



# Faculty of Law

Calendar 2004 - 2006



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The Faculty of Law  
gratefully acknowledges the  
generous support of  
Alumni & Friends of the Faculty of Law  
in the production of this publication.

Published by the Faculty of Law  
University of Windsor  
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Produced by Public Affairs & Communications,  
University of Windsor, May 2003

## THE HISTORY

At Windsor, law is viewed as a process aimed at the achievement of social ends and justice.

A student who decides to attend the University of Windsor will have selected an institution which is rich in history. While the Faculty of Law is only a few decades old, Assumption College, as it was then, opened its doors in the winter of 1857. In those early years, the College provided a Jesuit education in commercial and classical studies primarily designed to prepare students for theological studies.

In 1919, Assumption College began a 34-year affiliation with the University of Western Ontario in London, Ontario. After the College gained independent university status in 1953, it soon developed Faculties in the Sciences in addition to Schools of Business Administration and Nursing. By 1963, Assumption University had evolved into a new, non-denominational institution called the University of Windsor.

Four years later, the Faculty of Law was established and the first entering class to the Faculty of Law was admitted in September 1968. Mark R. MacGuigan was appointed its first dean, succeeded by Walter Tarnopolsky, John McLaren, Ron Ianni, Julio Menezes, Neil Gold, Jeff Berryman, Juanita Westmoreland-Traoré, Brian M. Mazer and Bruce P. Elman. The Faculty's commitment to community service has grown under their direction, creating a unique, socially responsive and

responsible institution dedicated to learning. Since 1968, the student body has grown from 30 to over 500, with a faculty of about 32 scholar-teachers.

The Ron W. Ianni Faculty of Law Building at the corner of Sunset Avenue and University Avenue was opened in 1970 by then Governor General Roland Michener. The law building houses a variety of lecture theatres, seminar rooms, faculty offices, and The Paul Martin Law Library which is comprised of over 323,000 volumes (including microforms). In addition, other facilities include *The Windsor Yearbook of Access to Justice*, the Legal Professions Research Program, the Students' Law Society, the International Law Society, the Windsor Caucus of the National Association of Women and the Law, and the *Windsor Review of Legal and Social Issues*.

Education in the law assists students to understand how legally educated and trained persons may gainfully contribute to the creation and maintenance of the best possible social order.

The law school has developed a varied, yet highly purposive program of study in which law is seen as part of a complex and dynamic social process: law touches all aspects of human endeavour and is, in turn, fashioned by it. Windsor Law's connection with the humanities

and social sciences is inescapable both in study and in action. Critical theory, social science research methods and sound intellectual analysis combine to inform the student of law about underlying, fundamental values and beliefs. The resources and insights of the humanities and social sciences provide our students with an opportunity to understand that the study of law is inextricably related to social, political, practical and theoretical issues. In large measure, law is about getting things done and it is practical in its orientation. At Windsor, theory and practice are not polar extremes along a continuum separating the practitioner from the academic; rather, practice is seen as the implementation of theory and theory as the posing of, among other things, action.

Recognizing that the discipline of law is complex, our aim is to assist students to acquire intellectual skills and habits of mind suited to the practice of law, and other professional careers. Students are asked to reflect critically upon the legal system, the legal profession and the law itself. In doing so, they challenge the assumptions which underlie the status quo and propose options which might better serve the public interest. Since law is tied to all aspects of human relations, law study can and must focus beyond legal doctrine.

Because the school environment is rich, supported by community projects, scholarly endeavour and personal interests, those participating in its program may pursue a directed, yet personally-oriented path for personal and professional development.

The Faculty recognizes the need to be responsive to the challenges of the future and remains flexible about scholarly and curricular endeavours. Its ongoing commitment to serve the public need is firm. We at Windsor are proud of our accomplishments, but we will never rest on them, rather we will build upon them.

## THE OBJECTIVES

The Faculty of Law at the University of Windsor strives to serve society as a centre for the humanistic education of persons in law, for legal research, and for the provision of services which enhance the quality of life and access to justice, and in particular:

1. To study the nature and social function of legal institutions and to provide a general overview of the legal system in the larger social, economic and political context of society;
2. To foster study and research into legal theory and values; to examine the relationships between theory and practice; and to enhance opportunities and provide support for scholarly research, writing and publication by faculty and students;
3. To encourage and support, scholarly endeavour in access to justice and in Canadian-American issues; in the case of the former, to question fairness and the equality of opportunity to obtain legal services and to enjoy rights and freedoms, and to inquire into the nature and quality of the law and legal institutions; to exploit fully the geographical location of the Faculty and to develop and pursue opportunities for curriculum development, joint programs, cross accreditation and research in Canadian-American issues and comparative law with legal and other scholars and faculties in the United States;
4. To enhance access to justice through a broad and progressive admissions policy which will focus upon the personal attributes of the individual applicant, which will permit the realization of the vocation of persons to serve the community; through educational programs which extend legal services and provide information about the law and the justice system to those for whom that would not otherwise be available, and through the inculcation of a desire to reform the law to better serve the community and to aid the oppressed and disadvantaged;
5. To create a sensitive, caring and supportive environment for the study of law, enhancement of professionalism, and the personal development of faculty and students alike, and in particular:
  - a. To provide the opportunity to develop skills and aptitudes in comprehension, analysis, synthesis, judgment and the creative resolution of issues;
  - b. To develop a research capability in law and related fields, and to present and critique, in an effective and persuasive manner, the results of research;
  - c. To encourage the development of independent critical thought;
  - d. To develop lawyering skills including writing and drafting, fact investigation, management, interviewing and counselling, advocacy, negotiation, mediation and conciliation;
  - e. To provide substantive knowledge in several areas of law;
  - f. To establish faculty/student relationships which will, through greater collegiality, enhance the learning process for both;
6. To create an academic and social environment conducive to learning and to the personal development of students, particularly women and those who are socially or economically disadvantaged, differently abled, late vocational and from Aboriginal and various ethnic backgrounds, and in particular:
  - a. To provide opportunities for the development of social consciousness and self-awareness by students, and to examine and develop ethical and social values in relation to personal and professional responsibility; and in particular, to instill in the students a sense of social responsibility in the practice of law and the need for examination of social structures with a view to contributing to such changes as may ensure social justice;
  - b. To encourage students to build upon their background experience in a way which will increase their effectiveness in the roles they assume following graduation, especially outside the private practice of law;
  - c. To encourage students to contribute meaningfully to society and to participate creatively in the process of legal development and social change;
  - d. To anticipate the physical, emotional and psychological tensions and pressures associated with the practice of law and to provide practical assistance in coping with them;
  - e. To provide a support mechanism for students to help them deal with the emotional and psychological tensions and pressures associated with the study of law;
  - f. To foster in students an attitude of fairness and openness in dealing with others, free of bias;
  - g. To encourage consideration of career options which are consistent with the personal qualities, lifestyles and ambitions of students in order that they may achieve personal satisfaction.

## ADMISSIONS

### Admission to Law Studies

A CANDIDATE SEEKING ADMISSION to the studies leading to the degree of Bachelor of Laws must follow the procedures and submit the documentation required for the year in which the applicant wishes to enter. Admission criteria and procedures are established by the Admission Committee for each admission year. Admission criteria and procedures for the current entering class are set below.

### Objective

The objective of the admission policy is to select those students who will excel in the study of law and have the potential to contribute creatively and meaningfully to the law school and the community.

### Criteria

The majority of applicants are considered by the Admission Committee in the framework of the following criteria:

#### 1. **University Program**

This category comprises undergraduate average and academic performance trends in light of relevant considerations; awards and prizes; the nature and content of the program taken; the level of any degree(s) or diplomas obtained.

#### 2. **Work Experience**

Part-time, summer and full-time work experience is analyzed for signs of organizational and administrative skills as well as initiative. Vocational, professional or other special qualifications will be considered.

#### 3. **Community Involvement**

Contribution to the community (city/town; university; religious; etc.) will be assessed for indications of commitment to the community. Factors examined include the nature of the applicant's participation in service clubs, community service organizations, religious, athletic, and social organizations.

#### 4. **Personal Accomplishments**

Factors can include extracurricular activities, hobbies and special accomplishments; artistic and athletic accomplishments; communication skills and languages spoken.

#### 5. **Career Objectives**

The applicant's career objectives, including how and where the legal education will be employed, are considered.

#### 6. **Personal Considerations**

Personal factors affecting the applicant are recognized in this section. Any personal factors such as illness, bereavement, unusual family responsibilities or other such circumstances which may have some bearing on the applicant's qualifications will be noted.

#### 7. **Law School Admission Test Scores**

LSAT scores written more than six years prior to the academic year of application will not be considered. Applicants who have not written the LSAT within the past six years must write the next available test.

We emphasize that no one single factor is solely determinative of admission to the law school. The Admission Committee assesses applications in light of the criteria. The chief source of information about applicants is that

which is provided by them in the Personal Profiles they submit with their applications. Applicants should take care to present a full and rounded view of themselves in their Personal Profiles.

### Admission Committee

Approximately 1600 applications are received each year. The Admission Committee establishes the admission policy and criteria, as well as procedures for the assessment of applications. The committee consists of the Dean of the Faculty of Law (*ex officio*), the Associate Dean as Chair, professors and students.

### Application Procedure

All Ontario law schools use a common APPLICATION FOR ADMISSION TO AN ONTARIO LAW SCHOOL. This Application (both paper and electronic), other admission materials and a Personal Profile for the University of Windsor, may be obtained from:

#### **The Ontario Law School Application Service**

P.O. Box 1328, 170 Research Lane  
Guelph ON N1G 5E2  
Telephone: (519) 823-1940  
Facsimile: (519) 823-5232  
Website: [www.ouac.on.ca/olsas](http://www.ouac.on.ca/olsas)

The application deadline:

For 2004 - November 3, 2003

For 2005 - November 1, 2004

The application and the Personal Profile have been developed to provide the applicant with the opportunity to assemble a persuasive case for admission.

Members of the Admission Committee will assess the information provided to determine whether the applicant is likely to succeed in law studies, has social skills, relates well to people, has talent for administration and organization (particularly of his or her own time), has a well-developed and focused career plan based upon a sound perception of his or her capabilities and displays leadership qualities and writing skills.

In the application, the applicant is expected to identify significant experiences and accomplishments and to indicate that they relate to the admission criteria. For example, particular experiences (work, cultural, sporting and academic) should be described in sufficient detail to permit the evaluator to make an assessment. Any experience which demonstrates that the applicant is self-disciplined and committed to excellence in any field, should be described.

Further, Committee members are interested in those experiences which tend to show that the candidate is devoted to self-improvement and involvement in the community and service to others. Contributions to hospitals, charitable organizations, religious institutions, disadvantaged and underprivileged groups and individuals, political parties and athletics will, among other activities, help to demonstrate this. Letters from the institution evidencing the nature, scope and degree of the applicant's involvement are helpful to the Committee.

If the candidate is a member of a group disadvantaged for any reason, these circumstances should be made known.

The Admission Committee evaluates applicants for first year on a continuous basis as the files are completed. All files must contain:

- a) OUAC/OLSAS application
- b) University of Windsor Personal Profile
- c) All official transcripts
- d) Current official LSAT score report; LSAT scores written in the previous six years
- e) Two (2) letters of reference (one academic and one non-academic)\*
- f) Financial Aid (optional)
- g) J.D./LL.B. application (if applicable)

\* Each applicant is required to submit two letters of reference. Those applicants who have attended a postsecondary institution during the three years prior to the application are required to submit at least one academic reference. Reference forms are provided and, when completed, should be forwarded directly to the OLSAS by the referee.

#### **Transfer Applicants**

Subject to the availability of places, the Faculty may admit candidates into the second year of the LL.B. program who have successfully completed the first year of an LL.B. program at another Canadian common law school. Candidates may be eligible for the LL.B. degree of the University of Windsor upon the successful completion of two years of academic work, subject to meeting the Faculty's academic requirements. The deadline for applications is  
For 2004 - May 3, 2004  
For 2005 - May 2, 2005

#### **Letter of Permission Applicants**

Subject to the availability of places, the Faculty may admit into the program of study, candidates as visiting students from other Canadian common law schools. The deadline for applications is:

For 2004 - May 3, 2004  
For 2005 - May 2, 2005

#### **Accepted Applicants**

Applicants who are notified that they have been accepted must confirm their intention to attend within the time specified. Failure to confirm will result in forfeiture of our offer of acceptance.

#### **Retention of Materials**

All materials that are submitted by or on behalf of the applicant will be used solely for admission purposes and will be kept confidential. All materials will become the property of the University of Windsor and may be destroyed following the year for which the application is made. Original materials or photocopies will not be provided to the applicant or any other person.

#### **Applications from Aboriginal Canadians**

The Faculty of Law recognizes that Aboriginal Canadians are not adequately represented within the legal profession. The admission policy of the Faculty of Law encourages Aboriginal Canadians to pursue legal studies.

Aboriginal Canadian applicants who are considered to have good potential for the study of law may receive either an unconditional or a conditional acceptance. Applicants who have received a conditional acceptance from the Faculty of Law and who have successfully

completed the Program of Legal Studies for Native People offered each summer by the Native Law Centre at the University of Saskatchewan in Saskatoon will be admitted to the first year of the LL.B. program at Windsor. Some students may be eligible for course credit (advanced standing) for a first year course. An Aboriginal Canadian applicant who wishes to be considered under this policy, rather than under general admission criteria, must apply to the Law School in accordance with the admission procedures previously set out. The applicant must include with her or his application a letter advising of the intention to complete the Program of Legal Studies for Native People at the University of Saskatchewan should he or she receive a conditional acceptance.

For more information on the Program of Legal Studies for Native People, please contact:

#### **Native Law Centre**

141 Diefenbaker Centre,  
University of Saskatchewan  
Saskatoon, SK S7N 5B8  
Telephone: (306) 966-6189  
Fax: (306) 966-6207  
Website: [www.usask.ca/nativelaw](http://www.usask.ca/nativelaw).

Although Aboriginal Canadian applicants are encouraged to complete the LSAT, in special circumstances this requirement may be waived on special application.

Some Aboriginal students are sponsored and/or have their tuition paid by their First Nation's Education Authority. You are advised to contact the Authority and the Cashier's Office at the university. The Cashier's Office will then contact the First Nation's Education

Authority and make arrangements to have your tuition paid.

#### **Advanced Standing Applicants**

Applicants who have attended a foreign law school and who are qualified to practice in a foreign jurisdiction may apply for:

1. Advanced Standing toward a Bachelor of Laws degree. This will normally require two years or more of full-time study in the LL.B. program at Windsor; or,
2. A Certificate of Equivalence acceptable to some Law Societies in Canada. Applicants may be admitted for less than two years of study if recommended by the National Committee on Accreditation. No degree is granted by the University of Windsor.

Those applicants who wish to be considered for Advanced Standing should indicate for which year of the LL.B. program they are applying, in the appropriate space provided on the Application for Admission. Such applicants are also required to submit a letter of recommendation for advanced standing from the National Committee on Accreditation. Information concerning the National Committee on Accreditation may be obtained by contacting:

#### **National Committee on Accreditation**

University of Ottawa, Faculty of Law, Common Law Section  
P. O. Box 450, Station A, Ottawa, Ontario K1N 6N5  
Telephone: (613) 562-5204  
Website:  
[www.flsc.ca/english/foreignlawyers/foreignlawyers.htm](http://www.flsc.ca/english/foreignlawyers/foreignlawyers.htm)

Advanced Standing applicants are required to complete all admission materials required for general applicants.

The application deadline for Advanced Standing, and Letter of Permission applications for 2003-2004 is:

For 2004 - May 3, 2004

For 2005 - May 2, 2005

#### Inquiries

All inquiries regarding admission should be in writing and may be addressed to:

##### **Applicant Services/Law Division**

University of Windsor

Windsor, Ontario N9B 3P4

Telephone: (519) 253-3000 ext. 6459,  
6460, 6461, 6462

Facsimile: (519) 971-3653

E-mail: lawadmitt@uwindsor.ca

It is in the applicant's best interest to submit the application as early as possible.

Documents and information used in previous applications are not accepted. Applicants who applied in a previous year are required to provide complete and fresh documentation in each year of application.

#### Law School Admission Test

All applicants must write the Law School Admission Test (LSAT). It is not necessary that application be made to the Faculty prior to registration for the Law School Admission Test. Reminder: LSAT scores written more than six years prior to the academic year of application will not be considered.

The Law School Admission Test is administered several times each year at convenient locations in Canada and the United States. For detailed information, applicants are referred to the LSAT Registration and Information Book which is available to all applicants. Applicants may also obtain information about the LSAT by contacting:

##### **Law School Admission Council**

Box 2000 661 Penn Street

Newtown, Pennsylvania 18940-0998

Website: www.LSAC.org

#### Admission to the Practice of Law

A Bachelor of Laws degree does not in itself entitle one to practise. Applicants who propose to enter the practice of law in any province or territory of Canada must consult directly with the Law Society of such province or territory to determine its requirements for admission. Every Law Society requires some period of apprenticeship (articles) as a condition of being admitted to practice. Some jurisdictions may require that, in addition to the LL.B., a student have an undergraduate university degree before being admitted to the period of articles; other provinces or territories may require that, in addition to the LL.B. degree, a student successfully complete a minimum of two years university work after senior matriculation or its equivalent.

In Ontario, the Law Society of Upper Canada, in the Report of the Special Committee of Law Schools, stated that:

The minimum requirements for admission to a law course should be: a) successful

completion of two years in an approved university after senior matriculation; or b) successful completion of a three-year approved course in an approved university after junior matriculation.

In 1972, the Special Committee on Legal Education to the Law Society of Upper Canada report recommended as follows:

The law schools and the law societies should recognize a category of "mature student" applications, who have not met normal pre-law school requirements of university work. Law schools waive the normal requirements and admit those students who on the basis of age, experience, maturity and outstanding qualities as evidenced in their previous careers merit an opportunity to study law.

The Law Society of Upper Canada, in prescribing the conditions for admission to the practice of law in Ontario, requires that all students have graduated from an approved course of not less than a duration of three years leading to the Bachelor of Laws degree in an approved law school.

The law program at the University of Windsor Faculty of Law has been approved by the Law Society of Upper Canada and students graduating with the LL.B. degree, who otherwise meet the Law Society's requirements, are eligible for admission to membership in the Law Society and for entrance to the Bar Admission Course.

On completion of the Bar Admission Course, students would be prepared to provide legal services to clients, including effective solutions to client problems on a cost-efficient basis. (Further

and updated information concerning admission to the Law Society of Upper Canada may be obtained from the Secretary, Law Society of Upper Canada, Osgoode Hall, 130 Queen Street West, Toronto, ON M5H 2N6. Information on the Bar Admission Course is available from the Director of Legal Education, www.lsuc.on.ca.)

#### Dean

**Bruce P. Elman;** B.Sc.(McGill), LL.B. (Dalhousie), LL.M. (Harvard)

#### Associate Dean

**Gold, Mary;** B.A., M.A. (Windsor), M.A. (Wayne State), J.D. (Detroit).

#### OFFICERS OF INSTRUCTION

##### Honorary Professors

**Zuber, Thomas;** B.A. (Assumption), D.C.L. (Honoris Causa) (Windsor). The Honourable Thomas Zuber served as a member of Faculty prior to entering his judicial career.

##### Professors Emeriti

**Whiteside, John W.;** Q.C., L.S.M. D.C.L. (Honoris Causa) (Windsor); B.A. (Assumption), LL.B. (Osgoode), of Osgoode Hall, Barrister-at-Law—1970.

**Manzig, John G.W.;** LL.B., LL.M. (Dalhousie), Lic. Jur., Dr. jur. (Cologne), of Osgoode Hall, Barrister-at-Law, also of the Bar of Nova Scotia—1970.

**Marasinghe, M. Lakshman;** LL.B., LL.M. (University College, London), Ph.D. (The School of Oriental and African Studies, London), LL.D. (Honoris Causa) (University of Colombo), of the Inner Temple, England, Barrister-at-Law, and Attorney-at-Law of the Supreme Court of Sri Lanka. Professor Marasinghe is also an Adjunct Professor of Law, University of New South Wales, Sydney, Australia—1970.

