

LAW 302.3 COMMERCIAL RELATIONSHIPS
(2025-2026 Bangsund)

1(3L)

Calendar Description: The course examines the law applicable to a range of relationships that arise in a variety of commercial transactions: sale of goods, leasing of goods, commercial liens on goods, and suretyship. While the course occasionally touches on consumer issues, its primary focus is commercial transactions and the various relationships that form thereunder.

Prerequisites/Co-requisites: NONE

Detailed Description: The course is divided into four units.

Unit 1 is devoted to the exploration of legal issues that arise under contracts for the domestic sale of goods governed by *The Sale of Goods Act*. The following topics are covered: statutory scope, classification of goods, the seller's right and/or power to transfer title in goods, express and statutorily implied terms, delivery and payment obligations, acceptance and rejection of goods, and buyer's and seller's remedies. *The Factors Act* is also briefly canvassed in the first unit of the course.

The importance of leasing in commercial markets warrants that attention be given to legal issues that are encountered when this alternative form of use arrangement is effectuated in place of a contract of sale. Unit 2 of the course examines the following topics: function and characterization of leases, lessor's obligations, and lessor's remedies. Special attention is given to leases of new implements governed by *The Agricultural Implements Act*.

Providers of requested services and materials in relation to goods are conferred a statutory lien on those goods to secure payment of the payment obligation associated with the services agreement. Unit 3 of the course examines *The Commercial Liens Act*, which operates in conjunction with *The Personal Property Security Act, 1993* to govern the vast majority of commercial liens on goods in the Province of Saskatchewan.

Suretyship law (i.e. the law of guarantee and indemnity) is a very important aspect of modern contracting. It facilitates transactions that might not otherwise occur by providing the assurance that, if the principal contractor fails to perform its obligations, the guarantor (surety) will do so in its stead. Unit 4 of the course examines the supposed distinction between guarantee and indemnity, sets out the guarantor's numerous rights and defences, and explores contract formation issues that arise in the agricultural context under the governance of *The Saskatchewan Farm Security Act*.

Course Materials: The primary course materials are available in electronic format, and will be posted on the course website. Unit 3 of the course requires extensive consultation to a book authored by the instructor, a recommended purchase: *Bangsund on the Commercial Liens Act of Saskatchewan* (Office of the King's Printer, 2023).

Teaching and Assessment: The instructor will use various pedagogical techniques. Most topics are covered by lectures, then through examination of the law through its application to factual scenarios (i.e. problem sets). Student performance is assessed through a final open book examination. Five students may elect to write a research paper for 30% of the final grade in the course. Students electing to complete a minor research paper must state their intention

within the first month of the term and have the nature and topic of the paper approved by the instructor. These students are required to write the entire final examination for the remainder of their final grade. Students not electing to write a minor research paper will write the final open book examination for 100% of their final grade.

Minor Research Papers Allowed: 5

LAW 303.3 SECURED TRANSACTIONS – PERSONAL PROPERTY
(2025-2026 Milani)

1(3L)

Calendar Description: The course canvasses secured financing practices in Canada involving collateral in the form of personal property, with a primary focus on commercial secured transactions. The course examines the policy and economic implications of secured financing law, and reviews the history, doctrinal basis and specific provisions of the primary sources of secured financing law in Canada – the provincial *Personal Property Security Acts* (PPSA) and the secured financing regime of the federal *Bank Act*. The study of case law will provide a contextual framework to interpret and apply this legislation to factual scenarios. These subjects are examined in the context of the two primary themes of the course: *inter partes* creation and enforcement of security agreements, and third-party priority issues.

Prerequisites/Co-requisites: NONE

Detailed Description: Secured financing is a fundamental and pervasive aspect of modern economic activity, provincially, nationally and internationally. This course will provide students with a sound working knowledge of the domestic law of secured financing currently in effect in all Canadian common law jurisdictions, broken down as follows: Unit A: Introduction; Unit B: Foundation, involving a review of the history, philosophy, terminology, taxonomy and scope of the PPSA; Unit C: Creation & Attachment; Unit D: Perfection, involving an examination of the options and requirements for perfecting a security interest in personal property; Unit E: Priority, involving a detailed examination of the rules that determine entitlements of competing interests in collateral; Unit F: Enforcement, involving a review of the post-default enforcement rights of secured parties; Unit G: *Bank Act* Security; and Unit H: Conclusion.

Students will learn how to advise clients regarding their rights and obligations in secured financing transactions. They will critically evaluate the law of secured financing and understand developments in the case law and governing legislation. In addition to learning the fundamental mechanics of secured financing law, students are encouraged to critically examine its primary features in light of public policy goals, and explore approaches to the resolution of evolving and potential issues in this arena.

The course will also assist students in understanding the application of statutory interpretation to concrete legal issues.

Course Materials: There is no assigned text. However, students might find texts such as *Personal Property Security Law* (3rd) by Cuming, Walsh and Wood (Irwin Law, 2023), and *Bangsund on the Personal Property Security Act: The CCPPSL Model* (Thomson Reuters, 2021), very helpful. The course materials for Unit G will be posted on the course website in electronic format.

Teaching and Assessment: The instructor will use various pedagogical techniques. Most areas

are covered by lectures, then through examination of the law through its application to factual scenarios (i.e. problem sets). Student performance is assessed through a final open book examination.

Brief Description: This course examines the policies, laws, regulations, guidelines, procedures, and cases that illustrate how Canada defines membership in the Canadian community.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: Who do we want and who do we not want in Canada or as “Canadians”? Immigration policy and law has always been a subject of intense political debate in Canada. Some of the currently contentious issues include:

- Should family reunification considerations overcome economic interests when selecting immigrants? For instance, should Canada exclude your close family member from becoming a permanent resident because their disability may pose a risk to our publicly funded health or social services system?
- In what circumstances does Canada prevent people with past criminality issues from gaining immigration status? For instance, should a 7-year-old assault conviction prevent someone from immigrating?
- Do individual human rights overcome the government’s national security interests? For instance, is Canada prepared to deport a refugee with links to terrorism if they face possible torture in the destination country?
- How important is fairness in the process of making immigration decisions? For instance, should there be a right of appeal from a negative immigration decision?
- Is predictability and certainty more important than flexibility in the application of immigration law? For instance, should visa officers have the power to exempt applicants from selection criteria if they think it is appropriate?

Answering these questions, as well as the many others in this area, requires resort to a variety of sources of law. For example, the *Immigration and Refugee Protection Act* (IRPA), *Regulations* and Citizenship and Immigration Canada (CIC) Policy manuals are central, and much of the course is concerned with reviewing the provisions of these enactments and publications. In some cases, IRPA can be challenged as conflicting with the *Charter of Rights and Freedoms* international public law (either customary or treaty law). In addition, because immigration practice often involves reviewing the decision-making of various immigration tribunals, the principles of administrative law are an important constraint on decision-makers. In addition, all of these sources of law are interpreted and applied by a wide variety of persons, including immigration (IRCC) and border security (Canadian Border Security Agency) officers at overseas and inland offices; the Refugee Protection Division (RPD) and the Immigration Appeal Division (IAD) of the Immigration and Refugee Board, as well as the federal Court, Federal Court of appeal and Supreme Court of Canada. Finally, the course aims to prepare students for practice as immigration lawyers by infusing all of the legal discussion with practical advice on preparing initial immigration applications, RPD refugee hearings, IAD

appeals and Federal Court judicial review applications.

Materials: There will be a text book in addition to Immigration and Refugee protection Act, Immigration and Refugee protection Regulations and supplementary material to be distributed in advance of each class

Teaching and Assessment: 100% Final Examination

LAW 306.3 LAW FOUNDATION SEMINAR

(2025-2026 Barkaskas – Law Foundation Chair 2025)

MÉTIS LAW – THEORY & PRACTICE

Calendar Description: 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.

Pre-requisites/ Anti-requisites: NONE.

Detailed Description: 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%

Minor Research Papers Allowed: NONE

LAW 309.3 ESTEY CHAIR IN BUSINESS LAW SEMINAR**2(3S)**

– *Consumer Protection Law*
(2025-2026 Henderson)

Calendar Description: The Estey Chair in Business Law Seminar will be offered once a year in those years where there is a visiting Estey Chair. It will have a varied content within the broad scope of business law, depending upon the incumbent's experience and interest. The seminar may be interdisciplinary.

Prerequisites/Co-requisites: This course will build on some of the principles and doctrines covered in LAW 202.5 Contracts. No other background or pre-requisite course is required.

Detailed Description: This seminar will focus on consumer protection law. We will examine several regulatory strategies for protecting consumers, including product standards, prohibitions on misleading sales practices, human rights codes, mandatory disclosure, and consumer education. We will explore how these strategies could address contemporary problems, such as food safety, junk fees, algorithmic pricing, 'buy now, pay later' credit products and online gambling. We will conclude with a conversation about consumerism, consumer activism and their impact on the law.

Course Materials: There is no textbook for this course. Mandatory readings will be posted to the course website in an accessible format.

Teaching and Assessment: This will be a highly interactive discussion-based seminar course with one or two small assignments during the term and a final research paper.

LAW 310.3 INFORMATION AND PRIVACY LAW
(2025-2026 Johnston)

2(3L)

Calendar Description: This course examines the law relating to collection, use, and disclosure of information in the public and private sectors in Canada.

Prerequisites/Co-requisites: NONE

Purpose and Orientation: This course is designed to allow students to gain a foundational understanding of the legislation and principles that govern collection, use, and disclosure of information in Canada. The core of the course consists of an examination of federal and selected provincial/territorial legislation dealing with information in both the public and private sectors (i.e.: access to information and privacy statutes that apply to government and public bodies; private sector information and privacy statutes that apply to commercial activities). It will also include an examination of various causes of action that could be pursued for violations of privacy or other disclosure or misuse of information. As time permits, a selection of other topics will also be considered, including anti-spam legislation, data security, and relevant international developments.

In addition to addressing a subject that is relevant to a broad range of areas of practice, this course provides an opportunity for students to gain experience in working with legislation, including statutory interpretation and understanding relationships among statutes and between statutes and the common law. Other important objectives include understanding and critical analysis of relevant theoretical concepts and policy questions, and further development of skills of legal analysis and communication.

Course Materials: Readings will be assigned from materials available online.

Teaching and Assessment: The course will be taught using a combination of lectures and class discussion. Assessment will include an open-book final examination and may include one or more assignments.

Calendar Description: This course is intended to provide students with a general introduction to construction law in Canada. Building on basic concepts learned in contract and tort law, students will gain an understanding as to how contracts for work are awarded; what construction contracts look like, including which clauses are typically the source of litigation; what rights, obligations and remedies parties can access through *The Builders' Lien Act*, in contract or in tort; and how to use construction law remedies (by way of litigation and arbitration, and under *The Builders' Lien Act*) to effectively resolve disputes.

Prerequisites/Co-requisites: **Contracts 202.5 (201.6) and Tort Law 211.5 (212.6)**

Purpose and Orientation: Construction law is a significant practice area in Saskatchewan and beyond. The principles taught in this course will be relevant nationally. Upon completion of this course the student will be able to:

- Describe and apply legal principles, including the common law and statutory rules, which govern construction law.
- Describe how construction contracts are awarded, and the process by which performance of work is secured.
- Apply construction law concepts, including those contained in *The Builders' Lien Act*, contract law and tort law, to appropriately resolve common construction law issues as well as develop a basic understanding of how to analyze and respond to the types of legal documents commonly filed in legal proceedings relating to construction disputes.
- Describe how to effectively use remedies (by way of litigation and arbitration, and under *The Builders' Lien Act*) to resolve construction disputes.

Course Materials: A link to required course readings, including the course's textbook, *Saskatchewan Builders' Lien Manual* (3rd Ed) by Colin Hirschfeld and Jared Epp which will be made available for free, will be posted online in advance of each class. Course materials will consist of cases, tender documents, construction documents, pleadings and materials commonly filed in support of court actions, such as applications and affidavits.

Teaching and Assessment:

3-hour final exam: 100%

Students will be expected to prepare a legal memorandum, which will require an analysis and evaluation of court materials, which may include affidavits, contract documents and pleadings. To assist with preparation, some of these court materials will be provided to students in advance of the final exam. Students will also be expected to answer questions requiring them to apply course concepts to construction law fact patterns. The final exam will be open book.

LAW 314.3 HEALTH LAW
(2025-2026 von Tigerstrom)

1(3L)

Calendar Description: This course introduces students to the basic principles of medical law and their application to common issues in health care. It also explores the legal framework for the health professions and the health care system.

Prerequisites/Co-requisites: NONE

Purpose and Orientation: This course introduces students to basic principles of health law and to the complex legal and policy environment for the provision of health care in Canada. It will provide an overview of the health care system and its legal framework. The main part of the course will then consist of an exploration of health information, medical negligence, and consent to treatment. As time permits, we will also discuss other selected topics and current issues in health care. Throughout the course, students will be encouraged to consider the interaction of ethical and legal obligations from various sources and of different mechanisms for the accountability of health care providers.

Required Course Materials: Assigned readings will be available on Canvas. There is no required textbook.

Teaching and Assessment: The course will be taught using a combination of lectures and class discussion. Assessment will be based primarily on a comprehensive invigilated final examination and may include one or more written assignments. A limited number of students may be given permission to write a minor paper.

Minor Papers Allowed: 5

Course Description: This course will provide in-depth coverage and discussion of legal issues that arise in professional regulation in Canada. Topics will include governance; regulation v. advocacy, registration, labour mobility, professional standards, quality assurance, complaints, investigations, discipline, unauthorized practice and the role of the Courts. The course will also consider the larger social context of professional regulation including recent cases that have challenged government and public confidence in the way professions are regulated.

Learning Outcomes:

1. Explore how professions are regulated in Canada and some of the history and underlying policy rationales for that structure;
2. Articulate how professional regulatory bodies are structured through enabling statutes, subordinate legislation, and policies;
3. Identify the differing roles of professional regulatory bodies in Canada (such as registration, professional standards, advocacy, investigation, and discipline) and key legal issues that arise in each role;
4. Explore key debates regarding the public interest in the current model of professional regulation, and consider emerging legislative responses.

Prerequisites: None

Required Resources:

Links to all required readings for this course will be posted on Canvas. Readings may consist of cases, legislation, codes of conduct, standards and /or articles.

Supplementary Resources (Optional):

Bryan Salte, *The Law of Professional Regulation* (Markham ON: LexisNexis Canada, 2015)

James T. Casey, *The Regulation of Professions in Canada* (Toronto: Thomson Reuters, 1994-)

Note: There is no requirement to purchase the supplementary resources, and there will be no disadvantage in the course for not doing so.

Teaching and Evaluation:

Class participation 10% of final grade

Description: Students should attend class as much as possible and be prepared to discuss relevant topics/readings.

Final Exam 90% of final grade (date tbd)

Description: The final exam will be administered as a comprehensive invigilated three-hour exam and may include questions on any of the topics covered in lectures and corresponding readings during this course.

Optional: Major Paper (available by request) 90% of final grade (in lieu of final exam)

Due date: By the end of the last scheduled class

Description: A major paper can be completed in lieu of a final exam. Students writing major papers will be expected to review the course materials and participate in class discussions and will be responsible for demonstrating knowledge of the course materials in their writing. To be eligible to write a major paper, a student must have received email approval for their topic, along with a draft index, within four weeks of the first scheduled class.

**LAW 321.3 TRANSFORMATION IN PRACTICE: RECONSTRUCTING
THE FUTURE LAWYER**
(2025-2026 C. Zawada)

1(3L)

Calendar Description: This course examines the changing environment, technology, social and business factors students must manage to exploit challenges affecting the legal profession and how legal services can be more effectively delivered.

Prerequisite(s): NONE

Course Description and Objectives:

This course explores three major themes:

- a) Legal service providers must employ flexible and creative thinking when adopting unique solutions to meet future needs;
- b) Effective implementation of current and emerging technological tools is mandatory if lawyers and other providers are to remain relevant; and
- c) Various tools to identify and solve legal service delivery challenges must be employed, including subjects like design thinking.

Students (and lawyers) must understand the huge changes impacting the delivery of legal services, and enhance their personal skills toolkits to manage future requirements. These topics will be discussed and debated so practical solutions can be identified. Most importantly, students will be exposed to the technologies available, and consider how they can be applied or modified for maximum effectiveness.

Although this is not an artificial intelligence course, there is no doubt that AI will continue to be a massive force for change not just for legal practice, but in society. The risks and benefits of this technology will be closely examined, along with potential remedies which might minimize problems and augment benefits.

A major focus will be on problems already evident in the legal system. For example, what do customers need and expect, and how can one build a business or career around fulfilling those expectations? Have players in the legal industry, ranging from educators to providers, either ignored or failed to understand the real needs of their customers? What competencies must lawyers possess both for client service and to enhance their own mental wellness? The assumptions and consequences of this will be explored.

There will be emphasis on mandatory digital literacy and skills for legal service providers. Current technology will be discussed, along with emerging trends beyond AI.

Apart from technology, other elements which affect legal service providers will be examined, together with potential solutions. This includes personal skills such as marketing, resilience and stress reduction, and cultural competence. The latter will include discussion of TRC issues.

An attitude of experimentation will be an implicit, but key, part of the course: develop forward thinking graduates by stressing the need for continuous curiosity about the

transformation of legal service delivery in the public interest. Since the future is always unknown, practitioners will need to be flexible so they can adapt to and grasp the inevitable changes.

This course is not only aimed at students pursuing a career in private practice. Indeed, the very concept of private practice may be radically different in the future. The societal and professional changes which are occurring will affect legal services in every possible way and arena, and the skills necessary will be just as relevant to those who are in public service, government, or apply their legal training to other facets of life.

By the end of the course, students should be able to:

- employ a mindset of agility and adaptation to change;
- display comfort and competence in using current and future technological tools, such as artificial intelligence, collaboration software, online marketing strategies, and others;
- understand design thinking principles and how they can be applied to any manner of problems to create human-centric solutions;
- utilize and understand personal skills which students and legal service providers should know to maximize their career and personal potential, such as collaboration and teamwork, presentation skills, emotional intelligence and empathy, problem-solving skills, cultural competence, and resilience;
- describe the issues which have arisen and are likely to emerge in society and the legal profession that are contributing to breakdowns in the delivery of justice and legal assistance;
- gain an understanding of the issues which legal regulators are facing and anticipate some changes which they could employ, or which they may have to react to, when dealing with the changes identified.

Course Materials: Course materials and readings are available through the class Canvas site. Edited versions or excerpts of cases and other materials are provided and students are only responsible for the portions contained in those versions.

Materials provided through Canvas or otherwise are intended to be used only by students enrolled in the course for the purpose of private study. Unless otherwise noted, CanLII is the original source of case excerpts in the edited materials.

Method of student evaluation:

Assessment of students will be based on:

- 1) (20%) Class participation, including:
 - a) attendance;
 - b) adequate preparation;
 - c) active involvement in classes and workshops; and
 - d) contribution to class discussions.

- 2) (80%) A final exam (open book), based on themes of the course. Students may elect, with instructor approval, to write a major paper in lieu of the final exam on a topic relating to the course's subject matter.

Minor Papers Allowed: None

Major Papers Allowed: Yes, as noted above

Meets seminar requirement? No

LAW 322.3 CHILD PROTECTION LAW AND PRACTICE**1(3L)**

(2025-2026 Patrick)

Detailed Description: Child Protection Law and Practice focuses on child protection law in Canada and the legal, policy and practices, with the aim of helping students to develop a legal framework consistent with the theory, values and skills of practice in this area of law. The course will critically examine a range of contemporary legal, social policy and practice issues that impact the lives of children, caregivers, and their communities. The course examines the quasi-criminal and quasi-family law nature of child protection law in Canada. The main goal of the course is to provide a foundation for child protection law and practice within a social justice framework, by examining a range of issues pertinent to the practice of child protection law.

The course format will be interactive and success for all (including the instructor) will depend on the full participation of each person in critically examining issues and challenges pertinent to child protection law in Canada.

Prerequisites/Co-requisites: NONE

Learning Objectives: Students are expected to develop an understanding of both the foundational legal concepts of child protection law in Canada, as well as the practical realities and challenges that this practice area raises in Saskatchewan and its Indigenous communities. Students will understand the national significance of child protection and the challenges that this area of law faces following the TRC's Calls to Action, the MMIWG Final Report, UNDRIP, and Legislative frameworks. Students will become familiar with the national significance of addressing policy and social issues that include the over representation of Indigenous children, youth, families, and communities that get caught in "the system".

Course materials: All resources will be available on-line or through CanLII.

Teaching and Assessment: The final exam is worth 80%. Students approved to write a major research paper in the course will do so in lieu of a final exam.

- Participation & Reflection - 20% (all students)
- Minor research papers allowed: 3 (40%), write exam (40%)
- Major research papers allowed: 3 (80%)

LAW 323.3 LAW REFORM COMMISSION OF SASKATCHEWAN INTERNSHIP
(2025-2026 Howie)

1(3P)

Weekly meetings will be scheduled for a time and in a location that works for the students and the Director of the Law Reform Commission (Leah Howie).

This is an application-based class.

Total Hours: 72 (6 per week x 12 weeks)

Weekly Hours: Practicum 6 per week for 12 weeks

T1

Course Description: This internship will give students an opportunity to learn about the process of law reform and to develop their research and writing skills by working with the Commission and its Director on law reform projects in which the Commission is engaged.

The student will work under the supervision of the Director and provide written work and verbal reports on a regular basis. The student will have an orientation session and discuss assigned reading materials with the Director in the first week of the internship. Following this, the student will have weekly meetings with the Director. The student will work 6 hours/week for the Commission in 2 x 3-hour shifts and will also meet with the Director once per week for 30 minutes. The student will have deadlines for written work to be agreed upon with the Director. The student will also meet at least once per term with one or more of the Commissioners, and also attend a regular Commission meeting (if one is scheduled during the term).

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application for the LAW 323.3 Internship by **Friday August 22, 2025**. Please address your application to the Director of the Law Reform Commission of Saskatchewan, Leah Howie. She can be contacted for questions at director@lawreformcommission.sk.ca.

Applications must include an unofficial transcript, resume, and cover letter, and must indicate in which term the student would prefer to complete their internship. Students will be notified in late August whether or not they have been selected. At this point, students who have been selected for the internship will have to drop a class in the term in which it has been offered and contact law.jdstudies@usask.ca to register them in the internship.

