

CRIM 170-04 INTRODUCTION TO CANADIAN LAW AND LEGAL INSTITUTIONS

Instructor: Kelli Moorhouse

Class: Monday and Wednesday, 4:00 to 5:20 pm
Young 217

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Office Hours: Wednesday 2:00 to 4:00 pm

Thursday 1:00 to 4:00 pm

I am in my office ½ hour before the start of each of my classes – see the posted schedule on the board next to my office.

CALENDAR DESCRIPTION

An introduction to the fundamental principles of law; the development of law and legal institutions; the process of law reform; the structure and system of Canadian courts; the philosophy of Canadian jurisprudence; judicial law-making; and exercise of judicial power.

LEARNING OUTCOMES

After successfully completing this course*, you should be able to:

1. summarize and demonstrate comprehension of
 - a. fundamentals of Canadian law
 - b. the Canadian legal system and legal institutions

2. articulate the fundamental concepts of
 - a. Canadian law
 - b. the framework within which legislative and judicial authority are exercised
 - c. the roles of lawyers and judges in the Canadian legal system
 - d. the concept of human rights

3. distinguish clearly between criminal and civil law

4. critically evaluate the strengths and weaknesses of the Canadian system of law and legal institutions

* - learning from either the original course and/or the revised course

REQUIRED TEXTBOOKS:

1. Yates, Richard A., Ruth Whidden Yates, and Penny Bain. Introduction to Law in Canada. 2nd edition. Toronto: Prentice-Hall, 2000.
2. Garrison, Randall, Ed. Readings for Crim 170. Victoria: Camosun College, 2004.
3. There may be other supplemental readings – to be identified in class.

EVALUATION:

1. First Exam (25%) – this is the one you wrote on February 11th;
2. Second Exam (25%) – March 15th (Monday)

This exam will cover all the new material covered with me starting February 16th. It includes all classroom material and required readings.

Review questions will be posted on-line (Criminal Justice – Faculty site).

Format is true/false, short answer, fill in the blank, and multiple choice;

3. Final Exam (25%) – April 16th – during final exam week

This exam will cover all the new material covered with me starting March 17th until the end of the term. It includes all classroom material and required readings.

Review questions will be posted on-line.

Format is the same as found with the second exam.

4. Homework (25%)

At the conclusion of many of the classes I will be giving you a question or two to answer that pertain(s) to the topic for the next class – i.e on Monday I will give you questions to be done for the topic covered on Wednesday.

On a sheet of paper (no cover page) type (handwritten not accepted) the question and your answer. Typically I am evaluating your reflection/interpretation/understanding of the material. Grading is either good (3 marks), okay (2 marks), or needs improvement (1 mark).

Homework needs to be handed in by you during class time.

CLASS FORMAT:

I use a discussion/lecture format in my classes. Be prepared to share your thoughts in class. If you don't do the readings you will be wasting the time of your classmates when you get together in small groups to discuss the material ☺

Tentative COURSE TIMETABLE

Feb. 16 (M)	Review of Exam Revised course outline
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I. LEGAL INSTITUTIONS

- Feb. 18 (W) COURTS – Role and Authority
Read: Yates, Chapter 5
- Feb. 23 (M) COURTS continued
- Feb. 25 (W) ROLE OF THE JUDGES
Read: Ian Greene et al “Law, Courts, and Democracy in Canada”
- Mar. 1 (M) ROLE OF LAWYERS
Read: Yates p. 113-115
- Mar. 3 (W) SUPREME COURT OF CANADA
Read: Bertha Wilson “Will Women Judges Really Make a Difference”
Read: Rob Martin “A ‘Gender Patronage’ for Judges?”
- Mar. 8 (M) SUPREME COURT OF CANADA – continued
Read: F.L. Morton and Ian Hunter “Debate: Should There be Confirmation Hearings for Supreme Court Judges?”
- Mar. 10 (W) CHARTER OF RIGHTS AND FREEDOMS – review
Read: Kim Campbell “The Charter and Good Government”
Read: Mark Tushnet “Judicial Activism or Restraint in a Section 33 World”
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Mar. 15 (M) EXAMINATION

II. SUBSTANTIVE LAW

- Mar. 17 (W) TORT LAW
Read: Yates Chapter 8
- Mar. 22 (M) CRIMINAL LAW

Read: Yates pp. 143-151

Mar. 24 (W) ADMINISTRATIVE LAW
Read: Yates Chapter 6

Mar. 29 (M) CONTRACT LAW
Read: Yates Chapter 10

Mar. 31 (W) FAMILY LAW
Read: Yates pp.201-217

Apr. 5 (M) JUDICIAL DECISION MAKING
Read: Roland Case “Judicial Tyranny or Endangered Institution”

Apr. 7 (W) RULE OF PRECEDENT – review
Read: Yates pp. 25- 29

Apr. 16 FINAL EXAM
Young 211 1:30 pm
