LAW 300.001 Jurisprudence and Critical Perspectives

☑ Term 1 ☐ Term 2 Moore *Lecture* *3 CREDITS*

This course is NOT open to Exchange students.
CHANGE July 2: Evaluation method
CHANGE Sept 9: Written assignment distribution date

This course provides an introduction to jurisprudence and legal theory, and to critical approaches to the law. It explores law as a social phenomenon and as a field of intellectual inquiry. The course is designed to give upper year students exposure to different perspectives on the law, to important questions related to its nature, structure and functions, and to critical understandings of its role in society. The course aims to encourage students to reflect on issues in legal philosophy, the relationship between law and other social forces, and connections between different areas of legal thought and doctrine.

Evaluation:
1.Multiple choice completed on Canvas (40%) available between December 11 at 9 AM and December 12 at 8:59 AM, plus
2.A choice of:
a.A written assignment (60%) distributed Thursday, December 11 at 10 AM, and due Monday, December 15 at 9 AM OR
b.A 3000-word research essay (60%) on a topic agreed by the student and instructor during term based on a list of suggested areas of inquiry and due Monday, December 15 at 9 AM

Assistant Professor Marcus Moore is a full time member of the Peter A. Allard School of Law.

LAW 300.002 Jurisprudence and Critical Perspectives

☐ Term 1 ☑ Term 2 Goldbach *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 300.002 with any of 332.001/546C.001 or 525.001. This course is NOT open to Exchange students.

This course provides an introduction to legal philosophy, the history of thinking about law, and critical theories about law and the legal system. It explores law as a social and narrative phenomenon and examines law's relationship to morality, society, power and politics. As the name suggests, the course is designed to provide students with a background in jurisprudence and legal theory, and to encourage them to see the relationships between different theories of law and the construction and meaning of legal doctrine. The course also aims to foster critical thinking about law, its structure and function, development, and operation in society. This section will emphasize the relationship between law and society, the constructive and constitutive features of law, as well as the judicial process.

Evaluation: 10% class participation and 90% open-book examination.

Assistant Professor Toby Goldbach is a full-time member of the Peter A. Allard School of Law.

LAW 300.003 Jurisprudence and Critical Perspectives

☑ Term 1 ☐ Term 2 Stewart, J. *Lecture* *3 CREDITS*

This course is NOT open to Exchange students.

This course provides an introduction to jurisprudence, legal and political theory, key principles of the common law, and critical approaches to the law. It is designed to give upper year students an overview of the structure of law, and a critical insight into the various ways in which law and its role in society can be understood. The course also aims to encourage students to see the relationships between different branches of law and legal doctrine, and to examine the role of ideology in the creation and enforcement of law.

Evaluation:
100% final exam.

Associate Professor James Stewart is a full time member of the Peter A. Allard School of Law.

LAW 300.004 Jurisprudence and Critical Perspectives

☐ Term 1 ☑ Term 2 Routh *Lecture* *3 CREDITS*

This course is NOT open to Exchange students.

This course introduces students to the study of nature of law (jurisprudence) and its history and role in society (legal theory), including critical approaches to law. The course is designed to offer upper year students conceptual grounding on a range of perspectives on the nature of law and the structure of legal institutions. It is also designed to raise critical questions about the dominant perspectives on law and legal institutions. The course will engage with topics on legal philosophy, legal and political theory, legal history, and critical legal studies. These topics will be primarily analyzed with reference to the Anglo-American common law jurisprudence and its reception in non-Western contexts.

Evaluation: A written opinion piece on the basis of a prompt (20%) and a final 24-hour take-home exam (80%).

Associate Professor Supriya Routh is a full time member of the Peter A. Allard School of Law.

LAW 304.001 Transnational Law

☑ Term 1 ☐ Term 2 Dauvergne *Lecture* *2 CREDITS*

This course is NOT open to anyone who has completed LAW 261 Transnational Law, or to Graduate, Exchange, or Visiting students.
CHANGE June 11: Restrictions
CHANGE June 23: New Instructor
CHANGE June 24: Evaluation Method

Transnational law is of ever-increasing importance in understanding what law is both locally and globally. It helps make sense of how law actually operates in the world, all while calling into question our traditional understanding of law, authority, legitimacy and accountability.

This course provides a formal introduction to the transformation of law in a global context and the significance of both international law and foreign law for Canadian legal practitioners. The course introduces the sources of public international law and the rules governing the reception of public international law in Canada. It examines the ways in which public and private international law merge in a globalized legal landscape shaped by influential state and non-state actors. The course will also present the animating ideas behind the use of comparative law in Canadian courtrooms. Throughout our exploration of these topics we will gain an understanding of the interplay between different levels and sites of law making, and identify contemporary challenges for nation state-oriented models and doctrines of law.

Evaluation: Evaluation will be based on a two-part 3500 word writing assignment consisting of two questions (100%).

Professor Catherine Dauvergne is a full time member of the Peter A. Allard School of Law and holds the Canada Research Chair in Migration Law.

LAW 304.002 Transnational Law

☐ Term 1 ☑ Term 2 Lazarus *Lecture* *2 CREDITS*

This course is NOT open to anyone who has completed LAW 261 Transnational Law, or to Graduate, Exchange, or Visiting students.
CHANGE June 11: Restrictions

This course examines the concepts of transnational and international law. It introduces students to a legal attitude of looking beyond jurisdictional borders, and the practical application of these trans-jurisdictional approaches.

Students who have completed this course should have:
•Become familiar with the ideas of transnational and international law
•Acquire a critical lens to approaches to transnational and international law
•Acquire basic knowledge of transnational and international law practice
•Acquire skills in legal research in international materials and jurisdictions outside of Canada and feel comfortable exploring ‘foreign’ legal systems

In this course, our primary method of learning will be through reading and critical analysis of various primary and secondary legal sources, including cases, treaties, government reports, and academic commentaries.

There is no exam in this course.

Professor Liora Lazarus is a full time member of the Peter A. Allard School of Law.

LAW 304.003 Transnational Law

☑ Term 1 ☐ Term 2 Stewart, J. *Lecture* *2 CREDITS*

This course is NOT open to anyone who has completed LAW 261 Transnational Law, or to Graduate, Exchange, or Visiting students.
CHANGE June 11: Restrictions

This course introduces students to the legal world beyond the confines of the Canadian legal systems, and its impact on legal processes within Canada. Increasingly, an understanding of foreign sources of law is becoming essential—legally speaking, borders are increasingly porous and subject to international influences, such that no area of Canadian law is immune from transnational influence. Transnational Law is a course that provides students with a formal introduction to law in a global context, and the significance of both international law and foreign law for Canadian legal practitioners. The course thus provides an introduction to the sources of public international law and the rules governing the reception of public international law in Canada. It examines the ways in which public and private international law merge in a globalized legal landscape shaped by influential state and non-state actors. The course will also present the ideas animating the use of comparative law in Canadian courtrooms. Through our exploration of these topics we will gain an understanding of the interplay between different levels of legality, and identify how their inter-relationship is essential for Canadian lawyers in an increasingly globalized world.

LEARNING OBJECTIVES

Students taking this course will develop an understanding of three broad questions and four important elements of transnational law:

The two primary questions are:
•What are the points of interface between the Canadian legal systems and other legal systems?
•How do the Canadian legal systems sit within a global society?
The four important elements of transnational law:
•The key sources of public international law;
•The rules governing the reception of public international law in Canada;
•The integration of public and private international law and the challenges this poses for nation-state based models and doctrines of law; and
•The rationale and methods underlying the use of comparative law.
As someone whose work addresses issues that are quintessentially transnational in character, it is my hope that this course stimulates your interests in global problems and the ability of law to account for entrenched difficulties that transcend any single nation state.

PEADAGOGICAL APPROACH – TAKING LEARNING DIFFERENCES SERIOUSLY

•Assessment
A Written Assignment (100% of your final grade).

The course will be evaluated by a written assignment, which will be emailed to you through the UBC Law system on the last day of the teaching term. The paper is due no later than 10am on the last day of law exams.

The paper should be a maximum of 5,000 words (excluding footnotes and title page – no bibliography is necessary). Importantly, please use Times New Roman, 12 point, and double space your paper's lines.

The paper does not require additional research. It only requires the course materials to complete. Anything written beyond the maximum word count will be disregarded out of fairness to other students.

Please cite any relevant course materials using the latest edition of the Canadian Guide to Uniform Legal Citation ("McGill Guide").

I will mark your paper based on the following criteria: (a) knowledge of the subject; (b) coherence of the argument; (d) evidence of personal reflection not mere regurgitation, and (e) structure, style and clarity.

You should submit your paper online via Canvas. Please save your assessment as a pdf file that is named using your

student number only. Again, you should upload the paper to Canvas no later than 10am on the last day of exams.

I will deduct grades for late submissions in accordance with UBC Law's normal policy. This means that I will deduct 5% per day from your assignment for the first day (or part of a day) it is late; and 2% per day or part of a day thereafter. I do not have discretion in this regard. Extensions must be applied for in advance from the Examinations Committee.

Associate Professor James Stewart is a full time member of the Peter A. Allard School of Law.

LAW 304.004 Transnational Law

☐ Term 1 ☑ Term 2 Ghebremusse *Lecture* *2 CREDITS*

This course is NOT open to anyone who has completed LAW 261 Transnational Law, or to Graduate, Exchange, or Visiting students.
CHANGE June 11: Restrictions, Instructor

This course introduces students to the international legal frameworks that operate both beyond Canada's borders and within its domestic legal system. In an increasingly interconnected world, few areas of Canadian law remain untouched by public international law or broader transnational legal developments. This course offers students an introduction to the significance of public international law, foreign law, and the dynamic interplay between domestic and international legal systems for Canadian practitioners today.

Students will examine the sources of public international law and the rules governing its reception into Canadian law. The course will also explore the intersections of international and domestic legal orders in a globalized context shaped by state and non-state actors. Case studies and contemporary issues will illustrate how public and private Canadian actors are affected by transnational legal forces. Throughout the course, students will critically assess the tensions between traditional state-centric legal models and the evolving realities of a global legal landscape.

Evaluation will be based on class attendance and participation (20%) and a final research paper (80%).

Assistant Professor Sara Ghebremusse is a full time member of the Peter A. Allard School of Law.

LAW 305D.001 Law, Society and State

☑ Term 1 ☐ Term 2 Young, M. *Seminar* *3 CREDITS*

This seminar focuses on the use of law by groups and individuals who are interested in social justice. In particular, the course will explore both the potential and the problems of using law in the quest for social justice. Law's role in constructing and maintaining social, economic and political inequalities as well as the potential of law to shift inequalities will be examined.

This seminar is required for students who wish to obtain the Specialization in Law and Social Justice.

Evaluation Method:
20% participation
80% outline and paper

Professor Margot Young is a full time member of the Peter A. Allard School of Law.

LAW 306D.001 Corporate Social Responsibility and the Law

☐ Term 1 ☑ Term 2 Liao *Seminar* *3 CREDITS*

This seminar examines the theoretical concepts, legal principles, and case studies relating to the dynamic and evolving field of corporate social responsibility (CSR), its various iterations, and the law. The course aims to have students consider the effects and values of the market system and its impacts on corporate behaviour, and the relationship between the law, CSR, and tensions inherent within the governing mechanisms of the corporation. Weekly topics may include climate change and corporate environmental regulation, ESG and risk management, greenwashing, Indigenous relations and reconciliation, board diversity, business and human rights, the business of law, and evolving standards across certain industries such as extractives. There may be a field trip, in discussion with the class. Students will develop comprehension of a rapidly expanding and highly relevant area of law, while advancing their research, writing, and analytical skills.

Evaluation:
30% class participation
70% paper on any topic covered in the course or as approved by the instructor

Carol Liao is a full time member of the Peter A. Allard School of Law and the UBC Sauder Distinguished Scholar of the Peter P. Dhillon Centre for Business Ethics at the Sauder School of Business.

LAW 307D.001 Women, Law and Social Change

☑ Term 1 ☐ Term 2 Parkes *Seminar* *3 CREDITS*

This course examines the relationship between law and social change with a focus on historical and current struggles to make the legal system more responsive to the lived realities of women, taking into account differences among women and diverse gender identities. In Canada, the law has played an important role in the ongoing struggle for equality and social inclusion. Yet not everyone agrees that law has the potential to answer demands for fundamental change or to respond to women's diverse realities. We explore these themes and debates through a series of case studies informed by theoretical perspectives, paying particular attention to diversity among feminist perspectives. Topics include legal personhood, judicial decision-making, sexual assault, criminalization and punishment, work, parenting, sexuality, reproductive rights, Indigeneity, gendered racism, regulation and recognition of relationships, and equality rights.

Evaluation:
Evaluation is based on participation and engagement (25%) and a research paper (75%). In lieu of the research paper, with the approval of the course instructor, students may prepare a research report, memo, or other legal advocacy materials to assist counsel and/or advocacy groups on issues related to the course.

Professor Debra Parkes is a full-time faculty member of the Peter A. Allard School of Law. Debra Parkes is the Chair in Feminist Legal Studies at the Peter A. Allard School of Law, UBC. Before joining the Faculty at Allard Hall, Prof. Parkes was a member of the Faculty of Law, University of Manitoba for 15 years. Her scholarly work examines the challenges and possibilities of framing and adjudicating rights claims, with a particular focus on (in)equality, social and economic rights, and rights in the criminal justice, corrections, and workplace contexts. She was Editor-in-Chief of the Canadian Journal of Women and the Law from 2009-2013.

LAW 308D.001 Feminist Legal Theory

☐ Term 1 ☑ Term 2 Young, M. *Seminar* *3 CREDITS*

Law is a powerful force in the construction of women's subordination. It is also a site of feminist struggle. This course examines the main tenets, methodologies, and controversies in feminist legal theory, including the meaning of equality, the intersections of such things as gender/race/Indigeneity/class/sexual orientation, the public/private divide, and how law reproduces hierarchies at the same time as promising to participate meaningfully in social change. The course draws from critical perspectives within other disciplines to analyze and understand the limits of and opportunities for feminist legal reform. Thus, the course pulls on the rich insights offered by feminist cross-disciplinary legal scholarship. Guest speakers will enrich course offerings.

Evaluation Method

10% Participation
15% CFLS Speaker Assignment
75% Research Paper

Professor Margot Young is a full time member of the Peter A. Allard School of Law.

LAW 310.001 Economic Analysis of Law

☐ Term 1 ☑ Term 2 Hutchison *Seminar* *3 CREDITS*

This course provides an introduction to the economic analysis of law (also known as "law and economics"). The course will begin with an overview of basic economic concepts, including scarcity, supply and demand, and decision making on the margin. We will then address economic analysis of contract, tort, and property law. The course will conclude by examining the economic justifications (or lack thereof) for government intervention in private decision making. For the final paper, students will be encouraged to research a policy area of their choosing. No background in economics is required.

Required textbook: Robert Cooter & Thomas Ulen, Law and Economics, 6th ed (Boston: Addison-Wesley, 2016).

Evaluation:
Research paper - 75%
Class presentation / participation - 25%

Associate Professor Camden Hutchison is a full time member of the Peter A. Allard School of Law.

LAW 312A.001 Topics in Philosophy of Law & Theoretical Perspectives *Critical Indigenous Legal Studies*

☐ Term 1 ☑ Term 2 Christie *Seminar* *1 CREDITS*

This intensive seminar will meet Jan 27, Jan 29, Feb 3 and Feb 5 (Tues & Thurs) from 9:30AM-12:30PM; and on Feb 5 from 12:30PM-2:00PM. Course conflicts are allowed for this seminar, but you must contact (studentaffairs@allard.ubc.ca) to register you in this seminar in that case. Students may be penalized a participation or attendance grade for missing an intensive class or a class that conflicts with the intensive class.

This course explores what it means to study law from an Indigenous perspective. This exploration is broken down into several stages. First, we look at possible forms 'law' (and legal systems or orders) might take, and how one could meaningfully study legal phenomena in all its various forms. Second, we look at forms Indigenous law might take, and at what must be presupposed in situations in which this law is active in the modern world. And, third, we look at what one might mean in taking a 'critical' approach to the study of law. All this in hand, we combine matters to then deeply explore the notion of a critical Indigenous approach to the study of law.

Evaluation: Final Paper worth 100%, due February 24th.

Professor Gordon Christie is a full time member of the Peter A. Allard School of Law.

LAW 312D.001 **Topics in Philosophy of Law & Theoretical Perspectives** ***Legal Interpretation: Who Decides?***

☐ Term 1 ☑ Term 2 Donaldson Dresselhuis, L *Seminar* *3 CREDITS*

This seminar is modeled on a seminar taught for many years by Professor Kent Greenawalt at Columbia Law School. We will explore the different approaches to the interpretation of legal texts including textualism, intentionalism, purposivism, originalism, evolutionary interpretation, and pragmatism. We will discuss and analyze the foundations for, and implications of, these various approaches. We will discuss both Canadian and US approaches to legal interpretation, explore the reasons for some of the significant differences between the two, and consider what this tells us about legal interpretation in Canada. We will primarily consider statutory interpretation but will also touch on the interpretation of other important legal documents such as wills, trusts, and contracts.

The seminar will have two phases. In the first phase we will read and discuss the assigned readings each week. In the second phase, students will submit and present a draft of their papers for review and discussion in the seminar.

During phase one, students will, in consultation with the instructor, select the topic on which they wish to write their final seminar paper. The topic can be anything to do with legal interpretation and must be approved by the instructor. During phase two, in each class one or more students will submit their draft paper for review by the class. The other students will each prepare short (1-2 page) written comments and questions for the author on their draft, which we will discuss in the seminar. The students will then be expected to revise and complete their drafts taking into account the written comments and seminar discussion.

Evaluation will be based on:
In class participation and discussion (25%); Written comments on, and discussion of, other students' drafts (25%); Final paper (50%).

This seminar will challenge class participants to think critically about the proper role of the judiciary in Canadian society, and whether and how democratic theory should impact how judges, legislators, and other legal actors do their work. Students will be required to engage with viewpoints they may disagree with, and learn how to articulate their disagreements constructively and respectfully. Statutory and legal interpretation is fundamental to the practice and study of law. This class is therefore designed to be instructive and valuable for anyone interested in a career in law, whether in private or public practice, litigation or solicitor work, or in clerking or academia.

Mike Donaldson, KC (LLB, UBC (1994) LLM, Columbia (2017)) has practiced complex commercial and energy arbitration and litigation in Calgary for over 25 years, for the last several years with Lawson Lundell LLP. He has been repeatedly recognized by Chambers, Best Lawyers, Lexpert, Benchmark Litigation, and others as a leading lawyer in Commercial Litigation, Arbitration, and Appellate Advocacy. Mike has also published several articles in US and Canadian Law Journals and is the author of book chapters on damages, arbitration, and statutory interpretation. Mike completed his LLM at Columbia University in 2016-2017, where he was a James Kent Scholar and published several articles. Mike has also taught effective writing, legal drafting, and written advocacy courses to lawyers and business people in law firms, industry, government, and regulators.

Lauren Dresselhuis is an associate in the Vancouver office of Lawson Lundell LLP. She practices in the areas of commercial litigation and labour, employment and human rights. Lauren graduated from the Allard School of Law, where she received various awards including the David Roberts Prize in Legal Writing and the Guild Yule Prize in Ethics and Professionalism. She is excited to return to Allard as co-instructor for Law 312D and in her free time can be found petting dogs in her vicinity and reading legal books that no one else except her co-instructor thinks are interesting.

LAW 312D.002 **Topics in Philosophy of Law & Theoretical Perspectives** ***Law and Literature***

☑ Term 1 ☐ Term 2 Liston *Seminar* *3 CREDITS*

CHANGE June 12: Course Description & Evaluation Method

This seminar examines the relationship between law and literature in order to address the following questions:

-How are legal institutions, norms, and processes portrayed in literature?
-How has an author's legal education affected their writing?
-How is narrative used in legal writing, particularly in judicial opinions?
-What are "legal fictions"?
-What can we learn about legal interpretation from literary interpretation?
-How are lawyers portrayed in literature?

The seminar provides an opportunity to think about the law differently by critically examining and reflecting on works of fiction. We will also engage with problems in practical legal writing by considering how judges write, the skills of legal reasoning and persuasion, and different approaches to legal interpretation.

Representative texts vary from year to year, but may include some texts from the following list:
Julian Barnes' Arthur and George, Lewis Carroll's Alice in Wonderland and Through the Looking Glass, Agatha Christie's And Then There Were None, Louise Erdrich's The Round House, Penelope Fitzgerald's The Bookshop, Susan Glaspell's A Jury of Her Peers, Kazuo Ishiguro's Remains of the Day, Franz Kafka's In The Penal Colony as well as some of his legal memos, Akira Kurosawa's Rashomon, Hilary Mantel's, Wolf Hall, Herman Melville's Billy Budd, John Jay Osborn Jr's The Paper Chase, Anna Sewell's Black Beauty, Colson Whitehead's The Nickel Boys.

Representative thinkers include: Anthony Amsterdam and Jerome Bruner, Robert Cover, Ronald Dworkin, William Eskridge, Stanley Fish, Lon Fuller, Daniel Heath Justice, Desmond Manderson, Jennifer Nedelsky, Martha Nussbaum, Richard Posner, Robin West, and James Boyd White.

A background in literary studies is not required. Seminar participants are expected to read the texts closely and to be actively engaged in seminar discussions.

Evaluation:
-15% Active weekly seminar participation
-15% Act as discussion leader for one seminar class
-20% 2 short assignments each worth 10%
-50% An outline (5%) plus an 18-page (maximum) research essay (45%) devised in consultation with the instructor.

Professor Mary Liston is a full time member of the Peter A. Allard School of Law.

LAW 312D.003 **Topics in Philosophy of Law & Theoretical Perspectives** ***Natural Law in Theory & Practice***

☐ Term 1 ☑ Term 2 Trotter *Seminar* *3 CREDITS*

Until the relatively recent ascendancy of legal positivism, the Western legal tradition, and particularly the common law, was understood from a Natural Law perspective – a moral, legal, and political philosophy which claims to provide an objective standard which can inform lawmakers in making the positive law, judges in reasoning with it, and critics in critiquing it.

To many practitioners and law students, there remains something relevant and compelling about such an understanding of the law. It promises to provide a robust and consistent framework by which to be able to evaluate whether a law is just or unjust, and how to approach the core Constitutional conundrum for the modern liberal state – the 'balancing' of 'competing [positive] rights'. It also has the potential to better integrate with the philosophical or religious approaches by which many people live their lives.

This course will begin with a concentrated introduction to Natural Law Theory. Drawing upon authors as diverse as Aquinas, Blackstone, C.S. Lewis, Martin Luther King Jr. (Letter from Birmingham Jail), and John Finnis, we will explore the core principles of the Natural Law perspective, both historically and contemporarily, as well as a brief look at its main critiques. Guest teachers will be used where possible.

The course then shifts into applying the Natural Law perspective to contemporary Canadian legal problems seen through the lens of recent cases, and those now appearing on the horizon. Problems explored will include freedom of conscience and religion, freedom of speech, school curriculum and governance issues, public prohibitions and regulations based on Natural Law understandings of the role of the state in society (e.g. MAiD, prostitution, and drug policy), judicial use of Charter Values and their critiques, Civil Disobedience, Human Rights, and other topics of interest to students in the class. If possible, guests will include counsel in the cases we are considering. We will discuss breaking cases as they come to our attention through the news. The approach in this second portion of the course is a truly practical one – i.e. how can we, as lawyers, not only think through a Natural Law lens, but also 'translate' Natural Law concepts into contemporary legal language and principles so that they can be brought to bear in the courtroom?

This course is offered in alternating years only.

Evaluation:
-Pre-read for, and active participation in, weekly seminar: 20%.
-Facilitate one class's discussion during the second phase of the course, including develop, in conjunction with the instructor, reading list and advance class outline & discussion topics/questions for that week (instructor can provide reading list suggestions): 15%
-a term paper devised in consultation with the instructor of no more than 25 pages: 65%. Students are invited to use this opportunity to either explore the intersection of their own philosophical or religious beliefs with Natural Law theory (both where they agree, and where they do not), and/or to write their papers with a view to submitting it for publication in a law journal after the course concludes, and/or in factum format as if filed in court, although none of these things are required.

Geoffrey Trotter is an alumnus of UBC Law. This will be his sixth time teaching this course. While a student, one of his term papers was published in the Saskatchewan Law Review on the topic of religious freedom rights of marriage commissioners. He clerked with the BC Supreme Court, articled at Bull Housser & Tupper LLP (now part of global firm Norton Rose Fulbright), and then practiced civil litigation and administrative law at the downtown Vancouver firm of Gudmundseth Mickelson LLP from 2009-2013. Since then, he has run his own civil litigation and Constitutional/Human Rights practice (www.gtlawcorp.com). Geoffrey has acted as lead or co-counsel in a number of cases dealing with freedom of religion, freedom of speech, freedom of assembly, and other issues where he brings natural law perspectives to bear in courtroom-appropriate ways, including as counsel or co-counsel for both parties or interveners, such as: before both the BC Court of Appeal and the Supreme Court of Canada in Carter v. Canada and Trinity Western University v. Law Society of BC; in the Court of Appeal in A.B. v. C.D., 2020 BCCA 11; in the 'bus dad case' (Crook v Director of Child Protection, 2020 BCCA 192), and in challenges to PHO covid-19 orders respecting church closures (Beaudoin v. BC, 2021 BCSC 512 and 2022 BCCA 427) and allegedly overly restrictive medical exemptions to the BC vaccine passport program (Kassian v. British Columbia, 2025 BCCA 20). Prospective students are welcome to contact Mr. Trotter at 604-678-9190 with any questions they may have prior to registering.

LAW 313D.001 Legal History

☐ Term 1 ☑ Term 2 Harris, D. *Seminar* *3 CREDITS*

The 1960s and 1970s were decades of profound social and political upheaval as the prosperity of post WWII North America was buffeted by war, social unrest, and economic dislocation. These were decades of change, including profound change to the law of property in Canada. This change included: distinguishing residential tenancies from commercial tenancies and creating a new statutory regime to enhance protections for residential tenants; abandoning the common law doctrine of married women's property and establishing a statutory framework for the division of property on the breakdown of a marriage; introducing a statutory condominium regime that facilitated the subdivision of buildings into individually owned parcels of land; and reinterpreting Aboriginal title as a legal interest rather than politically expedient recognition of Indigenous peoples which existed at the discretion of the Crown. This later change would lead, in 1982, to the inclusion of Aboriginal and treaty rights in the Canadian constitution. In addition, The Charter of Rights, which accompanied this constitutional change, did not include a general property rights provision.

This seminar provides students with an opportunity to engage with these decades of change through a focus on the law of property. It will engage with the legal regimes that preceded the disruption of the 1960s and 1970s and then analyse the nature, extent, and effects of the changes that were introduced by statute, in judicial decisions, or some combination of the two.

The seminar is built around readings and classroom discussion, and the assignments are designed to help students undertake a significant legal/historical research project. Its particular focus is on the law of property, but it will appeal more broadly to students interested in legal history, the history of the 20th century, social change, and interdisciplinary study.

Evaluation:
Students will be evaluated on a research paper (50%) and several small assignments (including drafts of a research question, introduction, and outline, and a class presentation) intended to help develop the project and to advance the writing (35%). Students will also be evaluated on their participation in class (15%).

Professor Doug Harris is a full time member of the Peter A. Allard School of Law.

LAW 316C.001 International Law

☐ Term 1 ☑ Term 2 Mickelson, K. *Lecture* *3 CREDITS*

Cross-listed to LAW 554C.001

This course will provide an overview of the international legal system, with a focus on its basic concepts and processes. While the course will touch on a number of different substantive areas (the law relating to the use of force, as well as aspects of international human rights law and international criminal law), and provide students with a sense of how international law has responded to the challenges that these areas have posed, the main goal is to arrive at some overarching insights into the operation of the international legal system and its future possibilities. By the end of the course, students should be able to identify international legal issues and analyze how these could be addressed within the structures and processes of the international legal system; explain and apply core international law norms; and identify and critically engage with some of the major theoretical and conceptual debates that underlie the field.

Note: LAW 304 Transnational Law is not a prerequisite for this course.

Evaluation:
Evaluation in this section is based on: a final, limited open-book examination (90% of the overall grade) and class participation (10% of the overall grade). Students have the option of writing a research essay of 2500-3000 words for 30% of the overall grade; this would reduce the examination mark to 60% of the final grade.

Professor Karin Mickelson is a full time member of the Peter A. Allard School of Law.

LAW 319D.001 International Human Rights

☐ Term 1 ☑ Term 2 Lazarus *Seminar* *3 CREDITS*

Cross-listed to LAW 560D.003

The aim of this course is to provide students with a rigorous, critical and practical grounding in the broad field of international (United Nations) and regional (African, ASEAN, European, Inter-American) human rights law in order to equip those exploring further practice in this field.

It will begin with an exploration of critical perspectives on human rights including challenges to the universality of human rights; critiques of the relationship between human rights, imperialism and the colonial legacy; the objection that human rights lack democratic legitimacy and narrowly circumscribe fields of political discourse; and the assertion that human rights represent a narrow political liberalism which has facilitated the global capitalist neo-liberal order. Alongside, these critiques the course will also consider threats to the human rights order posed by the rise of autocratic populism, and attacks by governments, politicians, think tanks, and organised conservative religious groups on human rights institutions and norms. Students will be invited to engage in debates around these issues, and to engage with these ideas as they move through the substantive stage of the course.

The course will then explore the institutions, norms and ideas that have given shape to the international human rights order. The primary aim of this part will be to give students a solid grounding in the substance of applicable human rights and their interpretation and enforcement. The course will outline the core interpretive principles that frame judicial and non-judicial approaches to human rights. It will examine the institutions which are tasked with the interpretation, enforcement and regulation of human rights within international and regional systems, and will give an overview of substantive rights ranging across the core areas of political and civil right rights; economic, social and cultural rights; and group rights. Finally, after consultation within the seminar group, students will apply their learning to existing human rights case studies, including (where possible) contributing to human rights claims or reports in an experiential setting

Evaluation: 20 % participation in class, 80% paper

Professor Liora Lazarus is a full time member of the Peter A. Allard School of Law.

LAW 321D.001 **Law of Armed Conflict** ***International Humanitarian Law***

☑ Term 1 ☐ Term 2 MacKinnon Monk, C. *Seminar* *3 CREDITS*

What is the law of armed conflict, otherwise known as International Humanitarian Law? When and to whom does it apply? Who does it protect?

This course will focus on these questions and others, including the rules pertaining to the means and methods of warfare, the humanitarian protections accorded to both civilians and persons hors de combat ("out of the fight"), and the enforcement mechanisms available (such as the International Criminal Court) when there are breaches of the law. The course will also examine a separate but inextricably connected body of law, referred to as jus ad bellum or "use of force" law, which governs how and when states can lawfully resort to force in their international relations.

Students will have the opportunity to think critically about the role of law in regulating the conduct of hostilities and how effective (or not) it has been at achieving its aims, and will discuss and offer their own perspectives on what the future of this body of the law should look like. On a very practical level, this course will enable students to follow current events with a clearer understanding of whether states and non-state actors are complying with their legal obligations in regards to the conduct of hostilities.

Evaluation:
Final paper: 50%
In class presentation: 25%
Class participation: 25%

Emily MacKinnon (BMus (University of Ottawa), MA (UBC), JD (UBC)) has served in the Canadian Armed Forces Reserves for 26 years, first with the Canadian Army and later in the Office of the Judge Advocate General. She deployed with the Office of the Judge Advocate General to Ukraine (2021). She has held instructor and leadership positions with the Communications recruit school in Shilo, Manitoba and with the Canadian Forces School of Communications and Electronics in Kingston, Ontario. Emily is also a partner with Osler, Hoskin, & Harcourt LLP, where she practices commercial and civil litigation. In her spare time, Emily flies planes and rides motorcycles.

Carl Monk (BA (Royal Military College of Canada), MA (Royal Roads) JD (UBC)) has served in the Royal Canadian Navy and later in the Office of the Judge Advocate General in the Canadian Armed Forces for 29 years. He deployed with the Navy to the Gulf of Oman (2002), with the United Nations Mission in Sudan (2009), and domestically with the Army to the BC wildfire response (2017). He has previously held teaching positions at the Canadian Forces Leadership and Recruit School, the Royal Military College of Canada, the Military Law Centre and Royal Roads University. Carl continues to practice military law on a part time basis, is the CEO of Transform International Canada, and continues to work hard at improving his surfing, skiing, and parenting skills, although usually not in that order.

LAW 323D.001 International Environmental Law

☑ Term 1 ☐ Term 2 Affolder *Seminar* *3 CREDITS*

CHANGE June 17: SEMINAR CANCELLED

This course examines the challenges, successes, and opportunities in harnessing state and non-state efforts to promote international environmental protection. After laying a foundation in environmental instruments, international law, institutions and the challenges of sustainable development, the course addresses concrete regimes designed to address specific international environmental problems. The course situates international law within a web of ever-growing interactions of complex and multi-layered regimes of international, EU, regional, national and sub-national environmental law, including the customary laws of indigenous peoples, and local communities.

Our focus will be on how international environmental law and policy work in practice, allowing us to explore the dynamic of treaties, negotiations, dealmaking and the range of actors on the international plane, with discussion of the interplay between domestic and international protection efforts. International climate change law will be a central pillar of the course.

This seminar will be highly interactive -- combining lectures with much class discussion, small group work, simulations, negotiation exercises, debates and guest speakers. It will provide opportunities for students to hone their research, discussion, legal analysis, writing, legal drafting, and oral advocacy skills.

Evaluation:

Engaged class participation and attendance (35%) and a final written research project or paper (65%).

Professor Natasha Affolder is a full time member of the Peter A. Allard School of Law.

LAW 324D.001 Topics in International Law & Transactions — *Law and Regulation of International Finance*

☐ Term 1 ☑ Term 2 Peihani *Seminar* *3 CREDITS*

This course examines the legal and regulatory framework of international finance. It covers both transactional aspects—such as syndicated lending, letters of credit, sovereign debt, and securitization—and the regulation of key actors and instruments, including internationally active banks and derivatives. The course also explores foundational issues related to money and payment systems, along with emerging developments in financial technology (fintech).

Evaluation: 70% final paper, 30% participation

Assistant Professor Maziar Peihani is a full-time member of the Peter A. Allard School of Law.

LAW 324D.002 **Topics in International Law & Transactions** ***Canadian Mining & Accountability in the Global South***

☑ Term 1 ☐ Term 2 Ghebremusse *Seminar* *3 CREDITS*

Cross-listed to LAW 560D.004
CHANGE June 11: Instructor

In this seminar, students will explore the mechanisms and related challenges of holding Canadian mining companies accountable for alleged human rights and environmental violations arising from their operations in the Global South (Africa, Asia, Latin America, and the Caribbean). Students will study the implications and feasibility of four corporate accountability mechanisms available in Canada: transnational tort litigation; securities complaint; to the Canadian Ombudsperson for Responsible Enterprise; and the Canadian National Contact Point.

Through in-depth exploration of these mechanisms, students will interrogate the nuanced complexities of mining conflicts involving Canadian companies and affected communities in the Global South, while also investigating the obstacles to access to justice and remedy for. This seminar also delves into the complex issue of corporate accountability in the Canadian mining sector by situating Canadian mining conflicts in the Global South within the post-colonial history of resource extraction and the current global political economy, including the growing demand for critical minerals and developments in the field of business and human rights.

This course will be evaluated by way of class attendance and participation, and a mining conflict research project comprised of a research proposal, presentation, and final paper. Each component will be worth the following:
•Attendance and participation: 15%
•Research paper proposal: 15%
•Research paper presentation: 25%
•Final research paper: 45%

Assistant Professor Sara Ghebremusse is a full time member of the Peter A. Allard School of Law.

LAW 325.001 Conflict of Laws

☑ Term 1 ☐ Term 2 Calvert Posyniak *Lecture* *3 CREDITS*

Cross-listed with LAW 592.001

Cases brought before a B.C. court often involve so-called "foreign" elements, that is, connections with jurisdictions other than British Columbia. This course involves a survey of the ways in which such foreign elements may lead the court to take account of foreign systems of law.

There are three areas in which such foreign elements play an important role:
1. Jurisdiction. When will a British Columbia court exercise jurisdiction in a case involving a "foreign" element?
2. Choice of Law. When will a British Columbia court receive evidence of, and subsequently apply, foreign law in a case brought before it?
3. Recognition and Enforcement of Foreign Judgments. When will the decision of a court outside British Columbia be regarded in this province as creating enforceable rights?

Evaluation: There will be a compulsory final 3-hour open book examination worth 100% of the course grade. There will be weekly discussions and exercises on Canvas to assist students in understanding the course material, and students who choose to participate will receive feedback, but these will not be graded.

Aubin Calvert is a partner at Hunter Litigation Chambers in Vancouver. Aubin's practice is focused on administrative and constitutional law. She has appeared as counsel before administrative tribunals and all levels of court. Before joining Hunter Litigation Chambers, Aubin served as a law clerk to the Right Honourable Chief Justice Richard Wagner of the Supreme Court of Canada from 2016 to 2018. She received her J.D. in 2016 from the Peter A. Allard School of Law at the University of British Columbia and was called to the bar in 2017. Aubin holds a Ph.D. in political theory, also from the University of British Columbia. Aubin is a member of the Board of the British Columbia Law Institute and serves as the British Columbia session coordinator for the Supreme Court Advocacy Institute. She is the co-author of two chapters of the CLEBC Administrative Law Practice Manual.

Tom Posyniak is a partner at Fasken Martineau DuMoulin LLP in Vancouver. His practice focuses on commercial litigation, administrative and constitutional law, class actions, and insurance litigation. Tom has an active appellate practice and regularly appears before the British Columbia Court of Appeal. Tom has also been counsel at the Supreme Court of Canada and regularly prepares written submissions in that court. Prior to joining Fasken, Tom clerked for the Court of Appeal for British Columbia and worked at another national law firm in Vancouver. He received his J.D. in 2012 from the University of Saskatchewan, College of Law, and was called to the bar in 2014. Tom is on the executive of the Appellate Advocacy section of the Canadian Bar Association – BC Branch. He also serves as a referral counsel for Access Pro Bono's Court of Appeal Program. Tom is a co-author of the Civil Appeal Handbook published by the Continuing Legal Education Society of British Columbia and the CanLII BC Civil Litigation Manual.

LAW 332.001 **Maritime Law** ***Maritime Law***

☐ Term 1 ☑ Term 2 Hawkins, T. Swanson, P. *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 300.002 with any of 332.001/546C.001 or 525.001. *Cross-listed to LAW 546C.001*

Maritime Law, also called, "Admiralty Law", has been practiced in what is currently known as Canada for centuries. "Admiralty Law" pre-dates the time when the Admiral of the English fleet exercised significant powers over matters that occurred at sea. As noted by the Supreme Court of Canada "the need for predictability and uniformity [in the regulation of maritime law] was so strong that even the common law courts, ever protective of their own ways, ceded jurisdiction to specialized courts of admiralty applying a largely international law of maritime commerce". Contemporary Maritime Law is a specialized body of law with its own unique character and is broad in scope touching on many traditional areas of law such as tort, contract and property. Maritime Law encompasses the regulation of commercial and other shipping activities, but the areas and topics of interest are both national and international in scope. The conduct of relations between states and International Conventions adopted into Canadian Law figure prominently. Typically of central interest is a "Ship" or "Vessel" with Maritime Law governing the origins, rights, and obligations of those with an interest in a ship, including issues that arise through navigating, operating, insuring, and purchasing, as well as dealing with issues that arise from those that are injured or impacted by a ship's operations, such as from oil pollution occurrences. The Maritime Law course is a survey course providing a broad overview of the various topics comprising Canadian Maritime Law. Students will be introduced to the law relating to collisions, limitation of liability, carriage of passengers, tug and tow, salvage, refuge and wreck, ship-source pollution, pilotage, ship ownership, admiralty court jurisdiction, arrest, maritime liens, carriage of goods and marine insurance.

Evaluation: 100% final exam. The final exam will be three-hours and open book based on short questions.

Thomas Hawkins is a founding partner of the Maritime and Insurance Law Firm of Bernard LLP in Vancouver, B.C. He practices in the area of Maritime and Insurance Law, advising clients on matters relating to Marine Insurance, Cargo Litigation, Tug and Tow, Collision, Oil Pollution and Marine Bodily Injury. Mr. Hawkins has conducted cases in the Trial and Appellant Courts of the Federal Court of Canada, the British Columbia Supreme Court and the Supreme Court of Canada. Mr. Hawkins has held many positions in the Maritime Legal Community including as past Westcoast Vice President of the Canadian Maritime Law Association, Past Chair of the B.C. Maritime Law Section of the CBA, Executive Member of the Marine Insurance Association of B.C. and currently serves on the Owner's Committee of the Chamber of Shipping of BC. Mr. Hawkins taught Maritime Law at the UBC Faculty of Law from 1996 to 2008. He has been counsel on numerous maritime casualty cases and oil pollution occurrences. He conducted the investigation of the 2006 sinking of the "Queen of the North" and represented the families and survivors of the 2015 "Leviathan II" Tofino whale watching boat case. He is listed by "Best Lawyers in Canada" and "Who's Who Legal Canada" as a leading Canadian lawyer in Maritime Law. He has sailed across the Atlantic Ocean, Tasman Sea and the in the South Pacific.

Peter Swanson (B.A. (UBC 1984), L.L.B. (UVIC 1987)) is a senior litigation lawyer with over 30 years of experience and is a founding partner of Bernard LLP. His practice includes cases involving the enforcement of maritime liens, vessel arrest and security, carriage of goods by water, civil and regulatory liability for ship source pollution, collision, salvage, port state control, charterparty and other commercial disputes, and constitutional issues arising in a marine context.

Peter has represented clients at all levels of court in Canada, including the Provincial Court of British Columbia, the British Columbia Supreme Court, the Federal Court, the British Columbia Court of Appeal, the Federal Court of Appeal and the Supreme Court of Canada. He was lead counsel in the successful defence in R. v. MV Marathassa, 2019 BCPC 13. Peter is very active in the marine community being a past president and current director of the Vancouver Maritime Arbitrators Association, past president and a current director of the International Sailors Society Canada, a director of the Institute of Chartered Shipbrokers (Canada) and a director of the Chamber of Shipping of British Columbia. Peter is recognized by his peers as a leader in the field of maritime law being listed in The Best Lawyers in Canada, the Canadian Legal L'expert Directory, Who's Who Legal and Chambers and Partners.

LAW 334.001 Introduction to Asian Legal Systems

☑ Term 1 ☐ Term 2 Matsui Cheng Kim *Lecture* *3 CREDITS*

This course offers an introduction to the legal systems of Asia, focusing on China, Japan, and Korea. It has two main objectives. The first is to develop foundational skills in comparative law by applying appropriate comparative law methods to the legal systems of Asia. The second is to examine key aspects of each country's legal system through several common themes: historical development and ongoing modernization; constitutional law and government structure; the judiciary and legal processes; law and the economy; and recent developments and challenges, including legal issues related to regional security and broader social concerns.

The course is scheduled to have three components: (1) the Chinese component (Cheng), (2) the Japanese component (Matsui), and (3) the Korean component (Kim). There will be a mid-term wrap-up session as well as a final wrap-up session at the end of the course.

Evaluation:
The evaluation is composed of 10% mid-term quiz, 30% final exam, and 60% final paper.

Professor Shigenori Matsui is a full time member of the Peter A. Allard School of Law.

Associate Professor Jie Cheng is a full-time member of the Peter A. Allard School of Law.

Mr. John C.H. Kim is an Adjunct Professor at the Peter A. Allard School of Law and a partner at Norton Rose Fulbright Canada LLP / S.E.N.C.R.L., s.r.l. He practices corporate/commercial law with a focus on cross border M&A, inbound investments and technology sector transactions and projects, in particular those involving blockchain and cryptocurrencies.

LAW 336.001 Chinese Law: Implications for Canada-China Relations

☑ Term 1 ☐ Term 2 Cheng *Lecture* *3 CREDITS*

The course aims to foster a critical understanding of China's contemporary legal system and its implications for Canada-China relations. The course examines six areas of law from the perspective of law and society: (1) the origins of China's legal system as a hybrid of Confucianism, Marx-Leninism, and (post)modernism; (2) the legal hierarchical order and judicial politics in China; (3) China's evolving property law and business law; (4) China's Political Troika and federalism Chinese style; (5) law on domestic relations and social law; and (6) Chinese law in foreign courts and foreign judgments and arbitral awards enforcement in China. In each session, we will survey the pertinent legal framework, discuss the challenges and complexities, and reflect on the implications for modernity in law and international relations, in particular, Canada-China relations.

Evaluation:
Evaluation will be based on class participation and online discussions (10%), a mid-term assignment (20%), and a final paper (70%). Students are expected to select their topics for the final paper in consultation with the instructor. The paper should be at least fifteen pages long with footnotes or bibliography (no less than 5000 words).

Associate Professor Jie Cheng is a full-time member of the Peter A. Allard School of Law.

LAW 338D.001 **Japanese Law** ***Business Law in Japan***

☑ Term 1 ☐ Term 2 Matsui *Seminar* *3 CREDITS*

This seminar is designed to introduce business law in Japan. Japan is the third largest economy in the world and its business law is very important to do business with Japanese companies. Moreover, there are many distinctive features in Japanese business law, so different from Canadian law. The seminar first outlines the general legal system and legal process, such as historical development of law, the judicial system, judges, attorneys, prosecutors, legal education system and judicial procedure. Then, it examines various fields of law related to business, including the basic constitutional foundation (structure of the government and protection of economic freedoms), basic rule of private law (contract and tort), basic issues in business law (corporation law, corporate governance, derivative suits, anti-trust regulation, security regulation, and protection of intellectual property rights), and business related issues (labour law and environmental law). http://www.shgmatsui.com

Evaluation: Class participation 30% and final assignment 70%.

Professor Shigenori Matsui is a full time member of the Peter A. Allard School of Law.

LAW 342D.001 **Topics in Comparative Law** ***The World Trade System***

☐ Term 1 ☑ Term 2 Biukovic *Seminar* *3 CREDITS*

Seminar Description:
This seminar aims to provide students with a brief introduction to the main legal aspects of world trade law by examining the historic context for international trade and foreign direct investment, principles and rationale for international trade, mechanisms for trade and investment dispute resolution, and different forms of economic integration. The seminar topics are divided into three major themes: (a) the WTO law in a nutshell (focusing on the main principles and disciplines of the world trading system relevant for the emergence of free trade and investment agreements; (b) substantive content of bilateral and plurilateral preferential trade and investment agreements such as Comprehensive Trade and Economic Agreement (CETA) concluded between Canada and the European Union, Canada-United States-Mexico Agreement (CUSMA) concluded between Canada, Mexico and the United States, and Canada-China Foreign Investment Promotion and Protection Agreement (FIPPA); and (c) future challenges for the world trading system in times of rising trade protectionism.in developed and developing countries.

The Objectives of the Seminar:
The goals of the seminar are threefold: to provide students with knowledge of the key international trade and investment principles and rules (including the typology of preferential trade agreements and functioning of trade and investment dispute settlement mechanisms); to facilitate students' understanding of economic, social and political implications of the world trade system and trade liberalization on regional trade and investment agreements of individual countries (such as Canada); and to enable students to critically access thorny regulatory issues related to the linkages between trade and non- trade issues (human rights, environment, labour, etc.). Class participation and discussions are aimed at allowing students to get involved in current debates about the reform of the World Trade Organization and the future challenges for the world trading system.

Evaluation:
20% class participation, 30% class presentation, 50% essay.

Professor Ljiljana Biukovic is a full time member of the Peter A. Allard School of Law.

LAW 342D.002 **Topics in Comparative Law** ***Health Law***

☑ Term 1 ☐ Term 2 Iyioha *Seminar* *3 CREDITS*

CHANGE June 11: Topic
CHANGE June 16: Course Description & Evaluation Method Added
CHANGE Aug 21: Classroom

This seminar, which will be taught through a combination of methods, including guest lectures from leading Canadian and international experts, will address a number of fascinating questions at the core of comparative health law, such as: What are the legal and ethical challenges associated with the use of Artificial Intelligence in healthcare delivery given AI's algorithmic capacity for racial and gender bias? How does the behaviour of powerful nations, including the USA and China, impact the functioning of global health organizations such as the World Health Organization? Are international agreements, such as the forthcoming Pandemic Treaty, effective instruments for fostering global solidarity and cooperation in public health emergencies? Can they facilitate the sharing of health data across nations during public health emergencies? Is there a right to health in a time of war?
Students will engage in these and other socio-legal questions on a range of topics in this seminar, including medical negligence, new frontier technologies, abortion, and Cannabis regulation, to name a few. The seminar will introduce students to the legal and ethical principles governing health law in Canada and selected jurisdictions around the world. Students will gain critical insights into the merits and limits of comparative legal studies and be introduced to relevant critical legal theories that provide important insights into the limits of law within the general field of health law and, specifically, comparative health law.

Evaluation: 80% research paper + 20% participation

Associate Professor Irehobhude Iyioha is a full time member of the Peter A. Allard School of Law and holds the Inaugural UBC Professorship in Race and Access to Justice

LAW 343D.001 **Topics in Public Law - Seminar** ***Housing and Homelessness***

☐ Term 1 ☑ Term 2 Riddle Kirby *Seminar* *3 CREDITS*

This course aims to provide students with practical and theoretical foundations of the evolving body of law pertaining to homelessness and the right to housing. It will address how Canadian law treats precarious housing and homelessness, the rights and responsibilities of both private individuals and state actors as they pertain to accessing housing and sheltering in public space, and the development of the law over time. Classes will include a focus on effectively advising and acting for clients affected by homelessness in litigation, negotiation, and law reform. The course will examine the interaction of administrative law, the Charter, equitable doctrines, international law, and Indigenous legal orders in governing access to housing and sheltering in public space.

Assessment in this course will include a short research paper worth 30% of the grade, and a final paper worth 70%. Assessment may be adjusted by negotiation with students.

LAW 372C Administrative Law is recommended as a prerequisite.

Julia Riddle (JD, UBC) is a lawyer with Arvay Finlay LLP in Vancouver, a civil litigation boutique specializing in administrative and constitutional law with a commitment to advancing public interest litigation. Their clients include Indigenous nations, government actors, and individuals, acting in both an advisory and litigation capacity with a focus on complex judicial reviews and appeals. Julia has a breadth of experience working for unhoused and precariously housed individuals who are defending their right to shelter safely and access dignified housing, as well as acting for public interest organizations seeking to protect and advance housing and sheltering rights.

