



The following Motion and Documents were considered by an electronic vote of the Board Finance and Property Committee on June 12, 2015:

Agenda Title: **Rescission of the \$50.00 Faculty Student Fund fee for the Faculty of Law**

APPROVED MOTION: THAT the Board Finance and Property Committee, on the recommendation of the GFC Academic Planning Committee, recommend that the Board of Governors rescind the \$50.00 Faculty Student Fund fee for the Faculty of Law, subject to the implementation of the Faculty of Law Market Modifier approved by the Board of Governors on March 13, 2015.

Final recommended item: 1

OUTLINE OF ISSUE

 Agenda Title: **Rescission of the \$50.00 Faculty Student Fund fee for the Faculty of Law**

Motion: THAT the Board Finance and Property Committee, on the recommendation of the GFC Academic Planning Committee, recommend that the Board of Governors rescind the \$50.00 Faculty Student Fund fee for the Faculty of Law, subject to the implementation of the Faculty of Law Market Modifier approved by the Board of Governors on March 13, 2015.

Item

Action Requested	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Recommendation <input type="checkbox"/> Discussion/Advice <input type="checkbox"/> Information
Proposed by	Olive Yonge, Interim Provost and Vice-President (Academic); Lisa Collins, Vice-Provost and University Registrar; and the Faculties and Departments that have proposed the new and changed fees.
Presenter	Olive Yonge, Interim Provost and Vice-President (Academic)
Subject	Rescission of the \$50 Faculty Student Fund for the Faculty of Law

Details

Responsibility	Provost and Vice-President (Academic)
The Purpose of the Proposal is (please be specific)	Rescind the \$50.00 fee assessed to all Faculty of Law students for Fall and Winter, subject to the implementation of the Faculty of Law Market Modifier
The Impact of the Proposal is	Students of the Faculty of Law will no longer be assessed the \$50.00 fee per term for the Faculty Student Fund. With the implementation of the market modifier the Faculty of Law agreed to remove the Faculty Student Fund fee and use revenue from the market modifier to support the Faculty of Law student placement service.
Replaces/Revises (eg, policies, resolutions)	Removes the instructional Faculty Student Fund fee from the central tuition assessment.
Timeline/Implementation Date	Fall Term 2015 (September 1, 2015)
Estimated Cost	Off sets \$100.00 per student per academic year for the Faculty of Law (approximately \$50,000)
Sources of Funding	N/A
Notes	The elimination of the \$50.00 Faculty Student Fund fee was a Law Student Association condition for support of the Faculty of Law Market Modifier (see attachments 5 and 6)

Alignment/Compliance

Alignment with Guiding Documents	<i>University of Alberta Calendar</i> ; UAPPOL (University of Alberta Policies and Procedures On Line)
Compliance with Legislation, Policy and/or Procedure Relevant to the Proposal (please quote legislation and include identifying section numbers)	<p>1. Post-Secondary Learning Act (PSLA): Sections 61(1) and (2)(a) - "Tuition fees"</p> <p>61 (1) The board of a public post-secondary institution shall set the tuition fees to be paid by students of the public post-secondary institution.</p> <p>(2) The tuition fees under subsection (1) for all public post-secondary institutions other than Banff Centre</p> <p style="padding-left: 40px;">(a) must be set in accordance with the regulations[.]”</p> <p>2. Post Secondary Learning Act (PSLA) Regulations – Alberta Regulation 273/2006 – Section 2:</p>

“Definition of tuition fees for Act purposes, etc.

2. For the purposes of the Act and this Regulation, ‘tuition fees’ in respect of an institution means the following:

(a) fees identified in the institution’s calendar or in a supplement to its calendar as tuition fees or fees for instruction for courses that are part of programs approved by the Minister under the *Programs of Study Regulation* (AR 91/2009) or for the purposes of the *Student Financial Assistance Act*, excluding the following:

- (i) courses taken as part of a distance delivery program by individuals who do not reside in Alberta;
- (ii) apprenticeship programs under the *Apprenticeship and Industry Training Act*;
- (iii) off-campus cost recovery instruction programs;
- (iv) courses provided under a third party contract;
- (v) any differential or surcharge in fees that the board of the institution may set for courses taken by individuals who are not Canadian citizens or permanent residents of Canada;

(b) mandatory fees that are payable to the institution by students for materials and services that facilitate instruction in the courses included in clause (a), excluding the following:

- (i) fees for equipment or materials that are retained or leased by students;
- (ii) fees charged in respect of work placements or practicum experience where the persons or unincorporated bodies providing the work placement or practicum experience do not receive funding from the Government in respect of it.”

3. **Post-Secondary Learning Act (PSLA):** The *PSLA* gives GFC responsibility, subject to the authority of the Board of Governors, over academic affairs (Section 26(1)). Section 26(1)(o) provides that GFC may make recommendations to the Board of Governors on a number of matters including the budget and academic planning. GFC has thus established an Academic Planning Committee (GFC APC), as set out in Section 3 of the GFC Policy Manual. GFC delegates its power to recommend to the Board on the budget to the GFC APC.

4. **Board of Governors General Terms of Reference, Section 1 (b):** “The Board has delegated to each Committee responsibility and authority to make decisions on behalf of the Board in the Committee’s defined area of responsibility except to the extent that such authority has been specifically limited by the Board in the Terms of Reference for the Committee.”

5. **Board Finance and Property (BFPC) Terms of Reference, Section 3(d):**

“3. Without limiting the generality of the foregoing, the Committee shall:

[. . .]

d) review and recommend to the Board tuition and other like fees[.]”

6. **UAPPOL Student Instructional Support Fee Definition of Mandatory Instructional Support Fee:** “Mandatory fees assessed in anticipation of costs for supplies, equipment, materials, or services which

Item No. 1

	<p>are not directly related to the delivery of instruction in a course or program, but are considered required elements of a course or program. Examples include but are not limited to the costs of food, lodging, and transportation for required field trips; supply of certain specialized professional tools which the student will retain; and fees for arranging professional placements such as practica, internships, and work experience. All mandatory instructional support fees require the approval of the Board of Governors.”</p> <p>7. <i>University of Alberta Calendar Section 22.2.3:</i> “The University of Alberta complies with the Government of Alberta’s Tuition Fee Policy which states that postsecondary institutions may charge mandatory student fees for instruction to support the provision of supplies, equipment, materials and services to students.”</p> <p>8. <i>GFC Academic Planning Committee (APC) Terms of Reference, Section 3.4.b:</i> GFC APC is “[t]o recommend to the Board of Governors on the annual budget [which includes all of the above-noted fees-related matters], excluding budgets for ancillary units.”</p>
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Routing (Include meeting dates)

