dean (Academic) for further information.	
	Deadlines to submit course proposals are:	
	• Fall term: June 1 st • Winter term: October 1st.	
<u>Prerequisites:</u>	First year of programme	
<u>Method of Evaluation:</u>	Grading is on a Pass/Fail basis	

Students may take a maximum of one Student-initiated seminars throughout their law programme.

Section VIII: McGill Law Journal

Supervising Instructor: T.B.A.

Students who have been recommended for the various positions on the McGill Law Journal are granted credits on an equivalence basis upon approval by the Associate Dean (Academic). Credits are awarded for the following positions (students must register on Minerva):

JUNIOR BOARD

<u>COURSE TITLE:</u>	JUNIOR EDITORIAL BOARD (001)	<u>Number:</u> WRIT 011 D1 WRIT 011 D2
		<u>Terms:</u> I & II
		<u>Credits:</u> 3

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

<u>COURSE TITLE:</u>	JUNIOR MANAGEMENT BOARD (001)	<u>Number:</u> WRIT 332 D1 WRIT 332 D2
		<u>Terms:</u> I & II
		<u>Credits:</u> 2

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

SENIOR BOARD

<u>COURSE TITLE:</u>	EDITOR-IN-CHIEF (001)	<u>Number:</u> WRIT 001 D1 WRIT 001 D2
		<u>Terms:</u> I & II
		<u>Credits:</u> 6

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

<u>COURSE TITLE:</u>	EXECUTIVE EDITOR (001)	<u>Number:</u> WRIT 002 D1 WRIT 002 D2
		<u>Terms:</u> I & II
		<u>Credits:</u> 6

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

COURSE TITLE: **SENIOR EDITORIAL BOARD (001)**

Number: WRIT 004 D1
WRIT 004 D2

Terms: I & II

Credits: 3

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

COURSE TITLE: **SENIOR MANAGEMENT BOARD (001)**

Number: WRIT 333 D1
WRIT 333 D2

Terms: I & II

Credits: 2

"This is a Full-year course. Students must register for BOTH parts of the course. No credit will be granted unless all parts of the course are completed."

Section X: Court and Administrative Tribunals Clerkship

<u>COURSE TITLE:</u>	CLERKSHIP A	<u>Number:</u> WRIT 440 D1 WRIT 440 D2
<u>Supervising Instructor:</u>	Professor Pierre-Gabriel Jobin (001)	<u>Terms:</u> I & II or summer
<u>Language of Instruction:</u>	English or French	<u>Credits:</u> 6
<u>Description:</u>	A limited number of students who have completed two years in the program may, with the permission of the Dean or the Dean's delegate, work only once as a clerk for a judge of a tribunal, under general Faculty supervision.	
<u>Prerequisites:</u>	Two years in the program	
<u>Seminar:</u>	No	
<u>Method of Evaluation:</u>	Pass/Fail	
<u>Teaching Hours:</u>	As arranged	

Students having completed four terms in the Law Faculty and not having taken *Clerkship B*, may apply to take one of the clerkships positions for the equivalent of 6 credits. These clerkships provide an opportunity to work as a research assistant for a judge or a member of an administrative tribunal from September to early April, with an interruption for examinations, or during the summer by special arrangement. The candidates who have been selected for the 2007-2008 academic year must register on Minerva.

The clerkships are prestigious positions that will be awarded to the best applicants by the Dean or Dean's delegate. The courses entail doing a minimum of eight hours of research and memorandum writing per week with periodic meetings with the judge. Evaluation will be made on a pass/fail basis by the Dean or Dean's delegate in consultation with the judge. Halfway through the clerkship and at the end, the students must report to the Faculty supervisor (report forms at the SAO).

Applications are usually made in the spring preceding the academic year in which the clerkship is undertaken. Students chosen for a clerkship must work for a minimum of two hundred hours (often more in the Court of Appeal) and forego their right to drop the course at the beginning of first and second term. Students undertake, if selected, to complete all enrolment requirements. They will have to take an oath to maintain the confidentiality of information acquired as court clerks and must avoid conflicts of interest, in particular with law firms.