##### Professors

**Stewart, George R.;** B.A. (Carleton), LL.B. (Ottawa), LL.M. (L.S.E., London), of Osgoode Hall, Barrister-at-Law—1970.

**Menezes, Julio R.;** LL.B. (Tanzania), LL.M. (Yale), of Osgoode Hall, Barrister-at-Law—1973.

**Wydrzynski, Christopher J.;** B.A., LL.B. (Windsor), LL.M. (Osgoode), of Osgoode Hall, Barrister-at-Law—1975.

**Wilson, Larry C.;** LL.B. (Saskatchewan), LL.M. (Manitoba), of Osgoode Hall, Barrister-at-Law,—1976.

**Murphy, Paul T.;** B.A., LL.B. (Windsor), M.Sc.L.S., M.Ur.Pl. (Wayne State), of Osgoode Hall, Barrister-at-Law—1976. (Law Librarian)

**Conklin, William E.;** B.A. (Hons.) (Toronto), M.Sc. (L.S.E., London), LL.B. (Toronto), LL.M. (Columbia), Ph.D. (York), of Osgoode Hall, Barrister-at-Law—1977.

**Mazer, Brian M.;** B.A., LL.B. (Saskatchewan), LL.M. (Alberta), of Osgoode Hall, Barrister-at-Law—1977. (Interim Administrative Dean/Registrar)

**Bogart, William A.;** B.A., LL.B. (Toronto), LL.M. (Harvard), of Osgoode Hall, Barrister-at-Law—1980.

**Carasco, Emily F.;** LL.B. (Makerere University), LL.M., S.J.D. (Harvard), of Osgoode Hall, Barrister-at-Law—1980.

**Irish, Maureen F.;** B.A., LL.B. (Toronto), LL.M., D.C.L. (McGill), of Osgoode Hall, Barrister-at-Law—1980.

**Berryman, Jeffrey;** LL.B. (Hons.), M. Jur. (Auckland, N.Z.), LL.M. (Dalhousie), of Osgoode Hall, Barrister-at-Law. Also Barrister and Solicitor of the High Court of New Zealand—1981.

**Gold, Neil;** B.A. (York), LL.B. (Toronto), LL.M. (York), of Osgoode Hall, Barrister-at-Law, also of the Bar of British Columbia—1985. (Vice-President, Academic of the University)

**West, J. Leigh;** L.S.M., B.A. (Queen's), LL.B. (McGill), M.Sc. (Iowa State), LL.M. (Wayne State), of Osgoode Hall, Barrister-at-Law—1986.

**Etherington, Brian D.;** B.A. (Hons.) (McMaster), B.Ed. (Queen's), LL.B. (Queen's), LL.M. (Yale), of Osgoode Hall, Barrister-at-Law—1987.

**Moon, Richard J.;** B.A. (Trent), LL.B. (Queen's), B.C.L. (Oxford), of Osgoode Hall, Barrister-at-Law—1987.

**Tawfik, Myra J.;** B.A., LL.B., B.C.L. (McGill), LL.M. (Queen Mary College, University of London), of Osgoode Hall, Barrister-at-Law, Member of the Bar of Quebec—1991.

**Valiante, Marcia A.;** B.Sc., B.A. (New Hampshire), LL.B. (Osgoode), LL.M. (Queen's), of Osgoode Hall, Barrister-at-Law—1992.

**Macfarlane, Julie;** B.A., LL.M. (London), Ph.D. (C.N.N.A.)- 1996.

**Rotman, Leonard I.;** B.A. (Toronto), LL.B. (Queen's), LL.M. (York), S.J.D. (Toronto), of Osgoode Hall, Barrister-at-Law—1998.

**Elman, Bruce P.;** B.Sc. (McGill), LL.B. (Dalhousie), LL.M. (Harvard) —2000. (Dean of the Faculty of Law)

##### Associate Professors

**James, D. Charles;** B.A. (Law) (Hons)(Southampton), LL.B. (Hons)(Cambridge), of Osgoode Hall, Barrister-at-Law—1977. (Secretary and General Counsel to the University)

**Weir, John P.;** B.Comm. (Hons.) (McMaster), LL.B. (Queen's), LL.M. (York), of Osgoode Hall, Barrister-at-Law—1983.

**Eansor, Donna M.;** LL.B. (Windsor), LL.M. (Wayne State), of Osgoode Hall, Barrister-at-Law—1989.

**Voyvodic, Rose;** LL.B. (Windsor), LL.M. (Ottawa), of Osgoode Hall, Barrister-at-Law. Academic Director of the Clinical Law Program—2002.

##### Assistant Professors

**Kuras, Ruth O.;** B.Sc. (McMaster), B.A., LL.B. (Windsor), LL.M. (Wayne State), of Osgoode Hall, Barrister-at-Law—1999.

**Ocheje, Paul D.;** LL.B. (Ahmado Bello), LL.M. (Benin), LL.M. (Osgoode), D. Jur. (Osgoode). Barrister and Solicitor of the Supreme Court of Nigeria—2000.

**Wiseman, David;** LL.M. (Toronto), B.Ec./LL.B. (Monash University), Barrister and Solicitor of the Supreme Court of Victoria—2001.

**Bahdi, Reem;** B.A., M.A. (Western), LL.B, LL.M. (Toronto) —2002.

**Pillay, Sukanya;** B.A., LL.B. (Windsor), LL.M. (New York University), of Osgoode Hall, Barrister-at-Law—2002.

**Weiler, Todd;** B.A. (Waterloo), M.A. (Western Ontario), LL.B. (Western Ontario), LL.M.(Ottawa)—2002.

##### Legal Research and Writing Lecturers

**Brett, Laurie;** B.A., M.A. (Ottawa), M.L.I.S. (Western Ontario), LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law

**McCarney, Moira;** B.A. (Carleton), M.Ed. (Queen's), LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law.

##### Law Library Staff

**Willmott, Kenneth B.;** B.A. (University of Alberta), B.Ed. (Ottawa), M.A. (Dalhousie), M.L.I.S. (Western Ontario). (Reference Librarian)

**Murphy, Paul T.;** B.A., LL.B. (Windsor), M.S.L.S., M.U.P. (Wayne State), of Osgoode Hall, Barrister-at-Law. (Law Librarian)

##### Adjunct Professors

**Nosanchuk, The Honourable Justice Saul,** Ontario Court of Justice; B.A. (Assumption), LL.B. (Osgoode). (Special Lecturer in Criminal Procedure and Criminal Sanctions)

**Phillips, The Honourable Justice Douglas, W.,** Ontario Court of Justice; B.A. (Western Ontario), LL.B. (Windsor). (Special Lecturer in Family Law, Child Protection, Custody and Adoption, and Civil Trial Advocacy)

##### Law Foundation of Ontario Access to Justice Fellow

**George, Ron;** B.A., LL.B. (Western Ontario), LL.M. (Ottawa), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Aboriginal Law)

##### Special Lecturers

**Bondy, Christopher;** B.A., LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in International Business Transactions)

**Campbell, Gregory;** LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy)

**Campigotto, Mary Jane;** B.Sc.N., LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Administrative Law)

**Colautti, Raymond G.;** LL.B. (Windsor), Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy)

**DeMarco, Justice Guy;** Ontario Court of Justice, B.A. (Western Ontario), LL.B. (Windsor). (Special Lecturer in Criminal Law)

**Ducharme, Patrick;** B.A., LL.B. (Windsor), of Osgoode Hall, Barrister-at Law. (Special Lecturer in Criminal Advocacy and Criminal Procedure)

**Foulds, David S.;** B.A., B.P.H.E. (Queen's), LL.B., M.B.A. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Criminal Law)

**Gold, Marlene;** B.A., LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in The Legal Profession)

**Goldstein, William;** B.A., LL.B. (Windsor) of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy)

**Guttman, Daniel;** B.S.C. Eng (Queen's), J.D./LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Constitutional Litigation)

**Harrison, Denis;** B.A. (Western Ontario), LL.B. (Toronto), Barrister-at-Law. (Special Lecturer in Criminal Law)

**Hecht, Mark;** B.A. (McGill), D.I.A. (Concordia), LL.B. (Windsor) of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Child and the Law)

**Henshaw, Cheryll;** B.Sc. (Toronto), LL.B. (Western Ontario), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy).

**Howard, J. Paul R.;** B.A., LL.B. (Toronto), LL.M. (York), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Education Law)

**Istl, Danielle;** B.A., B.Ed, LL.B. (Windsor). (Special Lecturer in Applied Legal Theory and Analysis – J.D./LL.B. program)

**Libman, The Honourable Justice Rick,** Ontario Court of Justice; B.A. (York), LL.B. (Windsor), LL.M. (Osgoode Hall), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Advanced Criminal Law)

**MacOdrum, Donald H.;** B.A. (Queen's), LL.B. (Toronto), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Patent Law)

**Manoochehri, David;** B.A. (Waterloo), LL.B., M.B.A. (Windsor), LL.M. (Toronto), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Advanced Taxation)

**McNevin, David;** B.A., LL.B. (Windsor), Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy)

**Munroe, Kirk W.;** B.A. (University of Florida), J.D. (Boston University School of Law), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in International Criminal Law)

**Nolan, Master Mary Jo;** B.A. (Toronto), M.S.W. (Ottawa), LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law, Master of the Ontario Superior Court of Justice. (Special Lecturer in Civil Trial Advocacy)

**Pawley, Howard;** P.C., O.C. O.M., Q.C.; B.A. (Winnipeg), LL.B. (Manitoba), LL.D. (Windsor). (Special Lecturer in Canadian Federalism)

**Posliff, Edward J.;** B.A. (Windsor), LL.B. (York), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy)

**Riley, Christine;** B.A., LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Real Estate)

**Robins, David L.;** B.A. (Hons) (McGill), M.A. (Concordia University), LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Class Action Suits)

**Rose, Stephen;** B.Comm. (Dalhousie), LL.B. (York), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Corporate Finance)

**Sterling, Lori;** B.A. (Hons) (Queen's), LL.B. (Toronto), LL.M. (Cambridge), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Constitutional Litigation)

**Strosberg, Harvey T.;** B.Sc. (Windsor), LL.B. (Osgoode Hall), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Class Action Suits)

**Stitt, Allan;** B.Comm. (Toronto), LL.B. (Windsor), J.D. (Detroit-Mercy), LL.M. (Harvard), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Alternative Dispute Resolution)

**Swan, Georgia;** B.A. (Toronto), LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Income Taxation)

**Vale, Marcy;** H.B.Sc. (Toronto), LL.B., (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy).

**Van Wees, Aida M.;** B.A. (York), M.B.A./LL.B. (Windsor), LL.M. (Osgoode Hall), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Alternative Dispute Resolution)

**Wells, Peter;** B.Sc., LL.B. (Queen's), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Patent Law).

**Whitmore, Elinore;** (Special Lecturer in Alternative Dispute Resolution)

**Wong, Gerri;** B.A. (McGill), LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Civil Trial Advocacy).

#### Legal Assistance of Windsor

**McDermott, Carol A.;** B.A. (Waterloo), M.L.S. (Western), LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law, staff lawyer.

**Overholt, Marion;** B.A., LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law, staff lawyer

**Gilbert, Shelley;** B.S.W. (Windsor), Coordinator of Programs.

**Ware, Joy;** B.S.W., B.Ed. (Windsor), staff social worker.

#### Community Legal Aid

**Yaworsky, James;** B.A., LL.B. (Toronto), of Osgoode Hall, Barrister-at-Law. Review Counsel (Special Lecturer in Landlord/Tenant)

#### Director of University of Windsor Mediation Service and the Osler, Hoskin & Harcourt LLP Internship in Conflict Resolution Program

**Dagg Centurione, Kileen;** B.A. (Guelph), LL.B. (Windsor), LL.M. (Osgoode), of Osgoode Hall, Barrister-at-Law. (Special Lecturer in Mediation Clinic and Osler, Hoskin and Harcourt Internships in Conflict Resolution)

#### Career Development Officer

**Herlehy, Francine;** LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law.

#### Alumni and Fund Advancement Officer

**Pappas, Anne;** B.A., B.Ed., LL.B. (Windsor), of Osgoode Hall, Barrister-at-Law

#### J.D./LL.B. Program Director

**Machnik, Carla;** B.A., LL.B. (Windsor), J.D. (Detroit), Admitted in Michigan and D.C.

#### Administrative Staff

**Pilutti, Michelle;** Assistant to the Dean, Director of Admissions

**Oberski, Virginia;** Academic Coordinator

**Wilson, Helen;** Secretary to the Dean

**Stein, Sandra;** Secretary to the Associate Dean

**Bessette, Debbie;** General Office Secretary

**Willis, Cathy;** General Office Secretary

**Pratt, Annette;** Faculty Secretary

**Mitchell, Mary;** Faculty Secretary

**Brogan, Tanya;** Faculty Secretary/Special Projects

## THE PROGRAMS OF STUDY

### BACHELOR OF LAWS

The program leading to the degree of Bachelor of Laws (LL.B.) requires admission as a full-time student for three years or admission as a half-time student usually for six years (see Half-Time Study). The general structure of the curriculum will be as follows:

#### First-Year Program

A basic level of instruction is given through mandatory courses in all the fundamental areas, problems, and principles of the law. This will require somewhat more emphasis on public law and perspective courses than would the traditional first-year curriculum.

The compulsory curriculum includes:

- Property
- Contracts
- Access to Justice – LL.B.
- Criminal Law and Procedure
- Legal Writing and Research
- Constitutional Law

#### 98-801 Property

This course examines tenures and estates; landlord and tenant; leaseholds, covenants, licenses and profits; future interests and the Rule against Perpetuities; mortgages; elements of personal property, the social control of land. 6 credits (3 credits each term)

#### 98-803 Contracts

Formation of contracts, considerations; writing (and the Statute of Frauds); mutual assent, third party beneficiaries; capacity of parties; performance, breach and conditions; fraud and misrepresentation; remedies; quasicontracts. 6 credits (3 credits each term)

#### 98-812 Access to Justice - LL.B.

This course examines the role of law, legal institutions and lawyers in social change relating to Access to Justice. The course includes an introduction to the Canadian legal system, an examination of the idea of Access to Justice and a critical consideration of the decision-making processes and outcomes of courts, legislatures and administrative agencies. (3 credits each term)

#### 98-805 Criminal Law and Procedure

This course examines the principles of criminal liability, the elements of particular crimes; exploration of major problems of the criminal law and its administration, viewed as a method controlling socially undesirable behaviour. 5 credits (2 credits - Fall term; 3 credits - Winter term)

#### 98-807 Legal Writing

This program combines a variety of research and writing assignments with group discussion. The Research and Writing Lecturers will meet with and supervise small groups of students. The program will commence with an introduction to the law library and to legal research and will culminate in a moot court. This is an integral part of the first year curriculum and students will be graded. 6 credits (3 credits each term)

The following course may be taken in lieu of 98-805:

#### 98-808 Droit pénal général

Ce cours traite des grands principes de la responsabilité pénale; des éléments constitutifs des infractions; et des problèmes sous-jacents à l'administration du processus pénal.

#### 98-810 Constitutional Law

A general introduction to the Canadian Constitution, with particular emphasis on the Charter of Rights. Topics include the nature of a constitution, constitutional history, parliamentary democracy, separation of powers, legislative process, rule of law, independence of the judiciary, the concept and process of judicial review of legislation, principles of federalism, introduction to division of powers and constitutional amendment. Discussion of the Charter of Rights will focus on the nature of constitutional protection of human rights, fundamental freedoms, mobility rights, equality rights, group rights, the limitation and nonobstante clauses and enforcement of the Charter. 5 credits (2 credits - Fall term; 3 credits - Winter term)

#### Second-Year Required Courses

Civil Procedure 98-826 and Torts I 98-820 are the only required courses in the second year. Each of these may be taken in either the fall or the winter semester, depending upon course scheduling.

#### 98-820 Torts I (Required)

An examination of the intentional torts and the law of negligence. (4 credits)

#### 98-826 Civil Procedure (Required)

A study of the procedure in a civil action in Ontario with comparative material from other jurisdictions including: historical background, organization and jurisdiction of courts, pleadings, discovery, parties, amendment and disposition without trial. (4 credits)

#### Other Requirements

Each student must take a minimum of 29 credits and a maximum of 32 credits per year with a minimum of 13 credits and a maximum of 18 credits in each term. These requirements may be varied by the Faculty Council or its delegate in individual cases. Apart from the mandatory Torts I and Civil Procedure courses in second year and such pre-requisites as may be established by Faculty Council, the program for second and third years is essentially optional in nature. However, each student must successfully complete a research paper worth at least 50% of the grade in any course (including Supervised Research) in his or her second or third year of study. In addition, each student will be required to select, in either second or third year, one course from a group of courses which give a broader perspective of the legal process and legal theory than is possible in a normal substantive course. These courses form the Legal Perspectives group of courses and are listed below:

#### Legal Perspective Courses

- Aboriginal Law in Society
- Alternative Dispute Resolution
- Advanced International Law
- Civil Liberties
- Constitutional Law I (University of Detroit Mercy)
- Economics of Government Regulation (Economics 41-387)
- Feminist Legal Theory
- Freedom of Expression

- International Economic Law
- Jurisprudence
- Law of Developing Nations (Law and Development)
- Legal History
- The Legal Profession
- Public International Law
- Supreme Court of Canada
- Selected Topics in Legal Theory (selected sections)

*(Legal Perspectives courses may change yearly)*

## Second- and Third-Year Courses

### **98-821 Torts II**

A review of tortious responsibility in areas such as strict liability, nuisance, defamation, products liability, and occupier's liability (3 credits)

### **98-827 Alternative Dispute Resolution**

This course is a seminar in which the students are required to give a seminar and then write a research paper based upon it. Emphasis in the course is given to all varieties of dispute resolution whether by courts, administrative tribunals or by alternatives such as mediation or arbitration. In addition there is an attempt to compare these different methods. A common theme of the papers is to attempt to raise issues dealing with defects in the law which result in inequality of access. (3 credits)

### **98-832 Income Taxation**

This course is designed to provide an introduction to Canadian Personal and Corporate Income Tax Law. It is a foundation course upon which other focused and

specialized courses will be based for those students intending to give emphasis to taxation in their law careers. (4 credits)

### **98-834 Advanced Taxation**

A seminar which will focus on either:

(a) corporate taxation and policy; or  
(b) taxation of transnational business operations. Corporate taxation includes a detailed study of tax consequences of transfers to corporations, nonliquidating and liquidating distributions and reorganizations. Transnational taxation involves an examination of Canadian taxation of foreign corporations and foreign source income, bilateral tax treaties to which Canada is party and the domestic tax laws of at least one host country, including either the U.K. or the U.S.A. (3 credits) (Prerequisites: Income Taxation and Business Associations)

### **98-836 Applied Taxation**

This is a limited enrollment seminar for the examination of selected current topics and taxation issues by students who have given major emphasis to taxation in their programs of study and whose future areas of practice will demand such intensity of treatment. The law of taxation is a rapidly changing field and the course will permit students to maintain the currency of their knowledge prior to entry upon Articles and practice. (3 credits) (Prerequisite: Income Taxation)

### **98-840 Wills**

This course will provide an introductory review of the administration of estates and will examine the law of intestate and testate succession including capacity, undue influence, execution

and attestation, revocation, lapse, construction, dependents relief legislation, perpetuities and accumulations. (3 credits)

### **98-843 Family Law**

An examination of some of the problems in the formation, functioning and dissolution of the family unit with particular emphasis on the validity of marriages, informal relationships, illegitimacy, adoption, support rights and obligations, separations, desertion, divorces and child custody. This course attempts to combine a lawyer's practical approach to family problems with a broader view of how the law might treat family law problems in the light of findings from the social and behavioral sciences. (4 credits)

### **98-844 Family Property Law (Advanced Family Law)**

The concept of family assets; distribution and management of property during marriage; on divorce and on death. (3 credits)

### **98-845 Transfer of Lands (Real Estate Transactions)**

An examination of selected problems in transactions involving purchase and sale of real property, priorities, the registry and land titles systems. (3 credits)

### **98-847 Jurisprudence**

An introduction to some of the issues concerning the nature, problems and functions of law, a study of selected schools of jurisprudential thought, law as an instrument of social change, law as a tool for development, a study of popular legal concepts, an analysis of the source, and methods of evolution of law,

problems related to reception of law, the role of law in developing societies, a role-oriented definition of law and methods of settling disputes. (3 credits)

### **98-850 Evidence**

The course examines the law of evidence in the adversary system, materiality, admissibility, relevancy, exclusionary rules, presumptions, burden of proof, judicial notice; witness, competence, privilege, corroboration; examination and cross-examination; appeals on matters of evidence. (4 credits)

### **98-852 Judicial Review of Administrative Action**

This course examines the powers and procedures of administrative agencies principally through a review of the various controls, legislative, executive and judicial, placed on statutory decision-makers. In particular the Judicial Review Procedure Act and the Federal Court Act will be analyzed. Various grounds of judicial review, including jurisdictional errors, errors of law and fact and abuses of discretionary power, are studied. The course also examines rules of natural justice and the Statutory Powers Procedure Act. (4 credits)

### **98-857 Public International Law**

An introduction to the principles and rules of conduct which states observe in relations with one another as well as the relationship of these rules to national law and to individuals and nonstate entities. (3 credits)

### **98-858 Advanced International Law**

A study of the legal organization of modern

international society, with special emphasis on the law and organization of the United Nations and the European Common Market. (3 credits) (Prerequisite: Public International Law)

**98-859 International Business Transactions**

This seminar examines major legal aspects of modes of doing business abroad, from the perspective of the Canadian business entities dealing in Canada. The seminar will commence by looking at the generality of international business transactions and the role of Canadian counsel vis-à-vis Canadian and foreign clients. It will proceed to an examination of international sale of goods, transactions in their private law, public law and international law aspects, including the terms of f.o.b. and c.i.f. sales; export and import controls, Canadian customs and anti-dumping duties and the work of the Export Development Corporation; and the impact of the General Agreement on Tariffs and Trade (GATT). Consideration will be given to the exporter entering into agency and distributorship agreements abroad and transfers of industrial technology. Direct investment through branches, wholly controlled subsidiaries and joint ventures are examined; this involves discussion of the liability of parent business entities, antitrust and foreign investment controls (including Canada's FIRA) and international regulation. Basic issues in the taxation of transnational business operations will be covered; however the detailed study of such taxation is left to the Advanced Taxation seminar. (3 credits) (No prerequisites).

