

**COMPULSORY MOOT
LAWS 2201X/Y.01
2011-2012**

SYLLABUS

Professor: Cynthia L. Chewter
Telephone: 452-7743
E-mail: cynthia.chewter@dal.ca
Office Hours: as scheduled below; any time by appointment

Date/ Location	Topic	Readings
Tues. Sept. 27, 2011 12:00–1:00 p.m. Room 105	Introduction and Written Advocacy I (Persuasive Legal Writing) Professor: Cynthia Chewter	Moot Court Manual 2011-2012
Tues. October 4, 2011 12:00 – 1:00 p.m. Room 105	Written Advocacy II (Writing a Persuasive Factum: a Lawyer's Perspective) Professor: Cynthia Chewter	John I. Laskin, "Forget the Windup and Make the Pitch" Marvin Catzman, The Wrong Stuff: How to Lose Appeals in the Court of Appeal"
Wed. October 5, 2011 7:30 p.m. Room 105	Smith Shield Moot	
Tues. October 11, 2011 12:00 – 1:00 p.m. Room 105	Written Advocacy III (Writing a Persuasive Factum: a Judge's Perspective) Guest: Retired Justice David R. Chipman, Nova Scotia Court of Appeal	David R. Chipman, "Appeal Court Practice"
Fri. October 21, 2011 9:00 a.m.– 11:00 a.m. Room 407	Appellants' factums due to court and opposing counsel	
Fri. October 28, 2011 9:00 a.m.–11:00 a.m. Room 407	Respondents' factums due to court and opposing counsel	
Tues. January 10, 2012 12:00– 1:00 p.m. Room 105	Oral Advocacy I (Crafting a Persuasive Oral Argument: a Judge's Perspective) Guest: Retired Justice David R. Chipman, Nova Scotia Court of Appeal	Review David R. Chipman, "Appeal Court Practice" from first term
Tues. January 17, 2012 12:00 – 1:00 p.m. Room 105	Oral Advocacy II (Crafting a Persuasive Argument: a Lawyer's Perspective) Professor: David Blaikie	The Honourable Mr. Justice Sydney L. Robins, "Appellate Advocacy," (October 1997) 16 Advocates; Soc. J. No. 3, 11-15
Tues. January 24, 2012 12:00 – 1:00 p.m. Room 105	Oral Advocacy III (Basics and Courtroom Decorum) Professor: Cynthia Chewter	Justice John Sopinka, <i>The Conduct of an Appeal</i> , pp.277-291
Mon. Feb. 6 – Thurs. Feb. 9, 2012 5:00–7:00 p.m. and 7:00–9:00 p.m. Rooms TBA	Moots (each student will be assigned a two hour timeslot to argue a moot this week.)	

Materials

The basics of the program and factum requirements are set out in the Moot Court Manual 2011-12. The readings are available electronically on the Compulsory Moot's Blackboard site, with one exception.

The Honourable Mr. Justice John I. Laskin, "Forget the Windup and Make the Pitch: Some Suggestions for Writing More Persuasive Factums" (Summer 1999) 18 Advocates' Soc. J. No.2, 3-12 online: Ontario Courts <<http://www.ontariocourts.on.ca/coa/en/ps/speeches/forget.htm>>.

The Honourable Mr. Justice Marvin Catzman, "The Wrong Stuff: How to Lose Appeals in the Court of Appeal" (Summer 2000) 19 Advocates' Soc. J. No. 1, at 1-5.

The Honourable David R. Chipman, Q.C. "Appeal Court Practice" (2009) [unpublished].

The Honourable Justice John Sopinka, *The Conduct of an Appeal*, 2nd ed. (Toronto: Butterworths, 2000), c.9 at 277-291. Note: this reading is not available electronically. Two copies have been placed on reserve at the library. It will be difficult to obtain the week before the class in which it is assigned. Plan on dropping by the library in the fall term or early in the winter term to make a copy.

The Honourable Mr. Justice Sydney L. Robins, "Appellate Advocacy," (October 1997) 16 Advocates; Soc. J. No. 3, 11-15.

Exchange of Factums

Each team of two students will need to hand in THREE copies of their factum for the Court and provide TWO copies to opposing counsel (one to each member of the opposing team) for a total of FIVE copies. Hard copies are required for the Court, but students may exchange copies electronically if all agree. Opposing counsel must receive their copies by 11:00 a.m. on the same day the factum is due.

Evaluation

This class is worth 1 credit (0.5 credits each term.) It is evaluated based on two assignments: a written factum and an oral moot, both marked by a faculty member. The class is evaluated on an honours/pass/fail basis.

Exceptional mooters may be nominated to try out for the Smith Shield Mooting Competition the following year.

Office Hours

My office is Room L114C in the library. To find it, follow the directions for the Writing Centre. I am three doors from the Writing Centre. I am happy to meet with students outside posted hours – speak to me after class, call, or email to arrange an appointment.

Fall Term	Winter Term
Fri. Oct. 7, 2011 from 9:00 – 11:00 a.m.	Thurs. Jan. 19, 2012 9:00 – 11:00 a.m.
Thurs. Oct. 13, 2011 from 9:00 – 10:30 a.m.	Thurs. Jan. 26, 2012 9:00 – 11:00 a.m.
Thurs. Oct. 27 2011 from 2:00 – 3:00 p.m.	Thurs. Feb. 2, 2012 9:00 a.m. – 12:00 p.m.

Smith Shield Moot and Nova Scotia Court of Appeal

All students are encouraged to attend the Smith Shield Moot on Wednesday, October 5, 2011 at 7:30 p.m. in Room 105.

I also encourage all students to attend and observe an appeal hearing at the Nova Scotia Court of Appeal at some point during the school year. The Court of Appeal is located at the Law Courts, 1815 Upper Water Street, Halifax. It is open to the public. The court's docket gives a brief summary of the case along with the date and time of the hearing. It is posted on-line at: http://courts.ns.ca/dockets_on_line/nsca_docket.htm.

Communication

Announcements will be made at the beginning of class. I may also communicate with the class via e-mail to each student's dal.ca account. As students are deemed to have received all e-mail sent to the dal.ca account, students should ensure their account is activated and check it regularly.

Class Changes and Cancellations

Class changes and cancellations will be communicated in class. Reception will also be informed so that a notice can be placed on the classroom door.

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 <http://academicintegrity.dal.ca/> website, and the Law School policy on plagiarism, as set out in the law school regulations, available online at http://law.dal.ca/Current_Students/Course_Selection_Materials/Regulations_Handbook/index.php

Any paper or assignment submitted by a student at the Schulich School of Law 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 and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.

Students with Special Needs/Requests for Accommodation

Requests for special accommodation for reasons such as illness, injury or personal circumstances will require an application to the Law School Studies Committee. Such requests must be made to Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes as soon as possible, **before** a scheduled exam or a deadline for an assignment. Retroactive accommodation will not be provided. Please note that individual professors cannot entertain accommodation requests. Students wishing to discuss arrangements for classroom assistance, such as note-taking, should see Professor Jennifer Llewellyn, 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*. These requests must be made to the Office of Student Accessibility & Accommodation (OSAA) **prior to or at the outset of each academic term**. Please see <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, or they may contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes for more information.