Learning Objectives for this course:

- Understand the process and roles involved in reform of legislation

- Develop proficiency in legal research, including primary (legislation and case law) and secondary materials
- Develop skills of legal analysis
- Develop writing skills, including presenting the results of research and analysis in memos and other draft documents and drafting materials for the Commission's website
- Develop verbal communication skills, including the ability to summarize
- the results of research and articulate questions

Student Evaluation: The internship will be evaluated on a pass/fail basis. The student will be required to demonstrate competencies in legal research and writing and oral and written communication. The student will also be required to complete a self-reflection exercise at the end of the term.

LAW 324.3 DISPUTE RESOLUTION IN FAMILY LAW**2(3L)**

(2025-2026 Charmaine Panko, K.C.)

Calendar Description: This is an advanced DR course which builds on the basic skills introduced in Negotiation 430, and focuses on the area of family conflict. The course will allow students to study emerging DR models in family law, and will focus on advanced skill development. Topics will include inter-disciplinary approaches and adaptive processes that allow lawyers to better understand and address the dynamics of family conflict.

Prerequisite: At a minimum, students will have taken Negotiation 430 AND one family law course such as Family Law I 372. For a complete understanding of family law issues, before taking this course, students will have also taken Family Law II 471 or would be registered in 471 at the same time.

Purpose and Orientation: The landscape of practicing family law is changing quickly, with a growing emphasis on dispute resolution processes outside of court. The Negotiation course prepares students for problem-solving processes with general skills, but many unique challenges (and opportunities) arise when working with families in conflict. This course will delve into those challenges (taking issues like mental health, family violence and cultural backdrop into account). It will also explore DR processes, some long-standing and others emerging, such as: mediation, interdisciplinary collaborative process, arbitration and parent coordinator roles, pre-trial conferences, self-representation and coaching.

Texts: Materials will be distributed.

Teaching and Assessment: Course work includes in-class participation exercises and out-of-class experiences as well as written reflective assignments and in-class debriefings of exercises and out-of-class experiences. The emphasis is on formative assessment (development of skills over time) and collaborative learning. This course does not have an exam but each student is required to present a final project on Re-imagining Family Law. The course is *not eligible* for either the major or minor research paper credit. Class size is limited to 20.

LAW 326.3 TRUSTS**2(3L)**

(2025-2026 Arvanitis-Zorbas)

Calendar Description: The course covers the creation, administration, variation and breach of express trusts. Resulting and constructive trusts are also examined.

Prerequisite/Co-requisite: NONE

Course Objective: The purpose of the course is to describe the structure of the trust and investigate the functions that modern trusts perform. Trusts are an indispensable tool for many formal arrangements between parties. Students will be introduced to this general utility and, at the same time, learn the limitations of the use of the trust. Students should be able to: define terminology commonly used in trusts, state and apply the rules which govern validity of trusts, as well as contrast the trust with other legal concepts. Furthermore, they should be able to solve problems by applying the law related to **express trusts, remedial trusts, purpose trusts, trust remedies, the administration of trusts and trust theory.**

Course Materials: The required casebook will be available for purchase.

Teaching and Assessment: Instruction is by lecture and discussion. Assessment is based on an open-book final exam.

Minor Research Papers Allowed: 0

LAW 340.3 ADMINISTRATIVE LAW**1&2(3L)**

(2025–2026 Ponomarenko (T1) & Ralston (T2))

Calendar Description: A survey of the role of administrative agencies within the Anglo-Canadian legal system focusing primarily on consideration of the extent to which agency and executive action is subject to judicial review and control.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: This course will provide an introduction to the basic principles of administrative law which govern the activities of administrative bodies and the relationship between the legislative, executive and judicial branches of government. The areas discussed will include procedural fairness, bias and independence, discretion, the application of the *Charter* to administrative decision making, judicial review, and other remedies available with respect to administrative decisions. Students will have an opportunity to consider and discuss both practical and theoretical issues regarding the role of administrative decision makers. The course will serve as a foundation for further study and practice in a wide range of areas, including health, environment, immigration, labour, professional regulation, education, and financial regulation.

Term 1 – Ponomarenko Course Materials: TBA **Term 2 – Ralston Course Materials: TBA**

Teaching and Assessment: The course will be taught by a combination of lectures and class discussion. Assessment may include components for class participation and will include one or more open book examinations or assignments. A limited number of students also have the option of writing a minor research paper.

Minor Research Papers Allowed: 5

LAW 341.3 FIRST NATIONS' ECONOMIC DEVELOPMENT
(2025-2026 Busch)

1&2(2S-1R)

Calendar Description: The seminar examines the evolution of First Nations economic development. There will be a brief overview of historical economic activities by First Nations, a review of government legislation and policy that impacted First Nations economies and a review of legal developments including First Nations-led legislative initiatives that have created the environment for renewed economic development activities by First Nations.

Prerequisites/Co-requisites: None

Purpose and Orientation: This seminar is designed to equip students with the knowledge of the evolution of First Nations economic development. To understand the successes, challenges and opportunities of current economic development by First Nations requires an overview of the historical economic development activities carried out by First Nations. It also requires an examination of how government policy and legislation adversely affected First Nations abilities to participate in the economy both before and after Treaty making. Lastly, the successes and opportunities for current and future economic development can be attributed to a resurgence in cultural and traditional activities, recent case law and First Nations-led legislative developments along with appropriate business structures. The seminar will provide the student with a well-rounded comprehension of economic development issues and the legislative and legal regime in which First Nations operate.

Course Materials: Materials will be available online.

Teaching and Assessment: The primary teaching method is by lecture along with discussions and questions. Assessment will be 75% written paper, 15% for class participation and 10% for short presentations in class.

LAW 342.3 APPELLATE ADVOCACY
(2025-2026 Wihak)

1(3L)

Calendar Description: This is a theory and practice course, combining the study of legal principles unique to appellate litigation and the work of appellate courts, with practical written exercises, and a mock appeal in the Saskatchewan Court of Appeal. The objective of this class, which will combine both lecture and class discussion, is to increase a student's understanding of the appellate process in both civil and criminal matters, and to provide practical exposure to the practice of litigation.

Prerequisite/Co-requisite: None. Successful completion of civil procedure or criminal procedure and administrative law would be an asset, but is not required.

Detailed Description: This class will teach students how to serve effectively as counsel for a party on an appeal. The first part of the course will focus on appellate theory, and will concentrate on the structure of and legal constraints on Canadian appellate courts. It will be comprised of lectures, including guest lectures from seasoned appellate counsel and various Saskatchewan Court of Appeal judges, and class discussions in seminar form. While this course is intended to be delivered fully in person, some classes may need to take place via Zoom in order to accommodate the schedules of our guest speakers and/or the instructor's own litigation schedule.

The objective of this class is to provide students with an overview of the appellate framework and process, including the right to appeal, jurisdiction of appellate courts, scope of review, and relevant statutory provisions and rules of court. The unique role of the Supreme Court of Canada in the Canadian court system will also be discussed, as will more recent developments in appellate practice such as cameras in the courtroom, electronic filing, and hearings via videoconference, all of which have taken on greater importance in the post-COVID world.

The second part of the course will be skills oriented. Since written advocacy, and especially the ability to write persuasively and effectively, is central to appellate litigation practice, the course will emphasize written advocacy slightly more than oral advocacy. Although focusing on the appellate setting, the skills aspect of this class will prepare students for arguing motions and writing legal briefs for any level of court or administrative tribunal, and will introduce the basic advocacy skills essential for making effective oral presentations in those settings.

Course Requirements: The subject matter covered by this course is considerably complex, and should be considered as advanced. The nature and extent of the readings reflect that notion. By way of evaluation, students will be required to undertake tasks central to the appellate process, such as drafting notices of appeal; preparing a written factum in an appeal; oral argument; and preparing a short legal memorandum on an issue relevant to practice in appellate courts. Given the small class format, and the prevalence of guest

lectures, there is also a participation component to the course evaluation.

(Please note this course is **not** suitable for fulfilling the College of Law's requirement for a major or minor research paper.)

LAW 346.3 ENVIRONMENTAL LAW MOOT
(2025-2026 Howie)

2(3S)

Calendar description: The environmental moot course will be offered either as an internal moot, or when feasible as part of an inter-law school or national environmental moot. The course will provide students with instruction in areas of environmental law relevant to the moot case, advanced legal research and writing, and appellate advocacy.

The Willms & Shier Environmental Law Moot is Canada's first and only national moot court competition devoted to environmental law which takes place every 2 years. Its goal is to promote awareness of the growing role of environmental issues in contemporary legal practice and public life, while enhancing law students' written and oral advocacy skills.

The competition takes the form of an appeal before a Canadian court of last resort, bringing together law students, judges, leading lawyers and legal academics to explore cutting-edge environmental law issues.

Teams consist of two or three, second and third year law students. Each team files a factum for one party. At the oral hearing, teams argue one side of the appeal in their first match and the other side in their second. The playoff and final matches are judged by senior appellate judges. Factums and oral arguments are presented in English.

Try-outs will take place in the fall while the competition is usually held in early March. Further information on the moot can be found at: <http://www.willmsshier.com/moot/>.

LAW 347.3 DONALD G. H. BOWMAN NATIONAL TAX MOOT
(2025-2026 Maloof & Horlick)

2[Nov.-Feb.](3S)

*Applications for the upper year moots will open in July via the Experiential Learning Canvas page. You will have a chance to apply for any moots that interest you. We typically run interviews or try-outs on a weekend, before mid-September***

Description: Up to five students will be selected annually to participate in the Donald G. H. Bowman National Tax Moot, which is typically held in Toronto. The moot involves research and advocacy, both oral and written, and allows students from Canadian law schools to debate current legal issues in taxation law with senior tax practitioners and with justices of the Tax Court and Federal Court of Appeal. The moot is recommended to those with an interest in public speaking, advocacy, exacting research and taxation issues.

Calendar Description: This course is designed for students who wish to participate in the Donald G.H. Bowman National Tax Moot. The moot involves research and advocacy, both oral and written, and allows students from Canadian law schools to debate current legal issues in taxation law with senior practitioners and with justices of the Tax Court and Federal Court of Appeal. The seminar is recommended to those with an interest in public speaking, advocacy, exacting research and taxation issues. A team of up to five students (four oralists and up to one additional participant) will be selected to represent the College at the moot competition.

Prerequisite/Co-requisite: NONE

Purpose and Emphasis: This course is designed to prepare students for participation in the Donald G.H. Bowman National Tax Moot. The content of the course depends on the issues raised by the moot problem. The problem is usually available in the early fall, and the competition takes place in late February or early March. Some work over December break may be required. Work and attendance at meetings and practices over the February break is essential.

Students who are invited may indicate their interest and compete for a place on the team. No more than five students may participate. Students are selected through an interview process and selection may be made on the basis of academic record, mooting experience or other relevant experience. Interested students will be invited to submit application materials including an updated CV and cover letter and may be interviewed as a part of the selection process.

Course Materials: The materials covered depend on the issues raised by the moot problem. Students identify the issues, then divide them among the group in two teams (two appellant representatives, two respondent representatives). Research materials identified by the coach and/or the moot problem make up the bulk of the course materials.

Teaching: In accordance with the rules of the competition, faculty assistance is limited to a general discussion of the issues, suggestions as to research sources, and suggestions on ways students can improve their moot style. In addition to seminar discussions of the issues and research sources, students will participate in several meetings and practice moots in the months of January and February. Students will prepare both an appellant and respondent factum, the final drafts of which have, in the past, been submitted to the competition organizers in early February.

Teaching and Assessment: Each student's mark will be arrived at using a combination 25% attendance, 25% quality and timeliness of written work (which will necessitate evaluation of the written work as a group effort), 25% quality of oral work, and 25% group participation. Pursuant to the moot rules, the additional participant may not be required to present oral argument at the moot competition but the additional participant will have the opportunity to present oral argument in a practice setting. In the case of the additional participant, their individual mark will be based on their research contributions to the moot team as well as their participation in practice moots (and the moot competition itself if required). The course will not satisfy the major research paper requirement nor will it meet the seminar program requirement.

LAW 348.3 ADVANCED LEGAL RESEARCH
(2025-2026 Golding)

1&2(3L)

Course Description: This course is designed to enhance students' proficiency and efficiency in conducting legal research, and the judicious and legitimate use of both traditional and cutting-edge research tools.

Building upon the foundational skills students acquired in the introductory legal research and writing course, this course focuses on the advanced application of practical legal research skills, including locating relevant case law, legislation, foreign law, and commentaries, and providing professional support to clients. Through case studies, class exercises, and discussions, students will develop skills for utilizing legal research databases, gain deeper insights into the philosophical foundations of communicative theory, and learn the most effective methods of persuasion in legal writing.

This course focuses on the application of legal research and analysis to solve problems and support client decision-making. Students will participate in a fictional law firm and apply the skills they learn in class to analyze complex client information, synthesize legal issues, and create coherent legal arguments to assist the firm's clients. Students will hone their legal research and client communication skills by learning to identify relevant primary law sources using various strategies and databases, use secondary sources efficiently, interpret and work with legislation, and identify and analyze options using decision-making processes and strategies based on modern cognitive and communicative theories about how readers process information. Students will have the opportunity to reflect on the lawyer's role as an adviser and how to communicate effectively to different audiences.

This hands-on and experiential learning course applies scenarios based on practical legal problems and questions commonly encountered in articling, clerkship, and legal practice. The overall aim is to provide students with practical skills to enhance their ability to find and analyze appropriate legal sources, develop an understanding of the legal implications and ethical considerations of using AI tools, appreciate the role of Indigenous legal frameworks, and communicate research results in a client-focused and ethical manner.

Prerequisites/Co-requisites: LAW 245 Legal Research and Writing

Course Materials: All course materials are available in electronic format and will be posted on the course website or available through the library.

Teaching: Each class is split between a lecture (where the instructor will discuss the particular research or writing topic) and a student-led discussion based on assigned readings. Students are expected to participate in class by engaging one another in a conversation about the materials.

Assessment: Student performance is assessed through a series of sequential assignments and by their participation in class. There is no final exam.

Minor Research Papers Allowed: 0

Calendar Description: This seminar examines issues relating to housing, homelessness, and law. It will introduce students to the context and policy debates around housing and homelessness in Canada, and examine issues relating to housing and homelessness through multiple lenses. Topics covered will include Indigenous perspectives relating to housing, the international human right to housing, federal and provincial housing legislation, and advocacy and litigation regarding homelessness and the right to housing. The seminar also covers key features of the law and practice relating to residential tenancies, with a special focus on eviction and access to justice in administrative housing law tribunals. Finally, the seminar explores policy and law reform ideas for the future of housing law and justice in Canada. Note that in 2025, Professor Buhler is working with CLASSIC (Community Legal Assistance Services for Saskatoon Inner City, Inc) to set up opportunities for “mini” housing-related experiential projects for interested students (note that an experiential component can not be guaranteed for all students in the seminar).

Prerequisite/Co-requisite: NONE

Purpose and Orientation: Housing is a fundamental human need, but affordable, secure housing remains elusive for many, and homelessness persists in Canada. International, federal, provincial, and municipal laws and policies shape housing realities and experiences, and housing also engages multiple substantive areas of law including contract, property, criminal, administrative, human rights, and family law. This course provides students with an in-depth overview of how law intersects with housing, and provides students opportunities to develop critical perspectives about law and legal practice in this area.

Course Materials: Readings will be made available electronically and through the law library.

Teaching and Assessment: Evaluation is based on:

- OPTION 1: A minor research paper (40%) and creative, reflective, or other project (35%)
OR
- OPTION 2: A major research paper (75%)
AND
- Attendance and participation (25%)

Calendar Description: This course examines the common law foundations of the law of evidence in Canada – principally rules and standards of admissibility. The topics examined may include examination and cross-examination, judicial notice, presumptions and burdens/standards of proof, relevance and materiality, receivability, character evidence, opinion evidence, privilege, and hearsay.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The purpose of the course is to introduce students to fundamental concepts, principles, rules and standards in the law of evidence. Evidentiary issues arise in all areas of legal practice. Even where there is no resort to litigation, the rules of evidence often determine the strength of the client’s legal case and so must be considered. This course focuses on the rules of evidence in criminal proceedings, but many of the basic principles also apply to civil and administrative proceedings.

Course Materials:

- • Cases, statutory provisions, and commentary. At this time, I do not anticipate assigning a casebook or textbook, though that may change.

Teaching and Assessment: The course will be taught primarily in a lecture format, though students will be expected to participate in class by asking and responding to questions about the materials, and by engaging each other in debate.

All students will write one open-book final examination. (100%)

LAW 361.3 BUSINESS ORGANIZATIONS I**1(3L)**

(2025-2026 Arvanitis-Zorbas (s. 1))

Calendar Description: Examination of the basic features of business corporations. Topics include corporate personality, the process of incorporation, the powers and duties of directors and officers, shareholder rights and remedies.

Prerequisite/Co-requisite: NONE

Purpose: In Saskatchewan there are three different general incorporation statutes, the *Business Corporations Act, 2021*, the *Cooperative Corporations Act* and the *Non-Profit Corporations Act*. The focus in this course is on the *Business Corporations Act, 2021*. The purpose of the course is to acquaint students with the basic elements of corporate structure. No commerce or business background is required in order to do well in this course.

Course Materials: The required casebook will be available for purchase.

Teaching and Assessment: Instruction is by lecture and discussion. The form of assessment will be a 100% open-book final examination.

Minor Research Papers Allowed: 0

LAW 361.3 (s. 3) BUSINESS ORGANIZATIONS I
(2025-2026 Ponomarenko)

2(3L)

Calendar Description: Examination of the basic features of business corporations. Topics include corporate personality, the process of incorporation, the powers and duties of directors and officers, shareholder rights and remedies.

Prerequisite/Co-requisite: NONE

Purpose: This course provides an introduction to the law of partnerships and corporations. The primary focus will be on the *Canada Business Corporations Act*, *Saskatchewan's Business Corporations Act*, *The Partnership Act*, and the relevant common law principles. We will examine the nature of corporate personality, the organizational choice and formation of business entities, capitalization, the powers and duties of directors and officers, and the rights and remedies available to shareholders and other stakeholders. Comparative references to other jurisdictions will be made where useful. No commerce or business background is required in order to do well in this course.

Course Materials: The required casebook will be available for purchase. Supplementary materials will be posted online.

Teaching and Assessment: Instruction is by lecture and class discussion. The form of assessment will be a 100% open-book final examination.

Minor Research Papers Allowed: 0

LAW 372.3 FAMILY LAW I
(2025-2026 Singer)

2(3L)

Calendar Description: Introduction to trends in family law, the constitutional and statutory framework for the regulation of families, and the process issues in family law practice. The course provides a detailed examination of spousal support/maintenance and property rights between spouses, both married and common law.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: This course provides an introduction to the substantive themes and trends in family law, the constitutional and statutory framework for the regulation of families, and the role of process issues in family law practice.

In addition to introducing substantive and procedural issues, the course offers a detailed examination of the legal meaning and implications of spousal status.

Examination of the legal definition of spouse will include a review of the extension of marital status to LGBTQ+ couples, as well as to the circumstances in which spousal status is attributed to unmarried cohabitants.

A substantial portion of the course will deal with spousal rights to property division under *The Family Property Act* including division of the family home, household goods and other types of family property. In addition, spousal rights to financial support or maintenance will be examined both under the federal *Divorce Act* and the provincial legislation, *The Family Maintenance Act, 1997*. The impact of private agreements on rights to support and division of property will also be reviewed.

Course Materials: A case book is available on PAWS. No other materials are necessary for the course, although reference may be made to certain commentaries and articles.

Assessment: Students will be assessed via a 100% open book final.

Minor Research Papers Allowed: 0

COURSE DELIVERY: Fully In Person

Calendar Description: Introduction to trends in families and family law, the constitutional and statutory framework for the regulation of families and the role of process issues in family law practice. The course also provides a detailed examination of maintenance and property rights as between spouses, both married and common law.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: This course provides an introduction to the substantive themes and trends in families and family law, the constitutional and statutory framework for the regulation of families and the role of process issues in family law practice.

In addition to providing an introduction to substantive and process issues in family law, the course offers a detailed examination of the legal meaning and implications of spousal status.

Examination of the legal definition of spouse will include a review of the extension of marital status to gay and lesbian couples as well as to the circumstances in which spousal status is attributed to unmarried cohabitants, both same sex and heterosexual.

A substantial portion of the course will deal with spousal rights to property division under *The Family Property Act* including division of the family home, household goods and other types of family property. Finally, spousal rights to support or maintenance will be examined both under the federal *Divorce Act* and the provincial *Family Maintenance Act*. The impact of private agreements on rights to support and division of property will also be reviewed.

Course Materials: A case book is available on PAWS. No other materials are necessary for the course, although reference may be made to certain commentaries and articles.

Assessment: Students will be assessed by way of a 100% open book final examination in Professors Walen and Singer's class.

Minor Papers Allowed: 0

LAW 384.3 CIVIL PROCEDURE**1&2(3L)**

(2025-2026 Kennedy (Term 1); Hnatyshyn (Term 2))

Calendar Description: A chronological study of the procedural steps, rules and related substantive law in a civil action from the moment of the decision to sue to the trial of the matter. The context of the adversarial process in an action is examined by reference to the policies underlying civil procedure, the role and authority of the lawyer, the organization and jurisdiction of the courts and limitations of actions. The civil action is examined through a focus on principles of jurisdiction and venue, type and manner of commencement of proceedings, pleadings, multiple claims and parties, and questioning. The course will involve the drafting of documents. The ethical conduct of a civil action is taught at each stage of the class.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The course is intended to provide a basic understanding of the process, principles, rules and discretion in adjudication in formal legal proceedings (specifically, a general procedure civil action in superior court-in Saskatchewan, The Court of King's Bench). The initial focus is on the decision-making that takes place in the law office with respect to suing. Basic issues with respect to the role of the lawyer, choice of courts, limitation periods and costs of litigation are developed as aspects of the decisions to sue and settle litigation. The main focus in the examination of procedures is to develop an understanding of the content and scope of procedures by reference to definition, history and purpose of the rules. Drafting of documents and pleadings in an action are used to compliment case and rule analysis as part of understanding the process of litigation.

