

# Faculty of Law

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## 80 The Faculty of Law

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### **A Proud Tradition of Legal Education in Alberta**

The Faculty of Law at the University of Alberta is almost as old as the province. Created in 1912, it was the first Law Faculty to open in western Canada. The Faculty is proud of its history and its reputation for high academic achievement. Graduates of this Faculty have served the nation and the province for over eight decades. Their outstanding careers and accomplishments in public and private life speak eloquently for the worth of our legal education and the value of our degrees.

Graduates of the Faculty include Clarence Campbell (later head of the National Hockey League for whom the Campbell Conference is named), and Peter Lougheed, former premier of Alberta. Since 1989, twelve students from the Faculty have been articulated to justices of the Supreme Court of Canada. And in the last decade, three of the justices themselves have been graduates of the Faculty: Mr Justice Ronald Martland, Madam Justice Beverley McLachlin and Mr Justice William Stevenson. The first woman Chief Justice of the Alberta Court of Appeal, Catherine Fraser, is a 1970 graduate of the Faculty. Graduates have also pursued careers in public office, government, education, business, and the arts.

# 81 The Professors

## 81.1 Teaching and Scholarship

The Faculty of Law takes special pride in the teaching excellence and scholarship of its faculty members. Professor Bruce Ziff received the AC Rutherford Award for Excellence in Undergraduate Teaching in 1988. Professor David Percy won the Rutherford Award in 1995 and the national WPM Kennedy Award for outstanding merit as a law teacher in 1995. Faculty members have produced leading national treatises, monographs and casebooks that are used by law students, lawyers and judges across Canada and internationally. These include treatises on property law, tort law, Aboriginal rights, creditor-debtor law, personal property security law, planning law, law and medicine and environmental law. Members of faculty have also published numerous monographs, bibliographies and collections of essays in the field of legal theory.

## 81.2 Members of the Faculty

### Staff

#### Administration

LN Klar, Dean  
CA Lawrence, Career Services Officer  
CS Miller, Development Officer  
LC Reif, Director of Graduate Studies and Research  
DM Tait, Faculty Administrator  
RJ Wood, Associate Dean

#### Honorary Professors

PL Freeman, QC, BA, LLB, MLLS  
LC Green, LLB, LLD (Hon)  
The Honourable R Martland, BA, LLB, BCL, LLD  
The Honourable El Picard, BEd, LLB, LLM, LLD  
The Honourable WA. Stevenson, BA, LLB, LLD

#### Professors Emeriti

WF Bowker, QC, BA, LLB, LLD, LLM  
WH Hurlburt, QC, BA, LLB, LLD  
SP Khetarpal, BSc, BL, LLM, PhD  
TW Mapp, BA, JD  
W KJ Mis, BA, LLB, LLM

#### Professors

RW Bauman, BA, LLB, MEd, LLM, DPhil  
TJ Christian, QC, BA (Hon), LLM  
DC Davies, QC, LLB, LLM  
FC DeCoste, BA, MSW, LLB (Dist), LLM  
CRB Dunlop, BA, LLB, LLM, MA  
BP Eiman, BSc, LLB, LLM  
GL Gall, BA, LLB  
FD Jones, QC, BA, LLB, LLM  
LN Klar, BA, BCL, LLM  
FA Laux, BA, LLB, LLM  
JM Law, BA, LLB, LLM  
MM Litman, LLB  
PJ M Lown, QC, LLB (Hon), LLM

The Honourable AA McLellan, PC, MP, BA, LLB, LLM  
DR Percy, MA, LLM  
LJ Pollock, QC, BA, LLB  
LC Reif, LLB, LLM  
JC Robb, QC, BA, LLB  
GB Robertson, LLB, LLM  
RJ Wood, LLB, LLM  
BH Ziff, BA, LLB, MLitt

#### Associate Professors

AE Acorn, BA, LLB, BCL  
CE Bell, BA, LLB, LLM  
RG Hopp, BEd, LLB  
EL Hughes, BSc, LLB, LLM  
JM Ross, BA, LLB, LLM  
WN Renke, BA (Hon), MA, LLB, LLM

#### Assistant Professors

SK O'Byrne, BA, MA, LLB, LLM  
LI Rotman, BA, LLB, LLM

#### Visiting Professors

PD Bendin, Eldon Foote Visiting Professor, LLB, LLM  
DR Gibson, Belzberg Fellow, BA, LLB, LLM  
MK Kuwahara, LLB, LLM, LLD