Recommended: Public International Law, Commercial Law-Sales, Conflict of Laws)

**98-860 Conflict of Laws  
(Private International Law)**

This course is intended to provide a survey of the law relating to cases which contain a foreign element. It includes a review of the principles determining the jurisdiction of the courts, the choice, proof and application of the appropriate law and the enforcement of foreign judgments. An introduction will be given to the rules of law applied to the adjudication of disputes having a foreign element in the areas of family law. This will include polygamy, the recognition of foreign divorces, property, administration of estates and succession, and the law of obligations, including contracts, torts and negotiable instruments. It will also consider the recognition and enforcement of foreign judgments and the different rules applicable to substantive and procedural matters. (4 credits)

**98-861 Canada/U.S. Issues**

This course will focus on a variety of issues in Canada/U.S. relations. The primary emphasis will be on international trade and environmental concerns but other topics may be discussed as well. Due to the nature of the course, it may be taught in conjunction with professors from U.S. law schools. (3 credits)

**98-862 International Economic Law**

This course studies the public side of international economic law, including the WTO system, the World Bank and IMF, extraterritoriality, international antitrust, investment, sustainable

development, international labour law and aspects of international commercial arbitration. (3 credits)

**98-865 Trusts**

Historic development of uses and trusts and employment of the trust in modern context. Requisites of a valid trust; express, implied, resulting, constructive, secret, charitable; and rights, duties and powers of fiduciaries. (3 credits)

**98-866 Fiduciary Law**

This is a rapidly expanding area of law that overlaps with a variety of other legal spheres. Although its application is quite complex, it may be described briefly as a manner of regulating dependent and interdependent relationships in contemporary society. This course will provide the means for students to develop their understanding of the basic premises of fiduciary doctrine as well as the policy that animates it.

This course will examine the principles and guidelines that: (1) regulate the conduct of those persons (called fiduciaries) who are obliged to act in others' interests and; (2) safeguard the interests of those whom the fiduciaries are bound to serve (the beneficiaries of the relationship). The course will examine a number of relationships that have been described as fiduciary in nature, why they ought, or ought not, be seen as fiduciary, and what that description entails. This will be accomplished by focusing on matters including: (a) the purpose of fiduciary relations in contemporary society; (b) the various theories that animate fiduciary relations; (c) the implications of describing relationships as fiduciary; (d) statutory incorporations of fiduciary obligations, and; (e)

remedies available for breaches of fiduciary obligation. (3 credits)

**98-867 Labour Law**

A study of union-management relations including: establishment of the collective bargaining relationship; certification, conciliation; permissible resort to economic pressure; strikes; lockouts, picketing, injunctions; the collective agreement; negotiation, terms and enforcement; the arbitration process; the union and members. (4 credits)

**98-868 Labour Arbitration**

This limited enrollment course will focus upon the process of dispute settlement under collective agreements via grievance and arbitration procedures. The nature and scope of the collective bargaining agreement is examined and consideration is given to roles of the arbitrator and the court in the development of a problem-solving jurisprudence for disputes that arise out of the interpretation and application of collective agreements. Pre-arbitration procedures, arbitrability, resources for arbitral decision-making, arbitration procedure, arbitral remedies, judicial review of arbitration awards, post-arbitration procedures and selected issues in grievance determination, such as discipline, discharge, appointment, seniority, promotion, work assignment, sub-contracting, technological change and management rights are topics studied. Mock arbitrations are conducted in which students will act as counsel and arbitration board nominees. (Prerequisite: Labour Law; Recommended: Judicial Review of Administrative Action) (3 credits)

**98-869 Personal Employment**

This course will focus on individual employment law which applies to all employees as individuals and regulates the employment relationship for the approximately 65 - 70% of employees in Canada who are unorganized. Students will develop a historical perspective concerning the regulation of employment at common law and the origins of the personal employment law statutory regime in response to the substantive and procedural shortcomings of the common law. A recurring theme throughout the course will be the ongoing relationship between the modern individual employment law statutory regime and the common law and collective bargaining regulatory regimes. Throughout the course an access to justice perspective will be employed in the analysis of specific substantive and procedural concerns. (3 credits)

**98-872 Commercial Law - Sales**

A study of the Sale of Goods Act and the law relating to commercial paper, negotiable instruments, banking and secured transactions. (3 credits)

**98-874 Commercial Law - Secured Transactions**

A study of the law of secured transactions, bankruptcy and commercial restructuring in insolvency situations. (Bankruptcy and Insolvency Act and the Company Creditors' Arrangement Act.) Creditors' remedies of execution, garnishment, etc. will be addressed. (3 credits)

**98-877 Business Associations**

This course provides the essential legal background to the major forms of business association. The course will include a functional

and theoretical analysis of sole proprietorships, partnerships, joint ventures, franchises and corporations. Attention is paid to basic principles of agency law and their application to these forms. The course is designed as a foundation course in the law of business association and as a prerequisite for more intensive study in selected topics and current problems in corporate law, corporate finance, advanced taxation, securities regulation and other subjects required by the student intending to enter the corporate/commercial field as a preferred area of practice. (4 credits)

**98-879 Corporate Finance**

This seminar will consider the financing of corporations through equity, debt and leasing and the planning of business combinations. The course will commence with an examination of basic accounting and income taxation aspects of equity and debt financing. Equity financing through issuing shares in series will be studied through an analysis of the conditions of sample preferred share issues. Short and medium debt financing from chartered banks and other agencies will involve a consideration of the principal conditions of such financing, including security. Long-term debt financing is considered in the context of the use of a trust indenture for a public issue of debentures in series. Leasing, including equipment leases, financial leasing, lease options and sale/leasebacks will also be examined. The mechanics and documentation of a public issue and a private placement of corporate securities are compared. The course concludes with an examination of some of the

theories of enterprise valuation and of the various ways business can be combined. (3 credits) (Prerequisite: Business Associations; Recommended: Corporate Topics, Income Taxation, Legal Accounting, Commercial Law, and Selected Topics in Commercial Law)

**98-880 Advanced Business Law Seminar**

The purpose of this course is to enhance the corporate/commercial education offered by the University's Faculty of Law by offering third year law students an opportunity to study and analyze sophisticated corporate commercial transactions. The course is taught by practitioners specializing in the area of law being studied and provides the students with a practical reference point for their academic education.

The course is divided into three units: mergers and acquisitions, advanced securities, and secured transactions and insolvency. Admission to the course is by application. (4 credits)

**98-883 Criminal Procedure**

This course will examine closely the advanced problems in that part of the law of procedure that relates to trial of appeal of criminal actions, as well as a study of those institutions which bear directly upon on the trial of criminal cases. (3 credits)

**98-887 Landlord and Tenant**

Creation of the relationship of landlord and tenant; requirements of a valid lease; covenants, distress, relief against forfeiture, determination of tenancies. Problems relating to tenants' associations, rent strikes, shopping centre leases and new developments in the law will be considered. (3 credits)

**98-889 Remedies**

A study of the major legal and equitable means of enforcing rights and relieving wrongs including compensation for personal injuries, contract damages, tortious damages, specific performance, and injunctions (both interlocutory and permanent). (3 credits)

**98-891 Advanced Legal Research**

Briefly reviewing some of the first year skills, this course develops researching with computerized Canadian case research; Canadian & Ontario statutory and regulatory publications and updating; international materials; use of Quicklaw, Lexis, and eCarswell, as well as some web sites. There may also be a brief look at American case research; some American federal statutory and regulatory research; and some British case research. Analysis and effective writing may also be treated. (3 credits)

**98-892 Supervised Research**

Students may obtain credit for supervised research if they obtain the prior consent of a faculty member to act as a supervisor and the project is approved by the Academic Programs Committee. Such research must be completed in the term in which it is commenced and will be evaluated by the faculty member in consultation with the committee. Copies of the detailed rules related to Supervised Research should be consulted and may be obtained in the General Office. (1-4 credits)

**98-893 Civil Liberties**

This seminar compares the Canadian and American approaches toward civil liberties with reference to such concepts as due process, right

to counsel, and cruel and unusual punishment. Other topics examined are “national security” legislation, electronic surveillance and access to government information. Political science as well as legal materials are used. (3 credits)

#### **98-895 Criminal Sanctions**

This is a seminar course focusing on sentencing and the sentencing system. Topics include the justification and principles of sentencing, sentencing options, the sentencing hearing, the effectiveness of sentencing, reform of the sentencing system, parole, Lieutenant Governor’s warrants for the criminally insane, the disposition for murder, dangerous offenders and capital punishment. This seminar pursues both theoretical and practical perspectives. (3 credits)

#### **98-896 Advanced Criminal Law**

A seminar focusing primarily upon substantive offences such as contempt, obscenity and fraud, although some procedural issues such as fitness to stand trial, psychiatric remands, abuse of process and right to counsel may be examined. (3 credits)

#### **98-903 Land Use Planning Law**

This course considers the legal context for the control of land use in Ontario. The focus is on legal and administrative requirements of the Planning Act (with respect to official plans, zoning, subdivisions, development control and building permits) and on local and provincial decision-making structures. Other topics will include heritage protection, environmental issues, amalgamation and reform. (3 credits)

#### **98-904 Municipal Law**

An introduction to the organizational structure, functions and powers of local government in Ontario. An examination of some of the problem areas of modern municipal government, such as the election and legal position of council members, municipal financing, assessment and taxation; the creation and enforcement of bylaws; the municipal licensing power and its administration; the provision of public services and the legal basis for the operation of local boards and commissions; the opening and closing of public highways. Throughout the course emphasis is placed on the role of the lawyer practising in the area of municipal law as municipal solicitor or as general practitioner. (Recommended: Judicial Review of Administrative Action) (3 credits)

#### **98-906 Lawyering Process: Interviewing, Counseling and Negotiation**

Students will be asked to consider critical perspectives on the processes of becoming a lawyer and values and attitudes that may be embraced, consciously or otherwise, in the process. Consideration will be given to the essential lawyering skills of interviewing, counseling, and negotiation. A new approach is taken to the lawyer/client relationship. The potential impact on the performance of these lawyering tasks, in a manner which best serves the interests of the client, will be examined and will form a theme in the course. (Anti-requisite: Clinical Advocacy) (3 credits)

#### **98-907 Advocacy**

An in-depth study of the preparation of a case trial from the first interview with special emphasis

on accumulating documentary proof of damages, the preparation for and conduct of discovery and settlement negotiations. (Prerequisite: Evidence) If a particular emphasis is selected as between Civil and Criminal Advocacy, students will be informed by the instructors. (Anti-requisite: Civil Advocacy and Criminal Trial Advocacy) (4 credits)

#### **98-909 Regulation of Trade Practices**

A study of the legislation dealing with competition and trade practices in Canada with principal emphasis on the Combines Investigation Act (The Competition Act) including conspiracy, monopoly, price discrimination, promotional allowances, contests, price maintenance, misleading advertising and reviewable practices such as refusal to supply, exclusive dealing and tied selling. In addition, labeling, food and drug legislation are considered. (3 credits)

#### **98-912 Insurance Law**

A general introduction to the principles of the law of insurance. The course includes examination of insurable interest, valuation, subrogation, contribution, the duty of disclosure, the position of agents, formation and variation of the contract, the cover and actions on the contract. (3 credits)

#### **98-914 Trademarks & Unfair Competition**

The subject matter of the course is the body of the Canadian and American jurisprudence which establishes and defines the legal doctrines by which a trader’s business reputation is established and protected both at common law and by statute. The major part of the course concentrates on what American terminology

would refer to as “trade identity unfair competition”. In addition the course focuses on the expansion of trade identity law which is generally referred to in Canada as the tort of passing off. Lastly, the course examines certain practices which may be regarded as unfair competition but which cannot be analyzed, explained and assessed by classical trade mark theory and includes and examination of section 43(a) of the Lanham Act. (3 credits)

#### **98-915 Copyright Law**

This course will provide students with a thorough knowledge of Canadian and U.S. Copyright Law. Further, the students will be exposed to the International Copyright systems including trade related copyright concerns (e.g. GATT, NAFTA). Students will get a valid grounding in basic principles of copyright law and will analyze the copyright issues affecting new technologies (e.g. digital sampling, colourization of films, computer technology). (3 credits)

#### **98-916 Restitution**

This course will be dealing with the principles of quasicontact and equity which have evolved to combat unjust enrichment. Topics for this course will include benefits conferred by mistake, restitution of benefits conferred under ineffective transaction, recovery of profits of wrongdoing, unrequested benefits and volunteers, compulsory discharge of another’s liability, tracing at common law and equity, the constructive trust and equitable lien, subrogation and contribution. (3 credits)

#### **98-917 Confidential Information**

This course surveys the legal protection afforded

to commercial (trade secret law) as well as personal information (privacy law). Students will explore the range of recourses available under Canadian law from the Common law action for breach of confidence to the Federal Personal Information and Protection and Electronic Documents Act. (3 credits)

#### **98-918 Patent Law**

This course will cover the basic nature of patents; patentable subject matter; the three essential requirements of invention, novelty and utility; the nature and requirements of the patent specification and the principles relating to its construction; substantive and procedural aspects of challenges to the validity of patents; detailed consideration of the issues relating to infringement of patents including literal and substantive infringement, the types of acts which constitute infringement and remedies for infringement; patent litigation; ownership and licensing of patents. The emphasis will be upon principles as applied in Canada, but reference will be made to comparable developments in England, the United States and other jurisdictions where it is considered that it is material. (3 credits)

#### **98-920 Environmental Law**

This introductory course uses a seminar/workshop structure to study the existing legislative and administrative machinery for environmental management and protection with special emphasis on the environmental law of Ontario. The course will include a comparative analysis of U.S. Federal and Michigan Environmental law and may also take a look at

environmental practice and procedure in selected Commonwealth and European jurisdictions. (3 credits)

#### **98-923 Aboriginal Law in Society**

The course involves a theoretical and systematic approach to the study of and/or functioning of aboriginal or native law which will be examined from a legal, sociological, economic and anthropological perspective and give appropriate emphasis to women's issues. (3 credits).

#### **98-924 The Law of Developing Nations (Law and Development)**

This course includes an analysis of the relationships between law and other disciplines such as economics, political science, sociology, and anthropology. The course is designed to bring into focus the utilization of law toward bringing about social change, by manipulating the arrangements which law has established with the four disciplines mentioned above. The course will encompass a study of the several models of development generated out of the structural peculiarities of the modern states. While the theoretical framework is largely borrowed from such scholars as Seidman, Trubek, Gallanter and Unger, the analysis will be anchored to both the developed North American and European continents. (3 credits)

#### **98-926 Clinical Law**

A limited enrollment program available each semester to a group of about twelve students. The program brings students into supervised contact with practical legal problems outside the classroom to teach legal skills, professional

responsibility and knowledge of social and legal institutions. (Clinical Advocacy is an anti-requisite for Lawyering Process) (15 credits)

#### **98-928 The Mediation Clinic**

The Mediation Clinic provides students with the opportunity to learn the skills of mediation in an intensive classroom component, and then to practice their skills in a clinical setting ("The University of Windsor Mediation Service"). The Mediation Clinic was the first clinical mediation program to be offered for course credit in any Canadian law school and has provided a model for many others. It offers a range of clinical co-mediation and facilitation experiences, including working with referrals from the Windsor Small Claims Court, departments of the Windsor City Council and local law firms and clinics. Evaluation is based on a student journal and their clinical work. There are no prerequisites for this course. However, students who have already (or contemporaneously) taken the Alternative Dispute Resolution course will find that the Mediation Clinic is significantly more skills-based and focuses exclusively on mediation rather than the full spectrum of ADR processes. (3 credits)

#### **98-934 Canadian Federalism**

This course examines the content of the Court's federalism jurisprudence including its influence on the division of power between the federal and provincial governments. In this analysis, the course will focus on Federalism's problems and examine the constitutional processes, which have taken place in contemporary times. Students are given opportunities to discuss, ask questions, make presentations and debate the various

perspectives among themselves. Discussions will include an analysis of the relevant judicial proceedings pertaining to aboriginal rights, minority language protection, Charter Rights, Quebec's place in Canada, intergovernmental agreements, environmental protection and other contemporary topics. Anti-requisite: Problems in Canadian Federalism (3 credits)

#### **98-936 Constitutional Litigation**

The objective of this advanced constitutional law course is to examine certain aspects of the Charter of Rights and Freedoms from a practical, litigation-oriented perspective. This course will look at the procedural, evidentiary and practical background of the cases to understand how those considerations influence constitutional principles and constitutional decision-making by the courts.

