

LAW (LAW)

LAW 1002 Preparation for the Study of Law in Canada 0 cr

This course will prepare internationally trained lawyers for the study of law in Canada. It will introduce students to the Canadian legal system and legal terminology, expose students to Indigenous history, culture and legal traditions, and examine what it means to provide culturally competent legal services in the Canadian context. In addition, students will be introduced to resources that support their research, academic and professional needs. Depending on the instructor, this course may include a field trip component. The course is restricted to students taking the Micro-Diploma in Canadian Public Law or the Micro-Diploma in Canadian Private Law. The course is evaluated on a pass/fail basis.

LAW 1102 Contracts 5 cr

This course covers the basic principles of contract law, including: how a contract is formed; what is an offer; what constitutes acceptance; whether all promises are enforceable as a contract; when parties should be allowed to avoid obligations; what happens if one party misrepresents the quality of subject matter of the contract; what happens when a party makes a mistake about what they buy or sell; what should happen if one party takes advantage of another for a better deal for themselves. The course also considers Indigenous perspectives related to contract law. May not be held with LAW 1100.

Mutually Exclusive: LAW 1100

LAW 1140 Criminal Law and Procedure 5 cr

A general introduction to criminal law and procedure dealing with principles of criminal liability, common defenses to criminal charges, selected specific offences, anti-Indigenous racism and discrimination in the criminal justice system, and the basic procedures to be followed in the administration of criminal justice in Canada.

LAW 1378 Passeport du droit en Français 1 1 cr

Language of instruction: French. Le Passeport du droit en français 1 donne aux étudiants de première année du programme J.D. qui participent à la Concentration d'accès à la justice en français l'occasion d'améliorer leur compétence langagière en français, passant d'un bilinguisme réceptif (compréhension orale et écrite) à un bilinguisme actif (expression orale et écrite). Le cours est organisé en une série de colloques informels menés en français par le chargé d'enseignement, des invités et des étudiants de deuxième ou troisième année à propos de thèmes reliés à la pratique bilingue du droit dans l'Ouest canadien, l'accès à la justice en français, l'acquisition de compétences culturelles et divers domaines du droit. Les étudiants prennent part aux discussions en classe et rédigent des textes de réflexion. Le Passeport devrait permettre aux étudiants bilingues de tisser des liens favorisant la prestation de services juridiques aux communautés francophones en situation minoritaire. Ce cours est noté sur une formule réussite/échec. This course is graded on a pass/fail basis.

LAW 1460 Constitutional Law 5 cr

An examination of the legal problems arising from the nature of the Canadian political structure and, in particular, the distribution of legislative powers between the federal parliament and the provincial legislatures, Aboriginal rights in Canada, and an introduction to the impact of the Canadian Charter of Rights and Freedoms.

LAW 1480 Torts and Compensation Systems 5 cr

Tort law is the law of wrongs that are someone's fault. It is private law, which means it concerns relationships between people wherein harms to the person, property, dignity or wealth occur. Tort law consists of a collection of various private law actions and is most often divided between conduct that is intentional and conduct that is negligent. The reality of modern day civil litigation is that the overwhelming majority of tort law suits focus on negligence. As such, the entire first term will be spent on the tort of negligence. In the second term, we will examine the intentional torts (e.g., battery) and other torts such as defamation. Additionally, we will consider the historical and current impact of racism and sexism on tort law and civil litigation, for e.g., in the quantification of damages for Indigenous plaintiffs, etc. We will study legal responses to Residential Schools and cavass areas where Tort law needs to improve.

LAW 1500 Property 5 cr

A general introduction to the principles of property law including both personal and real property law. Personal property law focuses on the concept of possession through finders, gifts and bailment. Real property includes the concepts of estates and interests in land including their historical development and modern application. A study of Indigenous land rights will be introduced including the study of: Aboriginal title, the sui generis nature of rights, land claims, UNDRIP, and Treaty rights.

LAW 1530 Legal System 2 cr

An introduction to the study of law including initial analysis of various aspects of legal history, the structure of the legal system situated in the context of colonialism and Indigenous reconciliation, legal reasoning, statutory interpretation, dispute resolution and the role of the judiciary.

LAW 1540 Legal Methods 5 cr

This course provides foundational skills of legal research, analysis, citation, and writing; statutory interpretation; and professional standards and responsibilities. Treaties, Indigenous legal systems, and responsibilities in Call to Action #28 of the Truth and Reconciliation Commission are included in readings, assignments, class discussions and course delivery. May not be held with LAW 1542. This course is graded on a pass/fail basis.

Equiv To: LAW 1542

LAW 1542 Méthodes juridiques 1-5 cr

Language of instruction: French. Une introduction aux compétences juridiques fondamentales dans les domaines de la recherche et de la rédaction juridique et de la plaidoirie orale. Ce cours est noté sur une formule réussite/échec. May not be held with LAW 1540. This course is graded on a pass/fail basis.

Equiv To: LAW 1540

LAW 2020 Legal Profession and Professional Responsibility 3 cr

This course is a general introduction to the problems of professional responsibility and the ethics of lawyers individually, as well as the legal profession collectively. These problems are to be studied by the critical examination of case law, codes, canons, and other published materials, by classroom discussion and debate on problems; and by workshops and panels that include licensed and practicing lawyers. May not be held with the former LAW 3024.