#### Institute and Project

##### Directors

D Callan, Office Manager, International Ombudsman Institute  
TA Gaulfield, Research Director, Health Law Institute  
TBA, Director, Indigenous Law Program  
MM Litman, Director, Health Law Institute  
PJ Lown, QC, Director, Alberta Law Reform Institute  
WJK Mis, Director, Legal Training and Curriculum Development Project in Ukraine  
E Nelson, Project Manager, Health Law Institute

D Schneiderman, Director, Centre for Constitutional Studies  
A Wynn, Technology Project, Microcomputer Specialist

#### Sessional Lecturers

SA Beaver, BA, LLB  
BA Beresh, BA, LLB  
BA Billingsley, BA, LLB, LLM  
MR Bloos, BA (Hon), LLB, LLM  
B Burrows, BSc, BLS  
BR Burrows, QC, BA, LLB  
R Cochard, BA, LLB  
SP Chotalia, BA, LLB, LLM  
GP Dowling, BSc, MD, FRCP (C)  
JJ Gill, BA, LLB  
JH Goss, BA, LLB  
RA Graesser, BA, LLB  
EE Hodgson, BA (Hon), LLB, LLM  
RD Hupfer, BComm, LLB  
G Kaylor, MLS, MEd  
R Khullar, BA, LLB  
MP Kratz, BSc, LLB  
AH Lefever, BEd, LLB  
J Lynn-George, BA (Hon), MLS, MA  
EF Macklin, QC, BA, LLB  
MA Marshall, LLB, LLM  
C S McAfee, BA, LLB  
JM McBean, QC, BA, LLB, LLM  
R D McDonald, LLB  
DB Murphy, BA, LLB  
DR Noel, BA, LLB  
P Paradis, BA, MEd, LLB  
LS Parish, LLB (LSE), LLM  
DL Pentelchuk, LLB  
B Peterson, BA, LLB  
ML Pollock, BA, LLB  
NJ Pollock, QC, LLB  
W Quoika-Stanka, BA (Hon) MA, MLS  
KM Rackel, BComm, LLB  
RTG Reeson, QC, BAdmin, LLB  
SM Renouf, BA, BEd, LLB  
RH Reynolds, BA (Hon), LLB  
RR Roth, BComm, LLB

PJ Royal, QC, BA, LLB, LLM  
WS Schlosser, BSc, BA, MA, MA  
WP Sharek, BA, LLB  
PA Smith, QC, BA, LLB, LLM  
HJ Sniderman, LLB  
DR Sommerfeldt, BA, MA, LLB  
LK Stevens, LLB  
M Storozuk, BA, BLS  
BL Stothert-Kennedy, BA, LLB  
RA Stroppel, BA, LLB  
DA Sulyma, QC, BA, LLB  
KD Swartzenberger, BA, BA, LLB  
FK Taylor, BA, MA, PhD  
KM Trace, BA, LLB  
J Watson, QC, BA, LLB  
S Wilkins, BA, MLS, LLB  
ET Yoo, BSc, LLB  
B Zalmanowitz, BA, MA, LLB

### Additional Members of Faculty Council

**President and Vice Chancellor**  
R Fraser, PhD

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

**Representative of Law Society**  
G Ho, QC, LLB

**Registrar of the University**  
BJ Silzer, BSc, BEd, MEd

## 82 History of the Law Faculty

### Early Foundations

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

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

### Growth of the Faculty

Until the end of the Second World War the Law Faculty remained relatively small. There were only two full-time Faculty members and most classes contained fewer than 20 students. The size of the Faculty began to swell after World War II when veterans began legal studies in preparation for joining the postwar economy. In 1945, Wilbur F Bowker was hired to teach full time. He became Acting Dean in 1947, and Dean of Law in 1948. Dean Bowker was destined to steward the Faculty through a remarkable period of growth and consolidation. The full-time teaching complement expanded. The Law Faculty and its library was moved from its cramped quarters in the Arts Building to the first floor of the Rutherford Library. The Law Library has always occupied a central position in the lives of the students and professors. It is the Faculty's primary research laboratory and most prized resource, for in it is found the raw data that comprises the law—cases, statutes and texts.

### The Modern Law Faculty

By the mid-1960s the Faculty of Law had again outgrown its facilities. In 1972, the Law Centre was officially opened, consolidating administrative and Faculty offices, institutes, students' groups and the library into a building specifically designed for the Faculty. The facilities offer comfortable classrooms, a well-appointed Moot Courtroom and one of the finest law libraries in Canada. The Law Centre is now home to more than 500 law students and 25 full-time members of Faculty. The Faculty has many nationally and internationally recognized scholars, and their books and treatises are widely used in law schools, court houses and law firms throughout Canada. Close ties to the legal profession are maintained by virtue of the contributions of more than 50 members of the judiciary and practicing bar who serve as sessional lecturers.