Alexander Kirby is a civil litigator with the BC First Nations Justice Council in Vancouver. His practice focuses on police accountability, constitutional and administrative law, and access to justice for Indigenous clients. He has appeared as counsel before the British Columbia Supreme Court and Court of Appeal, and has represented clients in police complaints, human rights proceedings, and civil litigation. Prior to joining the BC First Nations Justice Council, Alexander was an associate at Arvay Finlay LLP, where he worked on a wide range of constitutional and Aboriginal law cases. He has particular experience in litigation related to homeless encampments and municipal bylaws, including acting as counsel in Bamberger v. Vancouver (Board of Parks and Recreation), 2022 BCSC 49; Vandenberg v. Vancouver (City) Fire and Rescue Services, 2023 BCSC 2104; and British Columbia v. Friends of Beacon Hill Park Society, 2023 BCCA 177.

LAW 343D.002 **Topics in Public Law - Seminar** ***Crown Liability***

☐ Term 1 ☑ Term 2 Hoogstraten Gallant, Cl *Seminar* *3 CREDITS*

This seminar will offer a hands-on analysis of the law governing litigation by and against the government in British Columbia. Students will learn about government liability in tort and contract, the government as a fiduciary, and how to conceive of the government as a legal personality. Other topics will include constitutional torts, remedies, and a review of the Crown Proceeding Act. This seminar will be of particular interest to any student interested in litigation, public law or torts, though all students will benefit from an understanding of the role the government in our legal system. Classes will be designed to encourage participation through the use of fact patterns based on actual cases.

Evaluation: 65% for the final paper, 20% for the mid-term, and 15% for class participation.

Thea Hoogstraten (JD, UBC, 2010) has a broad litigation practice at Harris & Company LLP in Vancouver. She represents government and private sector clients with a focus on municipal law, appellate advocacy, defamation and administrative law. Thea clerked at the B.C. Court of Appeal.

Clayton Gallant (JD, UBC, 2015) practices in the areas of civil litigation and administrative law at Gudmundseth Mickelson LLP, a litigation boutique in Vancouver. He represents government and private sector clients as well as professional regulatory authorities. Prior to being called to the bar, he acted as a judicial law clerk for five justices of the Supreme Court of British Columbia.

LAW 343D.003 **Topics in Public Law - Seminar** ***Education Law***

☐ Term 1 ☑ Term 2 Tsiakos *Seminar* *3 CREDITS*

This seminar offers an in-depth examination of the legal frameworks governing education in Canada, with a particular emphasis on British Columbia. Students will explore the constitutional, statutory, and policy dimensions that shape both K–12 and post-secondary education. Weekly topics may include governance structures, student and faculty rights, equity and inclusion, Indigenous education, academic freedom, and emerging legal challenges such as digital privacy and the impact of artificial intelligence. Through case studies, legislative analysis, and contemporary debates, the course aims to equip future legal professionals with a comprehensive understanding of the complexities and evolving nature of education law in Canada.

Evaluation Method:
20% Class participation and engagement
80% Research paper on any topic covered in the course or as approved by the instructor

George Tsiakos (B.A., LL.B., LL.M., M.L.I.S., (UBC)) is the Head of the UBC Law Library and an Honorary Lecturer at the Allard School of Law. He is a member of the Law Society of BC and is a two-term School Board Trustee of the North Vancouver Board of Education.

LAW 343D.004 **Topics in Public Law - Seminar** ***Animal Law***

☑ Term 1 ☐ Term 2 Shroff *Seminar* *3 CREDITS*

CHANGE September 10: Instructor

This seminar will explore the vast intersectionality of Animals and the Law. Specifically:
· Critically review legal treatment of animals historically and currently in Canada
· Explore theoretical, cultural, socio-economic underpinnings of legal treatment of animals
· Highlight Indigenous non-Western, Social Justice perspectives, competing ideologies for all animals
· Analyze relevant statutes, policies, case law, secondary sources per legal treatment of animals in tort, property, criminal, family, contract, environmental, administrative, municipal, estate law and more
· Evaluate treatment of animals in Canada and internationally
· Provide safe and welcoming space for discussion and competing perspectives
· Facilitate innovative ideas, thoughtful discussions, debate legal status of animals, eg. 'Is animal legal personhood viable and optimal?'
· Offer guidance on practical aspects of animal law, developing an animal law practice
· Provide opportunities to develop oral, written advocacy and presentation skills
· Approach animal law from both an academic and practice based perspective.
· Invite guest speakers in the field

Evaluation:
70% Research paper / 30% Attendance and Participation

*Special Points to Note about Law 343D,. the Animal Law seminar:
1. Animal Law has been approved as part of the Social Justice Specialization at Allard. (Courses included in the Specialization examine the role of law and legal discourse in constructing and maintaining social, political, and economic inequalities, as well as the potential for law to shift inequalities rooted in social relations.)
2. There is a dedicated Animal Law Pro Bono Clinic (ALPC) run by LSLAP where students may participate
3. Animal Law at Allard has a dedicated $1000.00 prize called The Sharon Koshul Memorial Prize in Animal Law which will be awarded to a JD student who demonstrates academic excellence in the course.

V. Victoria Shroff, KC (B.A. Soc. Hons., LL.B., UBC) is Canada's first (and only) animal law lawyer appointed King's Counsel. A pioneer in the field, she is one of the country's first and longest-serving animal law practitioners, and the longest-serving in BC. Since 2016, she has been Adjunct Professor of Animal Law at UBC's Peter A. Allard School of Law. In 2020, she helped launched Canada's first Animal Law Pro Bono Clinic through LSLAP. Shroff is author of Canadian Animal Law (Lexis-Nexis), described as a "capacious and compelling treatise". She is founding-chair of the Canadian Animal Law Study Group and helped shape BC legislation linking companion animals and family law (https://news.gov.bc.ca/releases/2024PREM0001-000036). She has represented animals at all court levels in Canada. Honours include:Canada's Top 25 Most Influential Lawyers (2023),YWCA Women of Distinction finalist, SEEDS award from the International Society of Animal Rights, letter of recognition from the Premier of B.C. She is a frequent media commentator, lectures nationally, internationally, and presented a TEDx Talk on animal sentience law https://www.youtube.com/watch?v=Atb0SyUN3HA. Shroff serves on the CBA's Access to Justice Committee, is an Associate Fellow,Oxford Centre for Animal Ethics (UK), is affiliated with Global Animal Law and the Paisley Irregulars (honoris causa). Shroff is a year-round ocean swimmer.| Contact: shroff@telus.net, UBC Expert's: https://experts.news.ubc.ca/expert/victoria-shroff, LinkedIn/ https://www.linkedin.com/in/v-victoria-shroff-0631601/ | www.shroffanimallaw.com

LAW 343D.005 **Topics in Public Law - Seminar** ***The Role of the Supreme Court of Canada in the Canadian Legal System***

☑ Term 1 ☐ Term 2 McMahon, A Janzen, E Jon, P *Seminar* *3 CREDITS*

This seminar is designed for students who are interested in learning about the jurisprudence of the Supreme Court of Canada and critically engaging with its decisions.

What does it mean to "agree" or "disagree" with a decision of the Supreme Court of Canada? Why does the Court divide on certain cases? What is the meaning and role of judicial "policy"? How has the Court's jurisprudence changed over time? How can we discern a judge's underlying judicial philosophy?

These are the types of questions that this seminar will explore through case studies, academic commentary, and guest speakers. Particular topics may include the separation of powers, stare decisis, standards of review, judicial restraint, methods of constitutional interpretation, sources of law, and the role of concurrences and dissents.

Although these topics may sound abstract, the goal of this seminar is to develop practical tools to interpret, apply, and critique the Court's jurisprudence. This seminar will provide a particularly helpful analytical foundation for students interested in appellate litigation or who will be applying for/entering into appellate clerkships.

Evaluation: participation (10%), short case comments (20%), final paper (70%).

Allison E.I. McMahon is an associate at Nathanson, Schachter & Thompson LLP. She obtained her B.A. in History & English Literature at McGill University (2011), M.A. in History at Queen's University (2012), and J.D. at the University of British Columbia (2018). Following law school, Allison clerked at the Court of Appeal for British Columbia and for Justice Russell Brown at the Supreme Court of Canada, served as counsel to the Public Order Emergency Commission, and worked as an associate at a large regional firm. Her practice at NST focuses on complex commercial litigation and regulatory matters.

Elizabeth R. Janzen is an associate at Sugden, McFee & Roos LLP. She earned her B.A. in International Relations and her J.D. from the University of British Columbia. After law school, she clerked at the Supreme Court of British Columbia, the Court of Appeal for British Columbia, and for Justice Sheilah Martin at the Supreme Court of Canada. She maintains a general civil litigation practice with a focus on administrative law and professional regulatory matters.

Paul S. Jon is an associate at Hunter Litigation Chambers. He completed his B.A. in Classical Studies with a minor in Medieval Studies and his J.D. at the University of British Columbia. He then clerked at the Court of Appeal for British Columbia and for Justice Malcolm Rowe at the Supreme Court of Canada. He has a broad litigation practice, including constitutional and Charter matters (acting on behalf of claimants, public interest interveners, and the provincial government), administrative law, human rights, criminal defence, professional discipline, class actions, and commercial disputes.

LAW 344D.001 Innovation, Law, and Regulation

☑ Term 1 ☐ Term 2 Ford *Seminar* *3 CREDITS*

TIn 2021/2022, the Innovations Seminar will survey the intersection between law (legal practice, legal theory, and governance) and technological innovation.
Technological innovations including AI (natural language processing, neural networks, predictive algorithms) and distributed ledger technologies (the blockchain, smart contracts, decentralization) are already having significant impacts on social, economic, and relational structures. Drawing on specific examples and emerging critical perspectives from legal and regulation & governance scholarship, we will examine the implications of these and related developments on:
•the practice of law and the regulation of the legal profession (access to justice, sandboxes, new business models);
•legal theory (e.g., “personhood,” “facts”, what constitutes “legitimate” “decision-making”);
•the perceived place of legal reasoning, contestation, and deliberation in relation to newer technology-based tools; and,
•foundational normative commitments including fairness, privacy, human dignity, and democratic or just governance.

Assessment will be based on
•informed, active, and respectful weekly seminar participation (15%),
•one “deeper dive” into one topic over the term, ideally with an option to lead our seminar discussion on that topic (25%), and
•an outline and final research paper (together, 60%).

Professor Cristie Ford is a full time member of the Peter A. Allard School of Law.

LAW 345C.001 **Topics in Public Law - Lecture** ***Freedom of Expression***

☐ Term 1 ☑ Term 2 Matsui *Lecture* *3 CREDITS*

Should the government impose criminal punishment on WikiLeaks? Could the government prohibit Robert Pickton, convicted serial killer, to publish a book about his crimes and make money? Should the government be allowed to prohibit the Holocaust denial? Should the government be allowed to prohibit the posting of video showing animal cruelty on the Internet? Does a citizen have a right to construct a billboard protesting to the government on the sidewalk of the city street? Should a journalist be granted a privilege not to disclose news source? When could the courts exclude the public from the courtroom? To what extent should the government be allowed to regulate the television broadcasting?

This course is intended to provide the students with an opportunity to learn various questions regarding freedom of expression, especially focusing on the freedom of expression of mass media. This course is ideal for students who have learned the basic doctrines of constitutional law to apply its knowledge in specific situations involving freedom of expression.

The course will start with the examination of values of freedom of expression and general theoretical framework, especially focusing whether the mass media should be granted privileged status. The course will then examine various content-based restrictions on speech, such as ban on disclosure of national secret, ban on advocacy of illegal action, regulation of election speech, restriction of other political expression, civil and criminal liability for defamation, civil liability for invasion of privacy, regulation of offensive speech, ban on hate speech, ban on pornography, ban on child-pornography, regulation of sexually explicit expression, and regulation of commercial expression. Then, the course will examine the content-neutral restrictions on freedom of expression and restrictions on newsgathering, including protection of confidential sources. It will also examine the right of access to the government information, including right of access to the courtroom and the right of access to government-held information under the Access to Information Act. The course will also examine the regulation of broadcasting and new media, including the cable television, satellite television and the Internet. Then, the students will face the question of social responsibility of the mass media and the issue of right of access to the mass media.

Throughout the course, the students are encouraged to analyze these constitutional issues under the protection of freedom of expression of the Charter. But the course will also examine various issues presented in other countries, especially in the United Kingdom, the United States, or European countries.
Http://www.shgmatsui.com

Evaluation method:
30% class participation
70% final examination or assignment

Professor Shigenori Matsui is a full time member of the Peter A. Allard School of Law.

LAW 345C.002 **Topics in Public Law - Lecture** ***Refugee Law***

☑ Term 1 ☐ Term 2 Dauvergne *Lecture* *3 CREDITS*

CHANGE June 23: SEMINAR CANCELLED

This course provides a foundation for scholarship and practice in the area of refugee law. The first part of the term will be spent considering international refugee law, with particular focus on the Convention relating to the status of refugees and jurisprudence from around the world regarding the refugee definition. The second part of the term will consider how the Convention is implemented in Canadian law, and will examine key aspects of refugee status determination in Canada. The course draws on topics in international human rights law, administrative law, and some aspects of the Canadian Charter of Rights and Freedoms.

Assessment in this course will include an exam worth 60% of the grade, and two smaller assignments worth 20% each. Assessment may be adjusted, by negotiation with students, if fewer than 20 students enrol in the course.

Professor Catherine Dauvergne is a full time member of the Peter A. Allard School of Law and holds the Canada Research Chair in Migration Law.

LAW 345C.003 **Topics in Public Law - Lecture** ***Access to Information and Privacy***

☑ Term 1 ☐ Term 2 Fiorido *Lecture* *3 CREDITS*

This is an introductory course designed to familiarize students with legal concepts surrounding privacy law in Canada. The focus of the course will be on developing an understanding of privacy legislation (including the federal PIPEDA and the B.C. FIPPA and PIPA), becoming familiar with the processes and procedures of the Office of the Information and Privacy Commissioner for B.C., and learning about key privacy principles. This course will explore key issues arising in the FOI context and students will gain a basic level of understanding how to respond to access requests. The course will also explore the intersection of privacy law and human rights as well as privacy in the context of searches, surveillance, monitoring and the application of the Charter. This course will take a practical approach to the subject which will result in students developing relevant skills in relation to this prevalent and exciting area of law.

The course will consist of lectures and extensive discussion of privacy-related issues and cases.

Evaluation: Class participation (10%); privacy practice exercises (30%) which includes a mock FOI assignment and a policy drafting assignment; and an open book final examination (60%)

Michela Fiorido (BA (Kwantlen Polytechnic University), MA (University of the Fraser Valley), JD (UBC)) is a partner at Harris & Company LLP in Vancouver. Her practice focuses on access, data security and privacy law. She represents clients in complaint, review, inquiry and other matters before provincial and federal privacy commissioners. Michela is recognized as a Fellow of Information Privacy, is a Certified Information Privacy Professional (Canada) and is a Certified Information Privacy Manager. She is called to the bar in both B.C. and California. Michela is the Vice Chair of the CBABC Freedom of Information & Privacy Law Section and is an active member of the California Lawyers Association Privacy Publications Committee. As the Chair of Harris & Company LLP's Student Committee, she is also involved in the recruitment and supervision of articling students.

LAW 347B.001 **Federalism**

☑ Term 1 ☐ Term 2 Bakan *Lecture* *2 CREDITS*

This course is NOT open to Exchange students or Visiting students.

An examination of judicial review under the constitutional law of Canadian federalism, as found primarily in the Constitution Act 1867. Students will be introduced to interpretive principles developed by the Supreme Court of Canada for resolving disputes pertaining to whether federal or provincial governments and legislatures have jurisdiction over particular matters. Particular attention will be paid to the historic evolution of those principles, how they reflect different, and often conflicting visions of Canadian federalism, and how courts apply them in relation to a select group of classes laid out in sections 91 and 92 of the Constitution Act 1867.
Evaluation will be by a final 100% examination.

Professor Joel Bakan is a full time member of the Peter A. Allard School of Law.

LAW 347B.002 **Federalism**

☐ Term 1 ☑ Term 2 Bird *Lecture* *2 CREDITS*

This course is NOT open to Exchange students or Visiting students.

In this course we will study, through the lens of judicial decisions and academic scholarship, the doctrines and theories that animate Canadian federalism. The interpretation and application of the division of legislative powers between the provinces and the Parliament of Canada will be a prominent topic of consideration in this course.

Evaluation will be based on a 100% final, open-book examination.

Lecturer Professor Brian Bird is a full-time faculty member at the Peter A. Allard School of Law.

LAW 347B.003 Federalism

☑ Term 1 ☐ Term 2 Bird *Lecture* *2 CREDITS*

Exam Conflict: Students cannot register in 455.001 with any of 347B.003 or 468.004/588.004. *This course is NOT open to Exchange students or Visiting students.*
CHANGE July 28: Instructor and Evaluation Method
CHANGE Aug 19: Classroom

In this course we will study, through the lens of judicial decisions and academic scholarship, the doctrines and theories that animate Canadian federalism. The interpretation and application of the division of legislative powers between the provinces and the Parliament of Canada will be a prominent topic of consideration in this course.

Evaluation will be based on a 100% final, open-book examination.

Lecturer Professor Brian Bird is a full-time faculty member at the Peter A. Allard School of Law.

LAW 347B.004 Federalism

☐ Term 1 ☑ Term 2 Young, M. *Lecture* *2 CREDITS*

Exam Conflict: Students cannot register in 347B.004 with any of 414.001/550.001 or 509.005. *This course is NOT open to Exchange students or Visiting students.*

This course is a required course and compliments the other two parts of the required Constitutional Law curriculum. The course covers key legal doctrines and the basic principles that inform the division of powers with the Canadian settler federal state, with the goal of students being able to place doctrinal developments into a larger political and historical context, and within the colonial context of settler law. Students will to start to develop their own critical understanding of how constitutional law regulates the Canadian social and political order, and how it contributes to the construction of Canadian political identity(identities) and to ongoing colonial patterns. Students will further develop appreciation of the potential for plurinationalism within the Canadian federal system.

Evaluation Method
100% Final Exam

Professor Margot Young is a full time member of the Peter A. Allard School of Law.

LAW 349D.001 **Topics in Constitutional Law** ***Charter Litigation***

☑ Term 1 ☐ Term 2 Smith, L. Sigurdson *Seminar* *3 CREDITS*

CHANGE Aug 19: Classroom

The Canadian Charter of Rights and Freedoms allows individuals and (sometimes) organizations to challenge legislation or government action in court. This seminar will examine substantive legal principles developed in the jurisprudence regarding selected provisions of the Charter including s. 1 (guarantee and limitation of rights) s. 7 (life, liberty and security of the person), s. 15 (equality), s. 3 (democratic rights) and s. 2 (freedom of religion, expression, assembly or association). It will also examine the process of Charter litigation and what such litigation can accomplish, using a case study method with visits by leading litigation lawyers. The cases examined will be ones in which legislation or government action has been challenged under the Charter. Litigation strategies will be discussed, and some of the unique legal, procedural and evidentiary considerations that arise in Charter litigation (who has standing to bring a challenge? how is an evidentiary record created? what remedies are available?) We will also spend some time on the background and context of Charter litigation.

Evaluation will be based on a substantial research paper (70%), and class participation including a few assignments throughout the term (30%).

Lynn Smith B.A. (University of Calgary), LL.B. (University of British Columbia), LL.D. (Hon.) (Simon Fraser University) was appointed to the Supreme Court of British Columbia in 1998. She served as a Justice of that Court until September 2012.

In 2005-06, Justice Smith was Executive Director of the National Judicial Institute, on secondment from the Court. She continues to serve on the faculty of the New Federally-Appointed Judges Program. She has been involved in international judicial education exchanges with China, Scotland, Ghana and Viet Nam.

Prior to her appointment as a judge, she practised law, specializing in civil litigation, at Shrum Liddle and Hebenton (now McCarthy Tetrault). She taught law at the University of British Columbia 1981-97 in areas including Constitutional Law, Evidence, Civil Litigation, and Real Property. She was Dean of the U.B.C. Law Faculty 1991-97. She has published books and articles in the fields of Charter equality rights, civil litigation and evidence, human rights, and women's equality. She is a past Chair of the Law Foundation of British Columbia, the Board of B.C. Women's Hospital, and the Women's Legal Education and Action Fund. She currently serves on the Boards of Music in the Morning and of the Health Arts Society.

Jon Sigurdson, B.A. (U.B.C.) LL.B. (U.B.C.) was appointed to the Supreme Court of British Columbia in 1994. He served as a Justice of that Court until his retirement in November, 2017.

He articled at Bull Housser and Tupper (now Norton Rose) and after working there for a year, practised with Fraser Kelleher Sigurdson Watts and Gudmundseth before rejoining Bull Housser and Tupper in 1981. He had a commercial/civil litigation practice and after 20 years as a lawyer was appointed to the Supreme Court of British Columbia. He was on the Court for 23 years before retiring. He is the former President of the UBC Law Alumni Association and was the co-chair of the New Federally Appointed Judges Program offered by the National Judicial Institute and the Canadian Institute for the Administration of Justice. Presently he is a contributing editor for the Advocate, the B.C. lawyers' magazine, is a part time radio announcer on Crossroads, a blues program, and enjoys writing and taking care of his grandchildren who are ardent Montreal Canadiens fans as is he.

LAW 351D.001 **Topics in Human Rights** ***Criminal Justice, Security and Human Rights***

☑ Term 1 ☐ Term 2 Lazarus *Seminar* *3 CREDITS*

General Context:
Security, human rights and the rule of law are often cast in an insuperable opposition. Security is described by suspicious human rights and rule of law proponents as 'bare security' - its pursuit and agents operating in a murky and secret world. The rule of law and human rights, on the other hand, are often cast by the security lobby as a technical and dysfunctional constraint on security pursuits, touted by dogmatic and naïve idealists with little knowledge of the real threats we all face. This course pushes against this entrenched dichotomy at a conceptual, disciplinary and practical level. It views the relationship between law and security as both contentious and intrinsic.

General Outline:
This course adopts an international and transnational approach. It covers the development of human rights principles in relation to the criminal justice system and security more broadly (with a particular reference to counter-terrorism). The course will explore the growing body of international (United Nations) and regional norms (the Inter-American Court, the African Union, the European Convention on Human Rights; the European Union; the ASEAN). In this context, it will examine Canadian domestic law and practice alongside other relevant jurisdictions (inter alia: Colombia, Kenya, India, Israel, UK, USA, South Africa).

After exploring the general themes of national security, rights balancing, exceptionalism theory, identity, citizenship and religion, the course examines a number of discrete topics. It explores the normative hinterland; the reasoning adopted by courts and other non-judicial institutions, as well as the practical implications for criminal justice and security policy. Topics will vary each year in line with this fast-changing field. Specific topics covered can include: the development of positive obligations to security; policing, lethal force and targeted killing; torture, citizenship deprivation and non-refoulement; privacy and data protection in relation to mass surveillance and artificial intelligence; detention, imprisonment and liberty; the relationship between fair trial procedures, intelligence gathering and secrecy; and the right to truth, historic accountability and extraordinary rendition.

Evaluation: 20 % participation in class, 80% paper

Professor Liora Lazarus is a full time member of the Peter A. Allard School of Law.

LAW 352.001 **Aboriginal Peoples and Canadian Law**

☑ Term 1 ☐ Term 2 Hilland *Lecture* *3 CREDITS*

This course builds on the module on Aboriginal and treaty rights in Constitutional Law, focusing on some issues covered in that course in more detail and looking at topics not usually covered in the constitutional law context (such as Indigenous law, the United Nations Declaration on the Rights of Indigenous Peoples, gender discrimination under the Indian Act, matters of child and family welfare, and problems plaguing the criminal justice system).

Evaluation: 20% presentation and 80% 3 hour open-book examination.

Assistant Professor Andrea Hilland is a full-time member of Peter A. Allard School of Law.

LAW 353D.001 Aboriginal & Treaty Rights

☑ Term 1 ☐ Term 2 Franks, S *Seminar* *3 CREDITS*

This course focuses on key cases on Aboriginal rights. We will examine the case histories of three cases (as examples, Sparrow, Pamajewon, and the C-92 reference) from their surrounding context, through trial to the Supreme Court of Canada. We will review a variety of material, including news, video, transcripts, facta, affidavits, judgments, and commentary. Throughout the course, we will reflect on the choices of the parties, officers, counsel and judges in the context of the litigation, opening up an opportunity to discuss the ethics and practice of Aboriginal law, and the impact of these choices on law and society(ies).

As these cases sit within a related jurisprudence, students will be expected to draw from their existing knowledge from the first year course on Aboriginal and treaty rights. Students will also be introduced to archival and critical methods in legal history, and how to prepare a scholarly writing for publication.

Evaluation Method:
-Presentation (40%) - students complete a thirty-minute presentation that requires independent research that complements the lecture for that week; students submit their PowerPoint or other presentation materials and their research notes.
-Presentation Paper (40%) - Students complete a paper of at least 5000 words that builds on their presentation. The paper must respond to the discussion following the presentation and relevant materials discussed in other weeks, and may require additional independent research.
-Participation (20%) - students participate in classroom activities by asking questions, offering commentary, and reflecting on classroom contributions and course materials. Participation is assessed as of each week's seminar.

Scott Franks is a full time member of the Peter A. Allard School of Law

LAW 356.001 **First Nations & Economic Development**

☐ Term 1 ☑ Term 2 Hanna *Lecture* *3 CREDITS*

The economies of Indigenous Nations are considered to be one of the fastest growing sectors of business in Canada, resulting in a growing area of law. Economic development by Indigenous Nations is considered one of the means towards self-sufficiency. Recent legal developments aimed at economic reconciliation, accommodation and regulatory improvement will assist Indigenous people in managing and prospering from their lands and resources. The objective of this course is to provide students with a practical grounding in the various legal and developmental issues that arise when Indigenous Nations engage in economic development initiatives. With a view to opportunities, barriers and recent developments, the topics canvassed will include: legal framework for community economic development, economic accommodation of Indigenous rights, implementation of UNDRIP, negotiations, impact benefit agreements, corporate structures, reserve land development, Indian Act issues, financing, and taxation. Case studies from the cannabis, mining, pipeline and hydro sectors will be reviewed.

Evaluation:
Evaluation will be by presentation (20%) and paper (80%).

Darwin Hanna is a founding partner of Callison & Hanna www.chlaw.ca and is one of six Indigenous lawyers with the firm. This year the firm celebrated 29 years of service to Indigenous Nations.

He has worked for Indigenous Nations throughout British Columbia and the Northwest Territories on a wide array of legal matters with a focus on reconciliation, land claims, specific claims, community governance and economic development, and employment law. He is a member of the Law Societies of British Columbia and the Northwest Territories. He was lead counsel for various precedent setting Specific Claims, including Siska Indian Band v. HMTQ, 2018 SCTC 2, Akisq'nuk First Nation v. Her Majesty the Queen in Right of Canada 2020 and Siska Indian Band v HMTQ, 2021 SCTC 2.

Since 2001, he has been an Adjunct Professor at the Allard School of Law at UBC and has taught First Nations and Economic Development. He is the author of Legal Issues on Indigenous Economic Development published by LexisNexis. He is a member of the working group of officials to explore how UNDRIP will be implemented in the NWT.

He was the recipient of the 2014 Premier's Award (GNWT) for Collaboration on the Wildlife Act Working Group which developed the new Wildlife Act. And, Callison & Hanna were the inaugural recipients of the Special Contribution Award of the Aboriginal Lawyers Forum, Canadian Bar Association, for recognition of the firm's contribution to addressing the various issues facing Aboriginal people in the law in 2013. Callison & Hanna was the recipient of the Aboriginal Business Award, BC Achievement Foundation in 2016.

He is director with the piyeʔwiʔx kt Language Foundation Society and serves on the Board of Governors, NVIT. He is a member of the Nlaka'pmux Nation from the community of Lytton.

LAW 357C.001 **Topics in First Nations Law - Lecture** ***First Nation Taxation, Assimilation and Reconciliation***

☑ Term 1 ☐ Term 2 Faille *Lecture* *3 CREDITS*

Cross-listed to LAW 579C.001

WARNING: As has been said about the music of Wagner, this course is (probably) better than it sounds... Through it, the student will gain an in-depth practical and theoretical understanding of the law of First Nation taxation and tax immunity, but one that is firmly grounded in the broader historico-legal context of the Crown-Indigenous relationship, and the intersection between taxation, inherent Aboriginal rights and Treaty rights. Beginning with Indigenous forms of taxation, the course will then explore how the approach to First Nation taxation by Canada (and the courts) has tracked the evolution of broader Crown policies and objectives in regard to Indigenous peoples, from mutual autonomy, to assimilation and enfranchisement, and ultimately to reconciliation. Through that lens, the course will examine First Nation tax immunity and exemption for individuals and entities, in relation to various forms of taxation. The course will then shift to an examination of the exercise of taxation jurisdiction by Indigenous governments as an instrument of self-government, and its role in the Crown-Indigenous fiscal relationship.

No background in tax law (or Aboriginal law) is required for this course. Although certain sections of the Income Tax Act (ITA) will be relevant to the course, you can (mercifully) learn them in isolation from the remainder of that Act. While most readings will be of case law, the course will examine relevant aspects of the Indian Act, the ITA as well as historical and modern treaties, and academic commentary.

Each week will feature a lecture and discussion of readings. In addition, a number of guest lecturers immersed in First Nation taxation issues and experts in the field will be featured, including leading First Nation business and political leaders.

Evaluation: 100% final exam or paper (student option).

Max Faille is Managing Partner of the Vancouver office of Cochrane Sinclair LLP, the largest Indigenousled law firm in Canada, where he practices in Indigenous law and constitutional litigation. Max's clients principally consist of Indigenous governments, businesses and organizations across Canada, as well as private and public sector interests working with Indigenous communities. In addition to legal representation in the courts and in negotiations, Max regularly provides advice on matters of Aboriginal and treaty rights, First Nation taxation, self-government, and Indigenous governance and economic development.

Max was named Benchmark Canada's Aboriginal Law Litigator of the Year for 2016, and is regularly recognized as a leading lawyer in the field of Aboriginal Law by Chambers Canada, Lexpert, Legal 500 and Best Lawyers in Canada. He represented the Assembly of First Nations in the seminal Bastien and Dube cases in the Supreme Court of Canada that breathed new life into the First Nation tax immunity. He previously served on the Board of the Canadian Council for Aboriginal Business, and on the Taxpayers Ombudsman's Advisory Board. In December 2020, Max received the Northwest Territories Premier's Award for Indigenous Partnership.

LAW 358D.002 **Topics in First Nations Law - Seminar** ***Metis Law***

☐ Term 1 ☑ Term 2 Barkaskas *Seminar* *3 CREDITS*

This course engages law students in better understanding of Métis law. The course will address questions about Métis law as a legitimate source of governance and legal policies and practices. It will also trace the development of Métis law in relationship with the Canadian state from the inception of the nation-to-nation relationship to the present.

The course will examine a number of aspects of Métis law - how it exists as a legal order arising from the ethnogenesis of Métis identity and culture and the inception of the Métis Nation.

The course proposes a number of questions: What is Métis law? How did Métis laws form and were these practiced historically? What does Métis law revitalization look like? How do we incorporate Métis laws into legal practice and policy today? How does Métis law intersect with First Nations' laws? How has it developed in relationship to the Canadian state into its own unique branch of Aboriginal law?

Weekly lectures will cover varied topics related to Métis law in theory and practice broadly: legal policies and practices – historical and present; governance; identity; harvesting rights; title and land claims; constitutional interpretation; human rights; administrative law; criminal law, family law; child protection; fiduciary duty; honour of the crown and consultation.

Course Materials: All materials will be posted online.

Teaching and Assessment:
The teaching methodology will include short lectures with discussion-based and interactive activities. Guests will also be invited to support students' learning.

Students will be assessed through the following methods:
Major Paper: Students will be asked to write a major paper dealing with a contemporary issue in Métis law. Paper topics must be approved. This paper must be supported by research: 60%
Presentation: Students present a proposal on their paper topic: 20%
Peer feedback: Students will provide peer feedback on paper presentations: 10%
Discussion facilitation: Each student will summarize their learning from one week's readings, videos, etc. and pose three discussion questions for the class (rotating through the term): 10%

Associate Professor Patricia Barkaskas is a full-time member of the Peter A. Allard School of Law.

LAW 358D.003 **Topics in First Nations Law - Seminar** ***Historical and Contemporary Issues***

☑ Term 1 ☐ Term 2 McIvor Gunn, K. *Seminar* *3 CREDITS*

Students in this seminar will acquire an understanding of the legal history, critical contemporary issues and possible future direction of Aboriginal law in Canada. Topics will include: European legal doctrines during the early years of colonization, Treaties, Aboriginal title, the oppression of Indigenous governance and legal systems, Indigenous resistance, the constitutionalization of Aboriginal rights, the Supreme Courts of Lamer and McLachlin, the relationship between Aboriginal and Indigenous law, and the role of law in contemporary social movements.

An important objective of this course is to critically reflect on the social, political and economic forces that have and continue to influence the development of Aboriginal law in Canada. You are encouraged to enter fully into this process of critical reflection with the aim of generating a respectful conversation about the underlying forces behind the historical and future development of Aboriginal law.

Readings will be a combination of legal and historical sources.

Evaluation will consist of class participation (25%), class presentations (25%) and a final paper (50%).

Dr. Bruce McIvor is a partner at First Peoples Law LLP. His work includes both litigation and negotiation on behalf of Indigenous Peoples across Canada. Bruce is recognized nationally and internationally as a leading practitioner of Aboriginal law in Canada. His collection of essays entitled Standoff: Why Reconciliation Fails Indigenous People and How to Fix It was published in the fall of 2021. His new book, Indigenous Rights in One Minute: What You Need to Know to Talk Reconciliation, was published in May 2025. Bruce is a member of the Manitoba Métis Federation.

Kate Gunn is a partner at First Peoples Law LLP. Kate holds an LLM from the University of British Columbia, where her research focused on the interpretation of treaties between Indigenous Peoples and the Crown. She is also a founding member of the Justice and Corporate Accountability Project, a legal clinic which provides advocacy and support to communities affected by transnational corporate activities and resource extraction.

LAW 359B.003 Family Law

☐ Term 1 ☑ Term 2 Barkaskas *Lecture* *3 CREDITS*

Cross-listed with LAW 559C.003

This course surveys family law in Canada, with a particular emphasis on the practice of family and child protection law in BC. Family law is a complex and rapidly changing and expanding area of law, as such this course cannot be comprehensive in scope. This course is designed to provide an overview of some of the key issues in each topic area that may be covered. This course is presented through familial law issues that impact Indigenous families, particularly Indigenous women and children, communities, and Nations in British Columbia.

The course examines the legal framework surrounding familial relationships and breakdown. Topics may include cohabitation, marriage, adoption, child protection, family policing, separation, divorce, parenting plans, property division, spousal and child support. The course proposes a number of questions about family law matters, including: the Canadian's state regulation of families through law historically and in the present; emerging issues in how families are constituted and regulated; and the relevance of factors such as gender, sexual orientation, culture, class, colonialism and systemic racism to family law.

This course is designed to focus on how familial law matters are dealt with in practice in order to stimulate interest in family and child protection law, as well as to introduce possibilities for incorporating Indigenous laws into practice in these areas.

Students will be assessed through the following methods:
Major Paper: Students will be asked to write a major paper dealing with a contemporary issue in family law. Paper topics must be approved. This paper must be supported by research: 60%
Preparation of court submissions in a family law or children protection matter: Working in pairs students prepare submissions for a mock court matter: 10%
Presentation of court submissions in a family law or children protection matter: Working in pairs students present submissions for a mock court matter: 20%
Peer feedback: Students will provide peer feedback on court presentations: 10%

Associate Professor Patricia Barkaskas is a full-time member of the Peter A. Allard School of Law.

LAW 359C.001 Family Law

☐ Term 1 ☑ Term 2 Tremblay *Lecture* *4 CREDITS*

Cross-listed with LAW 559D.001.

This course introduces students to the regulation of families in Canada. The Divorce Act, Family Law Act, Adoption Act, Civil Code of Québec, Children's Law Reform Act and other applicable legislation will be studied, in addition to relevant Canadian case law. We critically assess what is a family in law, why are certain relationships considered 'familial' and not others, and what is the impact of being considered a family in the eyes of the law. Topics covered include but are not limited to: parentage and other arrangements (co-parenting and multi-parenting); cohabitation; marriage; property division; support; parenting responsibilities and parenting time; dispute resolution. The course is critical, historical and comparative in nature. It is about theoretical underpinnings for intimate regulation. If you want something highly technical/practical, or if you are not interested in comparative law, I recommend taking Family Law with someone else.

Evaluation:
- Open book final exam 100%

Professor Régine Tremblay is a full time member of the Peter A. Allard School of Law.

LAW 359C.002 Family Law

☑ Term 1 ☐ Term 2 Aloni *Lecture* *4 CREDITS*

Cross-listed with LAW 559D.002.
CHANGE August 26: Classroom

This course offers an introduction to the fundamental doctrines and theories governing the legal regulation of families in Canada and abroad, with a particular emphasis on British Columbia. From critical, historical, comparative, and practical perspectives, students will explore the legal regulation of intimate adult relationships and the parent-child relationship. The course studies underlying principles and examines how family structures and values have evolved during the late 20th and early 21st centuries, as well as the challenges the law faces in response to these changes. Topics covered include parentage determination, multiparenting, adoption, parenting arrangements after separation or divorce, cohabitation, marriage, other adult relationships, property division, support, custody, and alternative dispute resolution.

Evaluation: 100% Final Exam

Associate Professor Erez Aloni is a full time member of the Peter A. Allard School of Law.

LAW 360.001 Children & the Law

☐ Term 1 ☑ Term 2 Samnani *Seminar* *3 CREDITS*

CHANGE Nov 6: Course cancelled for 2025-2026

Historically, the rights of children have been examined through the rights and obligations of caregivers and the State. In this course, we will utilize a nuanced anti-racist, decolonized, queer and trans-inclusive frameworks to examine the shifting landscape of criminal, child protection, family, and other areas of the law which are either moving to provide more autonomy to children or to disenfranchise them from their rights altogether.

The course will look at the social, historical, political, normative, and legal contexts of the laws, policies and practices that affect children.

The course will rely heavily on student involvement in every class. Reading the material is mandatory. The course will be assessed on one 15-page paper (50%), a presentation based on your paper (25%), questions submitted prior to one class to facilitate a discussion led by the student (15%), and class participation (10%).

Salima Samnani is a lecturer at the Peter A. Allard School of Law.

LAW 363D.001 Racism & Law

☑ Term 1 ☐ Term 2 Kaushal *Seminar* *3 CREDITS*

This course examines the relationship between race and law. It is organized around a series of issues designed to help students extract the historical, theoretical, and critical valences of this relationship from its contemporary forms. These include: the social construction of race as a ‘floating signifier’; critical race theory, allegory and narrative storytelling, and multiple consciousness; post-colonial theory and the identification of the ‘Other’; settler colonialism in Canada; occupation and settlement in Palestine; the concept and ideology of whiteness; the racialized reasonable person and arbitrary detention; the measure for racial profiling; the relationship between racism and sentencing; and the place for racialized lived experience in judging. The course aims to provide students with a variety of frameworks and interventions to use in their study of race and law in the world at large.

The course will be taught as a seminar through a range of different exercises. These will include debates, simulated court arguments and negotiations, presentations, lectures, videos, and discussion. Evaluation will consist of class participation (20%), a seminar presentation (20%), and a paper (60%).

Assistant Professor Asha Kaushal is a full-time member of the Peter A. Allard School of Law.

LAW 368.001 Sexuality & Law

☐ Term 1 ☑ Term 2 Aloni *Seminar* *3 CREDITS*

The seminar examines the legal and social constructions that enable the legal regulation of human sexuality and gender. Gender and sexuality are governed by a broad range of laws, norms, and economic structures rather than by a single, independent body of laws. Thus, understanding how law has contended with sexuality and gender involves the study of the intersection of various seemingly disparate fields of law, such as contracts, tax, property, health, administrative, criminal, employment, and constitutional. In recognition of this complexity, this seminar takes a fundamentally interdisciplinary approach and examines major topics in the intersection of law, gender, and sexuality from domestic, international, and comparative perspectives.

The seminar will explore both established and important cutting-edge issues in the field. Topics we may cover include sex and sexual orientation–based discrimination in the workplace, nonreproductive sexuality, trans identity and politics, religious liberty versus LGBTQ equality, potential legal recognition of multiple partners and of nonconjugal relationships, and regulation of sex work. The seminar will also examine the deeper issues and theoretical questions these topics raise, such as when, why, and how nations began to regulate sex, the perception of sex, gender, and sexual orientation as binary categories, modern and postmodern theories of gender and sexuality, arguments about the state's interests in regulating relationships, and debates about economic inequality and its connection to gender and sexuality. Additional topics may be added depending on recent legal developments and students' interest.

Evaluation:

15% for class participation
20% for a book review chosen from a list provided by the instructor
65% for one term paper on a topic approved by the instructor

Associate Professor Erez Aloni is a full time member of the Peter A. Allard School of Law.

LAW 372B.004 Administrative Law

☐ Term 1 ☑ Term 2 Flynn *Lecture* *3 CREDITS*

This course is NOT open to Exchange students.

Administrative agencies are a powerful part of modern government and crucial to our daily lives. Building on knowledge from first-year courses, this course surveys the legal framework of administrative bodies. We will examine how courts review statutorily authorized public bodies, and determine the applicable principles and rules that constrain decision-making made by government agencies, boards, commissions, and tribunals. This course introduces the rules, principles, and policy considerations that shape the powers of these administrative decision-makers in multiple legal areas including human rights, labour, immigration and local government law. Major topics are: tribunal processes and remedies, procedural fairness, substantive review and the duty to consult.

Evaluation:
The evaluation will be based on one mandatory final exam and an optional paper. The final exam is worth either 100% or 70% depending on whether student opts for the paper, which is worth 30%.

Associate Professor Alexandra Flynn is a full time member of the Peter A. Allard School of Law.

LAW 372C.001 Administrative Law

☑ Term 1 ☐ Term 2 Liston *Lecture* *4 CREDITS*

Cross-listed with LAW 509.001. This course is NOT open to Exchange students.
CHANGE June 12: Evaluation Method
CHANGE August 26: Classroom

Administrative law is deeply implicated in our everyday lives. It is also key to the study of other areas of law such as immigration and refugee, human rights, environmental protection, labour relations, municipal governance, natural resources, social benefits, health and safety, professional self-governance, and licensing. As an advanced public law course, administrative law focuses on how courts are used to access government benefits and goods or to challenge abuses of public power. As part of the common law, administrative law permits judges to review the procedures and decisions of a variety of government decision-makers (e.g., agencies, arbitrators, boards, commissions, Ministers, municipalities, and tribunals) to ensure compliance with the rule of law. Two major themes structure this course: the legal requirements of the rule of law and the appropriate role of the courts given their strengths and limits.

Content covered includes:

-administrative procedures and the right to be heard such as the right of individuals to participate in decisions affecting them;
-the right to an independent, impartial and unbiased decision-maker;
-the standards of review used by courts to examine the merits of administrative decisions on the grounds of statutory misinterpretation, factual error, or because a decision-maker exercised discretion improperly or unreasonably;
-the principle of proportionality in administrative law;
-Aboriginal administrative law;
-policies, regulations, and soft law;
-common law and statutory remedies;
-principles of statutory interpretation;
-British Columbia's Administrative Tribunals Act; and,
-recent administrative law reform in British Columbia.

Evaluation will be based on two short written assignments, each worth 15%, and a final examination worth 70%.

Professor Mary Liston is a full time member of the Peter A. Allard School of Law.

LAW 372C.002 Administrative Law

☐ Term 1 ☑ Term 2 Stacey *Lecture* *4 CREDITS*

Cross-listed with LAW 509.002. This course is NOT open to Exchange students.
CHANGE September 12: Evaluation method.

Virtually every facet of modern life is affected in some way by the administrative state from labour relations to immigration to professional governance to environmental protection. These laws are administered primarily by administrative agencies, not courts. This course provides an introduction to the rules, principles and policy considerations that shape the powers of these administrative decision-makers. Major topics will include administrative law remedies, procedural fairness, bias and independence, and substantive judicial review of administrative decision-making. The course aims to look beyond the standard administrative law preoccupation with judicial review, to include the study of administrative agencies themselves. We will devote special attention to administrative law issues in British Columbia such as the Administrative Tribunals Act and Aboriginal administrative law.

This course is designed around students' active engagement with the course materials. Class time will be spent working through problems and discussion questions that apply the course material.

Evaluation:
Limited open-book 3-hour final examination (70%); in-class midterm exam (20%); class participation (10%).

Associate Professor Jocelyn Stacey is a full time member of the Peter A. Allard School of Law

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LAW 372C.003 Administrative Law

☑ Term 1 ☐ Term 2 Russo *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in 372C.003/509.003 with 410.001/565.001. *Cross-listed to LAW 509.003. This course is NOT open to Exchange students.*

Administrative law is the body of law in Canada that governs the resolution of disputes involving statutorily empowered decision-makers. It governs decisions made by administrative tribunals, government boards, regulatory agencies and other decisions by other public entities or individuals that make rules that affect all of society. It is individuals' most common contact point with the legal system in Canada. The study of administrative law helps to comprehend other legal disputes in several areas including immigration and refugees, labour relations, Indigenous governance, environmental and energy regulation, and many other areas that concern the exercise of public authority. Administrative law within Canada's constitutional structure permits courts to review the procedures and decisions of a variety of statutorily empowered decision-makers to ensure compliance with the rule of law. The content reviewed in this course includes the need to ensure fairness of administrative procedures such individuals' rights to participate in governmental decisions affecting them in front of an independent, impartial, and unbiased decision- maker. The course will also review current standards of judicial review, and remedies in administrative law. It includes a review of administrative law as it relates to access to justice issues and includes an examination of administrative law principles and issues relating specifically to Indigenous peoples.

Evaluation Method:
10% Quizzes
90% Final Exam

Lecturer Robert Russo is a full time member of the Peter A. Allard School of Law.

LAW 374.001 Municipal Law

☐ Term 1 ☑ Term 2 Manhas *Lecture* *3 CREDITS*

Municipal Law is an administrative law course set in the context of the powers of local governments. Local governments enact laws regulating a wide range of activities. They also operate a wide range of services and, like private corporations, employ people and own substantial assets. The legislative, administrative and quasi-judicial powers of local governments will be examined. This includes the powers and limitations of municipal councils and regional boards, the duties and responsibilities of elected and appointed local government officials and the control the courts exercise over local governments. Major topics include local government organization, grounds for judicial review, conflicts of interest, the regulating and licensing of businesses, proprietary and contractual powers and relationships, tort and the public body and the considerable authority local governments have over subdivision of land, land use and planning.

Evaluation:
Evaluation will be by examination.

Sukhbir Manhas (LL.B. (UBC 1996)) articled with Young, Anderson. After being called to the bar in May 1997, Mr. Manhas practiced with the firm as an associate lawyer until January 2005, when he joined the firm's partnership. Mr. Manhas' law practice involves advising clients on general local government law issues as well as representing them in civil and quasi-criminal proceedings before arbitrators, administrative tribunals, and the courts of this province and the nation. Mr. Manhas is currently a member of the Municipal Law, Civil Litigation and Construction Law subsections of the B.C. Branch of the Canadian Bar Association and frequently speaks at seminars and courses on local government and civil litigation issues put on by the Continuing Legal Education Society, the Local Government Management Association, and the Justice Institute of British Columbia.

LAW 377.001 Immigration Law

☐ Term 1 ☑ Term 2 Dauvergne *Lecture* *3 CREDITS*

Cross-listed with LAW 577.001

This course introduces students to Canadian Immigration Law. The centrepiece of the course is Canada's Immigration and Refugee Protection Act, the framework legislation that translates Canada's immigration policy choices into law. Topics covered in the class will include economic migration and family class migration, temporary migration, inadmissibility to Canada, deportation and other forms of removal, migration status, and citizenship. Refugee Law is not covered in this course.

Assessment for the course varies and students have some choice about which assessments to complete. JD students will have the choice of completing 0, 1, or 2 assignments worth 20% each + writing an exam that will be worth 60%, 80% or 100%. Graduate students will be required to complete either one or two assignments, and also submit a research paper worth 60% or 80%.

Professor Catherine Dauvergne is a full time member of the Peter A. Allard School of Law and holds the Canada Research Chair in Migration Law.

LAW 378D.001 Refugee Law *Crimmigration*

☑ Term 1 ☐ Term 2 Arbel *Seminar* *3 CREDITS*

Cross-listed with LAW 578.001.

The criminalization of mobility has fast become a key tool for border management and securitization in Canadian law. This seminar provides an introduction to issues that lie at intersection of Canadian criminal law and immigration law, often referred to as "crimmigration". Broadly speaking, the course will analyze how criminal justice thinking and methods inform the regulation of human mobility across borders. The seminar will cover topics such as: how Canadian law controls and governs the crossing of borders, immigration detention, deportation, criminal admissibility, the production and policing of "illegality", and the increasing use of technology and surveillance as tools of border control. It will also explore connections between immigration control and colonialism, as well as race, gender, and other subject positions. The seminar will focus primarily on Canadian law, but will do so through a comparative lens that also engages developments in other jurisdictions. The readings will include both doctrinal and theoretical material.

Evaluation: The seminar will be taught through a combination of lecture, class discussion, class exercises, and guest presentations. Evaluation will be based on class attendance and participation (10%), three short reaction papers reflecting on assigned readings (30%), and a final assignment (60%). Students will be asked to select their own topics for the final assignment in consultation with the instructor.

There is no overlap in content between this course and Immigration Law (Kaushal) or Topics in Public Law – Refugee Law (Dauvergne).

Efrat Arbel is a full time member of the Peter A. Allard School of Law.

LAW 379B.001 **Externship** ***Business Law Clinic***

☑ Term 1 ☐ Term 2 Harvey Huculak Ghahreman *Experiential* *4 CREDITS*

Registration by permission only. This clinic fulfills the Experiential Learning requirement.

The Business Law Clinic, or Law 379B.001/Law380A.001 is a clinical program comprised of 6 credits. 4 credits are based on the practical clinic component and 2 credits are based on the academic component. The practical component is evaluated on a pass/fail basis. The academic component is graded and is comprised of reflective journal presentations, participation in seminar discussions, work completed in clinic, cooperation with fellow students, and written assignments.

379B.001
Students will learn how to provide business-oriented legal advice to small business owners, entrepreneurs, non-profit organizations, and individuals meeting certain criteria. Students will practice law firm management, professional ethics, professional responsibility, client intake and file management under the supervision of practicing lawyers. Students will have direct hands-on experience, under clinical supervision, to interview clients, conduct commercial and corporate law files, and give advice. Students will research, draft documents, and report back to their client(s) at follow-up appointments.