Mutually Exclusive: LAW 3024

LAW 2378 Passeport du droit en Français 2 1 cr

Language of instruction: French. Le Passeport du droit en français 2 donne aux étudiants de deuxième année du programme JD qui participent à la Concentration d'accès à la justice en français l'occasion d'améliorer leur compétence langagière en français, passant d'un bilinguisme réceptif (compréhension orale et écrite) à un bilinguisme actif (expression orale et écrite). Le cours est organisé en une série de colloques informels menés en français par le chargé d'enseignement, des invités et des étudiants de deuxième ou troisième année à propos de thèmes reliés à la pratique bilingue du droit dans l'Ouest canadien, l'accès à la justice en français, l'acquisition de compétences culturelles et divers domaines du droit. Les étudiants prennent part aux discussions en classe et rédigent des textes de réflexion. Les étudiants de deuxième année lisent un article ou un jugement publié en français et rédigent et présentent un exposé qui commente ce texte. Le Passeport devrait permettre aux étudiants bilingues de tisser des liens favorisant la prestation de services juridiques aux communautés francophones en situation minoritaire. Ce cours est noté sur une formule réussite/échec. This course is graded on a pass/fail basis.

PR/CR: A minimum grade of C is required unless otherwise indicated.
Prerequisite: LAW 1378.

LAW 2400 Wills and Succession 3 cr

The law of testate and intestate succession, The Indian Act, Part IV of The Marital Property Act, and The Dependents' Relief Act.

LAW 2490 Trusts 3 cr

The nature and functions of modern inter vivos and testamentary trusts. The creation of express, private trusts, charitable trusts, resulting trusts, and constructive trusts. The administration of trusts, and real and personal remedies of beneficiaries under trusts. Trusts are also considered as they apply to Indigenous communities.

LAW 2602 Evidence 3 cr

A study of the rules relating to the admissibility and weight of evidence in judicial proceedings. The impact of the rules of evidence on equity-seeking groups, including Indigenous litigants may be considered. May not be held with LAW 2600.

Mutually Exclusive: LAW 2600

LAW 2640 Family Law 3 cr

An overview of key legal issues regarding familial relationships and family breakdown in Canadian society. Topics include cohabitation, marriage, separation, divorce, child custody and access, spousal and child support and property division. Indigenous perspectives as they apply to family law are also considered.

Equiv To: LAW 2642

LAW 2642 Droit de la famille 3 cr

Language of instruction: French. Un aperçu des questions juridiques principales concernant les relations familiales et l'éclatement de la famille dans la société canadienne. Les sujets abordés comprennent la cohabitation, le mariage, la séparation, le divorce, la garde et le droit de visite des enfants, la pension alimentaire pour époux et enfants et la division des biens. May not be held with LAW 2640. This course is restricted to 2nd and 3rd year J.D. students.

PR/CR: A minimum grade of C is required unless otherwise indicated.
Prerequisite: LAW 1542 or written consent of the Associate Dean (J.D.).
Equiv To: LAW 2640

LAW 2650 Introduction to Advocacy 3 cr

A detailed study of the conduct of a case from its inception through to trial. The course requires that students prepare and conduct a trial. May not be held with LAW 2652. This course is graded on a pass/fail basis.
Equiv To: LAW 2652

LAW 2652 Introduction à la plaidoirie 3 cr

Language of instruction: French. Une étude détaillée de la conduite d'une affaire dès son début jusqu'au procès. Le cours exige que les étudiants préparent et mènent un procès. Ce cours est noté sur une formule réussite/échec. May not be held with LAW 2650. This course is graded on a pass/fail basis.

PR/CR: A minimum grade of C is required unless otherwise indicated.
Prerequisite: LAW 1542 or written consent of the Associate Dean (J.D.).
Equiv To: LAW 2650

LAW 2672 Civil Procedure 3 cr

This course covers the procedural elements of a civil lawsuit as it progresses toward a potential trial, focusing on the Court of King's Bench Rules. We will discuss procedural decisions that litigators must consider on topics such as: parties and standing; costs awards; limitation periods; motions; discovery; procedural aspects of a trial; and appeals. We will also discuss specific considerations for Indigenous clients and Access to Justice issues. Through a combination of lectures, class discussion, and assignments students will learn the basic steps of a lawsuit in Canada and how to draft procedural documents (with a focus on Manitoba). May not be held with LAW 2670.

Mutually Exclusive: LAW 2670

LAW 2680 Legal Negotiation 3 cr

Most legal disputes settle before trial. This course examines how lawyers assist their clients through effective interviewing, counseling, strategic planning and negotiation as well as some of the mechanisms, both judicial and non-judicial, that facilitate pre-trial dispute settlement. This course also considers Indigenous topics related to negotiation.

Equiv To: LAW 2682

LAW 2682 Négociation juridique 3 cr

Language of instruction: French. La plupart des litiges se règlent avant le procès. Ce cours examine comment les avocats aident leurs clients par le biais d'entretiens, de conseils, de planification stratégique et de négociations efficaces, ainsi que certains des mécanismes, judiciaires et non judiciaires, qui facilitent le règlement des litiges avant le procès. Ce cours est noté sur une formule réussite/échec. May not be held with LAW 2680. This course is graded on a pass/fail basis.

PR/CR: A minimum grade of C is required unless otherwise indicated.
Prerequisite: LAW 1542 or written consent of the Associate Dean (J.D.).
Equiv To: LAW 2680

LAW 2690 Corporations I 3 cr

A study of the major legal, practical and policy issues arising out of the formation and operation of business organizations in Canada, with a particular focus on business corporations. Students will examine major principles of Canadian corporate law, including corporate personality, management power, majority rule and minority protection. The corporate form in Indigenous contexts is also considered.

LAW 2700 Income Tax Law and Policy 3 cr

The object of this course is to develop a working knowledge of the basic principles and rules of the income tax system as these apply to individuals. A parallel objective is the discovery of the major policy positions that inform the personal income tax system and the development of the ability to use tax policy analysis to evaluate advantages of, and problems with, the current system. Aspects of the taxation of Indigenous peoples are also considered.

