



Lakehead University
POLI 1301 YA - Introduction to Law (Winter Semester)
Monday - Wednesday - 1:00 p.m. – 2:30 p.m. - RB 1044

Instructor: Mr. Adam Schenk LLM, JD, HBA
External Adjunct Professor, Department of Political Science
Email: awschenk@lakeheadu.ca (Please do not send me a message via myInfo)

I'm happy to meet with you to discuss the course at any mutually agreeable time to discuss the course throughout the semester. Please email me to arrange an appointment time.

COURSE DESCRIPTION

Welcome to the second half of Introduction to Law. Over the course of the semester, we will be exploring introductory legal concepts and a sampling of legal decisions from some of the major legal areas within Canadian law. While many of these major legal areas comprise entire courses all by themselves in Canadian law schools, over the course of this semester you will be able to develop at least a rudimentary understanding of some of these major topics and begin to develop an ability to read and comprehend Canadian legal decisions. We will also work together to develop basic legal research skills.

COURSE REQUIREMENTS AND POLICIES

Required Readings

There is no textbook for this course as required readings are edited versions of Canadian legal decisions that are available in the 'Content' section of our course D2L website (our "course site"). You should have a copy of the assigned reading for each class readily available.

Grading

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|------------------|-----|
| - Participation: | 15% |
| - Midterm Exam: | 25% |
| - Case Study: | 30% |
| - Final Exam: | 30% |

*Your marks from the fall semester will comprise 50% of your final grade for the course, with your marks from the winter semester making up the other 50%.

Participation

Participation marks are earned by attending class consistently and meaningfully contributing to our group discussion throughout the semester. Participation grades are earned by answering questions that are posed during lectures or providing comments or observations pertaining to our class topic and reading during class discussion. Both quality and quantity of participation is considered in your participation grade.

You will be given a significant opportunity to participate during your assigned class for Socratic participation (the Socratic method, which is still utilized heavily in law schools, is named for the famous Greek philosopher Socrates and utilizes the asking of numerous questions to facilitate learning). For initial simplicity I have assigned your class at random and you can view your assigned class via the 'Content' tab on our course website. There is some room for movement within the schedule if your assigned date is problematic. If you need to change your date, or you have not yet been assigned a date, please email me **by no later than January 17.**

For your Socratic participation class, you will be specifically asked questions regarding the assigned case for your class. You will want to be especially familiar with the case and should have analyzed the case using the IRAC method (how to use the IRAC method will be thoroughly explained in class).

While primary opportunity to answer certain questions will be specifically given to assigned students, there will also be opportunities for the rest of the class to chime in or answer questions during class.

Exams

Both the midterm and final exam will have some combination of multiple choice, fill-in-the-blank, true or false, or short answer questions. Additional information regarding the delivery of the exams will be provided in class. In order to prepare for these exams, you are expected to meaningfully read the assigned readings and take appropriate notes during lectures. The midterm exam will cover all lectures and assigned readings covered to that point in the semester, while the final exam will cover all content covered over the entirety of the semester.

Your midterm exam will take place **during our normal class time on February 24, 2024**. Consult the university's exam dates and times for the date for your final exam once this information becomes available. Specific details regarding accessing both exams will be provided closer to the exam dates.

Case Study Assignment

Your written assignment for this semester is a case study.

The first step for this assignment is identifying the case that you would like analyze. Your case must be 1) a decision of a Canadian court (not a tribunal or a decision from another jurisdiction) and 2) be a judgment from the year 2000 or later. You cannot pick any of the cases that are assigned readings as your focus case. In order to find a case, you will have to utilize the free Canadian online legal database, CanLII (www.canlii.org). Instructions on how to utilize this resource will be provided in class on **January 15**; *it is imperative that you attend this class*, and if possible please have a web-capable device with you

on this day. In choosing the case you wish to analyze, consider the length of the case, its complexity, the clarity of its writing, and of course your own thoughts and interests.

Your case study must be between 1800-2200 words, not including your title page, footnotes, or bibliography. Given the large range, this word count is *non-flexible* and a word count over or under this range will result in a significant mark deduction.