Evaluation:
Students will be evaluated on their attendance, the progression of their skills, and the quality of their work product, on a pass/fail basis. Students must complete each part of their assigned file work and must earn a passing grade on each part of their assigned file work in order to pass Law 379B.001.

Pre-requisite: LAW 459 Business Organizations
Co-requisite: LAW 380A Externship Reflection: Business Law Clinic Reflection

David is a partner at Richards Buell Sutton LLP's Vancouver office. He obtained his J.D. from UVIC in 2010, after which he articled at a litigation firm before finding his true calling as a commercial solicitor. Following his articles, David practiced at a boutique business law firm in downtown Vancouver for a number of formative years before joining RBS in 2019.

David is a member of the firm's Business Law Group, Employment and Human Rights Group, and Technology and IP Group. He regularly advises his clients on a range of legal matters including mergers and acquisitions, business structures, corporate reorganizations, shareholder and partnership agreements, employment agreements, license and service agreements, and commercial leases.

David is regularly assisted in the office by his rescue legal support pup, Huxley (the Husky)

Tamara obtained her LLB (now J.D.) from UBC Law (now Allard) and articled with Mawhinney & Kellough (now Dentons) being called to the bar in 1990. After being called to the bar of British Columbia, Tamara to work with her father at a downtown Vancouver boutique real estate law firm becoming a partner then moving her practice to Surrey to be closer to home and her family. Tamara is now a partner at Richards Buell Sutton LLP practicing out of their Surrey office focussing primarily on real estate development and corporate/ commercial law. Tamara is also a registered trademark agent. Tamara's real estate practice focusses primarily on the needs of developers including advising on corporate structures, then assisting with the acquisition and financing of development property through to the leasing and/or sales of developed residential and/or commercial units. On the corporate side, Tamara assists clients in the start up of business, franchising, reorganizations and the sale and/or acquisition of businesses in a wide variety of industries. Early in her career, Tamara also started and ran a dog day care business in Whistler which taught her invaluable lessons in business!

Amir started out his career as a Chartered Accountant (now known as "C.P.A.") at Deloitte while completing the Chartered Accounting Co-Op Program through his undergraduate business degree studies at SFU. After five "busy seasons" in accounting, Amir attended Dalhousie University and obtained his LL.B. in 2006. Amir primarily practices in private company business matters covering a wide range of matters from business formation (incorporations, limited partnerships) to business acquisition/divestiture (share sales, asset sales), and just about everything in between (commercial agreements, leases, shareholder agreements, employment matters), and in each case across a wide variety of industries. When pressed for a quick answer, Amir summarizes his work simply as "contracts". Prior to joining Richards Buell Sutton LLP, Amir articled and practiced with a large regional firm and later was a partner at a mid-size Vancouver firm.

LAW 379B.002 **Externship** ***Business Law Clinic***

☐ Term 1 ☑ Term 2 Harvey Huculak Ghahreman *Experiential* *4 CREDITS*

Registration by permission only. This clinic fulfills the Experiential Learning requirement.

The Business Law Clinic, or Law 379B.002/Law380A.002 is a clinical program comprised of 6 credits. 4 credits are based on the practical clinic component and 2 credits are based on the academic component. The practical component is evaluated on a pass/fail basis. The academic component is graded and is comprised of reflective journal presentations, participation in seminar discussions, work completed in clinic, cooperation with fellow students, and written assignments.

379B.002
Students will learn how to provide business-oriented legal advice to small business owners, entrepreneurs, non-profit organizations, and individuals meeting certain criteria. Students will practice law firm management, professional ethics, professional responsibility, client intake and file management under the supervision of practicing lawyers. Students will have direct hands-on experience, under clinical supervision, to interview clients, conduct commercial and corporate law files, and give advice. Students will research, draft documents, and report back to their client(s) at follow-up appointments.

Evaluation:
Students will be evaluated on their attendance, the progression of their skills, and the quality of their work product, on a pass/fail basis. Students must complete each part of their assigned file work and must earn a passing grade on each part of their assigned file work in order to pass Law 379B.002.

Pre-requisite: LAW 459 Business Organizations
Co-requisite: LAW 380A Externship Reflection: Business Law Clinic Reflection

David is a partner at Richards Buell Sutton LLP's Vancouver office. He obtained his J.D. from UVIC in 2010, after which he articled at a litigation firm before finding his true calling as a commercial solicitor. Following his articles, David practiced at a boutique business law firm in downtown Vancouver for a number of formative years before joining RBS in 2019.

David is a member of the firm's Business Law Group, Employment and Human Rights Group, and Technology and IP Group. He regularly advises his clients on a range of legal matters including mergers and acquisitions, business structures, corporate reorganizations, shareholder and partnership agreements, employment agreements, license and service agreements, and commercial leases.

David is regularly assisted in the office by his rescue legal support pup, Huxley (the Husky)

Tamara obtained her LLB (now J.D.) from UBC Law (now Allard) and articled with Mawhinney & Kellough (now Dentons) being called to the bar in 1990. After being called to the bar of British Columbia, Tamara to work with her father at a downtown Vancouver boutique real estate law firm becoming a partner then moving her practice to Surrey to be closer to home and her family. Tamara is now a partner at Richards Buell Sutton LLP practicing out of their Surrey office focussing primarily on real estate development and corporate/ commercial law. Tamara is also a registered trademark agent. Tamara's real estate practice focusses primarily on the needs of developers including advising on corporate structures, then assisting with the acquisition and financing of development property through to the leasing and/or sales of developed residential and/or commercial units. On the corporate side, Tamara assists clients in the start up of business, franchising, reorganizations and the sale and/or acquisition of businesses in a wide variety of industries. Early in her career, Tamara also started and ran a dog day care business in Whistler which taught her invaluable lessons in business!

Amir started out his career as a Chartered Accountant (now known as "C.P.A.") at Deloitte while completing the Chartered Accounting Co-Op Program through his undergraduate business degree studies at SFU. After five "busy seasons" in accounting, Amir attended Dalhousie University and obtained his LL.B. in 2006. Amir primarily practices in private company business matters covering a wide range of matters from business formation (incorporations, limited partnerships) to business acquisition/divestiture (share sales, asset sales), and just about everything in between (commercial agreements, leases, shareholder agreements, employment matters), and in each case across a wide variety of industries. When pressed for a quick answer, Amir summarizes his work simply as "contracts". Prior to joining Richards Buell Sutton LLP, Amir articled and practiced with a large regional firm and later was a partner at a mid-size Vancouver firm.

LAW 379D.003 **Externship** ***Judicial Externship***

☑ Term 1 ☐ Term 2 Martz *Experiential* *11 CREDITS*

Registration by permission only. Restricted to 3rd Year students only. Externships at Provincial Court of British Columbia. This clinic fulfills the Experiential Learning requirement.

*Registration by permission only. Restricted to 3rd Year students only. Externships at Provincial Court of British Columbia. This clinic fulfills the Experiential Learning requirement. *

Students will conduct legal research and other tasks for judges and the Office of the Chief Judge of the Provincial Court of B.C., as well as attending trials and other judicial processes in the Criminal, Civil and Family divisions of the Court . Students may be placed in one registry or in a rotation of registries to ensure they receive opportunities to work in all areas of the Provincial Court practice and may have the opportunity to travel with a circuit court sitting in a remote community in the north of the province.
Evaluation:
Pass/Fail.
Pre-requisites for application:
- Students must be in third year.
- LAW 476 Evidence is required.

LAW 359 Family Law is an additional recommended course but is not required.

Lisa Martz has practised as a litigation lawyer for more than 25 years. She is now a full-time Lecturer at the Peter A. Allard School of Law.

LAW 379D.004 **Externship** ***Judicial Externship***

☐ Term 1 ☑ Term 2 Martz *Experiential* *11 CREDITS*

Registration by permission only. Restricted to 3rd Year students only. Externships at Provincial Court of British Columbia. This clinic fulfills the Experiential Learning requirement.

*Registration by permission only. Restricted to 3rd Year students only. Externships at Provincial Court of British Columbia. This clinic fulfills the Experiential Learning requirement. *

Students will conduct legal research and other tasks for judges and the Office of the Chief Judge of the Provincial Court of B.C., as well as attending trials and other judicial processes in the Criminal, Civil and Family divisions of the Court . Students may be placed in one registry or in a rotation of registries to ensure they receive opportunities to work in all areas of the Provincial Court practice and may have the opportunity to travel with a circuit court sitting in a remote community in the north of the province.
Evaluation:
Pass/Fail.
Pre-requisites for application:
- Students must be in third year.
- LAW 476 Evidence is required.

LAW 359 Family Law is an additional recommended course but is not required.

Lisa Martz has practised as a litigation lawyer for more than 25 years. She is now a full-time Lecturer at the Peter A. Allard School of Law.

LAW 379D.005 **Externship** ***ĆELÁN̓ENEŁ: A Field Course in the Re-emergence of W̱SÁNEĆ Law***

☑ Term 1 ☐ Term 2 Clifford *Experiential 11 CREDITS*

Registration by permission only. This clinic fulfills the Experiential Learning requirement.

The Allard School of Law is offering ĆELÁN̓ENEŁ: A Field Course in the Re-emergence of W̱SÁNEĆ Law during the Fall term of 2021. This course is offered in partnership with the W̱SÁNEĆ Nation and the University of Victoria, Faculty of Law. ĆELÁN̓EN means "ancestry or birthright" and ĆELÁN̓ENEŁ means "of the ancestor's cultural ways" or "of the birthrights". This intensive land-based course will be taught in the W̱SÁNEĆ community on the Saanich Peninsula and will include a number of trips to local mountains, rivers, and a 3-night camping trip on the Gulf Islands. This course is focused on W̱SÁNEĆ People's own laws, and the ways in which those laws are generated and carried forward. Consideration will also be given to the colonial relationship and power structures between the W̱SÁNEĆ and Canadian legal traditions, as well as the opportunities and barriers this creates for the revitalization of W̱SÁNEĆ law. A principal purpose of the course will be to develop a collaborative community-based legal education model. During seven weeks of the course students will work under the supervision of W̱SÁNEĆ community members in learning and applying W̱SÁNEĆ law to community-based projects identified as important by the W̱SÁNEĆ community.

The first three to four weeks of the course involve an intensive land-based learning component where students will have 6 hours of contact per day, which will also include skills-based components in preparation for student community projects. Class contact hours over the next eight weeks will fluctuate while students are engaged as community-based learners and participants working in small groups of 2 or 3 directly with WSÁNEĆ elders and knowledge holders on identified projects. Students will be expected to treat this eight-week period as a full-time educational experience, devoting at least 30 hours a week to their community-based work and research. During this eight-week period, we will also meet as a group once per week to hear from guest speakers, to debrief as a group regarding the ongoing community projects, or to go on the occasional land-based outing. The last week of the class will once again involve a 6 contact-hours-a-day classroom component. Students will make presentations and engage in discussions with one another and select community members related to their eight-week placement experiences. We will open and close the course in a culturally appropriate way.

Evaluation:
This course will be a term long externship and will comprise a full 15 credits for the semester. 11 of those credits will be counted as a clinical externship (379D.005) and graded on a pass/fail basis. The remaining 4 credits will be counted as an externship reflection (380C.005) and will require the completion of a graded final paper (100%) due at the end of the exam period.

Robert Clifford is a full time member of the Peter A. Allard School of Law.

LAW 379E.006 **Externship** ***Corporate Counsel Externship***

☑ Term 1 ☐ Term 2 Amlani *Experiential* *5 CREDITS*

Registration by permission only. This course fulfills the Experiential Learning requirement. Fall Term Placement: Sept 2-Dec 5, 2025 (excluding Mid-Term Break: Nov 10-12)

The Corporate Counsel Externship is a clinical program within the Centre for Business Law that places students within legal departments at leading private and public sector organizations.

The Externship is comprised of 7 credits in total, with 5 credits allocated to this Clinical Component (Law 379E) and 2 credits allocated to the companion Reflection Component (Law 380A).

For this Clinical Component, each student joins an in-house legal team for one term, working 16 hours per week in a supervised environment to help deliver practical and actionable legal advice to stakeholders. Students obtain direct hands-on experience of how legal concepts learned in the classroom apply in a business setting, and undertake a variety of legal tasks depending on business needs, such as contract drafting and review, research, policy development, and improving processes. At the same time, students also observe and develop critical skills that complement the practice of law, such as building relationships with stakeholders, operating in a professional environment, assessing risks, managing workload, and professional ethics / responsibility. Each student is paired with a supervising lawyer who will help manage workflow and act as a coach / mentor to the student for the duration of the placement.

Students are evaluated on a pass/fail basis, based on (a) an evaluation by the student's supervising lawyer who will assess several core competencies (e.g., quality of work, work ethic, professionalism, dependability, communication skills, etc.), (b) a key research project to be undertaken during the placement and also evaluated by the student's supervising lawyer, and (c) bi-weekly reflective journals.

Co-requisite: LAW 380A Externship Reflection: Corporate Counsel Externship Reflection.

Karim Amlani holds the position of Senior Director, Legal at Hootsuite. He loves being an in-house lawyer and is excited to help students get a glimpse into life as an in-house lawyer through the Externship.

At Hootsuite, Karim leads a team supporting the corporate, product and marketing functions. In his nine years at Hootsuite, he has closed M&A/financing transactions, negotiated business critical agreements with social networks, developed company-wide processes and considered the use of artificial intelligence technologies. Before joining Hootsuite, Karim was a lawyer in the securities and information technology groups at Blake, Cassels & Graydon LLP. He is also the Chair of the Dean's Advisory Committee for the Centre for Business Law at the University of British Columbia, and frequently contributes to industry activities within the in-house legal community.

LAW 379E.007 **Externship** ***Corporate Counsel Externship***

☐ Term 1 ☑ Term 2 Amlani *Experiential* *5 CREDITS*

Registration by permission only. This course fulfills the Experiential Learning requirement. Spring Term Placement: Jan 5-Apr 10, 2026 (excluding Reading Week: Feb 16-20)

The Corporate Counsel Externship is a clinical program within the Centre for Business Law that places students within legal departments at leading private and public sector organizations.

The Externship is comprised of 7 credits in total, with 5 credits allocated to this Clinical Component (Law 379E) and 2 credits allocated to the companion Reflection Component (Law 380A).

For this Clinical Component, each student joins an in-house legal team for one term, working 16 hours per week in a supervised environment to help deliver practical and actionable legal advice to stakeholders. Students obtain direct hands-on experience of how legal concepts learned in the classroom apply in a business setting, and undertake a variety of legal tasks depending on business needs, such as contract drafting and review, research, policy development, and improving processes. At the same time, students also observe and develop critical skills that complement the practice of law, such as building relationships with stakeholders, operating in a professional environment, assessing risks, managing workload, and professional ethics / responsibility. Each student is paired with a supervising lawyer who will help manage workflow and act as a coach / mentor to the student for the duration of the placement.

Students are evaluated on a pass/fail basis, based on (a) an evaluation by the student's supervising lawyer who will assess several core competencies (e.g., quality of work, work ethic, professionalism, dependability, communication skills, etc.), (b) a key research project to be undertaken during the placement and also evaluated by the student's supervising lawyer, and (c) bi-weekly reflective journals.

Co-requisite: LAW 380A Externship Reflection: Corporate Counsel Externship Reflection

Karim Amlani holds the position of Senior Director, Legal at Hootsuite. He loves being an in-house lawyer and is excited to help students get a glimpse into life as an in-house lawyer through the Externship.

At Hootsuite, Karim leads a team supporting the corporate, product and marketing functions. In his nine years at Hootsuite, he has closed M&A/financing transactions, negotiated business critical agreements with social networks, developed company-wide processes and considered the use of artificial intelligence technologies. Before joining Hootsuite, Karim was a lawyer in the securities and information technology groups at Blake, Cassels & Graydon LLP. He is also the Chair of the Dean's Advisory Committee for the Centre for Business Law at the University of British Columbia, and frequently contributes to industry activities within the in-house legal community.

LAW 380A.001 **Externship Reflection** ***Business Law Clinic - Reflection***

☑ Term 1 ☐ Term 2 Harvey Huculak Ghahreman *Workshop* *2 CREDITS*

Registration by permission only.

The Business Law Clinic, or Law 379B.001/Law380A.001 is a clinical program comprised of 6 credits. 4 credits are based on the practical clinic component and 2 credits are based on the academic component. The practical component is evaluated on a pass/fail basis. The academic component is graded and is comprised of reflective journal presentations, participation in seminar discussions, work completed in clinic, cooperation with fellow students, and written assignments.

380A.001
Students will develop their substantive knowledge of business law in a two hour seminar setting. Topics will include giving preliminary advice to small business start-ups, incorporating companies and not-for-profit societies, and drafting and advising on a variety of commercial contracts (shareholders agreements, employment agreements, leases, licenses and other types of contracts), as well as law firm management, professional ethics, professional responsibility, client intake, and file management.

Evaluation:
Students will be graded on a reflective journal, class participation in weekly seminar discussions, work completed in clinic, cooperation with fellow students, and written assignments. The weightings of the graded components are as follows:
- 30% file engagement
- 25% course participation
- 25% written assignments
- 20% reflective journal

Pre-requisite: LAW 459 Business Organizations
Co-requisite: LAW 379B Externship: Business Law Clinic

David is a partner at Richards Buell Sutton LLP's Vancouver office. He obtained his J.D. from UVIC in 2010, after which he articled at a litigation firm before finding his true calling as a commercial solicitor. Following his articles, David practiced at a boutique business law firm in downtown Vancouver for a number of formative years before joining RBS in 2019.

David is a member of the firm's Business Law Group, Employment and Human Rights Group, and Technology and IP Group. He regularly advises his clients on a range of legal matters including mergers and acquisitions, business structures, corporate reorganizations, shareholder and partnership agreements, employment agreements, license and service agreements, and commercial leases.

David is regularly assisted in the office by his rescue legal support pup, Huxley (the Husky)

Tamara obtained her LLB (now J.D.) from UBC Law (now Allard) and articled with Mawhinney & Kellough (now Dentons) being called to the bar in 1990. After being called to the bar of British Columbia, Tamara to work with her father at a downtown Vancouver boutique real estate law firm becoming a partner then moving her practice to Surrey to be closer to home and her family. Tamara is now a partner at Richards Buell Sutton LLP practicing out of their Surrey office focussing primarily on real estate development and corporate/ commercial law. Tamara is also a registered trademark agent. Tamara's real estate practice focusses primarily on the needs of developers including advising on corporate structures, then assisting with the acquisition and financing of development property through to the leasing and/or sales of developed residential and/or commercial units. On the corporate side, Tamara assists clients in the start up of business, franchising, reorganizations and the sale and/or acquisition of businesses in a wide variety of industries. Early in her career, Tamara also started and ran a dog day care business in Whistler which taught her invaluable lessons in business!

Amir started out his career as a Chartered Accountant (now known as "C.P.A.") at Deloitte while completing the Chartered Accounting Co-Op Program through his undergraduate business degree studies at SFU. After five "busy seasons" in accounting, Amir attended Dalhousie University and obtained his LL.B. in 2006. Amir primarily practices in private company business matters covering a wide range of matters from business formation (incorporations, limited partnerships) to business acquisition/divestiture (share sales, asset sales), and just about everything in between (commercial agreements, leases, shareholder agreements, employment matters), and in each case across a wide variety of industries. When pressed for a quick answer, Amir summarizes his work simply as "contracts". Prior to joining Richards Buell Sutton LLP, Amir articled and practiced with a large regional firm and later was a partner at a mid-size Vancouver firm.

LAW 380A.002 **Externship Reflection** ***Business Law Clinic - Reflection***

☐ Term 1 ☑ Term 2 Harvey Huculak Ghahreman *Workshop* *2 CREDITS*

Registration by permission only.

The Business Law Clinic, or Law 379B.002/Law380A.002 is a clinical program comprised of 6 credits. 4 credits are based on the practical clinic component and 2 credits are based on the academic component. The practical component is evaluated on a pass/fail basis. The academic component is graded and is comprised of reflective journal presentations, participation in seminar discussions, work completed in clinic, cooperation with fellow students, and written assignments.

380A.002
Students will develop their substantive knowledge of business law in a two hour seminar setting. Topics will include giving preliminary advice to small business start-ups, incorporating companies and not-for-profit societies, and drafting and advising on a variety of commercial contracts (shareholders agreements, employment agreements, leases, licenses and other types of contracts), as well as law firm management, professional ethics, professional responsibility, client intake, and file management.

Evaluation:
Students will be graded on a reflective journal, class participation in weekly seminar discussions, work completed in clinic, cooperation with fellow students, and written assignments. The weightings of the graded components are as follows:
- 30% file engagement
- 25% course participation
- 25% written assignments
- 20% reflective journal

Pre-requisite: LAW 459 Business Organizations
Co-requisite: LAW 379B Externship: Business Law Clinic

David is a partner at Richards Buell Sutton LLP's Vancouver office. He obtained his J.D. from UVIC in 2010, after which he articled at a litigation firm before finding his true calling as a commercial solicitor. Following his articles, David practiced at a boutique business law firm in downtown Vancouver for a number of formative years before joining RBS in 2019.

David is a member of the firm's Business Law Group, Employment and Human Rights Group, and Technology and IP Group. He regularly advises his clients on a range of legal matters including mergers and acquisitions, business structures, corporate reorganizations, shareholder and partnership agreements, employment agreements, license and service agreements, and commercial leases.

David is regularly assisted in the office by his rescue legal support pup, Huxley (the Husky)

Tamara obtained her LLB (now J.D.) from UBC Law (now Allard) and articled with Mawhinney & Kellough (now Dentons) being called to the bar in 1990. After being called to the bar of British Columbia, Tamara to work with her father at a downtown Vancouver boutique real estate law firm becoming a partner then moving her practice to Surrey to be closer to home and her family. Tamara is now a partner at Richards Buell Sutton LLP practicing out of their Surrey office focussing primarily on real estate development and corporate/ commercial law. Tamara is also a registered trademark agent. Tamara's real estate practice focusses primarily on the needs of developers including advising on corporate structures, then assisting with the acquisition and financing of development property through to the leasing and/or sales of developed residential and/or commercial units. On the corporate side, Tamara assists clients in the start up of business, franchising, reorganizations and the sale and/or acquisition of businesses in a wide variety of industries. Early in her career, Tamara also started and ran a dog day care business in Whistler which taught her invaluable lessons in business!

Amir started out his career as a Chartered Accountant (now known as "C.P.A.") at Deloitte while completing the Chartered Accounting Co-Op Program through his undergraduate business degree studies at SFU. After five "busy seasons" in accounting, Amir attended Dalhousie University and obtained his LL.B. in 2006. Amir primarily practices in private company business matters covering a wide range of matters from business formation (incorporations, limited partnerships) to business acquisition/divestiture (share sales, asset sales), and just about everything in between (commercial agreements, leases, shareholder agreements, employment matters), and in each case across a wide variety of industries. When pressed for a quick answer, Amir summarizes his work simply as "contracts". Prior to joining Richards Buell Sutton LLP, Amir articled and practiced with a large regional firm and later was a partner at a mid-size Vancouver firm.

LAW 380A.003 **Externship Reflection** ***Corporate Counsel Externship - Reflection***

☑ Term 1 ☐ Term 2 Amlani *Workshop* *2 CREDITS*

Registration by permission only. Class will meet on the following dates for the Fall Term: Sept 6, 7, 13, and Nov 22, 2025 (9:00AM-5:00PM each day)

The Corporate Counsel Externship is a clinical program within the Centre for Business Law that places students within legal departments at leading private and public sector organizations.

The Externship is comprised of 7 credits in total, with 2 credits allocated to this Reflection Component (Law 380A) and 5 credits allocated to the companion Clinical Component (Law 379E).

For this Reflection Component, students attend lectures, complete required readings and undertake exercises that focus specifically on in-house practice and professional development. The Reflection Component is designed to enhance experiential learning gained through the Clinical Component and ensure a significant academic component to students' learning. Topics include, among others, the role of in-house counsel, professional responsibilities and ethics, effective business communications, negotiations, financial literacy, contracts, M&A, and other substantive subject areas. At the end of the term, students will present on their experiences and reflect on the impact that the externship has had on their professional development.

Students will be graded on assignments (20%), class participation (30%) and their final presentation (50%).

Co-requisite: LAW 379E Externship: Corporate Counsel Externship

Karim Amlani holds the position of Senior Director, Legal at Hootsuite. He loves being an in-house lawyer and is excited to help students get a glimpse into life as an in-house lawyer through the Externship.

At Hootsuite, Karim leads a team supporting the corporate, product and marketing functions. In his nine years at Hootsuite, he has closed M&A/financing transactions, negotiated business critical agreements with social networks, developed company-wide processes and considered the use of artificial intelligence technologies. Before joining Hootsuite, Karim was a lawyer in the securities and information technology groups at Blake, Cassels & Graydon LLP. He is also the Chair of the Dean's Advisory Committee for the Centre for Business Law at the University of British Columbia, and frequently contributes to industry activities within the in-house legal community.

LAW 380A.004 **Externship Reflection** ***Corporate Counsel Externship - Reflection***

☐ Term 1 ☑ Term 2 Amlani *Workshop* *2 CREDITS*

Registration by permission only. Class will meet on the following dates for the Spring Term: Jan 10, 11, 17, and Mar 28, 2026 (9:00AM-5:00PM each day)

The Corporate Counsel Externship is a clinical program within the Centre for Business Law that places students within legal departments at leading private and public sector organizations.

The Externship is comprised of 7 credits in total, with 2 credits allocated to this Reflection Component (Law 380A) and 5 credits allocated to the companion Clinical Component (Law 379E).

For this Reflection Component, students attend lectures, complete required readings and undertake exercises that focus specifically on in-house practice and professional development. The Reflection Component is designed to enhance experiential learning gained through the Clinical Component and ensure a significant academic component to students' learning. Topics include, among others, the role of in-house counsel, professional responsibilities and ethics, effective business communications, negotiations, financial literacy, contracts, M&A, and other substantive subject areas. At the end of the term, students will present on their experiences and reflect on the impact that the externship has had on their professional development.

Students will be graded on assignments (20%), class participation (30%) and their final presentation (50%).

Co-requisite: LAW 379E Externship: Corporate Counsel Externship

Karim Amlani holds the position of Senior Director, Legal at Hootsuite. He loves being an in-house lawyer and is excited to help students get a glimpse into life as an in-house lawyer through the Externship.

At Hootsuite, Karim leads a team supporting the corporate, product and marketing functions. In his nine years at Hootsuite, he has closed M&A/financing transactions, negotiated business critical agreements with social networks, developed company-wide processes and considered the use of artificial intelligence technologies. Before joining Hootsuite, Karim was a lawyer in the securities and information technology groups at Blake, Cassels & Graydon LLP. He is also the Chair of the Dean's Advisory Committee for the Centre for Business Law at the University of British Columbia, and frequently contributes to industry activities within the in-house legal community.

LAW 380C.005 **Externship Reflection** ***ĆELÁŅENEŁ: A Field Course in the Re-emergence of W̱SÁNEĆ Law***

☑ Term 1 ☐ Term 2 Clifford *Workshop* *4 CREDITS*

Registration by Permission Only. This class DOES NOT fulfill the seminar requirement.

The Allard School of Law is offering ĆELÁŅENEŁ: A Field Course in the Re-emergence of W̱SÁNEĆ Law during the Fall term of 2021. This course is offered in partnership with the W̱SÁNEĆ Nation and the University of Victoria, Faculty of Law. ĆELÁŅEN means "ancestry or birthright" and ĆELÁŅENEŁ means "of the ancestor's cultural ways" or "of the birthrights". This intensive land-based course will be taught in the W̱SÁNEĆ community on the Saanich Peninsula and will include a number of trips to local mountains, rivers, and a 3-night camping trip on the Gulf Islands. This course is focused on W̱SÁNEĆ People's own laws, and the ways in which those laws are generated and carried forward. Consideration will also be given to the colonial relationship and power structures between the W̱SÁNEĆ and Canadian legal traditions, as well as the opportunities and barriers this creates for the revitalization of W̱SÁNEĆ law. A principal purpose of the course will be to develop a collaborative community-based legal education model. During seven weeks of the course students will work under the supervision of W̱SÁNEĆ community members in learning and applying W̱SÁNEĆ law to community-based projects identified as important by the W̱SÁNEĆ community.

The first three to four weeks of the course involve an intensive land-based learning component where students will have 6 hours of contact per day, which will also include skills-based components in preparation for student community projects. Class contact hours over the next eight weeks will fluctuate while students are engaged as community-based learners and participants working in small groups of 2 or 3 directly with WSÁNEĆ elders and knowledge holders on identified projects. Students will be expected to treat this eight-week period as a full-time educational experience, devoting at least 30 hours a week to their community-based work and research. During this eight-week period, we will also meet as a group once per week to hear from guest speakers, to debrief as a group regarding the ongoing community projects, or to go on the occasional land-based outing. The last week of the class will once again involve a 6 contact-hours-a-day classroom component. Students will make presentations and engage in discussions with one another and select community members related to their eight-week placement experiences. We will open and close the course in a culturally appropriate way.

Evaluation:
This course will be a term long externship and will comprise a full 15 credits for the semester. 11 of those credits will be counted as a clinical externship (379D.005) and graded on a pass/fail basis. The remaining 4 credits will be counted as an externship reflection (380C.005) and will require the completion of a graded final paper (100%) due at the end of the exam period.

Robert Clifford is a full time member of the Peter A. Allard School of Law.

LAW 380C.006 **Externship Reflection** ***Judicial Externship***

☑ Term 1 ☐ Term 2 Martz *Workshop* *4 CREDITS*

Registration by permission only. Restricted to 3rd Year students only.

*Registration by permission only. Restricted to 3rd Year students only. *
LAW 380 is a weekly three-hour seminar designed to promote reflective practice, to enhance learning gained through the experiential learning of LAW 379 Externship, and to ensure a significant academic component to students' learning. The course will focus on specific topics relevant to the externship placements of students in any given term, but will normally include most of: the role(s) of the lawyer; professional responsibility; legal ethics; representation of disempowered members of society; legal culture; culture and conflict; as well as topics arising from the externship placements (e.g. the role of courts and the judiciary, and specific case-driven considerations arising from externships). Additional assignments, including weekly journal postings and a final research paper, will be completed outside of class.

Lisa Martz has practised as a litigation lawyer for more than 25 years. She is now a full-time Lecturer at the Peter A. Allard School of Law.

LAW 380C.007 **Externship Reflection** ***Judicial Externship***

☐ Term 1 ☑ Term 2 Martz *Workshop* *4 CREDITS*

Registration by permission only. Restricted to 3rd Year students only.

*Registration by permission only. Restricted to 3rd Year students only. *
LAW 380 is a weekly three-hour seminar designed to promote reflective practice, to enhance learning gained through the experiential learning of LAW 379 Externship, and to ensure a significant academic component to students' learning. The course will focus on specific topics relevant to the externship placements of students in any given term, but will normally include most of: the role(s) of the lawyer; professional responsibility; legal ethics; representation of disempowered members of society; legal culture; culture and conflict; as well as topics arising from the externship placements (e.g. the role of courts and the judiciary, and specific case-driven considerations arising from externships). Additional assignments, including weekly journal postings and a final research paper, will be completed outside of class.

Lisa Martz has practised as a litigation lawyer for more than 25 years. She is now a full-time Lecturer at the Peter A. Allard School of Law.

LAW 382.001 **Health Law**

☑ Term 1 ☐ Term 2 Fedio, D James, K *Lecture* *3 CREDITS*

This course will provide students with a greater understanding of law and policy issues related to health care. The class will cover the regulation of health care (professionals and institutions), current challenges impacting health care delivery, and critiques of the system. We will spotlight key health care interventions across the life course, from prenatal to post-mortem, touching on topics such as consent by minors, access to abortion, and medically assisted death. Students will be supported to analyze how the health care system intersects with legal rights and obligations at both a societal and individual level, with particular attention to the unique barriers faced by different marginalized populations, including Indigenous people, people with disabilities, 2SLGBTQ+ people, women, and newcomers to Canada.

Evaluation will be based on attendance and participation (10%), in-class presentation (20%), and a final written assignment (70%)

Deanna Fedio is currently a Legal Counsel at Vancouver Coastal Health Authority, where she has practiced since her call to the bar. Her practice includes advising on public health, professional regulation, adult guardianship, human rights, occupational health and safety, employment, health care consent, privacy, and providing representation before administrative tribunals and courts. She was one of the main advisors to public health and clinical leadership during the pandemic. Deanna regularly volunteers on international human rights projects relating to Indigenous and women's rights in the mining sector and is an executive member of the CBA Health Law section.

Krista James is a lawyer, writer, feminist, and community organizer. She is currently Policy Director and Senior Legal Counsel for Vancouver Coastal Health. She was a Staff Lawyer with the BC Law Institute for 15 years, including 11 years in the position of National Director of the Canadian Centre for Elder Law. Krista was called to the BC bar in 1998 after articling with the Legal Services Society of BC (now Legal Aid BC). She has practiced labour and human rights law, and written and presented extensively on health law topics. Over the years Krista has worked with various legal non-profits as staff, volunteer, and board member, including both more traditional lawyer positions and gigs as advocate and victim assistance worker. You can find Krista on LinkedIn: https://www.linkedin.com/in/krista-james-27431840/.

LAW 387B.001 Environmental Law

☑ Term 1 ☐ Term 2 Stacey *Lecture* *3 CREDITS*

Cross-listed with LAW 587C.001.

Environmental issues challenge our understanding of law in many ways. Environmental issues are complex scientifically and politically, and temporally and geographically. They require a close examination of the potential and limits of core areas of legal doctrine (e.g. tort law and public law) and how these doctrines need to be stretched or adapted to account for the complexity of environmental problems. Students will learn about the contested purposes and principles of environmental law, contested jurisdiction over the environment (Indigenous authority and Canadian constitutional law), how the environment is governed by the Canadian state (e.g. environmental assessment law, endangered species protection, plastics regulation), and the role of the courts. The course is designed both for students seeking a concise introduction to the subject-matter as part of a well-rounded legal education, as well as for students seeking to specialize in this growing and substantial area of law, for which Environmental Law 387 provides foundation for further studies.

Note that this course follows a “flipped classroom” model and is structured around problem-based learning that requires active participation during class time.

It is strongly recommended that students take Federalism and Administrative Law prior to this course. Students who have not taken these courses should reach out to Professor Stacey for background readings prior to starting the course.

Evaluation: Class engagement (20%), a midterm assignment (20%) and a final project (60%).

Associate Professor Jocelyn Stacey is a full time member of the Peter A. Allard School of Law

LAW 390.001 **Environmental Law Workshop** ***Theory and Practice of Climate Law and Litigation***

☑ Term 1 ☐ Term 2 Ho, A *Workshop* *3 CREDITS*

CHANGE August 12: WORKSHOP CANCELLED
***This workshop does NOT fulfill the 3 credit seminar requirement**

This course canvasses the emerging legal issues in climate litigation in Canada and around the world, and it provides students with opportunities to develop competencies to be effective legal advocates before the courts and other regulatory bodies. Consistent with international trend, increasingly environmental defenders in Canada are using the court system to hold governments and other actors accountable for their contributions to climate change. Aspiring lawyers who wish to practice in this field not only need a solid understanding of the substantive legal theories underpinning climate litigation, but also develop competencies in litigation strategy, evidence, and procedure. Using real examples of climate cases, students will learn about aspects of the law that are engaged in these cases, and work both independently and in collaboration with classmates to complete various exercises, including a factum and oral moot about these climate cases.

Evaluation:
Factum 30%
Moot 50%
Short written reflection 15%
Participation: 5%

Anthony Ho practices at Ad Astra Law Corporation, a solo-practice firm that founded in July 2024 where he focusses on environmental, natural resources, and administrative law.
He has experience in environmental assessments, regulatory hearings, judicial reviews, and civil trials and has appeared before the Federal Court and Federal Court of Appeal, the BC Supreme Court, and various tribunals including the National Energy Board and BC Environmental Appeal Board.
He received his J.D. from the University of Victoria in 2014 and was called to the British Columbia bar in 2015. After his call, he was a staff lawyer at the UVic Environmental Law Centre before practising as an associate at Tollefson Law for 7 years, where he remains of counsel.
From 2016 to 2024, he was also the Program Coordinator at the Pacific Centre for Environmental Law and Litigation (CELL). In that capacity, he helped deliver CELL's educational program, which trains law students in litigation practice skills through exposure to real-life pieces of public interest environmental litigation.
Aside from his J.D., Anthony also holds a Master of Public Administration (UVic '14), a B.Sc. in environmental sciences (UBC '10), and a B.A. in political science (UBC '10). He is currently pursuing a Ph.D. in Law and Society at UVic

LAW 392.001 Natural Resources Law

☐ Term 1 ☑ Term 2 Hickling, J *Lecture* *3 CREDITS*

Natural resources are the foundation of our economy, our society, our politics, and our past and our future. How a society governs the use of natural resources determines whether or not (and for how long) that society will be prosperous, innovative, fair and just, and free. Natural resources are also key drivers in peace and conflict, between jurisdictions in our federal system and at the international level.

This fast-paced introductory course will compare the constitutional, regulatory, and policy frameworks that govern natural resource sectors in British Columbia – energy, forestry, mining, water, and wildlife – with a view to preparing students for entry into legal practice. In addition, students will be invited to consider developing policies and emerging issues on topics such as investment and finance, royalty and tax structures, climate and biodiversity, and indigenous rights.

Some important questions about the deep structure and function of law may also be explored: Is law a system of rules and sanctions, or is it a social process that supports decision-making? How is law informed by values and how does it respond to changing priorities? How are concepts like pluralism, distributive justice, and intergenerational equity reflected in law?

Evaluation: Evaluation will be based on a final exam (100%), with an option for a short research paper (15%).

James Hickling, M.Sc., LL.B., B.C.L. has practiced natural resources law in British Columbia for twenty years. He was a UBC Law gold medalist, clerked at the Supreme Court of Canada, held a Commonwealth Scholarship at Balliol College, Oxford, and the WM Tapp Studentship in Law at Gonville & Caius College, Cambridge. He has led negotiations on significant natural resource issues and published articles on energy law, environmental law, and indigenous rights in leading academic journals.

LAW 394.001 Mining Law

☑ Term 1 ☐ Term 2 Collie Monk *Lecture* *3 CREDITS*

This course is intended to serve as a general introduction to Canadian mining law, with a focus on British Columbia. It will cover "black letter" areas of the law such as mineral tenure systems, as well as related commercial law matters which most lawyers practising in the area would likely encounter, such as typical forms of commercial agreements, and issues which arise in mining finance (particularly in a public markets context). Specific areas to be covered include: ownership and acquisition of mineral interests; types of mineral interests including mineral claims and leases; major agreements in exploration and mining (e.g., confidentiality agreements, option and joint venture agreements, royalty agreements); permitting of a mine in British Columbia; financing of mining ventures and related securities law considerations (e.g., standards of disclosure for mineral projects).

Evaluation:
Final exam

Don Collie (B.A. (University of Calgary), LL.B. (University of Toronto), M.A. (University of Toronto)) is Counsel at DLA Piper (Canada) LLP, in the Vancouver office. He was called to the Ontario Bar in 1992 and the British Columbia Bar in 1993. He practices in the areas of securities law, corporate finance, mergers & acquisitions, mining and related general corporate and commercial transactions. His mining-related experience includes financing of mining ventures and companies, drafting and negotiating mining joint venture and option agreements, royalty agreements, acquisitions and dispositions of mining properties and companies, advising on mineral tenure, and advising on disclosure requirements for mineral projects.

Alan Monk (B.B.A. (Simon Fraser University), MBA (UBC), J.D. (University of Alberta)) is Counsel at DLA Piper (Canada) LLP in Vancouver. He was called to the Alberta Bar in 1998 and the British Columbia Bar in 1999. Alan practices in the areas of securities law, mergers & acquisitions, mining and related general corporate and commercial matters. Alan's securities practice involves public and private financings of mineral exploration companies and advising on continuous disclosure, corporate governance and general regulatory compliance for public companies. His mining practice includes the negotiation and preparation of a variety of commercial agreements, including option and joint venture agreements, royalty agreements, and confidentiality agreements as well as mineral title matters.

LAW 395.001 Forest Law

☑ Term 1 ☐ Term 2 Garton *Lecture* *3 CREDITS*

Cross-listed with LAW 595.001

Forests have long been a cornerstone of British Columbia's natural environment and economy. Government has created a complex regulatory regime seeking to balance competing interests in the forest, including those of industrial & recreational users, public interest groups, government and Indigenous Nations. The interface between these different visions of forest resource management and the impacts of climate change upon BC's forests have produced some of the most challenging questions that BC lawyers and policy-makers have had to address in recent decades, and public interest in the outcome is high. Initially this course will examine the current statutory regime that regulates activities in BC forests, as well as the legal nature of the forest tenures or entitlements that the BC government may grant to the private sector, First Nations, and other groups. We will then address a number of more specific topics, including the current policy debate and announcements for forest tenure and logging reform, the nature and effect of Indigenous rights to forest lands and resources, wildfire suppression and liability, a comparative survey of forest policy in selected other jurisdictions, the financial interest of the Province in BC's forests and enforcement of that interest, the role of professional reliance in forest management, the compliance and enforcement regime for BC forest laws, the key commercial issues a lawyer would encounter in practicing forest law and the planning framework that the BC government uses to weigh competing wildlife, heritage, biodiversity, environmental and industrial interests. Guest speakers may be included to provide different expertise or perspectives on some of the public policy issues that will arise.

Evaluation: 100% final exam

Billy Garton (B.Sc.F. (U. of T. 1983), LL.B. (U. of T. 1989)) is a Vancouver lawyer with over 25 years of experience advising clients on forestry law topics, primarily focused on the commercial, first nations and environmental aspects of forestry law. He previously lead the forestry law practice at Bull, Housser & Tupper LLP (now Norton Rose Fulbright LLP) where his clients included large and small timber tenure holders, first nation governments, logging contractors, lenders to the forest sector and industry associations. He recently retired as General Counsel to Seaspan ULC, a large BC-based shipbuilder and marine services provider. Prior to attending law school Billy worked in the BC coastal forest industry as well as in Alberta and Ontario.

LAW 398C.001 Topics in Natural Resources *Comparative indigenous Rights in Mining*

☐ Term 1 ☑ Term 2 Ghebremusse *Lecture* *3 CREDITS*

CHANGE June 11: Instructor

This seminar critically examines the impacts of mining on Indigenous communities in Canada and across the globe, situating mining conflicts within broader structures of colonialism, dispossession, and global capitalism. Students will engage in a comparative analysis of how Indigenous rights are recognized, contested, and often constrained by domestic legal systems and international frameworks. Key topics will include the right to free, prior, and informed consent; land and resource sovereignty; environmental and cultural protection; and the role of Indigenous governance systems in resisting extractive industries.

Students will study mining conflicts involving Indigenous communities in Canada alongside case studies from other jurisdictions, including Australia, Latin America, and parts of Africa. Particular attention will be paid to the historical, political, and economic contexts shaping Indigenous experiences with mining across different regions, the persistence of extractive colonialism in contemporary mining practices, and the possibilities for Indigenous-led alternatives to resource exploitation. Students will be encouraged to critically assess the possibilities and limitations of law as a tool for Indigenous empowerment and resistance in the mining sector.

Evaluation will be based on class attendance and participation, a comparative case study presentation, and a final research paper:
•Attendance and participation: 20%
•Research presentation: 30%
•Final research paper: 50%

Assistant Professor Sara Ghebremusse is a full time member of the Peter A. Allard School of Law.

LAW 400.001 Advanced Criminal Procedure

☐ Term 1 ☑ Term 2 Shah McConchie *Lecture* *3 CREDITS*

Cross-listed to LAW 552C.001
This course is NOT open to Exchange students
CHANGE June 19: Restrictions

Practice and procedure in criminal matters will be canvassed in this course, from the laying of a charge through to appeals. Topics covered will include powers of arrest and search, the requirements of a valid charge, bail, rulings, severance, disclosure, jury trials and indictable appeals. The application of the Canadian Charter of Rights and Freedoms to the criminal process will also be discussed.

Instruction will be by lecture and use of an unannotated criminal code and select case law.

Evaluation: Students will be evaluated on the basis of a two-and-a-half-hour final examination.

Mila Shah (B.A. (UBC), J.D. (Uvic)) is Crown Counsel with the B.C. Prosecution Service, specializing in criminal appeals in the B.C. Court of Appeal and the Supreme Court of Canada. Before joining the Crown, Ms. Shah practiced as a criminal defence lawyer with Peck and Company Barristers and was a supervising lawyer with the UBC Innocence Project. She is a former clerk to the previous Chief Justice Beverley McLachlin and she is currently the Vice-Chair of the Appellate Advocacy Section of the Canadian Bar Association, B.C. Branch.

Rebecca McConchie (B.A. (UBC), J.D. (UofT)) is a criminal lawyer and sole practitioner at McConchie Criminal Law. She previously practiced as a criminal defence lawyer at Peck and Company Barristers in Vancouver and Addario Law Group in Toronto. Ms. McConchie represents clients at trial and on appeal, and has appeared before all levels of court in B.C. and the Supreme Court of Canada. She has particular experience in complex Charter litigation, constitutional challenges, and sexual offence proceedings. Ms. McConchie also acts as ad hoc Crown counsel and has prosecuted files in the B.C. Provincial Court and B.C. Supreme Court.

LAW 401D.001 Penal Policy

☐ Term 1 ☑ Term 2 Parkes *Seminar* *3 CREDITS*

Cross-listed to LAW 560D.001

This seminar is designed to give students an understanding of that part of the criminal justice system about which most lawyers know the least - the prison. We will investigate the historical evolution of the prison and critically examine the central role that punishment (particularly through incarceration) plays in Canadian criminal law and society. We will consider the evolution of constitutional and other legal principles and case law governing incarceration, with particular attention to prisoners' rights, oversight and accountability of imprisonment, and avenues for advocacy. Topics include provincial and federal prison law and systems, conditions of confinement, security classification, solitary confinement, parole and other forms of release, and attention to the ways that people experience incarceration differentially depending on race, gender, disability, and sexual orientation or gender identity. The seminar will include visits to local prisons to meet with prisoners and opportunities to hear from lawyers who do prison law.

Evaluation:
Evaluation is based on participation and engagement (25%) and a research paper (75%).

Professor Debra Parkes is a full-time faculty member of the Peter A. Allard School of Law. Debra Parkes is the Chair in Feminist Legal Studies at the Peter A. Allard School of Law, UBC. Before joining the Faculty at Allard Hall, Prof. Parkes was a member of the Faculty of Law, University of Manitoba for 15 years. Her scholarly work examines the challenges and possibilities of framing and adjudicating rights claims, with a particular focus on (in)equality, social and economic rights, and rights in the criminal justice, corrections, and workplace contexts. She was Editor-in-Chief of the Canadian Journal of Women and the Law from 2009-2013.

LAW 403.001 Principles of Sentencing

☑ Term 1 ☐ Term 2 Grant *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 508D.004 with any of 403.001 or 422.001/570C.001. *This course does NOT fulfill the seminar requirement.*

Online course. This course does NOT fulfill the seminar requirement.
Given that most people accused of crime plead guilty, sentencing is one of the most important stages of the criminal justice trial process and yet we spend very little time studying the rules and processes that apply to sentencing. This course aims to fill that gap and to provide students with a strong background in the theory and practice of sentencing. We will examine the now codified principles of sentencing, the types of sentences available to a sentencing judge, and the methodology judges use to decide an appropriate sentence. We will also cover a number of pressing issues in sentencing policy such as the over-incarceration of Indigenous persons, the constitutionality of mandatory minimum sentences, dangerous offender designations and long-term supervision orders, and the plea negotiation process. Students will also have the opportunity to participate in a speaking to sentence exercise before a current or retired judge.
This course is an online course that is structured around weekly modules of course content which students will be required to read. Each module has short mandatory quizzes to test the student's knowledge and more complex problems that we will solve as a group in writing through weekly online discussions. Students will be required to lead the discussion 1-2 times throughout the term. There will be a few in-person class meetings which students are expected to attend as well as the speaking to sentence exercise. All of these dates will be made available in the course syllabus and at the initial class.
This class is best suited for students who are comfortable engaging with their classmates in writing and are interested in exploring the law and policy issues around sentencing. While this is an online course, students will be required to meet certain timelines each week, to attend a few class sessions at the scheduled time, and a speaking to sentence exercise in provincial court. This course assumes a basic knowledge of criminal law and thus an introductory course in criminal law (like Law 221) is recommended but not required. Students will need a Criminal Code for the final exam.

Evaluation:
Class participation and quizzes 25%
In class exercises 25%
Final open book examination 50%
Enrolment is limited to 20 students.

Professor Isabel Grant is a full-time member of the Peter A. Allard School of Law.

LAW 405C.001 **Topics in Criminal Law** ***Legal Rights Under the Charter***

☐ Term 1 ☑ Term 2 Song Vojvodic *Lecture* *3 CREDITS*

The practice of criminal law has become increasingly complex since the advent of the Charter. Navigating the tension between state power and individual liberty is essential to criminal litigation. This course will focus on an in-depth review of the principles and frameworks that underlie the legal rights enshrined in the Charter (Sections 7 through 14). Students will be exposed to theoretical concepts and practical applications of the Charter in the criminal law context. Topics will include the police power to detain or arrest, the right to retain and instruct counsel, the law of search and seizure, the right to reasonable bail, the role of disclosure to make full answer and defence, the right to a fair trial, and the right not to be subjected to any cruel and unusual punishment.

Evaluation:
Class attendance (15%)
Final open-book examination (85%)

Daniel J. Song, KC, is a criminal defence lawyer practicing in British Columbia and Alberta. He received both his B.A. in English Literature and his J.D. ('06) from UBC. He has conducted complex criminal trials involving homicides, criminal organizations, and conspiracies. He has extensive experience as criminal appellate counsel, having represented clients at the Supreme Court of Canada in more than twenty cases. He also conducts criminal appeals regularly at the Alberta Court of Appeal and British Columbia Court of Appeal. He frequently presents and lectures on Charter litigation in criminal cases for lawyers, police officers, and judges. He is an advocacy advisor for the Supreme Court Advocacy Institute, a board director of the B.C. Civil Liberties Association, a member of the Legal Aid of Alberta Appeals Committee, and a supervising lawyer for the UBC Innocence Project. He was appointed Queen's Counsel in 2022 and inducted as a fellow of the American College of Trial Lawyers in 2024.

Marko Vojvodic is a Crown prosecutor practicing within the Organized and Major Crime Unit of the BC Prosecution Service. He received his B.Sc. in Computing Science from the University of Alberta and his LL.B. ('06) from UBC. Marko's practice focuses primarily on complex prosecutions involving homicides and conspiracies within the context of criminal organizations, which frequently encompass extensive Charter challenges to admissibility of evidence. Marko has also appeared before the Court of Appeal of British Columbia on several conviction appeals.