LAW 3006 Extended Clinical Experience 6 cr

This course allows students an opportunity to work in a legal context where they gain professional knowledge and skills related to law, the legal profession and legal practice, and an opportunity for further progression in clinical complexity and to be assessed on a graded basis. Particular emphasis will be given to questions of professional responsibility and ethics. Within the workplace, students will be required to participate in various forms of exercises and to conduct work within an actual work setting where they face real day-to-day work situations under the supervision of practicing lawyers. Depending on the nature of the placement, they may be required to engage in classroom work such as an oral presentation, case law analysis, larger reflection papers, or essays. This course can be repeated when the subtitle is different.

LAW 3008 Competitions A: Appellate Advocacy and Mooting 3 cr

This course is strongly recommended as preparation for students planning to participate in the traditional appellate moots (Competitions B). The course is designed for students selected as either an oralist for one of the appellate moots or selected as a researcher for one of the same moots. This course provides learning with respect to the writing of a factum, the basic skills of oral advocacy in the appellate context and discusses issues of style of both written and oral presentation. This course provides skills that will prepare students for the moots, regardless of the legal issue of their particular moot. May not be held with LAW 3980 when titled Current Legal Problems B: Appellate Advocacy and Mooting.

LAW 3012 International Business Law 3 cr

Explores the legal, practical and social realities of international business transactions including issues involving Indigenous businesses and international business.

LAW 3014 International Trade Law 3 cr

The course will deal with the doctrine, practice and policy issues in international trade and business.

LAW 3016 Corporations II 3 cr

An advanced study of corporations law from various theoretical and practical perspectives.

LAW 3018 Human Rights Law 3 cr

Critical and constructive study, at an advanced level, of a significant major subject or set of topics (including among others the historic development of human rights, international and domestic human rights, Indigenous Rights, etc.) in Human Rights Law.

LAW 3020 Clinical Administrative Law 3 cr

The primary purpose of this course is to train students in lawyering skills. Students will be required to engage in classroom work and participate in simulated exercises. Emphasis will be given to the difference between board and court advocacy.

LAW 3022 Insurance Law 3 cr

Introduction to the basic principles of insurance law. The fundamental elements to most types of policies will be examined with particular emphasis on property and liability insurance. The terms and provisions specific insurance policies and coverages such as automobile, property, liability policies will also be covered.

LAW 3026 Trademarks and Patents 3 cr

An in-depth examination of the law of Trade-marks and Patents, including underlying policy objectives.

LAW 3028 Copyright Law 3 cr

An in-depth examination of the law of Copyright.

LAW 3030 Research Paper B 3 cr

Details in each case to be worked out with the Associate Dean. 10,000 words for 3 credit hours. May not be held with LAW 3490.

Mutually Exclusive: LAW 3490

LAW 3032 Court of King's Bench Clerkship 3 cr

Students will be expected to provide research assistance to the Justices, and students will be asked to provide written memoranda and other research to help the Justices prepare for trial or application hearings. Discussions of legal issues may follow from the work that students do. May not be held with LAW 3250 when titled "Court of Queen's Bench Clerkship" Grading: Pass/Fail.

Mutually Exclusive: LAW 3250

LAW 3034 Court of Appeal Clerkship 3 cr

Students will be expected to provide research assistance to the Justices, and students will be asked to provide written memoranda to help the Justices prepare for hearings. Discussions of legal issues may follow from the other work that students do. Grading is on a Pass/Fail basis.

LAW 3036 International Law Moot Court Competition 3 cr

This course provides law students with the opportunity to participate in the Canadian National Rounds of the Philip C. Jessup International Law Moot Court Competition, with the possibility to advance to the International Rounds. In this course, students will be required to research complex issues of public international law and prepare written and oral arguments in a hypothetical case before the International Court of Justice. May require travel. This is a pass/fail course.

PR/CR: A minimum grade of C is required unless otherwise indicated.

Prerequisite: LAW 3740.

LAW 3042 Non-Appellate Moots 3 cr

Non-appellate moots are consensus-based and non-adversarial and provide students with alternative skills in the development of persuasive arguments. These moots include the Kawaskimhon, the Family Law Negotiation Competition, and the Canadian National Negotiation Competition. This course may only be taken once by students in their second year, and once by students in their third year, when the course has different subtitles. This is a pass/fail course.

PR/CR: A minimum grade of C is required unless otherwise indicated.

Prerequisite: Instructor permission.

LAW 3050 Commercial Law 3 cr

A study of secured transactions and negotiable instruments, including enforcing security interests on reserve land and against First Nation individuals and bands under the Indian Act.

LAW 3070 Gender and the Law 3 cr

This course will explore ideas about gender differentiation in laws and legal and social systems and organizations. The course will start with an introduction to feminist and gender-based critiques of law and theories about sexual equality, anti-racist and anti-colonial approaches and intersectionality (i.e. the complex phenomena of overlapping forms of discrimination and inequality.) We will then focus on some specific issues related to gender-based violence, reproductive justice, and queer issues. Students will be introduced to complexities of gender regulation in Indigenous cultures and be introduced to the MMIWG Calls to Justice.

LAW 3090 Children, Youth and the Law 3 cr

Relationships between child, family, state and law are examined within an interdisciplinary context, focusing on such issues as: rights theories and the public/private distinction; regulation of young offenders, child protection and state intervention; children in the courts; principles of Indigenous reconciliation and various rights frameworks for the regulation of children and youth and their families; the systemic racism within the current legal regime governing children, youth, and their families; and the particular challenges of older children/ young adults at the boundary between childhood and adulthood.

