

Professor Diana Ginn

**ADMINISTRATIVE LAW**

LAWS 2000.01 (Four credits)

**SYLLABUS**

Fall, 2010

**Contact information:**

**Office** #423

**Telephone** 494-2798 (o); 423-2319 (h)

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**Appointments:** You may email me, phone me or speak to me in class to set up an appointment, or you are also welcome to drop in anytime I am in my office and the door is open.

**Email communication with students:** Any emails sent to students will use their [dal.ca](mailto:dal.ca) email address and will have the re line: Admin Law.

Please read these! Students will be deemed to have received course information sent by email.

**Blackboard Learning System:** I will post copies of the syllabus and any handouts on the course webpage. You will have received an email from Geordie Lounsbury with information on how to access BLS.

**Class times** Tuesday 1-3 (Room 104) and Thursday 1-3 (Room 105)

**Text:** Administrative Law Casebook, 2010

**Examination: CLOSED BOOK** (students will be given the table of contents and any relevant legislation.)

Students may choose to write **either:**

- one 3 hour exam on the full course (December 16), or
- two 1.5 hour exams, the first on substantive review (October 21, during class time) and the second on procedural review (December 16).

Students wishing to write the 2 exams **must sign up for this option by 3 p.m. (i.e. end of class) on October 14, and having signed up, cannot withdraw.**

Marks received on the October midterm exam will not be curved at that time. Instead, for consistency with those writing only in December, the raw October grade will be added to the raw December grade, and **all curving will occur in December.**

## Readings

Date	Readings
Thursday, Sept 9	Introduction to course, pp. 1-15
Tuesday, Sept 14	Introduction to Administrative Law, pp 15-26
Thursday, Sept 16	Introduction to Substantive Review, pp 26-48
Tuesday, Sept 21	Current approach to Substantive Review, pp. 49-71 (Please complete chart on “How to read an admin law case” before class.)
Thursday, Sept 23	Legislated Choices of Standard of Review, pp. 72- 90 Application of Correctness Standard, pp. 91- 105
Tuesday, Sept 28	Application of Reasonableness Standard, pp. 105-137
Thursday, Sept 30	Application of Reasonableness Standard, pp. 137-154
Tuesday, Oct 5	Review. Sample exam question 2 on p. 427
Thursday, Oct 7	Standing, pp. 155- 174 Remedies, pp. 174-180
Tuesday, Oct 12	Administrative Decisions and the Charter, pp. 181-204
Thursday, Oct 14	Administrative Decisions and the Charter, pp. 204-222 Sample exam question 1 on p. 426 <b>*** Note: Must sign up for midterm by end of class today</b>
Tuesday, Oct 19	Review for Midterm Sample exam questions 1 and 2 on p. 430
Thursday, Oct 21	<b>Midterm Exam</b>
Tuesday, Oct 26	Introduction to Procedural Review Overview and intro to Threshold: pp. 223-252
Thursday, Oct 28	Threshold, pp. 252-283
Tuesday, Nov 2	Participatory Rights, pp. 284-307
Thursday, Nov 4	Participatory Rights, pp. 307-344
Tuesday, Nov 9	Participatory Rights, pp. 344-354
Thursday, Nov 11	Remembrance Day. No Class.
Tuesday, Nov 16	Speaker: Practising Before Administrative Tribunals pp. 413-423
Thursday, Nov. 18	Review Sample exam questions 1 and 2 on p. 441, 442
Tuesday, Nov. 23	Impartiality, pp. 355-379
Thursday, Nov. 25	Independence , pp. 379-398
Tuesday. Nov 30	Legitimate Expectations, pp. 399-405 Consequences of a Procedural Breach pp. 306-413
Thursday, Dec 2	Review for Exam: Substance Sample exam questions 1 and 2 on p. 430
Tuesday, Dec. 7	Review for Exam: Procedure Sample exam question on page 445

## **Students with Special Needs/Requests for Accommodation**

Students seeking special accommodation with regard to course evaluation, such as exam deferral and extensions to deadlines, should consult with Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes as soon as possible, and before an exam is scheduled to be written or an assignment is due. Requests for special accommodation for reasons such as illness or personal circumstances will require an application to the Law School Studies Committee. Students should contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes if they require more information about the Studies Committee process. Students wishing to discuss arrangements for classroom assistance should see Professor Wildeman, the law faculty advisor to students with disabilities.

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the Nova Scotia Human Rights Act. Students who require academic accommodation for the writing of tests, quizzes and exams should make their request to the Office of Student Accessibility & Accommodation (OSAA) prior to or at the outset of each academic term (with the exception of X/Y courses). Please see [www.studentaccessibility.dal.ca](http://www.studentaccessibility.dal.ca) for more information and to obtain Form A – Request for Accommodation. Students may also contact the Office of Student Accessibility & Accommodation directly at 494-2836, and they may contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes for more information.