Consultative Route (parties who have seen the proposal and in what capacity)	Law Student’s Association 2010, 2013, 2014 per attachment 6 and LSA Endorsement of Market Modifier. Office of the Registrar
Approval Route (Governance) (including meeting dates)	GFC Academic Planning Committee – June 10, 2015 (for recommendation); Board Finance and Property Committee – June 12, 2015 (for recommendation); Board of Governors – June 19, 2015 (for final approval)
Final Approver	Board of Governors

Attachments:

1. Current 2014-15 Sample Fee Assessment for the Faculty of Law (1 page)
2. Endorsement of the fee from the Students’ Union in 1997 (2 pages)
3. Endorsement of the fee from the Law Students’ Association President in 1997 (1 page)
4. Endorsement of the fee from the Faculty of Law in 1997 (1 page)
5. 2014 Endorsement of the LSA for the Faculty of Law Market Modifier (21 pages)
6. 2014 Faculty of Law Market Modifier power point presentation pages 16-17 Consultation and LSA Conditions for support (2 pages)

Attachment 1:

From: <http://www.registraroffice.ualberta.ca/en/Costs-Tuition-Fees/Undergraduate-Tuition/FallWinter-Tuition-for-Canadian-Citizens-and-Permanent-Residents/Sample-FallWinter-Assessments-for-Canadian-Students.aspx#law>

Sample Assessment from Fall 2014-15:

Law		
	Full Time per Term (16 units of course weight)	Part Time per Term (7.5 units of course weight)
Tuition	2,837.76	1,330.20
Program Differential	2,272.80	1,136.40
Faculty Student Fund	50.00	50.00
Registration & Transcripts	76.28	38.14
Student Services	57.08	28.54
Students' Union Membership Fees	38.08	18.56
Students' Union Dedicated Fees ²	91.00	38.00
Students' Union Health Plan	118.00	118.00
Students' Union Dental Plan	116.50	116.50
PAW Centre Fee	26.00	26.00
CoSSS	153.08	76.54
U-Pass	129.17	129.17
Athletics and Recreation	82.00	41.00
Health Services	27.06	13.53
TOTAL	\$6,074.81	\$3,160.58



Ken Halverson
Office of the President

March 26, 1997

fees file S.
(305)

Mr. Brian Silzer
Associate Vice-President & Registrar
201 B Administration Building
University of Alberta

APR 2 1997

Dear Brian,

I would like to formally notify you that Students' Council has approved the creation of a Faculty Student Fund within the Faculty of Law. The purpose of this particular Faculty Student Fund is to fund a placement officer within the Faculty of Law. Each student in the Faculty of Law will be assessed a fee of \$50 per semester, and there is no provision to opt out of paying this fee.

The students in the Faculty of Law overwhelmingly approved the creation of this fee, in a referendum held on March 11, 1997. The Students' Union is satisfied that all of our relevant bylaws and regulations were indeed followed.

As per our own Bylaw 2000 (A Bylaw Respecting Student Faculty Funds), a formal request must be made to the Office of the Registrar by April 1 in the year that any new Faculty Student Fund is to be first assessed. The Law Students' Association will be notifying you, and providing you with the relevant and necessary documentation to begin this process.

Please accept this letter as formal Students' Union support for the creation of a Faculty Student Fund in the Faculty of Law.

Sincerely,

Garett Poston

Garett Poston
President

cc. Jeff Weidman, LSA President
Dean Tim Christian, Dean of the Faculty of Law

355612 APR-297

- Fee differential, if appropriate, is charged, as is the Student Services fee and the Registration and Transcript fee. Since these students are considered to be off-campus, the Health Services and Athletic Services fees are optional. The Students' Union fee is not assessed.

- Fee assessment inquiries for the Work Experience Program should be directed to Special Registrations.

Field Experience Courses

- Students registered in certain Field Experience (ED FX/ENPRQ) courses are assessed a Placement Fee of one unit of fee index per course which is assessed and collected with the course fee. The fee index for each of these courses is increased by '1' over the standard value.

Exchange Students

- Exchange students in a recognized exchange program are identified using the Special Registration Indicator on the PD screen. 'I' is used for incoming exchange students and 'O' is used for outgoing exchange students.

- Incoming exchange students do not pay fees since they have paid their fees at their home institution. On their timetable the fee assessment reflects values of 0.00 and the course listing includes a statement "As an exchange student, you are exempt from paying fees to the University of Alberta."

- Instructional Fees for outgoing exchange students are assessed as per the fee index of the EXCH course in which they are registered. They also pay the appropriate Noninstructional Fees.

- Outgoing exchange students are advised of their fee assessment by the Manager, Special Registrations, and pay the fee prior to leaving on the exchange.

Faculty Student Funds

- Effective September 1996 all students in the Faculty of Engineering are assessed a \$25.00 per term fee towards the undergraduate faculty equipment fund.

- Effective September 1997 all students in the Faculty of Law are assessed a \$50.00 per term fee towards a Faculty Student Fund.

- On the fee assessment portion of the timetable notice the Faculty Student Fund assessment is included in the instruction fee value.

- On the assessment screen (AS) the Faculty Student Fund is reported on the LCS line (previously known as Library and Computing Services).

- There is no provision for opting out, refund, transfer, reduction or cancellation of this fee.

March 19, 1997

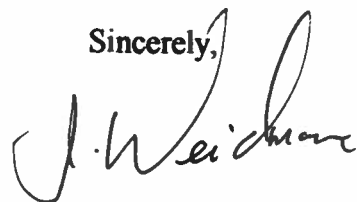
To Whom it May Concern,

My name is Jeff Weidman and I am the President of the Law Students' Association (LSA) at the University of Alberta.

This letter is a confirmation of the LSA's recognition and support of the creation of a fund that will go toward ensuring the existence of a full time placement officer. This fund will be created by a \$50 per student, per semester, fee increase. This fee increase, for the purpose stated above, is supported by the faculty of law's student body as was evident by the results of the referendum on March 11, 1997.

Please feel free to contact me or any other member of the LSA executive to address any questions or concerns that may be raised.

Sincerely,

A handwritten signature in black ink that reads "J. Weidman". The signature is written in a cursive style with a large, sweeping initial "J".

Jeff Weidman

LSA President, 1996-97

365614 APR-297

UNIVERSITY OF ALBERTA
LIBRARY



University of Alberta
Edmonton

Faculty of Law

Canada T6G 2H5

4th Floor, Law Centre
Telephone (403) 492-3115 Fax (403) 492-4924
<http://www.law.ualberta.ca/>

March 18, 1997

Mr. Brian Silzer
Office of the Registrar
Administration Building
CAMPUS MAIL

Dear Mr. Silzer:

Please consider this letter my formal approval of the Placement Officer Bylaw concerning the disbursement and oversight of funds for the position of Placement Officer at the Faculty of Law.