LAW 3120 Philanthropy and the Law 3 cr

This course investigates the origins of, and regulation of, charities and charity law as well as regulation of other non-profit entities. Typical topics considered in this course include the social, economic and cultural importance of an ethic of giving, the tax benefits attendant upon charitable status, dimensions of fund-raising, public and private foundations and terrorism and international charities.

LAW 3132 Clinical Family 3 cr

This course will serve as a bridge between the introductory family law course and the Advanced Family Law course, enabling students to develop a deeper understanding of the issues in this area of the law and to be better prepared to assimilate the necessary skills to be successful in this high demand area of practice. Registration restricted to students in Year 3. This course is evaluated on a pass/fail basis. May not be held with LAW 3250 when titled Clinical Family.

PR/CR: A minimum grade of C is required unless otherwise indicated.

Prerequisite: LAW 2640.

LAW 3170 Dispute Resolution 3 cr

This is a research paper course. It offers an exploration of key dispute resolution topics with a particular focus on mediation. Current topics in the field of dispute resolution will be examined from theoretical, critical, and practical perspectives. Students will be encouraged to develop approaches to dispute resolution that incorporate current issues and research findings, to actively practice mediation skills, and to present their work to their classmates. Students will be introduced to restorative approaches and Indigenous dispute resolution philosophies. May not be held with the former LAW 3160 or LAW 3162.

Mutually Exclusive: LAW 3160, LAW 3162

LAW 3212 Immigration Law 3 cr

The refugee definition; the need for refugee protection; procedural protection for refugee claimants; a comparative study of refugee determination systems; the legality of a refugee sanctuary movement; the legal status of refugee claimants in Canada; refugee and immigrant detention; the relevance of Charter guarantees to refugees and immigrants; visa requirements and airline fines; the international system of refugee protection; racist intention and effect in immigration and refugee law; material misrepresentation as a ground of exclusion; medical inadmissibility; equivalence of Canadian and foreign criminal offenses for purposes of exclusion; the relevance of foreign laws in determining family composition of sponsored immigrants. May not be held with LAW 3200.

Mutually Exclusive: LAW 3200

LAW 3220 Competitions B 3 cr

Credit for selected students who satisfactorily participate in those academic competitions approved by Faculty Council. This course is graded on a pass/fail basis.

LAW 3230 Treaties and Land Claims in Canada 3 cr

This course provides an overview of Treaty Land entitlement policies and land claims in Canada, with particular attention to the impact and affects upon Indigenous land claims

LAW 3250 Contemporary Legal Studies and Practice 3 cr

Critical and constructive study, at an advanced level, of a significant major subject or set of topics. This is a topics course and may be taken multiple times when the subtitle is different. May not be held with LAW 3032. This is a pass/fail course.

Mutually Exclusive: LAW 3032

LAW 3272 Criminal Justice, Family Law and Indigeneity 3 cr

This course is meant to provide a comprehensive treatment of the social realities and issues faced by Indigenous peoples in the Canadian criminal justice system as well as the Child Protection System. A large number of topics will be covered with a view towards exploring the problems faced by Indigenous peoples in the Justice System, the search for positive solutions to those problems, and problems/issues that have been identified with those solutions. May not be held with LAW 3980 when titled "Aboriginal Law - Criminal Justice and Family Law."

LAW 3274 Advanced Family Law 3 cr

The course provides an in-depth study of issues in family law. Some topics covered: adoptions and guardianships; assisted human reproduction/fertility law; child protection; access to justice in family law, domestic violence; collaborative family law; and family property. May not be held with LAW 3980 when titled "Advanced Family Law."

PR/CR: A minimum grade of C is required unless otherwise indicated.

Prerequisite: LAW 2640.

LAW 3278 Indigenous Economic Development and the Law 3 cr

This course examines how Canadian law both hinders and promotes the economies of Indigenous communities. Concepts include: economic development activities by Indigenous communities; Aboriginal rights; the duty to consult and accommodate; the Indian Act; First Nations entering contracts; land tenure on reserve; urban reserves; economic security; resource development in Canada; and the promotion of Indigenous business. May not be held with LAW 3980 when titled "Indigenous Economic Development and the Law."

LAW 3282 Indigenous Peoples, Oral History, and the Law 3 cr

This course explores the roots of oral histories and traditions, which are becoming vital in Canadian legal and political systems. Concepts include: biblical and African oral traditions; specific physical Indigenous traditions of memory encoding; unique media and methodologies of remembering the past; public perceptions of oral history; modes of memory recall; orality relation and transmission; the effect of trauma; and the reliability of eyewitness testimony. May not be held with LAW 3980 when titled "Oral History, Indigenous Peoples, and the Law."

LAW 3284 International Criminal Justice 3 cr

This course examines some of the most serious crimes, such as genocide (including the residential school system as a system of genocide for Indigenous peoples), crimes against humanity, and war crimes. May not be held with LAW 3980 when titled "International Criminal Justice."

LAW 3286 Law and Religion 3 cr

This course considers how the law reflects, leverages, engages, and clashes with these concepts of spiritualities. The course examines the concepts of truth, personal responsibility, and forgiveness as they apply to different spiritual/ religious traditions and perspectives including Indigenous, the Abrahamic faiths, Hinduism, and Sikhism. May not be held with LAW 3980 when titled "Law and Religion."

LAW 3288 Refugee Law 3 cr

This course examines refugee law within international, regional and national frameworks. It covers international treaties and other materials produced by organizations such as the United Nations, and specific agencies like the United Nations High Commissioner for Refugees. Emphasis will be placed on the Canadian legal context. May not be held with LAW 3980 when titled "Refugee Law."

LAW 3290 Indigenous Legal Methodologies and Perspectives 3 cr

This course covers past and contemporary reconciliation efforts with Canadian Indigenous peoples, including common law "Aboriginal law" cases as well as Indigenous legal Orders. It will include a land-based field trip or a land-based learning experience in the community. May not be held with LAW 3980 when titled "Indigenous Legal Methodologies and Perspectives."