LAW 406D.001 **Topics in Criminal Justice** ***Artificial Intelligence***

☐ Term 1 ☑ Term 2 Perrin *Seminar* *3 CREDITS*

Artificial intelligence (AI) has the potential to fundamentally change and reshape our society. It is imperative for lawyers, judges, and scholars to understand and engage with how AI is affecting, and will potentially impact, the legal profession in years to come. This seminar will explore the intersection, implications, and impacts of the growing use of AI within the criminal legal system.

We will delve into the regulatory, legal, ethical, and societal implications of AI in various facets of the criminal legal system, including: criminality and victimization, policing, access to justice, lawyering, adjudication, trials, and corrections. Topics may include predictive policing algorithms, risk assessment tools for sentencing, facial recognition technology, and AI-driven evidence analysis. We will also explore a range of critical perspectives on AI and its risks, and examine the emerging jurisprudence, practice directions, rules, and guidelines on the use of AI.

Evaluation is based on participation (15%); case study (15%); research paper proposal (10%); research paper presentation (20%); and final research paper (40%).

This course is being developed in collaboration with Gemini and ChatGPT.

Professor Benjamin Perrin is a full time member of the Peter A. Allard School of Law.

LAW 406D.002 **Topics in Criminal Justice** ***Forensic Science and Criminal Law***

☑ Term 1 ☐ Term 2 Tolliday Purtzki *Seminar* *3 CREDITS*

This seminar course has as its objective providing second and third-year law students with a broad overview of the role of forensic science in the criminal justice system. The course will familiarize students with a number of forensic science disciplines, and explore the fundamental scientific principles that underlie forensic evidence. Basic principles related to admissibility of expert evidence and procedural aspects of such evidence will also be covered.

The course will be taught in a seminar style that will encourage student participation and engagement. Students will participate in an advocacy exercise aimed at providing students with hands-on experience with procedural steps associated with forensic evidence. Students will make submissions regarding admissibility of expert opinion evidence based on mock expert reports and/or mock transcripts of the testimony of an expert witness on a voir dire. A research paper will be a required, related to a topic that involves forensic science and law and has been approved by the instructors.

Evaluation: Participation (20%), Advocacy exercises (20%). Research paper (60%)

Alix Tolliday (University of Victoria B.A., 2008, J.D., 2013) is Crown Counsel with Criminal Appeals and Special Prosecutions (CASP) in Vancouver. Prior to joining the prosecution service, she practiced both civil litigation and criminal defence at Ritchie Sandford McGowan. She has appeared at all levels of court in British Columbia as well as at the Supreme Court of Canada.

Eric Purtzki was called to the Bar of British Columbia in May of 2009. Eric has been practicing in the areas of criminal and administrative law.
His criminal law practice consists of representing clients in relation to Criminal Code offences and other regulatory offences. He has appeared before all levels of court including, the Supreme Court of Canada, British Columbia Court of Appeal, the Supreme Court of British Columbia, and the Provincial Court of British Columbia. Eric has also conducted trials and judicial reviews before the Federal Court of Canada and appeals to the Federal Court of Appeal. In addition to his private practice, Eric is also a case review lawyer in the appeals department at Legal Aid BC.
Throughout his career, Eric has volunteered providing legal advice through Access Pro Bono and representing clients through the Innocence Project at the University of British Columbia. He is an advocacy an advisor with the Supreme Court Advocacy Institute, an organization that provides advocacy advice to parties appearing before the Supreme Court of Canada. He has also been a frequent contributor to continuing legal education conferences and been a guest lecturer at the University of British Columbia. Eric has also testified before the Senate Committee of Legal and Constitutional Affairs concerning Bill C-47, amendments to the Corrections and Conditional Release Act.

LAW 407C.001 Taxation

☐ Term 1 ☑ Term 2 Duff *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 506.001.*

The income tax is the largest single source of government revenue in Canada and an important instrument both for the expression of societal values and for the delivery of social and economic policies. This course examines the basic structure of the income tax through a careful reading of the Income Tax Act and relevant judicial and administrative interpretations. Initial lectures are devoted to the purposes of taxation, the role of the income tax, key structural features of the income tax (tax rates, tax base, accounting period, tax unit, and tax credits), the interpretation of tax statutes, and judicial and statutory responses to tax avoidance. The remainder of the course examines the various categories of income or loss identified in the Income Tax Act (income or loss from an office or employment, income or loss from a business or property, taxable capital gains and allowable capital losses, and income from other sources), and rules regarding the attribution of income.

Required Materials:
1. David G. Duff, Benjamin Alarie, Geoff Loomer and Lisa Philipps, Canadian Income Tax Law, 6th ed. (Toronto: LexisNexis, 2018).
2. Income Tax Act, latest edition

Evaluation: 100% final exam.

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 407C.002 Taxation

☑ Term 1 ☐ Term 2 Cui *Lecture* *4 CREDITS*

Cross-listed with LAW 506.002.

This introductory course examines the basic structure of the income tax as applied to Canadian individuals through a careful reading of the Income Tax Act and relevant judicial and administrative interpretations. The income tax is the largest single source of government revenue in Canada and an important instrument both for the expression of societal values and for the delivery of social and economic policies. Exploring the income tax is thus a natural way to expose oneself to tax law in general. Along the way, students will also gain an initial exposure to other important taxes, especially payroll and consumption taxes, that play vital roles in Canada's public finance system.

Three aspects of the course deserve emphasis. First, students will be put in touch directly with the tax law through the TaxnetPro database. The textbook used for the course—one that is most frequently cited by Canadian courts in tax decisions—is available for free through the database, and links to cases, administrative material, and extensive professional commentaries are directly embedded in the text. Legal research, therefore, is part of the course, not something that one separately learns (e.g. in moots and clinics). Second, reading the textbook and assigned cases will be important: class sessions are for discussion and solving practice problems, not for the instructor to repeat what students could have read in the textbook.

Third, perhaps more so than some other areas of substantive law, the study of tax law emphasizes reasoning and understanding, rather than memorization. While we will analyze a significant amount of case law for teaching purposes, an important goal is to guide students to come to terms with "income tax logic". Tax logic combines intuitive economics and accounting principles, but is distinct from both tax policy analysis and accounting. It forms an indispensable framework for predicting market responses to both statutory rules and jurisprudence in the income tax area. The course's emphasis on conceptual understanding will be implemented through encouraging active classroom discussion. In addition, students will be asked to form groups and work on practice problems in class throughout the term.

Prior courses in business law are definitely not required for the course. However, students may occasionally find it helpful to search online (e.g., Wikipedia) for commercial terms such as "stock options," "present value," or "compound interest." Math skills at the 8th grade level (e.g., arithmetic and basic algebra) generally suffice for understanding the material in the course.

Evaluation:
•Students will have the option of having 100% of their grade determined by the final exam.
•Alternatively, students may choose to have the final exam count towards only 75% of their final grade, with the remaining 25% broken down as follows: (1) 7.5% for leading the discussion of a case selected by the instructor; (2) 7.5% for leading (jointly with a few other students) the discussion of a practice problem; and (3) 10% for active participation in the classroom. A student who gets a higher grade in the final exam than for participation will automatically be graded on the final exam only (i.e., participation cannot result in you getting a lower trade.)
•Whichever of the above two options a student takes, they are eligible for up to 4% bonus points for sharing their tax learning outside the classroom, e.g., sharing news relevant tax news, engaging in discussion on online forum, etc.
•The best performing students are eligible for nomination to the Thorsteinssons course prize.

Professor Wei Cui is a full time member of the Peter A. School of Law.

LAW 408.001 Taxation of Corporations & Shareholders

☑ Term 1 ☐ Term 2 Duff *Lecture* *3 CREDITS*

Cross-listed with LAW 562.001 Taxation of Corporations & Shareholders.
CHANGE July 18: Room

Corporations constitute the most significant form of business organization in Canada and other developed countries, accounting for roughly 20 percent of federal and provincial income tax. This course examines the taxation of corporations and shareholders in Canada, beginning with a general overview of the legal character of corporations and the structure of corporate taxes in Canada, then turning to a detailed examination of statutory rules and judicial decisions governing the taxation of income received by public and private corporations and the taxation of shareholders on share dispositions, corporate distributions, shareholder benefits and loans, indirect payments, attributed income and the tax on split income (TOSI).

Evaluation: 100% final take-home, 9:00 a.m. - 4:30 p.m., to be distributed on the date specified by the Exam Schedule.

Required Materials:
1. David G. Duff and Geoff Loomer, Taxation of Business Organizations in Canada, 2d ed. (Toronto: LexisNexis, 2019), chapters 5-11
2. Thorsteinsson's Income Tax Act (most recent edition)

Pre-requisite: Law 407 or Law 561 Fundamental Concepts in Tax Law

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 410.001 International Taxation

☑ Term 1 ☐ Term 2 Duff *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 372C.003/509.003 with 410.001/565.001. *Cross-listed with LAW 565.001.*

The increased globalization of economic activity over the past few decades has made the international dimension of tax law and policy increasingly important. This course examines tax rules governing the taxation of non-residents carrying on income-earning activities in Canada (inbound rules) as well as tax rules governing the taxation of Canadian residents earning income in other countries (outbound rules).

Introductory classes examine the basic structure of the international tax regime, the sources of international tax law (statutory rules, bilateral tax treaties, and judicial decisions), the interpretation of tax treaties, jurisdiction to tax, tax treaty shopping and transfer pricing. Subsequent classes consider statutory rules, treaty provisions and judicial decisions governing the taxation of Canadian source income earned by non-residents, and the taxation of foreign-source income earned by Canadian residents.

Required Materials:
1. David G. Duff, International Tax Law in Canada (LexisNexis, forthcoming 2022)
2. Income Tax Act, latest edition

Evaluation: final take-home exam (100%), 9:00 a.m. - 4:30 p.m., to be distributed on the date specified by the Exam Schedule.

Pre-requisite: Law 407 Taxation or Law 561 Fundamental Concepts in Tax Law

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 411D.001 Tax Policy

☑ Term 1 ☐ Term 2 Cui *Seminar* *3 CREDITS*

Cross-listed with LAW 566.001.

Tax policy instruments are among the most important and most widely-used policy tools for advancing fundamental social objectives in Canada and other democratic countries. This seminar will introduce students to key conceptual tools for analyzing tax policy. It also aims to encourage and support students in engaging with many of the urgent, real-life policy challenges facing Canada and the world today. The course will feature a number of guest speakers including highly prominent scholars and policy commentators.

Key concepts introduced in the first third of the course include those of the economic incidence of taxation, excess burden, the different types of return to investment (e.g., rent, risk, and riskless return), the evaluation of social welfare (including various notions of social justice and fairness). Examples of key policy challenges we will go on to examine in the later parts of the course include: understanding the sources of and trends in income inequality and designing appropriate tax policy response; stimulating innovation; and combatting climate change. In the Fall 2025 iteration of the seminar, we will devote up to 5 sessions to the discussion of climate-related topics, including: the theory of Pigouvian taxes; the range of pricing instruments to incentivize the reduction of emissions, including the carbon, tax cap and trade, tradeable performance standards, and output-based performance standards; the carbon border adjustment mechanism; tax preferences and industrial policy used to support the green transition; and philosophical issues related to carbon pricing.

International tax policy—a topic of vital significance in the taxation of large businesses, international trade, and geopolitics—will not be specifically covered in this seminar. Students interested in international tax policy should consider taking the seminar course Law 545C, offered in Winter 2026.

Evaluation: Student performance will be evaluated on the basis of (i) class participation (20%), (ii) a midterm paper and/or completing several sets of practice problems (20%); and (iii) a final paper (60%).

Professor Wei Cui is a full time member of the Peter A. School of Law.

LAW 413D.001 **Tax Administration and Dispute Resolution** ***Tax Dispute Resolution and Litigation***

☐ Term 1 ☑ Term 2 Kroft *Seminar* *3 CREDITS*

Cross-listed with LAW 567.001

This seminar will deal with the resolution of tax controversy in Canada. It will explore key practical issues arising in the operation of a tax advisory and litigation practice. The relevant provisions in the Income Tax Act will be the focus of discussion. The seminar will assist in refining analytical, organizational and judgment skills necessary for serving tax clients, solving tax problems and developing strategies for achieving successful tax outcomes at all stages of the tax disputes process (from audit to appeal).

This seminar will also consider issues unique to daily tax practice including questions of document creation and retention, information disclosure, access and privilege, and administrative dispute resolution processes. Participants will learn about tax practice, audit, objection and appeal issues and will apply them to a case study at the end of term.

Students must have a copy of the most recent edition of the Canadian Income Tax Act and a copy of the course materials prepared by the instructor.

Evaluation:
Students will be evaluated on the basis of : a) a 25 page research paper (30 pages for LLM students)-80% , b) oral presentation of the research paper and class participation-20%

Ed Kroft, K.C. (J.D. (Osgoode Hall 1978), LL.M. (UBC 1980), CPA (Hons)) is a partner with Bennett Jones LLP and is the leader of that firm's Tax Controversy and Litigation Group. Ed has taught courses in tax law, tax policy and tax litigation as an adjunct professor in the Faculty of Law for over 35 years. Ed's practice is exclusively dedicated to handling federal and provincial tax disputes, including those related to transfer pricing. He appears before all levels of court, including Supreme Court of Canada, and has published extensively on taxation issues. Ed is a former member of the editorial board of the Canadian Tax Journal and sat for 20 years on the Rules Committee of the Tax Court of Canada. He is a recipient of the Award for Excellence in Income Tax Practice and Education from the Canadian Institute of Chartered Accountants , the Queen Elizabeth II Diamond Jubilee Medal and the Adam Albright Award for Excellence in teaching at the Faculty of Law.

LAW 414.001 **Taxation of Corporate Reorganizations**

☐ Term 1 ☑ Term 2 Duff *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 347B.004 with any of 414.001/550.001 or 509.005. *Cross-listed with LAW 550.001.*

Corporations constitute the most significant form of business organization in Canada and other developed countries, accounting for roughly 20 percent of federal and provincial income tax revenues in Canada. This course examines builds upon concepts examined in Law 408/562 (Taxation of Corporations and Shareholders), examining statutory provisions and judicial decisions governing transfers of property to a corporation, reorganizations of capital, amalgamations and windups, and divisive reorganizations.

Evaluation: Tax Practice Exercises (in-term): 60%; Final Take-home Exam: 40%, 9:00 a.m. - 4:30 p.m., to be distributed on the date specified by the Exam Schedule.

Required Materials:
1. David G. Duff and Geoff Loomer, Taxation of Business Organizations in Canada, 2d ed. (Toronto: LexisNexis, 2019), chapters 12-15
2. Thorsteinsson's Income Tax Act, latest edition

Pre-requisite: Law 408 or Law 562

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 416.001 **Labour Law**

☑ Term 1 ☐ Term 2 Kiamanesh, S *Lecture* *3 CREDITS*

CHANGE Aug 19: Classroom

This course will review the legal framework governing unionized workplaces in Canada, with a focus on British Columbia. This course canvasses leading principles, cases, and issues that arise in the context of labour organizing, collective bargaining, the administration of the collective agreement, and grievances and labour arbitration.

Evaluation method: 100% limited open-book examination

Shirin Kiamanesh practices labour, human rights, administrative, and privacy law at Koskie Glavin Gordon in Vancouver. She represents unions and workers in labour arbitrations, before provincial and federal labour boards and human rights tribunals, and before all levels of court. Shirin holds a J.D. from UBC.

LAW 420D.001 **Topics in Intellectual Property - Seminar** ***Copyright Law & Social Media***

☐ Term 1 ☑ Term 2 Meredith, R *Seminar* *3 CREDITS*

This course examines legal and normative issues spawned by the interactions between traditional copyright law and emergent forms of social media, both domestically and internationally. "Social media" encompasses digital entertainment in the forms of social networking platforms, streaming services, and interactive entertainment. This course will be a deep dive into how these media are changed by copyright law and are in turn redefining the legal parameters and character of copyright law.

Issues explored will include:
•The history of copyright law and its purposes. How has social media affected our understanding of copyright over time?•The impacts of generative Artificial Intelligence tools. Is content created by AI copyrighted? Does generative AI infringe copyright by using original works as training material?
•The “Law of YouTube” (and other digital platforms). How are copyright disputes dealt with by social media platforms that rely on user generated content? How does the Copyright Act (Canada), Digital Millennium Copyright Act (U.S.), and their international equivalents impact how copyright is administered in the real world?
•Music and copyright in the digital age, including issues of sampling and remixing.
•Pros and cons of personal data being considered copyright material to reinforce privacy.
•The inclusion of non-circumvention rules in copyright laws and whether they are effective, appropriate, and fair.
•Ongoing collisions between copyright laws and freedom of expression in a social media context.
•“Users Rights” in Canada as a model for the world.

The method of evaluation for this course will be comprised of a 5000-word term paper (60%), a group presentation on a relevant topic (25%), and course participation (15%).

Rowan Meredith (she/her) is an SJD Candidate at the University of Toronto Faculty of Law, writing her doctoral thesis on barriers to accessibility for disabled persons under Canadian copyright law. She is called to the bar in British Columbia and California. She has a JD in Entertainment, Media and Intellectual Property Law from UCLA (2018) and an LLM in Media Law from Queen Mary, University of London (2019). In her legal practice, she has regularly advised clients on copyright issues involving social media platforms. Rowan also serves on the Board of QMUNITY, BC’s Queer, Trans, and Two-Spirit Resource Centre.

LAW 422.001 Intellectual Property

☑ Term 1 ☐ Term 2 Festinger *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 508D.004 with any of 403.001 or 422.001/570C.001. *Cross-listed with LAW 570C.001.*
CHANGE Aug 19: Classroom

This course provides students with an introduction to the legal regimes governing the protection of intellectual property. The course will cover the following specific areas of intellectual property law: copyright, trademarks, and patents. In addition, students will be introduced to the common law actions of passing off and breach of confidence, international intellectual property law, and industrial design.

The website for Intellectual Property Law can be found at https://iplaw.allard.ubc.ca/

Evaluation method: 70% final exam, 30% short project or presentation, as well as participation.

Jon Festinger, K.C. is an Adjunct Professor at the Allard School of Law, where he teaches courses including Intellectual Property Law, Torts, A.I. and Law, Communications Law, Video Game Law, and Business Organizations. In 2019, he received a Teaching Service Award from Allard Law. Jon has extensive experience in pedagogic AI projects, including Socrates A.I., UBC T.E.A.C.H., and the Judicial Interrogatory Simulator, developed in collaboration with UBC's LT Hub and Emerging Media Lab. He is Of Counsel to Chandler Fogden Lyman Law Corporation.

Jon has held academic appointments at UBC's Sauder School of Business, Graduate School of Journalism and Faculty of Arts, as well as at the TRU and UVic Faculties of Law, Simon Fraser University/Centre for Digital Media, and was an Honourary Industry Professor at the Centre for Commercial Law Studies, Queen Mary University of London. He is the author of Video Game Law (LexisNexis, 2005; 2012) and co-founded the Interactive Entertainment Law Journal in 2018. Jon's career also includes significant industry roles, including in-house counsel at WIC Western International Communications, Senior VP of the CTV Television Network & founding GM of VTV Vancouver Television, as well as being Executive VP, Business & General Counsel of the Vancouver Canucks and GM Place. Jon's volunteer activities include being a Director of the British Columbia Law Institute, and having been Chair of viaSport British Columbia, Ronald MacDonald House B.C., and a Trustee of the B.C. Sports Hall of Fame.

LAW 422.002 Intellectual Property

☐ Term 1 ☑ Term 2 Festinger *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 570C.002.*

This course provides students with an introduction to the legal regimes governing the protection of intellectual property. The course will cover the following specific areas of intellectual property law: copyright, trademarks, and patents. In addition, students will be introduced to the common law actions of passing off and breach of confidence, international intellectual property law, and industrial design.

The website for Intellectual Property Law can be found at https://iplaw.allard.ubc.ca/

Evaluation method: 70% final exam, 30% short project or presentation, as well as participation.

Jon Festinger, K.C. is an Adjunct Professor at the Allard School of Law, where he teaches courses including Intellectual Property Law, Torts, A.I. and Law, Communications Law, Video Game Law, and Business Organizations. In 2019, he received a Teaching Service Award from Allard Law. Jon has extensive experience in pedagogic AI projects, including Socrates A.I., UBC T.E.A.C.H., and the Judicial Interrogatory Simulator, developed in collaboration with UBC's LT Hub and Emerging Media Lab. He is Of Counsel to Chandler Fogden Lyman Law Corporation.

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LAW 425D.001 Cyberspace Law

☐ Term 1 ☑ Term 2 Matsui *Seminar* *3 CREDITS*

Cross-listed with LAW 572.001

This seminar is designed to focus on the legal issues arising from the development of cyberspace. The development of the cyberspace has presented many new legal issues. This seminar focuses on public law issues among them. The specific issues covered include the internet governance and the role of law, jurisdictional issues, ISP liability, freedom of expression in the cyberspace, defamation, invasion of privacy, obscenity, child pornography, indecent speech, hate speech, copyright, domain name, personal data protection, and cyberdemocracy. In order to address these issues, we need a new perspective and new doctrine. By taking this seminar, the student will be able to understand various legal issues and learn the basic knowledge and skills to address these issues. If the students are interested in legal questions arising from the development of the e-commerce, take LAW447.001 Topics in Commercial Law: e-commerce.
http://www.shgmatsui.com

Pre-requisites:
There is no pre-requisite course for taking this seminar. It would be wonderful if the student already has a basic understanding of Canadian Constitutional Law, especially freedom of expression, but the student can learn the basic principles of Canadian Constitutional Law for the cyberspace by taking this seminar.

Evaluation:
Class participation 30% and final assignment 70%.

Professor Shigenori Matsui is a full time member of the Peter A. Allard School of Law.

LAW 426A.001 **Topics in Law & Technology** ***Emerging Health Technologies and the Law***

☑ Term 1 ☐ Term 2 Prictor, M *Seminar* *1 CREDITS*

This intensive seminar will meet Oct 7, 9, 14 and 16 (Tues & Thurs) from 9:30AM-12:30PM; and on Oct 9 from 12:30PM-2:00PM. Course conflicts are allowed for this seminar, but you must contact (studentaffairs@allard.ubc.ca) to register you in this seminar in that case. Students may be penalized a participation or attendance grade for missing an intensive class or a class that conflicts with the intensive class.

New technological developments that are rapidly transforming healthcare globally, are also exceeding the capacity of existing legal frameworks to protect patients from harm. This course explores the intersection of emerging health technologies and legal frameworks, focusing on contemporary issues and regulatory challenges. Technologies framing this discussion could include AI-based diagnostics, decision-support and scribes; clinical and research genomics; health apps; 3D bioprinting; and others. Students will analyse their implications for patient privacy, consent, and liability. Through case studies and discussions, students will gain insights into the evolving legal landscape in Australian, Canadian and global contexts. The course will emphasise comparative legal analysis through lenses such as tort law, medical device regulation, tissue regulation, privacy and consumer protection law.

Evaluation Method: Evaluation is based on participation (20%) and a research paper (80%)
Graded Honours/Pass/Fail

Dr. Megan Prictor is senior lecturer at Melbourne Law School, the University of Melbourne. There, she co-directs the Health, Law and Emerging Technologies (HeLEX) research group and is an Associate of the Centre for Digital Transformation of Health. She is an experienced teacher and prominent researcher in topics at the intersection of law, health and society. Megan has published on informed consent, genomic and health data regulation, privacy, data breach management and clinical decision support systems. She holds a PhD in the humanities and a first-class honours degree in law, and was admitted to practice as an Australian lawyer in 2017.

LAW 426D.001 **Topics in Law & Technology** ***Artificial Intelligence and Law***

☐ Term 1 ☑ Term 2 Festinger *Seminar* *3 CREDITS*

Cross-listed to LAW 560D.002

This course explores the intersection of artificial intelligence (A.I.) and Canadian law, examining how emerging A.I. technologies challenge existing legal frameworks and create new regulatory needs. Students will analyze key issues including, intellectual property rights, digital biases and algorithmic discrimination, privacy and data protection, labour implications, misinformation, disinformation and manipulation through A.I. fueled media and social-media, liability for autonomous systems, and the role of A.I. in legal decision-making. Questions regarding the historical impact of technology on the substantive law (and vice-versa) will be a recurring theme of the course which will also cover Canadian and international legal responses to A.I., including ethical considerations, policy debates, and legislative developments. Through case studies, legal analysis, discussions and presentations, students will gain a critical understanding of the legal, ethical, and societal implications of A.I. in Canada and beyond.

Evaluation:
Attendance and participation: 40%
Term Paper of 5,000 words: 60%

Jon Festinger, K.C. is an Adjunct Professor at the Allard School of Law, where he teaches courses including Intellectual Property Law, Torts, A.I. and Law, Communications Law, Video Game Law, and Business Organizations. In 2019, he received a Teaching Service Award from Allard Law. Jon has extensive experience in pedagogic AI projects, including Socrates A.I., UBC T.E.A.C.H., and the Judicial Interrogatory Simulator, developed in collaboration with UBC's LT Hub and Emerging Media Lab. He is Of Counsel to Chandler Fogden Lyman Law Corporation.

Jon has held academic appointments at UBC's Sauder School of Business, Graduate School of Journalism and Faculty of Arts, as well as at the TRU and UVic Faculties of Law, Simon Fraser University/Centre for Digital Media, and was an Honourary Industry Professor at the Centre for Commercial Law Studies, Queen Mary University of London. He is the author of Video Game Law (LexisNexis, 2005; 2012) and co-founded the Interactive Entertainment Law Journal in 2018. Jon's career also includes significant industry roles, including in-house counsel at WIC Western International Communications, Senior VP of the CTV Television Network & founding GM of VTV Vancouver Television, as well as being Executive VP, Business & General Counsel of the Vancouver Canucks and GM Place. Jon's volunteer activities include being a Director of the British Columbia Law Institute, and having been Chair of viaSport British Columbia, Ronald MacDonald House B.C., and a Trustee of the B.C. Sports Hall of Fame.

LAW 427A.001 **International Justice & Human Rights Clinic** ***International Justice & Human Rights Clinic***

☑ Term 1 ☐ Term 2 Barrett *Experiential* *3 CREDITS*

Registration by permission only. This clinic fulfills the Experiential Learning requirement.

The International Justice and Human Rights Clinic gives upper-year law students the opportunity to work on pressing human rights and global justice concerns through hands-on work on international cases and projects. Students gain experience applying international human rights law, international criminal law and/or international humanitarian law working on specific cases with a range of international justice organizations, including international criminal courts and tribunals, United Nations human rights bodies, and non-governmental organizations. The year-long clinic is for second and third-year students at Allard School of Law. The clinic includes a 3-unit seminar and 3-unit clinic in the Fall semester, followed by a 6-unit clinic in the Spring semester.

In the Fall seminar, students study international human rights, international humanitarian and international criminal law and consider several human rights case studies. The seminar provides students with the substantive legal foundation necessary to undertake the Fall and Spring case/project work with competence and professionalism. Evaluation is based on a paper, a presentation and class participation.

Nicole Barrett (B.A. (Stanford University), Masters International Affairs (Columbia University), J.D. (Columbia University)) is Director of the Joint International Justice and Human Rights Clinic at Osgoode Hall and University of British Columbia Law Schools. She was previously a Trial Lawyer and a Legal Officer for the International Criminal Tribunal for the former Yugoslavia in The Hague and a Senior Scholar in Residence at New York University Law School's Center for Human Rights and Global Justice, where she directed clinical projects with international criminal courts and tribunals.

From 2013-2014, Nicole was a member of the National Task Force on the Trafficking of Women and Girls in Canada convened by the Canadian Women's Foundation. She has directed major projects on human trafficking prevention for the Canadian government and has presented on human trafficking and corruption topics in international fora. Nicole has testified before government ministers and international human rights bodies on gender discrimination and anti-human trafficking laws and practices in many countries.

Before moving to Vancouver in 2009, Nicole served as an international humanitarian law advisor for the defense of several Guantanamo detainees and monitored military commissions in Guantanamo Bay, Cuba for Human Rights First. She began practicing law at Sullivan & Cromwell in New York City in 2003, where she specialized in complex criminal litigation and was a member of the Human Rights Committee of the New York City Bar Association. From 2001-2003, she served as a law clerk for the Honorable John T. Noonan in the United States Court of Appeals for the Ninth Circuit and the Honorable Gerard E. Lynch in the United States District Court for the Southern District of New York.

Nicole has a Juris Doctorate from Columbia Law School, where she was a Harlan Fiske Stone Scholar and the Articles Editor of the Columbia Human Rights Law Review. She also has a Masters of International Affairs from Columbia University, cum laude, and a Bachelor in Arts in International Relations from Stanford University. Before law school, Nicole directed programs to promote democratic reform in Eastern Europe for the Soros Foundations in both Prague and New York City.

Major publications include:
•The Legal Framework for Combating Human Trafficking for Sexual Exploitation, Canadian Women's Foundation (forthcoming, 2014)
•An Assessment of Human Trafficking for Sexual Exploitation, Canadian Women's Foundation (forthcoming, 2014)
•An Exploration of Promising Practices in Response to Human Trafficking in Canada, International Centre for Criminal Law Reform & Criminal Justice Policy (2010)
•Holding Individual Leaders Accountable for Human Rights Violations of Customary International Law, Columbia Human Rights Law Review (2001).

LAW 427E.001 **International Justice & Human Rights Clinic** ***International Justice & Human Rights Clinic***

☐ Term 1 ☑ Term 2 Barrett *Experiential* *6 CREDITS*

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LAW 428A.001 **International Justice & Human Rights Reflection** ***International Justice & Human Rights Clinic***

☑ Term 1 ☐ Term 2 Barrett *Seminar* *3 CREDITS*

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LAW 429.001 Rise Women's Legal Centre - Clinic

☑ Term 1 ☐ Term 2 Cameron, E Law, V Hall, S *Experiential* *11 CREDITS*

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The Rise Women's Legal Centre externship is a full term course comprised of 15 credits, 11 based on a practical clinical component and 4 based on an academic component, both of which are required for the externship. The externship is open to upper year law students. The externship takes place at Rise Women's Legal Centre, an independent, community legal centre. The externship emphasizes the circumstances of self-identified women and gender diverse people and their experiences within the justice system with a particular focus on family violence.

This program is open to a maximum of six law students each term. Law students must be in their second or third year of law school. Through the clinic component, students will gain practical experience in managing client files and representing their clients in negotiations or court. The externship is focused on family law though students may also have the opportunity to take cases in other areas of law affecting their clients. The clinic component is based on a pass/fail evaluation of significant practice achievements during the term. The academic component of the externship is a graded course comprised of weekly seminars, journaling, preparation of a research paper and blog post.

Elizabeth ('El') Cameron (they/them) completed their B.A. at McGill University, their M.Sc. in Social Studies of Gender at Lund University in Sweden, and their J.D. at the University of British Columbia. Since their call to the bar, El has practiced exclusively in family law. Alongside colleagues, El has published or presented on a variety of family law topics and has taught the family law course at the University of British Columbia as an adjunct professor. El works to create a supportive and engaging learning environment within Rise's Student Legal Clinic program and to increase the availability of family law services in British Columbia that are informed, accessible, and responsive to each client's unique circumstances.

Vicky Law (she/her) joined Rise in 2017 where she conceptualised and implemented the Virtual Legal Clinic. Vicky was the supervising lawyer for the Virtual Legal Clinic before becoming Rise's executive director. Vicky has worked in the fields of immigration law and family law for women experiencing intimate partner violence. In her career as a legal advocate and a lawyer, she has supported many women and families in navigating their immigration status in Canada and the complexity of the family law system. Vicky obtained her Juris Doctor (Honours) from the University of Saskatchewan and has built a legal career in BC where she passionately advocates for women's rights.

Sarah Hall is one of the Supervising Lawyers for the Student Legal Clinic at Rise Women's Legal Centre, working with upper year UBC law students. She also works with the Education and Research team at Rise to develop training programs and resources for lawyers in BC. Sarah attended the University of Ottawa for her undergraduate studies and law school. Originally from Vancouver Island, Sarah returned to BC after graduating law school to begin her legal career. Since being called to the bar in 2021, Sarah has primarily practiced family law. Before joining Rise, she worked as a family law lawyer in private practice, where she gained extensive litigation experience, achieving favorable outcomes for her clients at all levels of court in BC. Additionally, Sarah has considerable experience helping her clients resolve their matters outside of court through alternative dispute resolution processes.

LAW 429.002 Rise Women's Legal Centre - Clinic

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LAW 430.001 Advanced Legal Research

☐ Term 1 ☑ Term 2 Bachmann *Workshop* *3 CREDITS*

This workshop does NOT fulfill the 3 credit seminar requirement. This course is NOT open to Exchange students.Registration priority to third year students. Remaining seats open to second year students.

This skills-based course offers upper year students advanced instruction in legal research, writing, and analysis, building on skills acquired in LAW 281 (Legal Research and Writing). This course focuses on Canadian legal research, but will also touch on researching international law and US law. Topics covered include legal research using traditional primary and secondary sources, legal research using non-traditional secondary sources, research in other disciplines, critical reflection in research, critical thinking, analysis, argumentation, and legal writing. Students will develop these skills through lectures, in-class discussions and exercises, homework assignments, a short first assignment in which students choose a topic for their final assignment, and a final assignment.

Evaluation:
Homework - 10% (each component is pass/fail)
First assignment - 3% (pass/fail)
Final assignment - 100% (subject to reductions based on homework and first assignment assessment outcomes)

J. Bachmann is the Instruction Librarian at UBC Law Library. Prior to his MLIS degree, he received a BA, MA, and PhD in philosophy and taught philosophy at the University of Alberta and MacEwan University. He also has a BA in criminal justice, a JD, and an LLM with a focus in international human rights law.

LAW 430.002 Advanced Legal Research

☐ Term 1 ☑ Term 2 Bachmann *Workshop* *3 CREDITS*

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LAW 430.003 Advanced Legal Research

☑ Term 1 ☐ Term 2 Meredith, R *Workshop* *3 CREDITS*

This workshop does NOT fulfill the 3 credit seminar requirement. This course is NOT open to Exchange students. Registration priority to third year students. Remaining seats open to second year students.

In this course you will build on skills developed in first year Legal Research and Writing with a focus on developing better research, analysis, and critical thinking skills. The course focuses on Canadian legal research, but there will be some discussion of US and international sources. Topics covered include legal research using traditional primary and secondary sources, legal research using non-traditional sources, using research sources for legal drafting, critical assessment of sources, critical reflection in research, citations, and legal writing. The course will be taught through a combination of lecture and in-class activities and discussion.

Evaluation:
Participation - 10%
1st Take-Home Assignment - 30%
2nd Take-Home Assignment - 60%

Rowan Meredith (she/her) is an SJD Candidate at the University of Toronto Faculty of Law, writing her doctoral thesis on barriers to accessibility for disabled persons under Canadian copyright law. She is called to the bar in British Columbia and California. She has a JD in Entertainment, Media and Intellectual Property Law from UCLA (2018) and an LLM in Media Law from Queen Mary, University of London (2019). In her legal practice, she has regularly advised clients on copyright issues involving social media platforms. Rowan also serves on the Board of QMUNITY, BC's Queer, Trans, and Two-Spirit Resource Centre.

LAW 431D.001 **Rise Women's Legal Ctr-Sem:Justice Issues for Families in Legal System**

☑ Term 1 ☐ Term 2 Cameron, E Law, V Hall, S *Seminar* *4 CREDITS*

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LAW 431D.002 **Rise Women's Legal Ctr-Sem:Justice Issues for Families in Legal System**

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LAW 432D.002 **Topics in Private Law** ***Advanced Contract Law***

☐ Term 1 ☑ Term 2 Ohama-Darcus Parker, J *Seminar* *3 CREDITS*

Advanced Contract Law digs deeper into key principles and doctrines relevant to the practice of contract law, particularly in the fields of civil and commercial litigation, and explores the foundational and developing jurisprudence in these areas. This course builds on first-year Contract Law by giving upper-year students exposure to critical contract issues that are frequently litigated throughout Canada (including issues of good faith, consumer contracts, contracts with government, contractual damages and specific performance). The assigned reading for this seminar will be a casebook and will focus on current and developing tensions in the case law. Students must demonstrate a willingness to engage with the assigned cases and contribute to in-depth discussion in class. Evaluation for the course will be based on three assignments (short papers/advocacy assignments), together with class participation.

Evaluation: 25%-30%-30% for first/second/third assignments (85% total), 15% participation

Caitlin Ohama-Darcus practises civil, commercial and appellate litigation with Lawson Lundell LLP in Vancouver. Ms. Ohama-Darcus graduated with a J.D. from the University of British Columbia. Following graduation, she served as a judicial law clerk for two justices of the Court of Appeal for British Columbia. In her litigation practice, Ms. Ohama-Darcus has acted in a number of high-profile contractual disputes, including cases concerning the law of good faith in negotiations, contracts with municipalities, and contract formation. In 2024, Ms. Ohama-Darcus was awarded an Outstanding Young Alum Award from the Peter A. Allard School of Law Alumni Association. She is co-author of a text on appellate litigation and an enthusiastic supporter of pro bono legal services, law students and junior lawyers.

James Parker (B.A (University of Southern California), J.D. (University of Victoria)) practices civil litigation at Nathanson, Schachter & Thompson LLP, with a focus on commercial disputes. He has acted as trial and appellate counsel in a wide variety of contract cases and arbitrations, including a recent class action lawsuit involving allegations that an employer breached its duty of honest performance by misleading employees about their prospects of returning to work during the COVID-19 pandemic. Before entering private practice, Mr. Parker served as a judicial law clerk for two justices of the Court of Appeal for British Columbia. He is a frequent contributor to CLEBC and volunteer for Access Pro Bono.

LAW 433C.001 **Topics in Tort Law - Lecture** ***Personal Injury Law***

☐ Term 1 ☑ Term 2 Kovacs Martin, T *Lecture* *3 CREDITS*

The statistics for personal injury and trauma in Canada are daunting: most individuals will suffer a significant personal injury during their lifetime, injury is the leading cause of death for children and young adults, and injury is the dominant cause of disability for Canadians.

Personal injury litigation continues to be prevalent and accounts for nearly 25% of all civil pleadings filed in the British Columbia Supreme Court. With the number of motor vehicle actions slowly diminishing with the introduction of no-fault by ICBC, other types of personal injury civil actions are on the rise, including for medical malpractice, occupier's liability, and historical sexual abuse. Personal injury is more than motor vehicle accident injury claims: it is the pursuit of justice for a vulnerable litigant of any kind who is injured or traumatized through the fault of another person or corporation.

This course examines the structure of personal injury claims and is focused on personal injury advocacy.
The first half of the course is devoted to an overview of personal injury claims, the different legislative regimes governing personal injury claims in Canada, the key elements of personal injury claims and the various categories of damages for personal injury claims (non-pecuniary damages, wage loss, future loss of earnings capacity, special damages, future cost of care, and punitive damages).

The second half of the course focuses on case studies. Specifically, you will have an opportunity to meet real clients and walk through a real case from client intake to post-judgment. We will dedicate a class to each topic area, including motor vehicle, occupier's liability, medical malpractice, and sexual abuse claims.

Course Objectives: The course is designed to give students a thorough understanding of personal injury claims, to engage students in reading the relevant case law and drafting legal arguments to advance the interests of their client, and to develop the advocacy skills required in personal injury claims.

By the end of the course, students should understand:
-The relevant statutes and key judicial decisions governing personal injury claims in British Columbia and in other Canadian jurisdictions.
-The structure of a personal injury claim including the various heads of damage, the anatomy of a personal injury claim, and defences to a personal injury claim.
-The advocacy skills required to pursue a personal injury claim.
-The strong sense of purpose, meaning, and fulfilment that can be achieved in this area of practice.

Required Reading Materials: The following readings are required for LAW 433C.001 Topics in Tort Law: Personal Injury Advocacy.
-Case law distributed electronically.
-Select excerpts and paper distributed electronically

Evaluation: The course evaluation is comprised of two factors that are meant to ensure substantive knowledge, written advocacy and oral advocacy in personal injury claims.
-Final Exam (75%)
-Class Participation (25%): students will attend class, participate in class discussion, and email "weekly reflections" commenting on the lecture.

Sandy Kovacs (LL.B. (Alberta 2004)) is senior counsel at Kazlaw Trial Lawyers in Vancouver, British Columbia. She is a Past President of both the Vancouver Bar Association and the Lawyers' Inn Society. Before joining the plaintiffs' personal injury bar in October 2016, she worked to defend personal injury and wrongful death claims in motor vehicle, aviation, medical malpractice, sexual assault, and occupiers' liability matters. Since joining the plaintiff's bar, she has achieved the largest on record trial awards for plaintiffs in motor vehicle collision claims ($9.1M in Uy v. Dhillon, 2020 BCSC 1302) and in sexual abuse claims ($2.338M in H.N. v. Victoria School District, 2024 BCSC 128).

Tanya Martin is an adjunct professor at the Peter A. Allard School of Law.

LAW 434.001 Medical Negligence Law

☐ Term 1 ☑ Term 2 McGivern, L Raab *Lecture* *3 CREDITS*

This class is an introduction to professional negligence law specifically as it relates to physicians, other health care professionals and hospitals. The focus of the class will be on developing an understanding of the components of a medical malpractice action including the doctor-patient relationship, consent, standard of care and causation. We will also explore practical issues that arise in medical malpractice actions including the nature and function of expert witnesses, the use of documentation and difficulties of proof.

The objective of this course is to expose participants to the foundation of medical legal issues in the civil context. By the end of the course, participants will be in a position to identify legal issues pertaining to physicians, other health care professionals and hospitals.

A case list and course outline will be provided on the first day of class. An optional information source is Legal Liability of Doctors and Hospitals in Canada, Robertson & Picard (5th ed 2017).

Class instruction will be lectures based on the cases and course outline. Accordingly, it is expected that all class members will have read the cases and attend at class prepared to participate in discussion.

Evaluation:
The course grade will be determined on the basis of a 100% final examination.

Lindsay McGivern represents plaintiffs in medical negligence and birth injury litigation. She is a lawyer at, and director of, Pacific Medical Law, a unique firm that practices solely in the field of medical malpractice. Since joining Pacific Medical Law, the primary focus of Lindsay's practice has been representing infants who were injured at birth or within the first month of life. Lindsay McGivern has been practicing law since 2015. Lindsay articled at a civil litigation defense firm before moving to Pacific Medical Law. Working on both sides of civil litigation has allowed her to have a broader perspective and given her a better understanding of the different approaches taken by plaintiff's and defense counsel. In 2024, Lindsay was recognized by Best Lawyers in Canada as "One to Watch" in the area of Medical Negligence.

Susanne Raab (B.A. (U. Western Ontario), LL.B. (U. Victoria)) is a lawyer at Pacific Medical Law. Susanne's practice focuses on representing individuals who have suffered injuries as a result of medical malpractice, with a focus on birth injuries and catastrophic brain and spinal cord injuries. Prior to joining Pacific Medical Law, Susanne spent much of her legal career representing physicians in complex medical malpractice actions. Susanne has appeared before the Provincial Court, Supreme Court and Court of Appeal of British Columbia, as well as the Supreme Court of Canada. She has been selected for inclusion by her peers in Best Lawyers in Canada in the area of Medical Negligence and is recognized as a leading practitioner in the Canadian Lexpert Directory in medical malpractice. Susanne is also a Fellow of the Litigation Counsel of America, an honorary trial lawyer society whose membership is limited to less than one-half of one percent of North American lawyers, judges and scholars. Susanne also serves on the Executive of the Board of the Trial Lawyers Association of British Columbia.

Susanne has appeared before the Provincial Court ,Supreme Court and Court of Appeal of British Columbia, as well as the Supreme Court of Canada. Susanne also serves on the Board of Governors of the Trial Lawyers Association of British Columbia.

Susanne is actively involved in advocating for individuals living with disabilities, and serves as the President of the Board of Directors as well as Chair of the Advisory Committee of the Cerebral Palsy Association of British Columbia.

LAW 435A.001 **Topics in Tort Law - Seminar** ***The Philosophy of Tort Law***

☑ Term 1 ☐ Term 2 Herstein *Seminar* *1 CREDITS*

This intensive seminar will meet Sept 16, 18, 23 and 25 (Tues & Thurs) from 9:30AM-12:30PM; and on Sept 22 12:30PM-2:00PM. Course conflicts are allowed for this seminar, but you must contact (studentaffairs@allard.ubc.ca) to register you in this seminar in that case. Students may be penalized a participation or attendance grade for missing an intensive class or a class that conflicts with the intensive class.
CHANGE Sept 5: Lunchtime lecture changed from Sept 25 to Sept 23
CHANGE Sept 11: Lunchtime lecture changed from Sept 23 to Sept 22

This course examines key normative approaches to tort law and engages with foundational concepts such as rights, duties, wrongs, fault, and responsibility. Through the reading and discussion of major philosophical texts, students will grapple with central theoretical puzzles in tort law. Topics include corrective justice, responsibility and negligence, fairness and strict liability, torts and luck, causation, and wrongful life. In addition to deepening substantive knowledge of tort law, the course aims to develop students' analytical skills by applying philosophical rigor to legal questions. Evaluation is based on an 80% final paper and 20% class participation.

Professor Ori Herstein holds the Montesquieu Chair in Comparative Law and Legal History at the Hebrew University of Jerusalem and is an Honorary Professor of Law at King's College London. He has been a visiting professor at Harvard, Columbia, Cornell, and Peking University law schools. He previously served as Director of the Harry and Michael Sacher Institute for Legislative Research and Comparative Law and as editor of the Jerusalem Review of Legal Studies. He currently serves as an associate editor of Law and Philosophy.

Professor Herstein's teaching and research focus on rights theory, tort law, private law theory, legal procedure, and the intersections of legal and moral philosophy. His scholarship has appeared in leading academic journals, including the Oxford Journal of Legal Studies, Legal Theory, Law and Philosophy, University of Toronto Law Journal, Philosophical Studies, Philosopher's Imprint, Journal of Ethics and Social Philosophy, George Washington Law Review, Journal of Applied Philosophy, and Mind.

LAW 435D.001 **Topics in Tort Law - Seminar** ***Mass Torts and Class Actions***

☐ Term 1 ☑ Term 2 Hermanson Sharon, A *Seminar* *3 CREDITS*

This course explores how Canadian legal systems have attempted to resolve civil disputes arising from mass wrongs. Such wrongs are often typified by asymmetries of organization, power and access to resources and a tendency to traverse political and geographic boundaries. These characteristics make mass wrongs difficult to resolve by traditional means, namely through individual lawsuits, but ideally suited to different forms of collective actions, namely class actions.

The course examines the ways in which Canadian legal systems have developed procedures for addressing mass wrongs through representative and class actions, which have become increasingly popular in areas as diverse as environmental law, consumer products and services, Charter rights, aboriginal claims, privacy and data breach claims, employment and securities regulation. Class actions have generated an area of great interest to scholars and practitioners on both the plaintiff and defence sides and have become one of the most common ways for parties attempt to address systemic wrongs in Canadian society.

The aim of this course is to develop a basic understanding of class proceedings in Canada, including the key differences in the enabling statutes across the provinces and the various strategies employed by plaintiffs and defendants to advance their respective positions. From a more practical perspective, students will learn about the various strategic and tactical issues that arise in the selection, prosecution, defence and settlement of class actions, from the point of view of both plaintiffs and defence. The Course also aims to critically examine class proceedings and the extent to which they have fulfilled their goals of addressing systemic and collective wrongs by advancing access to justice, achieving behavior modification, and enhancing judicial economy in cases of mass wrongs.

Materials:
The course is taught primarily from the review of assigned case law and scholarly publications, which must be read in advance of each class. In addition, various supplementary materials and methods are used, including review of filings in the CBA National Class Action Database, practical exercises using "real" class action materials, and guest lectures by other class action practitioners and professionals. Although there is no required textbook for this Course, additional recommended readings may be assigned to supplement the assigned reading materials, including various portions of Ward Branch, Class Actions in Canada (loose-leaf) (Canada Law Book, 2nd edition, 2019); J. Walker, H. Michael Rosenberg, Jasmina Kalajdzic and others: Class Actions in Canada: Cases, Notes and Materials, 3rd edition (2023, Emond Montgomery Publications, Toronto, Canada); and Alison Warner, Paul Perell, Jasminka Kalajdzic, Warren Winkler, The Law of Class Actions in Canada (2014, Carswell).

Prerequisites:
There are no specific prerequisites, but students may find they get more out of the seminar and are able to contribute more to it if they have background or courses in one or more of the following areas: civil procedure, remedies, conflicts, constitutional law, and professional responsibility.

Evaluation
55% Essay Term Paper (approximately 5,000 words.)
25% Oral Presentation
20% Participation

Chelsea Hermanson is a lawyer with CFM Lawyers LLP. She previously worked as legal counsel for the British Columbia Ministry of Attorney General. Chelsea practices primarily in class actions, working on cases involving price fixing, product liability, and institutional abuse.

Avichay Sharon is a partner with Branch MacMaster LLP. Avichay has a broad civil litigation practice acting on behalf of both plaintiffs and defendants, with particular focus in class actions, constitutional law and Charter litigation, administrative law and insurance defence. Avichay has worked on class actions involving Charter claims, price fixing and consumer protection laws, privacy rights, and environmental wrongs.

LAW 436.001 **Restitution** ***Unjust Enrichment***

☑ Term 1 ☐ Term 2 Beswick *Lecture* *3 CREDITS*

CHANGE Sept 8: Classroom

The law of obligations concerns the legal rights and duties owed between people. Three primary categories make up the common law of obligations: tort (wrongs), contract (agreements), and unjust enrichment (unjustified gains). The law of unjust enrichment steps in when transactions go awry—when a defendant gains a benefit to the detriment of a plaintiff, and "there is no reason in law or justice for the defendant's retention of the benefit conferred by the plaintiff" (Kerr v. Baranow, 2011 SCC 10, [2011] 1 SCR 269, [40]). Restitution—reversing the transaction—is the typical response to unjust enrichment.

This third category of the law of obligations is significant to all sorts of civil disputes—especially in the areas of mistaken payments or benefits, the division of family property, and failed commercial transactions. It is rapidly being developed in contemporary case law and scholarship. Yet, the law of unjust enrichment and restitution is often overlooked and misunderstood by lawyers. The objective of this course is to provide students with an understanding of the essential legal doctrine and controversies as they exist both in the classroom and courtroom. Visit https://blogs.ubc.ca/beswick/restitution/ for more information about this course.

Evaluation:
10% class participation and 90% exam.

Assistant Professor Samuel Beswick is a full time member of the Peter A. Allard School of Law.