I have had an opportunity to review the draft Bylaw and I am satisfied that it will allow our Faculty to function efficiently in respect of the position of Placement Officer.,

Thank you for taking my views into consideration.

Sincerely,

Timothy J. Christian, QC
Dean of Law

365613 APR-297

MAIL ROOM

October 15, 2014

Office of the Provost
2-36 South Academic Building (SAB)
University of Alberta
Edmonton, Alberta
T6G 2G7

RE: Letter of Support for an Increase to the Faculty of Law's Market Modifier

Dear Dr. Amrhein:

The Law Students' Association ("LSA") is an independent body elected by law students to serve as their representatives to the Faculty, the University, and the greater community. We are writing to you to reaffirm our support for an increase to the Faculty of Law's Market Modifier, as proposed by the Faculty of Law. After substantial consultation with our student body, and the Students' Union, over the last four years, and again this August and September, in addition to our own extensive research, we have come to the conclusion that an increase in the differential tuition fees, as proposed by the Faculty of Law's administration, is necessary. We informed the Dean that an immediate hike for all students would have adverse consequences on our student body, which is why we believe that a phase-in of these fees as the Dean's proposal suggests is fair and equitable. Additionally, we appreciate the Dean's decision to reduce the total amount of the market modifier, from his original proposal, to the level currently incorporated as a result of our input.

This letter will address how our program has been adversely affected by budget cuts in recent years. We will then discuss the history of student engagement and consultation with regards to tuition and this specific market modifier proposal. Following that, we will examine the Faculty's tuition proposal as it currently stands, and conclude by making a few remarks.

How Our Program is Being Impacted

In recent years, law students have noted a decline in the quality of our program at the University of Alberta. Examples of the effects of cutbacks include:

- Reduction in the number of courses offered at our school, sometimes resulting in the cancellation of courses that are of significant importance to students;
- Reduction in number of full-time faculty members: 36.5 (2010) to 29 (current);
- Increase in class sizes (first year Property law went from three sections of 60 students to one section of 180 students);
- The discontinuation of legal librarian services over the summer months - making us the only common law school in the country to be in such a position;
- Loss of several experienced staff member whose absence has caused students delays in obtaining casebooks, statutory materials and course outlines; and
- Reduction of library hours.

The LSA believes that unless the Faculty is able to secure its financial future through a tuition increase, our faculty will be forced to implement a number of cost cutting and revenue generation strategies that will be even more damaging to the average student's academic experience, including:

- Increasing enrolment by up to 25 students a year, or more
 - In an increasingly stagnant Canadian job market for recent JD graduates an enrolment increase will likely result in a greater number of students graduating without an article, or a job placement. The primary concern for law students is keeping enrolment constant
 - Increasing enrolment would also lead to greater strain on teaching resources and student services, further diminishing the student experience
- Continuing to surrender the positions of faculty members who either retire or vacate their positions.
 - Our faculty will have to reduce course offerings even further, reducing the depth of education that our student body receives.
 - A reduction in professors will also result in larger class sizes, and professors that are overworked and will strain to be able to meet the needs of their students.
 - The loss of long-standing/retirement age professors results in a loss of faculty with strong insight into the history of the legal profession and practice and wisdom that only experience offers.

Consultation

In 2010, the LSA executive authored a letter in support of the Faculty's proposal to increase law students' market modifier fee. The Government of Alberta determined that the Faculty of Law was ineligible for a fee increase at that time.

Because of their concerns about the impact of funding on educational quality, debate has continued for years amongst the student body about the merits of a potential tuition increase. These debates have significantly escalated since the March 7, 2013 Government of Alberta budget cuts.

On April 11, 2013, the LSA held a special town hall for our student body to discuss the issue of tuition and other revenue generating initiatives the Faculty was considering, namely an increase in the law school's enrolment numbers. Executive members of the Students' Union, including Colten Yamagishi (SU President 2012/13), Petros Kusmu (SU President 2013/14), and others, were kind enough to attend our town hall. A broad variety of issues were discussed, but the prevailing theme in the room was that law students would be open to a tuition increase, provided that amongst other accommodations, there be a moratorium on increasing enrolment in the Faculty.

Over the 2013 summer months, the Dean's Office and the LSA were in constant communication about the possibility of a tuition increase, and what form a tuition proposal might take.

On August 27, 2013, the LSA Executive gave a presentation to Students' Union Council discussing law students' concerns, and the possibility of supporting an increase in the school's market modifier. This was a constructive discussion with the Students' Union, which has informed subsequent LSA advocacy efforts. One of the products of this presentation was that on September 17, 2013, the LSA executive, through email correspondence, asked the entirety of the law student body to share their thoughts and their concerns on how budget cuts had adversely affected their

educational experiences. The goal of this exercise was to inform the discussions the LSA was having with the Dean's office with regards to a potential tuition increase, conversations that have ongoing ever since. This included discussions with the candidates for the Deanship in spring 2014, including the newly appointed Dean, Paul Paton.

Prior to the July 1 formal start date, on April 29, 2014, members of the outgoing, and the incoming LSA executives met with the incoming Dean to discuss student concerns and the impact of budget cuts on students' educational experiences.

On August 10, 2014, members of the SU executive and the LSA met with our Dean to further discuss any concerns that the Students' Union had.

On August 19, 2014, the LSA and the Dean gave another presentation to the University of Alberta Students' Union Council where details of the current proposal were discussed. The presentation, which included a substantial question period, addressed a variety of Students' Union concerns.

When the LSA was informed that a new date for proposals had been set, October 15th, we extended our consultative process further.

On September 10, the Dean hosted a town hall where he presented the entirety of his proposal, in addition to a number of issues currently facing our program. In this meeting the Dean addressed a number of relevant items, including: the Faculty's budget for the last five years, the growth of our prizes and awards portfolio despite budgetary challenges, student to faculty ratio, and expected debt levels for our graduates.

On September 17, the LSA hosted its own town hall. At this function, students were given another opportunity to speak to a number of issues.

Based on this town hall, and consultation with the Students' Union, a survey was generated to gather law students' opinions on the Faculty's market modifier proposal. The survey was administered between the dates of October 7 and October 9.

We received a total of 192 responses. This represents approximately one third of the current student body. Participation from the different years was consistent.