Course and Materials: TBA

Teaching and Assessment: The method of teaching is a combination of lecture, modified Socratic discussion and group activities. A major element of the course will require the students to work as "counsel" in an hypothetical action. This simulation will require the students to draft pleadings, prepare a Pre-Trial Conference Brief, and participate in a Pre-Trial Conference. The course is marked on a Pass/Fail basis. Students must successfully complete all aspects of the course to achieve a pass.

Minor Papers Allowed: 0

Calendar Description: This course examines the nature and function of the law, focusing particularly on the relationships between the law and society, law and morality, and law and political theory.

Prerequisites/Co-requisites: NONE

Detailed Description: Jurisprudence is the philosophical study of the nature and function of the law. The course will introduce students to foundational and advanced concepts of jurisprudence, which inform interpretations, justifications and critiques of the law. Students will relate such concepts to the practice and experience of the law, reflecting on the value of jurisprudence to the priorities of the common lawyer.

Concepts will come from both canonical and contemporary jurisprudence. Canonical jurists in the Anglo-American tradition were often concerned with the legitimacy of the law, explored vis-à-vis the relationship between rule and morality, the fidelity of sources or institutions, and the analytic structure of legal concepts. Their legal theories tend to be taught across two debates: between legal positivism and natural law theory, and between analytical jurisprudence and legal realism. From canonical jurisprudence, students can expect to study concepts such as the laws of nature versus the laws of “man”, criteria of validity, the structure of right and duty, internal morality of law, and contingency of decision-making.

Contemporary jurists tend to break from canonical concerns, focussing on law’s relationship to social and political power (inclusive of power’s cultural formations), and to imagine alternative ways of living with the law. Their critical legal theories draw upon feminist, Marxist, postmodern and/or postcolonial philosophy. From contemporary jurisprudence, students can expect to study concepts such as the violence of the legal norm, subject/object ontology, law’s materiality and spatiality, the *techné* of jurisdiction, and prefigurative legalities.

Learning objectives: On successfully completing the course, students will be able to at a minimum:

- (L1) Demonstrate a general understanding of foundational and advanced concepts of jurisprudence,
- (L2) Identify legal problems and/or issues that raise questions about the nature and function of the law,
- (L3) Use techniques of reasoning and argument appropriate to jurisprudence to reflect on the application of jurisprudential concepts to legal problems and/or issues,
- (L4) Effectively formulate and communicate well-reasoned and accurate analysis about the nature and function of the law, and

- (L5) Conduct research with conventional legal methods and an adequate selection of conventional primary (e.g., case law, legislation) and secondary sources (e.g., monographs, peer-reviewed articles) in legal scholarship.

Course Materials: Required reference materials will likely include (to be confirmed):

- Brian Bix, *Jurisprudence: Theory and Context*, 9th edition (Sweet and Maxwell, 2023).
- Margaret Davies, *Law Unlimited: Materialism, Pluralism and Legal Theory* (Routledge, 2017).

Other required materials for workshops (e.g., case law, legislation, narratives) will be available on the class website. Recommended, supplementary materials—which can be studied to improve one’s understanding and performance in the course—will be available on PAWS or in the university’s library.

Teaching and Assessment: The course will be taught by lecture and workshops involving small group discussion facilitated by the instructor. Lectures will be held during the first session of the week, providing an exposition of jurisprudential concepts relevant to the week’s theme. Workshops will be held during the second session of the week.

During workshops, students will form small groups in which they will discuss concepts from that week’s lecture and assigned materials, relative to case studies involving court decisions, legislation and/or narratives. Students will also use some class time for “reflective breaks,” during which they will outline and discuss reflections on concepts and/or course materials; these reflective breaks are a “formative task” meant to help students’ learning and will not be graded. Reflective breaks allow students to evaluate how they are learning and to prepare for “summative assessments.”

Summative assessment of student performance will include three elements: (1) a midterm, essay-based exam (20%) (L1, L2, L3, L4), (2) a case comment between 4000 to 4500 words (40%) (L1, L2, L3, L4, L5), and (3) a final, essay-based exam (40%) (L1, L2, L3, L4):

- **The midterm, essay-based exam** will ask students to answer one of three questions; the exam will require students to reflect on some of the concepts taught in the prior weeks and their application to an example. The exam is closed book.
- **The case comment** must identify a case (or legislation) that raises a question about the nature and function of the law, which the student then researches, analyzes and applies in a commentary on the case (or legislation). The case comment is due on the last day of classes at the College of Law. The case comment satisfies the College’s minor research paper requirement.
- **The final essay-based exam** will ask students to answer three of six questions of a nature similar to the midterm. The final exam will be scheduled during the College’s final examination period. The exam is closed book.

Alternatively, students who are already familiar with jurisprudence can choose to be assessed by two elements: (1) a major research paper between 7500 and 8000 words that includes substantially original analysis of a legal problem or issue that raises a question about the nature and function of the law (75%) and (2) a final exam (25%).

Rubrics and assessment criteria will be provided for all methods of assessment.

Minor Research Paper: Unlimited (Case comment)

Major Research Paper: Up to 10

LAW 401.3 SECURITIES REGULATION
(2025-2026 Kirkpatrick)

2(3L)

Calendar Description: An introduction to the principles of securities regulation in Canada. The course will provide an overview of the regulatory system, including prospectus requirements (and exceptions thereto), continuous disclosure, exempt market financing, and certain forms of corporate transactions involving securities (e.g., plans of arrangement, take-over bids, etc.).

Special emphasis will be given to the regulatory aspects of advising a public company, including corporate finance, disclosure and governance matters, and the various types of securities offerings.

Prerequisite: Students must have taken Business Organizations I 361.3. This is a requirement to take this class. Exceptions are made but only in exceptional circumstances.

Purpose and Orientation: The purpose and orientation of this course is to introduce the principles of securities regulation for those who wish to practice in the area of corporate or securities law or who may ultimately advise publicly traded companies, in either an in-house or external counsel role. For students who will likely maintain a more general practice, it is designed to enable the practitioner to recognize and identify securities law issues as they may arise and to learn how exempt market financings work.

Course and Materials: Required materials include:

Canadian Securities Regulation, 6th Edition, David Johnston, Kathleen Doyle Rockwell, Lauren Levine, LexisNexis Canada, 2014 (buy the Student Edition)

Primary sources: *Saskatchewan Securities Act, 1988* and various National Instruments and Policies available online.

Teaching and Assessment: The course will be principally taught by lecture, with case study and fact situations designed to elicit discussion and provide illustrations of the problems and issues facing market participants pertaining to the materials covered. Students will be assessed on the basis of a 100% final examination.

Minor Papers Allowed: 0

LAW 404.3 JUDGMENT ENFORCEMENT**1(3L)**

(2025-2026 Bangsund)

Calendar Description: This course addresses the Province of Saskatchewan's unique system for the enforcement of money judgments. It entails a detailed examination of *The Enforcement of Money Judgments Act*, which provides a code of law addressing money judgments. This is supplemented by an examination of the circumstances in which non-Saskatchewan and non-Canadian judgments can be enforced against assets in Saskatchewan. Another aspect of judgment enforcement is the law dealing with fraudulent conveyances and preferences. A significant portion of the course is devoted to this complex area of the law, which has been subject to legislative reform in Saskatchewan under the *The Reviewable Transactions Act* (not yet in force).

Prerequisite: NONE

Detailed Description, Purpose and Orientation: This course is designed primarily to equip students with the knowledge required to address the very practical questions of whether and how a money judgment can be enforced. Since judgments for the payment of money are issued in connection with legal proceedings involving virtually any area of law, this subject is relevant to almost every field of legal practice.

A court's issuance of a judgment does not enable a successful claimant to reach the financial resources or property of the judgment debtor for purposes of satisfying the successful plaintiff's claim. The enforcement of a judgment for the payment of money entails resorting to the specialized systems of law that are the subject of this course. The various methods of judgment enforcement are examined in this course with a focus on a range of statutory measures contained in *The Enforcement of Money Judgments Act*.

A feature of modern judgment enforcement law is recognition of the enforceability in Saskatchewan of judgments issued by courts in other provinces or countries, and the enforceability of Saskatchewan judgments in other jurisdictions. The course explores the statutory systems that have been implemented in Saskatchewan to deal with foreign judgment enforcement.

Another important aspect of the course is an examination of the law dealing with "fraudulent" conveyances and preferences. While legislation dealing with these types of transactions is based on concepts first established in the *Statute of Fraudulent Conveyances, 1571*, it remains a central feature of modern judgment enforcement law. In Saskatchewan, *The Reviewable Transactions Act* has been enacted (though it is not yet in force) with a view to supplanting the old systems.

In addition to acquainting students with the functional and conceptual features of judgment enforcement law, the course provides a context within which students can assess some of the commercial and social issues underlying it.

Course and Materials: Ronald CC Cuming & Donald H Layh, *The Saskatchewan Enforcement of Money Judgments Act: Commentary & Analysis* (Office of the Queen's Printer, 2012). Select

case law, available both through CanLii (for free) and online library resources and CanLii, will be assigned periodically throughout the semester.

Teaching and Assessment: Various pedagogical techniques are used in this course. Most topics are covered by lectures, then through examination of the law through its application to factual scenarios (i.e. problem sets). Student performance is assessed through an open book final examination for 100% of the course grade. Five students may elect to write a research paper for 30% of their course grade. Students electing to complete a minor research paper must state their intention within the first month of the semester and have the nature and topic of the paper approved by the instructor. These students are required to write the entire final examination for the remainder of their course grade. Students not electing to write a minor research paper will write the open book final examination for 100% of their course grade.

Minor Research Papers Allowed: 5

Law 405.3 ADVANCED CRIMINAL LAW
(2025-2026 Fehr)

1(3S)

Calendar Description: The seminar focuses on substantive criminal law with emphasis on critical analysis of the grounds of criminal liability and criminal responsibility. The challenges that social and cultural diversity pose for the development of substantive criminal law will be considered throughout.

Pre-requisites/Co-requisites: None

Purpose and Orientation: Students will build upon their understanding of terms such as *actus reus*, *mens rea*, justification, excuse, and various sentencing principles. Students will also learn about the complex relationship between criminal and constitutional law in Canada and compare it with other jurisdictions. In addition to understanding why judges should (or ought not) be permitted to strike down criminal laws, students will think critically about which types of rights (e.g., liberty vs equality) courts should use to constitutionally structure the criminal law.

Course Materials: Variety of academic articles.

Teaching and Assessment: The instructor will lead critical group discussion of the assigned materials. Students are expected to read the relevant materials prior to class to facilitate class discussion. Students will be graded on their overall participation (15%), a presentation (15%), a paper proposal (pass/fail), and a major/minor research paper (70%).

Research Papers Allowed: Unlimited

LAW 407.3 BANKRUPTCY, INSOLVENCY & RECEIVERSHIP
(2025-2026 Bangsund)

2(3L)

Calendar Description: This course has been designed to facilitate student examination of the law of bankruptcy, insolvency and receivership, with a focus on liquidation in bankruptcy and receivership. These fields are governed by statutory codes and extensive judge-made law.

Prerequisite: NONE

Purpose and Orientation: Bankruptcy and insolvency law is important to the Canadian economy. The dramatic increase in the use of debt by business enterprises and consumers over the last several decades years has resulted in increasing need to invoke statutory schemes designed to address the consequences of default by debtors.

The specific issues that will be examined in the context of bankruptcy law will include: the invocation of the bankruptcy system, the property of a bankrupt that he or she can keep and the property that is taken by a trustee, the effect of bankruptcy on the rights of persons who have dealt with a bankrupt, the effect of bankruptcy on secured transactions law, and the conditions in which a bankrupt may obtain a discharge of his or her debts.

The use of insolvency (reorganization) system contained in *Companies' Creditors Arrangement Act* and the *Bankruptcy and Insolvency Act* to either avoid or facilitate liquidation of business assets has become very common. In this course, the central aspects of the structures and effect of the insolvency system contained in this legislation are briefly highlighted.

Receivership is a third structure in which insolvency is addressed in Canada. In this context, however, it is most commonly used as a mechanism to enforce broadly-based security interests in the property of business debtors. The specific issues that will be examined in the context of receivership include the special position of a receiver-manager and receiverships under *The Personal Property Security Act* and the *Bankruptcy and Insolvency Act*.

Course and Materials: The majority of the primary course materials are available in electronic format, and will be posted on the course website. Select case law, available both through online library resources and CanLii (for free), will be assigned periodically throughout the semester.

Teaching and Assessment: Various pedagogical techniques are used in this course. Most topics are covered by lectures, then through examination of the law through its application to factual scenarios (i.e. problem sets). Student performance is assessed through an open book final examination for 100% of the course grade. Five students may elect to write a research paper for 30% of their course grade. Students electing to complete a minor research paper must state their intention within the first month of the semester and have the nature and topic of the paper approved by the instructor. These students are required to write the entire final examination for the remainder of their course grade. Students not electing to write a minor research paper will write the open book final examination for 100% of their course grade.

Minor Research Papers Allowed: 5

LAW 434.12 RURAL AND REGIONAL LEGAL EXTERNSHIP (12 CU)**1/2(12C)****and****LAW 409.3 RURAL AND REGIONAL LEGAL EXTERNSHIP SEMINAR (3 CU) 1/2(2S-1R)**

This is an application-based 15 credit full term program. See note below for important information.

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application for the placement by **Sunday, July 6 at 11:59 PM**. Please address your application to the RRLE Selection Committee. For questions regarding the experience, please contact law.EL@usask.ca

NOTE: The 15-credit Rural and Regional Legal Externship placements are offered in partnership with Legal Aid Saskatchewan and Public Prosecutions and will be offered in both the fall and winter terms.

Calendar Description:

The Rural and Regional Legal Externship leverages an experiential education model where law students learn through direct experience, hands-on mentorship, and critical reflection. Centered around students' clinical experiences in a rural legal setting at Legal Aid or Public Prosecutions, they will work with client files across a spectrum of legal areas potentially including family law and criminal law, gaining a deeper understanding of various legal challenges specific to rural communities. Students will be supervised throughout their legal assignments by a practicing lawyer, ensuring guidance and support as they navigate real-world client files. As part of their externship and the associated seminar, students will gain essential tools to critically reflect upon their legal practice and explore their identities as future lawyers. This immersive insight into the legal system in rural areas prepares students to effectively contribute to and advocate within these communities. Students are expected to engage in their extern duties from Tuesday to Friday each week, with Monday afternoons dedicated to attending an online clinical law seminar.

Prerequisite: *Completion of first year law*

Co-requisite: *LAW 409 Rural and Regional Legal Externship Seminar*

Course Outline:

Students will complete the regular hours of their externship placement from Monday to Thursday at their assigned Placement (Legal Aid or Prosecutions) for the duration of the term. The online seminar is mandatory and will be delivered Monday afternoons. Post-seminar, students will write a reflective piece discussing insights gained, personal growth areas, and actionable strategies for future rural legal practice. This seminar structure and assignment are facilitated using Professor Gemma Smyth's [Learning in Place Externship Coursebook](#).

We are in the process of confirming supervisor capacity at each site. To give you an idea of the offerings, last year's locations were:

Locations:

Legal Aid (locations available in T1 & T2: North Battleford, Prince Albert, Yorkton, Melfort, Estevan, or Moose Jaw

Public Prosecutions: (locations available in T1): North Battleford, Yorkton, La Ronge, Swift Current
T2: Melfort, North Battleford

Applications:

Must include the following:

- (a) Indicate your preference of either the Legal Aid Saskatchewan placement or the Public Prosecutions placement. Please provide 1-2 paragraphs with an explanation of your interest (Family Law or Criminal Law) in the area.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment and volunteer experiences related to the topic areas;
 - ii. teams and/or collaborative projects;
 - iii. innovative initiatives, programs, and/or projects and
 - iv. satisfactory criminal record check.
- (c) Indicate your order of preference for locations.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 2 pages, double-spaced.

Students will be notified by **Friday, July 11, 2025**, whether they have been selected for the course. At this point, students who have been selected for the placement will have to drop classes in that corresponding term. They must contact law.jdstudies@usask.ca to register in the placement.

Selected students must be immediately available following this notification to work closely with the College of Law's Experiential Learning Coordinator to identify accommodations at their location.

15-credit course: Students will receive 15 credits for this course (12 clinical credits plus 3 seminar credits).

Calendar Description: This course comprises a survey of frameworks and substantive elements of some areas of intellectual and industrial property law such as copyright, industrial design, trademarks, patents, and plant breeders' rights. Approximately one quarter of the course will be devoted to each of copyright, trademarks and patents. Industrial design and plant breeder's rights laws will be treated only in sufficient detail to familiarize students with their importance and scope. We will review the development of and theory underpinning current Canadian and international intellectual property regimes. We will also consider developments and challenges associated with internationalization, new technologies, and demands on the law of a post-industrial, digital-age society.

Prerequisite/Co-requisite: NONE

Purpose and Emphasis: Governments throughout the world are increasingly reliant on innovation to sustain and increase productivity and, hence, living standards. Therefore, intellectual property, the principal legal means for recognizing and monetizing mental productivity, constitutes a critically important and growing repository of commercially and socially valued assets. This course is intended to familiarize students with both the basic concepts of intellectual property law in Canada and its theoretical underpinnings. This course is a general introduction to the present law of intellectual property and a survey of copyright, industrial design, trademark, patent and plant breeders' rights laws. The course will include discussions of principles underlying grants of intellectual property, pertinent legislative frameworks, and current issues. The course will also examine benefits and challenges created by the internationalization of intellectual property laws and practices, and by the emergence of new technologies such as those respecting information and communications and biology and genetics.

Course Materials: A syllabus and a collection of cases and ancillary materials will be supplied by the instructor for use in the course.

Teaching Method: Class time is devoted to discussion of selected concepts, cases, and materials. The format involves a mixture of lecturing, questioning, and general class discussion regarding problem scenarios. Classroom learning is an essential element of the curriculum, so participation in classroom discussions is expected.

Assessment: Student performance will be based on;

- (a) class attendance, preparation, and participation (5% of final grade), and
- (b) at least one short oral presentation on a contemporary topic by each student (5% of final grade), and
- (c) a short (~10 page) mandatory writing assignment. Topical subject areas will be suggested by the instructor, but specific topics will be chosen by students. The grade on this paper will constitute 20% of each student's final grade. This paper does not qualify as a minor research paper.

- (d) There will also be a written, problem-oriented, open-book, three-hour final examination. Examination results will count for 70% of the final grade of students who do not write minor research papers.

Students may request authority to write minor research papers, for 40% of their final grades. Authorization requires permission of the instructor, who will assist students identify appropriate topics and supporting materials. If a minor paper is written, 30% of the authoring student's assessment will be based on the final written examination, the same examination written by all other students.

Minor Research Papers Allowed: 5

Course Outline: This course will provide an overview and introduction to the law of drinking & driving in Canada. Emphasis will be placed on the statutory requirements of drinking and driving, as well as the *Charter*-protected interest of the accused, including, but not limited to, the right to counsel (section 10(b)), search and seizure (section 8) and arbitrary detention (section 9). The various *Charter* remedies available pursuant to sections 24(1) and 24(2) will also be explored. The course will be considered in both an academic and practical context. Discussion will include balancing the interests of the accused versus the protection of the public from drunk drivers. The course will also examine the sentencing regime for both occasional and chronic offenders.

Prerequisites: Law 351 (Evidence I) or Law 423 (Criminal Procedure) or Permission of the Instructor

Purpose: The general purpose of the course is to introduce students to the highly complex area of drinking & driving law and to encourage them to reflect on the reasons why such offences are the most litigated sections of the *Criminal Code*. The course will also expose students to how and when the science of drinking & driving law (in the form of breath, blood, and DRE results) and the philosophy of *Charter*-protected rights (in the form of alleged breaches) come together before the courts. The course will focus on the Saskatchewan context.

The course will be largely lecture-based, with opportunities for discussion. When appropriate, guest speakers will be invited to add to the course dynamic.

Course Objectives

By the end of the course, students should:

- understand the law of operation and care and control
- understand the law of impaired driving;
- understand the law of driving while exceeding .08;
- understand the law of drug recognition experts
- understand the rights and responsibilities of law enforcement with respect to impaired driving offences;
- identify when *Charter* rights are triggered and potential remedies;
- identify issues which may arise in relation to impaired driving offences
- understand the law as it relates to sentencing
- critically analyze the tension between rights of the accused versus the protection of the public, and how this is borne out in drinking & driving cases;
- be aware of the current trends of litigation in this area; and
- display skills of critical analysis with respect to the above.

Course Materials: Selected materials will be available on Paws.

Recommended: Impaired Driving in Canada, 6th Edition, The Honourable Mr. Justice Joseph F. Kenkel, LexisNexis Canada, 2021.

Assessment: Student performance is assessed through a final open book examination. Five students may elect to write a research paper for 30% of the final grade in the course. Students electing to complete a minor research paper must state their intention within the first month of the term and have the nature and topic of the paper approved by the instructor. These students are required to write the entire final examination for the remainder of their final grade. Students not electing to write a minor research paper will write the final open book examination for 100% of their final grade.

Minor Research Papers Allowed: 5

Calendar Description: This seminar will consider the legal treatment of the Indigenous peoples of Canada in the broader historical and geographic context of European imperial rule. We will consider the different forms of colonialism to identify the significance of law in Canada's dispossession, administration and assimilation of Indigenous peoples. Law both shaped and gave effect to the belief systems that accompanied these processes, from the era of aggressive imperial conquest, through times of changing emphasis on development, decolonization, and reconciliation. Students will examine the differences between legal and historical reasoning. We will see how historical investigation can be used to strengthen legal argument, and how legal reasoning can illuminate historical analysis. Previous background in history is desirable but not required.

Prerequisite or co-requisite: LAW 232 Kwayeskastasowin Setting Things Right

Learning Objectives: The objectives of this course are to:

- enhance student understanding of the impact of Canada's colonial past on the legal treatment of Indigenous peoples;
- encourage students to think critically about the potential, and the limitations, of historical analysis in legal argument;
- improve students' legal reasoning skills by making explicit the differences between law's use of the past and historical reasoning;
- offer students an opportunity to improve research, oral and written communication skills through attention to alternative models and sources.