LAW 437.001 **Commercial Transactions**

☑ Term 1 ☐ Term 2 MacDougall, B. *Lecture* *3 CREDITS*

Cross-listed with LAW 537.001.
CHANGE Aug 19: Classroom

This course is designed to permit examination of many of the important features of sale of goods law and practice at the consumer and manufacturer-supplier levels. The course will deal predominantly with the interpretation and application of the Sale of Goods Act and certain related legislation.

Course materials:
Will be announced by the instructor.

Evaluation:
100% Final Exam

Professor Bruce MacDougall is a full time member of the Peter A. Allard School of Law.

LAW 438.001 **Secured Transactions**

☑ Term 1 ☐ Term 2 MacDougall, B. *Lecture* *3 CREDITS*

Cross-listed with LAW 538.001.

This course is designed to familiarize the student with techniques of taking security in personal property at the consumer level and at the business level. The important features of the Personal Property Security Act will be examined.

Evaluation:
100% Final Exam

Professor Bruce MacDougall is a full time member of the Peter A. Allard School of Law.

LAW 438.002 Secured Transactions

☐ Term 1 ☑ Term 2 MacDougall, B. *Lecture* *3 CREDITS*

Cross-listed with LAW 538.002.

This course is designed to familiarize the student with techniques of taking security in personal property at the consumer level and at the business level. The important features of the Personal Property Security Act will be examined.

Evaluation:
100% Final Exam

Professor Bruce MacDougall is a full time member of the Peter A. Allard School of Law.

LAW 439.001 Construction Law

☑ Term 1 ☐ Term 2 Curtis Mckenzie Preston, M. *Lecture* *3 CREDITS*

Construction Law has developed as a specialty practice in the legal profession, arising out of the demand by the consumer (developers, consultants, contractors and public authorities) for legal services in this area. The skills required of lawyers practicing in this area include a working knowledge of contract negotiation and drafting, procurement law, insurance law, the intricacies of claims for extras and delays, and tortious and contractual liability of the project participants. The course is designed to provide those skills through lectures and discussion groups with Vancouver practitioners considered experts in this field of practice.

Evaluation: Open-book 3-hour final exam

David Curtis is a litigation and dispute resolution Partner in the Vancouver office of Fasken. His practice is focused on the construction industry. Clients seek David's counsel primarily on his construction litigation expertise, as well as with mediations and commercial arbitrations. He also has experience in commercial litigation cases in the Supreme Court of British Columbia, the Court of Appeal for British Columbia.

David Mckenzie is a leading construction lawyer in British Columbia. David has spent his career developing his knowledge of construction law while acting for developers, general contractors, subcontractors, and suppliers as legal counsel in all aspects of the construction industry. Both a litigator and solicitor, he advises clients at all stages of a project, from procurement to builders liens to dispute resolution. He has been involved in numerous negotiations, mediations, arbitrations and court proceedings. David is a frequent chair and lecturer at construction law conferences. He is an editor of the CLE BC Builders Lien Act Practice Manual, is a contributor to the CLE BC Real Estate Development Practice Manual, and he was the former chair of the BC Builders Lien Act Reform Committee.

Mike Preston is a construction litigation specialist and has run trials in B.C., Alberta, Ontario and the Yukon. At the appellate level he has appeared as lead counsel at the B.C. and Alberta Courts of Appeal. At the Supreme Court of Canada he was lead counsel for the successful appellant in Valard v. Bird. Currently called to the bar in B.C. (and formerly of the Ontario and Yukon bars), Mike began his career in commercial litigation. To hone his trial skills, he later joined the crown attorney's office where for 3 years he prosecuted several criminal trials a week. Prior to moving (back) to Vancouver, Mike practiced in Ottawa where his focus was drafting written arguments for cases in all areas of law going to the Supreme Court of Canada.

LAW 440.001 Insurance Law

☑ Term 1 ☐ Term 2 Bank Gubeli *Lecture* *3 CREDITS*

Cross-listed with LAW 540.001

Insurance companies are intimately involved in the prosecution or defense of many tort actions and, increasingly, in commercial actions as well. Insurance is a necessary component of commercial risk planning and individual business and tax planning. Consequently, a basic knowledge of insurance is indispensable to the modern lawyer.

The first part of this course will examine basic principles of insurance law, and in particular problems in the interpretation of property, liability and accidental death policies. Topics will include basic concepts such as risk, indemnity, subrogation and insurable interest; the structure of liability and property policies; methods of interpreting policy provisions; the concept of "accident"; the role of proximate cause in determining coverage; misrepresentation and fraud; and the duty to defend actions against an insured. Selected topics in the law of life insurance will also be discussed.

The second part of the course will be concerned with the application of insurance law to specific areas of legal practice, including automobile insurance, construction insurance, life and disability insurance and professional liability insurance. The automobile insurance section will include an overview of the regimes of liability and no-fault insurance set out in the Insurance (Vehicle) Act and Regulation and issues impacting the coverage available under each regime.

Materials:
Students will be provided with cases and materials specially selected by the lecturers.

Evaluation:
Evaluation is based on an open-book final examination.

Jordan Bank (B.A. Economics (SFU 2007), LL.B. (UBC 2011)) is a partner with the Vancouver firm of Guild Yule LLP. His practice is broad. He has defended clients in personal injury actions, medical malpractice claims, property loss claims, human rights complaints, contract disputes, class action lawsuits and professional negligence claims. He also regularly acts as counsel in insurance coverage disputes and often provides insurance coverage advice.

Aaron Gubeli, B.B.A., B.A. Political Studies, J.D., is a partner with the Vancouver firm of Guild Yule LLP. He maintains a broad litigation practice with an emphasis on the defence of professional negligence and product liability claims, the prosecution of subrogated claims, and advising and acting for insurers with respect to coverage. Aaron also regularly defends businesses and municipalities in property damage and personal injury claims.

LAW 444.001 Insolvency Law

☑ Term 1 ☐ Term 2 Sabzevari, A. *Lecture* *3 CREDITS*

Cross-listed to LAW 546C.002

This course provides a general introduction to Canadian insolvency law. We will examine the different players - debtors, creditors, trustees/monitors/receivers, and the Office of the Superintendent of Bankruptcy – and their roles, duties, and remedies. We will examine how the financial and emotional pressures of trustees' work shape their decision making process. We will deeply review tax driven bankruptcies and Crown claims. Students will grapple with live issues in insolvency law, including the tension between utilitarianism and law, the roles of Parliament and the courts, federal paramountcy, inherent jurisdiction, and procedural fairness in what are often fast-moving insolvency proceedings. This course is designed with an overall emphasis on recent and ongoing caselaw, active learning activities, and a litigator's perspective, with open and free-flowing class discussions about the cases and the law. The best student papers resulting from this course may be sponsored by the instructor for a national insolvency writing contest.

Required texts:

(1) Bankruptcy and Insolvency Law in Canada: Cases, Materials and Problems (free eBook available at UBC Library website) and (2) Trustees at Work - Financial Pressures, Emotional Labour, and Canadian Bankruptcy Law (free eBook available at UBC Library website).

Evaluation:

80% of the course mark is a paper of 2500-3000 words (on an insolvency related subject selected by the student and approved by the instructor); 10% is an oral presentation (on an insolvency case of the student's choice and approved by the instructor); and 10% for class participation.

Aminollah Sabzevari, BSc (Honours), JD, LLM, is an experienced litigator with the Department of Justice Canada. He represents the Federal Crown in complex insolvency proceedings under the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act. Amin has published articles and commentaries with the Annual Review of Insolvency Law, The Advocate, the Alberta Law Review, CanLII Connects, and the CanLII Authors Program. He has been a panelist and presenter for events hosted by the Centre for Business Law, the Continuing Legal Education Society of British Columbia, the Annual Review of Insolvency Law, and the Department of Justice's National Commercial Taxation Committee. Amin is a mentor for law students via the Canadian Bar Association and the Federation of Asian Canadian Lawyers. He is the recipient of the 2025 Adam Albright Award for outstanding teaching by an adjunct professor.

LAW 446.001 Corporate Solicitors' Workshop

☐ Term 1 ☑ Term 2 Ngo Chow, C. *Experiential* *3 CREDITS*

This workshop fulfills the Experiential Learning requirement. Exchange students and Visiting students are NOT allowed to register for this workshop.

This course is a practical workshop designed to introduce students to the work of a corporate solicitor. The course is taught in a seminar format and introduces students to aspects of various commercial transactions, such as the purchase and sale of a business, leasing, franchising and credit facilities. The course will review the various legal, professional, practice and practical issues involved in transactions from start to finish and will provide practical experience analyzing issues, drafting documents and negotiating on behalf of various parties involved in the transaction. Students will complete the negotiation of the transaction outlined in the course fact pattern at a one-day workshop (held on a weekend day in March).
Students are cautioned that the completion of weekly drafting assignments, and attendance at and active participation in all classes and at the one day workshop, are mandatory.
Prerequisites: LAW 459 Business Organizations is a prerequisite.
Evaluation: Graded Pass/Fail.

Steven Ngo (B.S. (UBC), J.D. (UBC)) works as Senior Counsel at Rivian, a California-based electric vehicle (EV) company where he supports consumer transactions and Rivian's go-to-market initiatives, including its recent expansion to Canada. Prior to Rivian, Steven spent a number of years in private practice, working as a corporate M&A lawyer at Osler, Hoskin & Harcourt LLP, and at Allens Linklaters in Ho Chi Minh City. Outside of work, Steven was named one of the Top 25 Most Influential Lawyers in Canada by Canadian Lawyer Magazine. Additionally, he is a recipient of the BC Medal of Good Citizenship for his advocacy work against hate crimes and was named an Alumni Changemaker by Peter A. Allard School of Law. He is on the board of governors for the National Asian Pacific American Bar Association (NAPABA) and is the advisory director and past president of the Federation of Asian Canadian Lawyers BC (FACL BC).

Catherine Chow (B.A. 1994 (University of Calgary), LL.B. 1997 (University of Calgary), LL.M. 2007 (UBC)) is the Chief Legal Officer for the Vancouver Canucks Sports & Entertainment. Taking up this role after 17 years as the VP Legal + General Counsel of Keg Restaurants Ltd., Catherine is an experienced legal executive handling a broad portfolios of legal matters across Canada and US for public and private companies. With experience in financing, real estate, business development, franchising, key partnership agreements, risk management, litigation, trademark protection, and compliance, she has been teaching her expertise at Allard since 2016 with the inception of the Business Law Clinic. Catherine has been appointed for a second term as a hearing panel adjudicator for the Law Society of British Columbia, and published numerous decisions. Her accolades include awards such as Top 25 Inhouse Counsel in Canada, Adam Albright Adjunct Teaching Award and Shauna Little Award for volunteerism.

LAW 447C.001 **Topics in Commercial Law** ***e-Commerce***

☑ Term 1 ☐ Term 2 Matsui *Lecture* *3 CREDITS*

Cross-listed to LAW 547C.001

This course is a new course designed to learn about the various legal issues rising from the development of the e-commerce. The course will start the examination of the general characteristics of e-commerce and the framework of e-commerce law with the background knowledge on computer technology and information network (pre-reading). It will then examine the various legal issues for starting up e-commerce: registration of a company, opening website and/or offering products or service on the platforms, such as online shopping mall, including the legal issues on domain name, management of website and restrictions on offered products or services. Then, the course will turn attention to contractual issues, including application of contract law to e-commerce and the validity of e-signature as well as legal issues on payment. This part also examines the consumer protection measures for on-line customers. The next part will examine the legal issues on on-line advertisement, including un-solicited e-mail and regulation on on-line advertisement. The course will then examine the legal liability for breach of contract and for torts. This part also explores the liability of intermediary and the dispute-resolution mechanism. The course will move on to examination of privacy and data protection. This part will start from the examination of personal information protection legal scheme and then discuss some of the legal issues on protection of personal information for e-commerce and the legal system to secure the network. The final part will cover emergent issues, involving the issues in the sharing economy and cryptocurrency.
This course is an experimental course to define the e-commerce law and provide sufficient legal knowledge for students who want to learn about on-going and emerging legal issues in e-commerce.
Http://www.shgmatsui.com

Pre-requisites
There is no pre-requisite for taking this course.
If the students are more interested in the freedom of expression issues in the cyberspace, take LAW425D.001 Cyberspace Law, which focus on freedom of expression and public law issues in the cyberspace. Off course, students can take both courses at the same time as well.

Textbook: Andrew Murray, Information Technology Law (Oxford 2019)

Other textbooks which might be useful for the students (not mandatory)
James Grimmelmann, Internet Law: Cases and Problems (7th ed. Semaphore Press 2017)
Ian J. Lloyd, Information Technology Law (Oxford 2017)

Evaluation:
Class participation 30% and final paper 70%.

Professor Shigenori Matsui is a full time member of the Peter A. Allard School of Law.

LAW 448D.001 Sports Law

☐ Term 1 ☑ Term 2 Moore *Seminar* *3 CREDITS*

Cross-listed with LAW 548.001.

This course surveys law, governance, and regulation relating to sports. In contemporary society, sports are a widely celebrated field of human endeavour. This attracts much attention to issues surrounding sports. These may include topics such as: ethics & integrity, health & safety, education & leadership, labour relations, competition, commerce, IP, culture, and the intersection of private property and public goods. Law, of various kinds and at different levels, seeks to respond to issues like these. This course studies ways in which the law has responded to such issues, critically evaluates the merits and drawbacks of those responses, and reflects on potential alternatives. The course will focus particularly, but not exclusively, on North American professional league sports, especially hockey. Assistant Professor Marcus Moore is a former professional hockey player and a full time member of the Peter A. Allard School of Law.

Evaluation: Research paper assignment (proposal to be approved by instructor) 60%; in-class presentation & handout 30%; participation 10%.

Assistant Professor Marcus Moore is a full time member of the Peter A. Allard School of Law.

LAW 451.001 Trusts

☐ Term 1 ☑ Term 2 Hofri *Lecture* *3 CREDITS*

Cross-listed with LAW 551.001.

The course deals with Canadian principles and rules that regulate and enable management of social and business affairs through express, resulting and constructive trusts. The course aims to provide grounding in trust law by setting out its doctrinal foundations through the perspectives of history, policy, practice, case-precedent and statute. It reviews how various types of trusts are constituted and terminated. It covers the roles of the settlor, trustee and beneficiary and considers the major rights and obligations that characterize the relationships between them. Emphasis is placed on the trustee's rights and obligations in the proper administration of trusts. It also reviews selected remedies available to beneficiaries in circumstances of breach or interference with their rights.

Required:
-Mark R Gillen, The Law of Trusts: A Contextual Approach (4th edition, Emond Montgomery, 2021).

Suggested Reading:
-D. Waters, Mark Gillen & Lionel Smith, Waters' Law of Trusts in Canada, 5rd edition (2021)
-Albert Oosterhoff, Robert Chambers & Mitchell McInnes, Oosterhoff on Trusts, 10th edition (2024)

Evaluation: 85% final exam, 15% in-class participation.

Associate Professor Adam Hofri-Winogradow is a full-time member of the Peter A. Allard School of Law. He specializes in trusts law, fiduciary law, corporate law, estates (succession & wills) law, "elder law", pensions, insurance, general private law, and relevant issues of tax and family law. Following his doctoral studies at Oxford University, Adam published comparative research on the reform and transformation of trust law and trust practice in dozens of countries worldwide, using a large array of empirical research methods: quantitative, qualitative and historical. A winner of two academic prizes, Adam was a visiting professor at Georgetown Law Center, at Western Ontario University, at the Center for Transnational Legal Studies, London, and at the University of Virginia School of Law, and was Martin Flynn Global Law Professor at the University of Connecticut School of Law. He has taught the basic trust law course under the laws of England, Canada and Israel, as well as a wide-ranging class in comparative and offshore trust law and practice. Adam has published work in journals including the Oxford Journal of Legal Studies, the Modern Law Review, the Iowa Law Review, Law and History Review, Law and Social Inquiry, the University of Toronto Law Journal, the Journal of Private International Law, Hastings Law Journal, Ohio State Law Journal, U.C. Davis Law Review and Trust Law International. He regularly speaks at conferences around the world, including the annual meeting of the American Law and Economics Association, symposia funded by the American College of Trusts and Estates Counsel, and the biannual Trusts and Wealth Management conferences at Singapore Management University.

LAW 451.002 Trusts

☑ Term 1 ☐ Term 2 Pavlich *Lecture* *3 CREDITS*

Cross-listed with LAW 551.002.
CHANGE Aug 19: Classroom

The course deals with Canadian principles and rules that regulate and enable management of social and business affairs through express, resulting and constructive trusts. The course aims to provide grounding in trust law by setting out its doctrinal foundations through the perspectives of history, policy, practice, case-precedent and statute. It reviews how various types of trusts are constituted and terminated. It covers the roles of the settlor, trustee and beneficiary and considers the major rights and obligations that characterize the relationships between them. Emphasis is placed on the trustee's rights and obligations in the proper administration of trusts. It also reviews selected remedies available to beneficiaries in circumstances of breach or interference with their rights.

Required:
Pavlich, Trusts in Common-Law Canada (4th edition) 2024

Suggested:
Waters, Gillen and Smith: Waters' Law of Trusts in Canada (5th edition)

Evaluation:
100% Final Examination

Professor Dennis Pavlich is a full time member of the Peter A. Allard School of Law and is a former Vice President, External and Legal Affairs of UBC.

LAW 452.001 **Succession**

☐ Term 1 ☑ Term 2 Dosanjh Kim, C. *Lecture* *3 CREDITS*

Cross-listed with LAW 574.001.

This course serves as the essential foundation for the practice of wills and estates, including basic estate planning and probate practice.

The course will provide an overview of various topics including:
1. the statutory rules of intestate succession;
2. the formalities of execution, modification and revocation of wills;
3. the requirements of testamentary capacity;
4. basic principles and procedures of probate and estate administration;
5. the interpretation of wills;
6. will contests relating to allegations of lack of capacity and undue influence;
7. the statutory limits to testamentary freedom under legislation such as British Columbia's wills variation legislation;
8. substitutes for wills such as joint accounts and options available to limit the exposure of an estate to probate fees;
9. aboriginal succession;
10. planning for incapacity, including powers of attorney and representation agreements for financial management and health care decision-making; and
11. a high level overview of the principles of taxation on death and family law principles relevant in estate planning.

While British Columbia law will be considered in depth, important differences in the laws of some other Canadian jurisdictions will also be reviewed. As well, the professional obligations of the lawyer will be considered throughout the course.

Evaluation:
There will be a compulsory final examination.

Simi Dosanjh, BA (UBC 2006), JD (University of Calgary 2009) was called to the Bar in British Columbia in 2010. Ms. Dosanjh is a Will & Estate Consultant with RBC Family Office Services in Vancouver, British Columbia. She works with individuals and business owner-managers to develop estate and succession plans that accommodate their unique needs. Ms. Dosanjh specializes in tax and probate planning, charitable giving, and estates, trusts and incapacity planning. She has completed the CPA Canada In-Depth Tax Course and previously worked as an associate in the Vancouver tax groups of two full-service law firms.

Catherine Kim, BA (UBC 2007), JD (UBC 2012), was called to the Bar in British Columbia in 2013. Ms. Kim is a lawyer with Boughton Law and specializes in estates and trust planning, as well as estate administration. She focuses on personal estate and business succession planning and advises on matters such as: wealth preservation, probate minimization and incapacity planning. Ms. Kim's background in tax also equips her to navigate various income tax and regional real estate tax issues relevant to estates and trusts. Ms. Kim completed the CPA Canada In-Depth Tax Course in 2019 and is recognized in the list of "Best Lawyers in Canada", as voted by other experts in her field. She is a regular presenter with the Pacific Business & Law Institute and at conferences for lawyers, accountants and financial advisors.

LAW 455.001 Real Estate Transactions

☑ Term 1 ☐ Term 2 Umbach Yeung Magre *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 455.001 with any of 347B.003 or 468.004/588.004.

This course deals with the law relating to vendors and purchasers of real estate, and the substantive law of mortgages, and considers the remedies available to vendors, purchasers, mortgagers and mortgagees, as well as the role and duties of real estate agents.

Evaluation:
100% final exam.

Greg Umbach (B.A. (University of Waterloo 1992), LL.B. (UBC 1995)) practises with the Vancouver office of Blake Cassels & Graydon LLP in the area of commercial real estate, financial services and business law. He has been involved in transactions involving buying, selling, leasing, financing and development of commercial real estate specifically relating to shopping centres, hotels, apartment buildings, office buildings and industrial properties. He has also been involved with all aspects of the subdivision and municipal approval process relating to the development of land. Mr. Umbach has written on subjects relating to builders' liens, title insurance, real estate fraud and natural resource title issues that have been published in print and on the internet.

Paul Yeung (B.A. (UBC), LL.B. (UBC)) practices with Tenure Law, a boutique law firm practicing solely in the area of commercial leasing, and is a consultant with the commercial real estate group of Stikeman Elliott LLP. Prior to forming Tenure Law, Paul served as a law clerk to the British Columbia Supreme Court and practiced with the commercial real estate groups of Blake Cassels & Graydon LLP and Stikeman Elliott LLP. Paul is also a principal of the Yeung Group of companies which focus on investing in and managing commercial properties in Vancouver. Paul is a contributing author for the Continuing Legal Education publications of Commercial Leasing - Annotated Precedents and the Real Estate Practice Manual.

Tony Magre (B.A. (First Class, With Distinction, Simon Fraser University 2013), J.D. (University of Toronto 2017)) practices with the Vancouver office of Blake, Cassels & Graydon LLP. His work encompasses a full range of commercial real estate transactions, including purchasing, selling, developing, financing and leasing of office, retail, industrial and multi-family properties. He also has experience acting on various construction related matters, including major infrastructure and public-private partnership projects across the Canadian market. Tony advises a wide variety of clients, including retailers, property managers and developers, major Canadian pension funds and their advisors, life insurance companies, institutional lenders and investors, and renewable energy companies. Tony has authored and co-authored publications for the Professional Legal Training Course (PLTC) and the Continuing Legal Education Society of British Columbia and was recognized in The Best Lawyers in Canada 2024: Ones to Watch (Real Estate Law).

LAW 456C.001 **Topics in Corporate Law - Lecture** ***Advising Public Companies***

☑ Term 1 ☐ Term 2 Talaifar Gill, G *Lecture* *3 CREDITS*

Cross-listed to LAW 546C.003
CHANGE Aug 19: Classroom

The course is designed to arm students with practical knowledge and skills to become a "trusted advisor" to publicly traded corporations. The course will incorporate corporate and securities laws principles into real world practice. Topics covered will include advising boards on corporate governance, corporate finance, "special situations" including hostile take-overs and proxy contests, directors' duties in mergers and acquisitions and continuous disclosure matters.

Prerequisite:
LAW 459 Business Organizations prerequisite is WAIVED for this course.

Evaluation:
Evaluation will be 100% final exam.

Rod Talaifar is a partner at Sangra Moller LLP. Rod's practice is focused on securities, corporate finance, mergers & acquisitions, mining and corporate/commercial law. Rod has acted for companies listed on various stock exchanges internationally, including the New York Stock Exchange, Toronto Stock Exchange, TSX Venture Exchange, NASDAQ and Frankfurt Stock Exchange. Rod has advised clients in connection with mergers & acquisitions, hostile takeover bids and proxy contests, initial public offerings various, mining ventures, debt and equity financings, corporate governance, internal investigations and public company disclosure and compliance.

Gary S. Gill is a partner of Sangra Moller LLP. Gary's practice focuses on securities, corporate finance and commercial law. Gary has advised clients on a variety of transactions, including initial public offerings, reverse take-overs, mergers and acquisitions, statutory business combinations, reorganizations, complex commercial arrangements, joint ventures, acquisitions and dispositions and private and public equity and debt financings. Gary has been involved in significant domestic, cross-border and international transactions and has experience with clients listed on the Toronto Stock Exchange, CBOE Canada, TSX Venture Exchange, CSE, NASDAQ and NYSE. Gary has been called upon to assist clients on contested matters, including negotiated and hostile proxy contests and takeover bids, as well as complex governance issues, regulatory compliance, insider trading and continuous disclosure. Gary regularly provides advice to boards on fiduciary responsibilities and governance best practices.

LAW 459C.001 **Business Organizations**

☑ Term 1 ☐ Term 2 Hutchison *Lecture* *4 CREDITS*

Cross-listed with LAW 508D.001. This course is NOT open to Exchange students.

This course provides an overview of the primary legal means of organizing businesses, including sole proprietorships, partnerships, and--most importantly--corporations. The course will focus on Canadian corporate law, but other jurisdictions (particularly the state of Delaware) will also be addressed. The central topics of this course include: (1) the history of corporate law; (2) the differences between corporations, partnerships, and other organizational forms; (3) jurisdictional/organizational choice and forming a business organization; (4) investment securities and corporate finance; (5) directors' duties and corporate governance; (6) control transactions; and (7) shareholder rights and remedies. Special emphasis will be placed on the legal and business considerations central to serving as a corporate solicitor.

Required textbook: Poonam Puri et al, Cases, Materials and Notes on Partnerships and Canadian Business Corporations, 6th ed (Toronto: Carswell, 2016).

Evaluation:
Final examination (three hours, open book) - 95%
Class participation - 5%

Associate Professor Camden Hutchison is a full time member of the Peter A. Allard School of Law.

LAW 459C.002 Business Organizations

☑ Term 1 ☐ Term 2 Peihani *Lecture* *4 CREDITS*

Cross-listed with LAW 508D.002. This course is NOT open to Exchange students.
CHANGE Aug 19: Classroom

This is a specialized business law course designed to provide students with a solid understanding of the law governing business organizations. The course focuses primarily on two key forms of organization: partnerships and business corporations, with the majority of lectures devoted to corporations. Students will explore how corporations are financed and operate, and examine core principles of corporate law such as limited liability and separate legal personality. The course also addresses how the law regulates relationships among corporate stakeholders, how conflicts are managed, and the protections and remedies available to different parties.

Evaluation: 85% final exam, 15% participation.

Assistant Professor Maziar Peihani is a full-time member of the Peter A. Allard School of Law.

LAW 459C.003 Business Organizations

☐ Term 1 ☑ Term 2 Liao *Lecture* *4 CREDITS*

Cross-listed with LAW 508D.003.This course is NOT open to Exchange students.

This course is an introduction to the law of partnerships and corporations. Although reference will be made to laws in other jurisdictions, the emphasis will be on the Canada Business Corporations Act, BC Business Corporations Act, BC Partnership Act, and the surrounding common law. The course explains the nature of the corporation, organizational choice and formation, capitalization, powers and duties of directors and officers, and rights and remedies of certain stakeholders. Topical issues covered include business and human rights, climate change, First Nations business structures, social finance and responsible investment, and the business of law. Students will learn about the legal and business issues lawyers must keep in mind when representing various corporate actors. Contract drafting and negotiation will also be addressed.

Required Materials:
1. Yalden, et al., Business Organizations: Practice, Theory, and Emerging Challenges (3rd ed., 2025) 2. Business Corporations Act S.B.C. 2002, c. 57 3. Canada Business Corporations Act, R.S.C. 1985, c. C-44 4. Partnership Act, R.S.B.C. 1996, c. 348

Evaluation:
There will be a 3 hour open-book final examination.

Carol Liao is a full time member of the Peter A. Allard School of Law and the UBC Sauder Distinguished Scholar of the Peter P. Dhillon Centre for Business Ethics at the Sauder School of Business.

LAW 459C.005 Business Organizations

☐ Term 1 ☑ Term 2 Lin *Lecture* *4 CREDITS*

Cross-listed with LAW 508D.005.This course is NOT open to exchange students.
CHANGE July 21: Classroom

This course offers an introduction to the law of partnerships and corporations, with a primary focus on the Canada Business Corporations Act, BC Business Corporations Act, BC Partnership Act, and the relevant common law principles. Key topics include the purpose and societal role of business organizations, the relationships among various constituents within the organization, governance structures, and the legal mechanisms for enforcing the rights and duties of stakeholders.

Required textbook: Poonam Puri et al, Cases, Materials and Notes on Partnerships and Canadian Business Corporations, 6th ed (Toronto: Carswell, 2016).

Evaluation:
100% final examination (three hours, open book)

Associate Professor Li-Wen Lin is a full time member of the Peter A. Allard School of Law.

LAW 460.001 Advanced Corporate Law *Shareholder Litigation*

☐ Term 1 ☑ Term 2 Crabtree Senkpiel *Experiential* *3 CREDITS*

This workshop fulfills the Experiential Learning Requirement. It does NOT fulfill the 3 credit seminar requirement. This workshop is NOT open to Exchange and Visiting students.
CHANGE November 14: New Instructor

This course will cover advanced legal issues that arise in shareholder dispute litigation and provide students with opportunities to develop practical litigation skills essential to litigating shareholder disputes. Sessions will involve a mix of instruction on substantive and procedural topics, guest lectures by practicing litigators, and exercises designed to mimic real shareholder dispute litigation. The final exercises will require students to argue part of a mock shareholder dispute petition hearing.

Evaluation:

Students will be graded based on the following scheme:

Exercise 1: Pleadings drafting 25%
Exercise 2: Evidence drafting 25%
Exercise 3: Mock chambers application 10%
Exercise 4: Mock petition hearing 30%
Class participation 10%

Andrew Crabtree is founder and principal at Crabtree Law. He has more than a decade of experience resolving disputes for corporations and individuals through negotiated settlements, tribunal hearings, arbitration and litigation. He primarily focuses on shareholder and partnership disputes. Before launching his own firm, Andrew practised for several years with Blakes and Cooper Litigation (before it merged with McEwan Partners). After attending UVic Law School, Andrew clerked for five justices of the British Columbia Supreme Court.

Peter Senkpiel (J.D. (University of Toronto)) is a partner at Nathanson, Schachter & Thompson LLP, where he practices civil litigation, with a focus on commercial disputes. He has appeared as counsel at all levels of court in B.C. and on appeals at the Supreme Court of Canada. He has argued the law of restitution in the B.C. Court of Appeal. Prior to joining the firm, he served as law clerk to the former Chief Justice of British Columbia, the Honourable Lance Finch. He is the editor of the Civil Appeal Handbook. He is co-chair of CLEBC's Restitution Conference (2014 and 2020).

LAW 461.001 Corporate Transactions

☐ Term 1 ☑ Term 2 Hutchison *Lecture* *3 CREDITS*

Cross-listed to LAW 546C.004

This course focuses on the law and practice of complex corporate transactions, including debt and equity financings, amalgamations, acquisitions, divestitures, and corporate restructurings. Special emphasis is placed on the analytical, drafting, and negotiation skills central to serving as a transactional attorney. Notwithstanding this practical focus, we will also address various legal, economic, and even political theories that can help us understand how corporate transactions are structured and executed.

Prerequisite: LAW 459 Business Organizations

Required textbook: Christopher C Nicholls, Mergers, Acquisitions and Other Changes of Corporate Control, 3rd ed (Toronto: Irwin Law, 2020).

Evaluation:
Final examination (three hours, open book) - 95%
Class participation - 5%

Associate Professor Camden Hutchison is a full time member of the Peter A. Allard School of Law.

LAW 462.001T1 Close Corporations *Corporations: From Beginning to End*

☑ Term 1 ☐ Term 2 Cantwell Dhillon, G *Workshop* *2 CREDITS*

All year. Meets alternate weeks. Total credit value for this workshop is 3 (2 in term 1 and 1 in term 2). (See 462.001T2)

This workshop focuses on the practical aspects of advising private and public corporations. It is “hands on” and strives to teach students what it is like to be a corporate solicitor. The course follows the life cycle of a corporation from incorporation through dissolution. Topics covered include the incorporation and organization of companies under the British Columbia Business Corporations Act and the Canada Business Corporations Act, maintenance of corporate records, capital structure and share rights and restrictions, shareholders agreements, corporate governance, franchising, licensing, the purchase and sale of a business, debt and equity financing, initial public offerings of securities, shareholder meetings, proxy fights, takeover bids, corporate reorganizations, going private transactions, bankruptcy, winding-up and dissolution. Guest lecturers will include practitioners in the areas of licensing and insolvency.

Prerequisite:
LAW 459 Business Organizations is a prerequisite.

Evaluation:
Students will be expected to participate in class discussion, and to analyse a fact situation for each class, providing a two-to-three page written analysis for that fact situation (together, this participation accounts for 45% of total grade). Students will also complete a negotiation exercise in the first term (25% of total grade) and a memorandum of law on an assigned corporate law problem in the second term (30% of total grade).

James Cantwell (BCom (University of British Columbia 2010), J.D. (University of Alberta 2017)) is a senior associate in the Corporate and Capital Markets group of Borden Ladner Gervais LLP, dealing primarily with public company transactions, including mergers and acquisitions, equity financing and initial public offerings, as well as corporate governance and regulatory compliance matters. James has practiced at Borden Ladner Gervais LLP since articling in 2017. Prior to attending law school, James worked in helicopter leasing at a global aviation company.

Gautam Dhillon is a partner in the Corporate and Capital Markets group of Borden Ladner Gervais LLP. Gautam has a robust corporate commercial practice with a focus on large infrastructure projects. Gautam has experience in all aspects of infrastructure projects across a range of project delivery models, including public-private partnerships.

LAW 462.001T2 **Close Corporations** ***Corporations: From Beginning to End***

☐ Term 1 ☑ Term 2 Cantwell Dhillon, G *Workshop* *1 CREDITS*

All year. Meets alternate weeks. Total credit value for this workshop is 3 (2 in term 1 and 1 in term 2). (See 462.001T2)

See above description.

James Cantwell (BCom (University of British Columbia 2010), J.D. (University of Alberta 2017)) is a senior associate in the Corporate and Capital Markets group of Borden Ladner Gervais LLP, dealing primarily with public company transactions, including mergers and acquisitions, equity financing and initial public offerings, as well as corporate governance and regulatory compliance matters. James has practiced at Borden Ladner Gervais LLP since articling in 2017. Prior to attending law school, James worked in helicopter leasing at a global aviation company.

Gautam Dhillon is a partner in the Corporate and Capital Markets group of Borden Ladner Gervais LLP. Gautam has a robust corporate commercial practice with a focus on large infrastructure projects. Gautam has experience in all aspects of infrastructure projects across a range of project delivery models, including public-private partnerships.

LAW 463.001 **Securities Regulation**

☑ Term 1 ☐ Term 2 Peihani *Lecture* *3 CREDITS*

Cross-listed with LAW 576.001.

This course explores the legal and regulatory framework governing capital markets in Canada, with particular attention to the British Columbia context. It is designed to equip students interested in practicing corporate and securities law with a solid understanding of the rules that govern the issuance and trading of securities. Key topics include public offerings, continuous disclosure obligations, insider trading, takeover bids, and the mechanisms—both public and private—available to enforce securities laws.

Evaluation: 100% final exam

Assistant Professor Maziar Peihani is a full-time member of the Peter A. Allard School of Law.

LAW 463.002 **Securities Regulation**

☐ Term 1 ☑ Term 2 Ford *Lecture* *3 CREDITS*

Cross-listed with LAW 576.002.

This is a specialized corporate law course. A key objective is to provide students with a broad understanding of the legal framework governing the issue and trade of securities in British Columbia and in Canada generally. Topics will include prospectus and continuous disclosure requirements for public companies, oversight of registrants, the exempt market, insider trading, takeover bids, and liability (civil, criminal, and regulatory.) The course also devotes considerable attention to policy issues surrounding securities regulation, with a view to understanding the current state of flux in Canadian regulation, including recent challenges arising from crypto assets, decentralized finance, and globalization. We will examine the philosophies underlying securities regulation, competing approaches in regulatory design, and the relationship between securities regulation and corporate governance.

Evaluation:
Assessment will be based on a 2.5 hour open-book examination (80%), and in-class participation (20%).

Prerequisite:
It is recommended that students take LAW 459 (formerly Law 230) Business Organizations prior to LAW 463 Securities Regulation.

Professor Cristie Ford is a full time member of the Peter A. Allard School of Law.

LAW 466.001 **Business Law Capstone**

☐ Term 1 ☑ Term 2 Kakoske Lim *Lecture* *3 CREDITS*

***Registration by permission only. ***

The course is designed to build upon concepts learned in Business Organizations, with a specific emphasis on advanced corporate, securities and tax laws. Students will be grouped into teams whereby they will provide strategic advice to a publicly traded company in the context of a simulated M&A transaction. Topics covered will include confidentiality agreements, LOIs, capital raising, mergers & acquisitions, joint ventures, tax considerations, defensive tactics, investment protection, corporate social responsibility, and stock exchange requirements. Students will have an opportunity to meet and work directly with industry executives and hear first-hand how strategies are developed and transactions are structured in the complex world of public M&A.

Prerequisite: LAW 407 Taxation, LAW 459 Business Organizations, LAW 463 Securities Regulation, and 6 credits of other courses from the Concentration are prerequisites.

Evaluation Method:
10% Class Participation
20% First Client Interview (Assignment #1)
10% Second Client Interview (Assignment #2)
20% Client Presentation (Assignment #3)
40% Client Reporting Memorandum and Letter of Intent (Assignment #4)

Lisa Kakoske has a broad business law practice which includes acting for all manner of clients including underwriters/agents, public companies, private companies and firms registered as exempt market dealers, investment fund managers and portfolio managers. Lisa acts for firms seeking registration as exempt market dealers, investment fund managers and portfolio managers as well as advising clients on the regulatory requirements relating to registration matters under National Instrument 31-101 and other similar requirements. She is also involved in evolving areas of law including securities and registration matters relating to cryptocurrency and carbon credit trading and platforms Additionally, Lisa has experience in fund formation, including representing clients in the creation of fund-of-funds and various types of private equity and venture capital funds. Lisa acts for underwriters and agents for public and private capital raising through prospectus offerings and private placements as well as attends to general corporate and securities law matters for both public and private companies. Lisa obtained her Juris Doctor from the University of British Columbia in 2012 and her Bachelor of Arts from the University of British Columbia in 2009.

Kwang Lim's business law practice includes corporate finance and M&A. He focuses on offering practical and strategic advice and facilitating opportunities for domestic and international clients, including entrepreneurs, start-ups, scale-ups, public companies, and broker-dealers across various industry sectors. Kwang also advises on securities law compliance and corporate governance issues. Kwang obtained his Master of Laws at University of California, Los Angeles (UCLA) with a specialization in business law. Kwang was named a Lexpert Rising Star for 2018, as one of Canada's leading lawyers under 40, and was named a Leading Lawyer to Watch – Corporate Finance & Securities by the Canadian Legal Lexpert Directory.

LAW 467D.003 **Topics in Corporate Law - Seminar** ***White Collar Crime***

☐ Term 1 ☑ Term 2 Narwal *Seminar* *3 CREDITS*

CHANGE July 29: Course added

This course examines common types of commercial and financial crime – colloquially, known as “white collar crime” – including forms of high yield investment fraud, corporate fraud, market manipulation, and trust account misappropriation. The process of investigating, prosecuting and defending these crimes will be examined, alongside the challenges posed by overlapping regulatory, administrative and civil proceedings. Special emphasis will be placed on the application of the Charter of Rights and Freedoms to various stages of the proceedings. Administrative disclosure initiatives and compliance programs designed to avoid or reduce the risk of prosecution will also be considered.

Students can expect to develop an understanding of the exercise of prosecutorial discretion, applicable Criminal Code offences, sentencing for those offences, the distinction between individual and corporate criminal liability, other federal legislation such as the Corruption of Foreign Public Officials Act and the criminal enforcement provisions of the Income Tax Act as well as provincial regulatory schemes, primarily the BC Securities Act.

Evaluation: This course will be evaluated based on class participation (20%) and a research paper (80%)

Joven Narwal, KC [B.A. (UBC), LL.B. (UBC), LL.M (Columbia University)] is the founder of Narwal Litigation LLP, a firm devoted to complex and serious cases where liberty and reputation are at stake, primarily in areas such as criminal litigation, securities litigation and professional discipline.

LAW 468.001 **Ethics and Professionalism**

☐ Term 1 ☑ Term 2 Martz *Lecture* *3 CREDITS*

Cross-listed with LAW 588.001. This course is NOT open to Exchange or Visiting students.

Ethical rules and principles are a fundamental part of the practice of law but how to go about applying them is a complex question inevitably involving the exercise of judgement and the consideration of one's own personal values. In this course, we will examine the requirements of the Code of Professional Conduct for British Columbia and case law that establishes guidelines for ethical legal conduct, but also bring a critical eye to conventional ideas about how lawyers should operate with the goal of helping you begin to develop your own sense of how you want to conduct yourself as a lawyer. We will also consider the role of the Law Society of BC and some of the many challenges faced by the legal profession, and how both the Law Society and individual lawyers can respond to them.

The course will include lectures, class discussion, group presentations/facilitations, and guest lectures by practicing lawyers about how they handle real-life ethical issues.

Evaluation: participation in class discussions, including through a small group project (15%), a take-home essay (15%), and a 3-hour open book final examination (70%).

Lisa Martz has practised as a litigation lawyer for more than 25 years. She is now a full-time Lecturer at the Peter A. Allard School of Law.

LAW 468.002 Ethics and Professionalism

☐ Term 1 ☑ Term 2 Sieg *Lecture* *3 CREDITS*

Cross-listed with LAW 588.002. This course is NOT open to Exchange or Visiting students.
CHANGE Nov 13: Instructo, Course Description and Exam Format

This course is about the ethical and professional obligations of Canadian lawyers with an emphasis on the Code of Professional Conduct for British Columbia. We will examine how to apply ethical rules and principles in the often complex issues that confront lawyers and the judgments lawyers make in the day to day practice of law. The goal of the course is to help you develop your own sense of how you want to conduct yourself as a lawyer. We will also consider the role of the Law Society of British Columbia and some of the many challenges faced by the legal profession, and how you as an individual lawyer can respond to those challenges.

The course will be a combination of lectures and class discussion where we will explore the issues covered. There will be at least one guest speaker who is a retired Court of Appeal Justice.

Evaluation will be based on a 3-hour open book final examination (70%) on a date specified in the Exam Schedule, a mid-term short paper assignment (15%) and participation in class discussions and a small group oral presentation (15%).

Rod Sieg (B.A. SFU, L.L.B. UBC) is a partner at Harris & Company in Vancouver. His practice focuses on commercial litigation, administrative and constitutional law, and employment law. Rod has appeared as counsel in commercial arbitrations, all levels of court in British Columbia, and the Supreme Court of Canada. Rod has also appeared before a number of administrative tribunals and has advised statutory decision makers. Rod clerked for the Supreme Court of British Columbia and was called to the bar in 1995.

LAW 468.003 Ethics and Professionalism

☑ Term 1 ☐ Term 2 Hilland *Lecture* *3 CREDITS*

Cross-listed to LAW 588.003. This course is NOT open to Exchange or Visiting students.

This course will examine ethics and professionalism from an Indigenous perspective. We will learn about Indigenous legal ethics and critically analyze the relevant legislation, regulations, rules of professional conduct, applicable caselaw, and general principles of ethics and professionalism that apply to the practice of law in British Columbia.

Evaluation: 3 hour open-book examination (100%)

Assistant Professor Andrea Hilland is a full-time member of Peter A. Allard School of Law.

LAW 468.004 Ethics and Professionalism

☑ Term 1 ☐ Term 2 Goldbach *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 455.001 with any of 347B.003 or 468.004/588.004. *Cross-listed to LAW 588.004. This course is NOT open to Exchange or Visiting students.*

In this course, students will study the ethical obligations of lawyers in Canada, with a focus on the legal obligations for lawyers in B.C. Topics covered include role morality, civility and the duties of the advocate, the duty of competence, conflicts of interest, and conduct unbecoming. Students will also be introduced to the model of self-governance of lawyers, current challenges facing the legal profession such as access to justice and, as well, oversight and regulation of the judiciary. The course will be taught in both a lecture format and through smaller group discussions and presentations.

Evaluation: Evaluation for this class will consist of class participation (15%) and an in-person exam (85%).

Assistant Professor Toby Goldbach is a full-time member of the Peter A. Allard School of Law.

LAW 469.001 Civil Procedure

☑ Term 1 ☐ Term 2 Campbell, J Wells, N *Lecture* *3 CREDITS*

Cross-listed with LAW 590.001

We will study the Conduct of civil actions in the B.C. Supreme Court. Students will become acquainted with the Supreme Court Civil Rules and the common law governing procedure.

Various procedural problems will be examined from two points of view:
(a) that of the practitioner who must understand the workings of the Rules and consider strategic and ethical issues in order to conduct a case effectively; and
(b) that of the student of the law who should question the assumptions underlying procedural rules and postulate strategic solutions.

The emphasis will be the pre-trial stages of proceedings. Memorizing the Rules will not be necessary, but an understanding of the basic structure of a civil lawsuit and a recognition of procedural problems and related strategic and ethical issues will be expected.

Required Materials:
Casebook: Civil Litigation, updated August 2025, available electronically on Canvas

Evaluation:
Exam worth 95% and written assignments 5%

Jessica Campbell (B.Sc., Honours (University of Guelph), LL.B. with Distinction (University of Alberta)), is a Partner in Fasken Martineau DuMoulin LLP's Litigation and Dispute Resolution group in Vancouver. Her practice focuses on product liability, insurance advice and litigation, and extends to a range of related practice areas including tort litigation, insurance coverage, construction litigation and class proceedings. Jessica is the co-author of the chapter "Objections at Trial" in the CLEBC Civil Trial Handbook.

Natthan Wells (B.A., (Simon Fraser University), J.D. (University of British Columbia)), is a lawyer in the Litigation and Dispute Resolution Department of Fasken Martineau DuMoulin LLP in Vancouver. His practice is divided into two main areas. The first focuses on civil and commercial disputes, including shareholder remedies and claims in breach of contract and tort, and civil fraud claims. The other practice area involves acting for clients in regulatory, criminal and quasi-criminal matters. Prior to becoming a lawyer Nathan was an officer with the Royal Canadian Mounted Police spending most of his 21-year career on murder and gang investigations.

LAW 469.002 Civil Procedure

☐ Term 1 ☑ Term 2 Clavier Kressock *Lecture* *3 CREDITS*

***Cross-listed with LAW 590.002.**

This course has the following objectives:
1.Introduce the fundamentals of civil procedure and familiarize students with the progress of a civil action.
2.Provide a theoretical framework for the rules of procedure and identify the values and policies on which the rules are based.
3.Place these rules in a practical context to encourage future practitioners to wield them in a responsible, strategic, ethical, and cost-effective manner.

Required Materials:
1.Mark Fancourt-Smith and Gavin Cameron, Law 469 Civil Litigation Casebook, 2022 edition.
2.Janet Walker, et al. The Civil Litigation Process: Cases and Materials, 9th ed. (Toronto: Emond Montgomery Publications Ltd., 2022).
3.Supreme Court Civil Rules: Any of these sources:
•Bouck, Dillon, and Turriff, British Columbia Annual Practice 2018 (Canada Law Book Inc.) (the “White Book”);
•Seckel & MacInnis, Supreme Court Rules Annotated 2018 (Carswell) (the “Black Book”); or
•Online: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/168_2009_01

Evaluation:
The evaluation method in this course will be by a 90% open-book final examination set during the Faculty examination period. The remaining 10% will be based on the two short and simple pass-fail assignments: a short pleadings drafting exercise and a short 1-page report of an independent visit to Supreme Court Civil Chambers. Additional marks may be given for class participation, at the discretion of the instructors.

Eric B. Clavier is a partner at Fasken in Vancouver, practising as a trust, estates and charities litigator. Following 12 years as a barrister at the Pretoria Bar in the Republic of South African, Eric was called to the Bar of British Columbia in 2014, where he appears regularly before the Supreme Court of British Columbia and the BC Court of Appeal.

Paul Kressock is a partner with Lawson Lundell LLP in Vancouver, and is a member of the firm’s Commercial Litigation Group. Paul has a Bachelor of Commerce (Honours) degree from the University of Manitoba, and a Juris Doctor from the Peter A. Allard School of Law at UBC. He was called to the Bar of British Columbia in 2015 and appears regularly before the Supreme Court of British Columbia and the BC Court of Appeal. Paul is also an Instructor in the Paralegal Program at the School of Legal Studies at Capilano University.

LAW 469.003 **Civil Procedure**

☐ Term 1 ☑ Term 2 Goulden McCalla *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 590.003.*

We will study the conduct of civil proceedings in the B.C. Supreme Court. Students will become acquainted with the Supreme Court Rules of Court and the common law governing those civil proceedings. Our focus will be on understanding the workings of the Rules, and considering strategic and ethical issues in order to conduct a civil action effectively. The emphasis will be upon the pre-trial stages of actions, although the conduct of trials and other proceedings (primarily from a procedural perspective) will also be reviewed. Memorizing the Rules and procedure will not be necessary, but an understanding of the basic structure of a civil lawsuit, including the recognition of procedural problems and the tools available to deal with those problems will be expected.

Required Materials:

1. Dillon and Li-Reilly, British Columbia Annual Practice, current or last year's edition are both acceptable.
2. Supplementary materials referenced in class.

Evaluation:

100% Final examination.

James Goulden K.C. (B.Comm. (University of Calgary 1989), LL.B. (UBC 1992)) is a partner in the dispute resolution and litigation department with Norton Rose Fulbright Canada LLP (formerly known in Vancouver as Bull Housser LLP). His practice is focused in the areas of commercial, real estate, administrative, securities, and government disputes and litigation. Mr. Goulden has conducted a broad range of matters before all levels of court in British Columbia, the Federal Court of Canada and various administrative tribunals. He has been an adjunct professor at the Allard School of Law at UBC for over 20 years. Mr. Goulden is also the co-author of the book "Procedural Strategies for Litigators in British Columbia".

Sarah McCalla (she/her) (B.Sc. (University of Alberta 2006), B.Ed. (UBC 2007), J.D. (UBC 2014)) is a partner in the dispute resolution and litigation department with Norton Rose Fulbright Canada LLP. Her practice is focused on commercial and administrative litigation, regional and local governance matters, expropriation proceedings, forestry issues, real estate disputes, and society-related litigation. She clerked at the Supreme Court of British Columbia and has appeared before all levels of court in British Columbia, as well as the Ontario Superior Court of Justice.

LAW 470.001T1 The Innocence Project

☑ Term 1 ☐ Term 2 Levy *Experiential* *3 CREDITS*

Registration by Permission Only. (See LAW 470.001T2 and LAW 471D.001.) This clinic fulfills the Experiential Learning requirement.

The UBC Innocence Project is a clinical program in which students work with lawyers to review claims of wrongful conviction. Students review court transcripts, legal files, and police investigative files. Casework also includes legal and factual research, drafting of corrspondence, memoranda and submissions, investigation of potential new forensic and witness evidence. Project students participate in the Preventing Wrongful Convictions academic seminar, regular office hours, and weekly group meetings with a variety of guest speakers. Each student works with a practicing criminal lawyer for added guidance and supervision. Inquiries about the program should be sent to the program Director, Tamara Levy, QC at: tlevy@allard.ubc.ca.