Approximately 40% of students had attended, or viewed online at least one of the two town halls. 76% indicate that they think that a moratorium on increasing first year enrolment should be a priority. In describing the importance of the faculty to student ratio, one third described it as very important and the vast majority, 90%, found it at least moderately important.

As currently stated 58% of students support the proposal, 25.6% oppose, and 16% abstained.

In reviewing these results, it is clear that students would like to primarily see funds flowing to areas of immediate impact to them. This includes academic improvements in increased faculty hiring, experiential program funding, and potentially, a teaching fellow program. A key concern that students have consistently highlighted is the quality of our career services department and as per this survey, they would certainly like to see more money flowing to this area. Students are not opposed to funds being used to support students in the form of scholarships or bursaries. Students however show

little support for the hiring of any additional administrative staff outside of career services. Students would like to make sure that a large influx of money is not squandered.

On October 14, 2014, the LSA gave a final presentation to the University of Alberta's Students' Union. After a lengthy discussion, the majority of Students' Council approved a motion that would allow for the Law Students' Association to advocate in for the Faculty's market modifier proposal, in contravention of Students' Union political policy.

Considering the foregoing, it is apparent that our support for the Faculty's Market Modifier proposal is based on substantial consultative efforts with law students and the Students' Union.

Our View on the Faculty's Current Market Modifier Proposal

While the Dean's proposal is substantial at first glance, upon further review, one can see that it is quite reasonable. As the table in the appendix highlights, the market modifier will simply bring our school in line with the national average of other competitive Canadian law faculties. Additionally, critical concessions for obtaining our support, include:

- Four-year moratorium on entering 1L class size (to 2017-18)
- Commitment to implementation of a Faculty of Law solution to the tuition waiver/payment issue
- Expansion of experiential learning opportunities with a goal of 20-25% law student participation by 2017-18
 - In the winter of 2013, the LSA completed an informal survey of our student body on their views pertaining to experiential learning. Students overwhelmingly identified the expansion of experiential and practical learning opportunities as a key priority. The Dean's proposal to increase these opportunities by 20-25% thoroughly accommodates students' views on this matter.
- Commitment to development of an enhanced consultative model, including two Dean's Town Halls in 2014-15 (Fall and Winter)
- Significant enhancement of career services supports
- Elimination of faculty membership fee (\$50)
- Commitment to work with law students, the bar and the broader community on identification of priority mental health issues and supports for law students and new lawyers

These commitments closely mirror that which students had indicated as priorities in the aforementioned survey. Dean Paton has committed to working with the LSA on implementing, depending on the level of funding made available, the following key areas identified through student engagement:

Key Priorities:

- Hiring of up to 7.5 additional professors which would restore faculty numbers to 2009 levels
- Hiring of 2 additional career services officers
- 20% of the increased funding dedicated to Scholarships and Bursaries
- Hiring of 3 additional individuals to run an enhanced experiential learning program

Secondary Priorities:

- Graduating student bursaries for individuals pursuing public service/rural/underserved markets
- Hiring of 2 teaching fellow positions to assist professors in the learning outcomes of first year classes

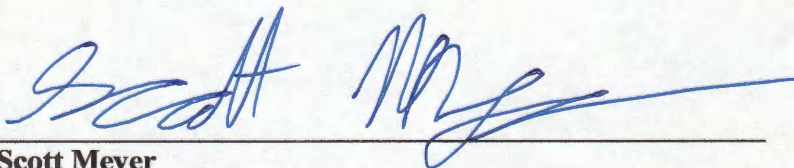
One area where the LSA has had several concerns however, is with regards to the 20% allocation of the market modifier fee to the University's central administration. To this point, no indication has been made as to how this money will be allocated to serve law students in particular. We do not believe that law students should have to pay more than the majority of campus to support activities held under the auspices of central administration. We suggest that a portion of the allocation to central administration should instead be re-allocated to either the Faculty or the Faculty's student services department. While our first preference is to have the 20% central allocation reduced, if this request cannot be adhered to, then we ask that the University's central administration conform to identified student priorities and use the additional revenue to extend our library, and the Law Centre's hours of operation, in addition to extending funding for other expenditures that fall under the control of central administration.

Final Remarks

At this time, we would like to state that nothing contained within this letter should be perceived as setting a 'precedent' for tuition increases in other faculties. The current situation in our program is unique, and should not be analogized into other contexts. We have, and will continue to support the advocacy efforts of the Students' Union, the Graduate Students' Association, the Post-Doctoral Fellows' Association, and our fellow Faculty Associations.

We greatly appreciate you taking the time to read our letter of support for the Faculty of Law's proposal to introduce a new market modifier. The Law Students' Association looks forward to working with the Dean's office over the coming years to ensure that we build a program that properly supports its students and strives for excellence. Please feel free to contact us should you require any more information.

Yours very truly,



Scott Meyer

President 2014-2015, University of Alberta Law Students' Association

c. The Honourable Don Scott, Minister of Innovation and Advanced Education (AB),
402 Legislature Building, 10800 97 Avenue, Edmonton, AB, T5K 2B6;
fortmcmurray.conklin@assembly.ab.ca

Doug Goss, Chair, Board of Governors, University of Alberta,
3-04 South Academic Building (SAB), Edmonton, AB, T6G 2G7; boardchair@ualberta.ca

Dr. Paul Paton, Dean, Faculty of Law, University of Alberta,
Room 487, Law Centre, 111 - 89 Avenue, Edmonton, AB, T6H 2H5; deanoflaw@ualberta.ca

William Lau, President, Students' Union, University of Alberta,
2-900 Students' Union Building (SUB), Edmonton, AB T6G 2J7; president@su.ualberta.ca

Appendix - Tuition Rates of Our Top Eleven Competitors

School	2014/15 Tuition (\$)
Toronto	31,536
Osgoode	22,672
Western	18,420
Queens	16,931
Ottawa (Common Law)	16,061
Dalhousie ¹	15,030
Calgary	12,193
Saskatchewan	12,015
British Columbia	11,448
Alberta	10,121
Victoria ²	9,029
McGill (Out of Province)	8,492

¹ – Dalhousie: \$17,319

² – Victoria: +\$1,100



UNIVERSITY OF ALBERTA FACULTY OF LAW

**Proposal
Market Modifiers 2015-16
October 2014**

Dr. Paul D. Paton
Dean of Law
Wilbur Fee Bowker Professor of Law

"uplifting the whole people"

— HENRY MARSHALL TORY, FOUNDING PRESIDENT, 1908



UNIVERSITY OF ALBERTA
FACULTY OF LAW

2

Summary/Overview

- **Introduction to a Changing Legal Market and Challenges for Legal Education**
- **Review of the Competitive Market in Legal Education in Canada**
- **Recent History and Budget Impact at University of Alberta Faculty of Law**
- **Consultation and LSA Conditions for Support**
- **Response: Key Needs/Investments in Student Support**
- **Market Modifier Proposal**



Introduction to a Changing Legal Market and Challenges for Legal Education

CBA Legal Futures Task Force Report (August 2014)

- The legal profession in Canada is entering a period of major change. The combined forces of globalization, technology and market liberalization are creating new services, new delivery mechanisms, and new forms of competition... At the same time that the demand from existing clients is changing, there are still many individuals and communities in Canada with inadequate access to any type of legal services.”