The process of building the Faculty continues, thanks in no small part to the financial commitment of individual and corporate donors. Law Campaign 75 was launched in 1995 and to date has raised over \$3.75 million in donations, pledges, and bequests for the Faculty. Some of these financial resources have been devoted to expanding and enhancing the Law Centre's physical plant, including an additional 3,000 square feet which will house a multi-use, technologically advanced meeting and teaching space as well as a reading room electronically linked to the Internet. Other projects supported by Law Campaign 75 include the John V Decore Centre for Alternative Dispute Resolution and an enhanced moot court program which will provide students with the opportunity to represent our law school in regional, national and international moot court competitions.

### The Future

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

## 83 General Information

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

The program requires full-time attendance for three academic years and leads to the degree of Bachelor of Laws (LLB).

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

A resident law graduate seeking admission to the Alberta Bar must article with a practising member of the Bar for one year. The *Legal Profession Act* requires that a degree and an LLB, or two years of studies which would lead to a degree issued by an Alberta university and an LLB degree, be obtained before the graduate is admitted as a student-at-law serving articles with a member of the Alberta Bar. The graduate must also take the Bar Admission Course provided by the Legal Education of Alberta and pass Bar Admission Examinations.

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

- (4) **Combined Programs:** In conjunction with the Faculty of Business, the Faculty of Law offers the degree of Master of Business Administration–Bachelor of Laws Combined Degree (MBA–LLB). For further information, see §175.29.
- (5) **Graduate Programs:** The Faculty of Law offers a Master of Laws Degree (LLM) and a Postgraduate Diploma in Law. For further information, see §175.29.

## 84 Facilities and Affiliations

### Law Centre

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

### John A Weir Memorial Law Library

The Weir Law Library has a collection of approximately 390,000 volumes, including the law reports and statutes for Canada, the United Kingdom, the United States and many Commonwealth countries. It receives nearly 4,000 serial publications and acquires treatises from around the world, providing students with a wide coverage of current legal thought as well as historical sources. The library's print collection is supplemented by information in electronic form: the online catalogue, CD-ROMs and external databases. The study and research needs of the students and Faculty are met by a full range of library services including library orientation and tours, reference and inter-library loan services, and instruction in legal bibliography and research methods. The library's collection is supplemented by access to computer-assisted research services using Quicklaw Systems which include European and American data bases as well as internally developed data bases. Computer instruction is compulsory in the first year of LLB studies. Continued training is available to second-year, third-year and graduate students.

### Technology at the Law Centre

The computer lab is located in the Weir Law Library. Up-to-date software is installed in the lab, with a choice of Microsoft Office or Corel PerfectOffice. One of the major lecture rooms, the McLennan Ross Classroom, is undergoing renovations thanks to generous funding from the Alberta Government and the Law 75 Fundraising Campaign. The classroom will become a "smart" classroom.

### The Alberta Law Reform Institute

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

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

### The Centre for Constitutional Studies

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

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

### Health Law Institute

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

Institute staff are available to deliver lectures and presentations in response to requests from professional and business organizations and public interest groups. In addition, the Institute co-sponsored the First International Conference on DNA Sampling, held in September 1996, in Montreal, and is

currently involved in planning a second International Conference. The Institute also invites internationally recognized speakers to address significant issues of current interest. The Annual Picard Lecture in Health Law has featured a number of distinguished scholars in the field.

### Indigenous Law Program

The Indigenous Law Program was established to increase the representation of Aboriginal peoples in the legal profession by promoting the recruitment, participation and success of Aboriginal law students. The program provides academic support for Aboriginal students in the form of academic tutorials and informal academic assistance as needed. As well, Aboriginal applicants and students are provided with funding information, support services, personal counseling, and employment and career opportunities. Curriculum enhancement of Aboriginal legal issues is a fundamental objective. In addition, the program is active in providing cross-cultural and Aboriginal awareness training to Faculty, staff and students to foster a mutual understanding between Aboriginal and non-Aboriginal members of society.