The seminar will look at issues such as standing, facts, social and economic evidence, the respective roles of the complainant, government and intervener in court, litigation strategy and remedies. Students will examine not only the cases, but also background material such as affidavits, cross-examinations and factums. (3 credits)

#### **98-937 Freedom of Expression**

This course will examine the constitutional protection of freedom of expression in Canada, the different justifications for the special protection of expression, as well as what it means to constitutionalize freedom of expression. The course will also examine a variety of current issues such as hate promotion, pornography, election spending, access to the

media, publication bans, advertising, and picketing. The course will focus on Canadian cases, but will briefly consider how different freedom of expression issues have been dealt with in other jurisdictions. (3 credits)

#### **98-939 The Legal Profession**

This course examines the legal profession and its Rules of Professional Conduct, legal education, professionalism, competence, discipline as well as the role of the lawyer in society. Emphasis will be given to the role of the legal profession and the Law Society as well as lawyers' obligations to the community, the courts, their clients, the profession, other lawyers and themselves. As well, consideration may be given to factors to be considered by legal professionals in the selection of career options, principal areas of practice, specialization and achievement of professional self-fulfillment. Students will be expected to question and challenge established assumptions and to examine critically all aspects of the practice of law, the administration of justice and legal education. Considerable time is devoted to issues of ethics and professional responsibility. Students are required to participate in simulations and other small group methods to explore these issues. (3 credits)

#### **98-940 Legislation**

The course has both jurisprudential and practical aspects. It examines the relative roles of legislature and judiciary in the process of legal change and the various techniques which are available to the judiciary to effect legal change. It will also examine the process and

rules of statutory interpretation. Depending on time and the interests of the students, problems of the role and construction of subordinate legislation, the drafting of legislation, and the "shape" of the statute book may also be examined. Materials selected for the course will range over a wide number of substantive legal areas and will look at approaches from all parts of the Common Law world. (3 credits)

#### **98-942 Law and Medicine**

A course in medicolegal aspects of law practice. Topics considered are legal aspects of medical practice and liability; medical aspects of litigation such as expert medical testimony and use of special techniques such as X-ray, encephalography and cardiography; examination of current problems in the medicolegal area. (3 credits)

#### **98-943 Child and the Law**

An examination of special problems encountered by young people in Canada's judicial system. Topics vary and have included such matters as child protection proceedings, the child care system, young offenders, adoption and child abuse. (3 credits)

#### **98-947 Canadian Legal History**

An introduction to the historical development of law, from early times to the present day. This course will be offered from time to time depending on the availability and interests of staff and students. (Anti-requisite: Judicial Inquiries) (3 credits)

#### **98-948 Supreme Court of Canada**

The Supreme Court of Canada is examined from various aspects throughout its history, with a focus

on the role of the court and how it carried out its function. Also, there will be a focus on the individual judges and a study of the criteria which determines who are the great judges. There will be a particular emphasis on the present day court, and the decision taken by it to abandon the formalistic approach for a principled approach will be studied and discussed. (3 credits)

#### **98-951 Consumer Protection**

This course examines problems facing consumers in their dealings in the modern market place and an assessment of the effectiveness of possible legal responses to those problems, including private law remedies, criminal sanctions, administrative regulations, etc. Areas covered include misleading advertising, product quality, delivery of professional services, access to the legal system, regulatory agencies, consumer cooperatives and consumer education. (3 credits)

#### **98-955 Regulated Industries**

An examination from an administrative law perspective of various regulated industries in Canada such as transportation (e.g. airlines, railways, navigation, etc.), agriculture, fisheries, manufacturing, energy, communications, among others. (3 credits)

#### **98-957 Immigration Law and Procedure**

This course examines the treatment of aliens in Canada specifically with regard to Immigration Law and to a lesser extent, Citizenship and Nationality Law. The historical treatment of aliens with regard to Canadian immigration policy will be studied with the specific administrative practice

surrounding immigration and residence in Canada of non-Canadians. Specific examination of entrance to Canada, permanent admission, deportation procedure, appellate tribunals and acquisition of citizenship are undertaken within a seminar/lecture format. (3 credits)

#### **98-959 Securities Regulation**

This course examines the philosophies and mechanics of the regulations of securities trading in Ontario, the nature of the primary and secondary trading markets and differing approaches to regulation. The principal focus of the course is on the operation of the Ontario Securities Act; in particular, topics such as registration requirements and prospectus requirements are dealt with at length. In addition, the course deals with topics such as insider trading, proxy solicitation, takeover bids and the civil and criminal liabilities under the act. (Recommended: Business Associations) (3 credits)

#### **98-961 Feminist Legal Theory**

This is an interdisciplinary course which employs an historical, cultural, legal and psychological analysis of North American and specifically Canadian sex-based stereotyping. Topics include the origins of feminist analysis, women in the political process, merit and equality nondiscrimination legislation and litigation. The first seven meetings are devoted to establishing a framework of analysis for the student seminars which occupy the rest of the term. (Recommended: Family law, Civil Liberties) (3 credits)

### **98-970 Special Topics in Legal Theory**

A seminar course, which may extend over two terms, with the purpose of providing an opportunity for students and faculty to examine in-depth designated issues in legal theory. The seminar is conceived as a cooperative and collaborative effort amongst faculty and students in pursuit of both the examination and expansion of knowledge of legal theory. The issues will be selected in consultation with students on an annual basis. By virtue of the nature of this seminar, it is contemplated that it may frequently be offered by two or more faculty members. The instructors may vary from year to year.

### **98-971 Selected Topics in Law**

This course provides an opportunity to examine in-depth legal issues not covered in the regular curriculum. The content will vary to reflected student need and faculty expertise.

### **Courses Outside the Faculty**

Students are allowed, with permission, to enroll in courses that are taught in other faculties at the University of Windsor and certain courses that are taught at the law schools at Wayne State University and the University of Detroit Mercy for credit toward an LL.B. degree.

Grades that are achieved in courses taught outside of the Faculty are recorded onto the student transcript, but are not calculated into the student averages for ranking purposes.

J.D./LL.B. Program

### **Required Courses**

#### **Property Law**

This course examines tenures and estates; landlord and tenant; leases, covenants, licenses and profits; future interests and the Rule against Perpetuities; mortgages; elements of personal property, the social control of land. An American property law module is also taught.

#### **Contracts**

Formation of contracts, considerations; writing (and the Statute of Frauds); mutual assent; third party beneficiaries; capacity of parties; performance, breach and conditions; fraud and misrepresentations; remedies; quasicontacts. An American contract law module is also taught.

#### **Criminal Law**

This course examines the principles of criminal liability, the elements of particular crimes; exploration of major problems of the criminal law and its administration, viewed as a method controlling socially undesirable behaviour. An American criminal law module is also taught.

#### **Constitutional Law**

A general introduction to the Canadian Constitution, with particular emphasis on the Charter of Rights and Freedoms. Topics include the nature of a constitution, constitutional history, parliamentary democracy, separation of powers, legislative process, rule of law, independence of the judiciary, the concept and process of judicial review of legislation, principles of federalism, introduction to division of powers and constitutional amendment.

Discussion of the Charter of Rights and Freedoms will focus on the nature of constitutional protection of human rights, fundamental freedoms, mobility rights, equality rights, group rights, the limitation of nonobstante clauses and enforcement of the Charter.

#### **Access to Justice – J.D.**

This course examines the role of law, legal institutions and lawyers in social change relating to Access to Justice. The course includes an examination of the idea of Access to Justice and an overview of its implication for courts and legislatures. The course will concentrate on critical consideration of the decision-making processes and outcomes of administrative agencies.

#### **Applied Legal Theory and Analysis (ALTA)**

J.D./LL.B. Applied Legal Theory & Analysis is a nine-credit hour comprehensive comparative research-and-writing course. Students learn the differences and similarities between the legal systems of the United States and Canada including, among other things, governmental structure, court structure, jurisdiction, procedure, statutes, case law, administrative materials, secondary materials, ethics, and citation. Equally important, they explore the writing protocols in each country and prepare a number of written assignments, including memoranda, client letters, pleadings, an appellate brief, and a factum. They also participate in several comparative legal- reasoning-and-analysis exercises in which they draft interrogatories, affidavits, and contracts. The course is structured so that for almost every major American

assignment or exercise, there is a comparative Canadian assignment or exercise. This permits students to learn the law in each country more thoroughly, because at all times they are studying one jurisdiction's legal system through the lens of another. Additionally, students attend numerous training sessions at both law schools on American and Canadian computer-assisted legal research, including Westlaw, LEXIS, Quicklaw, and eCarswell. They also meet with a variety of legal professionals from both sides of the border, either through formal in-class lectures, or through UDM and Windsor law school functions. The highlight of the course involves student participation in two moot court experiences, each one specifically designed for the jurisdiction in which it takes place. The course concludes with a technology unit based on legal Internet research and international law, in which students collaborate to prepare a software presentation.

#### **Taxation**

An introduction to the Federal income tax system. This course will cover the concept of gross income, identification of income subject to taxation, identification of the proper taxpayer, deductions in computing taxable income, basic tax accounting and timing principles, and capital gains and losses.

#### **Professional Responsibility**

An attorney's relationship to clients, the court, the bar and society are explored to define the essential responsibilities of the profession. Lawyer conflicts and the Code of Professional Responsibilities are studied in detail.

## Law II

### Civil Procedure

A study of the procedure in a civil action in Ontario with comparative material from other jurisdictions including: historical background, organization and jurisdiction of courts, pleadings, discovery, parties, amendment and disposition without trial.

### American Constitutional Law

A study of the origins and fundamentals of judicial review and the constitutional litigation process, and of several important constitutional law topics: federalism, including federal powers, regulation of commerce, and intergovernmental immunities; separation of powers, including the powers of the Presidency and interbranch conflicts and immunities; state action; procedural and substantive due process; freedom of speech; and the antidiscrimination principles of the equal protection clause of the 14th Amendment. Some topics are covered in depth. Others (particularly free speech and equal protection) are introduced, with detailed coverage provided by advanced constitutional law courses.

### Evidence

The law of evidence in trials; judicial notice; demonstrative evidence; testimonial evidence; the hearsay rule and its exceptions; circumstantial proof; burden of proof; presumptions and other procedural consideration; privilege and other exclusionary rules. Special attention will be given to the Federal Rules of Evidence. A Canadian Evidence module is also taught.

## Torts I & II

The historical development of tort liability is considered including: the intentional torts of battery, assault, and false imprisonment.

The negligence issues of proximate cause, contributory negligence and assumption of the risk are also discussed. Damages, strict liability, the relationship of tort and contract, defamation, invasion of privacy, no fault concepts, and comparative negligence are also covered. A Canadian Torts module is also taught.

### Commercial Law - Sales

The course in Sales has been redesigned to provide a more comprehensive coverage of both domestic and international transactions in goods. Articles 2 (sales of goods) and 2A (leases) of the Uniform and Commercial Code and the United Nations Convention on Contracts for the International Sales of Goods will receive comprehensive attention.

### Law of the North American Free Trade Agreement (NAFTA)

This course examines the law of the North American Free Trade Agreement as part of general international economic law. NAFTA will be placed in the context of the development of the World Trade Organization. Comparisons may be made to the law and structures of other regional trading arrangements, such as the European Union. The course will consider relevant international agreements and aspects of domestic trade law in the NAFTA countries.

### Comparative Civil Procedure

This course covers the rules regulating litigation in United States courts. Special emphasis is

placed on areas where Canadian and U.S. procedure differ. Topics include subject matter jurisdiction, personal jurisdiction, venue, the Erie doctrine, and the Federal Rules of Civil Procedure.

## Law III

### Payment Systems

A study of the law pertaining to methods of commercial payments of money both domestically and internationally. The subject matter includes the Canadian and US law of negotiable instruments, letters of credit and wire transfers.

### Secured Transactions

A study of the law of secured transactions involving personal property. The following statutes, and related statutes, will be examined: Ontario Personal Property Security Act, Article 9 of the Uniform Commercial Code, The Bankruptcy and Insolvency Act, The US Bankruptcy Code.

### Business Organizations

This course provides the student with an introduction to relevant concepts in the selection of form of business enterprise. General principles of agency are covered, as well as those of partnership. The bulk of the course deals with principles of corporate law, specifically, the formation of the corporation; the rights and duties of the corporate actors (shareholders, directors and officers); remedies available to aggrieved parties. The course also introduces the students to some variations of corporate form, such as closely-held corporations and the new limited liability corporation. To a lesser extent,

the student will be familiarized with some of the more complex problems facing corporations, such as securities regulation, takeovers, and corporate control problems. Extensive treatment of these latter issues, however, is left for the more advanced courses in corporate law.

### Canada U.S. Business Transactions

A study of the law pertaining to methods of commercial payments of money both domestically and internationally. The subject matter includes the Canadian and US law of negotiable instruments, letters of credit and wire transfers.

\*electives sufficient to complete 44 total credits at Windsor and 60 total credits at Detroit Mercy.

The University of Detroit Mercy and the University of Windsor Ontario Schools of law have collaborated to create the first joint American/Canadian law degree program. Students complete 104 credits in three years and successful graduates receive both their Juris Doctor and their Bachelor of Laws degrees.

The J.D./LL.B. Program is a demanding program of study designed to:

- educate students to understand the legal doctrines and cultures of both Canada and the United States;
- help students successfully pass the bar examination in either country;
- enable its graduates to practice law in a manner consonant with the highest standards of competence, professional ethics, and concerns for justice as exemplified by the tradition of the legal profession in both countries.

### Why a Joint Degree?

In a global economy competition is fierce. A key success factor is the ability to provide a service that your competitor cannot match. A Joint degree can be the first step to advancing your competitive edge. Trade has increased 109% among the NAFTA countries, from \$297 billion (US) in 1993 to \$622 billion (US) in 2001. Daily, the NAFTA countries perform approximately \$1.7 billion (US) in trilateral trade. Many firms and businesses have developed relationships with foreign firms in order to serve their clients' needs. An individual educated in both Canada and the United States can help clients expand their businesses and investments under NAFTA.

### Application Procedures

Applicants must have successfully completed their undergraduate degree no later than the beginning of August in the year of entry. Applications are considered for first year enrollment; current law students cannot transfer into the J.D./LL.B. Program. The admissions committee is made up of faculty from the University of Detroit Mercy and the University of Windsor. As a joint degree program, faculty members from both institutions view your application. Applicants to the J.D./LL.B. program apply through the Ontario Law School Application Service (OLSAS). Please note that the deadline web page "Compass.OLSAS" states the application deadline is November 1; this deadline does not apply to the J.D./LL.B. Program.

All applicants to the JD/LLB Program must complete the following:

- a) OLSAS application
- b) University of Windsor Personal Profile
- c) All official transcripts
- d) Current LSAT score
- e) Two (2) letters of reference (one academic and one non-academic)
- f) \*\*\*JD/LLB Supplemental form
- g) \*\*\*Application fee – In light of the dual handling of the application material, by the two institutions, the University of Detroit Mercy requires a fee of \$60 U.S. to fully process your application.

\*\*\*The Supplemental form and the application fee must be mailed to:

#### University of Detroit Mercy

School of Law,  
651 E. Jefferson Ave.,  
Detroit, Michigan 48226  
Attention: JD/LLB Program Director

Students in the program will have to meet the usual Canadian and American immigration requirements to obtain visas for entry into Canada and the United States. Assistance with visa applications will be provided for admitted students.

### Tuition

Enrollment in the J.D./LL.B. Program requires registration at, and payment of tuition to, both the University of Detroit Mercy School of Law and the University of Windsor, Faculty of Law. In addition, other non-tuition charges at both institutions, such as membership in student organizations, are also payable and may vary from year to year.

One of the unique features of the program is locked in tuition fees. In order to increase accessibility and stability at a time when tuition fees are rising yearly, both schools expect to hold annual tuition constant for the three-year program. Therefore, upon admission to the J.D./LL.B. Program, the cost of tuition for your first year will be the rate you pay for your 3 years in the program.

### Course of Study

The program requires a student to successfully complete 60 credit hours of course work at the University of Detroit Mercy and 44 credit hours of course work at the University of Windsor. The program is structured with required courses at both institutions. Comparative modules were created through collaborative efforts on the part of faculty at both institutions. These modules provide comparative analysis of American and Canadian laws and are a key feature of the J.D./LL.B. Program.

The program is designed to enable a student to obtain an American Bar Association –approved Doctor of Jurisprudence (J.D.) degree from the University of Detroit Mercy and the nationally recognized Bachelor of Laws (LL.B.) degree from the University of Windsor within three calendar years.

#### 1. First Year

**At Windsor:** Property Law (6 credits), Contracts (6 credits), Criminal Law (5 credits), Constitutional Law (5 credits), Access to Justice-JD/LLB (3 credits).

**At Detroit Mercy:** Applied Legal Theory and Analysis (ALTA) (9 credits).

Property Law, Contracts, and Criminal Law at Windsor include a module of U.S. law. The ALTA course at Detroit Mercy is specially designed for students in the J.D./LL.B. program. Students will learn the legal research methods and legal processes involved in both the United States and Canada, as well as prepare a number of written assignments and participate in a Moot Court experience specifically designed for each jurisdiction.

#### 2. Summer After First Year

**At Detroit Mercy:** Taxation A (4 credits), Professional Responsibility (3 credits).

#### 3. Second Year

First Term:

**At Windsor:** Civil Procedure (4 credits)

**At Detroit Mercy:** American Constitutional Law (4 credits), Evidence\* (5 credits), Torts\* (4 credits).

Second Term:

**All courses at Detroit Mercy:** Commercial Law-Sales\* (3 credits), Law of the North American Free Trade Agreement\* (3 credits), Torts II\* (4 credits), Comparative Civil Procedure (3 credits).

#### 4. Third Year

**At Windsor:** Payment Systems\* (4 credits), Secured Transactions\* (5 credits), electives sufficient to complete 44 total credits at Windsor.

**At Detroit Mercy:** Business Organizations\* (5 credits), Canada-U.S. Business Transactions\* to be designated (3 or 4 credits), sufficient electives to make up 60 total credits at Detroit Mercy.

\* indicates that the course deals with both U.S. and Canadian law.

**The University of Detroit Mercy School of Law** is an American Bar Association accredited law school and, therefore, the J.D. degree is recognized by all state bar associations. *However, states may have permanent residency requirements for non-citizens and other requirements that must be met before a person may write bar examinations and/or practice law. Students must inform themselves concerning, and satisfy the requirements of, the U.S. jurisdictions where they may wish to seek admission to the bar.*

#### Integrated M.B.A./LL.B. Program

This program is designed to enable a student to obtain both a Master of Business Administration (M.B.A.) and an LL.B. within four, instead of five, years. Successful applicants will pursue first-year studies separately in the Odette School of Business and the Faculty of Law. Years III and IV of the integrated program will involve work in both Faculties.

#### Admission Requirements

The admission procedure for the integrated program consists of two stages. At the first stage, students applying to the program must meet the admission requirements of both the MBA and LLB programs. Therefore, separate applications must be submitted to the Faculty of Law and the Faculty of Graduate Studies and Research for admission to the regular degree program in Law and the MBA. To facilitate academic and career planning, it is strongly suggested that these applications be made

simultaneously. Students who are accepted to both the MBA and LLB programs will be accepted to the integrated program, and will proceed to attend first year in either Faculty. Such students will be granted a deferred admission to the other Faculty in the program

This special deferred admission will be revoked if the applicant's performance in the first program fails to meet the first-year academic standards of the program. In such case, the applicant may re-apply for regular admission to the second degree program.

Applications will also be considered for entry to the program from candidates who are attending the first year of either the LL.B. or M.B.A. programs. They must meet the admissions requirements and application deadline for the program for which they are seeking entry.

#### Application Deadlines

- Faculty of Law –  
For 2004 - November 3, 2003  
For 2005 - November 1, 2004
- Faculty of Graduate Studies and Research –  
May 1 (MBA)

#### Term Planning

##### First and Second Years

The first two years of study in the integrated program will consist of the regular first-year programs of each faculty.

##### Third and Fourth Years

The third and fourth years of the integrated program will be devoted to required and elective courses offered in both the Faculty of Law and the Odette School of Business.

In the MBA program, students will be required to take five candidate-level courses. These must include 75-698 (Strategic Management) and four courses selected from a minimum of two of the following areas: Accounting, Management and Labour Studies, Finance, Management Science, Marketing, and Business Strategy and Entrepreneurship. In addition, the MBA major paper or thesis must have a substantial legal component.

In the Faculty of Law, the student will enrol in courses for a minimum of 40 credits. These must include Torts, Civil Procedure, one course from the Legal Perspectives Group, and one course requiring a substantial paper that must account for at least 50 per cent of the student's grade in the course. The MBA paper will ordinarily satisfy this requirement, subject to the approval of the Faculty of Law Academic Programs Committee.

In addition to the requirements outlined above, the candidate must choose three additional candidate-level MBA courses or a further three law courses totalling at least nine credit hours or any equivalent combination. The student's elective choices shall be reviewed by the Integrated MBA/LLB Committee in light of the student's personal and career objectives, and the necessity of scheduling core business and law courses.

#### Advancement

Continuation in the program is conditional on students meeting the following requirements:

##### First and Second Years

Standing in the top half of the class; no Faculty of Law course grade lower than C-.

#### Third and Fourth Years

In courses taken in the Odette School of Business, candidates must attain at least one A- or above grade and not receive any grades below B-. In courses taken in the Faculty of Law, candidates must attain in each year at least one grade of B- or above and must not receive any grade lower than C-.

