



Lakehead University
POLI 1301 YDE– Introduction to Law (Winter Semester)
Tuesday-Thursdays, 2:30-4:00 p.m. via Zoom

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If you would like to meet with me over the phone or via Zoom please email me to arrange an appointment.

COURSE DESCRIPTION

Welcome to the second half of Introduction to Law. This portion of the course will involve a shifting of gears to some extent, from a more conceptual look at the law to a more practical examination of the law as it currently exists in Canada. Over the course of the semester we will be exploring a variety of the major legal areas within Canadian law. We'll be engaging in this exploration through the medium of Canadian case 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.

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 during our Zoom sessions.

Course Delivery

This course will be delivered via the online video chat application Zoom, which you can access through our course site. This will require regular access to a computer and a stable internet connection. If you are struggling to ensure access to the necessary technology, please contact the Student Success Centre as soon as possible.

If you have not yet taken a course Zoom please take some time familiarize yourself with Zoom and the different features of our course site, and make best efforts to problem solve if a technical issue presents itself. The limit of my advice if you encounter a software or hardware-related problem will be the famous words of Roy from the television show *The IT Crowd*: “have you tried turning it off and on again?”

All students are expected to have joined the Zoom chat via our course site prior to the beginning of our scheduled class time. Please ensure that your microphones are muted during lectures unless you've been called on to say something and remember to mute yourself again once you've finished saying something. Please join the Zoom call via your Lakehead University email address, as you may encounter problems if you are accessing our class via a different email login.

Any inappropriate images or audio being circulated via your camera or microphone during lectures will not be tolerated and will be treated with the utmost seriousness. Unless you have previously arranged to record lectures as a disability accommodation with Student Accessibility Services, any type of recording of lectures is absolutely prohibited. Additionally, live lectures should be attended and viewed only by students properly registered in this course.

Grading

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

Participation

Participation marks are earned by 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 you must email me to arrange a date change by no later than January 24.

For your Socratic participation class you and the other students assigned for this date 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. In order to ensure orderly conversation, if you have something to say please press the 'Raise Hand' button and wait until you are specifically called upon to unmute your microphone and begin speaking, and remember to mute your microphone and lower your hand once you have concluded.

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. Both exams will be administered via the 'Quizzes' section of our course site. 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 March 4, 2021. 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 21; *it is imperative that you attend this class*. 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, end notes, 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 are free to choose whichever formatting style you prefer for your assignment, so long as you ensure that you a) use footnotes rather than endnotes or in-text citations, b) a complete bibliography of all sources, c) have a standalone title page at the beginning of your paper, and d) utilize 12-point Times New Roman font.

Guidelines for Submission of Case Study

Your case study is due on Tuesday, April 13 at 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 serious 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 not submitted by the date and time assigned will receive a grade of 0. There is no sliding scale of percentage points that you will lose if it is late by a certain number of days. For complete clarity, if your paper is emailed to me one minute after the deadline, the grade for the paper is 0. This policy is applied automatically and without exception. Fortunately, avoiding this penalty is extremely simple: manage your time properly and don't leave assignments until the last minute.

In regards to extensions, if you have experienced a personal or medical emergency that may prevent you from submitting your assignment on time please 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.

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).

COURSE SCHEDULE

Readings are from the assigned texts unless otherwise noted. If the class topic is on particular sections of our constitution, you are responsible for reading those sections. The course schedule and assigned readings are potentially subject to change at the discretion of the instructor.

Date	Topic	Reading
January 12	Course Introduction and Syllabus Review	N/A
January 14	Introduction to Canadian Legal Structures	N/A
January 19	How to Read a Case	<i>Vancouver v Ward</i>
January 21	Basics of Legal Research	N/A
January 26	Constitutional Law – Division of Powers	<i>Reference re Firearms Act (Can)</i>
January 28	Constitutional Law – The Charter	<i>R v Oakes</i>
February 2	Criminal Law	<i>R v Boughton</i>
February 4	Evidence in Criminal Law – Search and Seizure	<i>R v Tessling</i>
February 9	Administrative Law	<i>Toth v Canada (Citizenship and Immigration)</i>
February 11	Evictions and Covid-19	<i>Neumann v Anderson</i>
February 16	READING WEEK	N/A
February 18	READING WEEK	N/A
February 23	Aboriginal and Treaty Rights, Pt. 1	<i>R v Marshall</i> , No 1
February 25	Aboriginal and Treaty Rights, Pt. 2	<i>R v Marshall</i> , No 2
March 2	Review/Cancellation Date	N/A
March 4	Midterm Exam	N/A
March 9	The Basics of Contract Law	<i>Andrews v Canada (Attorney General)</i>
March 11	Insurance Law	<i>Lewis v Economical Insurance Group</i>
March 16	Torts - Negligence, Pt. 1	<i>Mustapha v Culligan of Canada Ltd</i>
March 18	Torts - Negligence, Pt 2	<i>Crocker v Sundance Northwest Resorts Ltd</i>
March 23	Torts - Defamation	<i>WIC Radio v Simpson</i>
March 25	Torts and Self-Defence	<i>MacDonald v Hees</i>
March 30	Expert Witnesses	<i>White Burgess Langille Inman v Abbott and Haliburton</i>
April 1	Legal Costs	<i>Net Connect v Mobile Zone</i>
April 6	Legal Ethics – Privilege and Confidentiality	<i>Smith v Jones</i>
April 8	Cancellation Date	N/A
April 13	Course Review (Optional Class)	N/A