LAW 3302 Clinical Criminal Law 6 cr

The primary purpose of this offering is to train students in lawyering skills in the criminal law area. To this end, instruction is given on an intensive basis in small groups. Students may be required to engage in classroom work; to participate in various forms of simulation exercises and to conduct actual client based cases under the supervision of the instructor. Particular emphasis will be given to questions of professional responsibility and ethics. Registration restricted to students in Year 3. This course is evaluated on a pass/fail basis. May not be held with LAW 3300.

PR/CR: A minimum grade of C is required unless otherwise indicated.

Prerequisites: (LAW 2602 or LAW 2600) and LAW 3590. Co-requisite: LAW 3532 or LAW 3340.

Mutually Exclusive: LAW 3300

LAW 3310 Aboriginal Peoples and the Law 3 cr

A study of the laws relating to Aboriginal Peoples in North America from the colonial period to the present. Special emphasis will be given to aboriginal rights, hunting and fishing rights, the legal aspects of Indian Treaties and the Indian Act. A more general treatment will be given to a study of Aboriginal Peoples' relationship to civil and criminal law in modern Canadian society.

LAW 3330 Employment Law 3 cr

A detailed study of employment law including employment principles, constructive and wrongful dismissal, just cause, human rights and remedies.

LAW 3334 Global and Domestic Governance of Tainted Finance 3 cr

The object of this course is to explore the law and policy related to the regulation of tainted finance. It aims to critique and appraise the merits of governance, both international and domestic. It begins with a broad overview of the relationship between tainted finance and global problems and then moves to consideration of discrete aspects. May not be held with LAW 3980 when titled "Global and Domestic Governance -Tainted Finance".

LAW 3336 Law and Popular Culture 3 cr

This course is a research paper course and offers an in-depth exploration of popular cultural texts such as television programs and films that are concerned with law and justice themes. We will examine these texts with a view to discovering how popular culture constitutes law and how law helps create popular cultural understandings of justice. We will use a number of theoretical approaches including: critical legal studies, critical race theory, feminist legal theory, Indigenous legal theory, conflict resolution theory, and cultural studies theory. These theories will inform our readings of each of the popular culture texts and will assist us in our critique of the jurisprudence offered in films and TV shows. May not be held with LAW 3980 when titled "Law and Popular Culture."

LAW 3338 Sentencing 3 cr

The vast majority of criminal charges result in a conviction, whether by guilty plea or conviction at trial. This seminar focuses on the principles and practice of sentencing, while also looking in some detail at the sanction of imprisonment, penal policy, Aboriginal peoples and sentencing, and prisoner's rights. May not be held with LAW 3980 when titled "Sentencing."

LAW 3340 Advanced Advocacy 3 cr

Advanced topics in trial presentation, procedure and evidence with concentration on jury trials.

LAW 3342 Agency and Partnership 3 cr

This course deals comprehensively with the law of agency, including the various ways in which and authorities with which an agent can be empowered, the contractual and tort liabilities of Principals, Agents and Third Party's arising from an exercise of authority by Agents, and the duties and rights of Agents. The pairing of the law of agency and partnership is natural because the law of agency is a foundational pillar of the partnership business form. Next to the corporation, partnership is the most common form in which entrepreneurs carry on business. The course will provide an introduction to the law governing partnerships. May not be held with LAW 3980 when titled "Agency and Partnership".

LAW 3344 Internships 3 cr

This course will serve as a bridge between the academic study of law and the practice of law. Connecting academic study with community service through structured reflection contributes to learning that is deeper, longer lasting and more generalizable to new situations and contexts. An Internship will provide opportunities for cooperative experiences and addressing legal problems, this will require students to engage in problem solving by drawing on the substantive knowledge they have acquired over the course of their law studies. May not be held with LAW 3250 when titled "Current Legal Problems - Internship". This course is graded on a pass/fail basis.

LAW 3346 Access to Justice 3 cr

This course explores how individuals seek to manage their legal problems by engaging with and navigating the civil justice system in Manitoba. Topics which may be covered in the course include: public legal services; the proliferation of self-represented litigants; the role of pro bono services; rural and remote Access to Justice (A2J); the costs of justice; the state of A2J research; the provision of legal services by non-lawyers; on line dispute resolution; and, technology, innovation and the legal practice of the future. Indigenous perspectives for access to justice and the administration of justice are also considered. May not be held with LAW 3980 when titled "Access to Justice."

LAW 3348 Bankruptcy and Insolvency 3 cr

This course provides students with an introduction to Canadian bankruptcy insolvency law under the Bankruptcy and Insolvency Act. By the end of the course students will understand the main components of Canadian bankruptcy and insolvency law as well as the key policy issues. The Indian Act will also be considered in relation to topics of bankruptcy. May not be held with LAW 3980 when titled "Bankruptcy and Insolvency."

LAW 3352 Sexual Expression, Conduct and Work in Canada 3 cr

This course surveys selected issues involving sexual work, performances, expression and the criminal law. The main focus of the course is on the development of obscenity and indecency laws, prostitution-related laws, voyeurism laws, artistic expression, revenge pornography, cyber sexual crimes, bestiality laws, campus sexual regulation and hateful sexual speech. Study of these topic areas is based on a doctrinal, socio-legal and anthropological history of sexual regulation beginning in ancient Pompeii and leads to an assessment of law in modern day Canada. The course thus explores theories underpinning freedom of expression, equality and liberty. Indigenous sexual depictions and modern-day oppressions against Indigenous peoples, new Canadians, and impoverished populations are also considered. The course engages doctrinal issues in criminal law, constitutional law, tort law and to a certain extent, jurisprudence and the philosophies inherent in law and society approaches. **WARNING:** This course contains graphic (though legal) sexual content. May not be held with LAW 3980 when titled "Sexual Expression, Conduct and Work in Canada."