Candidates who fail to meet the above standards may be advanced upon the approval of the Program Committee if such action is warranted. Candidates who either fail to advance from First to Second Year, Second Year to Third Year, Third to Fourth Year, or who choose to leave the program will be free to continue on for both degrees, but within normal degree requirements, and subject to any conditions set out by the two Faculties. Students who fail to advance or who leave the program after Third Year and who have taken the appropriate electives may petition the Odette School of Business to be allowed to complete the regular requirements for the MBA degree.

Year	Law Stream	Business Stream
I	Law I	Qualifying Year – MBA
II	Qualifying Year – MBA	Law I
III	Candidate Year – MBA Law II & III	Candidate Year – MBA Law II & III
IV	Candidate Year – MBA Law II & III	Candidate Year – MBA Law II & III

Please consult the Cashier's Office about the tuition structure and the Faculty of Graduate Studies and Research for inquiries about awards.

#### **Students with an Honours Bachelor of Commerce Degree**

Students holding an Honours B.Comm. degree may obtain both the LL.B. and M.B.A. degrees without the assistance of a special integrated program. However, by submitting applications simultaneously to both the Faculty of Law and the Faculty of Graduate Studies and Research and indicating an interest in the program, such students may be granted a deferred admission to whichever degree program he or she elects to take second. This special deferred admission will be revoked if the applicant's performance in the first program fails to meet the first-year academic standards of the program. In such case the applicant may re-apply for regular admission to the second degree program.

#### **Important Note:**

The University reserves the right to make changes in the integrated program and any rules or regulations applying to it.

#### **Half-Time Program**

The Faculty of Law has a limited enrolment Half-Time Law Study Program intended for those unable to study full-time. The program cannot be completed through evening courses only.

Applicants must meet the Faculty's general admission requirements or special admission requirements for Native Canadians. Applicants must also demonstrate they are unable to attend

law school on a full-time basis because of one or more of the following:

1. Exceptional family obligations either to young children or dependants (including persons with disabilities or requiring special care) requiring their presence at home.
2. Substantial financial hardship: e.g. loss or reduction in employment imposing significant financial hardship with particular attention being given to single income families, people on limited or tentative incomes.
3. Where there is a requirement for a reduced workload due to health or disability of the applicant.
4. Career: In very limited circumstances, consideration may also be given to occupational involvement where an applicant is established in a public service career whose work would be assisted and improved by the study of law.

All candidates must attach to their regular application, a written statement and any supporting documents relevant to their need to attend the Half-Time program. The written statement and supporting documentation must establish that the candidate meets the criteria for admission and must include a detailed explanation of why she/he is unable to attend as a full-time student.

Half-time students are fully integrated into the full-time program and complete their program through a combination of day, late afternoon and evening classes. All regular academic and extra-curricular programs are available to half-time students, as are awards, bursaries and prizes.

Persons may, in subsequent years, apply or may be required to complete their studies on a full-time basis, as their factual circumstances vary and warrant.

Tuition for half-time students is approximately half the cost of regular tuition.

#### **Other Programs**

##### **Student Exchange with Université du Québec à Montréal**

The Faculty of Law has established with the Département des sciences juridiques of the Université du Québec à Montréal (UQAM) an agreement which permits students from either institution to attend the other institution for one semester and obtain credit toward the degree from their home institution. Students who have successfully completed their first year of law studies may participate, with the approval of their home institution. Candidates who have participated in the exchange can return to the other institution for one year to obtain either the Civil Law degree (LL.L) or the Common Law degree (LL.B.).

##### **Advanced Business Law Seminar**

This is a program led by members of large Toronto firms engaged in the practice of business law. Discussion will center on hypothetical case studies and will deal with the considerations that shape decisions with respect to securitization, structured finance, mergers and acquisitions, bankruptcy reorganization, and IPOs.

The seminar enrolment is restricted to persons in the third year of law studies and

who have taken at least four of the following courses: Corporate Finance, Securities Regulation, Commercial Law Sales, Commercial Law - Secured Transactions, Taxation, Advanced Taxation or participation in the Corporate Securities Moot (CC/SL).

## INTELLECTUAL PROPERTY INSTITUTE

The Intellectual Property Law Institute (I.P.L.I.) was created in 1987 through the efforts of the State Bar of Michigan and the law faculties of the University of Detroit Mercy, Wayne State University and the University of Windsor.

Intellectual property is one of the most innovative, exciting, challenging and rewarding areas of the law. I.P.L.I. is dedicated to providing basic and advanced legal education and furthering knowledge, scholarship and research in the law governing the richly diverse fields of intellectual property: patents, copyrights, trademarks, trade secrets and know-how, computers and related technology, communications and media, entertainment, technology transfer, trade regulation, and the arts.

The primary purpose of I.P.L.I. is to facilitate the offering of an exceptional and rich curriculum for law students and lawyers in the field of intellectual property. The I.P.L.I. courses have the advantage of sharing the resources of three law schools and the experience and expertise of the practicing members of the Michigan Bar Association. In particular, each course deals with appropriate American and Canadian jurisprudence.

### Curriculum

I.P.L.I. offers the following courses annually: Patent Law; Copyright Law; Entertainment Law; Trademarks and Unfair Competition. The following are offered as indicated by demand and availability of instructors: Intellectual Property Rights in Computers and Computer Software; Trade Secrets and

Confidential Information; Patent Antitrust; Patent Litigation; Patent Office Practice; Advanced Copyright; Franchising, Licensing and Joint Ventures.

### Faculty

I.P.L.I. courses are taught by either full-time law professors of one of the three participating law schools or practicing lawyers with extensive experience in some area of intellectual property.

### Student Entrance Requirements

Enrolment in I.P.L.I. sponsored courses is open to qualified students who have satisfactorily completed at least one year of law school and are students in good standing at one of the three participating law schools. Decisions concerning admission to the participating law schools are made by the respective law schools independently of I.P.L.I. A preferred undergraduate background for persons who wish to practice patent law is a strong curriculum in engineering, chemistry, physics or a similar basic, math-oriented curriculum in science. Any person other than a qualified student at one of the three participating law schools may apply to I.P.L.I. for admission to the courses.

## CLINICAL AND EXPERIENTIAL LEARNING OPPORTUNITIES

### The Clinical Law Program at Legal Assistance of Windsor (L.A.W.)

This optional, full-semester program introduces students to lawyering skills in a community legal clinic setting in downtown Windsor.

The concept of access to justice assumes human dimensions at Legal Assistance of Windsor (L.A.W.). Established in 1974 by the Faculty of Law among the first wave of storefront community legal clinics, L.A.W. continues to fill a vital role today in legal education and community service under the auspices of Legal Aid Ontario and the University of Windsor.

At L.A.W., the goal of enhancing access to legal and social services in the disadvantaged communities of Windsor and Essex County is twinned with the objective of introducing law and social work students to their professional responsibilities in a clinical setting.

Following an intensive orientation program, second- and third-year law students provide client services in areas such as social welfare, landlord and tenant, immigration, consumer and human rights law under the supervision of staff lawyers.

Because legal problems are often interrelated with social problems, an interdisciplinary approach combining the expertise of the legal and social work professions is taken. Social work staff engage in social casework and supervise senior students of the School of Social Work on field placement. Community development activities designed to address chronic problems presented on a case-by-case basis are planned and carried out in conjunction with clinic legal staff and other

community-based organizations. Social work and law students work together on files involving both legal and social problems, with the objective of addressing the multifaceted needs of the low income community while working within a more comprehensive, effective approach to problem resolution than is generally available in traditional legal settings.

Students enrolled in the Clinical Law Program during the fall and winter semesters receive 15 course credits. A portion of these credits is assessed on a "pass/fail" basis, and the remainder are evaluated in the four-credit Clinical Advocacy course, which is taken simultaneously with the placement. Students who wish to receive less than 11 credits on a "pass/fail" basis must receive permission from the Director of Clinical Law and the Academic Program Committee prior to the commencement of the academic term. Half-Time students are eligible to apply for placement.

Students who wish to apply for a placement during the academic term must apply by letter and résumé to the Director of Clinical Law for an interview during the winter term preceding the term requested. In exceptional circumstances, students will be admitted late, but students are encouraged to indicate their interest as early as possible.

The Clinical Law Program is not a duplication of the articling experience or the Bar Admission Course. It is designed and structured to provide insight and experience not offered by traditional legal education.

Alumni of L.A.W. now work in many and varied settings. They may be found in small

town practices, big Bay Street firms, legal publishing, community legal clinics, band councils and prepaid legal services, to name a few. Many agree that the “real-life” experience they gained at the clinic helped to shape their career aspirations in some way.

The opportunity to learn more about the legal process, while helping people directly affected by it, is unique to clinical legal education. It is an intense experience, involving self-and-peer-evaluation in a context which is both practical and reflective.

Developing an awareness of the often insurmountable problems of those living in poverty is another part of the clinical law experience. Whether justice or even due process is available, is central to discussions about access to justice. Working in the Clinical Law Program is more than a variation on the theme – it gives the phrase a context.

**Careful Selection of Courses:** Law students intending to apply for a full term at Legal Assistance of Windsor are advised to give careful thought to their course planning early in their law school career. It is possible to select all basic courses required in preparation for the Law Society of Upper Canada Bar Admission Course and also attend the Clinical Law Program for a full semester, if students exercise due care in the selection of their optional courses. Students are invited to consult with the director and staff lawyers at Legal Assistance of Windsor for the purpose of discussing any aspect of the Clinical Law Program or for assistance with curriculum planning.

### Community Legal Aid (C.L.A.)

Community Legal Aid provides an opportunity for law students to gain practical experience, as well as serve the local community. C.L.A. is a year-round service offered free to those who cannot afford a lawyer. It is staffed by Faculty of Law students under the supervision of staff lawyers.

#### Admission

Throughout the school term (September-April) the Clinic is staffed on a volunteer basis. All law students are eligible. First-year students are encouraged to volunteer as soon as they start law school.

#### Employment

Every year, C.L.A. hires a number of its volunteers to operate the Clinic through the summer months (May-September).

#### Responsibilities

Students are required to help staff the Clinic as a member of an intake shift team for approximately two hours per week, as well as any additional hours that may be needed to ensure proper file maintenance.

C.L.A. volunteers gain practical experience in the areas of Landlord Tenant Disputes, Highway Traffic matters, Small Claims, Criminal and Provincial Offences, Tribunals, Student Problems, and other services.

In addition, upper-year students are given the opportunity to represent C.L.A. clients in court.

Student volunteers receive ongoing support through weekly group meetings. Full-time Review Counsel at the Clinic supervise volunteers at all stages of assigned file work.

### University of Windsor Mediation Service

The University of Windsor Mediation Service (UWMS) is the first clinical mediation program to be offered in a Canadian law school. It is the only full-service community mediation service in Windsor-Essex County. It provides free and accessible mediation services to the community and a clinical training program for law students.

UWMS’ mandate is to provide free, quality, community-based mediation, conflict resolution and facilitation services to the Windsor-Essex community. The UWMS attempts to empower community members to resolve their disputes themselves, while teaching law students alternative and less adversarial methods of dispute resolution. Students have an opportunity to co-mediate cases such as neighbour disputes, landlord/tenant conflicts, employment issues, consumer issues, contract disputes, and any Small Claims Court matters.

Two credit-earning courses are offered through the UWMS: the Mediation Clinic course, and the Osler, Hoskin & Harcourt LLP Internship in Conflict Resolution Program.

The Mediation Clinic course is offered once a year to upper-year law students, who are trained in mediation skills and who then conduct intake and co-mediation of any cases referred to the UWMS. Students also have an opportunity to observe the family case conferencing process at Family Court with Master Nolan.

### Osler Hoskin & Harcourt LLP Internship in Conflict Resolution Program

The OHH Internship Program began in 1999, when the Faculty of Law was awarded a grant

under the Osler, Hoskin & Harcourt “Program of Excellence,” which funds the salary of a half-time Director of Interns.

Most internships involve work in the UWMS office, conducting outreach, case intake and development, and co-mediating cases with the Director. Some internships involve external placements with local organizations or businesses. Students who wish to apply for an Internship must submit a letter and résumé to the Director for an interview.

Internships are offered each term for upper-year law students who have already taken, or who will be taking contemporaneously, one of the following courses:

- Access to Justice: Alternative Dispute Resolution;
- Mediation Clinic course; or
- some other ADR/Mediation program, taken either in undergraduate studies or a commercial program.

Internships may involve work in the UWMS office or external placements with local organizations or businesses.

Each internship is individually negotiated with the Director under the Supervised Research rules, and may propose the allocation of between three and six credits. Students who wish to apply for an Internship must submit a letter and résumé to the Director for an interview during the preceding term.

### Northwest Territories Clerkship Program

This program enables students to serve as a clerk for the Supreme Court of the Northwest Territories fulfilling a research project requirement

for credit towards their LL.B. As a clerk, the student will be based in Yellowknife, N.W.T. and travel occasionally to outlying regions with the Supreme Court of the N.W.T.

The program is carried out in both fall and winter semesters. Fifteen credits will be granted: nine credits on a pass/fail basis, two credits on the basis of selected research done by the student for the court and four credits on a research paper.

#### **Admission Criteria**

Students who wish to apply for this program must have successfully completed Law I. The Supreme Court of the N.W.T. suggests that students have completed the Evidence Law (98-850) course before participating in the program. Students submit a letter of application detailing the reasons for their application with any statement of special interest or background relating to the program. Also, students are invited to submit copies of written research work. All applications should be submitted to the Associate Dean by the designated deadline.

#### **Tuition and Financial Assistance**

Regular tuition applies for the clerkship. A sum has been allocated to cover some expenses which will be incurred (e.g. airfare, cost of housing in excess of average Windsor prices). Some travel and accommodation expenses while the Court is traveling will be reimbursed by the Court.

#### **Selection of Candidates**

Three main criteria apply:

1. General academic performance in law;
2. Legal research and writing skills, and,

3. Special interest and background relating to the clerkship program.

Selection of the successful candidate is made by the Court in consultation with the Associate Dean. Normally, preference in the Winter Term is given to Law II students and in the Fall Term to Law III students.

#### **Responsibilities**

As a clerk, the student will be responsible to the Supreme Court of the Northwest Territories. Students will prepare and submit a diary of daily work as well as a monthly and a final report. A Justice of the Supreme Court of the Northwest Territories will also submit monthly reports and a final report.

Students will also be responsible to the Faculty Coordinator appointed to supervise the program and grade their work. The student must submit all materials, including his/her research paper, and final reports to the Faculty Coordinator no later than the last day of final examinations of the relevant academic term.

#### **Academic Credits**

15 credits will be divided as follows: nine credits on a pass/fail basis, two credits on the basis of selected research done by the student for the Court and 4 credits on a research paper.

The following are the expectations regarding each of the portions of the grade:

1. The 9 credit pass/fail portion will be based upon the reports of the Clerk and the Supreme Court Justice, the daily diary and the memoranda and other research performed by the student.
2. Two credits for selected research done by the student for the Court - subject to matters of a

confidential nature, copies of all memoranda and other research submitted by the student shall be subject to review by the Faculty Coordinator. The Faculty Coordinator has the discretion to select any or all memoranda and other research material for review and grading. With respect to the award of a grade for the two credit portion of the project, the Clerk has the right to insist on the inclusion of any memoranda or other research work, which may be in addition to those selected by the Faculty Coordinator, in the grading process.

3. Research Paper: It is expected that the research paper shall be of a publishable quality and a minimum length of 40-45 pages. It is further expected that a draft of the paper be submitted to the Faculty Coordinator some time during the middle of the academic term. The Faculty Coordinator as well as the Supreme Court Justice will be expected to provide the Clerk with feedback on the first draft of the paper. It is hoped that a paper topic and tentative outline is agreed to and submitted for approval by the Academic Program Committee prior to the student arriving in Yellowknife or at the very least in the first two weeks in the term. The paper shall not be simply impressionistic or descriptive in nature. It is expected that it reflect significant research and analysis.

## ACADEMIC REGULATIONS

### Examination and Grading Procedures

#### Testing Procedure

- a) By the end of the second week of each course, the instructor must provide students with a written course outline which includes precise information concerning the following:
- i) all procedures for determining the final grade in a course, including those for conversion of raw scores into letter grades (this includes "curving" and procedures in which students are evaluated by observers or supervisors rather than by written examinations or submitted assignments).
  - ii) the approximate dates for tests, handing in assignments, and all other activities (except unannounced quizzes), which will affect the final course grade.
- b) After the initial two-week period, the dates referred to in 2. (a).ii may be altered only for a compelling pedagogical or administrative reason. In the event of such a change students will receive advance notice of at least two calendar weeks. The procedures for determining the final grade in a course may not be altered in any circumstance after the first two weeks of the course. (Senate Bylaw 51, 2(a)(b))

#### Off-Campus Examinations

A student with a cogent reason may be granted permission to write an examination at an off-campus centre. Application forms are available in the Registrar's Office. To allow sufficient time for arrangements and mailing, approved applications must be submitted, along with the appropriate fee, to the Registrar's Office at least

one month prior to the date on which the examination is to be written. Please see the Academic Coordinator in the Faculty of Law regarding off-campus examinations.

#### Grading

Grades assigned and their significance are as follows:

A+, A, A-	Excellent
B+, B, B-	Good
C+, C, C-	Fair
D+, D, D-	Pass
F, F-	No Credit
Inc	Incomplete
IP	In Progress
NR	No Report

For the purpose of calculating a grade point average, the following numerical equivalents are used:

A+	13	A	12	A-	11
B+	10	B	9	B-	8
C+	7	C	6	C-	5
D+	4	D	3	D-	2
F	1	F-	0	NR	0

The Law Program calculates weighted averages based upon the number of credits for each course. In these programs, the average is calculated as follows:

Letter Grade	Grade Points	Credit Weight		
A	12	x	2.50	= 30.00
B	9	x	3.00	= 27.00
B-	8	x	4.25	= 34.00
C+	7	x	6.00	= 42.00
F-	0	x	8.00	= 0.00
			23.75	133.00

Weighted Average:  $(133.00 / 23.75) = 5.6$

Courses in which an F or F- grade is received will be recorded on the student's transcript and will be factored into the Grade Point Average and will carry no credit toward a degree. A grade of IP is recorded at the end of the first term of a two-term course.

A grade of NR is assigned to students who although registered in a course have neither attended regularly nor submitted assignments. In computing a student's average, NR is equivalent to F-.

Subject to regulations laid down by the faculty or school, a grade of "Incomplete" may be assigned. Such a grade may be granted to a student who has not been able to complete all course requirements by the date of the final evaluations. The grade of "Incomplete" could be used in situations such as:

- i) the missing of an examination or test for a valid reason,
- ii) the failure to complete required projects or assignments in the allocated time owing to circumstances beyond the student's control.

(See Regulations on Academic Status p. 51)

A grade of "Incomplete" must be changed to a letter grade not later than six weeks after the last date of the examination period. If no grade has been assigned by that date, a final grade of F is automatically entered in the student's record by the Office of the Registrar.

#### Sessions

The course leading to the degree of Bachelor of Laws requires full-time attendance for three years or admission as a half-time student usually for six years. Each annual session is composed of

approximately 30 teaching weeks, exclusive of examinations, 15 weeks in the first term and 15 weeks in second term.

#### Change of Registration

Registered upper-year students will have an opportunity to make course changes subject to permission of the Dean or Associate Dean.

If any change in fees or refunds are involved, the student must consult with the Cashier's Office (see "Fees"). Late registration is permitted in exceptional circumstances only with the Dean's or Associate Dean's consent.

#### Right Reserved

The faculty reserves the right to change any of its rules, courses, regulations, and charges and to make changes applicable to students already registered as well as to new students.

#### Course Grades

In general, grades will be determined by an examination given at the end of the term in which each course is given; in two-term courses examinations may be given at the end of each term, or only at the end of the second term, at the option of the instructor. An instructor has the option of considering term work, i.e. a term paper, class performance, viva voce test or any combination of the same, in determining grades. An instructor who wishes to give greater weight to term work, or to dispense entirely with a final examination, or to give students an option to do something else in lieu of a final exam, may do so.

#### Graduation

Registration in any university program does not constitute an application for a degree or diploma.