Course Materials: A mix of secondary and primary sources will be made available electronically through library and internet sources. Wherever possible, published sources will be available on reserve.

Teaching and Assessment: Seminar course. Students are expected to participate with each other and the instructor in discussion of the assigned readings (participation is worth 20%). Students will write a major research paper due at the end of term (worth 70%). The remaining 10% of the grade will consist of a tentative paper title, abstract, and précis submitted mid-term for the instructor's review and comment.

Curriculum requirements: Successful completion of this course will meet the following curriculum requirements: seminar; major research paper.

LAW 413.3 CURRENT ISSUES IN LAW REFORM
(2025-2026 Howie)

1(2S-1R)

Calendar Description: This Seminar will introduce students to the principles and process that guide the reform of the law. The seminar will use selected readings and presentations by guest lecturers and the professor to provide the foundation for a consideration of the processes, machinery and potential for law reform initiatives in areas of provincial jurisdiction. Students will be introduced to approaches to law reform, interact with the Law Reform Commission of Saskatchewan and will learn about the successes and failures of a number of recent provincial law reform initiatives. Students will also be introduced to legislative drafting.

The core of the course will involve a series of law reform projects selected by the professor and the students that will be undertaken by the class. Students will work in groups, leading in the development of one project and commenting on/critiquing aspects of a second project. Students will undertake group research and develop and present an issues paper on their law reform research project. Following the receipt of feedback, each group will then develop a legislative, regulatory or policy proposal to address the issues associated with their project, prepare background materials that support their approach and present their proposal to a Panel.

Students will also write a short commentary/critique of another group's issues paper, complete a short legislative drafting exercise, and prepare a briefing note.

Prerequisite: NONE

Purpose and Orientation: The course is intended to introduce students to the process of law reform and to provide a 'hands-on' opportunity to undertake a specific law reform initiative. It is also intended to replicate the collaborative processes by which law reform is achieved, including research, policy development and group work. The course will enable students to participate directly in a process by which societal needs are identified and analyzed and in which law can be developed to address these needs.

MATERIALS: Materials for the class will be posted to Canvas.

ASSESSMENT:

Students will be evaluated on the following basis:

Issues Paper [GROUP MARK]	25%
Issues Paper Presentation [GROUP MARK].....	10%
Policy Paper [GROUP MARK].....	25%
Policy Paper Presentation [GROUP MARK].....	10%
Critique of Issues Paper [INDIVIDUAL MARK].....	10%
Class Participation/Reflective Exercise [INDIVIDUAL MARK].....	10%
Legislative Drafting Exercise [INDIVIDUAL MARK]	5%
Briefing Note [INDIVIDUAL MARK].....	5%

NOTE: The written assessments in this course will not fulfill either the major or minor research paper requirement.

Calendar Description: An examination of general topics of insurance law and how legislation and common law deal with these topics in relation to property, life and automobile insurance. Considered topics include classifications of insurance, the legal position of brokers and agents and concepts of indemnity, insurable interest, non-disclosure and misrepresentation, the rights of third parties to recover insurance proceeds, policy interpretation, valuation, subrogation and contribution.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: Although the relationship between an insured and an insurer is usually set out in multi-page contracts, the course is not simply an extension of basic Contract Law. One significant difference is built upon the foundation that the creation of the relationship is not an arm's length transaction. Indeed, the common law theories developed out of a notion that the applicant-insured was in the dominant position although the passage of time and the development of standard form contracts have given the insurers the dominant position. Many forms of insurance contracts are still governed by the common law principles. However, statutes have intervened in a number of areas by preventing pure freedom of contract. This statutory intervention was designed to balance the interests of insurers with the interests of the insured. A prominent aspect of the course is examining both the common law and the statutory law as to whether there has been a proper balancing of the interests.

Applicability of Statutory Intervention in Other Jurisdictions: The statutory intervention into the insurer-insured relationship is done through provincial legislation. In some courses there can be dramatic differences in the way in which individual provinces legislate in relation to subject matter. The statutory intervention in the insurance field tends to be very similar in each of the provinces. This is because of the dominant role played by the national body of the provincial Superintendents of Insurance in proposing and encouraging legislative change at the provincial level.

Why Insurance Law? Practitioners are often faced with clients with insurance problems. Insurance Law, however, shares that characteristic with a large number of other courses taught in the College. Where this course differs from many, however, is that it has relevance for each of you from a personal perspective. Most people have numerous types of insurance either as law students (e.g. extension automobile insurance, home insurance) or after graduation (e.g. life insurance, accident and sickness insurance, errors and omissions insurance). Yet, few understand what their responsibilities are in effecting the contract, during the contract and after a loss has been sustained.

Course Materials: A text is used in the course, supplemented by relevant case reviews.

Assessment: Assessment will be based on an open book final examination worth 100% of each student's grade in the course.

Minor Papers Allowed: 0

LAW 418.3 SEXUAL ASSAULT
(2025-2026 Plaxton)

1(2S-IR)

Calendar Description: The seminar examines various theoretical, substantive, evidentiary, and procedural issues in the law of sexual assault. We will consider: (1) the nature of the wrong targeted by sexual assault and other sexual offences; (2) the place of consent in the law of sexual assault; the nature of consent within and beyond the law of sexual assault; the circumstances under which deception should and does vitiate sexual consent; (3) the fault requirement for sexual assault; the defence of honest but mistaken belief in communicated consent; the reasonable steps requirement; the distinction between mistake of fact and mistake of law; voluntariness and extreme intoxication; and whether the fault requirement is or should be objective rather than subjective; (4) the structure of the offence of sexual assault; (5) relevance, common sense and experience, and myths and stereotypes; credibility determinations; the sexual history regime; cross-examination of complainants; the burden of proof in criminal proceedings; the judicial role in criminal trials; judicial education; and other evidentiary issues; (6) procedural issues; issues concerning appellate review; sentencing; and (7) the use of criminal sanctions, as opposed to civil or administrative proceedings and remedies, as a means of addressing sexual assault.

Prerequisite/Co-requisite: None for 2025-2026

Purpose and Orientation: The seminar examines a range of issues – theoretical, substantive, evidentiary, and procedural – concerning the criminal offence of sexual assault. This course will be of interest to anyone intending to practice criminal law or develop criminal justice policies designed to address sexual violence. But it will also be of interest to anyone interested in thinking more deeply about criminal wrongs and the structure of criminal trials. This course will challenge a great many ‘orthodoxies’.

Required Course Materials: Selected cases, statutes, academic articles, and other materials.

Teaching and Assessment: This is a seminar. Students are therefore responsible for reading assigned materials, reflecting upon them, and discussing them in a thoughtful way with their peers and the instructor. **Assessment** is based on:

- An **in-class test**, to be written in March, assessing students on their understanding of cases, statutes, doctrines, ideas and theories discussed throughout the course. (30%)
- A **minor research paper** (25%)
- An **in-class presentation** (25%)
- **Participation:** to be assessed not simply on the basis of attendance, but vocal contributions to the discussion that demonstrate serious engagement with, reflection upon, and understanding of assigned materials. (20%)

Students will NOT be permitted to write a major paper for this course.

Minor Research Papers Allowed: 1 per student.

LAW 421.3 LEGAL ETHICS AND PROFESSIONALISM
(2025-2026 Buhler)

2(3L)

Calendar Description: This course introduces students to i) the roles, responsibilities and authority of the legal profession and ii) the legal and ethical duties of lawyers in the practice of law. The regulation of various aspects of the profession – admission, regulation of the practice of law, lawyer discipline, etc. are critically examined. As well students will learn the elements of a lawyer's duties to client, the court and others, including himself or herself. This involves an understanding of the lawyer's role in the adversary system, the nature of lawyer-client confidentiality, integrity and conflicts of interest in various roles performed by lawyers.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The purpose of the course is to examine the roles and responsibilities of the legal profession and the role of the lawyer in the various contexts in which lawyers act in our society.

The course is intended as an introduction to the process of personal development of a conception of the professional role of a lawyer and a critical examination of conceptions of that role. The central issues are framed by jurisprudence related to lawyers and the legal profession, academic writing, the Code of Professional Conduct and real life ethical dilemmas encountered by lawyers, all of which are examined from the perspectives of history, moral criticism, character formation and public policy.

Course Materials: Law Society of Saskatchewan, Code of Professional Conduct; Woolley et al, *Lawyers' Ethics and Professional Regulation* (Fourth Edition) [required casebook]

Term 2 – Buhler: This class will be taught in person in the winter term.

Assessment: One or more assessments and final examination.

Minor Research Papers Allowed: 5

LAW 421.3 LEGAL ETHICS AND PROFESSIONALISM
(2025-2026 Chiang)

1(3L)

Calendar Description: This course introduces students to (i) the roles, responsibilities and authority of the legal profession and (ii) the legal and ethical duties of lawyers in the practice of law. The regulation of various aspects of the profession – admission, regulation of the practice of law, lawyer discipline, etc. are critically examined. As well students will learn the elements of a lawyer's duties to client, the court and others, including himself or herself. This involves an understanding of the lawyer's role in the adversary system, the nature of lawyer-client confidentiality, integrity and conflicts of interest in various roles performed by lawyers.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The purpose of the course is to examine the roles and responsibilities of the legal profession and the role of the lawyer in the various contexts in which lawyers act in our society.

The course is intended as an introduction to the process of personal development of a conception of the professional role of a lawyer and a critical examination of conceptions of that role. The central issues are framed by jurisprudence related to lawyers and the legal profession, academic writing, the Code of Professional Conduct and real life ethical dilemmas encountered by lawyers, all of which are examined from the perspectives of history, moral criticism, character formation and public policy.

Course Materials:

- Law Society of Saskatchewan, *Code of Professional Conduct* (available online)
- Law Society of Saskatchewan, *Rules* (available online)
- Woolley *et al*, *Lawyers' Ethics and Professional Regulation* 4th Edition (required casebook)

Teaching and Assessment: The primary teaching method is by lecture, class discussion, and small group discussion. Assessment is by open book final examination (100%) only.

Minor Research Papers Allowed: 0

LAW 423.3 CRIMINAL PROCEDURE
(2025-2026 Holm)

1(3L)

Description: This class will provide students with a general overview of the criminal process namely:

- (1) Powers of arrest and the role of the police
- (2) Bail hearings and the Judicial Interim Release Process
- (3) Elections and re-elections for trial
- (4) Role of Crown and defence counsel
- (5) The trial process before judge alone and before a jury
- (6) Pre-trial motions
- (7) Disclosure obligations
- (8) Resolution discussions
- (9) The appeal process

The class will also deal with *The Canadian Charter of Rights and Freedoms*, jurisdiction and remedies. *Charter* violations, applications for relief, and potential remedies will be reviewed, including:

- (1) Abuse of process
- (2) Unreasonable delay
- (3) Search and seizure issues
- (4) Detention and arrest
- (5) Right to counsel
- (6) Right to silence

Prerequisite/Co-Requisite: **NONE.** Although not required, students may find Evidence I (LAW 351.3) helpful in understanding Criminal Procedure.

Course Materials: *Learning Canadian Criminal Procedure* 14th Edition by Don Stuart and Tim Quigley.

Teaching and Assessment: The primary teaching method is by lecture, interspersed with questions and discussion.

The final examination will be open book for 100% of the mark. Options for Major Research Papers may be offered at the instructor's discretion, subject to the student identifying a suitable topic. No more than 5 major papers will be allowed, and students who write a paper will have 100% of the final mark based on the major paper.

LAW 423.3 CRIMINAL PROCEDURE
(2025-2026 Quigley)

2(3L)

Description: This class will provide students with a general overview of the criminal process namely:

- (1) Powers of arrest and the role of the police
- (2) Bail hearings and the Judicial Interim Release Process
- (3) Elections and re-elections for trial
- (4) Role of Crown and defence counsel
- (5) The trial process before judge alone and before a jury
- (6) Pre-trial motions
- (7) Disclosure obligations
- (8) Resolution discussions
- (9) The appeal process

The class will also deal with *The Canadian Charter of Rights and Freedoms*, jurisdiction and remedies. *Charter* violations, applications for relief, and potential remedies will be reviewed, including:

- (1) Abuse of process
- (2) Unreasonable delay
- (3) Search and seizure issues
- (4) Detention and arrest
- (5) Right to counsel
- (6) Right to silence

Prerequisite/Co-Requisite: **NONE.** Although not required, students may find Evidence I (LAW 351.3) helpful in understanding Criminal Procedure.

Course Materials: Learning Canadian Criminal Procedure 14th Edition by Don Stuart and Tim Quigley.

Teaching and Assessment: The primary teaching method is by lecture, interspersed with questions and discussion.

The final examination will be open book for 60% of the mark. There will be two assignments throughout the term that will be 20% of the mark each. The material covered in the assignments will not be included in the final examination.

Minor Research Papers Allowed: 0

LAW 424.3 SPORTS LAW
(2025-2026 Aneke)

2(3S)

Calendar Description: This course examines the application of various aspects of law to the field of sports. The course will examine the role played by sports in our culture and our society. We will look at the application of contract law and collective bargaining in professional sports, including arbitration, and the role of anti-trust legislation to the sports industry, including comparative approaches to the regulation of sport. The course will also examine issues of the right to participate, ethics in sports, including drugs in amateur and professional sports and the role of sports agents in professional sport. The application of tort law and criminal law to violence in sports will also be examined.

Prerequisites/Co-requisites: NONE

Detailed Description: The course is primarily designed to stimulate the minds of students and challenge their thinking in relation to key regulatory, academic, and legal issues in sports. It kicks off with the theoretical framework on the interplay between legal systems and the unique operational principles of sports. This provides an avenue for students to engage with the foundational debate on “sports law” as an area of law. Students will explore arguments of the proponents of “sports law” and “sports and the law”, and decide their stance on the debate. The course further tours the scope of sports autonomy and the legal parameters that help keep it in check. It explores the dynamics of organizational autonomy in sports and discusses the legal oversight of the activities of sports governing bodies. This offers students an opportunity to critically evaluate the elements of sports autonomy and its associated legal boundaries across various jurisdictions that limit its elements.

The course investigates how different legal systems respond to issues of racial and sex-based discrimination in sports, with the US and Canada in focus. Students are invited to put on their comparative legal lenses in tracing and reviewing landmark cases, legislative frameworks, and institutional responses in this regard. The course further explores the criminal and civil law dimensions of sports violence, and assesses how responses to violence vary across different sporting contexts in the US and Canada. Students will seek out the various factors that facilitate the variation of legal responses to incidents of aggression within different sporting contexts. The course also pays special attention to the regulation of concussion and brain injuries in sports. It introduces different regulatory models in this regard to students and calls on them to evaluate the effectiveness of these models in ensuring the safety of athletes.

The course further offers a relatively extensive practicum in relation to sports contracts. Sample sports contracts such as Uniform/Standard Player Contracts, Coaching Contracts, Representation Contracts, Sponsorship/Endorsement Contracts, and Player Transfer Agreements are made available for students to review their terms/clauses, understand the rationale behind them, and determine their legality or otherwise in relation to sporting rules and relevant state laws. The course concludes with issues of corruption and cheating that undermine the integrity of sports. It exposes students to various unethical and illegal dealings

in sports and challenges their thinking in relation to the desirability or otherwise of regulatory/legal responses to these integrity issues.

Course Materials: There are recommended readings for each class session (see the course syllabus). Illustrative movies/documentaries are also recommended to students for better appreciation of the issues discussed and analyzed (see the course syllabus). The sources of these course materials will be disclosed to students before each class.

Teaching and Assessment: The teaching method is a blend of lecture, seminar-style discussions, and team presentations. Course delivery is mostly in-person, although some sessions may be online via Zoom or Teams. The course is primarily assessed based on a Minor Research Paper (MRP) worth **60%** of the final grade of students. Students are expected to present their MRPs. **20%** of the grade will be based on this presentation. **10%** of the grade will be based on attendance, and the remaining **10%** will be for class participation.

LAW 425.3 SENTENCING IN THE CRIMINAL JUSTICE SYSTEM
(2025-2026 Crookshanks)

2(3L)

Calendar Description: Selected topics relevant to sentencing in the criminal justice system combining theory, doctrine and practice. Emphasis will be placed on the practical aspects of sentencing. The course will focus on the fundamental principles and purposes of sentencing and their application in a variety of contexts including adult offenders, youth offenders, offenders with mental illness and Indigenous offenders. Students should leave the class with the ability to enter a courtroom and speak to sentence on behalf of a client or the Crown.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The course is designed to fill a gap in the existing curriculum. It is recognized by many of the participants in the criminal justice system including lawyers, judges, probation officers, parole officers, and police that the sentencing aspect is one of the most important parts of the criminal process. It is therefore important to have at least one course dealing with this in the curriculum. More importantly, for a proper understanding of substantive, evidentiary and procedural criminal law, it is necessary to have some understanding of the aims of punishment and the form that it takes. Some of the course will be looking at the theoretical aims of punishment including deterrence, both general and specific, retribution and rehabilitation. While this will necessarily have a philosophical orientation, it will not be discussed in isolation from the actual doctrine and practice of sentencing. Students will also consider the sentencing framework established in the *Criminal Code* and the legal doctrine and practice associated with that. The course will be taught from a critical and practical standpoint with discussion of the efficacy of achieving the aims sought to be achieved by the criminal justice system.

Course Materials: (2025-2026):

1. Danielle Robitaille and Erin Winocur, *Sentencing Principles and Practice*, 2nd ed (Toronto: Emond Publishing, 2023) - ISBN 978-1-77462-482-1
2. Annotated *Criminal Code*

Student Evaluation:

- 45% for written sentencing brief or minor paper
- 45% for oral sentencing submissions
- 10% for class participation

Attendance must be in compliance with the College of Law Assessment Regulations, see <http://www.law.usask.ca/students/current-students/assessment-regulations.php>

NOTE: Students who require accommodation are encouraged to contact AES as soon as possible or to apply to the College of Law by the appropriate deadlines.

If you are unable to complete the assignments on the dates scheduled, you must contact the Associate Dean Academic without delay.

The sentencing brief and mock sentencing will be at the end of the term. The schedule for them will be released later in the term.

Minor Research Papers Allowed: 5

Law 425.3 SENTENCING IN THE CRIMINAL JUSTICE SYSTEM
(2025-2026 Fehr)

1(3L)

Calendar Description: The course begins by introducing students to core theories of sentencing including retributive, restorative, and utilitarian justifications for punishment. Students then learn how these theories have impacted sentencing law in Canada through a detailed assessment of the jurisprudence outlining the permissible scope of sentencing under the *Charter* and the core sentencing principles and procedures adopted in the *Criminal Code*. The course concludes by reviewing how the Saskatchewan courts have applied these sentencing principles in a variety of common practice areas, which may include impaired driving, sexual assault, drug, and firearm offences.

Pre-requisites/Co-requisites: None

Purpose and Orientation: The course aims to provide students with a theoretical and doctrinal understanding of the sentencing objectives and principles in Canada. Students will be able to understand and critically analyze the basis upon which sentences are imposed and have the ability to argue in favor of or against a given sentence.

Course Materials: (1) Allan Manson et al., *Sentencing and Penal Policy in Canada* (Toronto: Emond Montgomery, 2024); (2) Recent *Criminal Code of Canada*, RSC 1985, c C-46.

Teaching and Assessment: Students will be evaluated based on two considerations: a case comment/presentation worth 20% and a final exam worth 80%. The case comment/presentation requires students to select a Supreme Court of Canada case from the textbook, submit a critical comment on the case 24-hours before class of between 1000- and 2000-words, and present the case/comment to the class. The final exam will be a typical three-hour exam held at a time and place to be determined by the College.

Research Papers Allowed: 5

LAW 426.3 ADVANCED SECURED TRANSACTIONS SEMINAR
(2025-2026 Bangsund)

2(3L)

Calendar Description: This seminar gives students with a background in secured transactions law the opportunity to explore advanced topics and engage in research that focuses on areas and issues of particular import and interest.

Prerequisite: Law 303 Secured Transactions in Personal Property

Purpose and Orientation: In this seminar upper year students are given the opportunity to explore features of personal property security law and real property security law that are not addressed or only superficially addressed in survey courses in these areas.

Course and Materials: *Bangsund on the Personal Property Security Act: The CCPPSL Model* (Thomson Reuters, 2021). Other course materials will be free access or will be posted on the course website in electronic format.

Teaching and Assessment: During the first several seminar meetings, specific areas of secured transactions law will be presented and discussed including: fixtures & accessions, production money security interests, chattel paper financing, accounts financing, conflict of laws, cross-collateralization, refinancing & consolidation, marshalling, etc. Students will be evaluated on these subjects through an in-class quiz administered near the end of the semester.

Each student will also select a major research paper topic and inform the instructor of such selection by the specified deadline. If a selection is not made, a research paper topic will be assigned by the instructor. Near the end of the semester, each student will present his or her major paper to the group.

Grade allocation is as follows:

70% – Major Research Paper

10% – Research Paper Presentation

20% – In-Class Quiz

LAW 427.3 GALE MOOT**2[Nov.-Feb](3S)**

(2025-2026 T. Hynes & Z. Carter)

*Applications for the upper year moots will open in July via the Experiential Learning Canvas page. You will have a chance to apply for any moots that interest you. We typically run interviews or try-outs on a weekend, before mid-September***

Calendar Description: Participation in the Gale Moot Competition is required. It will involve research and advocacy, both oral and written, on a complex case or problem in the field of criminal and/or constitutional law. Students are responsible for the preparation of both an Appellant's and a Respondent's factum and will participate in multiple practice moots prior to the competition. Recommended for students with an interest in public speaking and exacting research.

Course Content

a) outline:

This seminar is for students of the College of Law who wish to take part in the Gale Moot Competition. The Gale Moot is held annually and attracts teams from law schools across Canada. Historically, the Gale Cup Moot has been held in either Toronto or Ottawa. The case argued by the students is a recent Supreme Court decision in the criminal/constitutional law area. The students are responsible for the preparation of both an Appellant's factum and a Respondent's factum, and will participate in multiple practice moots prior to the competition. The number of moots participated in the competition will depend on how far the team advances in the competition. The final two rounds will be judged by three judges which historically has included a current Justice from the Supreme Court of Canada. Every fourth year the winner of the Gale Moot is Canada's representative in the Commonwealth Moot.

b) objective:

To provide students with an opportunity to perform in-depth research, analysis, writing and advocacy in the criminal/constitutional law area. Students will develop their appellate advocacy skills through argument and presentation to actual appellate court judges.