Pre-requisite or Co-requisite: LAW 476 Evidence (first term)
Co-requisite: LAW 471.001 Preventing Wrongful Convictions (first term)
Recommended: Forensic Science Seminar (first term)

Evaluation:
Legal writing 25%
Participation 10%
Investigation and Initiative (persistence, diligence, direction required) 35% Professionalism (organization, timeliness, punctuality, dealings with others on file) 30%

This clinic meets in the Brock Commons North Boardroom.

Tamara Levy, QC (B.A. (University of Western Ontario, 1993), LL.B. (Osgode Hall, 1996)) was called to the bar in 1998. She articled and practiced with the firm of Peck and Tammen (now Peck & Co.) before working as Crown Counsel for three years. Since leaving the Crown she has practiced criminal law in Vancouver as a sole practitioner and as Director of the UBC Law Innocence Project. She has taught at U.B.C. as an adjunct professor since 2004.

LAW 470.001T2 The Innocence Project

☐ Term 1 ☑ Term 2 Levy *Experiential* *3 CREDITS*

Registration by Permission Only. (See LAW 470.001T1 and LAW 471D.001.) This clinic fulfills the Experiential Learning requirement.

See above description.

Tamara Levy, QC (B.A. (University of Western Ontario, 1993), LL.B. (Osgode Hall, 1996)) was called to the bar in 1998. She articled and practiced with the firm of Peck and Tammen (now Peck & Co.) before working as Crown Counsel for three years. Since leaving the Crown she has practiced criminal law in Vancouver as a sole practitioner and as Director of the UBC Law Innocence Project. She has taught at U.B.C. as an adjunct professor since 2004.

LAW 471D.001 Preventing Wrongful Convictions

☑ Term 1 ☐ Term 2 Paisana Street, M *Seminar* *3 CREDITS*

This course is required for Students in LAW 470.001 Innocence Project.

This seminar is designed to explore the phenomenon of wrongful convictions. The broad focus will be the legal rules and principles designed to prevent wrongful convictions, including the evolution of those rules and principles. More specific areas to be covered will include notable wrongful convictions in the Canadian context, eyewitness (mis)identification, the Crown's disclosure obligations, expert evidence, false confessions, and unsavoury witnesses, amongst others. Emphasis will be placed on the high standard required for successful appeals and applications in this area of the law. The instructors will relate the topics to the actual practice of criminal law. Guest speakers, drawn from justice system participants, will provide additional perspectives.

Co-requisite:
This course is required for students in the Innocence Project.

Evaluation: Evaluation will be based upon a research paper (80%) and class participation (20%)

Tony Paisana (B.A. Honours (UBC), J.D. (UBC)) is a partner at Peck and Company Barristers. He has represented clients at all levels of court including the Supreme Court of Canada. He is currently the Chair of the Law Reform Committee for the National Criminal Justice Section of the Canadian Bar Association. He is a founding member of the Criminal Defence Advocacy Society, as well as a supervising lawyer with the UBC Innocence Project.

Megan Street (B.A. Honours (Windsor Law)), LL.B. (Windsor Law), LL.M. (Harvard University), is Crown counsel in the Criminal Appeals section of the BC Prosecution Service. She commenced with the BC Crown office as a trial lawyer in 2008, and transitioned to appellate practice in 2013. She has appeared at all levels of court, including the Supreme Court of Canada. She is currently a contributor to McWilliams, Canadian Criminal Evidence, and a member of the Prosecution Service's Wellness Committee.

LAW 472.001 **The Allan McEachern Course in Trial Advocacy**

☑ Term 1 ☐ Term 2 McEwan Booker Cohen, T *Experiential* *3 CREDITS*

Priority registration to third-year students. Remaining seats open to second-year students. This workshop fulfills the Experiential Learning requirement. This workshop will meet at the Vancouver Law Courts Inn (800 Smithe Street, Vancouver, BC, V6Z 2E1) This workshop is NOT open to Exchange students.

This course, supervised by Kenneth McEwan, Q.C. and Michelle Booker will be given by leading members of the judiciary and litigation bar in lectures and student practice sessions. The course is designed to expose up to 40 students to all aspects of litigation practice (civil and criminal), mainly at the trial level.

The course will cover all aspects of trial advocacy including lectures and discussion groups about the adversarial system and ethics. However, the real focus of the course is on developing student's advocacy skills in the various aspects of civil and criminal litigation including trial strategy, trial preparation, opening statements, examination and cross examination of witnesses, expert opinion evidence, closing submissions and appellate practice. Participation in simulations will be required. There are 9 student practice sessions throughout the course on the various topics covered, culminating in mock civil and criminal trials presided over by judges of the Supreme Court and Provincial Court. Thorough knowledge of the applicable materials and diligent preparation for each session is strongly encouraged.

The course is conducted at the Vancouver Law Courts – 800 Smithe St., Vancouver, B.C.

Prerequisites:
LAW 476 Evidence and LAW 469 Civil Procedure are recommended prerequisites or co-prerequisites.

Evaluation:
The course is Pass/Fail, Each student will be evaluated by session leaders.

Ken McEwan, Q.C. is senior trial, appellate and arbitration counsel, with a practice focusing on complex commercial, securities and competition matters, including class actions. He has also acts as an arbitrator and mediator of commercial disputes. Mr. McEwan was appointed Queen's Counsel by the Attorney General of British Columbia in 2004. He is immediate past President of the International Society of Barristers, a Fellow of the American College of Trial Lawyers and a Fellow of the International Academy of Trial Lawyers. He has been appointed by the Law Society of British Columbia to the Committee on Relations with the Judiciary and served on the Attorney General's Rules Revision Committee for approximately 15 years, until April 2016. Mr. McEwan is author of the fourth edition of Sopinka on the Trial of an Action, and is co-author of Commercial Arbitration in Canada: A Guide to Domestic and International Arbitrations. He a frequent lecturer for The Advocates Society and Continuing Legal Education on topics related to litigation and arbitration. He also chairs a panel of the British Columbia Inns of Court project which was established to foster professionalism among young lawyers.

Michelle Booker is Crown Counsel with Criminal Appeals and Special Prosecutions (CASP) in Vancouver, B.C.. Following graduation from law school, Ms. Booker clerked for the Supreme Court of British Columbia. After her call to the bar, Ms. Booker practiced as a commercial litigator with Fasken Martineau. In 2009, Ms. Booker joined B.C. Prosecution Services where she spent the next 10 years prosecuting serious crime and appearing at all levels of court. In 2018, Ms. Booker joined the Prosecution Support Unit within CASP. She now provides complex litigation and resource support in the areas of firearms, sexual offences, Charter and constitutional issues. Michelle is a frequent presenter at legal conferences, seminars and workshops. She is a faculty member with the National Criminal Law Program, Federation of Law Societies of Canada, a Supreme Court Advocacy Institute practice advisor and a Fellow of the American College of Trial Lawyers. Michelle also sits on the Board of Courthouse Libraries B.C..

Tracey M. Cohen KC, FCIArb is a leading trial and arbitration counsel for complex commercial and corporate disputes. She is also defence counsel in some of the most high-profile technology, competition and privacy class actions. She is Co-Chair of Fasken's Vancouver Commercial Litigation Group and is the Chair of the Firm's Arbitration Practice Group. Tracey was recently recognized as one of Canada's top 50 litigators and has repeatedly been recognized as one of Canada's top female litigators. She was appointed as King's Counsel in 2015 and is a fellow of the American College of Trial Lawyers, International Society of Barristers and International Association of Defense Counsel. She received her FCIArb designation in 2024.

LAW 473.001 Appellate Advocacy

☐ Term 1 ☑ Term 2 Holloway Olmstead *Workshop* *3 CREDITS*

This workshop is designed to acquaint students with the core elements of appellate practice: the standard of review on appeal; determining grounds for appeal; framing the issues to be argued on appeal; developing arguments in the factum or memorandum of argument and presentation of oral argument. Students will work on actual appeal and judicial review cases which will be heard in the Supreme Court of B.C., the Federal Court (trial division), the B.C. Court of Appeal, the Federal Court of Appeal and the Supreme Court of Canada.

Evaluation Method:
1. A legal opinion on the merit of an appeal (10 marks)
2. An application for release pending appeal, or for an extension of time to appeal, or for introduction of fresh evidence on appeal (15 marks)
3. An Appellant's Statement on a Sentence Appeal (25 Marks)
4. A Factum in a conviction appeal or a Memorandum in a Judicial Review of an immigration decision (50 marks)
5. 3 oral presentations; (1) An application for bail, or for extension of time to appeal, or to introduce fresh evidence: (2) An Appeal of Sentence;(3) A conviction appeal or a judicial review in an Immigration case. (Must be completed in order to pass the course)

Rod Holloway is a lifetime Vancouverite. Born in St Paul's Hospital in 1946, he was raised and schooled in North Vancouver and then attended UBC where he graduated in law in 1972. Following articles with Guild Yule and Co he became the Legal Aid Society's first staff lawyer. He currently works as the Society's managing lawyer in its Appeals Section. During his career he has taught in the UBC Law Faculty's clinical law program, presided as a member of the Refugee Division of the Immigration and Refugee Board and initiated the Appellate Advocacy course which he continues to teach at UBC. His practice experience is wide ranging and includes administrative, criminal, family, immigration, prison and mental health law. He has appeared in trials and appeals at all court and tribunal levels, including the Supreme Court of Canada. Outside of work, he enjoys ski and cycle touring, and rugby. He coached Canada's national rugby team from 1990-96 and took them to two World Cups; in France in 1991, and South Africa in 1995.

Erica Olmstead is a Partner with Edelmann & Co. Law Offices, where she practices immigration, refugee, and criminal law. Her main area of focus is the intersection between these areas. She has extensive experience resolving particularly complex inadmissibility and refugee cases for persons who face legal hurdles in seeking to obtain or keep their status in Canada. She also acts on complex criminal files where there is an immigration nexus or an appealable issue. Erica regularly appears before all divisions of the Immigration and Refugee Board, the Federal Court, the BC Supreme Court, the BC Court of Appeal and the Federal Court of Appeal. She has appeared in a number of cases before the Supreme Court of Canada. Erica also works with Legal Aid BC as a case review lawyer with the Appeals Department, where she began working as a student in 2010.

LAW 474.001 Trial Advocacy

☑ Term 1 ☐ Term 2 Sutherland, J. *Experiential* *3 CREDITS*

Note: Total credit value for this course is 3 (lecture AND lab inclusive). This course fulfills the Experiential Learning requirement. This course is NOT open to Exchange students. Students registering for LAW 474.001 must also register for one of LAW 474.L01, 474.L02, 474.L03, or 474.L04.
CHANGE Aug 19: Classroom

This course focuses on advocacy in trial courts. The emphasis is on pre-trial preparation, methods of developing facts through the examination of witnesses, and the development and presentation of legal argument. Procedural, evidentiary, and substantive law is considered as it relates to these areas. Professionalism, and ethics are also addressed.

The course will be taught by a combination of lectures, readings, and advocacy practice simulations. The practice simulations are done in small groups [maximum of 12 students per group]. All students meet for a two-hour lecture once per week. Each small group also meets with its instructor for a two-hour advocacy practice session once per week.

Evaluation:
The course is Pass/Fail. Each student's performance will be evaluated by his or her small group instructor.

Students must enroll in one of the followings Practice Sessions as well as Section 1.
L01
L02
L03
L04

Students may not enroll in both LAW 488 or LAW 489 (Clinical Term) and this course.

Prerequisite:
LAW 476 Evidence is a prerequisite for this course.

The Honourable Judge James I.S. Sutherland (B.A. (Carleton University), LL.B. (Queen's University)) was appointed a judge of the Provincial Court of British Columbia in 2013. He was called to the Bar of British Columbia in 1990 after which he practiced labour law for two years before joining the Crown Counsel Office from 1992-1997 prosecuting Judge alone and Judge and Jury trials. From 1997-2010 he worked at Gordon & Sutherland Barristers & Solicitors practicing Criminal Defence law and conducting ad hoc prosecutions. From 2010 until his appointment in 2013 he worked at Sutherland Jette, Barristers practicing criminal defence law. As counsel, Judge Sutherland appeared in the Supreme Court of Canada, all levels of court in British Columbia and Saskatchewan, as well as courts in Alberta and the Yukon. He is a frequent speaker at continuing legal education programs and is a previous recipient of the UBC Law Adjunct Professor Outstanding Achievement Award.

LAW 474.L01 Trial Advocacy *LAB*

☑ Term 1 ☐ Term 2 Vos Corbett *Discussion* *CREDITS*

***Advocacy Practice Simulation Lab to accompany lecture component 474.001.**

Terry Vos (B.Com. (UBC), LL.B. (U Vic), LL.M. (LSE)) is an Associate Judge of the B.C. Supreme Court. Associate Judge Vos was appointed to the Supreme Court in March 2017. Prior to his appointment he practiced civil litigation and also acted as a mediator on civil litigation cases.

Jonathan Corbett is a graduate of U-Vic Law and has been practicing in Vancouver for 20 years. He is a partner at Quinlan Abrioux, and his practice focusses primarily on defending personal injury and professional negligence claims.

LAW 474.L02 **Trial Advocacy** ***LAB***

☑ Term 1 ☐ Term 2 Ng *Discussion* *CREDITS*

***Advocacy Practice Simulation Lab to accompany lecture component 474.001.**

Gloria is the co-founder of Platform Litigation, a criminal defence firm in Port Moody, BC. She obtained her law degree from UBC and was called to the bar in 2009. Gloria runs a busy trial practice and is often in the courts throughout BC defending clients charged with serious crimes such as murder, manslaughter, and large-scale conspiracy cases. As part of her trial practice, Gloria regularly mounts Charter challenges as well as challenging the evidence of informant and Vetrovec witnesses as well as technological evidence (cellular and computer data). Gloria has appeared in all levels of court in British Columbia as well as in the Supreme Court of Canada. Gloria is also the President of the Criminal Defence Advocacy Society (CDAS).

LAW 474.L03 **Trial Advocacy** ***LAB***

☑ Term 1 ☐ Term 2 Jetté *Discussion* *CREDITS*

***Advocacy Practice Simulation Lab to accompany lecture component 474.001.**
CHANGE Aug 19: Classroom

The Honourable Judge Mark Jetté had a criminal defense practice in Vancouver from 1991 to 2017. He earned a bachelor of arts degree at Simon Fraser University with majors in political science and history before attending at the University of Victoria Law School. After graduating law school in 1990 he joined the law firm Oliver and Company where he completed his articles. He was called to the bar in British Columbia in 1991 and continued as an associate lawyer with Oliver and Company.

Together with Ian Donaldson, Q.C. he established the law firm Donaldson Jetté in August 1999. He joined James Sutherland and formed the law firm Sutherland Jetté in January 2010. He has developed an extensive and varied criminal law and extradition practice, and has defended accused persons at all levels of court in British Columbia. He also prosecuted cases after being appointed as a special prosecutor, and acted as commission counsel for the Office of the Police Complaints Commission. He has written for and lectured at numerous CLE, CBA and TLABC seminars and at the British Columbia Institute of Technology on topics in criminal law. He participated as faculty at a National Judicial Institute Conference on domestic violence cases in the criminal and family courts and was appointed to the Provincial Court Bench in November 2017.

LAW 474.L04 **Trial Advocacy** ***LAB***

☑ Term 1 ☐ Term 2 Duncan *Discussion* *CREDITS*

***Advocacy Practice Simulation Lab to accompany lecture component 474.001.**

Emmet Duncan B.A. (Hons) 1994 (UBC)
LL.B 1997 (McGill)
LL.M 1998 (UBC)

Davis & Company (now DLA Piper), articles and practice, 1998-2002
Crown Counsel 2002-2008
Private practice (mostly criminal defence) 2008-2021
Appointed to the Provincial Court January 11, 2021

LAW 476C.001 Evidence

☐ Term 1 ☑ Term 2 Aikenhead *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 507.001. This course is NOT open to Exchange students.*

This course is a survey of the system by which the admission of proof at a trial is regulated. This course will introduce students to key concepts in the law of evidence including forms and categories of evidence, and rules of evidence admissibility and evaluation. These foundational concepts will be explored by examining case law and academic commentary on emerging and contentious evidentiary issues, including those arising from the growing reliance on digital evidence in civil and criminal trials. This course explores principles of fairness and justice underlying Canadian evidence law, and critically evaluates these concepts.

Evaluation:
10% participation; 40% research project/presentation; 50% open-book final examination

Lecturer Moira Aikenhead is a full-time faculty member at the Peter A. Allard School of Law.

LAW 476C.002 Evidence

☑ Term 1 ☐ Term 2 Cunliffe *Lecture* *4 CREDITS*

Cross-listed with LAW 507.002.This course is NOT open to Exchange students.

This course provides an introduction to the principles and application of the law of evidence in Canada. Evidence is the system by which the admission of proof at a trial is regulated. The course begins with an introduction to the basic principle of relevance and the sources of evidence law. For much of the term, we consider the rules which exclude certain evidence, and the exceptions to those rules. Adopting a principles-based approach which is in accordance with Supreme Court of Canada jurisprudence, the course will consider both criminal and civil trials, with a significant emphasis on working with particular facts and problems. The course will consider how well particular rules further the purposes for which they were developed by the courts and legislatures, and how well the rules work in practice.

Evaluation:
Final examination (50%), research paper (40%), midterm evaluation (10%)

Professor Emma Cunliffe is a full time member of the Peter A. Allard School of Law.

LAW 477.001 Negotiation & Dispute Resolution

☐ Term 1 ☑ Term 2 LeBaron *Experiential* *3 CREDITS*

This workshop fulfills the Experiential Learning requirement. This class DOES NOT fulfill the seminar requirement. This course is NOT open to Exchange or Visiting students.

This highly interactive subject will give students practice-relevant skills for negotiation and dispute resolution. Negotiating effectively involves being able to change the conversation, introducing collaborative approaches alongside competitive ones. The best negotiators are also skilled at structuring processes and listening beneath what is said. This program will introduce a research and practice-informed framework for creating value and resolving disputes. Using experiential approaches, case studies and simulations, participants will deepen their abilities to represent clients and negotiate across a range of practice contexts. Participants will have multiple opportunities to refine their negotiation and dispute management skills, and will learn a series of practical tools for dealing with difficult negotiation behaviours and hard bargaining tactics in diverse settings. This subject will be useful for those working on a wide range of complex issues in a range of contexts including commercial, environmental, public policy, construction and human rights.

Upon completing the class, participants will have expanded their capacities for effective legal representation and applying their skills in diverse other roles in public and private settings. Evaluation is P/F, and requires the following work:
-Participation in all assigned simulations and in-class activities
-Creative presentation in assigned groups
-Reflective journal (5-7 pages) on learnings from simulations

Michelle LeBaron is a full time member of the Peter A. Allard School of Law and is the Director of the Dispute Resolution Program.

LAW 478.001 Foundations of Dispute Resolution

☑ Term 1 ☐ Term 2 Martz *Experiential* *3 CREDITS*

This course fulfills the Experiential Learning requirement. This class is NOT open to Exchange or Visiting students.

This course introduces students to the legal, practical, and policy issues in out of court dispute resolution, with the goal of helping to prepare future lawyers for the practice of dispute resolution within the profession. The course exposes students to the broad spectrum of dispute resolution processes and covers a range of topics, including: theoretical models for analyzing and responding to conflict; conflict escalation and de-escalation; mediation and negotiation theories and strategies; mandatory mediation and court-connected ADR; arbitration; some Indigenous approaches to the resolution of disputes; and critical perspectives on private dispute resolution processes. This course satisfies Allard's experiential learning component and as such, students will be expected to actively participate in simulated mediations and negotiations.

Evaluation:
Evaluation for this class consists of participation in negotiation and mediation simulations (30%), a small group project (15%), class participation (15%), and a practice-oriented research paper or analysis of 3000-4000 words (40%).

Lisa Martz has practised as a litigation lawyer for more than 25 years. She is now a full-time Lecturer at the Peter A. Allard School of Law.

LAW 481D.001 **Topics in Litigation, Dispute Resolution & Administration of Justice** ***Resilient Lawyering in a Time of Change***

☑ Term 1 ☐ Term 2 LeBaron *Seminar* *3 CREDITS*

As unprecedented changes occur in the legal profession, law graduates are challenged to respond to rapid developments. Legal practice is changing rapidly in response to trends in technology, globalization and pressure to reduce the cost of legal services. Increasingly limited access to justice impinges on notions of fairness and equality. High stress is exacerbated as the market for legal graduates grows more competitive and business structures shift. In addition to these contextual changes, lawyers' roles are changing as well. They are expected to be expert negotiators and creative problem solvers as well as zealous advocates, roles that require quite different skills and value orientations. Participants in this seminar will explore these trends, reading current books and articles on the future of legal work and learning from scholars and practicing experts. We will also draw on the literatures on resilience and wellbeing to explore how law graduates can pursue a greater quality of life and personal satisfaction in ways that extend to their clients, families and communities.

Evaluation:
Reflective portfolio. 75%
Each class member is expected assemble a reflective portfolio containing the following:
•Reflections on readings, discussions and relevant issues, with at least once-weekly entries;
•Summary and commentary on at least one feature film, novel or nonfiction piece of writing relevant to the course themes;
•A 2-page reflection on a process of personal change based on goals set in class;
•A 1-page reflection on the role of partner support in relation to a personal change process;
•Personal vision statement for navigating legal futures;
•Evidence of consistent creative engagement with course topics, class readings and experiential activities using modes other than traditional academic writing, making connections to your planned practice context or other contexts outside of class. Examples of modes include:
ophotography
opoetry, journaling or narrative writing
ocollage
ofilm
ochoreography
oplay list or other musical reflection
opainting, sketching, drawing
oweaving, needlework or other hand-made product
oother mode not specified above.

The goal of this component is to synthesize course content via a mode other than scholarly writing. Artifacts not in electronic form may be photographed and sent electronically. A short (1 page) description may accompany creative pieces if modes are nonverbal.

Class participation; one class presentation; regular exchanges with a partner about a personal change project. 25%

Michelle LeBaron is a full time member of the Peter A. Allard School of Law and is the Director of the Dispute Resolution Program.

LAW 481D.002 **Topics in Litigation, Dispute Resolution & Administration of Justice** ***Intercultural Dispute Resolution***

☑ Term 1 ☐ Term 2 LeBaron *Seminar* *3 CREDITS*

This seminar fulfills the Experiential Learning requirement.

This seminar-style course provides an interdisciplinary foundation in the intercultural dynamics of conflict resolution theory and practice. We will explore diverse systems of thought and worldview differences as they relate to conflict analysis and resolution. Drawing from a range of case study examples, participants will examine how conflicts are constructed and engaged across cultural contexts. The roles of memory and truth-telling will be considered as they relate to reconciliation of complex issues. Creativity as a core competency in intercultural conflict resolution will be explored, and fairness in conflict engagement will be examined through a range of process choices.

Evaluation:
Site visit reflection paper (4-6 pages) 15%
Short paper (4-6 pages) and class presentation based on short paper 25%
Final paper (23-28 pages) 60%

Michelle LeBaron is a full time member of the Peter A. Allard School of Law and is the Director of the Dispute Resolution Program.

LAW 482D.001 **Topics in Procedure & Evidence** ***Use of Empirical Evidence in Law***

☑ Term 1 ☐ Term 2 Lin *Seminar* *3 CREDITS*

This course immerses students in the exciting intersection of law and data, a rapidly growing area in both legal practice and research. As data-driven decision-making becomes increasingly prevalent in legal disputes and public policy debates, this course aims to equip students with the tools to critically analyze and navigate the use of data-based evidence.

Students will explore foundational concepts in quantitative research, including research design, data collection, coding, and statistical analysis, with a focus on how these skills are applied in legal contexts. By examining how numbers are used—and sometimes misused—in court cases, students will develop a keen understanding of the power and limitations of data in the legal world.

The course will also integrate cutting-edge AI tools to enhance learning and analysis. Students will gain hands-on experience with statistical software, such as Excel, and explore how AI-driven technologies are transforming data analysis in legal practice. No prior knowledge of statistics or empirical research is required—just an eagerness to explore the intersection of law, data, and technology!

Evaluation:
70% final paper
30% class participation

Associate Professor Li-Wen Lin is a full time member of the Peter A. Allard School of Law.

LAW 488.001 **Clinical Term** ***Indigenous Community Legal Clinic***

☑ Term 1 ☐ Term 2 Buffalo, J *Experiential 11 CREDITS*

Registration by permission only. This clinic fulfills the Experiential Learning requirement.

The Indigenous Community Legal Clinic, Peter A. Allard School of Law (ICLC) program – Law 488/489 – is a full-term course comprised of 15 credits, 11 based on the practical component (pass/fail) and 4 based on the academic component of the program (graded).
Students commit to one full term, which they spend primarily at the ICLC's location on Alexander Street in the downtown eastside of Vancouver. Students cannot take other courses during the term, except in special circumstances with permission.
Enrollment is currently limited to 10 students per term. Students at the ICLC are temporarily articled under the Rules of the Law Society of British Columbia. There is a weekly lecture on Thursday mornings from 9:30 am – 12:30 pm held at Allard Hall.
The practical component of the clinical term is based on pass/fail evaluation of significant practice achievements during the term. Students are expected to manage client files and the aim for the practical component of the course is to learn how to conduct client intakes and interviews, practice client management, conduct various court appearances, and negotiate and work with Crown and other lawyers in a variety of settings, among other practical components. Students are expected to conduct themselves professionally at all times.
The clinical learning environment is unique in many ways, and the pedagogy is designed to integrate experiential learning of the practice of law in a legal clinic setting with learning to apply ideas and theory about decolonization and Indigenizing law to that practice. The ICLC program is designed to explore how the legal system functions in relation to Indigenous people. It provides experiential learning to law students while providing the underserved Indigenous community with access to justice through the provision of pro-bono legal services.
As an experiential learning experience, the ICLC program facilitates students' development and understanding about their experiences through a 4-stage process: experience, reflection, theory, and application. Students complete weekly journals where they reflect on their experiences as these relate to theory they learn in the seminar component of the program, which is vital to thinking about the application of what they are learning through practice.
A period of immersion is vital to interrupting normalized learning processes and provide students a foundation in legal practice and experiential learning methodology. Through the ICLC Orientation students are slowly introduced to "learning by doing." Engagement with legal practice and procedure through the Orientatiom disrupts students' entrenched patterns of learning and invites them to actively participate in their educational experience. Additionally, in the clinical setting students are given the opportunity to role-play court appearances, client interviews, and direct/cross examinations of witnesses before doing this work in court. This immersion period helps prepare student clinicians for their file work and interactions with clients, lawyers, judges, and the legal community.

For a detailed description of the academic component of the course see Law 489: Clinical term: Paper.

NOTE: A student who receives credit for LAW 490 or LAW 491 cannot receive credit for this course.

Evaluation Method:
Pass/Fail.

Jessica Buffalo Jessica is from Samson Cree Nation/Nipisikohpahk, and her Cree/nehiyawak name is Maskwa Iskwêw, meaning Bear Woman. Before law school, she completed a Bachelor of Arts degree at Simon Fraser University, majoring in political science. Jessica obtained her JD from Peter A. Allard School of Law at UBC in 2016 and was called to the Alberta Bar in 2017 after completing her articles at Calgary Legal Guidance.
Following her articling term, Jessica served as the temporary Homeless Outreach Lawyer at Calgary Legal Guidance until the end of 2017. She then entered private practice, specializing in criminal defence, family law, and civil litigation. During this time, Jessica played a pivotal role in establishing the Calgary Indigenous Court and contributed to the development of the Edmonton Indigenous Court through judicial education initiatives.
In 2019, Jessica joined Legal Aid Alberta as their dedicated Indigenous Duty Counsel, representing clients in the Calgary Indigenous Court, Siksika Adult and Youth Criminal Court, and Tsuu'tina Adult and Youth Criminal Court. She also appeared regularly in first appearance Court, bail Court, domestic violence Court, and various circuit Court locations.
In 2022, Jessica moved to the Law Society of Alberta as the first Indigenous Initiatives Counsel. In this role, she leads initiatives aimed at advancing Reconciliation, particularly focusing on ensuring Call to Action 27 is adhered to. Jessica has been actively involved in numerous committees and boards in Alberta, including the Access to Justice Committee through the Court of Justice of Alberta, the Wîyasôw Iskweêw - Restorative Justice Committee, the Alberta Court's Gladue Report Committee, and the Reconciliation Discernment Circle.

Jessica has also been a guest lecturer at both the University of Calgary School of Law and the University of Alberta's Law School. Throughout her career, she has presented at many conferences, panels, and webinars on building competencies in working with Indigenous peoples within the justice system. Additionally, Jessica has developed intercultural competency courses for Legal Aid Alberta and the Law Society of Alberta.

LAW 488.002 **Clinical Term** ***Indigenous Community Legal Clinic***

☐ Term 1 ☑ Term 2 Buffalo, J *Experiential* *11 CREDITS*

Registration by permission only. This clinic fulfills the Experiential Learning requirement.
CHANGE Nov 6: Instructor

The Indigenous Community Legal Clinic, Peter A. Allard School of Law (ICLC) program – Law 488/489 – is a full-term course comprised of 15 credits, 11 based on the practical component (pass/fail) and 4 based on the academic component of the program (graded).
Students commit to one full term, which they spend primarily at the ICLC's location on Alexander Street in the downtown eastside of Vancouver. Students cannot take other courses during the term, except in special circumstances with permission.
Enrollment is currently limited to 10 students per term. Students at the ICLC are temporarily articled under the Rules of the Law Society of British Columbia. There is a weekly lecture on Thursday mornings from 9:30 am – 12:30 pm held at Allard Hall.
The practical component of the clinical term is based on pass/fail evaluation of significant practice achievements during the term. Students are expected to manage client files and the aim for the practical component of the course is to learn how to conduct client intakes and interviews, practice client management, conduct various court appearances, and negotiate and work with Crown and other lawyers in a variety of settings, among other practical components. Students are expected to conduct themselves professionally at all times.
The clinical learning environment is unique in many ways, and the pedagogy is designed to integrate experiential learning of the practice of law in a legal clinic setting with learning to apply ideas and theory about decolonization and Indigenizing law to that practice. The ICLC program is designed to explore how the legal system functions in relation to Indigenous people. It provides experiential learning to law students while providing the underserved Indigenous community with access to justice through the provision of pro-bono legal services.
As an experiential learning experience, the ICLC program facilitates students' development and understanding about their experiences through a 4-stage process: experience, reflection, theory, and application. Students complete weekly journals where they reflect on their experiences as these relate to theory they learn in the seminar component of the program, which is vital to thinking about the application of what they are learning through practice.
A period of immersion is vital to interrupting normalized learning processes and provide students a foundation in legal practice and experiential learning methodology. Through the ICLC Orientation students are slowly introduced to "learning by doing." Engagement with legal practice and procedure through the Orientatiom disrupts students' entrenched patterns of learning and invites them to actively participate in their educational experience. Additionally, in the clinical setting students are given the opportunity to role-play court appearances, client interviews, and direct/cross examinations of witnesses before doing this work in court. This immersion period helps prepare student clinicians for their file work and interactions with clients, lawyers, judges, and the legal community.

For a detailed description of the academic component of the course see Law 489: Clinical term: Paper.

NOTE: A student who receives credit for LAW 490 or LAW 491 cannot receive credit for this course.

Evaluation Method:
Pass/Fail.

Jessica Buffalo Jessica is from Samson Cree Nation/Nipisikohpahk, and her Cree/nehiyawak name is Maskwa Iskwêw, meaning Bear Woman. Before law school, she completed a Bachelor of Arts degree at Simon Fraser University, majoring in political science. Jessica obtained her JD from Peter A. Allard School of Law at UBC in 2016 and was called to the Alberta Bar in 2017 after completing her articles at Calgary Legal Guidance.
Following her articling term, Jessica served as the temporary Homeless Outreach Lawyer at Calgary Legal Guidance until the end of 2017. She then entered private practice, specializing in criminal defence, family law, and civil litigation. During this time, Jessica played a pivotal role in establishing the Calgary Indigenous Court and contributed to the development of the Edmonton Indigenous Court through judicial education initiatives.
In 2019, Jessica joined Legal Aid Alberta as their dedicated Indigenous Duty Counsel, representing clients in the Calgary Indigenous Court, Siksika Adult and Youth Criminal Court, and Tsuu'tina Adult and Youth Criminal Court. She also appeared regularly in first appearance Court, bail Court, domestic violence Court, and various circuit Court locations.
In 2022, Jessica moved to the Law Society of Alberta as the first Indigenous Initiatives Counsel. In this role, she leads initiatives aimed at advancing Reconciliation, particularly focusing on ensuring Call to Action 27 is adhered to. Jessica has been actively involved in numerous committees and boards in Alberta, including the Access to Justice Committee through the Court of Justice of Alberta, the Wîyasôw Iskweêw - Restorative Justice Committee, the Alberta Court's Gladue Report

Committee, and the Reconciliation Discernment Circle.
Jessica has also been a guest lecturer at both the University of Calgary School of Law and the University of Alberta's Law School. Throughout her career, she has presented at many conferences, panels, and webinars on building competencies in working with Indigenous peoples within the justice system. Additionally, Jessica has developed intercultural competency courses for Legal Aid Alberta and the Law Society of Alberta.

LAW 489.001 **Clinical Term: Paper** ***Indigenous Community Legal Clinic***

☑ Term 1 ☐ Term 2 Buffalo, J *Lecture* *4 CREDITS*

Registration by permission only. This course does NOT fulfill the 3 credit seminar requirement.

This course is the graded component of LAW 488, above.

Evaluation Method:

20% Participation
-10% Facilitation of a Class Discussion
-10% Engagement and attendance

20% Journals
-15% Weekly Reflection journals
-5% Final Reflection Journal

60% Research Paper
-50% paper
-5% short proposal
-5% long proposal

Description:
The seminar will provide a space for students to reflect on their experiences working at the ICLC and the issues that this work brings up. Further, it will facilitate discussions which relate the legal issues they encounter at the clinic to the broader context impacting Indigenous Nations in Canada, engaging with scholarship from critical Indigenous theorists. Examples of themes we will explore in this course include: access to justice, advocacy, antiracism, agency, argument, authority, cultural competency, cross-cultural understanding, decolonization, evidence, experience, Indigenous legal traditions, Indigenous legal theory, Indigenous feminisms, Indigenous methodologies, language, reconciliation representation, resistance, self-determination, sovereignty and trauma-informed practice.
This course seeks to advance students understanding in the following areas:

1.Understanding the diversity of Indigenous legal orders in Canada, the methodologies that critical Indigenous theorists have developed to study them, and how Indigenous legal orders contain rich normative and legal tools to address contemporary problems faced by Indigenous Nations;

2.Understanding the history of colonization in Canada and how Canadian law acted to dispossesses Indigenous Nations of their lands, knowledge systems, sovereignty, and jurisdiction;

3.Understanding the ongoing impacts of Canadian law, legislation, policy, and the justice system on Indigenous Nations, thinking critically of ways they pepeturate an imbalance of power between the state and Indigenous Nations and recognizing their daily impact on Indigenous individuals;

4.Building the skills and capacities law students and legal professionals need to address how colonialism continues to impact Indigenous peoples negatively, as well as the skills to participate in the resurgence of Indigenous law as Indigenous lawyers and allies; and

5.Developing the skills in cultural competency, Indigenous trauma-informed practice, and critical self-reflection that are necessary for working with Indigenous Nations and individuals in their encounters with the Canadian justice system.

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In 2019, Jessica joined Legal Aid Alberta as their dedicated Indigenous Duty Counsel, representing clients in the Calgary

Indigenous Court, Siksika Adult and Youth Criminal Court, and Tsuu'tina Adult and Youth Criminal Court. She also appeared regularly in first appearance Court, bail Court, domestic violence Court, and various circuit Court locations.
In 2022, Jessica moved to the Law Society of Alberta as the first Indigenous Initiatives Counsel. In this role, she leads initiatives aimed at advancing Reconciliation, particularly focusing on ensuring Call to Action 27 is adhered to. Jessica has been actively involved in numerous committees and boards in Alberta, including the Access to Justice Committee through the Court of Justice of Alberta, the Wîyasôw Iskweêw - Restorative Justice Committee, the Alberta Court's Gladue Report Committee, and the Reconciliation Discernment Circle.
Jessica has also been a guest lecturer at both the University of Calgary School of Law and the University of Alberta's Law School. Throughout her career, she has presented at many conferences, panels, and webinars on building competencies in working with Indigenous peoples within the justice system. Additionally, Jessica has developed intercultural competency courses for Legal Aid Alberta and the Law Society of Alberta.

LAW 489.002 **Clinical Term: Paper** ***Indigenous Community Legal Clinic***

☐ Term 1 ☑ Term 2 Buffalo, J *Lecture* *4 CREDITS*

Registration by permission only. This course does NOT fulfill the 3 credit seminar requirement.

This course is the graded component of LAW 488, above.

Evaluation Method:

20% Participation
-10% Facilitation of a Class Discussion
-10% Engagement and attendance

20% Journals
-15% Weekly Reflection journals
-5% Final Reflection Journal

60% Research Paper
-50% paper
-5% short proposal
-5% long proposal

Description:
The seminar will provide a space for students to reflect on their experiences working at the ICLC and the issues that this work brings up. Further, it will facilitate discussions which relate the legal issues they encounter at the clinic to the broader context impacting Indigenous Nations in Canada, engaging with scholarship from critical Indigenous theorists. Examples of themes we will explore in this course include: access to justice, advocacy, antiracism, agency, argument, authority, cultural competency, cross-cultural understanding, decolonization, evidence, experience, Indigenous legal traditions, Indigenous legal theory, Indigenous feminisms, Indigenous methodologies, language, reconciliation representation, resistance, self-determination, sovereignty and trauma-informed practice.
This course seeks to advance students understanding in the following areas:

1.Understanding the diversity of Indigenous legal orders in Canada, the methodologies that critical Indigenous theorists have developed to study them, and how Indigenous legal orders contain rich normative and legal tools to address contemporary problems faced by Indigenous Nations;

2.Understanding the history of colonization in Canada and how Canadian law acted to dispossesses Indigenous Nations of their lands, knowledge systems, sovereignty, and jurisdiction;

3.Understanding the ongoing impacts of Canadian law, legislation, policy, and the justice system on Indigenous Nations, thinking critically of ways they pepeturate an imbalance of power between the state and Indigenous Nations and recognizing their daily impact on Indigenous individuals;

4.Building the skills and capacities law students and legal professionals need to address how colonialism continues to impact Indigenous peoples negatively, as well as the skills to participate in the resurgence of Indigenous law as Indigenous lawyers and allies; and

5.Developing the skills in cultural competency, Indigenous trauma-informed practice, and critical self-reflection that are necessary for working with Indigenous Nations and individuals in their encounters with the Canadian justice system.

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Jessica has also been a guest lecturer at both the University of Calgary School of Law and the University of Alberta's Law School. Throughout her career, she has presented at many conferences, panels, and webinars on building competencies in working with Indigenous peoples within the justice system. Additionally, Jessica has developed intercultural competency courses for Legal Aid Alberta and the Law Society of Alberta.

LAW 490.001 Clinical Criminal Law

☐ Term 1 ☑ Term 2 Adams, N. *Experiential* *6 CREDITS*

***Registration by permission only. This clinic fulfills the Experiential Learning requirement. This class will meet Downtown (222 Main Street, Vancouver, BC, V6A 2S8)**

The UBC Criminal Clinic has operated for 50 years. It runs in Winter Session, Term 2 with a maximum of 16 JD students and provides students with the opportunity to learn criminal procedure, appear in court, and handle files, under the close supervision of experienced lawyers. Students are each assigned to a principal and paired with another student to work on their files collaboratively. Up to four students work with Crown counsel (two at Vancouver Provincial Court, two at Surrey Provincial Court), while most work with defence counsel. Students are asked to indicate in their application any preference for Crown or defence work, and confirm their ability to arrange personal transportation to and from all courthouses in the lower mainland. Court appearances occur weekly at dates, times and locations arranged between the principal and their student. On a busy week, up to 2 days may be needed to review files, meet with the principal and the client, discuss matters with opposing counsel, and prepare for court proceedings. Students are also encouraged to watch court proceedings at all levels of court whenever possible. Seminars are held at 5 pm each Wednesday at 222 Main Street. They are led by the clinic director Judge Nancy Adams, supervising lawyers and guest judges. In person attendance is mandatory for students. The cases that were handled by the students that week set the agenda for wide ranging discussions about the criminal justice system. An orientation will be held in early September (usually on a Wednesday at 5 pm) to discuss students' applications to the Law Society of BC for temporary articles required for participation in this clinic.

PREREQUISITES OR COREQUISITES:
Successful completion of two law courses:
1. LAW 476 Evidence
2. LAW 400 Advanced Criminal Procedure OR an Upper Year Criminal Law Course*

*Upper Year Criminal Law Courses (note that some courses are not always offered every year):
LAW 401D Penal Policy
LAW 402D The Law of Sexual Offences
LAW 403 Principles of Sentencing
LAW 404 The Law of Homicide
LAW 405C Topics in Criminal Law
LAW 406D Topics in Criminal Justice
LAW 471D Preventing Wrongful Conviction
LAW 511D International Criminal Law

SPECIAL REQUIREMENTS
Final acceptance into the Criminal Clinic is conditional upon the student being granted "Temporary Articled Student" status by the Law Society of British Columbia. If selected for the course, you must complete the Temporary Articles Enrolment Form and the Temporary Articles Agreement Form available on the Law Society's website. You must present them to your principal for approval and signature and file them with the Law Society by the deadline provided at orientation. Failure to obtain your principal's approval or to file by deadline may result in your selection for the clinic being rescinded by the clinic director. Please note that the status of "Temporary Articled Student" confers upon you the same responsibilities to the Court, to the profession and to your clients, as other members of the profession. Withdrawing from the course after the start of the term may place your clients in jeopardy and could result in you being reported to the Law Society for unprofessional conduct. The temporary articling period does not count towards your regular articles.

COURSE UNITS AND GRADING
6 credits graded on a Pass/Fail basis.

After receiving her LLB from Queen's University at Kingston in 1985, Judge Adams worked at Harper, Grey, Easton as associate counsel for several years. Eager to pursue her interest in criminal law, she joined the Vancouver Crown Counsel in 1989, and then moved to private practice in 2006. After more than 30 years of trial work, almost exclusively in criminal law, Judge Adams was appointed to the BC Provincial Court in March 2017 and now sits regularly at 222 Main Street. A supervising lawyer in the clinic at the time of her appointment to the bench, she became clinic director when Judge Joseph Galati stepped down in 2022 after more than 18 years of leadership.

Judge Adams enjoys working with the many senior counsel who are dedicated to the clinic and with the students who bring energy and fresh perspectives to the seminars.

LAW 491.001T1 **Law Students Legal Advice Program Credit**

☑ Term 1 ☐ Term 2 Leamon, S Bauman, C *Experiential* *3 CREDITS*

Registration by permission only.

The six-credit, full-year LSLAP Credit Program (spanning two terms) provides students with a unique and invaluable opportunity to blend practical experience with academic study. The LSLAP Clinical Program (LSLAP-CP) equips students with hands-on experience across a broad range of legal matters, including criminal law, small claims, residential tenancy, employment, human rights, immigration and refugee law, wills and estates, and consumer protection. Students will develop critical and strategic thinking skills as they manage files and represent clients from the beginning of a matter to its resolution.

Participants will operate the established Robson Square Drop-in Clinic, benefiting from its resources, policies, procedures, systems, and support. They will also have access to two supervising lawyers—a Civil Supervising Lawyer and a Criminal Supervising Lawyer - who will guide their learning and practice throughout the program.

During the course, students will develop and refine key legal skills, such as:
• Client intake, management, and interviewing
• Document review and drafting
• Legal advice, counseling, and negotiation
• Legal research and writing
• Oral advocacy and trial skills

Students will have opportunities to appear before the Provincial Court (Criminal, Small Claims, Bylaw, and Traffic Divisions) and administrative tribunals, including Employment and Income Assistance, Immigration, Human Rights, and Residential Tenancy tribunals. Participants will manage a variety of cases but must gain experience in both civil and criminal matters by working on at least one file in each practice area.

The term begins with an intensive orientation period that introduces students to the foundational skills and knowledge required to effectively represent LSLAP clients. Orientation involves assigned readings, lectures, demonstrations, and role-play exercises.

Students enrolled in this program may apply for temporary articles, which allow them to provide most legal services under the supervision of LSLAP's supervising lawyers, as per Law Society Rule 2-60. All participants must adhere to the LSLAP Code of Conduct and Practice.

Evaluation:
25% Participation
40% File Work and Engagement
10% Weekly Journal
25% Goal, Action Plan and Reflection

Sarah Leamon is a practising criminal lawyer. She is the founder of Sarah Leamon Law Group. She also works as the Criminal Supervising Lawyer with the Law Students Legal Advice Program and as an adjunct professor at UBC's Allard School of Law. She regularly works as an ad hoc Crown prosecutor. She is a recipient of Business in Vancouver's prestigious Forty Under 40 award. She was called to the bar in British Columbia in 2011.

Clinton Bauman is the current civil supervising lawyer for the Law Students Legal Advice Program and has been in that role since September 2023. Prior to becoming a full-time supervising lawyer for LSLAP he maintained a broad general litigation practice for 20 years and has represented clients in civil litigation, criminal law, family law and administrative tribunals at all levels of court. Mr. Bauman wound up his private practice in the Fall of 2024 and is dedicated to ensuring the quality and longevity of the Law Students Legal Advice Program.

LAW 491.001T2 **Law Students Legal Advice Program Credit**

☐ Term 1 ☑ Term 2 Leamon, S Bauman, C *Experiential* *3 CREDITS*

Registration by permission only.

See above description.

Sarah Leamon is a practising criminal lawyer. She is the founder of Sarah Leamon Law Group. She also works as the Criminal Supervising Lawyer with the Law Students Legal Advice Program and as an adjunct professor at UBC's Allard School of Law. She regularly works as an ad hoc Crown prosecutor. She is a recipient of Business in Vancouver's prestigious Forty Under 40 award. She was called to the bar in British Columbia in 2011.

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LAW 500.001 **Current Legal Problems** ***LL.M. Seminar***

☑ Term 1 ☐ Term 2 Lin *Seminar* *4 CREDITS*

Enrolment restricted to LL.M. students only.

This course is divided into two parts.

Part I provides an introduction to key legal theories and interdisciplinary perspectives. It explores the nature of legal scholarship. And it examines theories such as natural law, legal positivism, legal realism, feminism, critical race theory, as well as economic, sociological, and anthropological approaches to law.

Part II focuses on the dissertation writing process. It covers essential writing skills, effective use of information sources, and conducting a literature review. Students will also learn how to draft an introduction and a preliminary outline of their master's thesis, navigate the basics of academic publishing, and develop strong relationships with supervisors and peers throughout the research journey.

Evaluation:
Class participation: 50%
Written assignments: 50%

Associate Professor Li-Wen Lin is a full time member of the Peter A. Allard School of Law.

LAW 506.001 Taxation

☐ Term 1 ☑ Term 2 Duff *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 407C.001.*

The income tax is the largest single source of government revenue in Canada and an important instrument both for the expression of societal values and for the delivery of social and economic policies. This course examines the basic structure of the income tax through a careful reading of the Income Tax Act and relevant judicial and administrative interpretations. Initial lectures are devoted to the purposes of taxation, the role of the income tax, key structural features of the income tax (tax rates, tax base, accounting period, tax unit, and tax credits), the interpretation of tax statutes, and judicial and statutory responses to tax avoidance. The remainder of the course examines the various categories of income or loss identified in the Income Tax Act (income or loss from an office or employment, income or loss from a business or property, taxable capital gains and allowable capital losses, and income from other sources), and rules regarding the attribution of income.

Required Materials:
1. David G. Duff, Benjamin Alarie, Geoff Loomer and Lisa Philipps, Canadian Income Tax Law, 6th ed. (Toronto: LexisNexis, 2018).
2. Income Tax Act, latest edition

Evaluation: Final exam (100%)

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 506.002 Taxation

☑ Term 1 ☐ Term 2 Cui *Lecture* *4 CREDITS*

Cross-listed with LAW 407C.002.

This introductory course examines the basic structure of the income tax as applied to Canadian individuals through a careful reading of the Income Tax Act and relevant judicial and administrative interpretations. The income tax is the largest single source of government revenue in Canada and an important instrument both for the expression of societal values and for the delivery of social and economic policies. Exploring the income tax is thus a natural way to expose oneself to tax law in general. Along the way, students will also gain an initial exposure to other important taxes, especially payroll and consumption taxes, that play vital roles in Canada's public finance system.

Three aspects of the course deserve emphasis. First, students will be put in touch directly with the tax law through the TaxnetPro database. The textbook used for the course—one that is most frequently cited by Canadian courts in tax decisions—is available for free through the database, and links to cases, administrative material, and extensive professional commentaries are directly embedded in the text. Legal research, therefore, is part of the course, not something that one separately learns (e.g. in moots and clinics). Second, reading the textbook and assigned cases will be important: class sessions are for discussion and solving practice problems, not for the instructor to repeat what students could have read in the textbook.

Third, perhaps more so than some other areas of substantive law, the study of tax law emphasizes reasoning and understanding, rather than memorization. While we will analyze a significant amount of case law for teaching purposes, an important goal is to guide students to come to terms with "income tax logic". Tax logic combines intuitive economics and accounting principles, but is distinct from both tax policy analysis and accounting. It forms an indispensable framework for predicting market responses to both statutory rules and jurisprudence in the income tax area. The course's emphasis on conceptual understanding will be implemented through encouraging active classroom discussion. In addition, students will be asked to form groups and work on practice problems in class throughout the term.

Prior courses in business law are definitely not required for the course. However, students may occasionally find it helpful to search online (e.g., Wikipedia) for commercial terms such as "stock options," "present value," or "compound interest." Math skills at the 8th grade level (e.g., arithmetic and basic algebra) generally suffice for understanding the material in the course.

Evaluation:
•Students will have the option of having 100% of their grade determined by the final exam.
•Alternatively, students may choose to have the final exam count towards only 75% of their final grade, with the remaining 25% broken down as follows: (1) 7.5% for leading the discussion of a case selected by the instructor; (2) 7.5% for leading (jointly with a few other students) the discussion of a practice problem; and (3) 10% for active participation in the classroom. A student who gets a higher grade in the final exam than for participation will automatically be graded on the final exam only (i.e., participation cannot result in you getting a lower trade.)
•Whichever of the above two options a student takes, they are eligible for up to 4% bonus points for sharing their tax learning outside the classroom, e.g., sharing news relevant tax news, engaging in discussion on online forum, etc.
•The best performing students are eligible for nomination to the Thorsteinssons course prize.