Introduction to a Changing Legal Market and Challenges for Legal Education

“In this dynamic future environment, it will be important for lawyers to obtain lifelong education and training. This will require more flexibility and choice in the way new lawyers are educated and trained, as well as innovative models and courses of study for pre-call training and continuous professional development.”



CBA Futures Task Force Report – Chapter Seven

“Lawyers of all generations expressed a desire for more practical opportunities for learning through clinical and work placements.

Similarly, through innovative ideas like supervised apprenticeships in the middle of law school, or a version of articles in mid-course, law students felt they could refine their studies while at law school, make better and more informed decisions on what they might do after graduation, and be better prepared for their careers in general.”



CBA Futures Task Force Report – Chapter Seven

Recommendation #16:

An integrated, practical approach, including multidisciplinary skills training, should be incorporated into substantive curricula to provide “translational knowledge” – the ability to turn critical knowledge of legal concepts, regulatory processes, and legal culture into actual problem-solving ability in practice.” [p. 59]



Review of the Competitive Market in Legal Education in Canada

Since 2010:

- Three new law schools: Thompson Rivers, Lakehead, and Trinity Western
- Introduction of Ontario Legal Practice Program (alternative entry for foreign law graduates/those without articles)
- Increasing tuition and investments in other Canadian law schools; proposals for increased tuition, class sizes, or both



Maclean's 2014 Law School Rankings

OVERALL RANK		GRADUATE QUALITY				FACULTY QUALITY
	Rank Last Year	Elite Firm Hiring	National Reach	Supreme Court Clerkships	Faculty Hiring	Faculty Journal Citations
1	TORONTO (1)	1	10*	2	1	1
2	OSGOODE (2)	10	3*	9*	6*	2
3	MCGILL (4)	3	10	1	2	5*
3	QUEEN'S (3)	12	7	4*	3*	3
5	UBC (5)	6	5*	4*	6*	4
6	DALHOUSIE (6)	4	5*	7	3*	7
7	VICTORIA (7)	13	3*	4*	8*	5*
8	ALBERTA (8)	2	7*	9*	8*	9*
9	WESTERN (9)	7*	1*	16	11	9*
10	OTTAWA (11)	14	12	3	12*	8
11	CALGARY (12)	7*	7*	9*	15*	12
12	SASKATCHEWAN (10)	11	13	9*	5	13
13	NEW BRUNSWICK (13)	5	16	9*	10	14*
14	WINDSOR (14*)	15	1*	15	15*	11
15	MANITOBA (14*)	9	14	8	12*	14*
16	MONCTON (16)	16	15	9*	12*	16

UNIVERSITY OF ALBERTA FACULTY OF LAW				
			9	
LAW TUITION COMPETITORS				
2014-2015				
University	Law Tuition	Rank		
Alberta	\$10,221	10		
Toronto	\$31,536	1	Average \$15,802	
York-Osgoode Hall	\$22,672	2	Add 1.9 %	
Western	\$18,420	3	Alberta COLA \$16,103	
Queens	\$16,931*	4		
Ottawa	\$16,061	5		
Dalhousie	\$15,030**	6		
Calgary	\$12,193	7		
Saskatchewan	\$12,015	8		
British Columbia	\$11,448	9		
Victoria	\$9,028***	11	*Queens: +\$100	
McGill	\$8,492	12	**Dalhousie: \$17,319	
<i>2013-2014</i>			***Victoria: +\$1,100	
<i>Thompson Rivers</i>	<i>\$17,828</i>	<i>4*</i>		

UNIVERSITY OF ALBERTA FACULTY OF LAW						
			10			
Comparisons						
2010-2011						
Law School	Budget \$000s	Rank	Tuition	Rank	Stud/FTE Ratio	Rank
Alberta	\$5,480	11	\$9,943	10	16	6
UBC	\$10,079	5	\$10,135	9	13.9	2
Calgary	\$3,100	15	\$11,810	7	19	12
Dalhousie	\$5,274	12	\$11,666	8	15	5
Laval	\$8,722	6	\$5,077	15	21.8	14
Manitoba	\$3,796	14	\$8,619	11	16.6	8
McGill	\$7,712	7	\$5,668	14	16.6	8
Montreal	\$13,433	2	\$6,423	13	24.6	15
Ottawa	\$11,700	4	\$13,604	4	17.5	11
Queen's	\$6,986	8	\$13,170	5	17.2	10
Sask	\$3,798	13	\$8,070	12	16.5	7
Toronto	\$15,686	1	\$23,508	1	13	1
Western	\$6,492	9	\$15,270	3	14.2	4
Windsor	\$6,234	10	\$12,480	6	14	3
York	\$12,000	3	\$17,631	2	20.4	13



2012-2013

Law School	Budget \$000s	Rank	Tuition	Rank	Stud/FTE Ratio	Rank
Alberta	\$6,225	11	\$10,221	10	15.7	5
UBC	\$10,905	5	\$11,004	9	15.1	3
Calgary	\$3,843	13	\$12,023	8	15.8	6
Dalhousie	\$5,449	12	\$14,284	7	15.8	6
Laval	\$9,735	6	\$6,407	15	21.4	14
Manitoba	\$3,450	15	\$8,949	12	16	8
McGill	\$7,707	7	\$7,918	13	16.9	10
Montreal	\$14,500	2	\$6,834	14	29.7	15
Ottawa	\$11,997	4	\$14,568	6	18.7	12
Queen's	\$7,290	8	\$15,357	4	19.2	13
Sask	\$3,766	14	\$9,900	11	14	2
Toronto	\$17,125	1	\$27,420	1	13.8	1
Western	\$6,787	9	\$18,017	3	16.6	9
Windsor	\$6,236	10	\$15,039	5	15.5	4
York	\$12,406	3	\$20,564	2	17.8	11