Means of Evaluation

The means of evaluation will be the same as for the Laskin Moot (LAW 441.3).

Additional Information

There are four students on the College Gale Moot team.

LAW 428.3 WILLS
(2025-2026 Surtees)

1(3L)

Calendar Description: This course examines:

- the law surrounding the execution, construction and revocation of wills and powers of attorney;
- issues of probate, survivorship, intestate succession, dependants' relief, and family issues as they relate to wills and estates, including a discussion of the law surrounding adult guardianship applications;

Prerequisite/Co-requisite: NONE

Purpose and Orientation: Everyone dies. Some people plan for this by having a will – others do not. Lawyers are often called upon to assist clients in ordering their personal and financial affairs in the event of incapacity or death. Alternatively, lawyers are called on to deal with issues arising when no planning has been done.

The course is designed to provide students with the skills necessary to determine the order of death of individuals, determine the validity of wills, and determine how property is distributed upon death, when the decedent had a will – and when they did not.

The making, alteration, revocation, republication, and revival of wills are examined from the perspective of the court of probate, which determines what documents and words comprise the will. Issues concerning how the property is to be distributed are examined from the perspective of the court of construction, which rules on what the words used in the will mean. Differing approaches of the two courts to matters such as standard and burden of proof and admissibility of evidence are compared.

The course also deals with intestate succession of property not disposed of by will and with claims that may be made outside of the will under dependants' relief, family property, insurance, and trust law.

Course Materials: To be determined.

Teaching and Assessment: Instruction is by lecture and discussion. The final exam is worth 100% of the course grade unless the student writes a minor paper.

Students may complete a minor paper worth between 25% and 50% of the course grade. Approval of the instructor is required to write the minor paper, and for the value of the minor paper to be more than 25%. The final exam will make up the remainder of the course grade. All students will write the same exam.

Minor papers allowed: 5

LAW 430.3: NEGOTIATION**1&2(3L)**

(2025-2026: Term 1: Baerg (s. 1), K. Newman (s. 3), Yates (s. 7), Fingerote (s. W06) (online)
Term 2: Fingerote (s. W02) (online), Baerg/K. Newman (s. 5) (Business))

*** Note that Joe Fingerote's sections in Term 1 and Term 2 (and ONLY these two sections) are fully online. The remaining sections are in person. See the document called "Course Planning in the DR Courses" if you'd like more detail.*

*** Also, s. 5 (Baerg/K. Newman, Term 2) follows the same curriculum as the other courses, but with an exclusive focus on business law. (The general Negotiation courses include business, but other types of legal scenarios as well.)*

Calendar Description: This course examines the form and function of negotiation as a problem-solving process. Negotiation is critical to lawyers and others concerned with preventing or resolving disputes. We study effective negotiation from theoretical, critical and practical perspectives, placing emphasis on the lawyer's role in negotiation. Students also have the chance to develop competencies in client interviewing and management of the lawyer-client relationship.

Prerequisite: *First-Year Dispute Resolution Program**
(Or, for exchange students, equivalent prior training.)

Purpose and Orientation: This core upper-year course in negotiation builds on the introduction in first year and provides the foundation for other courses in negotiation and dispute resolution. We address negotiation through hands-on simulations, encouraging you to develop problem-solving skills. You reflect critically on the lawyer's role as a communicator, problem-solver, advisor and advocate in the context of both transactional and dispute negotiation. We also invite you to consider issues of negotiation ethics and professionalism. The final negotiation assignment includes a Cross-college collaboration that allows you to work on a simulated litigation file, with students from other University programs, so that you can experience what it is like to have a "client" in a "real file".

Texts: Materials are distributed through the course page. Students purchase a supplementary e-text, for a total cost of approximately \$50. Information about this is also provided after registration.

Teaching and Assessment: Course work includes in-class and out-of-class simulated negotiations (depending on the instructor, this may include such exercises as an email negotiation or a videotaped negotiation), as well as written reflective assignments and in-class debriefings of what took place in the exercises. The emphasis is on formative assessment (development of skills over time) and collaborative learning. There is no exam. The course is *not eligible* for either the major or minor research paper credit. Class size is limited to 20.

LAW 432.3 HUMAN RIGHTS
(2025-2026 Hansen)

2(2S-1R)

Calendar Description: An understanding of universalism, the meaning of human rights theory, and international underpinnings. The concept of discrimination and the quasi-constitutional position of human rights in Canada. An understanding of the concept of equality enshrined in s.15 of the *Charter*. Detailed analysis of human rights laws in Canada, with particular focus on Saskatchewan.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The seminar serves as a vehicle for research and writing in the field of human rights. The range of topics available for papers is very broad. Depending on students' interests and university pre-law backgrounds, legal theory, history, and contemporary substantive legal issues may be pursued. There is a wealth of literature available for student papers.

Course Materials: Materials to be made available through law library or online

Teaching and Assessment: The seminar begins with several sessions led by the instructor, based upon assigned readings. These materials begin with some scholarship on the idea of human rights, then move to some current international human rights issues and conclude with a detailed study of equality and discrimination doctrine in Canada. By the midpoint of the term seminars are led by students on topics relating to their research projects [20%]. Papers submitted in this seminar will fulfill the major writing requirement [80%]. The seminar is conducted as a colloquium with discussion and debate being a central objective as almost any aspect of human rights discourse raises inherently contestable moral questions.

LAW 435.3 LAW AND ECONOMICS**1(2S-1R)**

(2025-2026 Donald)

Description: This seminar will apply economic principles to analyze legal principles. Topics covered will include the economic analysis of major areas of the common law, namely, property law, tort law and contract law. Other topics include:

- (i) economic approach to corporate law
- (ii) behavioral economics; and
- (iii) competition law.

As the various topics are covered, students will see how the law might be addressing certain kinds of recurring economic problems, including free-rider problems, transaction costs, externalities, asymmetric information, and principal-agent problems. A previous background in economics is not required.

Course materials: Certain textbooks are recommended. Other textbook materials will be made available on reserve. And other materials will be downloaded from Hein Online, jstor.org and case law databases.

Teaching and Assessment: Meetings will typically include a lecture component by the instructor on certain technical aspects of reading materials. Students are expected to participate with each other and the instructor in a general discussion about the readings assigned for any specific meeting. Students will write a major research paper due at the end of term (worth 80%). After the mid-point of the term, students will give a short presentation on their proposed paper topics (worth 4%) (on a pass/fail basis). As well, during the term, students are expected to write three short essays on problems to be assigned (once monthly, each worth 4% for a total of 12%), and they will be evaluated on their participation in classroom discussion (worth 4%).

Course Description: This course is a survey of Canadian law and policy as it impacts Indigenous peoples, with attention given to key political, social, and historical context. We will study the law of Aboriginal rights and title in context to the relationship between Crown and Indigenous sovereignty claims. We will explore the law on Indigenous-Crown treaties and their interpretation, including harvesting rights. We will also examine the implications of constitutionally protecting Indigenous peoples' rights. Other topics will include Natural Resource Transfer Agreements, the Métis, federal and provincial sources of jurisdiction over Indigenous peoples and lands, the *Indian Act*, citizenship and governance matters, and Indigenous self-determination.

Prerequisite/Co-requisite: NONE

Learning Objectives:

1. explore differences between Indigenous law and Canadian law as it impacts Indigenous peoples, as well as the implications of this distinction;
2. explore how international law conceptualizes Indigenous rights and how it influences Canadian law and policy with respect to Indigenous peoples;
3. explain key Canadian law and policy impacting Indigenous peoples in Canada, especially in relation to governance, rights to land, and natural resources;
4. explain how the division of powers between federal and provincial governments impacts Canadian law and policy with respect to Indigenous peoples;
5. explore how the legal issues studied in this course stem from competing assertions of sovereignty by Indigenous and non-Indigenous societies; and
6. explore and formulate critical perspectives on the relationship between Canadian law and colonialism, the impacts of colonialism on Indigenous societies, and proposals for reconciliation between Indigenous and non-Indigenous societies.

Required Resources: All required readings for this course will be supplied through the Canvas course or can be obtained online through the University of Saskatchewan library website or otherwise.

Supplementary Resources (Optional):

- John Borrows & Leonard Rotman, *Indigenous Legal Issues: Cases, Materials, & Commentary*, 6th ed (Toronto: LexisNexis Canada, 2023)
- Olthuis Kleer Townshend LLP, *Aboriginal Law Handbook*, 5th ed (Toronto: Thomson Reuters, 2018)
- Thomas Isaac, *Aboriginal Law*, 6th ed (Toronto: Thomson Reuters, 2024)

Teaching and Evaluation:

Final Exam (Default)

Value: 100% of final grade

Date: TBD

Description: The final exam will be administered as a comprehensive invigilated 3-hour exam. It may include questions on any of the topics covered in lectures and corresponding readings during the course. It will include fact pattern questions and one policy question.

Major Research Paper (By Special Request)

Value: 100% of final grade

Date: TBD

Description: At the sole discretion of the instructor, up to five students enrolled in this course will be authorized to complete a major research paper in lieu of the final exam. Students writing major research papers in this course are still expected to review the course materials and attend class as they will be responsible for demonstrating knowledge of the course materials in their work, where relevant to their chosen research topic. Further details will be set out in the syllabus and discussed at the beginning of the course.

Minor Paper (By Special Request)

Value: 30% of final grade

Date: TBD

Description: At the sole discretion of the instructor, up to five students enrolled in this course will be authorized to complete a minor paper in lieu of a proportionately weighted portion of the final exam. Further detailed will be set out in the syllabus and discussed at the beginning of the course.

LAW 439.3 MEDIATION
(2025-2026 Dumonceaux)

1(3L)

Calendar Description: Mediation—broadly speaking, the process of assisting the negotiations of others—is being increasingly used to resolve legal disputes. This course explores mediation from both theoretical and practical perspectives. As well as examining the structure and different approaches to mediation, students will develop skills for engaging the mediation process effectively in every role. While students will experience and study mediation from a variety of perspectives, it is the implication for their role as lawyers that forms the common theme.

Prerequisite: LAW 430.3 Negotiation

Purpose and Orientation: The course considers the use of mediation in various contexts, which may include family, wills and estates, labour, commercial and personal injury law. Issues explored may include barriers to resolution, cultural influences, coaching parties for effective participation, and the role of power and the law in mediation. Through the use of simulations, students experience the mediation process as lawyers, clients and mediators.

Required Text: Under review. Student will be advised

Teaching and Assessment: Teaching is based on a combination of lecture, demonstrations, simulations and skill-building exercises with individual and group reflections on those exercises. Assessment is based on the following components:

- 50% Reflective papers (4 topics assigned throughout the term; due at end of term)
- 25% Video Mediation (including preparation and reflection assignment)
- 15% Assignments (three throughout the term worth 5% each)
- 10% Class Attendance and Participation (evaluated every class)

Although written work will be required, Law 439.3 is not eligible for either the major or minor research paper credit. Class size is limited to 20.

LAW 439.3 MEDIATION**2(3L)**

(2025-2026 Yates)

Calendar Description: Mediation—broadly speaking, the process of assisting the negotiations of others—is being increasingly used to resolve legal disputes. This course explores mediation from both theoretical and practical perspectives. As well as examining the structure and different approaches to mediation, students will develop skills for engaging the mediation process effectively in every role. While students will experience and study mediation from a variety of perspectives, it is the implication for their role as lawyers that forms the common theme.

Prerequisite: LAW 430.3 Negotiation

Purpose and Orientation: The course considers the use of mediation in various contexts, which may include family, wills and estates, labour, commercial and personal injury law. Issues explored may include barriers to resolution, cultural influences, coaching parties for effective participation, and the role of power and the law in mediation. Through the use of simulations, students experience the mediation process as lawyers, clients and mediators.

Required Text: Under review. Student will be advised

Teaching and Assessment: Teaching is based on a combination of lecture, demonstrations, simulations and skill-building exercises with individual and group reflections on those exercises. Assessment is based on the following components:

65% Journal (multiple entries throughout the term; two submissions)

20% Assignments (four throughout the term worth 5% each)

15% Class Attendance and Participation (evaluated every class)

Although written work will be required, Law 439.3 is not eligible for either the major or minor research paper credit. Class size is limited to 20.

**LAW 440.3 INNOVATION IN JUSTICE: THE DEAN'S FORUM ON
ACCESS TO JUSTICE AND DISPUTE RESOLUTION**
(2025-2026 Lowenberger)

2(3S)

It is our intent to offer - for a fourteenth year - the experiential course below. The course is typically offered in Term 2 for six upper-year students on an application basis. Further details and the application deadline will be announced during the fall term. It is a unique opportunity for a small group of students to develop justice policy alongside leading members of the legal profession.

JUSTICE INNOVATION: DEAN'S FORUM ON DISPUTE RESOLUTION AND ACCESS TO JUSTICE

Nation-wide conversations about Access to Justice continue to play out, with the Cromwell Report* an important touchstone. The first thirteen meetings of the Dean's Forum on Dispute Resolution and Access to Justice were held in September 2013, and annually each winter, most recently March 2025: a gathering of a couple dozen leaders in the Saskatchewan legal and justice community. During the last thirteen years, a small group of students participated in the Dean's Forum project for course credit. They conducted research on the Forum's themes, prepared and presented policy discussion papers, helped design the consultative/planning process, and participated fully in the Forum event. A summary of the [Dean's Forum initiative is published on the College of Law website: https://law.usask.ca/research/research-centres-and-initiatives/deans-forum-on-access-to-justice-and-dispute-resolution.php](https://law.usask.ca/research/research-centres-and-initiatives/deans-forum-on-access-to-justice-and-dispute-resolution.php).

[A video by previous Dean's Forum students is published on YouTube:](https://www.youtube.com/watch?v=sbJY9gQb6wU)

<https://www.youtube.com/watch?v=sbJY9gQb6wU>.

The project will continue, with a fourteenth Forum planned for 2026. The general themes for this year's Forum are currently being developed, and will be assigned near the end of the fall term.

Prior demonstrated leadership in dispute resolution and access to justice initiatives, as well as prior academic performance will be factors in the selection of students for the course. The course will be scheduled based on the successful candidates' availability.

If you have any questions about previous years' projects, or the direction of this year's, please do not hesitate to contact Dean's Forum course instructor, Director of CREATE Justice, and Access to Justice Coordinator, Brea Lowenberger
b.lowenberger@usask.ca.

*The Cromwell Report can be found at <http://www.cfcj-fcjc.org/collaborations>.

LAW 441.3 LASKIN MOOT
(2025-2026 Sembalerus)

2[Oct.-Mar.](3S)

*Applications for the upper year moots will open in July via the Experiential Learning Canvas page. You will have a chance to apply for any moots that interest you. We typically run interviews or try-outs on a weekend, before mid-September***

Calendar Description: This seminar is designed to provide academic supervision and credit for the four students who are members of the College team in the Laskin Memorial Moot Court competition. Participants do research and written and oral advocacy on a complex problem in administrative and constitutional law. The seminar is recommended for those with an interest in advocacy, exacting research, and public law issues. The Laskin Moot is a bilingual (French/English) competition where a minimum of one of the four team members participates in French.

Prerequisite/Co-requisite: **NONE.** Administrative Law is recommended.

Purpose and Orientation: Participation in appellate moot competitions provides an excellent means to obtain advocacy experience.

Two factums are prepared by the team and the four students moot twice in competition and many more times at the College in preparation for competition. All interested students are invited to be interviewed on "Moot try-out day" which will occur during the first few weeks of Term 1. Team selection will be completed shortly thereafter.

The team typically receives the moot problem in early October. The moot competition itself occurs around the end of the third week in February. Three hours academic credit are earned in the Spring term by each of the five participants.

Assessment: Evaluation is based on the student's written and oral work, as well as participation at meetings and practices. The teams' performance in the final competition is based on 66% of the marks for oral presentations and 33% of the marks for the factums. The College's evaluation will be influenced by the same mark allocation, but will also depend on the discretion of the instructor based on the College's evaluation criteria.

Calendar Description: Selected topics relevant to the impact of the criminal justice system on indigenous peoples combining theory, doctrine and practice. The course will explore Canada's colonial history and the systemic discrimination that exists in policing, the courts and in corrections, resulting in overincarceration of Indigenous peoples. To understand this overrepresentation, it is necessary to consider the context in which it is occurring by exploring Canada's colonial history and assimilation policies and practices that have created collective and individual intergeneration trauma, resulting in negative impacts on social health determinants.

Prerequisite/Co-requisite: NONE

Note: Criminal Procedure and Sentencing are recommended

Purpose and Orientation: This seminar is designed to examine the relationship between Indigenous peoples and the criminal justice system. At all stages of the criminal process, Indigenous peoples are overrepresented as both victims and accused individuals. The Supreme Court of Canada has identified this overrepresentation as a crisis in the Canadian justice system in several decisions, including *Gladue*, *Ipeelee* and *Le*. The course will focus on the factors contributing to overrepresentation, encourage a deeper understanding of this area of law, and discuss potential reforms and solutions.

Course Materials:

1. Jonathan Rudin, *Indigenous People and the Criminal Justice System*, 2nd ed (Toronto: Emond Publishing, 2022) – ISBN 978-1-77462-358-9
2. Annotated *Criminal Code*

Student Evaluation:

Option 1: Major Research Paper (see academic regulations for the College of Law for Major Research Paper definition)

- Major Research Paper (70%)
- Class Presentation (20%)
- Class Participation (10%)
- Mandatory attendance at Provincial Court (pass/fail)

Option 2: Minor Research Paper (see academic regulations for the College of Law for Minor Research Paper definition)

- Minor Research Paper (70%)
- Class Presentation (20%)
- Class Participation (10%)
- Mandatory attendance at Provincial Court (pass/fail)

Research Paper: Students will choose a paper topic relating to the substantive content of the course, to be approved by the course instructor in advance.

Class Presentation: Students will present their paper topics to the class.

Class Participation: Students will attend all classes and engage in class discussions on the assigned readings.

Course Description: This course will provide a survey of both actual and potential roles for law to play in protecting the integrity of the environment from exploitation of resources, rapid development, and population growth, among other causes. Core topics will include recent developments and debates in Canadian environmental law, such as coordination and the appropriate distribution of responsibilities among different levels of government and private actors, the roles of public and private law, and environmental law's interdisciplinary dimensions.

Learning Objectives:

1. Explore various theoretical debates over the appropriate role for law to play in management and protection of the environment;
2. Explore how international, federal, provincial, municipal, and Indigenous forms of law and policy-making relate to one another in the management and protection of the environment in Canada;
3. Identify how common law causes of action and constitutional rights have been employed in relation to environmental management and protection in Canada;
4. Develop a practical understanding of the core federal and provincial statutory frameworks for environmental management and protection, with a particular focus on Saskatchewan;
5. Develop a practical understanding of the available tools for environmental regulatory enforcement, including investigation, prosecution, and sentencing for regulatory offences;
6. Explore how impact assessment practices seek to address environmental impacts from specific projects as well as governmental plans, policies, and programs;
7. Explore how spatial tools and strategies are being used to address environmental management and protection in Canada and internationally; and
8. Critically evaluate existing legal tools and strategies for environmental management and protection in Canada and explore potential avenues for reforms.

Required Resources: All required readings for this course will be supplied to you through your Blackboard course, including the "Discussion Board" function, or can be obtained online through the University of Saskatchewan library website or otherwise.

Supplementary Resources (Optional):

- Meinhard Doelle & Chris Tollefson, *Environmental Law: Cases and Materials*, 4th ed (Thomson Reuters, 2023)
- Paul Muldoon & Julie Williams, *An Introduction to Environmental Law and Policy in Canada*, 4th ed (Emond Publishing, 2025)
- William A. Tilleman et al, *Environmental Law and Policy*, 4th ed (Emond Publishing, 2020)

Teaching and Evaluation:

Final Exam (Default)

Value: 70% of final grade

Date: TBD

Description: The final exam will be administered as a comprehensive 2.5-hour take-home exam and may include questions on any of the topics covered in lectures and corresponding readings during this course. It will include both fact pattern questions and one policy question.

Major Research Paper (By Special Request)

Value: 70% of final grade

Date: TBD

Description: At the sole discretion of the instructor, up to five students enrolled in this course will be authorized to complete a major research paper in lieu of the final exam. Students writing major research papers in this course are still expected to review the course materials and attend

class as they will be responsible for demonstrating knowledge of the course materials in their work, where relevant to their chosen research topic. Further details will be set out in the syllabus and discussed at the beginning of the course.

Law Reform Submission

Value: 30% of final grade

Date: TBD

Description: All students will be required to complete a law reform submission in collaboration with one or two of their classmates as a group or partner assignment (depending on enrollment numbers). Further details will be set out in the syllabus and discussed at the beginning of the course.

LAW 447.3 ABORIGINAL RIGHTS MOOT
(2025-2026 TBD)

2[Oct.-Mar.](3S)

*Applications for the upper year moots will open in July via the Experiential Learning Canvas page. You will have a chance to apply for any moots that interest you. We typically run interviews or try-outs on a weekend, before mid-September***

Calendar Description: The Aboriginal Rights Moot is a moot structured on the traditional Aboriginal circle consensus-building process. It is designed to allow law students to debate and discuss Aboriginal rights issues vital to the Aboriginal Peoples.

Prerequisite or Co-requisite: **LAW 436.3**

Note: Team is chosen in October and competition takes place in March.

Description: The Kawaskimhon (speaking with knowledge) Aboriginal Rights Moot is a culturally sensitive national forum where issues regarding Aboriginal rights are debated by students from across Canada. Kawaskimhon is a great opportunity for law students to speak to issues of Aboriginal rights. Kawaskimhon is hosted each year by a different law school.

This event is a two-day forum. On the first day participants present oral arguments based on written submitted factums or other legal documents. At the end of the first day the host law school prepares a cultural night which usually includes a banquet, singers, and dancers. Kawaskimhon participants are required to work toward reaching consensus on the mooted problems or issues by the end of the second day. Band membership rights, territorial overlaps, the effects of hydro projects on First Nation lands, Métis rights and the history of missing Indigenous women in Canada are some of the topics this moot has explored.

