

Graduate Seminar on Legal Education and Legal Scholarship
3000.03A
2009-2010

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Room 411
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Course Description

This seminar is a required class for students in the LLM programme. It is also open to JSD students. Its purpose is to explore various issues in legal education and legal research from a comparative perspective. In the first part of the course classes are devoted to an examination of the purposes of legal education and the various ways that legal education is structured and carried out in different jurisdictions. The remainder of the course is spent examining different methodological and ideological approaches to legal research, with special emphasis on how each of the seminar participants would see his or her development as a legal scholar.

The Graduate Seminar aims to provide LL.M. students with an opportunity to meet together to discuss matters of interest to academic lawyers. It will offer you a forum to discuss your research with one another. The focus of the Graduate Seminar this year will be on legal scholarship, and during the term we will have a number of visitors who will speak about various aspects of legal scholarship. They will provide you with a chance to analyse and consider your own current research projects and your general development as a legal scholar within the context of current debates about "Western" legal scholarship generally.

Evaluation

There are several components for the evaluation of your performance in the Graduate Seminar.

i) Book Review (10%)

In order to encourage you to further develop your academic writing skills you are asked to prepare a relatively short, 10 page double spaced book review of Law and Learning. This will be due on or before 12:00 noon on Monday, September 28th.

ii) Library Research Assignment (10%)

To enable you to become familiar with the library you must complete a research assignment. This is due on or before 12:00 noon on Friday, October 9th.

iii) Reaction Papers (20%)

Graduate legal education entails a relatively steep learning curve and a significant degree of self-direction and self-reflection. To enable both you and me to be as conscious as possible of your individual academic development, it is proposed that you produce a series of reaction papers, focusing on the experiences, opportunities and challenges of advanced legal research. Four instalments, each of approximately 7 pages, are required. Each will involve an open-ended attempt on your part to reflect on what we cover in the course. Reaction papers will be due on or before 12:00 noon on the following dates: Monday, September 21st; Monday, October 19th; Monday, November 16th; and Monday, January, 18th, 2010.

iv) Methodological Prospectus/Review Essay (40%)

A major focus of the graduate seminar is to help you engage in reflection on how you propose to pursue your research project. In this light the first term focuses on visitors who share their methodological approaches with you. In the second term the ball passes to you.

Thesis students will be required to complete a methodological prospectus of approximately 18-23 pages. In the prospectus you need to identify the following: a precise legal issue and why you decided to focus upon it in depth; in a general manner, the academic commentary surrounding the issue and the debates in which the issue had figured; the philosophical or jurisprudential significance of the issue; and, most significantly, what approach(s) to the issue you intend to undertake and why you made the intellectual choice(s) that you did. In developing your methodological prospectus it is expected that you will be working closely with your thesis supervisor. It will be due on or before Thursday, February 18th, 2010.

Course work students are required to submit a Review Essay of approximately 18-23 pages in which they focus on the scholarship of one academic legal scholar in the general area of law in which most of your course work is taken. I need to approve of the choice of author and the bibliography by November 20th, 2009. The purpose is to engage rather deeply with one academic's thoughts over a period of time and in range of publications, and thus to better understand the process of becoming a scholar. The Review Essay will be due on or before Thursday, 18th February, 2010.

v) Class Presentation (10%)

As mentioned under (iv) each student is required to complete a methodological prospectus/review essay. In the course of the second term each student will be required to lead a one hour class by presenting an outline of his/her project to the other students for feedback.

vi) Class Participation (10%)

As the graduate seminar is a small group, ongoing class participation is essential.

All assignments must be typed.

Graduate Writing Support Initiative

The LL.M. programme requires that students become more than just consumers of legal scholarship, but also producers. To assist students to develop advanced legal writing skills, Mr. David Dzidzornu will be available to work with each individual student, to a maximum of ten hours.

Plagiarism

All students in this course must read

- the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the plagiarism.dal.ca website, and
- the Law School policy on plagiarism, as set out in
 - the law school regulations (online at http://law.dal.ca/Current_Students)

Any paper or assignment submitted by a student at Dalhousie Law School may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above.

Ignorance of the policies on plagiarism will not excuse any violation of those policies.

Students with Special Needs/Requests for Accommodation

Professor Dianne Pothier is the Faculty Advisor to students with special needs. Students with special needs must self-identify to Professor Pothier and the Co-ordinator of Graduate Studies if they have any in-class or study concerns or needs.

Students with special needs who wish to request accommodation regarding aspects of evaluation must make the request in writing to the Graduate Studies Committee. Academic regulations require such requests to be made as soon as possible and, in any event, no later than the date on which the paper or other assignment is to be submitted. For information about accommodation, students should speak to the Co-ordinator of Graduate Studies. Material for the Graduate Studies Committee can be given to Michelle Kirkwood.

Pandemic H1N1 Influenza Advisory in relation to Academic Continuity

In the event of an escalation of the pandemic H1N1 influenza virus, the University may need to authorize Academic Units to change elements of class schedules and/or evaluation plans as outlined in course syllabi. Any change is intended to support the primary goal of reducing the risk of spreading a pandemic influenza among students, faculty and staff.

Although it is difficult to predict the severity of the pandemic, the University is committed to minimizing the impact on student's academic progress. Therefore, every effort will be made to provide students with options for continued learning and for continued fair evaluations.

Changes may include but are not limited to:

- Adjustments to course assignments;
- Changes to the dates of exams;
- Arrangements for alternative evaluations for students affected by H1N1 influenza virus;
- Adjustments to work terms;
- Modification of marks awarded for participation;
- Adjustments to attendance policies.

Any alternative plan made in individual courses may be superseded by University-wide or Government measures to reduce the spread of the pandemic H1N1 influenza virus.

Schedule

Classes are scheduled on Thursdays from 11:00 – 1:00 p.m. in the Rare Book Room for the Fall term. Reading packages for every seminar will be available from the Materials Room (room 121) approximately one week in advance of the scheduled class.

Appendix ASchedule of Assignments

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| September 21 | Reaction Paper 1 |
| September 28 | Book Review |
| October 9 | Research Assignment |
| October 19 | Reaction Paper 2 |
| November 16 | Reaction Paper 3 |
| January 18 | Reaction Paper 4 |
| February 18 | Methodological Prospectus Review Essay |

**Graduate Seminar
Tentative Schedule
Fall 2009
Thursdays 11:00 - 1:00
Rare Book Room**

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| Sept. 10 | Welcome and Introductions/Introduction to Law Library |
| Sept. 17 | History of Legal Education in Canada |
| Sept. 24 | Legal Method |
| Oct. 1 | Doctrinal Scholarship |
| Oct. 8 | Legal History |
| Oct. 15 | Comparative Scholarship |
| Oct. 22 | Free Class |
| Oct. 29 | Legal Theory |
| Nov. 5 | Quantitative Research & Ethics Review |
| Nov. 12 | Interdisciplinary Approaches |
| Nov. 19 | Law and Economics |
| Nov. 26 | Feminist Method/Voice Scholarship |
| Dec. 3 | Policy Scholarship |