LAW 3354 Moot Researcher 3 cr

The Moot Researcher will be expected to conduct the research necessary for a University of Manitoba team for a specific national moot competition. The Moot Researcher must actively participate in the writing and editing of a factum and attend all meetings of the moot team as a group, including oral advocacy practices. The workload of the researcher is expected to be closely monitored by the faculty supervisor. Activities assigned by the supervisor might include the following: attending the competition with the moot team, to conduct exigent research arising at the competition; writing memorandums of law or bench memos to assist with the factum preparation or questions arising out of practices; and writing a reflective paper. The researcher will be required to docket her/his time. Although considerable time and effort is involved, the exercise provides a unique and rewarding development of the skills necessary for appellate research. May not be held with LAW 3250 when titled "Moot Researcher." This course is graded on a pass/fail basis.

LAW 3360 Advanced Legal Research 3 cr

A skills-based course which provides training in research-related skills. The course covers researching legislation, case law, Indigenous law, and foreign and international law.

LAW 3362 Animals and the Law 3 cr

The course considers a range of legal relationships and responsibilities as they relate to animals. Topics will include: Crown versus private property ownership; regulatory takings; natural resources and environmental legal frameworks; First Nations and natural resources; tort, trade, and property law; regulation (intellectual property, biotechnology, food, and agriculture); immigration law and policy; animal health, welfare, rights, and morality (including cultural, religious, spiritual, and Indigenous perspectives); and the role of law. May not be held with LAW 3980 when titled "Animals and the Law."

LAW 3364 Law and Resistance 3 cr

This course examines the intersections between law and myriad practices of resistance. The course considers how resistance plays a role in the life of the law, and vice-versa. Resisters may have an impact (directly or indirectly) in shaping the law – including its creation, interpretation, or enforcement. Students reflect on the spectrum of responses that legal systems employ to legitimize or punish the conduct of resisters. Through readings and class discussions, students explore how individuals, groups and/or communities may challenge those who exercise dominant power and the contexts in which such resistance occur. These contexts may include Indigenous peoples' historical and ongoing defiance to colonial/state policies and practices, in addition to resistance waged by women, and marginalized communities to various types of discrimination. May not be held with LAW 3980 when titled "Law and Resistance."

LAW 3370 The Legislative Process 3 cr

A study of how statutes and regulations are made in the Province of Manitoba, and how lawyers can effectively represent their clients in the context of lawmaking by politicians, civil servants and regulators, including Indigenous Rights of Self Government.

LAW 3372 Français juridique - droit public 3 cr

Language of instruction: French. Par le biais d'exposés magistraux, d'exercices et de simulations axés sur la pratique, ce cours initie les étudiants bilingues à certains sujets de droit public essentiels à l'amélioration de l'accès à la justice en français des justiciables francophones au Manitoba et ailleurs au Canada. Des praticiens experts donnent, en français, des conférences sur les principaux aspects de fond et de procédure de sujets liés au droit des réfugiés, au droit administratif, au droit de la famille, au droit pénal (détermination de la peine), au droit de la location résidentielle et aux droits de la personne, tout en mettant en évidence la terminologie juridique en français pertinente. La maîtrise et l'utilisation efficace de cette terminologie sont évaluées par des travaux écrits et par la participation des étudiants à des simulations et exercices oraux. Les étudiants reçoivent également un aperçu du cadre juridique régissant les droits linguistiques et les services juridiques en français. May not be held with LAW 3980 when titled "Français juridique - droit public". This course is restricted to 2nd and 3rd year J.D. students. **PR/CR: A minimum grade of C is required unless otherwise indicated.** Prerequisite: LAW 1542 or written consent of the Associate Dean (J.D.).

LAW 3374 Français juridique - droit privé 3 cr

Language of instruction: French. Par le biais d'exposés magistraux, d'exercices et de simulations axés sur la pratique, ce cours initie les étudiants bilingues à certains sujets de droit privé essentiels à l'amélioration de l'accès à la justice en français des justiciables francophones au Manitoba et ailleurs au Canada. Des praticiens experts donnent, en français, des conférences sur les principaux aspects de fond et de procédure de sujets liés au droit des affaires, au droit du travail, au droit immobilier, aux testaments et successions, aux litiges civils et au droit fiscal, tout en mettant en évidence la terminologie juridique en français pertinente. La maîtrise et l'utilisation efficace de cette terminologie sont évaluées par des travaux écrits et par la participation des étudiants à des simulations et exercices oraux. Les étudiants reçoivent également un aperçu des différences de terminologie juridique en français entre les deux principaux régimes de droit privé au Canada : la common law et le droit civil du Québec. May not be held with LAW 3980 when titled "Français juridique - droit privé". This course is restricted to 2nd and 3rd year J.D. students.

PR/CR: A minimum grade of C is required unless otherwise indicated. Prerequisite: LAW 1542 or written consent of the Associate Dean (J.D.).

LAW 3376 Droits linguistiques 3 cr

Language of instruction: French. Le cours aborde les différents aspects juridiques et politiques de la protection par l'État de sa diversité linguistique. Après une introduction mettant l'accent sur le contexte social, politique et culturel des droits linguistiques au Canada et au Manitoba, le cours examinera le droit constitutionnel et législatif applicable au niveau fédéral et dans les provinces canadiennes, les droits linguistiques autochtones, et la protection des droits linguistiques en droit international et ailleurs au monde. Le cours se conclura par un examen des visions des communautés de langues officielles en situation minoritaire (et tout particulièrement, la communauté franco-manitobaine) face à leur avenir. May not be held with the former LAW 3366 or LAW 3980 when titled "Droits linguistiques".