In cases where credit is sought for work done elsewhere, official transcripts or other documentary evidence required by the Registrar's Office, not already submitted, must be conveyed to the Registrar's Office prior to the same date. Failure to fully comply with all of the regulations will result in disqualification of the student for graduation at the convocation concerned.

### Regulations on Academic Status

The following regulations are implemented in the expectation that the grading patterns adopted by the faculty for all years reveal a reasonable differential between the minimum passing average and the average grade obtained by students in each year of their program of study.

#### I. Definition

1. "Passing average" as used in these regulations is 5.00.
2. "Passing grade" as used in these regulations refers to a D- as defined by Senate Regulations.
3. A student's average shall be computed to two significant digits.
4. Examination should be read in its widest sense and includes any paper, memorandum, exercise, project, research, or other piece of work written, prepared, or done in the course of a student's studies or activities at the law school.
5. A year of study for half-time students in the structured half-time program shall be one academic year which is equivalent to one-half year (or one semester) of the LL.B. full-time program.

6. All academic determinations with respect to half-time students as contained in these regulations shall be made interpreting "a year" or "a year of study" as defined in 5 above.

#### II. Minimum Passing Requirement

1. (a) A student in any year whose average is below the passing average shall fail the year. (b) A student in first year who fails the year will be required to discontinue. (c) A student in second year who fails the year is entitled to repeat second year. However, a student may not repeat second year more than once. (d) A student in third year who fails the year will be entitled to repeat the year. However, a student may not repeat third year more than once.
2. (a) A student in second or third year who fails the year and is entitled to repeat the year may enroll in any course taken in the year in which s/he failed except those courses in which the student received a grade of B or better in that year.

#### III. Supplemental Examinations

1. A student in any year who obtains an average above a passing average, but receives an F or F- grade in one or more courses, is required to write supplemental examinations in those subjects in which the F or F- grade was obtained.
2. If the student does not write the supplemental examination in those subjects in which an F or F- grade was obtained, the student fails the year and section II. 1.(b), (c) or (d) applies.
3. If a student fails to obtain a passing grade in each supplemental examination that s/he was

required to write, the student fails the year and section II. 1.(b), (c) or (d) applies.

4. If a student is required to write a supplemental examination, it shall be duly noted on the transcript of that student.
5. Any grade on a supplemental examination will not be included in the calculation of that student's average or standing in the year. Rather the average and standing will be calculated on the basis of the grades received in the regularly scheduled final examinations.

#### IV. Special Examinations and Aegrotat Standing

1. If for medical or compassionate reasons a student fails the year, fails an examination, or is unable to write or complete an examination, the student may apply to the Academic Status Committee to write a special examination.
2. In extraordinary circumstances a student who fails within section IV. 1. may be entitled to aegrotat standing. Without restricting the generality of the foregoing, the following factors may be considered in determining whether aegrotat standing will be granted:
  - (a) The professor's opinion of the student's performance and ability in that course;
  - (b) The student's performance in other courses in that year and in other years in law school; and (c) Whether a special examination can be set and/or marked by the same professor who taught the student the course involved.
3. Any student who wishes to qualify for special examinations or aegrotat standing must file a request with the Associate Dean for special

consideration either before or as soon as possible after the day on which the relevant examination is scheduled. The student will be required to file with the Associate Dean any supporting documents such as medical certificates within a reasonable time thereafter.

4. The Academic Status Committee shall have exclusive and final jurisdiction with respect to all matters regarding special examinations and aegrotat standing; providing that the Associate Dean may permit a student to write an examination at a time during the examination period other than that scheduled when he or she is satisfied that the student is unable to write the examination for medical or compassionate reasons, that the contents of the examination have not nor will be disclosed to the student prior to the rescheduled date, and that the instructor has approved the exercise of such discretion.
5. Prior to the consideration of petitions filed by students before the Academic Status Committee, the Associate Dean shall solicit the opinion of the student's Professors with respect to the performance of the student in the course for the assistance of the Committee, and that the responses made by the Professors to such solicitation be made available in their entirety to the student concerned. The memorandum from the Associate Dean to the Professors would indicate only: (a) That the student has petitioned to the Academic Status Committee; (b) That the Associate Dean is soliciting any observations from the Professor regarding the student's participation in class,

performance to date, ability in the course, and any other information; (c) That this matter is to be treated with the utmost of confidentiality; (d) That the response made by the Professor will be made available in its entirety to the student concerned.

6. Where a student writes a special examination, such examination shall be treated in all respects as if it were the regular examination in the course.

#### V. Withdrawal

1. A law student wishing to withdraw from full-time or structured half-time study of law may do so with the permission in writing of the Dean or Associate Dean. A student withdrawing from the full-time or structured half-time study of law is subject to the University policies concerning such withdrawal.
2. A first year law student who is permitted to withdraw from the full-time or structured half-time study of law will not be guaranteed readmission to the study of law. Such first year students must apply for admission to the first year of law school in the usual manner and the merits of the application will be judged in the same way as any other applicant. However, the Admission Committee may consider the fact that such applicant withdrew from first year law and the circumstances surrounding such withdrawal.
3. A second and third year law student who is permitted to withdraw from the full-time or structured half-time study of law shall be readmitted to the full-time or structured half-

time study of law if the student so requests in writing. The time of such readmission and the programme of the student upon readmission shall be in the discretion of the Dean subject to an appeal at the instance of the student to Committee of Faculty as a whole.

#### VI. Appeal Procedure

1. An appeal from a student who believes that the final grade does not accurately represent his or her academic accomplishment, because of incorrect evaluation of work or because of procedural irregularity, must be accompanied by a \$20.00 fee. In the case of an appeal based on incorrect evaluation, the Associate Dean will consult with the instructor involved, and at least one other member of the department, if possible, in evaluating the appeal. In the case of an appeal based on procedural irregularity, the Dean will investigate the appeal. If the grade is changed to the student's benefit the \$20.00 fee will be refunded to the student.
2. In the case of appeals based on incorrect evaluation, the final mark on appeal may be either raised or lowered. In the event of any differences between the grades recommended on the appeal assessments, the higher grade shall be awarded. If a procedural irregularity is found to have occurred and has adversely affected the student's grade, the Dean will adjust the grade or make alternative appropriate arrangements.
3. Fall semester grades will be posted by the Associate Dean within the Faculty of Law, and winter semester grades will be mailed by

the Associate Dean to the residence address contained in the personal file of the student.

4. The final grades shall be accompanied by a Marks Profile for Law I, II or III, as the case may be; the Marks Profile shall show the percentage of students achieving each of the letter grades in Law I, II and III.
5. Appeals shall not normally be made later than 21 days following the date of posting or mailing of grades for the fall and winter semesters respectively; provided that in the case of appeals from winter semester grades, the date of manually delivered appeals, or the date of the postmark for mailed appeals shall be determinative. The Dean may, owing to extenuating circumstances, grant the right of appeal after the 21 day deadline.
6. Before the appeal period has ended, the examiner shall provide his or her students with an opportunity to compare his or her examination, not including term papers, with the examiner's marking scheme.

EFFECTIVE September 1977 REVISED February 1984, July 1986, September 1988, September 1990, November 1995

ANY QUESTIONS OR PROBLEMS, CONSULT WITH THE ASSOCIATE DEAN.

#### Regulation Concerning Discriminatory Practice

**Recognizing** that discrimination affects the perception of the individual's capacity for fulfilling his or her role as a member of the legal community;  
**and recognizing** that we, as a law faculty in the university community, have an obligation to

facilitate the development of the individual's full potential in the legal community;  
**and acknowledging** a duty to affirm publicly our commitment to combat discrimination by any person within the legal community who contributes to or benefits from services which the Faculty of Law provides,

**We undertake** to offer and dispense legal education, to employ individuals in the legal community and generally to conduct relations between and among members of the legal community without differentiation on the basis of traits peculiar to the person such as sex, marital status, sexual preference, race, colour, nationality, place of origin, age, religious belief or lack thereof, ethnic origin, political belief or activity, creed, citizenship, family relation, physical disability or economic status.

**We affirm** that in our conduct and in exercising our judgment we shall and we expect that others in our community shall:

- a) display the highest standards of integrity;
- b) demonstrate an honest concern for the merits;
- c) reflect a responsible and balanced attitude;
- d) engage in scrupulous attention to the facts;
- e) carefully assess to the best of our abilities only those factors relevant;
- f) avoid influence of improper purposes;
- g) be prepared to state reasons and offer rational justifications.

**We undertake** to pursue an admissions and recruitment policy which will consider past socio-economic, cultural, familial or other disadvantages relevant to the assessment of the applicant's potential to contribute creatively and meaningfully to the law school and the community at large.

**We accept** responsibility to foster an educational environment which is conducive to the implementation of the preceding principles.

#### Policy Statement on Student Discipline

The Faculty of Law is bound by and adheres to the University Policy on Student Affairs. It subscribes to the objects and purposes of the University set forth in the University of Windsor Act (1962-63):

- (a) the advancement of learning and the dissemination of knowledge;
- (b) the intellectual, spiritual, moral, social and physical development of its members and students and the betterment of society.

However, with the approval of the Student Affairs Committee, the Faculty of Law hereby establishes a Faculty of Law Policy Statement on Student Discipline which governs the students enrolled in the Faculty of Law, and in the case of conflict between the two policy statements, this policy statement of the Faculty of Law prevails.

In addition to the objects and purposes of the University as a whole, the study and practice of law demand from law students and lawyers those high qualities of character encompassed by the world "integrity"<sup>1</sup>. Law is an honourable discipline, and lawyers are members of an honourable profession. It is fundamental to the legal profession that the members thereof must discharge their duties to their clients, the courts, the public and their fellow members with

integrity. In the same way, it is fundamental to the study of law and to the maintenance and betterment of the community of scholarship which is the Law School that the faculty and students adhere to and foster the highest standards of integrity including trustworthiness, truthfulness, fair dealing, uprightness, honesty and sincerity. Any student at the Faculty of Law whose conduct is improper in that it exhibits a lack of integrity touching the educational and professional objectives of the University, the Law School, or the profession must be appropriately disciplined in the interests of safeguarding and upholding these standards.

It is desirable to define further and identify the standards demanded of each law student in the interests of educational and professional integrity. Enumerated below are illustrations of, examples of, and comments on improper conduct which would lead to an inference of lack of integrity. These are illustrative only and shall not be taken as in any way limiting the generality of high standards of conduct required by the precept of integrity.

#### Plagiarism

Plagiarism is defined by *Black's Law Dictionary* (revised 4th edition):

The act of appropriating the literary composition of another or parts of passages of his writing, or the ideas or language of the same, and passing them off as the product of one's own mind.

*The Oxford English Dictionary* defines plagiarism: the wrongful appropriation or purloining, and publication as one's own, of the ideas or the expression of the ideas (literary, artistic, musical, mechanical, etc.) of another.

#### Comment:

Merely taking the ideas or expression of another is not in itself plagiarism. The substance of plagiarism is that the plagiarist passes off the ideas or expression of another as his or her own. Thus, the application of the precepts and practices learned in legal writing, particularly the full acknowledgement of sources, is the best safeguard against plagiarism. When a student is in doubt as to the proper treatment and acknowledgement of the ideas or expressions of another, the best course of conduct is to consult the professor for whom the work is being prepared. Plagiarism will be presumed in any case of appropriating the expression or ideas of another without full acknowledgement of sources.

#### Examples:

- (a) submitting as his or her own work an exam or other piece of academic work which has been authored or prepared either wholly or partly by someone else;
- (b) submitting academic work containing passages taken either verbatim or with occasional word changes from the works of others where such passages are not properly acknowledged;
- (c) submitting a paper or other academic work which adopts the ideas of other authors without giving appropriate acknowledgement.

#### Improper Conduct Relating to Examinations Comment:

Improper conduct relating to examinations is generally subsumed under the colloquial term of "cheating." The Oxford English Dictionary defines "to cheat" in this context as:

to defraud, to deprive of by deceit, to deceive, impost upon, trick, to deal fraudulently, practice deceit.

The term "examination" should be read in its widest sense and includes any paper, memorandum, exercise, project, research, or other piece of work written, prepared, or done in the course of a law student's studies or activities at the Law School.

In any examination a student must rely upon only those resources and materials which the instructor has specifically permitted to be used during the examination. Also, a student must complete the examination in the time authorized. For a student to go beyond the resources, materials, or time authorized without prior approval of the instructor or invigilator indicates fraud, deceit, and trickery, and an intent to deceive will be presumed. Such conduct is improper and offensive to the standard of integrity and fair dealing demanded of law students.

It is also improper for a student to employ any means intended to mislead or deceive anyone concerning the work done during the course of an examination. Employing such means leads to an inference that the student is seeking to deceive the examiner and to gain an unfair and dishonest advantage over fellow students.

<sup>1</sup> The term "integrity" and its expression herein is drawn from the Canadian Bar Association Code of Professional Conduct, ch. 1, which has been adopted by the Law Society of Upper Canada. The spirit and intent of the Code which requires civility, candor, honesty and adherence to sound moral principle shall be observed by all law students in their personal and academic behaviour to the end that credit shall be reflected upon the Law School and the legal profession.

It is also improper for a student to employ any other means to gain an unfair advantage in the course of examinations. For example, a student marking his or her examination in such a manner that the identity of the student would be known to the examiner, unless otherwise authorized, would lead to the inference that the student was employing such means to gain an unfair advantage.

For the further guidance of the conduct of students relating to examinations, the Discipline Committee of the Faculty of Law shall from time to time establish and publish a set of rules relating to examinations and examination procedures. Contravention of such rules by a student will lead to an inference of improper conduct.

**Examples:**

- (a) consulting or copying from the examination of another student during an examination;
- (b) taking unauthorized material, or material in excess of that authorized, into an examination room;
- (c) consulting or copying from unauthorized material during the course of the examination;
- (d) communicating with anyone concerning the subject matter of the examination in an unauthorized manner during the course of an examination;
- (e) in cases where the same examination is being written at different times, communicating with another student concerning the subject matter of the examination where the result of such communication may be to give any student an unfair advantage in the examination;

- (f) falsely representing that all or part of a course requirement or examination has been fulfilled or submitted;
- (g) failing to submit an examination immediately upon the expiration of the time authorized for its completion;
- (h) intentionally providing the means or the opportunity for another student to engage an improper conduct relating to examinations.

**Improper Conduct Concerning the Fulfillment of Course Requirements**

**Comment:**

Under regulations of the Law Society of Upper Canada, the study of law leading to an LL.B. degree recognized by the Law Society and only be undertaken by a student on a full-time basis. It follows, and it is the policy of the Faculty of Law, that work done by a law student to gain a course credit towards the LL.B. degree must be work done within the term for which the course credit is sought. Therefore, law students who have previously studied in the subject area of Law School courses must not take unfair and dishonest advantage of any previous work or studies in order to satisfy the requirements of a Law School course. It is also improper conduct to take unfair and dishonest advantage of work done for one Law School course in order to gain credit in another Law School course. However, it is acknowledged and recognized as proper that a student will build upon knowledge previously gained and work previously done, both in and out of Law School, in order to meet the requirements of Law School courses. The substance of improper conduct concerning the fulfillment of

course requirements is the dishonest, undisclosed, and unfair advantage gained by a student who has previously studied or worked in the subject area. Accordingly, it is the duty of a law student who has previously worked or studied in a subject area to consult with and fully disclose the nature and extent of such previous work and study to the instructor from whom he or she seeks a credit for a Law School course. The student is responsible for making the appropriate disclosures at the beginning of the term in which the course credit is being sought.

**Examples:**

- (a) a student who has a work or study background which includes accounting would be acting improperly in enrolling in a legal accounting course without fully disclosing the accounting background to the instructor at the earliest opportunity;
- (b) a student who has prepared a paper for a taxation course on the tax aspects of international business transactions would be acting improperly in using the paper prepared for the tax course in preparing a paper for International Law without fully disclosing the previous work and study to the international law instructor at the earliest opportunity.

**Improper Conduct Relating to the Use of the Law Library or the the University Library**

**Comment:**

The study of law requires intensive utilization of Library Resources, and the library is one of the greatest, most precious, and most permanent assets of the University and the Law School. The standard of integrity demanded of each law

student dictates fair, honest, careful and cooperative use of the library resources of the University and the Law School.

Information concerning the University Library and the Paul Martin Law Library and the conditions under which materials may be borrowed is communicated to the students by notices on the library bulletin boards. Breach of any rules so communicated is improper conduct and may be the subject of discipline proceedings.

**Improper Conduct Relating to the Physical Facilities, Administrative Staff, Academic Faculty, Professional Librarians and the Law School**

**Comment:**

There is no doubt that damage to, or misuse of, physical facilities may be the subject of criminal proceedings. Such conduct may also be the subject of internal discipline proceedings of the Law School whether the conduct amounts to a criminal offence or not. Similarly, conduct which threatens, endangers, harasses, or abuses the staff, faculty or students of the University or the Law School is improper and may be the subject of internal discipline proceedings. The following are the relevant provisions of the University Policy regarding Student Affairs which illustrate such improper conduct:

- (a) dishonesty such as knowingly furnishing false information to the University;
- (b) forgery, alteration, or use of University documents, records or instruments of identification with intent to defraud;
- (c) intentional obstruction or destruction of teaching, research administration,

- disciplinary proceedings or other University activities, including public service functions and other authorized activities on University premises;
- (d) malicious abuse of any person on University premises or at University-sponsored or University-supervised functions or malicious conduct which threatens, endangers or harasses any such person;
  - (e) theft from or deliberate damage to University premises or theft from or deliberate damage to property of a member of the University community on University premises;
  - (f) failure to comply with directions of members of the University administration or of the teaching staff acting in the proper performance of their particular duties;
  - (g) violation of published University regulations, including regulations relating to entry and use of University facilities;
  - (h) violation of published rules governing University residence halls.

**Improper Conduct in the Course of Providing Legal Services or in the Course of Activities Analogous to the Practice of Law**

The Code of Professional Conduct adopted by the Council of the Canadian Bar Association on August 25, 1974, and subsequently adopted by the Law Society of Upper Canada, sets forth rules of professional conduct and ethical principles for the guidance of lawyers. The rules set out therein shall be observed by law students and others engaged in the provision of legal services in connection with the Clinical Education Program of the Law School (Legal

Assistance of Windsor), or the Student Legal Aid Society, or otherwise. In addition, the rules of the Code of Professional Conduct shall be observed by law students engaged in activities analogous to the practice of law such as mock trials and mootings.

**Other Illustrations of Improper Conduct**

It is improper for a student to misrepresent an academic record. (For example, instances have occurred where students have falsely represented the grades attained or courses taken in an attempt to obtain employment.)

It is improper for a student to hold out falsely to have the authority to or in any way represent the University or the Law School. (For example, it would be improper conduct for a student to pretend to represent the Law School in order to obtain secretarial services).

**The Discipline Committee of the Faculty of Law**

In order to uphold and safeguard the objects, purposes, and standards of the University, the Law School, and the Legal Profession a committee shall be established known as the "Discipline Committee of the Faculty of Law" (hereinafter referred to as the Committee). The Committee shall be selected at the commencement of each academic year and shall consist of six voting members. Four of said members shall be students enrolled at the Faculty of Law; one shall be elected by and from the students of Law I, one shall be elected by and from the students of Law II, one shall be elected by and from the students of Law III, and one shall be the President of the Students' Law Society. The remaining two members of the

Committee shall be elected by and from the full time members of the faculty of the Law School.

The Committee shall choose a Chairperson from among its members. The said Chairperson shall be entitled to participate in all proceedings of the Committee and shall have the same voting rights as each other voting member of the Committee and shall not be entitled to a second or casting vote.

The Committee shall hear and decide each case in which it is alleged that a law student has engaged in improper conduct as defined in this policy statement.

**Procedures**

The procedures of the Committee shall be governed by the following provisions and by the Statutory Powers Procedure Act, 1971, S.O. Vol. 2, ch. 47, as amended:

1. Any Academic or administrative official of the University, any faculty member, any professional librarian, or any student of the University may lodge a written complaint alleging improper conduct against any student enrolled at the Law School. Each such complaint shall be lodged with the Associate Dean of the Faculty of Law.
2. The Associate Dean shall cause an investigation to be made concerning the complaint and shall prepare a report setting out the details of the alleged improper conduct and the results of the investigation. Should the Associate Dean so request, the Executive of the Students' Law Society shall appoint a law student to assist the Associate Dean in the investigation of the complaint.