LAW 448.3 DISPUTE RESOLUTION MOOT
(2025-2026 Keet)

2(3S)

*Applications for the upper year moots will open in July via the Experiential Learning Canvas page. You will have a chance to apply for any moots that interest you. We typically run interviews or try-outs on a weekend, before mid-September***

Calendar Description: Lawyers use dispute resolution skills in various procedural settings, and often advocate for their clients in negotiation and mediation processes. This course offers students an opportunity for intensive skill development in dispute resolution, negotiation and mediation advocacy through a competitive moot experience. It may also include a client counseling and interviewing component.

Prerequisite: **LAW 430.3.** In the first half of September, a call for applications is circulated to students and the coach selects students after an interview process. Students who have taken the Negotiation course will have an advantage in applying for this moot.

Teaching and Assessment:

Students within the larger Dispute Resolution Moot Team may train together on negotiation and other dispute resolution skills, and then break off into sub-teams to attend a range of competitions. Competitions attended in the past include those focused on Mediation Advocacy (in lawyer-client pairs), Negotiation (lawyer-lawyer), and Client Counseling (lawyers interviewing and counseling clients). Competitions are typically held over a weekend in February or March. We may not know which competition(s) we are attending until the team is selected. Each student on this team will have the opportunity to attend one competition, and to work with the rest of the team as all get prepared.

In preparation for the competition, students participate in a training program which includes practice sessions, feedback from outside guests, videotaping and reviewing simulations, and completing readings and reflective writing assignments. Practice sessions will be scheduled to accommodate the availability of the team members, and the coach.

Moot training is more intense in the months of January and February, with most of the work completed by early March. A few practice sessions may also be held in Term 1.

If you have any questions about this moot team, contact Professor Keet at m.keet@usask.ca.

LAW 449.3 CANADIAN LEGAL HISTORY
(2025-2026 MacDonald)

1(2S-1R)

Calendar Description: In this seminar, students will learn to use a historical perspective to enhance their understanding of Canada's plural legal heritage. We will approach legal history primarily to understand the past, rather than for the purpose of supporting contemporary legal argument. By focusing on the development of one or more core elements of Canadian law, we will analyze the dimension that historical events bring to the character of a society and its laws. We will consider different methodological approaches within legal history and explore their relationships to the primary and secondary sources available. Previous background in history is desirable but not required.

Prerequisite/Co-requisite: NONE

Learning Objectives: The objectives of this course are to:

- Give students a fuller appreciation of the range of legal traditions in Canada and the importance of historical context in their adoption and application;
- Encourage students to think critically about the potential, and the limitations, of historical analysis in legal argument;
- Improve students' legal reasoning skills by making explicit the differences between law's use of the past and historical reasoning;
- Offer students an opportunity to improve research, oral and written communication skills through attention to alternative models and sources.

Course Materials: A mix of secondary and primary sources will be made available electronically through library and internet sources. Wherever possible, published sources will be made available on reserve.

Teaching and Assessment: Seminar course. Assessment will be based on a major research paper and on seminar participation. Assessment of the major paper will include steps towards its completion, including a tentative paper title/abstract and a précis with annotated bibliography. Assessment of seminar participation may include an in-class presentation as well as ongoing evaluation of the quality and quantity of student participation in the discussion and analysis of class readings.

Curriculum requirements: Successful completion of this course will meet the following curriculum requirements: seminar; major research paper.

LAW 450.3 WESTERN CANADA MOOT\SOPINKA CUP
(2025-2026 Fitzgerald)

2[Oct.-Mar.](3S)

The selection for this moot is not the same as for the remainder of our upper-year moots. To be eligible for this moot, you will need to take Shelby Fitzgerald's Term 1 section of Trial Advocacy. The Western Trial moot team will be selected from the students registered in and participating in this section (and only this section) of Trial Advocacy.

This course includes classroom sessions as well as practice trials. As court appearances have started to take place remotely, we will conduct *some* practice trials virtually so as to provide students the opportunity to learn to navigate the courtroom both in-person and not.

Calendar Description: This course involves preparation and participation in a trial advocacy moot initially involving the seven western Canadian law schools followed by a national competition. Participants are involved in juried trial relating to a problem in evidence, criminal procedure and/or criminal law. Participants are expected to prepare opening juror addresses, examinations-in-chief, cross examinations, and closing arguments. In addition, there is research on various evidentiary points which arise during the course of argument.

Note: Trial Advocacy (Western Canada Moot) 452.3 is a prerequisite for this course. This course will be offered in Term 1, and will be used as a foundational course for the Western Canada Moot.

LAW 452.3 (s. 5) TRIAL ADVOCACY
(2025-2026 Fitzgerald)

1(3L)

Course Description: This course is designed to provide students with the skills to conduct a criminal trial. Students will learn how to review disclosure, develop a case, deliver opening and closing statements, conduct examinations-in-chief and cross-examinations, utilize exhibits, and make and response to objections. Additionally, the course covers key aspects such as pre-trial steps, witness preparation, the difference between a jury trial and judge alone, and sentencing.

Assessment: Students will be assessed based on their preparation and participation in class, their performance on any advocacy component presented in class and their criminal jury trial.

At the end of the semester, four students will be invited to join the Western Canada Moot Team. The Western Canada Moot will continue to build on the skills developed in semester one, with the added component of a trial advocacy moot initially involving the seven western Canadian law schools followed by a national competition. Students who are offered and accept positions on the Western moot team will go on to receive additional course credit for their participation in the moot (see course description for that moot team).

Suggested Materials:

- *An Advocacy Primer*, 4th Edition - Lee Stuesser
- any current *Criminal Code*, 2023 or 2024 (annotated is permitted)

LAW 452.3 TRIAL ADVOCACY
(2025-2026 Zakreski)

2(3L)

Calendar Description: This course explores advocacy techniques, practice, and tactics in a trial setting. Topics include: direct and cross-examination, chambers advocacy, examinations for discovery, impeachment of witnesses, occurrence and expert witness testimony, the use of exhibits, and the preparation of closing arguments and addresses.

Prerequisite: LAW 384.3 – Civil Procedure

Purpose and Orientation: The course is designed to introduce students to the conduct of a civil trial, with an emphasis on building confidence and comfort in a courtroom setting. Students will assume counsel roles throughout the term, culminating in a short trial exercise. Role-playing exercises will span client interviews, pre-trial procedures (including pleadings, chambers applications, and discoveries), and advocacy exercises in direct and cross-examination.

Students will also engage with evidentiary matters such as handling exhibits, impeaching witnesses, examining experts, and addressing eyewitness testimony. Additional instruction will cover trial strategy, objections and their responses, procedural issues, and the delivery of opening statements and closing submissions.

Course Materials:

- *Stuesser, An Advocacy Primer*, 4th ed., Carswell, 2015
- Custom case files prepared by the instructor and students

Teaching and Assessment: Instruction will include lectures and demonstrations, with an emphasis on performance-based learning. The instructor will provide coaching and critiques; peer feedback is also encouraged. Assessment is based on in-class advocacy roles, participation, a short trial exercise, and a written trial brief.

LAW 452.3 TRIAL ADVOCACY**2(3L)**

(2025-2026 (s. 3) A. Smith – This section has a criminal jury trial focus)

(This is an application-based class)

Please note: To apply, students must send an e-mail to the instructor at ams085@mail.usask.ca indicating why they would like to take part in the course and identify if they have met the prerequisite requirement (LAW 351.3, Evidence I) or are intending on meeting the prerequisite requirement in Term 1. The application deadline is **Friday, July 11, 2025**. Students will receive notification of selection approximately a week after the deadline. Students who have been selected for this class should then contact law.jdstudies@usask.ca to receive information on how to register for this class.

Applications must include a:

- why you would like to take part in the course and
- identify if you have met the prerequisite requirement (LAW 351.3, Evidence I) or are intending on meeting the prerequisite requirement in Term 1.

Students who have been selected for this class should then contact law.jdstudies@usask.ca to receive information on how to register for this class.

Purpose and Orientation: This course is designed to provide students with the skills to understand and conduct a criminal jury trial. Students will learn how to deliver opening and closing statements, conduct examinations-in-chief and cross-examinations, learn how to utilize exhibits, make and respond to objections and address evidentiary issues which may arise during trial. Other topics such as witness preparation, pre-trial steps, jury selection, sentencing and the differences between civil trials and criminal trials will also be discussed.

Prerequisite: LAW 351.3 Evidence I. Criminal Procedure is an asset but not a prerequisite.

Course Materials: None.

Teaching and Assessment: Students will be provided instruction on the identified topic areas and given an opportunity to present portions of a trial prior to running a criminal jury trial at the conclusion of the term. Students will be provided feedback on their presentations by the instructor and their peers. Guest speakers may be utilized as time permits.

Students will be assessed based on their preparation and participation in class, their performance on any advocacy component presented in class and their criminal jury trial.

LAW 455.3 OIL AND GAS LAW
(2025-2026 Heavin)

2(3L)

Calendar Description: This course introduces students to oil and gas law in Canada. Areas of law considered in this course include, Constitutional Law, regulatory law, contract and property law. Topics addressed will include: the nature of interests in oil and gas; rights of mineral interest holders inter se and the operation of the rule of capture; acquisition of freehold interests in oil and gas; the freehold oil and gas lease; estoppel, waiver and involuntary termination; disposition of minerals by the Crown; oil and gas conservation (pooling unitization and shut-in wells); and, surface rights.

Prerequisites/Co-requisites: NONE

Purpose and Orientation: Lawyers in Saskatchewan and Alberta regularly advise clients on their rights and obligations in relation to oil and gas law generally and oil and gas leases specifically. This course is designed to introduce students to the body of law associated with the regulation and exploitation of oil and gas including industry background; the nature of oil and gas interests; interpretation of Crown and freehold leases; surface rights acquisition, compensation and reclamation; and an overview of Federal and Provincial government regulation of the oil and gas industry.

Course Materials: A detailed syllabus and case book is prepared for this course by the instructor and posted on CANVAS.

Teaching and Assessment: This course will be taught using lectures and discussion. Students will be expected to have read the relevant materials prior to class to facilitate class discussion. Students will be assessed through a minimum of one written assignment and an open-book final examination.

Minor Research Papers Allowed: Unlimited

LAW 457.3 INTERNATIONAL LAW
(2025-2026 Hansen)

1(3L)

Calendar Description: An examination of the legal principles governing the conduct of states and other subjects of international law. Topics studied will include the creation and ascertainment of international law, application of international law in domestic and international tribunals, state jurisdiction of territory and person, sovereign immunity, diplomatic relations, law of armed conflict, international protection of human rights, and international environmental protection.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The course introduces students to the basic principles and structure of international law. It is designed to acquaint students with the international legal framework and its relevance to Canadian law, and to provide a foundation for those interested in further study of particular areas of international law (e.g. human rights, environmental protection, trade and investments, etc.) The topics to be studied will include; the history and sources of international law, international legal persons, the relationship between international and domestic law, state jurisdiction over territory, water, and persons, sovereign immunity, United Nations system and other international institutions, state responsibility for breaches of international law, and some discussion on permissible use of force under international law.

Course Materials: International Law, 3/e Doctrine, Practice, and Theory by John H. Currie, Craig Forcece, Joanna Harrington, and Valerie Oosterveld. Irwin Law Inc. September, 2022.

Teaching and Assessment: The course will be taught by a combination of lectures and class discussion. Assessment will be primarily by way of an open book final examination. An unlimited number of students have the option of writing a minor research paper.

Minor Research Papers Allowed: unlimited

LAW 458.3 ADVANCED HEALTH LAW
(2025-2026 Hayton)

2(2S-1R)

Calendar Description: In this seminar students will develop their knowledge of health law in relation to specific topics in the areas of health care, medico-legal ethics and medical research.

Prerequisite/Co-requisite: NONE. LAW 314.3 Health Law may be helpful but not mandatory.

Purpose and Orientation: This seminar will build on the principles introduced in the Health Law course and explore the broader context of health law. The issues examined will be selected to take into account current developments and may include legal and ethical issues in medical research, regulation of pharmaceuticals, use of human tissue, medical biotechnology, complementary and alternative medicine, and/or health care policy issues (related to topics such as MAiD, Reproductive Health, AI in Medicine). The course will allow students to consolidate and deepen their knowledge of health law principles by applying them to complex issues and develop their understanding of ethical and policy issues and regulatory approaches in health care and research.

Course Materials: Articles and other materials will be made available on reserve, in the University of Saskatchewan Bookstore and/or online.

Teaching and Assessment: The seminar will include a combination of instructor-led and student-led discussion. Students are expected to complete all assigned readings and participate actively in class discussions.

Assessment will be based on a major research paper and class participation, as well as one or more of the following: short commentaries on the readings or other short written assignments, a class presentation, or leadership of a seminar discussion.

Completion of the research paper will fulfill the major research paper requirement and successful completion of the seminar will fulfill the seminar requirement.

*Applications for the upper year moots will open in July via the Experiential Learning Canvas page. You will have a chance to apply for any moots that interest you. We typically run interviews or try-outs on a weekend, before mid-September***

Calendar Description: This seminar is for students who wish to hone in their advocacy skills and receive guidance on producing quality written materials.

The Jessup moot involves significant research, writing, and oral advocacy. Though the problem is based on international law, the skills developed are transferable to all areas of legal practice. This year's problem will present the following issues:

- 1 the rights and obligations of other members of the international community when two persons claim to be the legitimate president of a state;
- 2 invocation of immunity for government officials accused of grave violations of human rights;
- 3 the legal consequences of receding coastlines for the maritime zones of coastal states; and
- 4 the interpretation of the compromissory clause in a treaty creating a regional organization.

Students will write Applicant and Respondent memorials (factums), and participate in practice moots to prepare their oral argument. Students are expected to participate in the Canadian National Rounds. If the team places highly in Canada, the team may qualify for the International Rounds in Washington, D.C.

This seminar takes place over the fall and winter semesters. The official Jessup schedule can be found at <https://www.ilsa.org/jessup-competitors/>. Students receive three course credits to be designated towards term one or two.

Prerequisite/Co-requisite: NONE

Purpose and Emphasis: This seminar is designed to prepare students for competing in the Philip C. Jessup International Law Moot competition. The Jessup is the largest moot court competition in the world, drawing law students from over 120 countries. Students compete in national rounds for the chance to compete in the Jessup World Championship in Washington, D.C. The Canadian rounds of the Jessup Moot are held by a host Canadian law school each year, with the top teams advancing to compete in the International Rounds. The case argued each year is a problem between two fictional states, argued before a fictional panel of the International Court of Justice.

The problem is available in mid-September, with memorials (factums) due in early January. The Canadian national rounds are typically held in mid to late February, with the International Rounds scheduled for the first week of April. Mooters who are selected for the team are expected to work together to finalise their memorials over the Christmas break.

No more than five mooters may be selected for the team: four oralists and one research counsel. Students will be selected on the basis of their academic record, research and writing experience, mooting or public speaking interest or experience, and interest in advocacy. Interested students will be interviewed as part of the selection process and are invited to submit a letter outlining any relevant experience that they would like considered.

Course Materials: The materials covered depend on the issues raised by the Jessup problem. Students will be expected to identify the issues raised in the Jessup problem, conduct in-depth legal research on those issues, and prepare memoranda on their research.

Course Orientation: Students are expected to attend regular meetings commencing in the first semester. Students will first prepare and exchange/present research on issues raised by the Jessup problem. Next, students jointly prepare and file an Applicant and a Respondent memorial in early January. Focus of the team then switches to practice moots to improve oral advocacy. In mid-February, students will travel to the host city for the Canadian national rounds and participate fully in the competition.

Means of Evaluation: Evaluation is based on the student's written and oral work, as well as their participation in meetings, practices, and overall commitment to the moot team.

- 33% of their grade will be based on the student's individual work in the first semester
- 33% of their grade based on their contribution to the memorials
- 33% of their grade will be based on the student's performance in the oral component of the seminar

The seminar will not satisfy the major paper requirement.

*****NOTE: This course will be delivered ONLINE**

Calendar Description: A study of the co-operative corporation as a business form and the theory of co-operative enterprise. The first part of the seminar will look at co-operatives from a legal perspective. Among other things, the following topics will be discussed: incorporation, members' rights, directors' duties and obligations, taxation of co-operatives compared with other business units, and consideration of special types of co-operatives such as Credit Unions. The second part of the seminar will attempt to view the co-operative in a broader, social perspective. Reliance will be placed on various resource people, if available, in discussing these broader aspects. The third part of the seminar will be devoted to papers presented by the student members of the seminar.

Prerequisite: LAW 361.3 Business Organizations I

Purpose and Orientation: Canadian communities are increasingly challenged by rising income inequality and economic globalization as locally-owned companies are acquired by, or merge with, investor-owned companies headquartered in other countries. Member-owned co-operatives operate across many business sectors, including financial services, insurance, energy, electric and telecommunication utility, housing, grocery and consumer, and agricultural production and processing. Co-operatives are uniquely anchored to their communities. Unlike investor-owned corporations, co-operatives embrace seven social principles including democratic member governance, member economic participation, and concern for community. This course focuses on the *what*, the *why*, and *how* of co-operatives from a legal perspective to help prepare class participants to form, advise, and represent Canadian co-operative businesses.

Course Materials: Selected chapters of *Legal Responsibilities of Directors and Officers in Canadian Co-operatives* (1995) by Daniel Ish, KC and Kathleen Ring; *Law of Canadian Co-operatives* (1981) by Daniel Ish, KC; and selected papers and caselaw.

Teaching and Assessment: Teaching will primarily be through synchronous online instruction. Students will be graded 20% on class participation, including short reading reflections, and 80% on a major research paper presented to class members.

LAW 464.3 DAVIES CORPORATE/SECURITIES MOOT
(2025-2026 Smith)

2[Oct.-Mar.](3S)

*Applications for the upper year moots will open in July via the Experiential Learning Canvas page. You will have a chance to apply for any moots that interest you. We typically run interviews or try-outs on a weekend, before mid-September***

Description: The College will once again participate in the annual Davies Canadian Corporate/Securities Law Moot. Work on the problem begins in early January 2025, with factums to be submitted by early February and oral argument in Toronto in early March. Thus, the moot involves intensive work in the first part of the second semester. As with other competitive moots in which the College participates, the Corporate/Securities Moot is a 3-credit course with travel costs covered to promote equal access. **Four students will be selected to participate in the moot. All team members will attend the moot in Toronto. Students in both 2nd and 3rd year are eligible to apply.**

Prerequisite: Students must have taken or be taking Business Organizations I 361.3. This is a requirement to be considered for the moot. Exceptions are made but only in **very exceptional circumstances**. Preference will also be given to students who have taken, or are taking, Securities Regulation 401.3 in the Fall 2024 term.

Recognized as the leading event of its kind in Canada, the annual Davies' Corporate/Securities Law Moot provides an opportunity for top students from Canadian law schools to debate current legal issues in corporate and securities law with senior practitioners from Toronto law firms and corporations, regulators from the Ontario Securities Commission and judges. In addition to the formal moot competition, students have the opportunity to meet and socialize with other participants as well as many of the senior lawyers, regulators and judges who sit as justices for the competition.

LAW 467.3 LABOUR AND EMPLOYMENT LAW
(2025-2026 Duncan)

2(3L)

Calendar Description: A study of the legal concepts, institutions and procedures concerning the workplace in Canada, including the contract of employment at common law; the growth of precarious work; legal protection of the right to organize; status under collective bargaining legislation; the concept of the exclusive bargaining agent; the role of labour relations tribunals; the legal principles relating to industrial disputes; human rights legislation pertaining to the workplace; and statutory regimes concerning labour standards.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The purpose of this course is to introduce students to the strands of doctrine which underlie labour and employment law so as to enable them to understand the theoretical basis of the common law contract of employment, human rights legislation, the statutory schemes governing collective bargaining relationships, and, to a lesser extent, the regulatory system associated with the establishment of minimum labour standards. Consideration will be given to the premises underlying various legal regimes which regulate the employment relationship, and a contrast will be drawn between the common law principles related to employment contracts, and the elements of the system created by collective bargaining legislation.

Course Materials: Students will be asked to purchase the *Labour Law Casebook Group, Labour and Employment Law: Cases, Materials and Commentary*, 9th edition (Toronto: Irwin Law, 2018). Supplementary cases and materials will be posted on PAWS.

Teaching and Assessment: A combination of lectures and classroom discussion will be the basis of instruction. Students will be assessed on the basis of a final examination. Options for a minor paper may also be offered at the instructor's discretion.

Minor Papers Allowed: 5

LAW 467.3 LABOUR AND EMPLOYMENT LAW
(2025-2026 Stack)

1(3L)

Calendar Description: A study of the legal concepts, institutions and procedures concerning the workplace in Canada, including the contract of employment at common law; the growth of precarious work; legal protection of the right to organize; status under collective bargaining legislation; the concept of the exclusive bargaining agent; the role of labour relations tribunals; the legal principles relating to industrial disputes; human rights legislation pertaining to the workplace; and statutory regimes concerning labour standards.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The purpose of this course is to introduce students to the strands of doctrine which underlie labour and employment law so as to enable them to understand the theoretical basis of the common law contract of employment, human rights legislation, the statutory schemes governing collective bargaining relationships, and, to a lesser extent, the regulatory system associated with the establishment of minimum labour standards. Consideration will be given to the premises underlying various legal regimes which regulate the employment relationship, and a contrast will be drawn between the common law principles related to employment contracts, and the elements of the system created by collective bargaining legislation.

Course Materials: Students will be asked to purchase the Labour Law Casebook Group, *Labour and Employment Law: Cases, Materials and Commentary*, 9th edition (Toronto: Irwin Law, 2018). Supplementary cases and materials will be posted on PAWS.

Teaching and Assessment: A combination of lectures and classroom discussion will be the basis of instruction. Students will be assessed on the basis of a final examination. Options for major or minor papers may also be offered at the instructor's discretion.

Minor Papers Allowed: 0

Calendar Description: Examination of rights to child support, custody and access, determinations of paternity, child protection and adoption and the enforcement of support and custody orders.

Preferred course description if possible: Examination of rights to parentage, the legal parameters of child-parent relationships, the determination of parenting disputes (custody and access) and findings of child support. Child protection, adoption and the enforcement of support and parenting orders are also briefly canvassed.