LAW 3378 Passeport du droit en Français 3 1 cr

Language of instruction: French. Le Passeport du droit en français 3 donne aux étudiants de troisième année du programme JD qui participent à la Concentration d'accès à la justice en français l'occasion d'améliorer leur compétence langagière en français, passant d'un bilinguisme réceptif (compréhension orale et écrite) à un bilinguisme actif (expression orale et écrite). Le cours est organisé en une série de colloques informels menés en français par le chargé d'enseignement, des invités et des étudiants de deuxième ou troisième année à propos de thèmes reliés à la pratique bilingue du droit dans l'Ouest canadien, l'accès à la justice en français, l'acquisition de compétences culturelles et divers domaines du droit. Les étudiants prennent part aux discussions en classe et rédigent des textes de réflexion. Les étudiants de troisième année rédigent un éditorial, blogue ou brochure présentant des renseignements juridiques et le présentent dans le cadre d'un atelier. Le Passeport devrait permettre aux étudiants bilingues de tisser des liens favorisant la prestation de services juridiques aux communautés francophones en situation minoritaire. Ce cours est noté sur une formule réussite/échec. This course is graded on a pass/fail basis.

PR/CR: A minimum grade of C is required unless otherwise indicated.

Prerequisite: LAW 2378.

LAW 3380 Issues in Law and Bio Ethics 3 cr

The course deals with the legal aspects of prevention, creation, alteration, maintenance and termination of life through medical and other scientific means. Topics include Indigenous perspectives, law and ethical traditions with respect to medical decision-making, minor children and genomic research.

LAW 3392 Securities Law 3 cr

A study of the basic concepts and application of the securities regulatory system in Canada. May not be held with LAW 3390.

Mutually Exclusive: LAW 3390

LAW 3394 Internet and E-Commerce Law 3 cr

This course covers legislation, case law and practical drafting techniques in many areas in order to better equip students in the practice of law, and at the same time invite students to reflect upon the political and social issues that arise as "cyberlaw" develops. Subject matter of the course: legislation, court decisions, policy debates and practical drafting and litigation techniques connected with the internet and e-commerce. A variety of issues will be covered, including: freedom of expression issues, jurisdiction, internet speech regulation; online privacy issues; intellectual property issues, including domain names and downloading of copyright material; internet commerce issues, such as the law of contracts pertaining to online contracting; digital communication and voting as a source of Indigenous self-government. May not be held with LAW 3980 when titled "Internet and Ecommerce Law."

LAW 3410 Canadian Legal History 3 cr

The historical background of the Canadian legal system. Topics include, among others, rights development; Indigenous Peoples in Canada; historical developments relating to contemporary law, form, substance, and interpretation of law; British and American influence on Canadian law.

LAW 3450 Remedies 3 cr

A study of the law relating to damages, specific performance, injunctions, and other equitable remedies.

LAW 3510 Corporate Taxation 3 cr

A study of federal tax laws as they affect corporation income, as well as a discussion of the effects of income tax laws on corporate and other commercial planning.

LAW 3520 Taxation of Trusts and Estates 3 cr

A study of taxation principles as they relate to partnership and trust income and estate planning.

LAW 3530 Administrative Law 3 cr

An introduction to administrative law generally, with concentration on the judicial review of the exercise of statutory authority by administrative entities. The impact of administrative decisions upon Aboriginal rights may also be considered.

LAW 3532 Intensive Criminal Law 3 cr

This course follows the general introduction to the complexities and principles of criminal law presented in earlier courses on criminal law and evidence. It emphasizes the ways in which these complexities and principles play out in practice and has a strong practical component. It is well-suited for students considering working in the field of criminal law. The first half of the course will address the demands placed on prosecutors and defence counsel at various points of a prosecution, including, inter alia, application for judicial interim release, the preparation of pre-trial motions, direct and cross-examination, and sentencing. These demands are not only statutory, but also logistical, tactical and ethical. The second half of the course will look at these demands in the context of certain "special" criminal law contexts, including, inter alia, impaired driving, young offenders, domestic violence, and drug prosecutions. Provisions of the Criminal Code as they apply to Gladue and Ipeelee are also considered. Intended for students entering their third year of full-time study. May not be held with LAW 3250 when titled "Intensive Criminal Law." Grading: Pass/Fail.

LAW 3590 Charter Issues in Criminal Law 3 cr

The rules of Criminal Procedure and principles underlying and unifying such rules with a particular emphasis on the effect of the Charter of Rights and Freedoms on those rules. Indigenous issues regarding sentencing, Constitutional exemptions, representative juries, and journal papers are also considered.

LAW 3600 Environmental Law 3 cr

This course provides insight into Canadian legal approaches concerning environmental protection, sustainable development, and access to environmental justice. Key topics include: legal jurisdiction of municipal, provincial, federal and Indigenous governments; international environmental law; environmental enforcement; environmental rights; biodiversity; and climate change.

LAW 3620 Comparative Law 3 cr

Comparative law is a tool for solving legal problems. In this course, we will look at the roots of modern comparative law in 19th century continental Europe and consider the impact that has had on this discipline. This course will introduce you to key comparative law concepts and topics of study and some of the methods of comparative law. In looking at comparative law as a discipline, this course will also introduce you to a variety of legal cultures and systems within those cultures, including: Indigenous legal cultures, civil law cultures and Marxist legal cultures.