Professor Wei Cui is a full time member of the Peter A. School of Law.

LAW 507.001 Evidence

☐ Term 1 ☑ Term 2 Aikenhead *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 476C.001.*

This course is a survey of the system by which the admission of proof at a trial is regulated. This course will introduce students to key concepts in the law of evidence including forms and categories of evidence, and rules of evidence admissibility and evaluation. These foundational concepts will be explored by examining case law and academic commentary on emerging and contentious evidentiary issues, including those arising from the growing reliance on digital evidence in civil and criminal trials. This course explores principles of fairness and justice underlying Canadian evidence law, and critically evaluates these concepts.

Evaluation:
10% participation; 40% research project/presentation; 50% open-book final examination

Lecturer Moira Aikenhead is a full-time faculty member at the Peter A. Allard School of Law.

LAW 507.002 Evidence

☑ Term 1 ☐ Term 2 Cunliffe *Lecture* *4 CREDITS*

Cross-listed with LAW 476C.002

This course provides an introduction to the principles and application of the law of evidence in Canada. Evidence is the system by which the admission of proof at a trial is regulated. The course begins with an introduction to the basic principle of relevance and the sources of evidence law. For much of the term, we consider the rules which exclude certain evidence, and the exceptions to those rules. Adopting a principles-based approach which is in accordance with Supreme Court of Canada jurisprudence, the course will consider both criminal and civil trials, with a significant emphasis on working with particular facts and problems. The course will consider how well particular rules further the purposes for which they were developed by the courts and legislatures, and how well the rules work in practice.

Evaluation:
Final examination (50%), research paper (40%), midterm evaluation (10%)

Professor Emma Cunliffe is a full time member of the Peter A. Allard School of Law.

LAW 508D.001 Business Organizations

☑ Term 1 ☐ Term 2 Hutchison *Lecture* *4 CREDITS*

Cross-listed with LAW 459C.001.

This course provides an overview of the primary legal means of organizing businesses, including sole proprietorships, partnerships, and--most importantly--corporations. The course will focus on Canadian corporate law, but other jurisdictions (particularly the state of Delaware) will also be addressed. The central topics of this course include: (1) the history of corporate law; (2) the differences between corporations, partnerships, and other organizational forms; (3) jurisdictional/organizational choice and forming a business organization; (4) investment securities and corporate finance; (5) directors' duties and corporate governance; (6) control transactions; and (7) shareholder rights and remedies. Special emphasis will be placed on the legal and business considerations central to serving as a corporate solicitor.

Required textbook: Poonam Puri et al, Cases, Materials and Notes on Partnerships and Canadian Business Corporations, 6th ed (Toronto: Carswell, 2016).

Evaluation:
Final examination (three hours, open book) - 95%
Class participation - 5%

Associate Professor Camden Hutchison is a full time member of the Peter A. Allard School of Law.

LAW 508D.002 Business Organizations

☑ Term 1 ☐ Term 2 Peihani *Lecture* *4 CREDITS*

Cross-listed with LAW 459C.002.
CHANGE Aug 19: Classroom

This is a specialized business law course designed to provide students with a solid understanding of the law governing business organizations. The course focuses primarily on two key forms of organization: partnerships and business corporations, with the majority of lectures devoted to corporations. Students will explore how corporations are financed and operate, and examine core principles of corporate law such as limited liability and separate legal personality. The course also addresses how the law regulates relationships among corporate stakeholders, how conflicts are managed, and the protections and remedies available to different parties.

Evaluation: 85% final exam, 15% participation.

Assistant Professor Maziar Peihani is a full-time member of the Peter A. Allard School of Law.

LAW 508D.003 Business Organizations

☐ Term 1 ☑ Term 2 Liao *Lecture* *4 CREDITS*

Cross-listed with LAW 459C.003.

This course is an introduction to the law of partnerships and corporations. Although reference will be made to laws in other jurisdictions, the emphasis will be on the Canada Business Corporations Act, BC Business Corporations Act, BC Partnership Act, and the surrounding common law. The course explains the nature of the corporation, organizational choice and formation, capitalization, powers and duties of directors and officers, and rights and remedies of certain stakeholders. Topical issues covered include business and human rights, climate change, First Nations business structures, social finance and responsible investment, and the business of law. Students will learn about the legal and business issues lawyers must keep in mind when representing various corporate actors. Contract drafting and negotiation will also be addressed.

Required Materials:
1. Yalden, et al., Business Organizations: Practice, Theory, and Emerging Challenges (3rd ed., 2025) 2. Business Corporations Act S.B.C. 2002, c. 57 3. Canada Business Corporations Act, R.S.C. 1985, c. C-44 4. Partnership Act, R.S.B.C. 1996, c. 348

Evaluation:
There will be a 3 hour open-book final examination.

Carol Liao is a full time member of the Peter A. Allard School of Law and the UBC Sauder Distinguished Scholar of the Peter P. Dhillon Centre for Business Ethics at the Sauder School of Business.

LAW 508D.004 Business Organizations

☑ Term 1 ☐ Term 2 Sidhu, S *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in 508D.004 with any of 403.001 or 422.001/570C.001. *This course is restricted to LLMCL students.*

This course provides an overview of the law of business organizations. Topics covered will include (1) the history of corporate law, (2) the nature of the corporate form, (3) organizational choice and forming a corporation, (4) investment securities and corporate finance, (5) directors' duties and corporate governance, (6) control transactions, and (7) shareholder rights and remedies. Special emphasis will be placed on the legal and business considerations necessary to serve as a corporate lawyer.

Evaluation: Final examination (three hours, open book) - 95% Class participation - 5%

Sarah Sidhu is a practicing corporate commercial solicitor and governance consultant and was called to the Bar in British Columbia in 2007. She holds a Bachelor of Arts from Simon Fraser University and a Bachelor of Laws from the University of Manitoba. She recently obtained her ICD.D designation through the Institute of Corporate Directors/ Beedie School of Business and her CIC.C designation following studies at the Rotman School of Management/CCCA.

Sarah is a member of the Board of Directors of the FJL Housing Society, H.R. Macmillan Space Centre and Arts Umbrella. She has previously served on the Vancouver Foundation and United Way Boards and chaired the Governance Committees at both organizations.

LAW 508D.005 Business Organizations

☐ Term 1 ☑ Term 2 Lin *Lecture* *4 CREDITS*

Cross-listed to LAW 459C.005
CHANGE July 21: Classroom

This course offers an introduction to the law of partnerships and corporations, with a primary focus on the Canada Business Corporations Act, BC Business Corporations Act, BC Partnership Act, and the relevant common law principles. Key topics include the purpose and societal role of business organizations, the relationships among various constituents within the organization, governance structures, and the legal mechanisms for enforcing the rights and duties of stakeholders.

Required textbook: Poonam Puri et al, Cases, Materials and Notes on Partnerships and Canadian Business Corporations, 6th ed (Toronto: Carswell, 2016).

Evaluation:
100% final examination (three hours, open book)

Associate Professor Li-Wen Lin is a full time member of the Peter A. Allard School of Law.

LAW 509.001 Administrative Law

☑ Term 1 ☐ Term 2 Liston *Lecture* *4 CREDITS*

Cross-listed with LAW 372C.001.
CHANGE June 12: Evaluation Method
CHANGE August 26: Classroom

Administrative law is deeply implicated in our everyday lives. It is also key to the study of other areas of law such as immigration and refugee, human rights, environmental protection, labour relations, municipal governance, natural resources, social benefits, health and safety, professional self-governance, and licensing. As an advanced public law course, administrative law focuses on how courts are used to access government benefits and goods or to challenge abuses of public power. As part of the common law, administrative law permits judges to review the procedures and decisions of a variety of government decision-makers (e.g., agencies, arbitrators, boards, commissions, Ministers, municipalities, and tribunals) to ensure compliance with the rule of law. Two major themes structure this course: the legal requirements of the rule of law and the appropriate role of the courts given their strengths and limits.

Content covered includes:

-administrative procedures and the right to be heard such as the right of individuals to participate in decisions affecting them;
-the right to an independent, impartial and unbiased decision-maker;
-the standards of review used by courts to examine the merits of administrative decisions on the grounds of statutory misinterpretation, factual error, or because a decision-maker exercised discretion improperly or unreasonably;
-the principle of proportionality in administrative law;
-Aboriginal administrative law;
-policies, regulations, and soft law;
-common law and statutory remedies;
-principles of statutory interpretation;
-British Columbia's Administrative Tribunals Act; and,
-recent administrative law reform in British Columbia.

Evaluation will be based on two short written assignments, each worth 15%, and a final examination worth 70%.

Professor Mary Liston is a full time member of the Peter A. Allard School of Law.

LAW 509.002 Administrative Law

☐ Term 1 ☑ Term 2 Stacey *Lecture* *4 CREDITS*

Cross-listed with LAW 372C.002.
CHANGE September 12: Evaluation method.

Virtually every facet of modern life is affected in some way by the administrative state from labour relations to immigration to professional governance to environmental protection. These laws are administered primarily by administrative agencies, not courts. This course provides an introduction to the rules, principles and policy considerations that shape the powers of these administrative decision-makers. Major topics will include administrative law remedies, procedural fairness, bias and independence, and substantive judicial review of administrative decision-making. The course aims to look beyond the standard administrative law preoccupation with judicial review, to include the study of administrative agencies themselves. We will devote special attention to administrative law issues in British Columbia such as the Administrative Tribunals Act and Aboriginal administrative law.

This course is designed around students' active engagement with the course materials. Class time will be spent working through problems and discussion questions that apply the course material.

Evaluation:
Limited open-book 3-hour final examination (70%); in-class midterm exam (20%); class participation (10%).

Associate Professor Jocelyn Stacey is a full time member of the Peter A. Allard School of Law

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LAW 509.003 Administrative Law

☑ Term 1 ☐ Term 2 Russo *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in 372C.003/509.003 with 410.001/565.001. *Cross-listed to LAW 372C.003*

Administrative law is the body of law in Canada that governs the resolution of disputes involving statutorily empowered decision-makers. It governs decisions made by administrative tribunals, government boards, regulatory agencies and other decisions by other public entities or individuals that make rules that affect all of society. It is individuals' most common contact point with the legal system in Canada. The study of administrative law helps to comprehend other legal disputes in several areas including immigration and refugees, labour relations, Indigenous governance, environmental and energy regulation, and many other areas that concern the exercise of public authority. Administrative law within Canada's constitutional structure permits courts to review the procedures and decisions of a variety of statutorily empowered decision-makers to ensure compliance with the rule of law. The content reviewed in this course includes the need to ensure fairness of administrative procedures such individuals' rights to participate in governmental decisions affecting them in front of an independent, impartial, and unbiased decision- maker. The course will also review current standards of judicial review, and remedies in administrative law. It includes a review of administrative law as it relates to access to justice issues and includes an examination of administrative law principles and issues relating specifically to Indigenous peoples.

Evaluation Method:
10% Quizzes
90% Final Exam

Lecturer Robert Russo is a full time member of the Peter A. Allard School of Law.

LAW 509.005 Administrative Law

☐ Term 1 ☑ Term 2 Charalambous *Lecture* *4 CREDITS*

Exam Conflict: Students cannot register in 347B.004 with any of 414.001/550.001 or 509.005. *This course is open to LLMCL students only.*

Administrative law is the body of law in Canada that governs the resolution of disputes involving statutorily empowered decision-makers. It governs decisions made by administrative tribunals, government boards, regulatory agencies and other decisions by other public entities or individuals that make rules that affect all of society. It is individuals' most common contact point with the legal system in Canada. The study of administrative law helps to comprehend other legal disputes in several areas including immigration and refugees, labour relations, Indigenous governance, environmental and energy regulation, and many other areas that concern the exercise of public authority. Administrative law within Canada's constitutional structure permits courts to review the procedures and decisions of a variety of statutorily empowered decision-makers to ensure compliance with the rule of law. The content reviewed in this course includes the need to ensure fairness of administrative procedures such individuals' rights to participate in governmental decisions affecting them in front of an independent, impartial, and unbiased decision- maker. The course will also review current standards of judicial review, and remedies in administrative law. It includes a review of administrative law as it relates to access to justice issues.

Evaluation Method:
Participation (Case/Topic Briefs): -5% deducted from course grade for Incomplete
10% In-Class Bi-Weekly Quizzes
85% Final Exam

Nicole Charalambous (BCom (UBC); Diplôme du Cycle International d'Études Politiques (CIEP) (Sciences Po, Paris); LL.B.- French Common Law Program (Ottawa); LL.L.- cum laude (Ottawa); LL.M.- Dean's List (Georgetown)) is an Adjunct Professor at the Peter A. Allard School of Law. She has private practice and federal government experience in Canada and has worked in the not-for-profit sector abroad.

LAW 511D.001 International Criminal Law

☑ Term 1 ☐ Term 2 Stewart, J. *Seminar* *3 CREDITS*

This seminar fulfills the J.D. Seminar requirement. J.D. students ARE allowed to register for this seminar.

This seminar course covers the law and practice of international criminal law, primarily as it has been developed by international criminal courts and tribunals, but also through its application in national courts throughout the world over the past century. The class will arm you with a sophisticated understanding of the field, which alas, seems more and more germane in the modern world.

Substantive topics may include: the elements of war crimes, crimes against humanity and genocide; modes of liability (including joint criminal enterprise and command/superior criminal responsibility); and circumstances excluding criminal liability. The development of the institutions of international criminal law will be explored, including the division of labour between national versus international prosecutions for serious international crimes.

The course is taught through a "flipped classroom" format, involving a series of preparatory videos I have prepared that students watch ahead of class. Class-time is compulsory and receptive to students' interest. It involves exploration of case studies, question and answer sessions, guest speakers and much more. I have taught the class this way for three years and I am very excited about the method.

Evaluation:
Final research paper: 100%

Associate Professor James Stewart is a full time member of the Peter A. Allard School of Law.

LAW 524D.001 Methodologies in Law and Policy

☑ Term 1 ☐ Term 2 Perrin *Seminar* *4 CREDITS*

Enrolment restricted to LL.M., LLM.CL. and Ph.D. students only.

This seminar aims to develop students' capacity to select and defend an appropriate methodology for a research proposal that explores an aspect of law, policy or legal regulation. In particular, students will understand when it may be useful to go beyond traditional "library based" legal research, compare the strengths and limitations of a variety of methodologies, and learn how to identify appropriate methodologies based on the desired outcomes of the research project.

Evaluation will be based on participation (20%), a critical literature analysis (20%), research proposal outline (10%), and final research proposal (50%).

Professor Benjamin Perrin is a full time member of the Peter A. Allard School of Law.

LAW 525.001 Canadian Criminal Law and Procedure

☐ Term 1 ☑ Term 2 Mann, P. *Lecture* *5 CREDITS*

Exam Conflict: Students cannot register in 300.002 with any of 332.001/546C.001 or 525.001. *This course is open to LLMCL students only.*

Criminal Law and Procedure 525 will focus on the practical application of criminal law and aims to be a foundation for practicing criminal law in B.C. The course will examine the role of counsel, how a prosecution unfolds, and the core legislation and common law relevant to each stage. Students will learn to identify the elements of a criminal offence and common defences, and burdens and presumptions relevant to their application. Students will also explore how courts apply the Canadian Charter of Rights and Freedoms to strike down law, exclude evidence, or provide for other remedies.

Course evaluation is based on:
- Mid-term exam: 35% of final grade
- Participation: 5% of final grade
- Final Exam (TBA): 60% of final grade

Text: Roach, Berger, Cunliffe, and Kiyani, Criminal Law and Procedure: Cases and Materials (12th ed., 2020).

Professor Mann is a practising lawyer. She was called to the Bar in British Columbia in 2002 and is also a member of the Alberta Bar Association. Professor Mann received a B.A., M.A. from the University of Victoria and an LL.B. from the University of Alberta. She is a Senior Crown Counsel and Team Leader, specializing in drug offences and organized crime related prosecutions with the Public Prosecution Service of Canada. She is the past recipient of several prosecution excellence and mentoring awards. More recently, she received an Excellence in Leadership national award for her dedication in leading and inspiring prosecution teams. She appears routinely throughout British Columbia in Provincial Court and Supreme Court. She has served as a past Articling Student Committee Supervisor. Professor Mann has been an Adjunct Professor with the UBC LLM Graduate Program since 2018. Her teaching interests include criminal law and contracts law.

LAW 530.001 Advanced Legal Research & Writing

☑ Term 1 ☐ Term 2 Tsiakos *Workshop* *4 CREDITS*

Enrolment priority to LLMCL students, then open to LLM and PhD students.

This course provides advanced instruction for graduate students in legal research and writing. It focuses on Canadian legal research, but also covers research in other common law jurisdictions and in international legal forums. Instruction in writing focuses on common forms of writing in legal practice and, to a lesser extent, for legal academics.

Evaluation:
Completion of a take-home research and writing assignment worth 100% of the final grade. In addition, students will complete a mid-term research and writing assignment that will be evaluated on a pass/fail basis. Any student who fails the mid-term assignment will be downgraded 2 numeric grade points (e.g., from 79 to 77) in their final course grade.

George Tsiakos (B.A., LL.B., LL.M., M.L.I.S., (UBC)) is the Head of the UBC Law Library and an Honorary Lecturer at the Allard School of Law. He is a member of the Law Society of BC and is a two-term School Board Trustee of the North Vancouver Board of Education.

LAW 537.001 Commercial Transactions

☑ Term 1 ☐ Term 2 MacDougall, B. *Lecture* *3 CREDITS*

Cross-listed with LAW 437.001.
CHANGE Aug 19: Classroom

This course is designed to permit examination of many of the important features of sale of goods law and practice at the consumer and manufacturer-supplier levels. The course will deal predominantly with the interpretation and application of the Sale of Goods Act and certain related legislation.

Course materials:
Will be announced by the instructor.

Evaluation:
85% Final Exam and there will be an essay topic distributed at the end the third-last scheduled class and due at the beginning of the second-last scheduled class, worth 15% and being a maximum of 2500 words.

Professor Bruce MacDougall is a full time member of the Peter A. Allard School of Law.

LAW 538.001 Secured Transactions

☑ Term 1 ☐ Term 2 MacDougall, B. *Lecture* *3 CREDITS*

Cross-listed with LAW 438.001.

This course is designed to familiarize the student with techniques of taking security in personal property at the consumer level and at the business level. The important features of the Personal Property Security Act will be examined.

Evaluation:
85% Final Exam and there will be an essay topic distributed at the end the third-last scheduled class and due at the beginning of the second-last scheduled class, worth 15% and being a maximum of 2500 words.

Professor Bruce MacDougall is a full time member of the Peter A. Allard School of Law.

LAW 538.002 Secured Transactions

☐ Term 1 ☑ Term 2 MacDougall, B. *Lecture* *3 CREDITS*

Cross-listed with LAW 438.002.

This course is designed to familiarize the student with techniques of taking security in personal property at the consumer level and at the business level. The important features of the Personal Property Security Act will be examined.

Evaluation:
85% Final Exam and there will be an essay topic distributed at the end the third-last scheduled class and due at the beginning of the second-last scheduled class, worth 15% and being a maximum of 2500 words.

Professor Bruce MacDougall is a full time member of the Peter A. Allard School of Law.

LAW 540.001 Insurance Law

☑ Term 1 ☐ Term 2 Bank Gubeli *Lecture* *3 CREDITS*

Cross-listed with LAW 440.001.

Insurance companies are intimately involved in the prosecution or defense of many tort actions and, increasingly, in commercial actions as well. Insurance is a necessary component of commercial risk planning and individual business and tax planning. Consequently, a basic knowledge of insurance is indispensable to the modern lawyer.

The first part of this course will examine basic principles of insurance law, and in particular problems in the interpretation of property, liability and accidental death policies. Topics will include basic concepts such as risk, indemnity, subrogation and insurable interest; the structure of liability and property policies; methods of interpreting policy provisions; the concept of "accident"; the role of proximate cause in determining coverage; misrepresentation and fraud; and the duty to defend actions against an insured. Selected topics in the law of life insurance will also be discussed.

The second part of the course will be concerned with automobile insurance, including in particular the regimes of liability and no-fault insurance set out in the Insurance (Vehicle) Act and Regulation. Topics will include the scope of coverage under owner's and driver's certificates; breaches and forfeiture; uninsured and underinsured motorist claims; unidentified motorist claims; limitation periods; and third-party rights.

Materials:
Students will be provided with cases and materials specially selected by the lecturers.

Evaluation:
Evaluation is based on an open-book final examination.

Jordan Bank (B.A. Economics (SFU 2007), LL.B. (UBC 2011)) is a partner with the Vancouver firm of Guild Yule LLP. His practice is broad. He has defended clients in personal injury actions, medical malpractice claims, property loss claims, human rights complaints, contract disputes, class action lawsuits and professional negligence claims. He also regularly acts as counsel in insurance coverage disputes and often provides insurance coverage advice.

Aaron Gubeli, B.B.A., B.A. Political Studies, J.D., is a partner with the Vancouver firm of Guild Yule LLP. He maintains a broad litigation practice with an emphasis on the defence of professional negligence and product liability claims, the prosecution of subrogated claims, and advising and acting for insurers with respect to coverage. Aaron also regularly defends businesses and municipalities in property damage and personal injury claims.

LAW 545C.001 **Topics in Taxation - Seminar** ***International Taxation and the U.S.-Led International Economic Order***

☐ Term 1 ☑ Term 2 Cui *Seminar* *3 CREDITS*

This seminar fulfills the J.D. Seminar requirement. J.D. students ARE allowed to register for this seminar.

In the opening months of 2025, Donald Trump's second presidency has brought Canada and the rest of the world to face a highly uncertain future of not only trade wars, but also fundamental transformations in the international economic order. As Prime Minister Carney remarked, "things will never be the same" between the U.S. and Canada again. Yet just in the last few years, in the area of international taxation, politicians and commentators have declared that countries are forging a transformative new international order for limiting tax competition and profit-shifting by multinationals. Some scholars even claim that there has been a "revolution" in international taxation. How can lawyers and tax professionals come to terms with these conflicting hyperbolic claims?

This course offers perspectives on these recent developments by situating the subject of international taxation in the recent history of international trade and finance. A basic hypothesis is that rules of international tax and international trade are closely connected. These connections have been unjustifiably ignored in recent discourse, but Trump's new policies are bringing this episode of amnesia to an end. While exploring this hypothesis, the course provides guided exposure to the underlying policy analyses of many urgent policy topics facing Canada in 2025: How should Canada respond to U.S. tariffs? How does U.S. international tax policy affect Canada? What would an open, cooperative international economic order less dependent on the U.S. look like?

Specifically, students will be given a lay person's introduction to scholarship and policy commentaries on the following areas: (1) international tax competition (for real investment, for profit, and for corporate HQs), profit shifting, and tax havens; (2) how tariffs and other taxes affect trade and exchange rates; (3) how countries have cooperated through trade agreements, tax treaties, and international monetary coordination; and (4) the roles of the United States, Canada and Europe in these areas.

The material in this course is entirely different from the primarily doctrinal content of a basic international tax course (Law 410/565). For students who already gained exposure to international tax law, this course surveys policy perspectives that help them not only to "put all the pieces together" but also to articulate their own interpretations and predictions of current and future developments. For students new to international taxation (but who might have interest in international trade or finance), the course will offer an introduction to the fundamental features of the international tax regime without going into technical details.

Law 410/565 (international taxation) is not a pre- or co-requisite for the course. Students will be assessed on class participation (based on reading identified in advance) and a combination of short writing assignments and a term paper (not exceeding 4,500 words in total). The class participation component will be worth about 1/3 of the total grade while the writing component the other 2/3.

Professor Wei Cui is a full time member of the Peter A. School of Law.

LAW 546C.001 **Topics in Common Law Theory & Practice: Private & Commercial Law - Lec** ***Maritime Law***

☐ Term 1 ☑ Term 2 Hawkins, T. Swanson, P. *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 300.002 with any of 332.001/546C.001 or 525.001. *Cross-listed with LAW 332.001*

Maritime Law, also called, "Admiralty Law", has been practiced in what is currently known as Canada for centuries. "Admiralty Law" pre-dates the time when the Admiral of the English fleet exercised significant powers over matters that occurred at sea. As noted by the Supreme Court of Canada "the need for predictability and uniformity [in the regulation of maritime law] was so strong that even the common law courts, ever protective of their own ways, ceded jurisdiction to specialized courts of admiralty applying a largely international law of maritime commerce". Contemporary Maritime Law is a specialized body of law with its own unique character and is broad in scope touching on many traditional areas of law such as tort, contract and property. Maritime Law encompasses the regulation of commercial and other shipping activities, but the areas and topics of interest are both national and international in scope. The conduct of relations between states and International Conventions adopted into Canadian Law figure prominently. Typically of central interest is a "Ship" or "Vessel" with Maritime Law governing the origins, rights, and obligations of those with an interest in a ship, including issues that arise through navigating, operating, insuring, and purchasing, as well as dealing with issues that arise from those that are injured or impacted by a ship's operations, such as from oil pollution occurrences. The Maritime Law course is a survey course providing a broad overview of the various topics comprising Canadian Maritime Law. Students will be introduced to the law relating to collisions, limitation of liability, carriage of passengers, tug and tow, salvage, refuge and wreck, ship-source pollution, pilotage, ship ownership, admiralty court jurisdiction, arrest, maritime liens, carriage of goods and marine insurance.

Evaluation: 100% final exam. The final exam will be three-hours and open book based on short questions.

Thomas Hawkins is a founding partner of the Maritime and Insurance Law Firm of Bernard LLP in Vancouver, B.C. He practices in the area of Maritime and Insurance Law, advising clients on matters relating to Marine Insurance, Cargo Litigation, Tug and Tow, Collision, Oil Pollution and Marine Bodily Injury. Mr. Hawkins has conducted cases in the Trial and Appellant Courts of the Federal Court of Canada, the British Columbia Supreme Court and the Supreme Court of Canada. Mr. Hawkins has held many positions in the Maritime Legal Community including as past Westcoast Vice President of the Canadian Maritime Law Association, Past Chair of the B.C. Maritime Law Section of the CBA, Executive Member of the Marine Insurance Association of B.C. and currently serves on the Owner's Committee of the Chamber of Shipping of BC. Mr. Hawkins taught Maritime Law at the UBC Faculty of Law from 1996 to 2008. He has been counsel on numerous maritime casualty cases and oil pollution occurrences. He conducted the investigation of the 2006 sinking of the "Queen of the North" and represented the families and survivors of the 2015 "Leviathan II" Tofino whale watching boat case. He is listed by "Best Lawyers in Canada" and "Who's Who Legal Canada" as a leading Canadian lawyer in Maritime Law. He has sailed across the Atlantic Ocean, Tasman Sea and the in the South Pacific.

Peter Swanson (B.A. (UBC 1984), L.L.B. (UVIC 1987)) is a senior litigation lawyer with over 30 years of experience and is a founding partner of Bernard LLP. His practice includes cases involving the enforcement of maritime liens, vessel arrest and security, carriage of goods by water, civil and regulatory liability for ship source pollution, collision, salvage, port state control, charterparty and other commercial disputes, and constitutional issues arising in a marine context.

Peter has represented clients at all levels of court in Canada, including the Provincial Court of British Columbia, the British Columbia Supreme Court, the Federal Court, the British Columbia Court of Appeal, the Federal Court of Appeal and the Supreme Court of Canada. He was lead counsel in the successful defence in R. v. MV Marathassa, 2019 BCPC 13. Peter is very active in the marine community being a past president and current director of the Vancouver Maritime Arbitrators Association, past president and a current director of the International Sailors Society Canada, a director of the Institute of Chartered Shipbrokers (Canada) and a director of the Chamber of Shipping of British Columbia. Peter is recognized by his peers as a leader in the field of maritime law being listed in The Best Lawyers in Canada, the Canadian Legal L'expert Directory, Who's Who Legal and Chambers and Partners.

LAW 546C.002 **Topics in Common Law Theory & Practice: Private & Commercial Law - Lec**

☑ Term 1 ☐ Term 2 Sabzevari, A. *Lecture* *3 CREDITS*

Cross-listed to LAW 444.001

This course provides a general introduction to Canadian insolvency law. We will examine the different players - debtors, creditors, trustees/monitors/receivers, and the Office of the Superintendent of Bankruptcy – and their roles, duties, and remedies. We will examine how the financial and emotional pressures of trustees' work shape their decision making process. We will deeply review tax driven bankruptcies and Crown claims. Students will grapple with live issues in insolvency law, including the tension between utilitarianism and law, the roles of Parliament and the courts, federal paramountcy, inherent jurisdiction, and procedural fairness in what are often fast-moving insolvency proceedings. This course is designed with an overall emphasis on recent and ongoing caselaw, active learning activities, and a litigator's perspective, with open and free-flowing class discussions about the cases and the law. The best student papers resulting from this course may be sponsored by the instructor for a national insolvency writing contest.

Required texts:

(1) Bankruptcy and Insolvency Law in Canada: Cases, Materials and Problems (free eBook available at UBC Library website) and (2) Trustees at Work - Financial Pressures, Emotional Labour, and Canadian Bankruptcy Law (free eBook available at UBC Library website).

Evaluation:

80% of the course mark is a paper of 2500-3000 words (on an insolvency related subject selected by the student and approved by the instructor); 10% is an oral presentation (on an insolvency case of the student's choice and approved by the instructor); and 10% for class participation.

Aminollah Sabzevari, BSc (Honours), JD, LLM, is an experienced litigator with the Department of Justice Canada. He represents the Federal Crown in complex insolvency proceedings under the Bankruptcy and Insolvency Act and the Companies' Creditors Arrangement Act. Amin has published articles and commentaries with the Annual Review of Insolvency Law, The Advocate, the Alberta Law Review, CanLII Connects, and the CanLII Authors Program. He has been a panelist and presenter for events hosted by the Centre for Business Law, the Continuing Legal Education Society of British Columbia, the Annual Review of Insolvency Law, and the Department of Justice's National Commercial Taxation Committee. Amin is a mentor for law students via the Canadian Bar Association and the Federation of Asian Canadian Lawyers. He is the recipient of the 2025 Adam Albright Award for outstanding teaching by an adjunct professor.

LAW 546C.003 **Topics in Common Law Theory & Practice: Private & Commercial Law - Lec** ***Advising Public Companies***

☑ Term 1 ☐ Term 2 Talaifar Gill, G *Lecture* *3 CREDITS*

Cross-listed to LAW 456C.001
CHANGE Aug 19: Classroom

The course is designed to arm students with practical knowledge and skills to become a "trusted advisor" to publicly traded corporations. The course will incorporate corporate and securities laws principles into real world practice. Topics covered will include advising boards on corporate governance, corporate finance, "special situations" including hostile take-overs and proxy contests, directors' duties in mergers and acquisitions and continuous disclosure matters.

Prerequisite:
LAW 459 Business Organizations prerequisite is WAIVED for this course.

Evaluation:
Evaluation will be 100% final exam.

Rod Talaifar is a partner at Sangra Moller LLP. Rod's practice is focused on securities, corporate finance, mergers & acquisitions, mining and corporate/commercial law. Rod has acted for companies listed on various stock exchanges internationally, including the New York Stock Exchange, Toronto Stock Exchange, TSX Venture Exchange, NASDAQ and Frankfurt Stock Exchange. Rod has advised clients in connection with mergers & acquisitions, hostile takeover bids and proxy contests, initial public offerings various, mining ventures, debt and equity financings, corporate governance, internal investigations and public company disclosure and compliance.

Gary S. Gill is a partner of Sangra Moller LLP. Gary's practice focuses on securities, corporate finance and commercial law. Gary has advised clients on a variety of transactions, including initial public offerings, reverse take-overs, mergers and acquisitions, statutory business combinations, reorganizations, complex commercial arrangements, joint ventures, acquisitions and dispositions and private and public equity and debt financings. Gary has been involved in significant domestic, cross-border and international transactions and has experience with clients listed on the Toronto Stock Exchange, CBOE Canada, TSX Venture Exchange, CSE, NASDAQ and NYSE. Gary has been called upon to assist clients on contested matters, including negotiated and hostile proxy contests and takeover bids, as well as complex governance issues, regulatory compliance, insider trading and continuous disclosure. Gary regularly provides advice to boards on fiduciary responsibilities and governance best practices.

LAW 546C.004 **Topics in Common Law Theory & Practice: Private & Commercial Law - Lec**

☐ Term 1 ☑ Term 2 Hutchison *Lecture* *3 CREDITS*

Cross-listed to LAW 461.001

This course focuses on the law and practice of complex corporate transactions, including debt and equity financings, amalgamations, acquisitions, divestitures, and corporate restructurings. Special emphasis is placed on the analytical, drafting, and negotiation skills central to serving as a transactional attorney. Notwithstanding this practical focus, we will also address various legal, economic, and even political theories that can help us understand how corporate transactions are structured and executed.

Prerequisite: LAW 459 Business Organizations

Required textbook: Christopher C Nicholls, Mergers, Acquisitions and Other Changes of Corporate Control, 3rd ed (Toronto: Irwin Law, 2020).

Evaluation:
Final examination (three hours, open book) - 95%
Class participation - 5%

Associate Professor Camden Hutchison is a full time member of the Peter A. Allard School of Law.

LAW 547C.001 **Topics in Commercial Law** ***e-Commerce***

☑ Term 1 ☐ Term 2 Matsui *Lecture* *3 CREDITS*

Cross-listed to LAW 447C.001

This course is a new course designed to learn about the various legal issues rising from the development of the e-commerce. The course will start the examination of the general characteristics of e-commerce and the framework of e-commerce law with the background knowledge on computer technology and information network (pre-reading). It will then examine the various legal issues for starting up e-commerce: registration of a company, opening website and/or offering products or service on the platforms, such as online shopping mall, including the legal issues on domain name, management of website and restrictions on offered products or services. Then, the course will turn attention to contractual issues, including application of contract law to e-commerce and the validity of e-signature as well as legal issues on payment. This part also examines the consumer protection measures for on-line customers. The next part will examine the legal issues on on-line advertisement, including un-solicited e-mail and regulation on on-line advertisement. The course will then examine the legal liability for breach of contract and for torts. This part also explores the liability of intermediary and the dispute-resolution mechanism. The course will move on to examination of privacy and data protection. This part will start from the examination of personal information protection legal scheme and then discuss some of the legal issues on protection of personal information for e-commerce and the legal system to secure the network. The final part will cover emergent issues, involving the issues in the sharing economy and cryptocurrency.
This course is an experimental course to define the e-commerce law and provide sufficient legal knowledge for students who want to learn about on-going and emerging legal issues in e-commerce.
Http://www.shgmatsui.com

Pre-requisites
There is no pre-requisite for taking this course.
If the students are more interested in the freedom of expression issues in the cyberspace, take LAW425D.001 Cyberspace Law, which focus on freedom of expression and public law issues in the cyberspace. Off course, students can take both courses at the same time as well.

Textbook: Andrew Murray, Information Technology Law (Oxford 2019)

Other textbooks which might be useful for the students (not mandatory)
James Grimmelmann, Internet Law: Cases and Problems (7th ed. Semaphore Press 2017)
Ian J. Lloyd, Information Technology Law (Oxford 2017)

Evaluation:
Class participation 30% and final paper 70%.

Professor Shigenori Matsui is a full time member of the Peter A. Allard School of Law.

LAW 548.001 Sports Law

☐ Term 1 ☑ Term 2 Moore *Seminar* *3 CREDITS*

Cross-listed with LAW 448D.001.

This course surveys law, governance, and regulation relating to sports. In contemporary society, sports are a widely celebrated field of human endeavour. This attracts much attention to issues surrounding sports. These may include topics such as: ethics & integrity, health & safety, education & leadership, labour relations, competition, commerce, IP, culture, and the intersection of private property and public goods. Law, of various kinds and at different levels, seeks to respond to issues like these. This course studies ways in which the law has responded to such issues, critically evaluates the merits and drawbacks of those responses, and reflects on potential alternatives. The course will focus particularly, but not exclusively, on North American professional league sports, especially hockey. Assistant Professor Marcus Moore is a former professional hockey player and a full time member of the Peter A. Allard School of Law.

Evaluation: Research paper assignment (proposal to be approved by instructor) 60%; in-class presentation & handout 30%; participation 10%.

Assistant Professor Marcus Moore is a full time member of the Peter A. Allard School of Law.

LAW 550.001 Taxation of Corporate Reorganizations

☐ Term 1 ☑ Term 2 Duff *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 347B.004 with any of 414.001/550.001 or 509.005. *Cross-listed with LAW 414.001.*

Corporations constitute the most significant form of business organization in Canada and other developed countries, accounting for roughly 20 percent of federal and provincial income tax revenues in Canada. This course examines builds upon concepts examined in Law 408/562 (Taxation of Corporations and Shareholders), examining statutory provisions and judicial decisions governing transfers of property to a corporation, reorganizations of capital, amalgamations and windups, and divisive reorganizations.

Evaluation: Tax Practice Exercises (in-term): 60%; Final Take-home Exam: 40%, 9:00 a.m. - 4:30 p.m., to be distributed on the date specified by the Exam Schedule.

Required Materials:
1. David G. Duff and Geoff Loomer, Taxation of Business Organizations in Canada, 2d ed. (Toronto: LexisNexis, 2019), chapters 12-15
2. Thorsteinsson's Income Tax Act, latest edition

Pre-requisite: Law 408 or Law 562

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 551.001 **Trusts**

☐ Term 1 ☑ Term 2 Hofri *Lecture* *3 CREDITS*

Cross-listed with LAW 451.001.

The course deals with Canadian principles and rules that regulate and enable management of social and business affairs through express, resulting and constructive trusts. The course aims to provide grounding in trust law by setting out its doctrinal foundations through the perspectives of history, policy, practice, case-precedent and statute. It reviews how various types of trusts are constituted and terminated. It covers the roles of the settlor, trustee and beneficiary and considers the major rights and obligations that characterize the relationships between them. Emphasis is placed on the trustee's rights and obligations in the proper administration of trusts. It also reviews selected remedies available to beneficiaries in circumstances of breach or interference with their rights.

Required:
-Mark R Gillen, The Law of Trusts: A Contextual Approach (4th edition, Emond Montgomery, 2021).

Suggested Reading:
-D. Waters, Mark Gillen & Lionel Smith, Waters' Law of Trusts in Canada, 5rd edition (2021)
-Albert Oosterhoff, Robert Chambers & Mitchell McInnes, Oosterhoff on Trusts, 10th edition (2024)

Evaluation: 80% final exam, 15% in-class participation, 5% case note.

Associate Professor Adam Hofri-Winogradow is a full-time member of the Peter A. Allard School of Law. He specializes in trusts law, fiduciary law, corporate law, estates (succession & wills) law, "elder law", pensions, insurance, general private law, and relevant issues of tax and family law. Following his doctoral studies at Oxford University, Adam published comparative research on the reform and transformation of trust law and trust practice in dozens of countries worldwide, using a large array of empirical research methods: quantitative, qualitative and historical. A winner of two academic prizes, Adam was a visiting professor at Georgetown Law Center, at Western Ontario University, at the Center for Transnational Legal Studies, London, and at the University of Virginia School of Law, and was Martin Flynn Global Law Professor at the University of Connecticut School of Law. He has taught the basic trust law course under the laws of England, Canada and Israel, as well as a wide-ranging class in comparative and offshore trust law and practice. Adam has published work in journals including the Oxford Journal of Legal Studies, the Modern Law Review, the Iowa Law Review, Law and History Review, Law and Social Inquiry, the University of Toronto Law Journal, the Journal of Private International Law, Hastings Law Journal, Ohio State Law Journal, U.C. Davis Law Review and Trust Law International. He regularly speaks at conferences around the world, including the annual meeting of the American Law and Economics Association, symposia funded by the American College of Trusts and Estates Counsel, and the biannual Trusts and Wealth Management conferences at Singapore Management University.

LAW 551.002 Trusts

☑ Term 1 ☐ Term 2 Pavlich *Lecture* *3 CREDITS*

Cross-listed with LAW 451.002.
CHANGE Aug 19: Classroom

The course deals with Canadian principles and rules that regulate and enable management of social and business affairs through express, resulting and constructive trusts. The course aims to provide grounding in trust law by setting out its doctrinal foundations through the perspectives of history, policy, practice, case-precedent and statute. It reviews how various types of trusts are constituted and terminated. It covers the roles of the settlor, trustee and beneficiary and considers the major rights and obligations that characterize the relationships between them. Emphasis is placed on the trustee's rights and obligations in the proper administration of trusts. It also reviews selected remedies available to beneficiaries in circumstances of breach or interference with their rights.

Required:
Pavlich, Trusts in Common-Law Canada (4th edition) 2024

Suggested:
Waters, Gillen and Smith: Waters' Law of Trusts in Canada (5th edition)

Evaluation:
100% Final Examination

Professor Dennis Pavlich is a full time member of the Peter A. Allard School of Law and is a former Vice President, External and Legal Affairs of UBC.

LAW 552C.001 Topics in Common Law Theory and Practice: Public Law I

☐ Term 1 ☑ Term 2 Shah McConchie *Lecture* *3 CREDITS*

Cross-listed to LAW 400.001
This course is NOT open to Exchange students
CHANGE June 19: Restrictions

Practice and procedure in criminal matters will be canvassed in this course, from the laying of a charge through to appeals. Topics covered will include powers of arrest and search, the requirements of a valid charge, bail, rulings, severance, disclosure, jury trials and indictable appeals. The application of the Canadian Charter of Rights and Freedoms to the criminal process will also be discussed.

Instruction will be by lecture and use of an unannotated criminal code and select case law.

Evaluation: Students will be evaluated on the basis of a two-and-a-half-hour final examination.

Mila Shah (B.A. (UBC), J.D. (Uvic)) is Crown Counsel with the B.C. Prosecution Service, specializing in criminal appeals in the B.C. Court of Appeal and the Supreme Court of Canada. Before joining the Crown, Ms. Shah practiced as a criminal defence lawyer with Peck and Company Barristers and was a supervising lawyer with the UBC Innocence Project. She is a former clerk to the previous Chief Justice Beverley McLachlin and she is currently the Vice-Chair of the Appellate Advocacy Section of the Canadian Bar Association, B.C. Branch.

Rebecca McConchie (B.A. (UBC), J.D. (UofT)) is a criminal lawyer and sole practitioner at McConchie Criminal Law. She previously practiced as a criminal defence lawyer at Peck and Company Barristers in Vancouver and Addario Law Group in Toronto. Ms. McConchie represents clients at trial and on appeal, and has appeared before all levels of court in B.C. and the Supreme Court of Canada. She has particular experience in complex Charter litigation, constitutional challenges, and sexual offence proceedings. Ms. McConchie also acts as ad hoc Crown counsel and has prosecuted files in the B.C. Provincial Court and B.C. Supreme Court.

LAW 554C.001 Topics in Common Law Theory & Practice:Comparative & International Law

☐ Term 1 ☑ Term 2 Mickelson, K. *Seminar* *3 CREDITS*

Cross-listed to LAW 316C.001

This course will provide an overview of the international legal system, with a focus on its basic concepts and processes. While the course will touch on a number of different substantive areas (the law relating to the use of force, as well as aspects of international human rights law and international criminal law), and provide students with a sense of how international law has responded to the challenges that these areas have posed, the main goal is to arrive at some overarching insights into the operation of the international legal system and its future possibilities. By the end of the course, students should be able to identify international legal issues and analyze how these could be addressed within the structures and processes of the international legal system; explain and apply core international law norms; and identify and critically engage with some of the major theoretical and conceptual debates that underlie the field.

Note: LAW 304 Transnational Law is not a prerequisite for this course.

Evaluation:
Evaluation in this section is based on: a final, limited open-book examination (90% of the overall grade) and class participation (10% of the overall grade). Students have the option of writing a research essay of 2500-3000 words for 30% of the overall grade; this would reduce the examination mark to 60% of the final grade.

Professor Karin Mickelson is a full time member of the Peter A. Allard School of Law.

LAW 559C.003 Family Law

☐ Term 1 ☑ Term 2 Barkaskas *Lecture* *3 CREDITS*

Cross-listed with LAW 359B.003

This course surveys family law in Canada, with a particular emphasis on the practice of family and child protection law in BC. Family law is a complex and rapidly changing and expanding area of law, as such this course cannot be comprehensive in scope. This course is designed to provide an overview of some of the key issues in each topic area that may be covered. This course is presented through familial law issues that impact Indigenous families, particularly Indigenous women and children, communities, and Nations in British Columbia.

The course examines the legal framework surrounding familial relationships and breakdown. Topics may include cohabitation, marriage, adoption, child protection, family policing, separation, divorce, parenting plans, property division, spousal and child support. The course proposes a number of questions about family law matters, including: the Canadian's state regulation of families through law historically and in the present; emerging issues in how families are constituted and regulated; and the relevance of factors such as gender, sexual orientation, culture, class, colonialism and systemic racism to family law.

This course is designed to focus on how familial law matters are dealt with in practice in order to stimulate interest in family and child protection law, as well as to introduce possibilities for incorporating Indigenous laws into practice in these areas.

Students will be assessed through the following methods:
Major Paper: Students will be asked to write a major paper dealing with a contemporary issue in family law. Paper topics must be approved. This paper must be supported by research: 60%
Preparation of court submissions in a family law or children protection matter: Working in pairs students prepare submissions for a mock court matter: 10%
Presentation of court submissions in a family law or children protection matter: Working in pairs students present submissions for a mock court matter: 20%
Peer feedback: Students will provide peer feedback on court presentations: 10%

Associate Professor Patricia Barkaskas is a full-time member of the Peter A. Allard School of Law.

LAW 559D.001 Family Law

☐ Term 1 ☑ Term 2 Tremblay *Lecture* *4 CREDITS*

Cross-listed with LAW 359C.001.

This course introduces students to the regulation of families in Canada. The Divorce Act, Family Law Act, Adoption Act, Civil Code of Québec, Children's Law Reform Act and other applicable legislation will be studied, in addition to relevant Canadian case law. We critically assess what is a family in law, why are certain relationships considered 'familial' and not others, and what is the impact of being considered a family in the eyes of the law. Topics covered include but are not limited to: parentage and other arrangements (co-parenting and multi-parenting); cohabitation; marriage; property division; support; parenting responsibilities and parenting time; dispute resolution. The course is critical, historical and comparative in nature. It is about theoretical underpinnings for intimate regulation. If you want something highly technical/practical, or if you are not interested in comparative law, I recommend taking Family Law with someone else.

Evaluation:
- Open book final exam 100%

Professor Régine Tremblay is a full time member of the Peter A. Allard School of Law.

LAW 559D.002 Family Law

☑ Term 1 ☐ Term 2 Aloni *Lecture* *4 CREDITS*

Cross-listed with LAW 359C.002.
CHANGE August 26: Classroom

This course offers an introduction to the fundamental doctrines and theories governing the legal regulation of families in Canada and abroad, with a particular emphasis on British Columbia. From critical, historical, comparative, and practical perspectives, students will explore the legal regulation of intimate adult relationships and the parent-child relationship. The course studies underlying principles and examines how family structures and values have evolved during the late 20th and early 21st centuries, as well as the challenges the law faces in response to these changes. Topics covered include parentage determination, multiparenting, adoption, parenting arrangements after separation or divorce, cohabitation, marriage, other adult relationships, property division, support, custody, and alternative dispute resolution.

Evaluation: 100% Final Exam

Associate Professor Erez Aloni is a full time member of the Peter A. Allard School of Law.

LAW 560D.001 Seminar in Topics in Common Law Theory and Practice

☐ Term 1 ☑ Term 2 Parkes *Seminar* *3 CREDITS*

Cross-listed to LAW 401D.001

This seminar is designed to give students an understanding of that part of the criminal justice system about which most lawyers know the least - the prison. We will investigate the historical evolution of the prison and critically examine the central role that punishment (particularly through incarceration) plays in Canadian criminal law and society. We will consider the evolution of constitutional and other legal principles and case law governing incarceration, with particular attention to prisoners' rights, oversight and accountability of imprisonment, and avenues for advocacy. Topics include provincial and federal prison law and systems, conditions of confinement, security classification, solitary confinement, parole and other forms of release, and attention to the ways that people experience incarceration differentially depending on race, gender, disability, and sexual orientation or gender identity. The seminar will include visits to local prisons to meet with prisoners and opportunities to hear from lawyers who do prison law.

Evaluation:
Evaluation is based on participation and engagement (25%) and a research paper (75%).

Professor Debra Parkes is a full-time faculty member of the Peter A. Allard School of Law. Debra Parkes is the Chair in Feminist Legal Studies at the Peter A. Allard School of Law, UBC. Before joining the Faculty at Allard Hall, Prof. Parkes was a member of the Faculty of Law, University of Manitoba for 15 years. Her scholarly work examines the challenges and possibilities of framing and adjudicating rights claims, with a particular focus on (in)equality, social and economic rights, and rights in the criminal justice, corrections, and workplace contexts. She was Editor-in-Chief of the Canadian Journal of Women and the Law from 2009-2013.

LAW 560D.002 **Seminar in Topics in Common Law Theory and Practice** ***Artificial Intelligence and Law***

☐ Term 1 ☑ Term 2 Festinger *Seminar* *3 CREDITS*

Cross-listed to LAW 426D.001

This course explores the intersection of artificial intelligence (A.I.) and Canadian law, examining how emerging A.I. technologies challenge existing legal frameworks and create new regulatory needs. Students will analyze key issues including, intellectual property rights, digital biases and algorithmic discrimination, privacy and data protection, labour implications, misinformation, disinformation and manipulation through A.I. fueled media and social-media, liability for autonomous systems, and the role of A.I. in legal decision-making. Questions regarding the historical impact of technology on the substantive law (and vice-versa) will be a recurring theme of the course which will also cover Canadian and international legal responses to A.I., including ethical considerations, policy debates, and legislative developments. Through case studies, legal analysis, discussions and presentations, students will gain a critical understanding of the legal, ethical, and societal implications of A.I. in Canada and beyond.

Evaluation:
Attendance and participation: 40%
Term Paper of 5,000 words: 60%

Jon Festinger, K.C. is an Adjunct Professor at the Allard School of Law, where he teaches courses including Intellectual Property Law, Torts, A.I. and Law, Communications Law, Video Game Law, and Business Organizations. In 2019, he received a Teaching Service Award from Allard Law. Jon has extensive experience in pedagogic AI projects, including Socrates A.I., UBC T.E.A.C.H., and the Judicial Interrogatory Simulator, developed in collaboration with UBC's LT Hub and Emerging Media Lab. He is Of Counsel to Chandler Fogden Lyman Law Corporation.