### International Ombudsman Institute

The International Ombudsman Institute (IOI) was established in 1978. Promoting ombudsmanship and encouraging its development throughout the world are the main objectives of the IOI. Membership includes representatives from Africa, Asia, Europe, North America, Australia and Pacific and Caribbean-Latin America. The activities of the IOI include annual publication of the International Ombudsman Yearbook, publication of an Occasional Paper Series, the International Ombudsman Institute Newsletter, and other works. The IOI organizes conferences and seminars, conducts research into ombudsman issues and maintains a library and resource centre. The Office of the Ombudsman is a hallmark of democracy; the Institute's work is vital in promoting the model and giving practical legal assistance and training to emerging democracies, particularly in Eastern Europe, Africa and Latin America.

### The John V Decore Centre for Alternative Dispute Resolution

The Decore Centre was opened in the fall of 1995, and was made possible by the generosity of family and friends of the late John V Decore. The Centre is a unique facility, designed for arbitration and mediation purposes. It is operated by the Alberta Arbitration and Mediation Society, and is available as a teaching facility for courses in alternative dispute resolution, client counseling, labor arbitration and techniques in negotiation. It also provides a valuable resource for a new pilot project which provides law students with field experience opportunities in ADR.

### Aboriginal Law Students' Association

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

### Alberta Law Review

The *Alberta Law Review* is a scholarly legal journal published four times annually by second- and third-year law students in consultation with Faculty and members of the Law Society of Alberta. Past editors have become justices of the Supreme Court of Canada, Alberta Court of Appeal and Court of Queen's Bench. The *Law Review* has existed since 1955, and has a circulation of 3,000 copies per issue. Subscribers include all law firms and sole legal practitioners in Alberta, as well as judges, students, academics, universities and libraries worldwide.

### Articling Committee

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

### Cannons of Construction

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

## Law Students' Association

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

## Student Legal Services

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

## Women's Law Forum / NAWL

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

## Other Organizations and Activities

Other student organizations and activities include a law student branch of the Canadian Bar Association, the Environmental Law Students Society, the FR Scott Society, The Golden Bearistlers Rugby Club, the Laissez-Faire Legal Club, the Law Show, the Phi Delta Phi legal fraternity, Vin Ordinaire wine tasting club, and the Women's Running Club.

# 85 Admissions

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

# 86 Programs of Study

## 86.1 Degree of LLB

To be eligible for the LLB degree, a student must have been in full-time attendance at the Faculty for three academic years, except where the student has been admitted or transferred to the part-time program.

In special circumstances, a student may be granted permission by the Dean or the Dean's delegate to attend another law school for one of the three years. Students in the MBA-LLB program may obtain permission to attend another law school after completing no less than one and one-half years of the law studies portion of the program.

### (1) Required Courses for Full-Time Students

Full-time students must take the following courses:

Year 1 (See Note)	Year 2	Year 3
1. LAW 400	1. LAW 450	1. LAW 570
2. LAW 410	2. LAW 510	2. LAW 600
3. LAW 420	3. LAW 575	3. LAW 670
4. LAW 430	4. LAW 500 or LAW	
5. LAW 435	505	
6. LAW 440		

**Note:** Students in the first year are required to successfully complete a Moot Court exercise.

### (2) Required Courses for Part-Time Students

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

- References to Year 1, 2 and 3 studies are to the courses normally taken by full-time students in first, second and third years of the program.
- In the first year of Year 1, part-time students must complete LAW 400, Introduction to Law; LAW 435, Constitutional Law; and one of two other Year 1 ★6 courses.
- In the second year of Year 1, part-time students must complete the remaining two or three Year 1 ★6 courses and must register in a minimum of ★6 per term. The maximum number of credits shall be those applicable to full-time students.

- (3) **Written Work Requirement:** A written work requirement is compulsory in either the second or third year of the program. The paper must constitute at least 60% of the final grade in the course, and a minimum grade of 5.0 must be obtained on the paper.

**Note:** Descriptions of required and optional courses are found in the Course Listings §201 under Law.

- (4) **Absence:** If a student has an unexcused absence from a term examination or an unexcused failure to submit a term paper or has failed to perform any other required assignment, the grade assigned to the student for the term examination, term paper, or other required assignment is zero. However, in case of illness or other extreme circumstance, the student may be excused from writing the term examination or submitting the term paper or performing the required assignment. To be excused, a student must present to the instructor an absence slip signed by the University Health Service, where illness is the cause, or by the Associate Dean, where the cause is other than illness. When the excuse is accepted, the percentage weight allotted to the term examination, term paper, or required assignment will be added to the percentage weight allotted to the final examination. For regulations governing absence from a final examination, see §23.5.