LAW 3674 Advanced Public Law 3 cr

This course provides students with a fuller appreciation and knowledge of several topics of interest and importance for Canadian public law, including the changing boundaries of public law in our "shrinking" state, the scope and meaning of judicial, administrative and bureaucratic independence, the implementation of the duty to consult and accommodate Indigenous peoples, the role of international human rights norms in Canadian constitutional and administrative law, the intersection between the Canadian Charter of Rights and Freedoms and administrative law and the role of guidelines, policies and other "soft law" in public administration. Although focused on Canadian public law, the course may include a comparative component and draw from the public law experience of other jurisdictions. May not be held with LAW 3980 when titled "Advanced Public Law."

PR/CR: A minimum grade of C is required unless otherwise indicated.

Prerequisite: LAW 3530.

LAW 3690 Real Estate Transactions 3 cr

The law relating to vendors and purchasers of land and to mortgages and other security on land.

LAW 3740 Public International Law 3 cr

Public international law has a complex history, one that lends itself to conflicting interpretations. It has also been the object of a variety of competing theoretical projects, most of which diverge radically on questions of form and substance. This course provides an historically and theoretically reinforced introduction to the basic rules, principles, and institutions of public international law. The application and status of international law in Canadian law, including Indigenous rights, is also considered.

LAW 3770 Labour-Management Relations 3 cr

A survey of the development of trade unions, their present status under both federal and provincial legislation regarding the right of association, collective bargaining, and the settlement of disputes. Race and racism in labour relations are considered.

LAW 3790 Preparing for the Practice of Law 3 cr

This course prepares law students for the transition from student to legal practitioner. The course will teach law students such practice-ready skills as file and time management, professional competencies and professionalism, interpersonal skills required for practice, the business of law firms, well-being, and workplace behaviours that promote equity, diversity, and inclusion. This course is graded on a pass/fail basis.

LAW 3824 Scholarly Publications 3 cr

The course will provide students with hands-on experience in working with scholarly writing. Students will develop their evaluation and critical analysis skills through the process of editing for publication all submissions to the Journal. May not be held with the former LAW 3820 or the former LAW 3822. Grading: Pass/Fail.

Mutually Exclusive: LAW 3822

LAW 3826 Advanced Scholarly Publications 3 cr

The course will provide students with hands-on experience in working with scholarly writing. Students will develop their evaluation and critical analysis skills through the process of completing full substantive and copy edits on two or three articles during the course of the year. Working as Senior Editors students will develop their interpersonal skills by communicating with authors and by supervising and managing the work of Junior Editors. May not be held with LAW 3250 when titled "Advanced Scholarly Publications". Grading: Pass/Fail.

LAW 3828 Preventing Wrongful Convictions 3 cr

This course examines the causes of wrongful convictions, how to avoid them, detection mechanisms and remedies that should be provided under international instruments when a miscarriage of justice has occurred.

The course starts by examining the environmental factors that nurture a miscarriage of justice, including the adversarial system of criminal justice. It then examines the role of the various players in the criminal justice system, and how each can inadvertently feed into a wrongful conviction - individually, or in combination with other factors. Further, cultural insensitivity is considered with respect to the overrepresentation of marginalized individuals, including Indigenous accused persons. Cognitive bias and unreliable evidence are also considered. May not be held with LAW 3980 when titled "Preventing Wrongful Convictions."

LAW 3832 Legal Aid Clinic 3 cr

Students who are selected to act as student supervisors at the University Law Centre during the summer and who continue to actively serve the University Law Centre during their third year may, by successfully completing a written assignment approved by a faculty supervisor, opt for the Legal Aid Clinic. May not be held with LAW 3830. Grading: Pass/Fail.

Mutually Exclusive: LAW 3830

LAW 3852 Private International Law 3 cr

It has to do with choosing what place to sue, what law applies when the law of more than one place might apply, and with the enforceability of judgments through foreign courts. May not be held with LAW 3850.

Equiv To: LAW 3850

LAW 3862 Business Transactions: The Art of the Deal 6 cr

A study, involving practical exercises of certain aspects of solicitors' work, including interviewing, negotiating, counseling and memo writing.

LAW 3880 Municipal and Planning Law 3 cr

A general course in municipal law, including important aspects of land-use control and planning law. Although the course deals generally with the nature, structure, functions, and powers of the various units comprising the local level of government, the focus is primarily on municipal corporations. Topics covered include assessment and taxation, land-use planning and control (including consideration of Indigenous issues in planning), tort liability, judicial review of bylaws, qualification and accountability of councillors, and the law relating to expropriation, as well as some discussion of contemporary urban problems.

LAW 3940 Canadian Charter of Rights and Freedoms 3 cr

An in-depth study of the Canadian Charter of Rights and Freedoms including its roots in the International, European and American experiences. In this course, we will consider some of the key controversies arising from Charter jurisprudence. We will also look at emerging issues including the resolution of claims by differently situated rights holders and the potential use of the Charter to advance the rights of Indigenous claimants.

LAW 3980 Current Legal Problems B 3 cr

Critical and constructive study, at an advanced level, of a significant major subject or set of topics.

LAW 3982 Special Legal Topics 3 cr

Critical and constructive study at an advanced level of a significant major subject or set of topics, which will include a research paper writing component. This is a graded topics course and may be taken more than once when the subtitle is different.

LAW 3990 Externship 12 cr

The primary purpose of the Externship is to allow students an opportunity to work in a legal context where they gain professional knowledge and skills related to law, the legal profession and legal practice. Particular emphasis will be given to questions of professional responsibility and ethics. Within the workplace, students will be required to participate in various forms of exercises and to conduct work within an actual work setting where they face real day-to-day work situations under the supervision of practicing lawyers. Depending on the nature of the placement, they may be required to engage in classroom work. Registration restricted to students in Year 3. Grading: Pass/Fail.