What I am looking to see is original thought, opinion, and analysis of the case. The assignment is *not to simply summarize the case*. While a brief summary will be necessary to provide a basic overview of what is going on in the case for the reader, if the entirety of your assignment is a summary of the case you will be disappointed in the grade you receive.

While there is not a set limit for the number of sources other than your topic case that you must utilize, it is likely that you will want to utilize and refer to some other sources, such as other case law, legislation, or journal articles, to help develop your analysis. While I prefer formatting in the Turabian/Chicago style, you may also format your assignment in APA or MLA format so long as you ensure that you a) use footnotes indicating the source from which you are taking information, and where in this source one could find this information, rather than endnotes or in-text citations, b) provide a complete bibliography of all referenced sources, c) have a standalone title page at the beginning of your paper, and d) utilize 12-point Times New Roman font throughout your assignment.

Guidelines for Submission of Case Study

Your case study is due on **Friday, March 28 by 11:59 p.m.**

All assignments are to be submitted to me via email (awschenk@lakeheadu.ca, not through our course site). All assignments must be in PDF form; submitting your paper in PDF form ensures that I see your paper exactly as you've submitted it, whereas assignments submitted as a Word document may have inadvertent formatting issues if you've written them in an older version of Word and I open it in a newer version. Submitting in a format other than PDF attracts an automatic 10% deduction on your assignment.

In regards to late submissions, unless you experience a sudden medical or personal emergency that prevents you from submitting an assignment or you have been explicitly given a prior extension from me, assignments that are submitted after the deadline receive a penalty to their grade. Assignments submitted within 24 hours after the deadline receive a 25% deduction; assignments submitted between 24-48 hours after the deadline receive a 50% deduction; assignments submitted more than 48 hours after the deadline do not receive any marks. For complete clarity, if your assignment is submitted even 1 minute past the deadline the penalty is applied automatically and without exception! Avoiding these penalties is extremely simple: manage your time properly and don't leave assignments until the last minute.

This does not, however, mean that extensions are not available in appropriate circumstances. If you have experienced a personal or medical issue that may prevent you from submitting your assignment on time please do contact me as soon as possible to discuss a potential extension. It is incumbent on you to be as proactive as possible. Do not request extensions because you have a number of other assignments in other courses due around the same time or you simply haven't given yourself enough time to

complete the assignment; time management is your responsibility and a crucial skill to develop and hone as an undergraduate student. Do not request an extension because you have suffered some type of technological mishap; make sure you're regularly backing up documents in multiple places in case something goes wrong.

Marks and Feedback

All of your marks will be provided to you via myInfo. Feedback will be provided exclusively via our course site. Your individual feedback accompanying each of your marks will be viewable under the 'Assignments' tab.

Academic Honesty

Academic honesty is expected of all Lakehead University students. Cheating, collusion, and plagiarism will not be tolerated. Students are expected to make themselves fully familiar with Lakehead's policy in this area. Although all these policies will be enforced in full, it is worth emphasizing the following:

Plagiarism involves presenting another's work, ideas, theories, or interpretation as one's own.

To avoid plagiarism, writers should always:

1. Put quotation marks around any words from sources
2. Paraphrase material completely; changing (with the help of a thesaurus) or rearranging a few words or the tense of a verb is not paraphrasing.
3. Give accurate and complete citations for all material *including paraphrased material*.
4. Avoid borrowing entire arguments or approaches to a subject from another writer. Make it 'original' while staying faithful to the assignment parameters.

Use of ChatGPT or similar AI technologies in research, writing, or any other way in the completion of course assignments is **absolutely prohibited**.

A Quick Word on Emails

I am very happy to answer questions over email, but there are parameters to the way in which these emails should be written and sent. I expect that your emails to me are written with proper spelling, grammar, and punctuation. If I receive an email that has the appearance of a hastily typed text message, you should not expect an email in reply. I also expect that before you ask me a question you have consulted the syllabus to see if the answer is there.

Academic Supports

If you feel that you're in need of academic assistance in a particular area, I encourage you to utilize the resources of Lakehead's Academic Support Zone (<https://www.lakeheadu.ca/students/academic->

success/student-success-centre/academic-support-zone). The Academic Support Zone can provide assistance in a variety of different areas, including specific supports for writing papers.