For further information, see Professor Jobin (514-398-6612, pierre-gabriel.jobin@mcgill.ca).

N.B.: Students can take this course in the summer term only (WRIT 440), or spread it over the fall and winter, or winter and summer terms (WRIT 440 D1 and WRIT 440 D2).

<u>COURSE TITLE:</u>	CLERKSHIP B	<u>Number:</u> WRIT 441
<u>Supervising Instructor:</u>	Professor Pierre-Gabriel Jobin (001)	<u>Term:</u> summer
<u>Language of Instruction:</u>	English or French	<u>Credits:</u> 3
<u>Description:</u>	Students having completed four terms in the Law Faculty and not having taken <i>Clerkship A</i> may, with the permission of the Dean or the Dean's delegate, work as a clerk for a member of an approved court or administrative tribunal, under general Faculty supervision. The student's contribution is of at least one hundred hours (often more in the Court of Appeal). This is a one-term course of 3 credits. Otherwise as above, for <i>Clerkship A</i> . Offered by special arrangement and during the summer term only.	

Section XIII: Human Rights Internship

<u>COURSE TITLE:</u>	INTERNATIONAL HUMAN RIGHTS INTERNSHIP	<u>Number:</u> WRIT 020
		<u>Term:</u> I or II or summer
<u>Instructor:</u>	Professor René Provost (001)	
<u>Language of Instruction:</u>	English or French	<u>Credits:</u> 6
<u>Description:</u>	Participation in an international human rights internship approved by the Faculty. This course provides dedicated students with exposure to the law and practice of international human rights, encouraging them to reflect on the relationship between that experience and their studies. Students must obtain the approval of the Dean or Dean's delegate for their participation and for the terms of the internship.	

Selection of Interns. Students will be invited to submit an application for designated human rights internships by the beginning of the winter term. Candidates will be chosen on the basis of superior writing skills, ability to work in a difficult environment, and demonstrated interest in international human rights. Students intending to return as full-time students in the following fall term will be given preference, in order that the experience of interns can be brought back to the classrooms and generally enrich the life of the Faculty. Selected students must register for this course through Minerva.

Field Work Component. Interns must spend a minimum of twelve weeks in the field with the partner organization. The partner organizations are asked to allow interns one day a week to work on their own research project.

Internship Report. Interns must submit a written detailed report to the Human Rights Internship Programme Coordinator by September 30th.

Research Project. Interns are required to develop, in consultation with the partner organization and a member of the Faculty, a research project prior to the beginning of the field work. Interns can use the one day per week reserved for their research project while in the field to carry out the documentary or empirical research needed to further develop their project. Interns must then write, under the supervision of a member of the Faculty, an academic essay of approximately 10,000 words to be handed in by the due date for papers at the end of the following fall term.

<u>Prerequisites:</u>	Some internships require proficiency in French.
<u>Method of Evaluation:</u>	Students receive a letter grade on the basis of their report (25%), assessed by the Human Rights Internships Programme Coordinator, and the essay (75%), assessed by the supervising Faculty member.
<u>Maximum Enrolment:</u>	There are currently ten internships available.

N.B.: Students can take this course in the summer term only (WRIT 020), or spread it over the summer and fall terms (WRIT 020 D1 and WRIT 020 D2.)

Section XV: Major Internships

The Major internships give students enrolled in a Major programme an opportunity to enrich their legal education through practical work experience in the field of study of their Major. Students work in various organizations, under the guidance of an on-site supervisor, from September to early April, with an interruption for examinations. Each internship entails doing a minimum of eight hours of work per week during 26 weeks, with periodic meetings with the on-site supervisor. Students must work a minimum of 200 hours during the course of the internship. Evaluation is made on a pass/fail basis by the Faculty supervisor in consultation with the on-site supervisor. Halfway through the internship and at the end, students must report to the Faculty supervisor (report forms are available at the SAO).

Applications are usually made in the summer preceding the academic year in which the internship is undertaken. Students who have been selected for an internship must register in the appropriate course on Minerva. For further information, contact the Assistant Dean (Internal Affairs).