- (5) **Marking:** Marking in the Faculty is on a 9-point scale. The word descriptions of the nine grades are as follows:

9	Outstanding
8	Excellent
<hr/>	
7	Very Good
6	Good
<hr/>	
5	Pass
4	Conditional Pass
<hr/>	
3	} Fail
2	
1	

### (6) Promotion of Full-time Students

- Units of course weight:** In each of their three years, law students must take a program of required and optional courses totalling not less than ★29 nor more than ★31 (see §201 for required courses, optional courses and units of course weight) and to accumulate a total of not less than ★92 over the three academic years to qualify for the degree of Bachelor of Laws. The Dean or the Dean's delegate may permit a student to register for more than the prescribed maximum units of course weight in an academic year. In extraordinary circumstances, the Dean or the Dean's delegate may permit a student not in first year to register for fewer than ★29. Students may not be promoted to the next year of their program of study without having first successfully completed the requirements for the year of the LLB program in which they are currently registered. A student is not permitted to spend in excess of a total of four years in the Faculty, save in exceptional circumstances. Students must pass each course attempted with a minimum grade of 4.0 before receiving credit for the course.

- The Faculty operates under a minimum grade point average system which requires that a minimum grade point average of 5.0 is required for promotion for all years. Any student failing to obtain a 5.0 average in an academic year is required to withdraw from the Faculty. Any student with a 5.0 average or better receives credit for each course in which a passing grade is obtained and receives no credit in a course or courses in which a failing grade is obtained. Any compulsory course failed must be repeated, and any noncompulsory course failed may be repeated. A student who has completed three

academic years of the Law program as provided in sub-paragraph 6(a) but has failed to acquire the requisite ★92 may enter a fourth year during which he/she must pass sufficient courses to acquire the said ★92. Students are not permitted to spend more than a total of four years in the Faculty, save in exceptional circumstances.

(7) **Promotion of Part-Time Students**

- a. In the years of part-time studies corresponding to Years 2 and 3, students must successfully complete all required courses and must register in a minimum of ★14 per session and a minimum of ★6 per term. The maximum number of credits shall be those applicable to full-time students.
- b. The Dean or the Dean's delegate may vary the minimum and maximum credits in appropriate circumstances.
- c. Part-time students must complete the requirements of the LLB degree within a maximum of six years.
- d. Part-time students are evaluated for promotion purposes when they have completed the course requirements for Year 1, Year 2 and Year 3 studies, normally on a biannual basis.
- e. To the extent possible, academic and administrative regulations and policies apply to part-time and full-time students.

(8) **Reexaminations:**

See §23.5.

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

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

## 86.2 Moot Court

The Faculty of Law runs an extensive Moot Court program designed to give students experience in the preparation and presentation of cases at trial and on appeal, in interviewing and counseling clients and in Aboriginal dispute resolution contexts. Students in first-year Law are required to argue a moot case in constitutional law as part of their small section program. The moot takes place in the second term. Grading is based on written (factum preparation) and oral advocacy. In second and third year, students may participate in the competitive mooting program. There are four main groups of competitive moots: the appellate advocacy moots, the trial moots, the client counseling competition and the Aboriginal law moot. Course credit is offered for moot participation. A professor is assigned to each moot as an advisor. Students are graded on their written and oral advocacy.

Students are selected for the appellate advocacy moots through the in-house Brimacombe Selection Round Moot, held each fall. Students are allocated to the moot teams based on their ranking in the moot, their preferences and the restrictions on participation for the competitive moots. There are five appellate advocacy moots: the Jessup Moot (an international law moot); the Laskin Moot (a national, bilingual moot); the Gale Moot (a national moot typically in constitutional or criminal law); the Clinton J Ford Moot (an in-house moot, open to third-year students) and the Alberta Challenge Cup Moot (a competition between the Universities of Alberta and Calgary, open to second-year students).

Students are selected for Western Canada Trial Moot (a trial advocacy moot involving law schools in British Columbia, Alberta, Saskatchewan and Manitoba) through the in-house Coughlan Moot, held in the first term.

Students are selected for the Client Counseling Competition, an international competition under the auspices of the American Bar Association, through an in-house competition.

## 86.3 Graduate Programs

The Faculty of Law offers graduate programs leading to a master's degree and a postgraduate diploma in laws. The Faculty also offers a program of joint study with the Faculty of Business leading to a combined MBA-LLB degree. See §174.

# 87 Courses

In each year, students will enrol in optional courses in the numbers and terms indicated. In admitting students to optional courses, students' preferences are considered, but allocations are made in such a way as to avoid large classes.

Faculty of Law courses are listed in §201, Course Listings, under Law (LAW).