2013-2014

Law School	Budget \$000s	Rank	Tuition	Rank	Stud/FTE Ratio	Rank
Alberta	\$6,134	12	\$10,221	11	16.1	8
UBC	\$11,138	5	\$11,224	10	15	3
Calgary	\$4,194	14	\$12,193	8	15.2	4
Dalhousie	\$6,192	11	\$15,878	5	15.4	5
Laval	\$10,553	6	\$6,642	15	20.9	14
Manitoba	\$3,447	15	\$9,093	12	16.8	9
McGill	\$6,789	9	\$8,061	13	17.6	10
Montreal	\$12,567	4	\$7,274	14	31	15
Ottawa	\$15,802	2	\$15,296	6	18.4	11
Queen's	\$7,995	7	\$16,125	4	20.3	13
Sask	\$4,621	13	\$11,400	9	14.6	2
Toronto	\$20,200	1	\$28,791	1	11.9	1
Western	\$6,998	8	\$17,544	3	15.8	7
Windsor	\$6,225	10	\$15,264	7	15.7	6
York	\$14,864	3	\$21,593	2	18.9	12

Sources:

- U15 Data exchange
- York - Osgoode Hall
<http://www.osgoode.yorku.ca/prospective-students/jd-program/applying/fees>
- Undergraduate data reflects tuition reported for programs over an 8 month period.
- Dalhousie, Laval and McGill domestic amounts are for Canadian, out-of-province students.
- Ottawa has common law and national law. Figures shown here are for common law.



Recent History and Budget Impact at University of Alberta Faculty of Law

- Prior to 2012, provincial government promise of 2% annual funding increases for 2013-14, 2014-15, and 2015-16
- March 7, 2013: announcement of reduction to post-secondary education funding by 6.8%
- Closure of John A. Weir Memorial Law Library during summer months
- Reduction of faculty operating budget from 2010-11 levels
- Net reduction of Faculty positions from 36.5 (2008-09) to 29 (2014-15)
- Staff reductions through voluntary severance/retirement plans
- Expected collective agreement outcomes and funding impacts (2015-16)



Faculty of Law Operating Budget

2010-11	\$5,896,081
2011-12	\$6,203,454
2012-13	\$6,229,365
2013-14	\$6,215,461
2014-15	\$5,869,103



Addressing the Challenge – Options

- 1) Additional cuts – Faculty and Staff
- 2) Increase Class Size & Section Sizes
- 3) User Fees
- 4) [Change GoA funding model]
- 5) Development/Alumni Support
- 6) Revenue Generation/Exec Ed
- 7) Tuition Differential/Market Modifier



Consultation and LSA Conditions for Support

- 2010 – LSA executive letter in support of market modifier to increase tuition from \$9500 to \$12400 (rejected by province; Calgary increase granted)
- 2013 – post-budget cut discussions:
- April 11, 2013 Town Hall
 - August 27, 2013 – LSA Executive Presentation to SU
 - September 17, 2013 – LSA consultation email
- 2014 – informal consultations with law students and surveys re: curriculum reform and tuition/enrolment balance



LSA Conditions for Support

- **5-year moratorium on 1L enrolment increases**
- **Tuition waivers for low income students, students with dependents and students from historically disadvantaged groups**
- **Curriculum reform with strong emphasis on experiential learning**
- **Elimination of the Faculty Membership Fee (\$50)**
- **Emphasis on the development of Mental Health programming**
- **Replenishing Faculty Positions/Improving F/S Ratio**



Response: Key Needs/Investments in Student Support

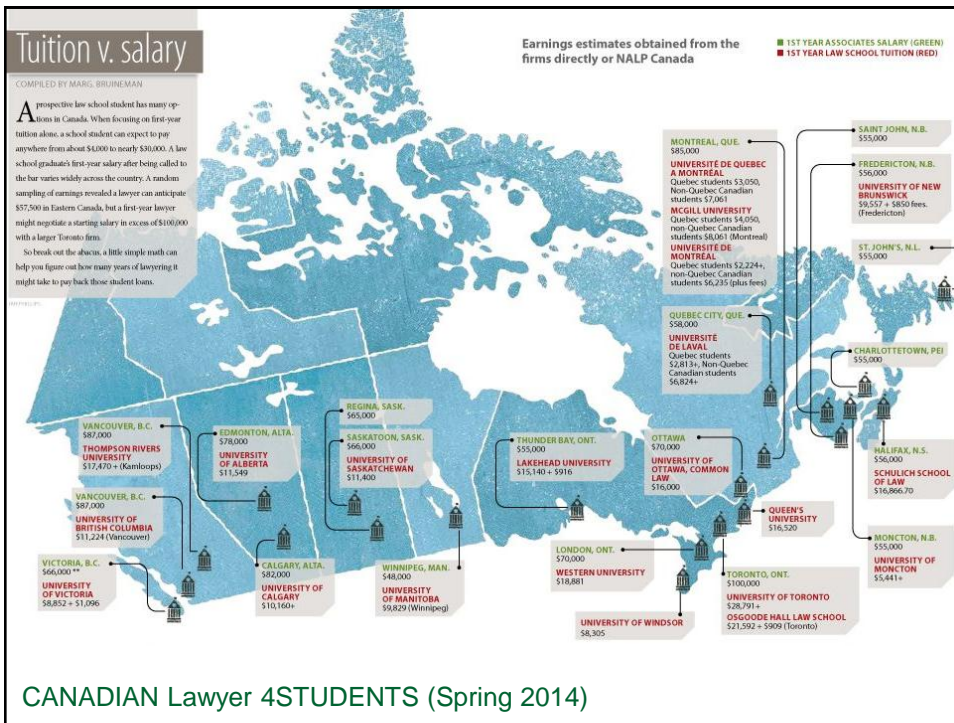
- **Four-year moratorium on entering 1L class size (to 2017-18)**
- **Commitment to implementation of a Faculty of Law solution to the tuition waiver/payment issue**
- **Expansion of experiential learning opportunities with a goal of 20-25% law student participation by 2017-18**
- **Commitment to development of an enhanced consultative model, including two Dean's Town Halls in 2014-15 (Fall and Winter)**
- **Significant enhancement of career services supports**
- **Elimination of faculty membership fee (\$50)**
- **Commitment to work with law students, the bar and the broader community on identification of priority mental health issues and supports for law students and new lawyers**