Prerequisite/Co-requisite: Law 372.3

Purpose and Orientation: This course builds on the foundations provided in Family Law I but focuses on legal issues particularly relevant to the child-parent relationship.

We begin with a survey of the social policy framework in relation to the care of children in Canada and an overview of the regulation of the parent-child relationship including the legal regimes governing determinations of parentage, parenting and support orders, child protection and adoption. We then canvas issues that specifically pertain to parentage including the use of reproductive technologies and paternity testing. Broader definitions of the parent-child relationship and factors relevant to the allocation of decision-making responsibility, parenting time or contact and child support obligations are examined under the *Divorce Act* and relevant provincial Acts and regulations. The impact of domestic violence on child well-being and parenting disputes is given special attention. We also briefly address enforcement procedures for support and parenting orders.

The course materials are taught primarily by way of lecture and small group discussion using a problem-based method. Multi-disciplinary perspectives on the issues of parenthood and child care and development are explored. Students are expected to participate in class discussions and to engage in a critical commentary on or evaluation of the reading materials and legal outcomes. Adequate preparation and familiarity with the casebook materials will be assumed.

Course Materials: Cases and statutory materials will be placed on Canvas.

Assessment: Possibilities for assessment include minor or major papers and an exam.

Minor Papers Allowed: 5

Calendar Description: A commercial reorganization is a court sanctioned scheme under which a financially distressed business is restructured so as to permit it to continue in business by compromising claims of its creditors and others. There has been a fundamental shift in Canadian insolvency over the past 30 years, in that there has recently emerged effective systems that actively facilitate the restructuring and rescue of insolvent businesses as an alternative to their liquidation. This course will make use of several highly realistic simulations in order to develop both an understanding of the substantive law that governs commercial reorganizations as well as the advocacy and negotiation skills that are necessary to provide effective legal advice and representation to your clients.

Prerequisite: NONE. It is strongly recommended that students would benefit from taking LAW 407.3, Bankruptcy, Insolvency and Receiverships and/or LAW 420.3, Current Issues in Insolvency, prior to or at the same time as this course.

Purpose and Orientation: Students will gain an understanding of the *Companies' Creditors Arrangement Act*, systems that actively facilitate restructuring and rescue of insolvent businesses as an alternative to their liquidation. Students will demonstrate their ability to appropriately conduct a court application related to corporate restructuring, including preparation and presentation of an oral argument, preparation of a notice of motion with relevant affidavits, a bench brief, development of a negotiation strategy and a final negotiation analysis.

Learning Objectives for this course:

- Develop an advanced understanding of the substantive law respecting corporate restructuring law.
- Develop skills in the preparation of court documents (notice of application, affidavits, brief of law).
- Develop research skills in the preparation of a discussion topic and in the preparation of legal brief.
- Develop negotiation skills and strategies in the context of a corporate restructuring.

Required Text:

- The required casebook will be available for purchase.

Student Evaluation:

- Class Participation: 10%
- Court Application (oral submission) 25%
- Court Application (written submissions): 35%
- Negotiation Strategy Outline: 15%
- Final Negotiation Analysis: 15%

LAW 474.3 CHILDREN AND THE LAW
(2025-2026 Wiegiers)

1(2S-1R)

COURSE DELIVERY: Some lecture content may be delivered online but class discussions will proceed in person at the regularly scheduled class time.

Calendar Description: This seminar will explore the legal status and treatment of children from a historical, cross-cultural and multi-disciplinary perspective.

Prerequisite(s): NONE

Purpose and Emphasis: The purpose of this seminar is to encourage discussion, research and reflection on topics related to the experience and treatment of children under the law.

The seminar will begin with an historical account of changes in the meaning and social significance of childhood over time and across cultures. We will then examine the status of children under Canadian, British and Indigenous law and consider the significance of the international movement in favour of children's rights which culminated in the United Nations *Convention on the Rights of the Child*. In the first half of the seminar, legal and policy issues in some or all of the following areas will be explored: child poverty, the corporal punishment of children under the *Criminal Code* and the *Charter*, children and education law, outcomes for children in parenting disputes in the family law system and in the child welfare system, and youth justice. Guest speakers will be invited to participate in the discussion of some of these issues.

In the second half of the seminar, students will be required to present their papers on specific legal issues relevant to children.

Course Materials: Selected readings of a multi-disciplinary nature will be assigned.

Teaching and Assessment: The paper will comprise 75% of the final grade; class participation, including presentation of the student's paper, will make up the remaining 25%.

LAW 477.1 TAXATION I
(2025-2026 Larre)

1(3L)

Calendar Description: This course deals with federal income taxation of individuals and focuses on basic tax principles, underlying theoretical concepts, and policy rationales. Topics normally covered in the course include procedure, statutory interpretation, the tax base, measurement of income, deductions, exemptions, and capital gains. The course is intended to be useful to students who will practice in the many areas of law to which income tax law may be relevant.

Prerequisite/Co-requisite: NONE

Purpose and Orientation: The course is designed to introduce students to income tax law under the Federal Income Tax Act. The underlying policy considerations and societal impacts are considered in order to gain appreciation of the Income Tax Act as an important document of social policy. The course focuses upon the taxation of the individual, but it deals with many of the concepts that are necessary to understand taxation of other units such as corporations, trusts and partnerships. Thus, the course acts as a building block for the senior tax courses and further learning within the legal profession. It is also designed to enable the generalist to identify taxation issues in many other areas of the law. Finally, since the course is highly statutorily based, it facilitates the skill of statutory interpretation. Course Materials: Students require access to the Income Tax Act (Canada) (<https://laws-lois.justice.gc.ca/eng/acts/I-3.3/>). Course Casebook: *Materials on Canadian Income Tax*, 16th ed. (Cockfield et al.)

Teaching and Assessment: This course will be delivered in person, with a small amount of instruction delivered via the Canvas course website. Students will be assessed by way of a final examination.

Minor Research Papers Allowed: 5

Calendar Description: This course focuses on taxation of business entities including corporations, trusts, and partnerships. Since this course builds on concepts introduced in Taxation I LAW 477.3, knowledge of the basic concepts covered in that course is essential.

Prerequisite/Co-requisite: Taxation I LAW 477.3

Purpose and Orientation: This course is intended to provide students with a basic understanding of the tax treatment of corporations, trusts, and partnerships and to expose students to some of the provisions of the Income Tax Act that commonly apply in business transactions. Topics normally covered in this course include a comparison of the tax treatment of business entities, the payment of funds out of a business entity to an individual, the tax-free transfer of property into a business entity, and corporate reorganizations.

In many cases, the policy or theory underlying a particular rule will be examined in order that students may gain a better understanding of the provision. Due to the technical nature of the Income Tax Act, statutory interpretation will be an important component of this course. The primary aim of the course is to give students an overview of the taxation of corporations, trusts, and partnerships in order to provide students with a foundation for further study or practice upon graduation.

This course should be of particular interest to students who plan to practice taxation law or corporate/commercial law after graduation or students who are interested in studying the use of income tax legislation as a tool for the development of social and economic policy.

Textbooks:

- **Course Textbook:** *Taxation of Private Corporations and Their Shareholders* (5th). This is highly recommended for those planning to practice corporate law, estate planning, or tax law.

Other textbooks referred to in the course:

- *The Practitioner's Income Tax Act*, David M. Sherman
- *Byrd & Chen's Canadian Tax Principles: Volume II*.
- *Tax By Design* (The Mirrlees Review): <https://ifs.org.uk/books/tax-design>
- *Taxes in America* (2nd), Leonard E. Burman and Joel Slemrod
- *Taxing Ourselves: A Citizen's Guide to the Debate over Taxes* (5th), Jon Bakija, Joel Slemrod
- *Comparative Taxation: Why Tax Systems Differ*, Chris Evans *et al.*
- *Advanced Introduction to International Tax Law*, Reuven Avi-Yonah
- *Corporate Tax Law: Structure, Policy and Practice*, Peter Harris
- *Tax Havens: How Globalization Really Works*, Ronen Palan *et al.*
- *Tax, Inequality, and Human Rights*, Eds. Alston and Reisch.

- *Report of the Technical Committee on Business Taxation*, Mintz *et al.*
- *Report of the Royal Commission on Taxation*, Carter *et al.*
- The Lawyer's Guide to Income Tax and GST/HST 2017, David M. Sherman
- *The Modern VAT*, Ebrill, Keen, et al.

Teaching and Assessment: Over half of the lectures in person. I intend to teach the other lectures on Zoom. If there is a blizzard, I will notify students at least 12 hours in advance that I will move the lecture online. No textbook is required. Assessment is by way of a final examination. The exam is closed book, but a 3-page cheat sheet is permitted.

Minor Research Papers Allowed: None

LAW 482.3 CRIMINAL LAW INTENSIVE SEMINAR

2(2S-1R)

LAW 484.12 CRIMINAL LAW INTENSIVE PRACTICUM

2(12CL)

(2025-2026 Pfefferle/Watson)

(This is an application-based class)

NOTE: Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application for LAW 482.12. The deadline to apply is September 5, 2025.

Entry into the intensive criminal law program is by selection by the course instructors. Student's applications should outline the reasons for their interest in the course and describe any relevant experience. Students should also include their cv or resume. Students should send any questions to Brian Pfefferle, at brian@pfefferlelaw.com, and they will be notified the week of September 8, 2025, whether or not they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class in Term 2 and contact law.jdstudies@usask.ca to register in the practicum.

Prerequisites/Co-requisites: *Both Criminal Procedure and Evidence I are prerequisites (to be completed by December 2025.)*

This is a 15-credit one-semester (13 week) clinical course including practicum and academic seminar.

Calendar description: The Criminal Practicum and Seminar is designed to provide real world practical exposure to the practice of criminal law. The students will be placed in the office of a criminal lawyer for nine weeks at 32 hours per week (Monday to Thursday) where the students will become intimately involved in the practice of criminal law. The practicum placements will be supplemented with a series of lectures during the first two weeks of term and then with a weekly seminar (Fridays) with the course instructors and students will be required to complete one major paper, one minor paper and weekly reflective journals. The instructors also hope that the students will also be placed for one four-day week with a Judge of a criminal court. The practicum encourages reflection by the student about the practice of criminal law and will provide an opportunity for advanced research in the form of two papers.

Learning Objectives: Students will be exposed to a wide variety of criminal practice issues from the defence of criminal accused to the running of a criminal law practice. The students will be encouraged to reflect upon what they observe and will also learn about several advanced criminal law, ethical, evidence, trial advocacy and criminal procedure issues. *The*

Charter of Rights and Freedoms legal rights and procedural issues will also be discussed in depth. The course will be designed so as to represent a culmination of all that

a criminal lawyer needs to know and will build on the student's substantive knowledge in the discipline. While entitled the "intensive criminal practicum" the courses will result in students being exposed to many areas of the law which in practice will tend to blur together. This will involve those subjects above listed and a myriad of other issues including insurance law, property law and other areas which will arise as a result of the various criminal matters to which the student is exposed during their placements with the supervising lawyers and Judges. Nonetheless the placements will be with Criminal lawyers and students should be continually involved in that area of the law rather than be exposed to all areas of the law as generally envisaged in an articling process.

The Externship (Lawyer) Placements

Students will be placed from about January 12 to March 6, inclusive, with hand selected lawyers in the community. They are expected to be in the placement Monday to Thursday work hours, which are assumed to be 8:00 or 9:00 AM to 4:00 or 5:00 PM. The students are then to be at the Friday seminar with the instructors. The instructors will hand select the supervising lawyers and law firms and will be in regular contact with them. It is expected that the lawyers will engage with the students on several fronts. This is not an early "articles" process but rather is intended to encourage reflection on what criminal practice involves and how it should best be done. There are almost no "criminal articles" in the private criminal bar in Saskatoon and these placements are not intended to compete in any way with the articling process. Students require an assigned supervisor with whom they can report to with work related questions and concerns. The instructors will develop feedback forms for completion by the supervising lawyers and by the students at various stages throughout the placements and after they are completed, to continually gauge the success and worth of the experiential learning opportunities to which the students are exposed.

The instructor will have regular contact with both the supervisor and the student. The students are not lawyers or junior counsel and are not expected to be providing legal advice in any way to the placement or to clients of the placement. The student is required to attend, be professionally dressed, and to understand the work environment within which they will be expected to act professionally.

Student Evaluation: The program will be open to 5 students per year. The seminar will constitute three credits of course work. In the seminar, assessment will be by methods other than a final examination and can include, weekly journal entries, class participation and a written paper (major or minor). The practicum will be worth 12 credits of course work. Together then, the complete program will be the equivalent of 15 credits or one semester's worth of work.

LAW 486.3 LAW AND PSYCHIATRY**1(2S-1R)**

(2025-2026 T. Dahl, Dr. M. Mela and H. Harradence)

Calendar Description: Introduction to psychiatric theory; the methodology of psychiatric diagnosis and modern psychiatric treatment; the role of psychiatrists in the legal process; and the psychiatrist as expert witness. Psychiatry and Criminal Law: remand for mental examination, fitness to stand trial, sentencing, automatism, insanity and dangerous offenders. Psychiatry and Civil Law: the concept of competency, and contractual and testamentary capacity; and mental disability in employment law.

Prerequisite(s): **LAW 351 (Evidence I)**. Students will find it helpful to have taken Health Law 314.3.

Purpose and Orientation: This seminar is designed to provide students with a strong introduction to the area of Psychiatry and the Law. As the calendar description shows, Psychiatry plays an important role in many areas of law. Students will learn to engage with psychiatrists in the practice of law, including participating in a mock examination of a psychiatrist as expert witness, and learn to recognize the need for such engagement. The seminar is uniquely taught by a practicing forensic psychiatrist (Mela), a sitting provincial court judge (Harradence), and a practicing lawyer (Dahl), offering a variety of experience and perspective. The seminar will be taught to both law students and psychiatry residents, in an interactive, collaborative and interdisciplinary environment. The seminar will likely be held in a room at the College of Medicine or elsewhere, which may result in a late return to the College of Law. Therefore, flexibility will be required in the student's schedule. Students will be expected to produce a major paper, to be active participants in the seminar, and to produce a course journal. The seminar will also include a field trip to North Battleford Hospital, the Review Board, and/or the Regional Psychiatric Centre.

Required Course Materials: Readings will be posted on PAWS/Canvas.

Course Description: Arbitration is an alternative dispute resolution method of resolving a wide variety of disputes including, commercial, family, sports and labour (which will be a large part of this course).

At the beginning of the course, students will learn about the various types of arbitration and how the arbitration process works. The course will then focus on practical skills for arbitration including contract/collective bargaining agreement interpretation; case law analysis; preparing and presenting evidence and argument. Case law review, scenarios and simulations will touch on a wide array of issues including privacy, discrimination, onus, jurisdiction, rules of evidence, past practice and estoppel.

Prerequisites: None

Purpose and Orientation: The goal of this arbitration seminar is to familiarize students with the concept of arbitration and the arbitration process with a view to providing building blocks should students pursue practice in the field of arbitration.

Required Text: None. Students will need to access and review portions of *The Saskatchewan Employment Act*; *The Arbitration Act*, the *Canada Labour Code*. Case law will be available on CanLII and citations will be provided

Teaching and Assessment: This course will include lecture and discussion as well as skill-building exercises. Guest presenters may attend.

During the term students will be completing assignments to evaluate: 10% each

- Pre-hearing arbitration process and preparation
- Scope and jurisdiction of an arbitrator and arbitration hearing
- Modern Approach to Interpretation

Students will complete one short paper: 30%

- Analysis of a current topic relevant to arbitration (no more than 8 to 10 pages)

Students will also be evaluated on one simulation exercises: 30%

- Presenting written (about 6 pages) or oral argument (max 15 minutes) based on provided scenario, including case law analysis

Class Participation: 10%

- Attend class as regularly as possible and actively participate in discussion.

Seminar-based course. No final exam. Arrangements for minor paper can be made.

LAW 488.3 TAX POLICY
(2025-2026 Larre)

2(2S-1R)

Course Description: This seminar will focus on evaluating tax policies by examining their tax equity implications, social and economic consequences, and administrative feasibility. This seminar will provide students with the opportunity to engage in tax policy issues, resulting in a heightened appreciation of the social and economic implications of tax policy, an increased ability to evaluate tax policies, and a deeper understanding of technical tax law rules. Topics will include: (1) criteria for and methods of evaluating income tax policies; (2) theories of income; (3) the tax mix; (4) the use of the income tax system to implement tax expenditures; (5) the preferential treatment of certain groups and entities under the tax system; (6) the detrimental effects of taxes on certain segments of society or the economy the appropriate tax unit; and (7) taxation as a means to redistribute wealth.

Students in this seminar will be introduced a number of resources specifically designed for tax research and will be expected to use them to complete assignments. This seminar should be of interest to students who desire to practice tax law in a private firm or in government as well as those students interested, more generally, in the social and economic implications of tax law.

Prerequisite or Co-requisite: Law 477.3

Course Materials: To be provided via Canvas and/or available on course reserve in the library

Teaching and Assessment: Instruction will be in-person. Assessment will be by way of major paper, other assignments, and class discussion and participation.

Calendar Description: This course publishes the *Saskatchewan Law Review*. The work involves selecting and editing material submitted for publication, participating in policy decisions, proofreading, and other miscellaneous tasks. Each student also undertakes written work for possible publication in the *Review*.

Note: A one-year commitment to the *Review* is required. Academic credit is, however, awarded only for one term. Students will designate the term for which academic credit is awarded.

Purpose and Emphasis: Students in the seminar are members of the Editorial Board of the *Saskatchewan Law Review*. The work load includes editorial duties and a writing requirement. Currently, each student must write a short book note reviewing a recently published book for publication in the *Review*, or write three abstracts of previously published articles for publication on the Law Review web site. Students also complete a minor research paper under the supervision of a faculty member who has expertise in the topic selected. The minor research paper is a short research paper on any topic of interest to the student. One option is for the paper to take the form of a critique of a recent case, or a note on recent legislation, with a view to publication in the *Review* as a case comment or legislative note. This paper satisfies the College's minor research paper writing requirement.

The Law Review class is **not** a vehicle for the writing of a major research paper, which will normally be completed as part of the requirement for another seminar. The work in the Law Review class is, however, intended to assist students in developing their skills with respect to the style and form of major research papers and law journal articles, and to enhance their skills in the writing of legal memoranda and opinions. Although major research papers are not written as a component of the Law Review class, students are encouraged to write their papers in other classes with a view to publication in the *Review*.

It is normally possible to offer summer employment, at normal full-time research student remuneration, to three members of the Editorial Board to work as summer editors for the *Review*. These students automatically qualify for the class in the subsequent year, and will be the Managing Editors of the *Review* for that year.

Credit Hours: The course carries three credit hours, allocated to one or other of the semesters. Students must, however, make a one-year commitment to the *Review* to allow sufficient time to develop editorial expertise and complete group assignments. The overall work load over the year is consistent with the awarding of a half-class credit, and editorial work, assessment and writing requirements have been adjusted to ensure that the work load is appropriate. Students will designate the term for which they will receive academic credit but, whichever term they designate, their grade for the course is awarded at the end of the academic year.

Assessment: Assessment is *prima facie* as follows: Work as a member of the Editorial Board (50%); Book Note (10%); Minor Research Paper (30%); Case Comment or Legislative Note (10%). At the discretion of the Faculty Editor, and with the agreement of the student, assessment may be varied from the above to accommodate particular needs of the *Review* or the special interest of a student. This latter option is open to Managing Editors due to their completion of a Minor Research Paper in their previous Law Review work.

Enrolment: Enrolment is restricted to 18 students, selected by the Faculty Editor. All students are Members of the Editorial Board, three of them being the Managing Editors. The course may be taken in either the second or third year, or both. Each year, students with exceptionally strong academic records receive letters from the Dean inviting them to apply. However, other interested students are also welcome to apply. All students who wish to be considered for selection for Law Review, **whether invited to apply or not**, can e-mail a letter of application along with their resume and writing sample to Chris Harris, (sask.lawreview@usask.ca) **no later than Monday, August 18, 2025**. The letter of application may include the student's qualifications and commitment, and, where relevant, describing any special experience or expertise in writing or publishing which the student might bring to the *Review*. Students will be notified in late August whether or not they have been selected. After they have been notified that they have been selected for the class, and have dropped a class in the term they wish to receive credit, students will contact law.jdstudies@usask.ca to be registered in Law Review.

Law Review is recognized along with other academic honours in the commencement program when the student graduates.

Calendar Description: This course involves an examination of legal instruments enabling private exploitation and public, commercial access to intangible private assets such as intellectual property (“IP”) and information. The advantages and disadvantages of licenses when compared to alternatives are discussed, as are possible terms for licensing diverse intangible subject matters (*e.g.*, software, other works of copyright, patented and unpatented inventions, product designs, trademarks, trade secrets and biological germplasm). The consequences of choices involving variable licensee-exclusivity terms, fields of use, sublicensing options, license durations, payment structures, jurisdictional factors, and the risk tolerances of counterparties among other issues are considered. The course provides an opportunity for teamwork, including in-class presentations of outcomes, and exposure to the theory and practice of license negotiation, drafting and critique.

Prerequisite/Co-requisite: None. Previous exposure to IP subject matter through Law 410.4 (Intellectual and Industrial Property I) or an equivalent course is recommended.

Purpose and Emphasis: Licenses are the principal means enabling commercial exploitation of IP and other intangible assets such as information *per se*. Practitioners in this area have a keen interest in and understanding of the dynamics and technicalities of long-term inter-party engagements which are critically important in the creative products and production sectors. Through this course, students will be able to:

- recognize interests of creative and distribution-focused entities in various circumstances;
- recognize and understand licensing pools and other means of enabling exploitation of complex modern technologies;
- recognize and deal with the peculiar needs of license participants in specific industry sectors (*e.g.*, trademark licenses in franchise agreements; germplasm licenses prevalent in pedigreed seed and biologics, licensing pools for complex modern technologies);
- provide a client (licensor or licensee) with grounded rationale and commercially reasonable reasons that support of the client’s interests in license negotiations;
- recognize and deal with legal issues and equities arising in various situations involving;
 - IP or other intangible assets;
- understand various statutory requirements that may impact license terms or limits; *e.g.*, *Copyright Act*, *Trademarks Act*, *Patent Act*, *Plant Breeders’ Rights Act*, *Competition Act*), and understand their limitations;
- deal with interests of clients wishing to securitize or exploit IP or information assets prior to or after receipt of any government grant; and
- draft a simple to moderately complex license agreement and critique/revise more complex agreements.