Jon has held academic appointments at UBC's Sauder School of Business, Graduate School of Journalism and Faculty of Arts, as well as at the TRU and UVic Faculties of Law, Simon Fraser University/Centre for Digital Media, and was an Honourary Industry Professor at the Centre for Commercial Law Studies, Queen Mary University of London. He is the author of Video Game Law (LexisNexis, 2005; 2012) and co-founded the Interactive Entertainment Law Journal in 2018. Jon's career also includes significant industry roles, including in-house counsel at WIC Western International Communications, Senior VP of the CTV Television Network & founding GM of VTV Vancouver Television, as well as being Executive VP, Business & General Counsel of the Vancouver Canucks and GM Place. Jon's volunteer activities include being a Director of the British Columbia Law Institute, and having been Chair of viaSport British Columbia, Ronald MacDonald House B.C., and a Trustee of the B.C. Sports Hall of Fame.

LAW 560D.003 Seminar in Topics in Common Law Theory and Practice

☐ Term 1 ☑ Term 2 Lazarus *Seminar* *3 CREDITS*

Cross-listed to LAW 319D.001

The aim of this course is to provide students with a rigorous, critical and practical grounding in the broad field of international (United Nations) and regional (African, ASEAN, European, Inter-American) human rights law in order to equip those exploring further practice in this field.

It will begin with an exploration of critical perspectives on human rights including challenges to the universality of human rights; critiques of the relationship between human rights, imperialism and the colonial legacy; the objection that human rights lack democratic legitimacy and narrowly circumscribe fields of political discourse; and the assertion that human rights represent a narrow political liberalism which has facilitated the global capitalist neo-liberal order. Alongside, these critiques the course will also consider threats to the human rights order posed by the rise of autocratic populism, and attacks by governments, politicians, think tanks, and organised conservative religious groups on human rights institutions and norms. Students will be invited to engage in debates around these issues, and to engage with these ideas as they move through the substantive stage of the course.

The course will then explore the institutions, norms and ideas that have given shape to the international human rights order. The primary aim of this part will be to give students a solid grounding in the substance of applicable human rights and their interpretation and enforcement. The course will outline the core interpretive principles that frame judicial and non-judicial approaches to human rights. It will examine the institutions which are tasked with the interpretation, enforcement and regulation of human rights within international and regional systems, and will give an overview of substantive rights ranging across the core areas of political and civil right rights; economic, social and cultural rights; and group rights. Finally, after consultation within the seminar group, students will apply their learning to existing human rights case studies, including (where possible) contributing to human rights claims or reports in an experiential setting

Evaluation: 20 % participation in class, 80% paper

Professor Liora Lazarus is a full time member of the Peter A. Allard School of Law.

LAW 560D.004 **Seminar in Topics in Common Law Theory and Practice** ***Canadian Mining & Accountability in the Global South***

☑ Term 1 ☐ Term 2 Ghebremusse *Seminar* *3 CREDITS*

Cross-listed to LAW 324D.002

In this seminar, students will explore the mechanisms and related challenges of holding Canadian mining companies accountable for alleged human rights and environmental violations arising from their operations in the Global South (Africa, Asia, Latin America, and the Caribbean). Students will study the implications and feasibility of four corporate accountability mechanisms available in Canada: transnational tort litigation; securities complaint; to the Canadian Ombudsperson for Responsible Enterprise; and the Canadian National Contact Point.

Through in-depth exploration of these mechanisms, students will interrogate the nuanced complexities of mining conflicts involving Canadian companies and affected communities in the Global South, while also investigating the obstacles to access to justice and remedy for. This seminar also delves into the complex issue of corporate accountability in the Canadian mining sector by situating Canadian mining conflicts in the Global South within the post-colonial history of resource extraction and the current global political economy, including the growing demand for critical minerals and developments in the field of business and human rights.

This course will be evaluated by way of class attendance and participation, and a mining conflict research project comprised of a research proposal, presentation, and final paper. Each component will be worth the following:
•Attendance and participation: 15%
•Research paper proposal: 15%
•Research paper presentation: 25%
•Final research paper: 45%

Assistant Professor Sara Ghebremusse is a full time member of the Peter A. Allard School of Law.

LAW 562.001 **Taxation of Corporations & Shareholders**

☑ Term 1 ☐ Term 2 Duff *Lecture* *3 CREDITS*

Cross-listed with LAW 408.001.
CHANGE July 18: Room

Corporations constitute the most significant form of business organization in Canada and other developed countries, accounting for roughly 20 percent of federal and provincial income tax revenue. This course examines the taxation of corporations and shareholders in Canada, beginning with a general overview of the legal character of corporations and the structure of corporate taxes in Canada, then turning to a detailed examination of statutory rules and judicial decisions governing the taxation of income received by public and private corporations and the taxation of shareholders on share dispositions, corporate distributions, shareholder benefits and loans, indirect payments, attributed income and the tax on split income (TOSI).

Required Materials:
1. David G. Duff and Geoff Loomer, Taxation of Business Organization in Canada, 2nd ed., (Toronto: LexisNexis, 2019), chapters 5-11.
2. Thorsteinsson's Income Tax Act (most recent edition)

Evaluation: 100% final take-home, 9:00 a.m. - 4:30 p.m. to be distributed on the date specified by the Exam Schedule.

Pre-requisite: Law 407 (Taxation) or Law 561 (Fundamental Concepts in Tax Law)

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 565.001 International Taxation

☑ Term 1 ☐ Term 2 Duff *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 372C.003/509.003 with 410.001/565.001. *Cross-listed with LAW 410.001.*

The increased globalization of economic activity over the past few decades has made the international dimension of tax law and policy increasingly important. This course examines tax rules governing the taxation of non-residents carrying on income-earning activities in Canada (inbound rules) as well as tax rules governing the taxation of Canadian residents earning income in other countries (outbound rules).
Introductory classes examine the basic structure of the international tax regime, the sources of international tax law (statutory rules, bilateral tax treaties, and judicial decisions), the interpretation of tax treaties, jurisdiction to tax, tax treaty shopping and transfer pricing. Subsequent classes consider statutory rules, treaty provisions and judicial decisions governing the taxation of Canadian source income earned by non-residents, and the taxation of foreign-source income earned by Canadian residents.

Required Materials:
1. David G. Duff, International Tax Law in Canada (LexisNexis, forthcoming 2022)
2. Income Tax Act, latest edition

Evaluation: final take-home exam (100%), 9:00 a.m. - 4:30 p.m., to be distributed on the date specified by the Exam Schedule.

Pre-requisite: Law 407 Taxation or Law 561 Fundamental Concepts in Tax Law

Professor David G. Duff is a full time member of the Peter A. Allard School of Law.

LAW 566.001 Tax Policy

☑ Term 1 ☐ Term 2 Cui *Seminar* *3 CREDITS*

Cross-listed with LAW 411D.001

Tax policy instruments are among the most important and most widely-used policy tools for advancing fundamental social objectives in Canada and other democratic countries. This seminar will introduce students to key conceptual tools for analyzing tax policy. It also aims to encourage and support students in engaging with many of the urgent, real-life policy challenges facing Canada and the world today. The course will feature a number of guest speakers including highly prominent scholars and policy commentators.

Key concepts introduced in the first third of the course include those of the economic incidence of taxation, excess burden, the different types of return to investment (e.g., rent, risk, and riskless return), the evaluation of social welfare (including various notions of social justice and fairness). Examples of key policy challenges we will go on to examine in the later parts of the course include: understanding the sources of and trends in income inequality and designing appropriate tax policy response; stimulating innovation; and combatting climate change. In the Fall 2025 iteration of the seminar, we will devote up to 5 sessions to the discussion of climate-related topics, including: the theory of Pigouvian taxes; the range of pricing instruments to incentivize the reduction of emissions, including the carbon, tax cap and trade, tradeable performance standards, and output-based performance standards; the carbon border adjustment mechanism; tax preferences and industrial policy used to support the green transition; and philosophical issues related to carbon pricing.

International tax policy—a topic of vital significance in the taxation of large businesses, international trade, and geopolitics—will not be specifically covered in this seminar. Students interested in international tax policy should consider taking the seminar course Law 545C, offered in Winter 2026.

Evaluation: Student performance will be evaluated on the basis of (i) class participation (20%), (ii) a midterm paper and/or completing several sets of practice problems (20%); and (iii) a final paper (60%).

Professor Wei Cui is a full time member of the Peter A. School of Law.

LAW 567.001 **Tax Administration and Dispute Resolution** ***Tax Dispute Resolution and Litigation***

☐ Term 1 ☑ Term 2 Kroft *Seminar* *3 CREDITS*

Cross-listed with LAW 413D.001.

This seminar will deal with the resolution of tax controversy in Canada. It will explore key practical issues arising in the operation of a tax advisory and litigation practice. The relevant provisions in the Income Tax Act will be the focus of discussion. The seminar will assist in refining analytical, organizational and judgment skills necessary for serving tax clients, solving tax problems and developing strategies for achieving successful tax outcomes at all stages of the tax disputes process (from audit to appeal).

This seminar will also consider issues unique to daily tax practice including questions of document creation and retention, information disclosure, access and privilege, and administrative dispute resolution processes. Participants will learn about tax practice, audit, objection and appeal issues and will apply them to a case study at the end of term.

Students must have a copy of the most recent edition of the Canadian Income Tax Act and a copy of the course materials prepared by the instructor.

Evaluation:
Students will be evaluated on the basis of : a) a 25 page research paper (30 pages for LLM students)-80% , b) oral presentation of the research paper and class participation-20%

Ed Kroft, K.C. (J.D. (Osgoode Hall 1978), LL.M. (UBC 1980), CPA (Hons)) is a partner with Bennett Jones LLP and is the leader of that firm's Tax Controversy and Litigation Group. Ed has taught courses in tax law, tax policy and tax litigation as an adjunct professor in the Faculty of Law for over 35 years. Ed's practice is exclusively dedicated to handling federal and provincial tax disputes, including those related to transfer pricing. He appears before all levels of court, including Supreme Court of Canada, and has published extensively on taxation issues. Ed is a former member of the editorial board of the Canadian Tax Journal and sat for 20 years on the Rules Committee of the Tax Court of Canada. He is a recipient of the Award for Excellence in Income Tax Practice and Education from the Canadian Institute of Chartered Accountants , the Queen Elizabeth II Diamond Jubilee Medal and the Adam Albright Award for Excellence in teaching at the Faculty of Law.

LAW 568C.001 **Topics in Taxation - Lecture** ***Topics in Canadian Sales Tax***

☑ Term 1 ☐ Term 2 Proulx Xilinas *Lecture* *3 CREDITS*

JD students ARE allowed to register for this course. Exchange students are NOT allowed to be registered in this course.
CHANGE June 19: Take-home exam dates added
CHANGE Nov 28: Take-home exam time corrected

This course examines the fundamentals of Canada's GST/HST. The course begins with a history of the implementation of the GST/HST and QST in Canada, and with an exploration of the economics, policy underpinnings and common elements value-added taxes (nexus issues, characterization, place-of-supply, input tax credits, self-assessment). It then explores the specifics of the Canadian regime through a detailed examination of the rules relevant to specific sectors and types of transactions. The remainder of the course examines constitutional issues specific to the GST/HST and QST, as well as some of the private law difficulties with the application of these taxes. Finally, we will go over some the challenges posed by the sharing economy and e-commerce to the application and collection of value-added taxes.

The evaluation for the course will be through participation (20%) and a final take-home exam (80%) to be distributed December 15, 2025 9:00AM and due by December 19, 2025 5:00PM.

Simon Proulx is a partner at KPMG Law in Toronto and is one of Canada's leading indirect tax advisors, with 20 years of tax experience, mostly in financial services and e-commerce. He advises some of the world's largest insurers and banks on the Canadian GST/HST/QST impact of complex cross-border transactions, including derivatives, reinsurance, securitizations and underwriting. He also helps e-commerce clients (include some of the world's largest travel and transportation intermediaries) with their Canadian indirect tax compliance. Simon headed the HST policy group at the Ontario Ministry of Finance during Ontario's (and British Columbia's) sales tax harmonization. He worked closely with the federal Department of Finance on technical aspects of Ontario's transition to the HST. Simon also spent several years with the tax group of one of Canada's leading law firms, where he assisted Schedule II and Schedule III banks with the Canadian income taxation of intra-group derivatives. Simon also sits on CPA Canada's Commodity Tax Committee and on the GST Leaders' Forum.

Katherine Xilinas is a partner at KPMG Law LLP in Vancouver with 25 years of experience advising clients in various industries on all aspects of domestic and cross-border commodity tax, customs and trade law, including planning, compliance and disputes. Katherine regularly represents clients before the taxing authorities and federal and provincial Courts in the context of voluntary disclosures, audits, objections and appeals. She is a frequent speaker and writer, a member of the GST Leaders Forum, a former faculty member and lecturer for the CPA's In-Depth GST/HST program and a co-author of Carswell's Canadian Customs Law. She is a practicing member of the law societies of British Columbia and Ontario.

LAW 569C.001 **Topics in International Taxation** ***Transfer Pricing***

☐ Term 1 ☑ Term 2 Noble *Lecture* *3 CREDITS*

JD students ARE allowed to register for this course. Exchange students are NOT allowed to be registered in this course.
CHANGE June 19: Take-home exam dates added

Transfer pricing has been consistently identified as the number one tax risk for tax directors of multinational enterprises for nearly a decade. This comes as no surprise as more than 50 percent of global commerce is now conducted between related parties. This course will provide an overview of the history and current practice of transfer pricing. The course will take a practical approach to the subject which will result in relevant skills in relation to this complex field of international tax. Theoretical concepts will be illustrated by real life examples and case studies. The intention is to provide insights into the multidisciplinary nature of transfer pricing wherein fields of law, economics, accounting and business management are combined to analyse complex transactions occurring in a vast array of industries on a global scale. Specific attention will be provided to each of the four phases of the life cycle of transfer pricing, namely: (i) regulatory, (ii) planning, (iii) compliance and contemporaneous documentation, and (iv) dispute resolution. Emphasis will be placed on the OECD Transfer Pricing Guidelines for Multinational Enterprises as well as the Canadian legislation, jurisprudence, regulations and administrative practices. Current topics such as the recent Base Erosion and Profit Shifting (BEPS) initiative by the OECD will also be discussed."

Evaluation: One final take-home exam worth 100%. Exam to be distributed to students April 1, 2026 9:00AM and it will be due April 15, 2026 9:00AM. Suggested completion time: one day.

Greg Noble (J.D. (University of Saskatchewan)) is admitted to the Bar in Saskatchewan as well as in England and Wales. Mr. Noble is the Western Canadian Transfer Pricing Leader for Ernst & Young LLP. Mr. Noble is based in Vancouver and held the position of Canadian National Transfer Pricing Leader from 2007-2010 as well as BC Tax Leader from 2011-2018. Greg has been practicing in the area of transfer pricing since 1997 and has been involved in transfer pricing documentation studies, risk review assessments, planning and benchmarking studies, as well as dispute resolution assignments.
Mr. Noble is a frequent speaker at events sponsored by organizations such as the Canadian Tax Foundation, Tax Executive Institute and various external organizations. He has also lectured at the university level, including the University of British Columbia, Simon Fraser University and Temple Law School.
He has published extensively on the topic of transfer pricing in textbooks and journals such as the Canadian Tax Journal and International Tax Review. He also frequently discusses transfer pricing matters in the media, in publications such as The Globe and Mail and The National Post, as well as on national and local television.

LAW 569C.002 **Topics in International Taxation** ***Foreign Affiliates***

☐ Term 1 ☑ Term 2 Hardwicke-Browne *Lecture* *3 CREDITS*

Registration restricted to LLMT, LLMCL and LLM students only.

This course is designed to provide in-depth knowledge and practical skills essential for navigating the complexities of international taxation, with a focus on the Canadian system for taxation of income from foreign affiliates, and tailored for professionals seeking to enhance their understanding of the intricacies involved in international tax law and compliance. Participants will begin with an introduction to the Canadian taxation framework concerning foreign affiliates, exploring the definitions and implications of "foreign affiliate" and "controlled foreign affiliate" status. As the course progresses, students will delve into the categorization of income earned by foreign affiliates, including "income from an active business," "income from property," and "investment business," along with the exceptions and nuances of "excluded property" and "foreign accrual property income" (FAPI). The course will further examine the recharacterization of income from foreign affiliates, focusing on the distinctions between deemed income from active and non-active business activities. Participants will gain insights into the mechanics of FAPI and the implications for international tax planning and compliance. In addition to technical aspects, the course will cover strategic international tax planning and compliance requirements, including the completion and submission of forms T1134 and T106. Through a combination of theoretical exploration and practical application, students will be equipped with the multidisciplinary skills needed to analyze and manage complex international tax scenarios effectively. By the end of the course, participants will have a robust understanding of international tax principles, enabling them to navigate the challenges of global tax compliance and planning with confidence and expertise.

Evaluation: 30% active class participation; 70% take-home exam, 9:00 a.m. - 7:00 p.m., to be distributed on the date specified by the Exam Schedule.

Ben Hardwicke-Browne is a Senior Manager within the international tax services group at Deloitte. Prior to working for Deloitte, Mr. Hardwicke-Brown worked as a senior associate in private practice at BLG, and was a manager/associate at both KPMG and EY. Generally, his practice area focused on both inbound and outbound international restructurings, the foreign affiliate regime, and other domestic transaction tax matters. Mr. Hardwicke-Brown moved to Calgary in 2013, where he attended the University of Calgary, earning both a Law Degree and an MBA. During law school, he worked as a Research Assistant through the University of Calgary SNC Fellowship in Tax Law and Policy, and also worked for the Law Society of Alberta. Originally from Edmonton, where he grew up playing and coaching hockey, he enjoys golf, jogging, and watching the Oilers underachieve.

LAW 570C.001 Intellectual Property

☑ Term 1 ☐ Term 2 Festinger *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 508D.004 with any of 403.001 or 422.001/570C.001. *Cross-listed with LAW 422.001.*
CHANGE Aug 19: Classroom

This course provides students with an introduction to the legal regimes governing the protection of intellectual property. The course will cover the following specific areas of intellectual property law: copyright, trademarks, and patents. In addition, students will be introduced to the common law actions of passing off and breach of confidence, international intellectual property law, and industrial design.

The website for Intellectual Property Law can be found at https://iplaw.allard.ubc.ca/

Evaluation method: 70% final exam, 30% short project or presentation, as well as participation.

Jon Festinger, K.C. is an Adjunct Professor at the Allard School of Law, where he teaches courses including Intellectual Property Law, Torts, A.I. and Law, Communications Law, Video Game Law, and Business Organizations. In 2019, he received a Teaching Service Award from Allard Law. Jon has extensive experience in pedagogic AI projects, including Socrates A.I., UBC T.E.A.C.H., and the Judicial Interrogatory Simulator, developed in collaboration with UBC's LT Hub and Emerging Media Lab. He is Of Counsel to Chandler Fogden Lyman Law Corporation.

Jon has held academic appointments at UBC's Sauder School of Business, Graduate School of Journalism and Faculty of Arts, as well as at the TRU and UVic Faculties of Law, Simon Fraser University/Centre for Digital Media, and was an Honourary Industry Professor at the Centre for Commercial Law Studies, Queen Mary University of London. He is the author of Video Game Law (LexisNexis, 2005; 2012) and co-founded the Interactive Entertainment Law Journal in 2018. Jon's career also includes significant industry roles, including in-house counsel at WIC Western International Communications, Senior VP of the CTV Television Network & founding GM of VTV Vancouver Television, as well as being Executive VP, Business & General Counsel of the Vancouver Canucks and GM Place. Jon's volunteer activities include being a Director of the British Columbia Law Institute, and having been Chair of viaSport British Columbia, Ronald MacDonald House B.C., and a Trustee of the B.C. Sports Hall of Fame.

LAW 570C.002 Intellectual Property

☐ Term 1 ☑ Term 2 Festinger *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 422.002.*

This course provides students with an introduction to the legal regimes governing the protection of intellectual property. The course will cover the following specific areas of intellectual property law: copyright, trademarks, and patents. In addition, students will be introduced to the common law actions of passing off and breach of confidence, international intellectual property law, and industrial design.

The website for Intellectual Property Law can be found at https://iplaw.allard.ubc.ca/

Evaluation method: 70% final exam, 30% short project or presentation, as well as participation.

Jon Festinger, K.C. is an Adjunct Professor at the Allard School of Law, where he teaches courses including Intellectual Property Law, Torts, A.I. and Law, Communications Law, Video Game Law, and Business Organizations. In 2019, he received a Teaching Service Award from Allard Law. Jon has extensive experience in pedagogic AI projects, including Socrates A.I., UBC T.E.A.C.H., and the Judicial Interrogatory Simulator, developed in collaboration with UBC's LT Hub and Emerging Media Lab. He is Of Counsel to Chandler Fogden Lyman Law Corporation.

Jon has held academic appointments at UBC's Sauder School of Business, Graduate School of Journalism and Faculty of Arts, as well as at the TRU and UVic Faculties of Law, Simon Fraser University/Centre for Digital Media, and was an Honourary Industry Professor at the Centre for Commercial Law Studies, Queen Mary University of London. He is the author of Video Game Law (LexisNexis, 2005; 2012) and co-founded the Interactive Entertainment Law Journal in 2018. Jon's career also includes significant industry roles, including in-house counsel at WIC Western International Communications, Senior VP of the CTV Television Network & founding GM of VTV Vancouver Television, as well as being Executive VP, Business & General Counsel of the Vancouver Canucks and GM Place. Jon's volunteer activities include being a Director of the British Columbia Law Institute, and having been Chair of viaSport British Columbia, Ronald MacDonald House B.C., and a Trustee of the B.C. Sports Hall of Fame.

LAW 572.001 Cyberspace Law

☐ Term 1 ☑ Term 2 Matsui *Seminar* *3 CREDITS*

Cross-listed with LAW 425D.001

This seminar is designed to focus on the legal issues arising from the development of cyberspace. The development of the cyberspace has presented many new legal issues. This seminar focuses on public law issues among them. The specific issues covered include the internet governance and the role of law, jurisdictional issues, ISP liability, freedom of expression on the Internet, defamation, invasion of privacy, obscenity, child pornography, indecent speech, hate speech, copyright, personal data protection, and cyberdemocracy. In order to address these issues, we need a new perspective and new doctrine. By taking this seminar, the student will be able to understand various legal issues and learn the basic knowledge and skills to address these issues.

Pre-requisites:
There is no pre-requisite course for taking this seminar. It would be wonderful if the student already has a basic understanding of Canadian Constitutional Law, but the student can learn the basic principles of Canadian Constitutional Law on the Internet by taking this seminar.

Evaluation:
Class participation 30% and final assignment 70%.

Regular attendance in the class is mandatory. Each student is required to attend the class after reading assigned materials and is encouraged to participate in the class discussions. I will particularly welcome active student participation in the class discussions.

With respect to final assignment, the student can pick any topic he/she may find interesting in relation to cyberspace law. The student can choose the topic covered in the seminar or choose other topics he/she may find interesting so long as the topic is concerned with cyberspace. The guideline for a paper is about 15 pages, including footnote or bibliography. The student needs to submit the paper by the deadline, the final day of examination, 4 pm. The paper will be evaluated based on the topic choice, organizing skill, research skill, and writing skill. I will be happy to give the student any advice on the possible topic and the possible resources to compare.

Syllabus:
http://faculty.law.ubc.ca/matsui/text/English04.htm

Professor Shigenori Matsui is a full time member of the Peter A. Allard School of Law.

LAW 574.001 Succession

☐ Term 1 ☑ Term 2 Dosanjh Kim, C. *Lecture* *3 CREDITS*

Cross-listed with LAW 452.001.

This course serves as the essential foundation for the practice of wills and estates, including basic estate planning and probate practice.

The course will provide an overview of various topics including:
1. the statutory rules of intestate succession;
2. the formalities of execution, modification and revocation of wills;
3. the requirements of testamentary capacity;
4. basic principles and procedures of probate and estate administration;
5. the interpretation of wills;
6. will contests relating to allegations of lack of capacity and undue influence;
7. the statutory limits to testamentary freedom under legislation such as British Columbia's wills variation legislation;
8. substitutes for wills such as joint accounts and options available to limit the exposure of an estate to probate fees;
9. aboriginal succession;
10. planning for incapacity, including powers of attorney and representation agreements for financial management and health care decision-making; and
11. a high level overview of the principles of taxation on death and family law principles relevant in estate planning.

While British Columbia law will be considered in depth, important differences in the laws of some other Canadian jurisdictions will also be reviewed. As well, the professional obligations of the lawyer will be considered throughout the course.

Evaluation:
There will be a compulsory final examination.

Simi Dosanjh, BA (UBC 2006), JD (University of Calgary 2009) was called to the Bar in British Columbia in 2010. Ms. Dosanjh is a Will & Estate Consultant with RBC Family Office Services in Vancouver, British Columbia. She works with individuals and business owner-managers to develop estate and succession plans that accommodate their unique needs. Ms. Dosanjh specializes in tax and probate planning, charitable giving, and estates, trusts and incapacity planning. She has completed the CPA Canada In-Depth Tax Course and previously worked as an associate in the Vancouver tax groups of two full-service law firms.

Catherine Kim, BA (UBC 2007), JD (UBC 2012), was called to the Bar in British Columbia in 2013. Ms. Kim is a lawyer with Boughton Law and specializes in estates and trust planning, as well as estate administration. She focuses on personal estate and business succession planning and advises on matters such as: wealth preservation, probate minimization and incapacity planning. Ms. Kim's background in tax also equips her to navigate various income tax and regional real estate tax issues relevant to estates and trusts. Ms. Kim completed the CPA Canada In-Depth Tax Course in 2019 and is recognized in the list of "Best Lawyers in Canada", as voted by other experts in her field. She is a regular presenter with the Pacific Business & Law Institute and at conferences for lawyers, accountants and financial advisors.

LAW 576.001 Securities Regulation

☑ Term 1 ☐ Term 2 Peihani *Lecture* *3 CREDITS*

Cross-listed with LAW 463.001.

This course explores the legal and regulatory framework governing capital markets in Canada, with particular attention to the British Columbia context. It is designed to equip students interested in practicing corporate and securities law with a solid understanding of the rules that govern the issuance and trading of securities. Key topics include public offerings, continuous disclosure obligations, insider trading, takeover bids, and the mechanisms—both public and private—available to enforce securities laws.

Evaluation: 100% final exam

Assistant Professor Maziar Peihani is a full-time member of the Peter A. Allard School of Law.

LAW 576.002 Securities Regulation

☐ Term 1 ☑ Term 2 Ford *Lecture* *3 CREDITS*

Cross-listed with LAW 463.002.

This is a specialized corporate law course. A key objective is to provide students with a broad understanding of the legal framework governing the issue and trade of securities in British Columbia and in Canada generally. Topics will include prospectus and continuous disclosure requirements for public companies, oversight of registrants, the exempt market, insider trading, takeover bids, and liability (civil, criminal, and regulatory.) The course also devotes considerable attention to policy issues surrounding securities regulation, with a view to understanding the current state of flux in Canadian regulation, including recent challenges arising from crypto assets, decentralized finance, and globalization. We will examine the philosophies underlying securities regulation, competing approaches in regulatory design, and the relationship between securities regulation and corporate governance.

Evaluation:
Assessment will be based on a 2.5 hour open-book examination (80%), and in-class participation (20%).

Prerequisite:
It is recommended that students take LAW 459 (formerly Law 230) Business Organizations prior to LAW 463 Securities Regulation.

Professor Cristie Ford is a full time member of the Peter A. Allard School of Law.

LAW 577.001 Immigration Law

☐ Term 1 ☑ Term 2 Dauvergne *Lecture* *3 CREDITS*

Cross-listed with LAW 377.001

This course introduces students to Canadian Immigration Law. The centrepiece of the course is Canada's Immigration and Refugee Protection Act, the framework legislation that translates Canada's immigration policy choices into law. Topics covered in the class will include economic migration and family class migration, temporary migration, inadmissibility to Canada, deportation and other forms of removal, migration status, and citizenship. Refugee Law is not covered in this course.

Assessment for the course varies and students have some choice about which assessments to complete. JD students will have the choice of completing 0, 1, or 2 assignments worth 20% each + writing an exam that will be worth 60%, 80% or 100%. Graduate students will be required to complete either one or two assignments, and also submit a research paper worth 60% or 80%.

Professor Catherine Dauvergne is a full time member of the Peter A. Allard School of Law and holds the Canada Research Chair in Migration Law.

LAW 578.001 **Refugee Law** ***Crimmigration***

☑ Term 1 ☐ Term 2 Arbel *Seminar* *3 CREDITS*

Cross-listed with LAW 378D.001.

The criminalization of mobility has fast become a key tool for border management and securitization in Canadian law. This seminar provides an introduction to issues that lie at intersection of Canadian criminal law and immigration law, often referred to as “crimmigration”. Broadly speaking, the course will analyze how criminal justice thinking and methods inform the regulation of human mobility across borders. The seminar will cover topics such as: how Canadian law controls and governs the crossing of borders, immigration detention, deportation, criminal admissibility, the production and policing of “illegality”, and the increasing use of technology and surveillance as tools of border control. It will also explore connections between immigration control and colonialism, as well as race, gender, and other subject positions. The seminar will focus primarily on Canadian law, but will do so through a comparative lens that also engages developments in other jurisdictions. The readings will include both doctrinal and theoretical material.

Evaluation: The seminar will be taught through a combination of lecture, class discussion, class exercises, and guest presentations. Evaluation will be based on class attendance and participation (10%), three short reaction papers reflecting on assigned readings (30%), and a final assignment (60%). Students will be asked to select their own topics for the final assignment in consultation with the instructor.

There is no overlap in content between this course and Immigration Law (Kaushal) or Topics in Public Law – Refugee Law (Dauvergne).

Efrat Arbel is a full time member of the Peter A. Allard School of Law.

LAW 579C.001 **Topics in First Nations Law - Lecture** ***First Nation Taxation, Assimilation and Reconciliation***

☑ Term 1 ☐ Term 2 Faille *Lecture* *3 CREDITS*

Cross-listed to LAW 357C.001

WARNING: As has been said about the music of Wagner, this course is (probably) better than it sounds... Through it, the student will gain an in-depth practical and theoretical understanding of the law of First Nation taxation and tax immunity, but one that is firmly grounded in the broader historico-legal context of the Crown-Indigenous relationship, and the intersection between taxation, inherent Aboriginal rights and Treaty rights. Beginning with Indigenous forms of taxation, the course will then explore how the approach to First Nation taxation by Canada (and the courts) has tracked the evolution of broader Crown policies and objectives in regard to Indigenous peoples, from mutual autonomy, to assimilation and enfranchisement, and ultimately to reconciliation. Through that lens, the course will examine First Nation tax immunity and exemption for individuals and entities, in relation to various forms of taxation. The course will then shift to an examination of the exercise of taxation jurisdiction by Indigenous governments as an instrument of self-government, and its role in the Crown-Indigenous fiscal relationship.

No background in tax law (or Aboriginal law) is required for this course. Although certain sections of the Income Tax Act (ITA) will be relevant to the course, you can (mercifully) learn them in isolation from the remainder of that Act. While most readings will be of case law, the course will examine relevant aspects of the Indian Act, the ITA as well as historical and modern treaties, and academic commentary.

Each week will feature a lecture and discussion of readings. In addition, a number of guest lecturers immersed in First Nation taxation issues and experts in the field will be featured, including leading First Nation business and political leaders.

Evaluation: 100% final exam or paper (student option).

Max Faille is Managing Partner of the Vancouver office of Cochrane Sinclair LLP, the largest Indigenousled law firm in Canada, where he practices in Indigenous law and constitutional litigation. Max's clients principally consist of Indigenous governments, businesses and organizations across Canada, as well as private and public sector interests working with Indigenous communities. In addition to legal representation in the courts and in negotiations, Max regularly provides advice on matters of Aboriginal and treaty rights, First Nation taxation, self-government, and Indigenous governance and economic development.

Max was named Benchmark Canada's Aboriginal Law Litigator of the Year for 2016, and is regularly recognized as a leading lawyer in the field of Aboriginal Law by Chambers Canada, Lexpert, Legal 500 and Best Lawyers in Canada. He represented the Assembly of First Nations in the seminal Bastien and Dube cases in the Supreme Court of Canada that breathed new life into the First Nation tax immunity. He previously served on the Board of the Canadian Council for Aboriginal Business, and on the Taxpayers Ombudsman's Advisory Board. In December 2020, Max received the Northwest Territories Premier's Award for Indigenous Partnership.

LAW 587C.001 Environmental Law

☑ Term 1 ☐ Term 2 Stacey *Lecture* *3 CREDITS*

Cross-listed with LAW 387B.001.

Environmental issues challenge our understanding of law in many ways. Environmental issues are complex scientifically and politically, and temporally and geographically. They require a close examination of the potential and limits of core areas of legal doctrine (e.g. tort law and public law) and how these doctrines need to be stretched or adapted to account for the complexity of environmental problems. Students will learn about the contested purposes and principles of environmental law, contested jurisdiction over the environment (Indigenous authority and Canadian constitutional law), how the environment is governed by the Canadian state (e.g. environmental assessment law, endangered species protection, plastics regulation), and the role of the courts. The course is designed both for students seeking a concise introduction to the subject-matter as part of a well-rounded legal education, as well as for students seeking to specialize in this growing and substantial area of law, for which Environmental Law 387 provides foundation for further studies.

Note that this course follows a “flipped classroom” model and is structured around problem-based learning that requires active participation during class time.

It is strongly recommended that students take Federalism and Administrative Law prior to this course. Students who have not taken these courses should reach out to Professor Stacey for background readings prior to starting the course.

Evaluation: Class engagement (20%), a midterm assignment (20%) and a final project (60%).

Associate Professor Jocelyn Stacey is a full time member of the Peter A. Allard School of Law

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LAW 588.001 Ethics & Professionalism

☐ Term 1 ☑ Term 2 Martz *Lecture* *3 CREDITS*

Cross-listed with LAW 468.001

Ethical rules and principles are a fundamental part of the practice of law but how to go about applying them is a complex question inevitably involving the exercise of judgement and the consideration of one's own personal values. In this course, we will examine the requirements of the Code of Professional Conduct for British Columbia and case law that establishes guidelines for ethical legal conduct, but also bring a critical eye to conventional ideas about how lawyers should operate with the goal of helping you begin to develop your own sense of how you want to conduct yourself as a lawyer. We will also consider the role of the Law Society of BC and some of the many challenges faced by the legal profession, and how both the Law Society and individual lawyers can respond to them.

The course will include lectures, class discussion, group presentations/facilitations, and guest lectures by practicing lawyers about how they handle real-life ethical issues.

Evaluation: participation in class discussions, including through a small group project (15%), a take-home essay (15%), and a 3-hour open book final examination (70%).

Lisa Martz has practised as a litigation lawyer for more than 25 years. She is now a full-time Lecturer at the Peter A. Allard School of Law.

LAW 588.002 Ethics & Professionalism

☐ Term 1 ☑ Term 2 Sieg *Lecture* *3 CREDITS*

Cross-listed with LAW 468.002.
CHANGE Nov 13: Instructo, Course Description and Exam Format

This course is about the ethical and professional obligations of Canadian lawyers with an emphasis on the Code of Professional Conduct for British Columbia. We will examine how to apply ethical rules and principles in the often complex issues that confront lawyers and the judgments lawyers make in the day to day practice of law. The goal of the course is to help you develop your own sense of how you want to conduct yourself as a lawyer. We will also consider the role of the Law Society of British Columbia and some of the many challenges faced by the legal profession, and how you as an individual lawyer can respond to those challenges.

The course will be a combination of lectures and class discussion where we will explore the issues covered. There will be at least one guest speaker who is a retired Court of Appeal Justice.

Evaluation will be based on a 3-hour open book final examination (70%) on a date specified in the Exam Schedule, a mid-term short paper assignment (15%) and participation in class discussions and a small group oral presentation (15%).

Rod Sieg (B.A. SFU, L.L.B. UBC) is a partner at Harris & Company in Vancouver. His practice focuses on commercial litigation, administrative and constitutional law, and employment law. Rod has appeared as counsel in commercial arbitrations, all levels of court in British Columbia, and the Supreme Court of Canada. Rod has also appeared before a number of administrative tribunals and has advised statutory decision makers. Rod clerked for the Supreme Court of British Columbia and was called to the bar in 1995.

LAW 588.003 Ethics & Professionalism

☑ Term 1 ☐ Term 2 Hilland *Lecture* *3 CREDITS*

Cross-listed to LAW 468.003

This course will examine ethics and professionalism from an Indigenous perspective. We will learn about Indigenous legal ethics and critically analyze the relevant legislation, regulations, rules of professional conduct, applicable caselaw, and general principles of ethics and professionalism that apply to the practice of law in British Columbia.

Evaluation: 3 hour open-book examination (100%)

Assistant Professor Andrea Hilland is a full-time member of Peter A. Allard School of Law.

LAW 588.004 Ethics & Professionalism

☑ Term 1 ☐ Term 2 Goldbach *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in 455.001 with any of 347B.003 or 468.004/588.004. *Cross-listed with LAW 468.004.*

In this course, students will study the ethical obligations of lawyers in Canada, with a focus on the legal obligations for lawyers in B.C. Topics covered include role morality, civility and the duties of the advocate, the duty of competence, conflicts of interest, and conduct unbecoming. Students will also be introduced to the model of self-governance of lawyers, current challenges facing the legal profession such as access to justice and, as well, oversight and regulation of the judiciary. The course will be taught in both a lecture format and through smaller group discussions and presentations.

Evaluation: Evaluation for this class will consist of class participation (15%) and an in-person exam (85%).

Assistant Professor Toby Goldbach is a full-time member of the Peter A. Allard School of Law.

LAW 588.006 Ethics & Professionalism

☑ Term 1 ☐ Term 2 Russo *Lecture* *3 CREDITS*

Registration restricted to LLMCL students only.

This course provides an introduction to the regulation of the legal profession in Canada, which is self-governing through provincial law societies that set standards and regulate professional conduct. The professional obligations of lawyers to clients also extent to other lawyers and the court and arguably to society in general. Successful practice requires lawyers to consciously work to fulfill all these obligations. This course is designed to prepare those who plan to enter the practice of law and to bring an appreciation and understanding of the highly regulated nature of the legal profession. Sessions will consist of a mixture of lectures, including guest lectures; text readings; and discussions including student case briefings. Throughout the course, we will refer to the B.C. Law Society's Code of Professional Conduct for British Columbia and within that context discuss the ethical issues facing lawyers. Some of these issues include ethics and the adversarial system; the balance between effective client representation and a commitment to the public interest, and the professional obligations associated with specific practice roles and working with vulnerable clients.

Course evaluation will be based on:
Participation (Case/Topic Briefs): -5% deducted from course grade for Incomplete.
Quizzes: 15%
Reflection Paper: 15%
Final Examination: 70%

Lecturer Robert Russo is a full time member of the Peter A. Allard School of Law.

LAW 590.001 Civil Procedure

☑ Term 1 ☐ Term 2 Campbell, J Wells, N *Lecture* *3 CREDITS*

Cross-listed with LAW 469.001

We will study the Conduct of civil actions in the B.C. Supreme Court. Students will become acquainted with the Supreme Court Civil Rules and the common law governing procedure.

Various procedural problems will be examined from two points of view:
(a) that of the practitioner who must understand the workings of the Rules and consider strategic and ethical issues in order to conduct a case effectively; and
(b) that of the student of the law who should question the assumptions underlying procedural rules and postulate strategic solutions.

The emphasis will be the pre-trial stages of proceedings. Memorizing the Rules will not be necessary, but an understanding of the basic structure of a civil lawsuit and a recognition of procedural problems and related strategic and ethical issues will be expected.

Required Materials:
Casebook: Civil Litigation, updated August 2025, available electronically on Canvas

Evaluation:
Exam worth 95% and written assignments 5%

Jessica Campbell (B.Sc., Honours (University of Guelph), LL.B. with Distinction (University of Alberta)), is a Partner in Fasken Martineau DuMoulin LLP's Litigation and Dispute Resolution group in Vancouver. Her practice focuses on product liability, insurance advice and litigation, and extends to a range of related practice areas including tort litigation, insurance coverage, construction litigation and class proceedings. Jessica is the co-author of the chapter "Objections at Trial" in the CLEBC Civil Trial Handbook.

Natthan Wells (B.A., (Simon Fraser University), J.D. (University of British Columbia)), is a lawyer in the Litigation and Dispute Resolution Department of Fasken Martineau DuMoulin LLP in Vancouver. His practice is divided into two main areas. The first focuses on civil and commercial disputes, including shareholder remedies and claims in breach of contract and tort, and civil fraud claims. The other practice area involves acting for clients in regulatory, criminal and quasi-criminal matters. Prior to becoming a lawyer Nathan was an officer with the Royal Canadian Mounted Police spending most of his 21-year career on murder and gang investigations.

LAW 590.002 **Civil Procedure**

☐ Term 1 ☑ Term 2 Clavier Kressock *Lecture* *3 CREDITS*

Cross-listed with LAW 469.002.

This course has the following objectives:
1. Introduce the fundamentals of civil procedure and familiarize students with the progress of a civil action.
2. Provide a theoretical framework for the rules of procedure and identify the values and policies on which the rules are based.
3. Place these rules in a practical context to encourage future practitioners to wield them in a responsible, strategic, ethical, and cost-effective manner.

Required Materials:
1. Mark Fancourt-Smith and Gavin Cameron, Law 469 Civil Litigation Casebook, 2022 edition.
2. Janet Walker, et al. The Civil Litigation Process: Cases and Materials, 9th ed. (Toronto: Emond Montgomery Publications Ltd., 2022).
3. Supreme Court Civil Rules: Any of these sources:
•Bouck, Dillon, and Turriff, British Columbia Annual Practice 2018 (Canada Law Book Inc.) (the “White Book”);
•Seckel & MacInnis, Supreme Court Rules Annotated 2018 (Carswell) (the “Black Book”); or
•Online: http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/168_2009_01

Evaluation:
The evaluation method in this course will be by a 90% open-book final examination set during the Faculty examination period. The remaining 10% will be based on the two short and simple pass-fail assignments: a short pleadings drafting exercise and a short 1-page report of an independent visit to Supreme Court Civil Chambers (subject to COVID restrictions, an alternative assignment may be used). Additional marks may be given for class participation, at the discretion of the instructors.

Eric B. Clavier is a partner at Fasken in Vancouver, practising as a trust, estates and charities litigator. Following 12 years as a barrister at the Pretoria Bar in the Republic of South African, Eric was called to the Bar of British Columbia in 2014, where he appears regularly before the Supreme Court of British Columbia and the BC Court of Appeal.

Paul Kressock is a partner with Lawson Lundell LLP in Vancouver, and is a member of the firm’s Commercial Litigation Group. Paul has a Bachelor of Commerce (Honours) degree from the University of Manitoba, and a Juris Doctor from the Peter A. Allard School of Law at UBC. He was called to the Bar of British Columbia in 2015 and appears regularly before the Supreme Court of British Columbia and the BC Court of Appeal. Paul is also an Instructor in the Paralegal Program at the School of Legal Studies at Capilano University.

LAW 590.003 **Civil Procedure**

☐ Term 1 ☑ Term 2 Goulden McCalla *Lecture* *3 CREDITS*

Exam Conflict: Students cannot register in any of 407C.001/506.001 or 476C.001/507.001 with any of 422.002/570C.002 or 469.003/590.003. *Cross-listed with LAW 469.003*

We will study the conduct of civil proceedings in the B.C. Supreme Court. Students will become acquainted with the Supreme Court Rules of Court and the common law governing those civil proceedings. Our focus will be on understanding the workings of the Rules, and considering strategic and ethical issues in order to conduct a civil action effectively. The emphasis will be upon the pre-trial stages of actions, although the conduct of trials and other proceedings (primarily from a procedural perspective) will also be reviewed. Memorizing the Rules and procedure will not be necessary, but an understanding of the basic structure of a civil lawsuit, including the recognition of procedural problems and the tools available to deal with those problems will be expected.

Required Materials:

1. Dillon and Li-Reilly, British Columbia Annual Practice, current or last year's edition are both acceptable.
2. Supplementary materials referenced in class.

Evaluation:

100% Final examination.

James Goulden K.C. (B.Comm. (University of Calgary 1989), LL.B. (UBC 1992)) is a partner in the dispute resolution and litigation department with Norton Rose Fulbright Canada LLP (formerly known in Vancouver as Bull Housser LLP). His practice is focused in the areas of commercial, real estate, administrative, securities, and government disputes and litigation. Mr. Goulden has conducted a broad range of matters before all levels of court in British Columbia, the Federal Court of Canada and various administrative tribunals. He has been an adjunct professor at the Allard School of Law at UBC for over 20 years. Mr. Goulden is also the co-author of the book "Procedural Strategies for Litigators in British Columbia".

Sarah McCalla (she/her) (B.Sc. (University of Alberta 2006), B.Ed. (UBC 2007), J.D. (UBC 2014)) is a partner in the dispute resolution and litigation department with Norton Rose Fulbright Canada LLP. Her practice is focused on commercial and administrative litigation, regional and local governance matters, expropriation proceedings, forestry issues, real estate disputes, and society-related litigation. She clerked at the Supreme Court of British Columbia and has appeared before all levels of court in British Columbia, as well as the Ontario Superior Court of Justice.

LAW 592.001 **Conflict of Laws**

☑ Term 1 ☐ Term 2 Calvert Posyniak *Lecture* *3 CREDITS*

Cross-listed with LAW 325.001.

Cases brought before a B.C. court often involve so-called "foreign" elements, that is, connections with jurisdictions other than British Columbia. This course involves a survey of the ways in which such foreign elements may lead the court to take account of foreign systems of law.

There are three areas in which such foreign elements play an important role:
1. Jurisdiction. When will a British Columbia court exercise jurisdiction in a case involving a "foreign" element?
2. Choice of Law. When will a British Columbia court receive evidence of, and subsequently apply, foreign law in a case brought before it?
3. Recognition and Enforcement of Foreign Judgments. When will the decision of a court outside British Columbia be regarded in this province as creating enforceable rights?

Evaluation: There will be a compulsory final 3-hour open book examination worth 100% of the course grade. There will be weekly discussions and exercises on Canvas to assist students in understanding the course material, and students who choose to participate will receive feedback, but these will not be graded.

Aubin Calvert is a partner at Hunter Litigation Chambers in Vancouver. Aubin's practice is focused on administrative and constitutional law. She has appeared as counsel before administrative tribunals and all levels of court. Before joining Hunter Litigation Chambers, Aubin served as a law clerk to the Right Honourable Chief Justice Richard Wagner of the Supreme Court of Canada from 2016 to 2018. She received her J.D. in 2016 from the Peter A. Allard School of Law at the University of British Columbia and was called to the bar in 2017. Aubin holds a Ph.D. in political theory, also from the University of British Columbia. Aubin is a member of the Board of the British Columbia Law Institute and serves as the British Columbia session coordinator for the Supreme Court Advocacy Institute. She is the co-author of two chapters of the CLEBC Administrative Law Practice Manual.

Tom Posyniak is a partner at Fasken Martineau DuMoulin LLP in Vancouver. His practice focuses on commercial litigation, administrative and constitutional law, class actions, and insurance litigation. Tom has an active appellate practice and regularly appears before the British Columbia Court of Appeal. Tom has also been counsel at the Supreme Court of Canada and regularly prepares written submissions in that court. Prior to joining Fasken, Tom clerked for the Court of Appeal for British Columbia and worked at another national law firm in Vancouver. He received his J.D. in 2012 from the University of Saskatchewan, College of Law, and was called to the bar in 2014. Tom is on the executive of the Appellate Advocacy section of the Canadian Bar Association – BC Branch. He also serves as a referral counsel for Access Pro Bono's Court of Appeal Program. Tom is a co-author of the Civil Appeal Handbook published by the Continuing Legal Education Society of British Columbia and the CanLII BC Civil Litigation Manual.

LAW 595.001 Forest Law

☑ Term 1 ☐ Term 2 Garton *Lecture* *3 CREDITS*

Cross-listed with LAW 395.001

Forests have long been a cornerstone of British Columbia's natural environment and economy. Government has created a complex regulatory regime seeking to balance competing interests in the forest, including those of industrial & recreational users, public interest groups, government and Indigenous Nations. The interface between these different visions of forest resource management and the impacts of climate change upon BC's forests have produced some of the most challenging questions that BC lawyers and policy-makers have had to address in recent decades, and public interest in the outcome is high. Initially this course will examine the current statutory regime that regulates activities in BC forests, as well as the legal nature of the forest tenures or entitlements that the BC government may grant to the private sector, First Nations, and other groups. We will then address a number of more specific topics, including the current policy debate and announcements for forest tenure and logging reform, the nature and effect of Indigenous rights to forest lands and resources, wildfire suppression and liability, a comparative survey of forest policy in selected other jurisdictions, the financial interest of the Province in BC's forests and enforcement of that interest, the role of professional reliance in forest management, the compliance and enforcement regime for BC forest laws, the key commercial issues a lawyer would encounter in practicing forest law and the planning framework that the BC government uses to weigh competing wildlife, heritage, biodiversity, environmental and industrial interests. Guest speakers may be included to provide different expertise or perspectives on some of the public policy issues that will arise.

Evaluation: 100% final exam

Billy Garton (B.Sc.F. (U. of T. 1983), LL.B. (U. of T. 1989)) is a Vancouver lawyer with over 25 years of experience advising clients on forestry law topics, primarily focused on the commercial, first nations and environmental aspects of forestry law. He previously lead the forestry law practice at Bull, Housser & Tupper LLP (now Norton Rose Fulbright LLP) where his clients included large and small timber tenure holders, first nation governments, logging contractors, lenders to the forest sector and industry associations. He recently retired as General Counsel to Seaspan ULC, a large BC-based shipbuilder and marine services provider. Prior to attending law school Billy worked in the BC coastal forest industry as well as in Alberta and Ontario.

LAW 610C.001 Doctoral Seminar I: Issues in Legal Theory

☑ Term 1 ☐ Term 2 Goldbach *Seminar* *3 CREDITS*

Enrolment restricted to Ph.D. students only.

This seminar will provide students with a selective overview of major developments in legal theory over the twentieth century. It is intended to provide a grounding for further jurisprudential work by students in the course of their studies, including comprehensive examinations in the area of legal theory. Seminar sessions will involve active discussion of assigned readings and student presentations.

Evaluation: 30% class participation and 70% final research paper.

Assistant Professor Toby Goldbach is a full-time member of the Peter A. Allard School of Law.

LAW 611C.001 Doctoral Seminar II: Comparative & Interdisciplinary Perspectives

☐ Term 1 ☑ Term 2 Aloni *Seminar* *3 CREDITS*

Enrolment restricted to Ph.D. students only.

Associate Professor Erez Aloni is a full time member of the Peter A. Allard School of Law.