3. Upon completion of the investigation and report, the Associate Dean shall deliver a copy of the said report to the Chairperson of the Committee and to the student against whom the complaint is made. It shall be good and sufficient delivery of such report to the said student if the Associate Dean personally delivers the report to the said student, or in the alternative, forwards the report by registered mail to the said student's last known address. At the same time, and in the same manner, the Associate Dean shall deliver a copy of the Faculty of Law Policy Statement on Student Discipline to the said student.
4. If the Associate Dean is of the opinion that there is sufficient evidence to merit a hearing of the complaint, this shall be so stated in the said report. If the Associate Dean is of the opinion that there is insufficient evidence to merit a hearing, or that the complain is frivolous, this shall be so stated in the said report.
5. Upon receipt of the Associate Dean's report and, after permitting the complainant to make representations if he or she wishes, the Committee shall decide whether or not to hold a hearing.
6. The hearing of the complaint by the Committee shall take place at as early a convenient time as may be arranged by the Chairperson of the Committee. The student against whom the complaint is made shall be given at least seven clear days' notice of the time and place of the hearing.
7. In exceptional cases of improper conduct which threatens to continue and to seriously

disrupt or obstruct the orderly continuation of the activities of the University or the Law School, the committee shall have the power, without prior notification to the student, to make a suspension order against any law student about whom a report has been received from the Associate Dean in accordance with the foregoing provisions. In such cases the time and place of the hearing shall be set by the Chairperson of the Committee and all due speed in light of the circumstances, but the suspended student shall, nevertheless, be entitled to at least seven clear days' notice of the time and place of the hearing unless he or she waives such right. The Committee shall have the power to reinstate before, during, or after the hearing any student who has been suspended under the provisions of this paragraph.

#### Conduct of Hearings

1. The following persons shall have standing before the Committee:
  - (a) The Associate Dean;
  - (b) The student against whom the complaint is made or his or her counsel or agent; and
  - (c) The complainant or his or her counsel or agent.
2. Upon request of a complainant the Associate Dean shall present the complaint and the supporting evidence to the Committee except where:
  - (a) in his or her opinion the interest of the University requires that the hearing proceed on a tripartite basis, or

- (b) the Committee determines that justice requires that the hearing proceed on a tripartite bases.
3. The hearing shall be held in camera unless otherwise requested by the student against whom the complaint is made, in which case the Committee shall order the hearing to be opened to the public, except where the Committee is of the opinion that intimate financial or personal matters or other matters may be disclosed at the hearing of such a nature, having regard to the circumstances, that the desirability of avoiding disclosure thereof in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that hearings be open to the public, in which case the Committee may hold the hearing concerning any such matters in camera.
4. The Committee shall not be bound by, but shall give due consideration to, its past practice and decisions.

#### Sanctions and Definitions

1. After hearing a complaint and the supporting evidence, the Committee shall either dismiss the complaint or impose one or more of the following sanctions upon the student against whom the complaint is made:
  - (a) **caution:** oral notice that the Committee has found the student's conduct to be improper. A caution may be considered appropriate in a case where the student's improper conduct is not considered to offend seriously against the standards set forth in this policy statement.

- (b) **reprimand:** a written notice that the Committee has found the student's conduct to be improper to the extent of warranting an official rebuke. A reprimand may be considered appropriate in circumstances of a more serious nature than those in which a caution would be appropriate.
- (c) **censure:** notice in writing to the said student that the conduct which is the subject of the complaint is improper and beneath the standards of integrity demanded of law students and that any repetition or continuance of such conduct may be cause for more serious disciplinary action by the Committee.
- (d) **disciplinary probation:** exclusion for a specified period of time from participation in extra curricular or social functions of the University and/or the Law School as set forth in the decision of the Committee.
- (e) **restitution order:** an order directing that a sum of money be paid as compensation for damage to or misappropriation of property.
- (f) **suspension order:** an order excluding the said student from classes and all other privileges and activities of the University and Law School for a specified period of time.
- (g) **expulsion order:** an order terminating the status of the said student at the Faculty of Law for an indefinite period of time, with or without conditions of readmission.

2. Where a sanction has been imposed by the Committee a note shall be made on the student's file setting out the circumstances of the case and the sanction imposed subject in appropriate cases to such provisions for removal as the Committee may, in its discretion, determine.
3. In addition to, or in lieu of, the sanctions set out above the Committee may make findings of fact relating to the academic standing of the student against whom the complaint is made and may submit the findings and any recommendations arising therefrom to the Committee of Faculty as a whole, (For example, the Committee might find that a paper was plagiarized and, in addition to, or in lieu of, any disciplinary sanction imposed, recommend to the Committee of the Faculty as a whole that the paper be treated as not fulfilling the requirements of the course for which it was submitted or that a grade of F- be assigned.)
4. The decision of the majority of the voting members of the Committee shall be the decision of the Committee. Four of the voting members of the Committee shall constitute a quorum, provided that at least one of the four is a member of faculty. Any member of the Committee participating in a decision of the Committee shall have been present throughout the hearing. In the event of a tie vote by members of the Committee entitled to vote upon a motion, the motion shall fail.

### Appeal

Decision of the Discipline Committee of the Faculty of Law may be appealed to the Discipline Appeal Committee in the manner prescribed by the Faculty of Law Policy Statement on Student Discipline and Section C of Bylaw 31 of the Senate.

### Miscellaneous

In cases where hearing of the Committee are held in camera, each of the members of the Committee shall be bound by obligations of the strictest confidentiality and secrecy concerning all matters disclosed, discussed, or decided at the hearings except to the extent necessary to make recommendations to the Committee of the Faculty as a whole.

## FEE REGULATIONS AND SCHEDULE

The University of Windsor reserves the right to make changes without any prior notice in the various fee schedules, as well as changes in rules and regulations and revision or cancellation of particular courses and programs. The following regulations apply to all students:

### Payment of Fees

Fees are payable on a semester basis. As a convenience, students may pay their tuition fees at any time prior to registration for each semester.

Certified cheques or other remittances must be made payable to the University of Windsor and mailed or delivered to reach the Cashier's Office no later than the prescribed due date. The student's name and student number should be on the front of the remittance to ensure records are properly credited.

Note: Registration is incomplete until fee payments are made and registration form signed.

### Deferment of Fee Payments

Students unable to complete first installment fees by the prescribed due date may arrange fee deferments on the day of registration under the following circumstances:

- a) A student who has evidence of having been awarded a Canada Student Loan or an Ontario Student Loan which must be assigned to the university to pay the fees (fees may not be arranged on the basis of an anticipated award);
- b) A student who has evidence of having been awarded a scholarship, bursary or similar award, which may be used to pay the fees.

Any known difference between the amount of scholarship, etc., and the first installment must be paid on or before day of registration.

Any student failing to comply with the above regulations may have his or her registration cancelled as of the date the unpaid fees were due.

### Non-payment of Fees and Charges

- a) All information concerning academic results of any student having an overdue debt owing to the school shall be withheld until the debt is settled;
- b) Any student who has an overdue debt owing to the university may not be permitted to re-register until the debt is settled;
- c) Any student who has an unresolved grievance concerning fees or other charges may file an explanatory letter to the Supervisor, Cashier's Office, for transmission to the responsible university officer for consideration.

### Late Payment Charges

Fees are due and payable on the 15th of the month prior to the beginning of classes for each of the Fall and Winter terms, and on the 25th of April for the Summer term. If the 15th or 25th falls on a weekend or statutory holiday, the fees will be due the next university business day following the original due date. Interest is calculated at a rate of 18% per annum, calculated daily and compounded monthly and will be applied to your account on the first day of each subsequent month.

To approximate the amount of interest that will be applicable for an outstanding account use the following formula:

$(18\% \times \text{Outstanding Balance} \times \text{number of days outstanding}) \div 365$

If you are subject to interest charges, they will appear on your account on the first day of the month following the interest assessment.

#### Income Tax

A special certificate in a form acceptable to income tax authorities is required in order that the student claim tuition fees as a deduction for income tax purposes. This certificate will be mailed out early in March to all students whose accounts are paid in full by December 31.

*Note: Certain student activity fees are not allowable for deductions and, consequently, are not included in the certificates.*

#### Education Deduction Certificate (T2202)

This certificate is required in order that the student may claim Student Education Deductions of \$50 a month under paragraph 110(1)(b) or (h) of the Income Tax Act. It is produced by the Registrar's Office and mailed out in early March.

#### Scholarships

Scholarships and other awards available by the university and paid to students through the Director of Finance Office will be credited to the student's account, on the basis of one-half paid in each semester. A cheque for the remaining balance, if any, will be given to the student at the Cashier's Office.

#### First installment after October 31.

#### Second installment after February 28.

#### Free Tuition for Students 60+

Conscious of the fact that there are many people beyond their college years who might attend the university with profit, the university offers the incentive of free tuition for those 60 years of age and over. It is felt that people in this group might wish to avail themselves of the university facilities, not only for degree purposes, but for personal enrichment and the fuller utilization of their leisure time. If you feel your needs can be served according to this program, we encourage and invite you to contact us. This applies to Canadian citizens only.

#### Extra Course Fee

Overload courses are deemed to be courses taken in addition to the prescribed yearly load in a given program. A student carrying an academic overload must have the permission of the Dean and will be assessed the appropriate fee.

#### Withdrawal and Refund Policy

Full-time undergraduate students who intend to withdraw completely from the university are required to undergo an interview and complete the appropriate forms at the Office of Student Development and Support. Notice by telephone is not acceptable.

Failure to attend classes absolutely does not constitute a withdrawal.

Refunds are based on academic withdrawal dates. Full-time students will be assessed based on the date of withdrawal. See the *University of Windsor Undergraduate Calendar* for details.

Refunds resulting from complete withdrawals will be available no earlier than six weeks after date of withdrawal. Refunds resulting from net course drops will be available only on request or after the February 28th audit.

#### Residence Housing

Residence fees and information on the application procedures are obtained by contacting Residence Services, Rm. 19, Vanier Hall, (519) 253-3000, ext. 3279, 3280 ([www.uwindsor.ca/residence](http://www.uwindsor.ca/residence)). A deposit is required to confirm residence reservations. Residence deposits are partially refundable to students who contact the residence office in writing by the date noted on their acceptance letter, usually mid-August.

The Residence License and Meal Plan Agreement is for two semesters. Students who withdraw from residences may receive a partial refund if they withdraw academically or have approval of the Associate Director of Residence.

Law students will be required to pay per diem extension rates for every day that they remain in residence following the contract termination date.

## SCHOLARSHIPS, AWARDS AND BURSARIES

### Applying for an Award

Most applications should be available for completion on-line at [www.uwindsor.ca/awards](http://www.uwindsor.ca/awards). Those that are not can be picked up from the Associate Dean of Law's office. Information is often posted on the TV screens in the law school, on bulletin boards, and online at [www.uwindsor.ca/law](http://www.uwindsor.ca/law). The onus is upon students to inform themselves of all information regarding awards.

### Faculty of Law Emergency Loan Fund

To help you if you find yourself in an emergency situation, the Faculty of Law operates an Emergency Loan Fund which assists students in temporary periods of financial difficulty. Further information is available from the Assistant to the Dean of Law.

### University of Windsor Emergency Loans

The university operates an Emergency Loan Fund which supports students through temporary periods of financial difficulty. Amounts up to \$600 are available for periods of up to two months if satisfactory arrangements for repayment can be made. Further information is available in the Awards Office.

### Research Assistant Positions

A limited number of research assistant positions are available during the academic year and summer, depending on funding. The Associate Dean of Law coordinates these positions and can be reached at (519) 253-3000, Ext. 2923.

### University of Windsor Student Awards & Financial Aid

The University of Windsor Awards Office provides several services that may be useful to you in finding the financial resources that you will need for next year. Financial aid counselling is available through the office. As well, the book "Clueless? Not!" Empowering Students with Financial Savvy" is available for free from the office.

This office is also where you will find the forms for University of Windsor bursaries as well as any OSAP-related inquiries or information.

Student Awards & Financial Aid has a limited number of Emergency Loans available. If you find yourself in a dire financial situation, they may be able to help.

#### Student Awards & Financial Aid

401 Sunset Avenue  
Windsor, ON N9B 3P4  
Tel: (519) 253-3000, Ext. 3300  
Fax: (519) 973-7087  
E-mail: [award1@uwindsor.ca](mailto:award1@uwindsor.ca)  
Internet: [www.uwindsor.ca/awards](http://www.uwindsor.ca/awards)

### Work Study Program

This program provides part-time jobs on campus for students demonstrating genuine financial need related to basic living expenses and educational costs. These positions offer opportunity for both financial benefit and skills development. Students must complete Work Study applications which are available at the Student Awards & Financial Aid Office.

### Entrance Scholarships and Awards

#### Blake, Cassels & Graydon LLP Entrance Scholarships

Two scholarships of \$1,250 each to be awarded to students entering first year of the LL.B. program. Students are selected on the basis of academic performance. Community service may also be considered.

#### Ron W. Ianni Entrance Scholarship in Law

An award of \$3,000 is to be given annually to a student entering Law I who has demonstrated financial need as well as a record of strong academic performance. Established in 1998 through the Ontario Student Opportunity Trust Fund by friends of Dr. Ianni. This award is subject to OSOTF requirements. Apply on-line.

#### J.D./LL.B. Scholarship

A \$3,000 scholarship given to a student entering the J.D./LL.B. program with the highest cumulative average. There is also a \$3,000 award presented to the student standing first in Law I and II of the program.

#### Rae Marcus Scholarship

An annual award of \$700 to a mature student, preferably female, entering Law I at the Faculty of Law, on the basis of academic standing and financial need. Apply on-line.

#### Newton Rowell Scholarship

Three awards of \$2,500 each awarded to students entering Law I on the basis of academic excellence as well as a demonstrated interest in and commitment to public service. Established in 1992 by the Honourable Henry

N. R. Jackman, Lieutenant Governor of Ontario, in honour of his grandfather, Newton Rowell, a public servant, lawyer and judge.

#### University of Windsor Faculty and Staff Entrance Awards

Twelve \$1,000 entrance scholarships, one for each undergraduate faculty, and four at large, for residents of Essex, Kent and Lambton counties who have not received a concurrent award greater than \$500. Candidates entering first-year university must have an average of at least 80%; candidates entering the Faculties of Law and Education must have an "A" average. Funds for these scholarships are donated by the faculty and staff of the university, and are administered by the Faculty Association and the Committee on Student Affairs.

#### University of Windsor Law Entrance Award

Four awards of \$550 are available to students entering first year with superior admissions qualifications.

### Scholarships, Awards and Bursaries

#### Access to Justice Bursaries

Five bursaries valued at \$1,000 and 20 bursaries valued at \$500 are awarded annually on the basis of financial need and academic merit to students registered in Law I, II and III. Academic standing will be taken into consideration with respect to applications from second- and third-year students, an average of C+ or greater being a prerequisite for consideration. The bursaries have been established through the support of the Law

Foundation of Ontario and reflect its continuing commitment to support deserving and needy students in their efforts to obtain a legal education. Apply on-line.

**Bartlet & Richardes LLP Centennial Award for Academic Excellence**

An annual award of \$1,500 is provided by the partners of Bartlet & Richardes LLP, Barristers and Solicitors of Windsor, to the student with the highest cumulative academic average in the Bachelor of Laws Program upon graduation. This recognition of excellence is in celebration of the centennial year of the Bartlet & Richardes law firm which was founded in 1887.

**Blake, Cassels & Graydon LLP Award (Blake's Scholar)**

One award valued at \$5,000 awarded to a Law II student standing within the top 10 per cent of the Law I class, on the recommendation of the Dean. Financial need and membership in an historically disadvantaged group, community involvement, extra-curricular activities and other relevant facts may be taken into consideration. Award may be renewable in Law II. By invitation only.

**Blake, Cassels & Graydon LLP Prize**

A prize of \$500 awarded annually to the graduating student achieving the highest standing in those subjects falling within the corporate/commercial study of law (e.g. Business Associations, Commercial Law, Corporate Topics, Commercial Topics, Taxation, Securities Regulation, Corporate Finance).

**Board of Governors Medals**

Given to the student in each Faculty with the highest cumulative average of all non-graduating students in the preceding session (September-May). The recipient must have First Class Honours standing.

**Borden, Ladner, Gervais LLP Prize in Advocacy Awards**

Two \$500 awards presented annually by the law firm of Borden, Ladner, Gervais LLP to the two upper-year law students judged by the presiding panel to have demonstrated the highest advocacy skills in the championship round of the Zuber Moot Court Competition held in November.

**Cassels, Brock & Blackwell LLP Centennial Prize in Practice Skills**

An annual prize of \$500 established by Cassels, Brock & Blackwell LLP, in recognition of the founding of the firm in 1888, to be awarded on the recommendation of the Dean to a Law II or III student who, through course work, clinical education or extracurricular activities exhibits exceptional ability in the understanding and pursuit of skills essential to a legal practitioner, such as drafting, legal writing, advocacy, research, interviewing, counseling, mediation, negotiation, legal ethics and professional responsibility.

**Charles J. Clark Q.C. Memorial Award**

An annual award of \$500 made by the McTague Law Firm LLP to honour the outstanding career of the late Charles J. Clark, Q.C., as a distinguished lawyer and dedicated servant of the community. The award is to be

made to a law student who has successfully completed Law I or Law II. The recipient will be selected by the Dean and Associate Dean of Law, on the basis of scholarship and personal qualities, including adherence to high personal and ethical standards and a demonstrated commitment to serve the community.

**Charles J. Clark Scholarship in Law**

Three awards of \$1,250 given annually to Law II or III students who have maintained academic excellence and have demonstrated an involvement in community and volunteer activities. This award was established in 1995 by The Rotary Club of Windsor and the University of Windsor. Apply on-line.

**Chippewas of Mnjikaning/McCarthy Tétrault Aboriginal Scholarship**

An annual scholarship established in 2002 by the Mnjikaning First Nation and McCarthy Tétrault. This scholarship is presented annually to an Aboriginal student based on financial need, academic excellence and commitment to the Aboriginal community. Apply on-line.

**Class of 1997 Award**

Interest from this fund will provide an annual award to a Law II or III student. The award is based on academic performance, financial need, and extracurricular activities plus contributions to the Faculty of Law, the University of Windsor and the community. A minimum average of B- required. This award is subject to OSOTF requirements. Apply on-line.

**Philip J. Courey Sr. Annual Bursaries**

Two bursaries valued at \$500 each awarded on the basis of financial need to students registered in Law II or III. Apply on-line.

**Delos Rogest Davis, K.C., Memorial Award**

Value: \$500. Established in 1969 in memory of Delos Rogest Davis, K.C., the first black lawyer in Canada, who was called to the Upper Canada Bar in 1887. This memorial award is presented annually to the law student entering third year who best exemplifies the ideals of Delos Rogest Davis, especially through his/her community involvement and contribution. Apply on-line.

**Ducharme Fox LLP Advocacy Award**

Award of \$500 for an upper-year student who has exemplified excellence in advocacy in a national moot competition. The recipient must be a member of either the Arnup Cup Mock Trial, Corporate Securities Moot, Gale Cup Moot, Jessup International Law Moot, Laskin Moot, Niagara International Law Moot or the Wilson Moot. The successful candidate will also have his/her name added to a plaque. This award is administered by the Students' Law Society.

**Essex Law Association Centennial Scholarship**

An award of \$1000 established by the Essex Law Association is awarded to the student standing first in Law I.

**Faculty of Law Community Service Award in Memory of Reinhart Lehman**

The interest earned from a trust fund is awarded annually to a graduating student who has contributed significantly to the community at large

while studying in the Faculty of Law. Established in 1981 by Mr. and Mrs. George Lehman.

#### **Faculty of Law, J.D./LL.B. Award**

Ten or more awards valued at \$3,000 each presented annually to students in the J.D./LL.B. program based on financial need and academic standing.