		Edmonton		Calgary		Vancouver		Saskatoon	
		2013	2014	2013	2014	2013	2014	2013	2014
		<p>Senior Lawyer (+10 years' exp.)</p> <p>Large Law Firm \$194,274 - \$277,350 \$198,660 - \$291,024 \$197,850 - \$282,456 \$202,317 - \$296,382 \$194,838 - \$278,156 \$199,237 - \$291,870 \$179,967 - \$256,925 \$184,030 - \$269,592</p> <p>Midsize Law Firm \$148,124 - \$215,172 \$156,864 - \$219,042 \$151,869 - \$219,133 \$159,752 - \$223,074 \$149,557 - \$215,797 \$157,320 - \$219,678 \$138,142 - \$199,326 \$145,312 - \$202,911</p> <p>Small/Midsize Law Firm \$129,000 - \$181,632 \$132,612 - \$191,436 \$131,375 - \$184,976 \$135,053 - \$194,960 \$129,375 - \$182,160 \$132,997 - \$191,992 \$119,500 - \$168,256 \$122,846 - \$177,338</p> <p>Small Law Firm \$104,490 - \$158,412 \$109,650 - \$161,508 \$106,413 - \$161,238 \$111,668 - \$163,956 \$104,793 - \$158,872 \$109,968 - \$161,977 \$96,795 - \$146,746 \$101,575 - \$149,614</p> <p>Lawyer (4-9 years' exp.)</p> <p>Large Law Firm \$133,128 - \$239,166 \$139,578 - \$247,680 \$135,579 - \$243,569 \$142,147 - \$252,240 \$133,515 - \$239,861 \$139,983 - \$248,400 \$123,324 - \$221,553 \$129,299 - \$229,440</p> <p>Midsize Law Firm \$111,456 - \$202,788 \$118,680 - \$208,722 \$113,508 - \$206,521 \$120,865 - \$212,564 \$111,780 - \$203,377 \$119,025 - \$209,328 \$103,248 - \$167,854 \$109,940 - \$193,351</p> <p>Small/Midsize Law Firm \$86,946 - \$162,798 \$92,106 - \$165,636 \$88,546 - \$165,795 \$93,801 - \$168,685 \$87,198 - \$163,271 \$92,373 - \$166,117 \$80,543 - \$150,809 \$85,323 - \$153,438</p> <p>Small Law Firm \$71,466 - \$130,032 \$75,336 - \$134,418 \$72,781 - \$132,426 \$76,723 - \$136,892 \$71,673 - \$130,410 \$75,555 - \$134,808 \$66,203 - \$120,456 \$69,788 - \$124,519</p> <p>Lawyer (1-3 years' exp.)</p> <p>Large Law Firm \$91,074 - \$123,582 \$93,396 - \$128,484 \$92,750 - \$125,857 \$95,115 - \$130,849 \$91,338 - \$123,941 \$93,667 - \$128,857 \$84,367 - \$114,481 \$86,518 - \$119,022</p> <p>Midsize Law Firm \$73,530 - \$110,940 \$75,078 - \$116,358 \$74,883 - \$112,982 \$76,460 - \$118,500 \$73,743 - \$111,262 \$75,296 - \$116,696 \$68,115 - \$102,770 \$69,549 - \$107,789</p> <p>Small/Midsize Law Firm \$71,208 - \$101,910 \$72,756 - \$106,812 \$72,519 - \$103,786 \$74,095 - \$108,778 \$71,415 - \$102,206 \$72,967 - \$107,122 \$65,964 - \$94,405 \$67,398 - \$98,946</p> <p>Small Law Firm \$56,760 - \$82,044 \$58,308 - \$85,656 \$57,805 - \$83,554 \$59,831 - \$87,233 \$56,925 - \$82,282 \$58,477 - \$85,905 \$52,580 - \$76,002 \$54,014 - \$79,348</p> <p>First Year Associate</p> <p>Large Law Firm \$85,398 - \$92,880 \$87,462 - \$94,944 \$86,970 - \$94,950 \$89,072 - \$96,692 \$85,646 - \$93,150 \$87,716 - \$95,220 \$79,109 - \$86,040 \$81,021 - \$87,952</p> <p>Midsize Law Firm \$66,822 - \$80,754 \$68,628 - \$82,302 \$68,052 - \$82,240 \$69,891 - \$83,817 \$67,016 - \$80,988 \$68,827 - \$82,541 \$61,901 - \$74,807 \$63,574 - \$76,241</p> <p>Small/Midsize Law Firm \$66,048 - \$71,466 \$67,854 - \$72,498 \$67,264 - \$72,781 \$69,103 - \$72,832 \$66,240 - \$71,673 \$68,051 - \$72,708 \$61,184 - \$66,203 \$62,857 - \$67,159</p> <p>Small Law Firm \$50,052 - \$67,854 \$51,600 - \$68,886 \$50,973 - \$69,103 \$52,550 - \$70,154 \$50,197 - \$68,051 \$51,750 - \$69,086 \$46,366 - \$62,857 \$47,800 - \$63,813</p>							

Law Firm Definitions: Large Law Firm = 75 + Lawyers
Midsize Law Firm = 35-75 Lawyers
Small/Midsize Law Firm = 10-35 Lawyers
Small Law Firm = Up to 10 Lawyers

Company Definitions: Large Company = \$250+ Million in revenue
Midsize Company = \$25-\$250 Million in revenue
Small Company = Up to \$25 Million in revenue

		Edmonton		Calgary		Vancouver		Saskatoon	
		2013	2014	2013	2014	2013	2014	2013	2014
		<p>Lawyer (1-3 years' exp.)</p> <p>Large Law Firm \$91,074- \$123,582 \$93,396- \$128,484 \$92,750- \$125,857 \$95,115- \$130,849 \$91,338- \$123,941 \$93,667- \$128,857 \$84,367- \$114,481 \$86,518- \$119,022</p> <p>Midsize Law Firm \$73,530- \$110,940 \$75,078- \$116,358 \$74,883- \$112,982 \$76,460- \$118,500 \$73,743- \$111,262 \$75,296- \$116,696 \$68,115- \$102,770 \$69,549- \$107,789</p> <p>Small/Midsize Law Firm \$71,208- \$101,910 \$72,756- \$106,812 \$72,519- \$103,786 \$74,095- \$108,778 \$71,415- \$102,206 \$72,967- \$107,122 \$65,964- \$94,405 \$67,398- \$98,946</p> <p>Small Law Firm \$56,760- \$82,044 \$58,308- \$85,656 \$57,805- \$83,554 \$59,831- \$87,233 \$56,925- \$82,282 \$58,477- \$85,905 \$52,580- \$76,002 \$54,014- \$79,348</p> <p>First Year Associate</p> <p>Large Law Firm \$85,398- \$92,880 \$87,462- \$94,944 \$86,970- \$94,950 \$89,072- \$96,692 \$85,646- \$93,150 \$87,716- \$95,220 \$79,109- \$86,040 \$81,021- \$87,952</p> <p>Midsize Law Firm \$66,822- \$80,754 \$68,628- \$82,302 \$68,052- \$82,240 \$69,891- \$83,817 \$67,016- \$80,988 \$68,827- \$82,541 \$61,901- \$74,807 \$63,574- \$76,241</p> <p>Small/Midsize Law Firm \$66,048- \$71,466 \$67,854- \$72,498 \$67,264- \$72,781 \$69,103- \$72,832 \$66,240- \$71,673 \$68,051- \$72,708 \$61,184- \$66,203 \$62,857- \$67,159</p> <p>Small Law Firm \$50,052- \$67,854 \$51,600- \$68,886 \$50,973- \$69,103 \$52,550- \$70,154 \$50,197- \$68,051 \$51,750- \$69,086 \$46,366- \$62,857 \$47,800- \$63,813</p>							