Disability Accommodations

Lakehead University is committed to achieving full accessibility for persons with disabilities. Part of this commitment includes arranging academic accommodations for students with disabilities and/or medical conditions to ensure they have an equitable opportunity to participate in all of their academic activities. If you are a student with a disability and think you may need accommodations, you are strongly encouraged to contact Student Accessibility Services (SAS) and register as early as possible. For more information, please contact Student Accessibility Services <http://studentaccessibility.lakeheadu.ca> (SC0003, 343-8047 or sas@lakeheadu.ca).

Mental Health Resources

As a university student, you may sometimes experience mental health concerns or stressful events that interfere with your academic performance and negatively impact your daily activities. All of us can benefit from support during times of struggle. If you or anyone you know experiences academic stress, difficult life events or feelings of anxiety or depression, Student Health and Wellness is here to help. Their services are free for Lakehead Students and appointments are available. You can learn more about confidential mental health services available on and off campus at lakeheadu.ca/shw.

Remember that getting help is a smart and courageous thing to do - for yourself, for those you care about, and for those who care about you. Asking for support sooner rather than later is almost always helpful.

Dealing with Difficult Course Content

The study of law in some instances necessitates consideration of cases addressing violence or other types of distressing acts. While it is sometimes necessary to confront this unpleasant content to consider how the law can, or should, address these problems, these cases may inadvertently trigger unpleasant personal memories and emotions if the issues we are discussing relate in some way to troubling experiences you have had. If this is the case for you (or upon reviewing a particular assigned reading you believe this may be the case), you may certainly excuse yourself from class or asked to be excused from a particular class ahead of time. Please feel free to contact me about this issue and/or utilize Lakehead's mental health supports via Student Health and Wellness.

COURSE SCHEDULE

The course schedule and assigned readings are potentially subject to change at the discretion of the instructor.

Date	Topic	Reading
Jan 6	Course Introduction and Syllabus Review	N/A
Jan 8	Introduction to Canadian Legal Structures	N/A
Jan 13	How to Read a Case	<i>Vancouver v Ward</i>
Jan 15	Basics of Legal Research	N/A
Jan 20	The Rule of Law	<i>Bacon v Saskatchewan Crop Insurance Corp</i>
Jan 22	Organs of Government and Interpreting a Law	<i>Canadian Appliance Source LP v Ontario (AG)</i>
Jan 27	Constitutional Law – The Charter	<i>R v Oakes</i>
Jan 29	Aboriginal and Treaty Rights, Pt. 1	<i>R v Marshall, No 1</i>
Feb 3	Aboriginal and Treaty Rights, Pt. 2	<i>R v Marshall, No 2</i>
Feb 5	Constitutional Law – Division of Powers	<i>Reference re Firearms Act (Can)</i>
Feb 10	Criminal Law	<i>R v Boughton</i>
Feb 12	Evidence in Criminal Law – Search and Seizure	<i>R v Tessling</i>
Feb 24	Midterm Exam	N/A
Feb 26	Administrative Law	<i>Toth v Canada (Citizenship and Immigration)</i>
March 3	The Basics of Contract Law	<i>Andrews v Canada (Attorney General)</i>
March 5	Insurance Law	<i>Lewis v Economical Insurance Group</i>
March 10	Torts - Negligence, Pt. 1	<i>Mustapha v Culligan of Canada Ltd</i>
March 12	Torts - Negligence, Pt 2	<i>Crocker v Sundance Northwest Resorts Ltd</i>
March 17	Torts - Defamation	<i>WIC Radio v Simpson</i>
March 19	Torts and Self-Defence	<i>MacDonald v Hees</i>
March 24	Expert Witnesses	<i>White Burgess Langille Inman v Abbott and Haliburton</i>
March 26	Legal Costs	<i>Net Connect v Mobile Zone</i>
March 31	<i>Cancellation Date</i>	<i>TBD</i>
April 2	<i>Cancellation Date</i>	<i>TBD</i>