#### **Faculty of Law Prize in Professional Ethics and Conduct**

An annual prize of \$150-\$200 to the student who, in the eyes of his/her colleagues, exemplifies characteristics of integrity, competence and professional conduct in academic and extracurricular activities. The recipient is chosen by a committee comprised of three student members of the executive of the Students' Law Society and the Associate Dean of Law. The primary criterion is interest in and commitment to the ideals of professionalism expected of lawyers in their obligations to the community, courts, clients, the profession, other lawyers and themselves. Established in 1982 by a group of Queen's Counsels in the Essex County Law Association.

#### **Fasken Martineau DuMoulin LLP Achievement in Law Award**

An annual award of \$500 to the student who has achieved superior academic standing in the first year of Law and has demonstrated qualities of leadership and good citizenship through contribution to the community. Established in 1999 by Fasken Martineau DuMoulin LLP.

#### **Harold G. Fox Bursaries**

Eight bursaries totalling \$1,000 are contributed by the Harold G. Fox Education Fund and are awarded annually to the top four students in each of the first two years, who will re-register in the succeeding year at the university.

#### **Ron Fritz Scholarship in Law** (starting in 2006)

This award will be presented to the graduating student with the highest cumulative average, providing that the student has completed a minimum of two years of study at the University of Windsor, Faculty of Law. This award was established by Ron Fritz LL.B. 1971, the Board of Governors Gold Medalist in the first graduating class.

#### **Barbara Gesell-Ferreira Memorial Award**

An annual award of \$500 has been established in the memory of the accomplishments of Barbara Gesell-Ferreira who passed away during her first year of law study. The award is to be made to a Law II student who best exemplified integrity, dedication, vitality, and extracurricular involvement during their first year as well as financial need. Students must be nominated by their peers.

#### **Alex Fraser and Eva Shumer Goldberg Scholarship in Law**

An award of \$400 is granted to a student entering third-year law, on the basis of overall academic standing and contribution to the extracurricular, academic and social life of the faculty. Established by friends of Mr. Goldberg to honour his memory.

#### **Brad Hodgson Memorial Award**

Awarded to the student in Law I or II who participates extensively both in student government and other extracurricular activities, demonstrating leadership, energy and commitment to the full range of law school opportunities. A minimum GPA of 9.5 is required. Established in 1999 in memory of Brad Hodgson, a graduate of the Faculty of Law and former President of the Students' Law Society. Apply on-line.

#### **Ron W. Ianni/University of Windsor Alumni Scholarship in Law**

One award valued at \$3,700 given annually to a student entering Law III who has achieved at or near the top of Public International Law and demonstrated financial need. Established in 1998 by the Toronto Chapter/University of Windsor Alumni. This award is subject to OSOTF requirements. Apply on-line.

#### **Igor Kaplan Memorial Award**

A \$1,000 award presented annually to a Law I student who has exemplified the traditions of the law in scholarship commitment and integrity. Established in 1981 by Aird & Berlis, Barristers, of Toronto, as a memorial to the late Igor Kaplan, Q.C.

#### **Honourable Julius Alexander Isaac Scholarship**

An annual scholarship will be presented to a student of African descent, based on financial need, community service and a demonstrated promise of academic excellence.

#### **J.D./LL.B. Scholarship**

An annual \$3,000 scholarship presented annually to a student entering the J.D./LL.B. program with the highest cumulative average. There is also a \$3,000 award presented to the student standing first in Law I and II of the program.

#### **Law Foundation of Ontario/Law Alumni Access to Legal Education Bursaries**

Ten bursaries valued at \$1,000 presented annually to students to enhance their access to a legal education at the University of Windsor, Faculty of Law. These bursaries are based on financial need and academic achievement. Established in 2002 by the Law Foundation of Ontario and the Faculty of Law alumni. Apply on-line.

#### **Law School Alumni Bursaries**

Three bursaries valued at \$400 each awarded annually on the basis of financial need, to students in Law II and III. An average of C+ or greater is a prerequisite for consideration. The bursaries have been established by the law school alumni from the generous contributions made annually by them toward the development of the faculty and its students. Apply on-line.

#### **Law Society of Upper Canada Education Equity Award**

An annual award of up to \$1,666 is available to a Law II or III student in good academic standing. Applicants must be a member of a visible minority group, an Aboriginal person, a gay or lesbian person or a person with a disability. Applicants must also exhibit financial

need and demonstrate a commitment to advancing equity for disadvantaged groups in the community. Apply on-line.

#### **Kenneth Alvin Lockett Memorial Award**

This cash award is in the memory of Kenneth A. Lockett, a successful businessman, philanthropist and friend who personified the meaning of the word "friendship". His untold acts of unconditional kindness have left his imprint of love on so many. The award is to be presented to a Law III student on the basis of financial need, service to the community and personal qualities, including adherence to high personal and ethical standards, civility, humility and generosity of spirit. Applicants for this award must be nominated by their peers. This award was established by Lori Marzinotto and Vassili Spyropoulos in 2002 to honour Mr. Lockett's memory.

#### **John McAuliffe Memorial Award**

An annual award of at least \$350 for the student graduating with the highest cumulative average from the Faculty of Law. Students must have completed at least two full years of study at the University of Windsor. Established in 1999 by the Study Seminar for Financial Analysts, through Dr. Edward Rosenbaum, to honour the memory of John McAuliffe, former Vice-President Academic and Professor of Law at the University of Windsor.

#### **McCarthy Tétrault Prizes**

Two prizes of \$500 awarded to students in the first and second year of study at the faculty who, in the opinion of the teaching faculty, merit special recognition for academic achievement.

#### **Brian E. McIntyre, Q.C. Memorial Award in Criminal Justice**

Value \$600. An annual award to a Law II or III student who demonstrates commitment to and general proficiency in criminal justice.

In addition, financial need and community, athletic and/or cultural activities within the university or community at large will be considered. Selection will be made by the Dean and Associate Dean. Established in 1986 by friends and colleagues in memory of Brian E. McIntyre, Q.C., Crown Attorney in Essex County 1977- 1985. Apply on-line.

#### **McMillan Binch Scholarship of Excellence**

An annual award of \$5,000 given to a Law II student who has achieved academic excellence in Law I and has a demonstrated financial need. This award was established in 1998 by the McMillan Binch law firm. By invitation only.

#### **McTague Law Firm LLP Awards**

Two awards valued at \$150 and \$200 established by McTague Law Firm LLP for students standing first and second respectively in second year, provided they re-register in the succeeding year at the university.

#### **Teresa Merlo Memorial Award**

A fund of \$20,000 established as a memorial to the late Teresa Merlo by her children. The interest earned by the fund annually is divided equally among students who achieve the highest standing in the third year of engineering, entering fourth year, and in the second year of law, entering third year.

#### **Miller, Thomson LLP Bursaries**

Two bursaries valued at \$250 each for law students entering second and third year. Awarded on the basis of academic standing, financial need and participation in extracurricular activities of a scholastic nature. Apply on-line.

#### **Frank Montello Q.C. Bursary**

Awarded annually to a Law II student on the basis of financial need. Established in 1999 by the family and friends of Mr. Montello to honour the occasion of his retirement. Apply on-line.

#### **Ogilvy Renault Award**

Award value of \$500 established by the law firm of Ogilvy Renault and awarded on the basis of academic excellence to a student entering Law III who has contributed to the academic life of the law school and demonstrated the ability to work well with others.

#### **OSAP (Ontario Student Assistance Program)**

Loans are available to Ontario residents. Additional information on this loan is available from the University of Windsor Awards Office.

#### **Mary Anne Sanderson Award**

An annual award of \$500 to a Law II or III student in financial need who has shown outstanding ability in advocacy. The award was established by the law firm of Lerner & Associates LLP, to honour its partner, Mary Anne Sanderson, a graduate of the Faculty of Law, University of Windsor, on her call to the Bench of the Ontario Court (General Division). This award is subject to OSOTF requirements. Apply on-line.

#### **Naudia Marina Seebaran Memorial Award**

An annual award of \$200 to be presented to a Law II student who participates in the life of the law school by their involvement in at least three clubs/societies/clinics. A satisfactory average and financial need are prerequisites for consideration. Naudia passed away during her third year of law school after a courageous battle with cancer. She lit up the law school with her beautiful smile and love for life. Naudia was passionate about the law school and was involved in many clubs. This award was established in 2002 by friends of Naudia Seebaran.

#### **Seymour Howard Schott Memorial Bursary**

An annual award of \$1,000 presented annually to a law student in good standing based on financial need. Established in 2002. Apply on-line.

#### **Michael Steinmetz Memorial Award**

An annual award of \$90 made to the graduating student who has exemplified the Access to Justice traditions of the Faculty of Law by overcoming personal disadvantages in the achievement of a legal education.

#### **Stitt Feld Handy Group Award in Legal Process**

An annual award of \$1,250 presented to a student in the Legal Process course, who demonstrates financial need. This award is subject to OSOTF requirements. Apply on-line.

#### **Honourable Walter S. Tarnopolsky Award**

A cash award together with a plaque as a memento is presented to a student entering either Law II or Law III who has demonstrated

those qualities for which Justice Walter S. Tarnopolsky, former Dean of the Faculty of Law, was known and esteemed, namely respect for and commitment to equality and human rights, service to the community, civility and generosity of spirit. Apply on-line.

**Torkin, Manes, Cohen and Arbus Award**

An award of \$500 is made annually to the Law II or III student distinguished by combined academic achievement and service to the community. The names of recipients are to be placed upon a permanent plaque to commemorate their achievement. Apply on-line.

**J.S.D. Tory Writing Awards**

Two prizes of \$500 each are awarded annually to the law students who have contributed the best articles for publication in the *Windsor Review of Legal and Social Issues*.

**Dorothy Waddicor Award in ADR**

An annual prize of \$1,900 awarded to a Law II or III student in an ADR course that demonstrates financial need. The recipient must meet O.S.O.T.F. guidelines. This award was established in 1995 by Stitt Feld Handy Houston. Apply on-line.

**Dorothy Waddicor Memorial Scholarship**

An award comprising of the income from a trust is awarded to a student in the LL.B. program who has satisfactory academic standing and demonstrated financial need. The award was established in 2002 by the Stitt Feld Handy Group and friends of Dorothy Waddicor. Apply on-line.

**Whiteside Award**

Six graduating students receive a plaque in recognition for their contribution to the law school, the legal profession and the community at large. Also taken into consideration are their service to society, commitment to the provision of services which enhance the quality of life and access to justice. This award was established by the Students' Law Society in 1980 upon the retirement of Professor John Whiteside. This award is handled by the Students' Law Society.

**Robert H. Wilson Memorial Awards**

Two awards of \$300 and \$200 are provided by Wilson, Walker, Hochberg, Slopen LLP, Barristers and Solicitors, for students standing first and second respectively in Law III.

**Windsor Review of Legal and Social Issues Prize**

A prize of \$200 for a student registered with any faculty of the University of Windsor submitting the best article for publication in the Review. Selection is to be made by the editors of the Review. Donated by John McLaren, former dean of the Faculty of Law.

**Ben Yuffy Memorial Award**

A award of \$200 presented annually to a Law II or III J.D./LL.B. student on the basis of financial need as well as demonstrated characteristics such as compassion, family values, a sense of humour, integrity, professional conduct and a commitment to helping others. Established in 1994 by the partners of Roberts, Goldstein, DeBiase, to honour the late Benjamin H. Yuffy. Apply on-line.

**The Zuber Moot Factum Award**

One prize donated by C.C.H. Canada Limited (the Canadian Family Law Guide) and one prize donated by Canada Law Book Limited (a \$100 book prize) are awarded annually to the students who have submitted the best written factum in the Zuber Moot Court Competition held in November.

**Thomas Zuber Mooting Trophy and Prizes**

A trophy and prizes are presented annually to four students achieving the best performance in the senior mooting competition, the Zuber Moot Court Competition. This award is administered by the Students' Law Society.

**Course Prizes**

**Bereskin & Parr Prize in Industrial and Intellectual Property**

A \$500 prize awarded annually to the student with the highest standing in any Industrial and Intellectual Property course at the University of Windsor during the academic year.

**Borden, Ladner, Gervais LLP Prize in Taxation**

A prize of \$200 presented annually by the law firm of Borden, Ladner, Gervais LLP to the student achieving the highest grade in Income Taxation.

**Raymond E. Brown Alumni Prize in the Law of Torts**

An annual prize of \$250 has been established by Law School alumni to be awarded to the student in each year who achieves the highest grade in Torts. The prize is in recognition of the contribution made by Professor Raymond E.

Brown to the faculty and to the professional development of its students.

**CCH Prize for Legal Writing**

A prize of \$500 awarded annually by C.C.H. Canadian Limited to the student achieving the highest grade in the first year Legal Writing and Research course.

**Cassels, Brock & Blackwell LLP Centennial Prize in Constitutional Law**

An annual prize of \$500, established by Cassels, Brock & Blackwell LLP in recognition of the founding of the firm in 1888, is awarded to a Law II or III student who achieves the highest combined average in two courses, to be selected by the Dean, one course in Constitutional Law, Human Rights or Civil Liberties, and the other course in Advocacy, Trial Advocacy or Constitutional Litigation.

**The J. Lawrence DeShield Memorial Award in Municipal Law Studies**

An annual award for \$300 is made to the graduating law student with the highest cumulative average in not fewer than two of the Municipal Law cluster of courses. These include Municipal Law, Land Use Planning, Advanced Municipal/Planning/Environmental Law and such others as may be designated from time to time by the Dean of Law. The award is established by Wira Hamiwka DeShield, the family, friends and associates of J. Lawrence DeShield, in his memory, and is designed to encourage interest and greater proficiency in Municipal Law.

**Fasken Martineau DuMoulin LLP Achievement in Contract Law Award**

An annual award of \$300 was established in 1999 by Fasken, Martineau, DuMoulin LLP and presented to the Law I student achieving the highest standing in Contract Law.

**Fraser Milner Casgrain LLP Award in Advanced Taxation**

An annual award of \$300 to a student with the highest standing in Advanced Taxation.

**Alvin D. From Bursary** (suspended until 2006)

A bursary based on academic standing and financial need to a student registered in Transfer of Land (Real Estate Transactions). Established in 1985 in memory of Alvin D. From, Q.C. Apply on-line.

**Alvin D. From Memorial Scholarship in Civil Procedure**

A \$500 scholarship presented annually to the student standing highest in Civil Procedure. Established in 1985 by friends and colleagues of Alvin D. From, Q.C., first Master of the Supreme Court of Ontario at Windsor.

**Gowlings Prize in Civil Trial Advocacy**

An annual amount of \$300 provided by the firm of Smith, Lyons LLP to the student with the highest standing in the course on Civil Trial Advocacy.

**Gowlings Prize in Securities Regulation**

An annual prize of \$300 provided by the firm of Smith, Lyons LLP to the student with the highest standing in the course on Securities Regulation.

**Koskie & Minsky Prize in Labour Arbitration**

An award of \$300 granted to the student achieving the highest grade in Labour Arbitration.

**E. Bruce Leonard Prize**

This \$1,000 prize is awarded annually to a Law II or III student with the highest mark in the Windsor Law course which contains the largest component of the laws of bankruptcy and insolvency. This course was established in 2002 by the Insolvency Institute of Canada to honour E. Bruce Leonard, a partner at Cassels Brock & Blackwell LLP.

**Judge Bruce J.S. MacDonald Awards in Criminal Advocacy**

Two awards valued at \$150 each to students in Criminal Advocacy who exemplify high ethical and scholarly standards required for effective Criminal Advocacy. In memory of Gordon L. Fraser, an outstanding criminal lawyer. Apply on-line.

**The Judge Joseph P. McMahon Award in Administrative Law**

A fund has been established jointly by the Windsor Police Association and the Board of Commissioners of Police for the City of Windsor to provide an annual award of \$200 to the student in Law I achieving the highest grade in Administrative Law. The award is made in honour of a distinguished jurist who earned the respect of the Windsor Police Force and Community of Windsor during nine years of service as member and chair of the Police Commission.

**Joseph Micallef Memorial Award In Family Law**

An annual award is made to the Law II or III student who is distinguished by conduct, has an interest in the area of Family Law and academic standing in Family Law studies, from a fund established by the Mousseau, DeLuca Law Firm, classmates of the late Joseph Micallef and his colleagues in the practice of Family Law, in his memory.

**Max N. Mousseau, Q.C., Memorial Award in Municipal Law**

An annual award valued at \$150 is granted to the student standing first in Municipal Law. Established in 1988 by Armando F. DeLuca, Robert P. Hilbers, Richard A. Dinham, Douglas W. Phillips and Thomas R. Porter, in memory of their partner, Max N. Mousseau, Q.C.

**The Osgoode Society Legal History Book Prize**

Established by The Osgoode Society to be awarded to a student who, in the opinion of the Faculty, merits special recognition for work in legal history.

**Osler, Hoskin & Harcourt LLP Prize**

An annual prize of \$300 has been provided by the firm of Osler, Hoskin & Harcourt LLP, Toronto, to be awarded to the student in Law II or III who submits the best paper in fulfillment of the written requirement for a seminar course or in the context of a supervised study course. A committee composed of the Dean, the Editor-in-Chief of *The Windsor Yearbook of Access to Justice* and the chairperson of the Academic Program Committee will be evaluating the papers. The papers must be

of publishable quality. They will be judged on the basis of the depth of research, organization, originality of thesis and contribution to the development of legal knowledge.

**Raphael Partners LLP Award in Insurance Law**

An award of \$150 has been provided by Raphael Partners LLP to the student with the highest grade in Insurance Law.

**John H. Rodd, K.C., Award in Conflicts**

An award of \$150 provided for the students achieving the highest grade in each section in Conflicts.

**The Scotiabank Awards**

Two annual awards of \$500 each available to second- or third-year law students. One prize is awarded to the student achieving the highest standing in the course related to Trusts, and one prize is awarded to the student achieving the highest standing in the course related to Wills.

**Sherrard Kuzz LLP Prize in Labour, Employment and Administrative Law**

A \$500 prize established by the firm of Sherrard Kuzz LLP and awarded annually to a student in Law II who has achieved academic excellence in the following areas of study: labour law, employment law and administrative law.

**Stikeman Elliott/Carswell National Tax Award**

Valued at \$1,000, this award is given annually to the graduating law student with the highest grades in Taxation courses.

**Sutts, Strosberg LLP Award in Labour Law**

An award of \$150 has been provided by Sutts, Strosberg LLP, Barristers & Solicitors, to a student achieving the highest grade in their respective sections of Labour Law.

**Joel Wargon Memorial Award**

An annual prize of \$200 is awarded to a Law Student who achieves the highest grade in Immigration Law and Procedure. Established in 1997 by family and friends of Joel Wargon, Class of 1997.

**Frank W. Wilson and Marion Claire Wilson Memorial Scholarship in Constitutional Law**

An annual award in the amount of \$300 awarded to a Law II or III student achieving the highest standing in those subjects falling in the constitutional law area (e.g., Constitutional Law, Canadian Federalism, Civil Liberties). In order to be eligible, a student must have completed at least one senior-level constitutional law course and preference will be given to students who have enrolled in the largest number of senior level courses. Established in 1988 in memory of Frank W. Wilson and Marion Claire Wilson.

**Book Awards and Prizes**

**Canada Law Book Limited Awards**

Book awards of \$150 have been established by the Canada Law Book Company Limited for highest cumulative average in each of the three years of law school.

**Carswell Company Limited Awards**

Book awards valued at \$250 established by the Carswell Company Limited for highest standing

in each of the first two years of law school and a book award valued at \$500 for highest standing in third year.

**Gavel Award**

A \$100 book prize donated by Carswell, Thomson Professional Publishing is given to the student judge presiding over first-year moots who writes the best reasons in support of his or her judgment. The winner's name is engraved on a plaque donated by the County Court Judges, District No. 1.

**Law Society Award of Excellence**

Fifteen one-year subscriptions to the Osgoode Society for Legal History are awarded to the graduating students with the highest cumulative averages.

**Other Awards**

**Roland J. Baldassi Memorial Fund**

Four awards established to provide support for the entry of the Faculty of Law in the Annual Canadian Corporate Securities Law Moot Court Competition. The entry shall be known as the Roland J. Baldassi Corporate/Securities Law Moot Team and each member and their academic coach shall be awarded a commemorative plaque to be purchased from the income of the fund.