UNIVERSITY OF ALBERTA
FACULTY OF LAW

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Student Prizes and Awards

2009/10:	\$1,021,640
2010/11:	\$1,021,640
2011/12:	\$1,157,375
2012/13:	\$1,175,700
2013/14:	\$1,119,750

Expected Debt		Variable	Response Options	1L		2L		3L		4L	
				Count	%	Count	%	Count	%	Count	%
25.	How much educational debt from attending law school do you expect to have upon your graduation?		\$0	22	20.4%	19	25.0%	17	20.0%		
			\$1 - \$20,000	19	17.6%	9	11.8%	11	12.9%		
			\$20,001 - \$40,000	23	21.3%	11	14.5%	16	18.8%		
			\$40,001 - \$60,000	21	19.4%	17	22.4%	12	14.1%		
		CADEBT	\$60,001 - \$80,000	14	13.0%	9	11.8%	16	18.8%		
			\$80,001 - \$100,000	7	6.5%	7	9.2%	8	9.4%		
			\$100,001 - \$120,000	1	0.9%	3	3.9%	4	4.7%		
			More than \$120,000	1	0.9%	1	1.3%	1	1.2%		
			Total	108	100.0%	76	100.0%	85	100.0%		

Expected Debt		Variable	Response Options	1L		2L		3L		4L	
				Count	%	Count	%	Count	%	Count	%
25.	How much educational debt from attending law school do you expect to have upon your graduation?		\$0	21	24.1%	19	23.8%	13	24.1%		
			\$1 - \$20,000	14	16.1%	16	20.0%	6	11.1%		
			\$20,001 - \$40,000	16	18.4%	15	18.8%	11	20.4%		
			\$40,001 - \$60,000	17	19.5%	12	15.0%	7	13.0%		
		CADEBT	\$60,001 - \$80,000	9	10.3%	11	13.8%	6	11.1%		
			\$80,001 - \$100,000	7	8.0%	6	7.5%	5	9.3%		
			\$100,001 - \$120,000	2	2.3%	1	1.3%	2	3.7%		
			More than \$120,000	1	1.1%	0	0.0%	4	7.4%		
			Total	87	100.0%	80	100.0%	54	100.0%		

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Law School Survey of Engagement

LSSSE 2013 Frequency Distributions
University of Alberta – Faculty of Law

Expected Debt	Variable	Response Options	1L		2L		3L		4L	
			Count	%	Count	%	Count	%	Count	%
25. How much educational debt from attending law school do you expect to have upon your graduation?		\$0	10	17.2%	16	23.2%	16	26.2%		
		\$1 - \$20,000	6	10.3%	9	13.0%	4	6.6%		
		\$20,001 - \$40,000	12	20.7%	13	18.8%	17	27.9%		
		\$40,001 - \$60,000	12	20.7%	19	27.5%	10	16.4%		
		\$60,001 - \$80,000	6	10.3%	5	7.2%	8	13.1%		
		\$80,001 - \$100,000	6	10.3%	4	5.8%	5	8.2%		
		\$100,001 - \$120,000	3	5.2%	3	4.3%	1	1.6%		
		More than \$120,000	3	5.2%	0	0.0%	0	0.0%		
	Total	58	100.0%	69	100.0%	61	100.0%			

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Percentage of Differential Fees to Faculty

University	%
Manitoba	100
Toronto	90
York-Osgoode	90
New Brunswick	87.5
Saskatchewan	85
British Columbia	74
Dalhousie	61
Windsor	56
McGill	N/A

Student Fees	Current Year		2015-2016		2016-2017			2017-2018	
	1L	2L & 3L	1L	2L & 3L	1L	2L	3L	1L	2L & 3L
Program Fees	\$5,675	\$5,321	\$5,675	\$5,321	\$5,675	\$5,321	\$5,321	\$5,675	\$5,321
Differential Fees	\$4,546	\$4,546	\$10,320	\$6,546	\$10,320	\$10,674	\$8,546	\$10,320	\$10,674
Total	\$10,221	\$9,867	\$15,995	\$11,867	\$15,995	\$15,995	\$13,867	\$15,995	\$15,995
				\$2000 added			\$2000 added		\$2128 added

Revenue Allocation							
Academic Year	FLEs for 1L	FLEs for 2L & 3L	Total FLEs	Differential Fees	Student Support Allocation	Faculty Allocation	Central Allocation
Current Year	185	340	525	\$2,386,650	\$ 477,330	\$1,431,990	\$ 477,330
2015-2016	185	340	525	\$4,134,840	\$ 826,968	\$2,480,904	\$ 826,968
2016-2017	185	340	525	\$5,176,600	\$1,035,320	\$3,105,960	\$1,035,320
2017-2018	185	340	525	\$5,384,952	\$1,076,990	\$3,230,972	\$1,076,990

UNIVERSITY OF ALBERTA FACULTY OF LAW	
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<h2>Investments</h2>	
<ul style="list-style-type: none"> • 20% of additional funds to Scholarships and Bursaries • Senior & Junior Career Services Officers • Professors – 7.5 (restored to 2009 levels) • Director, Coordinator & Admin Assistant, Experiential Learning • Graduating Student Bursaries – Public Service/Rural/Underserved • Teaching Fellow Positions (2) • Keeping Law Library open in summer • Part-time Psychologist/Mental Health & Wellness Officer (0.5) • Additional Financial Aid Officer • Additional Admissions Officer • Director of Student Services 	
GRAND TOTAL	\$3,517,372
New Differential Fees to Faculty	\$2,536,168
Shortfall	\$ 981,204



Consultation and LSA Conditions for Support

- 2010 – LSA executive letter in support of market modifier to increase tuition from \$9500 to \$12400 (rejected by province; Calgary increase granted)**
- 2013 – post-budget cut discussions:**
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