Course Materials: A syllabus and a collection of cases and ancillary materials will be supplied by the instructor for use in the course.

Teaching Method: Class time is devoted to discussion of selected concepts, cases, and materials. The format involves a mixture of lecturing, questioning, general class discussions, and group assignments regarding problem scenarios. Classroom learning is an essential element of the curriculum, so participation in classroom discussions and activities is expected.

Assessment: Student performance will be based on;

- (a) class attendance, preparation, and participation (5% of final grade), and
- (b) a group-participation exercise involving formulation and presentation of a licensing strategy (10% of final grade), and
- (c) a short (5-10 min.) in-class, oral presentation on a licensing issue of contemporary interest or importance, supplemented with a written (1-3 page) descriptive report (10% of final grade), and
- (d) a license agreement with some commentary, to be drafted, *de novo* by each student respecting one of various subject matters (*e.g.*, trademark, plant or animal germplasm, patented or unpatented invention, product design, work of copyright, trade secret) among other variables provided by the instructor (25% of final grade), and
- (e) a written, problem-oriented, open-book, three-hour final examination. Examination results will count for 50% of each student's final grade.

LAW 498.3 (s.31 & 68) CREATE JUSTICE INTERNSHIP
(2025-2026 Lowenberger)

1&2(P)

This is an application-based class.

Total Hours: 72 (6 per week x 12 weeks)

Weekly Hours: Practicum 6 per week for 12 weeks

Course Description: This internship will give students an opportunity to learn about the process of justice system reform and to develop their research and writing skills by working with CREATE Justice and its Director on systemic justice reform projects in which the lab is engaged.

The student will work under the supervision of the Director and provide written work and verbal reports on a regular basis. The student will have an orientation session and discuss assigned reading materials with the Director in the first week of the internship. Following this, the student will have weekly meetings with the Director. The student will work 6 hours/week for CREATE. The student will have deadlines for written work to be agreed upon with the Director. The student will also meet at least once per term with one or more of the stakeholders CREATE works with, and also attend a regular Saskatchewan Access to Justice Network meeting (if one is scheduled during the term).

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application for the LAW 498.3 CREATE Justice Internship by **Friday, August 22, 2025**. Please address your application to the Director of CREATE Justice, Brea Lowenberger. She can be contacted for questions at brea.lowenberger@usask.ca.

Applications must include an unofficial transcript, resume, and cover letter, and must indicate in which term the student would prefer to complete their internship. Students will be notified in late August whether or not they have been selected. At this point, students who have been selected for the internship will have to drop a class in the term in which it has been offered and contact law.jdstudies@usask.ca to register them in the internship.

Prerequisite: None require (Justice Innovations seminar will be suggested but not required)

Learning Objectives for this course:

- Understand the problem-solving methods, process, and roles involved in reform of the justice system
- Develop proficiency in legal research (primarily secondary, but could include some primary research materials)
- Develop skills in translating research into education and leadership, and collaboration and action for systemic change

- Develop writing skills, including presenting the results of research and analysis in memos and other draft documents and drafting materials for CREATE's website
- Develop verbal communication skills, including the ability to summarize the results of research and articulate questions

Required text: None

- **Student Evaluation:** The internship will be evaluated on a pass/fail basis. The student will be required to demonstrate competencies in legal research and writing and oral and written communication. The student will also be required to complete a self-reflection exercise at the end of the term.

LAW 498.3 (s. 33) USASK GOVERNANCE OFFICE PRACTICUM
(2025-2026 Buhler)

1(P)

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) Weekly Hours: Practicum 6 hrs/week for 12 weeks

T1

Course Description: The Governance Law practicum placement offers a hands-on exploration of administrative and business law, emphasizing the governance of administrative bodies, the interpretation of bylaws and policies, and their intricate relationships. Located within the USask Governance Office, a key link between the executive leadership and governance of the university, students will see policy development in action and the facilitation of the activities of the Board of Governors, Senate, General Academic Assembly and University Council. In a postsecondary setting, this practicum exposes students to the fundamental issues of procedural fairness, principles governing reviews of administrative decisions, and the available remedies for the review of determinations. Students will engage in practical discussions and reflection, gaining valuable insights into the legal implications and the role of administrative decision-makers.

Prerequisite or Co-requisite: *LAW 340 Administrative Law and Law 361 Business Law Org I*

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to the Associate Dean Academic, Heather Heavin. Contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th whether or not they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.idstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

LAW 498.3 (s. 35) OPUS STARTUP INCUBATOR PRACTICUM
(2025-2026 Buhler))

1(P)

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks), Weekly Hours: Practicum 6 per week for 12 weeks

Term 1 only

Course Description: – This practicum placement explores the legal aspects of business venture incubation, innovation and strategic supports in a technology-driven world. Situated within USask's Opus startup incubator and under the supervisor of a practicing lawyer and startup coach, students will delve into the legal intricacies of fostering innovation, enterprise creation and operation, and forming collaborations to drive societal, industrial, and environmental advancements. The course is designed to equip students with the knowledge and skills needed to navigate the complex intersection of law, technology, and entrepreneurship.

Suggested Prerequisites or Corequisites: *LAW 410 - Intellectual and Industrial Property I and Law 361 – Business Law Org I*

Students who do not have the listed prerequisites for this course are encouraged to provide a detailed explanation of why their application should still be considered. Applicants should include any relevant experience or additional information that would help assess the strength of their application. This may include practical experience, coursework, or other relevant qualifications.

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th if they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

LAW 498.3 (s. 37) USASK PRIVACY AND ACCESS PRACTICUM
(2025-2026 Buhler)

1(P)

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks), **Weekly Hours:** Practicum 6 per week for 12 weeks
Term 1 only

Course Description:

In this Privacy and Access practicum placement, students will examine how to apply the laws relating to the collection, utilization, and disclosure of information. Under the supervision of the University of Saskatchewan Legal Office, they will participate in activities such as training, meetings with committees, and interdepartmental collaboration that enhance their research and writing skills, apply critical analytical skills, help them understand how to navigate governance structures and due diligence processes. This experience will expose students to the areas of privacy, access to information, procurement, trade agreements, cyber security, and IT issues. There will be an emphasis on identifying and applying principles and legislative provisions to real-world scenarios essential to assess the rights, obligations, and potential liability of individuals and organizations

Prerequisite: LAW 310 - Information and Privacy Law or Special Permission

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- A 1-2 paragraph explanation of your interest in the topic.
- A 1 paragraph biography that highlights your current or past involvement (if any) in:
- courses, initiatives, or employment experiences related to the topic areas;
- teams and/or collaborative projects; and
- innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th if they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

**498.3 (s. 40) Ethical Frameworks in Trauma Responsive Law:
A Human Curriculum for Legal Education and Ethical Practice**
(2025-2026 A. Carlson and J. Jaunzems-Fernuk)

1(3S)

Calendar Description: This seminar course is an in-depth exploration of the range and impact of human experiences in the legal profession and legal system. Through a legal ethics lens, the course envisions novel ways trauma-responsive frameworks can help us understand and strengthen ourselves, our clients, and the legal system. Students will be introduced to concepts rooted in the Human Curriculum (Jaunzems-Fernuk, 2022), a conceptual framework that will guide students and the instructor through relevant perspectives, research, and curiosities surrounding mental health, well-being, and trauma-responsive practices. Topics explored through the Human Curriculum include: developing a sense of meaning in our work; a mindset conducive to understanding the scope of our and our client's needs; perspectives from mental health literature that inform the legal profession and the justice system; mentorship as a tool for relational capacity and success; and management of our minds and emotions to build resiliency our careers (EQ). Students will learn to recognize distress in clients and build strategies for ethical professional practice, such as trauma-responsive lawyer-client relationships and approaches to trial advocacy. Students will be encouraged to contemplate and work towards lasting changes at the individual, community, and systems levels to improve the well-being, sustainability, justice, equity, and efficacy of the legal profession.

Prerequisite/Co-requisite: Law 421 Legal Ethics

Learning Objectives: Students will learn to develop their own well-being toolkit to build a sustainable career, support their clients, and envision a legal system that avoids perpetuating further harm. Knowledge, skills, and attitudes in these areas will be developed through readings and discussions related to mental health literacy, self-observation, emotional intelligence, psychological safety, collective care, cultural humility, and trial advocacy. Students will gain an understanding of how trauma impacts clients in the legal system and how to create ethical trauma-responsive lawyer-client relationships, especially in criminal law, family law, youth court, domestic violence, and administrative law.

Course Materials:

Maki, McCallum et al, Trauma-Informed Law: A Primer for Lawyer Resilience and Healing (2023).

Golden Eagle Rising Society, Trauma-Informed Legal Practice Toolkit, 2024.

A mix of secondary and primary sources will be made available electronically (Canvas) through the library and internet sources throughout.

Teaching and Assessment: Seminar course. Students are expected to participate meaningfully with each other and the instructors in discussion of the assigned readings.

1. Major Paper or Minor Paper: 70%
2. In-class Paper Presentation: 15%
3. Participation in Discussion and Reflection Journal: 15%
4. Written Paper Proposal (non-graded)

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) Weekly Hours: Practicum 6 hrs/week for 12 weeks

T1

Course Description: This practicum places a student within Federated Co-operatives Limited (FCL) to experience the varied work of in-house counsel in a large co-operative enterprise. Under the supervision of FCL lawyers, the student will engage with corporate, commercial, environmental, employment, and co-operative governance matters in a dynamic business setting. The student may be assigned various tasks and small projects related to different legal practice areas and non-legal functions of the organization in order to gain exposure to the variety, depth and complexity of in-house counsel practice. This could include contract management, dispute resolution, litigation management, policy development, risk management, IT compliance, mergers and acquisitions, employment law, IP law, labour law, and external counsel management. Students produce a project deliverable by term end, submit weekly reflections, complete one reflective-practice assignment, and participate in periodic faculty-led seminars.

Prerequisite or Co-requisite: *LAW 361 – Business Organizations I.*

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th whether or not they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.idstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) **Weekly Hours:** Practicum 6 hrs/week for 12 weeks
T1

Course Description: In this practicum you will work with the University of Saskatchewan's Legal Office on a forward-looking legal research and drafting project connected to future service-delivery options on campus. Under the supervision of David Stack, General Counsel, you will evaluate governance frameworks, study statutory requirements for incorporating a Saskatchewan non-profit corporation, analyze membership considerations, and recommend suitable board structures. Typical tasks may include preparing briefing notes, drafting sample articles of incorporation and bylaws, and presenting findings to Legal Office leadership. Students complete a project deliverable, submit weekly reflections, produce one reflective-practice assignment, and attend periodic faculty-led seminars.

Prerequisite: *Law 361 – Business Law Org I*

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th if they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) Weekly Hours: Practicum 6 hrs/week for 12 weeks

T2

Course Description: This practicum placement is for a student who will engage with Cameco's in-house counsel on matters in the fields of construction law and procurement. Guided by legal professionals who draft, negotiate, and advise on contracts in those fields, the student will examine the bid process through to award, the allocation of risk in construction/procurement contracts, and the structuring of performance security, all within an industrial projects setting. Students produce a project deliverable by term end, submit weekly reflections, complete one reflective-practice assignment, and participate in periodic faculty-led seminars.

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page. Applicants with an interest in commercial law and/or construction law are preferred.

Students will be notified the week of June 30th whether they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) **Weekly Hours:** Practicum 6 hrs/week for 12 weeks
T2

Course Description: This practicum places students within the Saskatchewan Medical Association (SMA) to gain first-hand experience with the legal and advocacy work of a provincial physicians' association. Under the supervision of Reché McKeague, K.C., students will examine health-law frameworks, regulatory compliance issues, contract negotiations, and policy strategies that support SMA members. Typical tasks may include researching health-care legislation, drafting contract or advocacy briefs, assisting with regulatory files, and observing meetings where legal counsel advises on policy and member representation. Students will produce a project deliverable by the end of the term, provide weekly reflections, complete one reflective-practice assignment, and attend periodic seminars led by a faculty member.

Prerequisite: *LAW 314.3 Health Law OR LAW 458.3 Advanced Health Law*

Recommended courses: *LAW 310.3 Information and Privacy Law, LAW 467.3 Labour and Employment Law, and/or LAW 320.3 Regulation of Professions may be helpful but not mandatory.*

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th if they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.idstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

LAW 498.3 (s. 50) UNIVERSITY OF SASKATCHEWAN
FACULTY ASSOCIATION PRACTICUM
(2025-2026 Buhler)

2(P)

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) Weekly Hours: Practicum 6 hrs/week for 12 weeks
T2

Course Description: This practicum places students inside the University of Saskatchewan Faculty Association (USFA) to experience labour-relations advocacy in a unionized setting. Working under the guidance of USFA's Professional Officer, students will apply doctrinal learning to live matters involving collective bargaining, grievance management, and member representation. Typical tasks may include researching labour statutes and arbitral jurisprudence, preparing briefing notes, assisting with grievance files, and observing negotiation or mediation sessions. Students produce a project deliverable by the end of the term, provide weekly reflections, one reflective practice assignment, and attend periodic seminars held by a faculty member.

Prerequisite: LAW 340 - Administrative Law **Recommended:** LAW 467.3 Labour and Employment Law

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th if they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) Weekly Hours: Practicum 6 hrs/week for 12 weeks

T2

Course Description: This practicum places upper-year students at Canpotex, the Saskatoon-based exporter that markets and ships Saskatchewan potash to global markets. Working with Canpotex in-house counsel, students apply corporate, commercial, and international-trade law principles to live matters involving contract negotiation, regulatory compliance, and risk management. Learners may conduct targeted legal research, review and draft commercial agreements, prepare briefing notes and reports, and observe strategy and negotiation meetings. Students produce a project deliverable by term end, submit weekly reflections, complete one reflective-practice assignment, and participate in periodic faculty-led seminars.

Prerequisites or Co-requisites: *LAW 302 – Commercial Relationships and LAW 361 – Business Organizations I*

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application **by Thursday, June 26th at 11:59 P.M.** Please address your application to the Associate Dean Academic, Heather Heavin. Contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th whether or not they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) Weekly Hours: Practicum 6 hrs/week for 12 weeks

T2

Course Description: This practicum places upper-year students at the College of Physicians and Surgeons of Saskatchewan (CPSS), the provincial regulator responsible for licensing, professional conduct, and policy oversight in the medical profession. Working under CPSS legal counsel, students apply administrative and health-law principles to live files involving professional discipline, legislative compliance, and policy drafting. Learners conduct targeted legal research, analyze investigative materials, draft memoranda or policy briefs, and observe committee and hearing processes. Students produce a project deliverable by term end, submit weekly reflections, complete one reflective-practice assignment, and participate in periodic faculty-led seminars.

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th whether or not they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

This is an application-based class.

Weekly meetings will be scheduled for a time that works for the students and the placement supervisors.

Total Hours: 72 (6 per week x 12 weeks) Weekly Hours: Practicum 6 hrs/week for 12 weeks

T2

Course Description: This practicum places upper-year students at the Saskatchewan Human Rights Commission (SHRC), the provincial agency responsible for enforcing the Saskatchewan Human Rights Code and advancing equality policy. Working under Commission counsel, students apply administrative- and human-rights law principles to matters involving discrimination complaints, policy development, and public education initiatives. Learners may conduct targeted legal research, draft pleadings and memoranda, prepare policy briefs, and observe mediation, settlement conferences, and tribunal hearings. Students produce a project deliverable by term end, submit weekly reflections, complete one reflective-practice assignment, and participate in periodic faculty-led seminars.

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application by **Thursday, June 26th at 11:59 P.M.** Please address your application to Associate Dean Academic, Heather Heavin and Experiential Learning Liaison, Professor Sarah Buhler. Please contact law.EL@usask.ca with your questions.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page.

Students will be notified the week of June 30th whether they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class and contact law.idstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

LAW 498.3 (s. 66) SPECIAL TOPICS: LAW AND RELIGION
(2025-2026 Newman)

1(3L)

Calendar Description: This course examines complex intersections of law and religion, inviting students into interdisciplinary scholarly conversations and facilitating reflection on their own worldviews and values and how these interact with intended careers in the law. Specific topics covered may vary from year to year but commonly include topics like the following: religious lawyering; religious clients; engagement by judges with religion in their judicial roles; theories on how law understands religion and religion understands law; introduction to some systems of internal religious law; historical perspectives on Canadian state treatment of religious minorities; a deep dive on Canadian constitutional religious freedom jurisprudence; case law on protection of Indigenous sacred sites; versions of secularism; human rights code protections for creed; religious organizations as charities; religion's interactions with international human rights; comparisons of legal and theological approaches to interpretation of authoritative texts; thinking about theological critiques of and construction of law.

Prerequisite/Co-requisite: None for 2025-2026

Purpose and Orientation: Study of the complex intersections of law and religion has become an important field. A number of Canadian law schools offer a law and religion course, and some major American law schools offer significant numbers of more specialized courses within the field of law and religion.

This new course offers students at USask the opportunity to take up serious reflection on the intersection of two important aspects of human life which both make claims to authority over individuals. There are a variety of theoretical and practical questions that arise, as suggested in the list of topics within the calendar description. It is worth noting that the practical aspects of the course also include opportunities for more personal reflection by students on how their own religions/spiritualities/values intersect with their intended legal careers.

It should not need saying in the context of a serious academic course at a university, but the course is welcoming to students of all religious traditions, including no religious tradition, and simply invites everyone into conversations and deep thought while expecting full respect for others coming from a diversity of backgrounds in relation to both faith and other dimensions of identity.

Required Course Materials: Selected materials, mainly in the form of cases and scholarly articles. At this point, I do not envision assigning any book (unless I suddenly find the perfect book to assign) but rather providing all of the materials electronically.

Instruction: The course will be taught primarily in a lecture format, though students will be expected to participate in class by asking and responding to questions about the materials and by engaging with each other in respectful discussion so as to achieve better learning.

Assessment is based on:

- A 3-hour final exam in December (80%; or, 40% for those who choose to do a minor paper with those students who do a minor paper then doing a shorter, modified exam)
- Optionally, a minor paper addressing one of a list of prescribed topics, to be submitted by the last day of classes (40% for those students completing it)
- A reflective reading journal (20% - for five short entries chosen from a larger number of opportunities to complete entries – assessment will be geared to this assignment being intended not to create significant extra work but to be a means of helping to prepare to do well on the exam and also a chance to think through course themes and how they relate to broader careers and lives)

Major Research Papers Allowed: Students will not be permitted to write a major paper for this course.

Minor Research Papers Allowed: No specific limit on number (though they must be on one of the prescribed topics to be distributed near the start of the semester).

LAW 498.3 INDIGENOUS CHILD PROTECTION PRACTICUM
(2025-2026 Patrick)

2(3P)

This is an application-based class. Weekly meetings will be scheduled for a time that works for the students and the faculty member.

Total Hours: 72 (6 per week x 12 weeks), Weekly Hours: Practicum 6 per week for 12 weeks

T1, T2

Course Description: This practicum focuses on helping students to develop a legal framework to practically and critically examine a range of contemporary legal, social policy and practice issues that impact the lives of Saskatchewan Indigenous children, caregivers, and their communities. Practicum students will work alongside and support Indigenous communities while having the opportunity to work alongside community-led research as they engage in various stages of identification and development of legislation, coordination agreements, tribunal training and research, national minimum standards, and case-specific research. The practicum will provide students with a valuable experiential learning opportunity through a two-eyed seeing research model.

Prerequisite: LAW 322 - *Child Protection or Special permission*

Students will be selected for this course based on their applications. 2L and 3Ls will be automatically added to the 'USask College of Law | Experiential Learning' Canvas course in June. Accept the invitation to access the application system within the course and navigate to the 'Placement Applications' section to select and submit your application for the LAW 498.3 Indigenous Child Protection Practicum by **Wednesday, July 9, 2025 at 11:59 PM**. Please address your application to the Professor Jamesy Patrick and FSIN Placement Supervisor Diana Collard.

Applications must include:

- (a) A 1-2 paragraph explanation of your interest in the topic.
- (b) A 1 paragraph biography that highlights your current or past involvement (if any) in:
 - i. courses, initiatives, or employment and volunteer experiences related to the topic areas;
 - ii. teams and/or collaborative projects; and
 - i. innovative initiatives, programs, and/or projects.

Please ensure that the total length of your answer to (a) & (b), combined, does not exceed 1 page. Students will be notified on **Wednesday, July 16, 2025**, whether they have been selected for the practicum. At this point, students who have been selected for the practicum will have to drop a class, and contact law.jdstudies@usask.ca to register in the practicum.

Student Evaluation: The placement will be evaluated on a pass/fail basis. The student will be

required to demonstrate various critical competencies. The student will also be required to complete a self-reflection assignment at the end of the term.

Calendar description: This course utilizes case law, legislation, and secondary sources to teach students the principles and approaches to statutory interpretation, the processes of passing, amending, and repealing legislation, and how the common law interacts with legislation. By the end of the course, students will possess an understanding of the importance of statutory law in Canada, as well as how to read, interpret, understand, research, and apply legislation to solve problems, and will be able to use this knowledge to improve their future practices as lawyers.

Prerequisites/co-requisites: NONE

Detailed description: Upon completion of the course, students will understand the:

- definitions and differences between statutes, legislation, Acts, and regulations/subordinate legislation; how each are created, amended, and repealed; and the unique role of each in the Canadian legal system;
- history of statutory interpretation;
- how to read a statutory instrument; legislative citations; statutory research and tracing;
- hierarchy of laws; comparing and interpreting constitutional laws, human rights legislation, various codes, Aboriginal law, fiscal legislation, and other statutory instruments;
- differences between statutory law and common law (jurisprudence); interaction between the common law and statutory law;
- territorial application and Crown immunity;
- principles and application of statutory interpretation:
 - Legislation: federal *Interpretation Act*; Saskatchewan's *Legislation Act*;
 - Maxims of interpretation:
 - *noscitur a sociis* ("to know a thing by its associates");
 - *ejusdem generis* ("limited class"; "of the same kind");
 - *expressio unius* ("the expression of one thing implies the exclusion of the other");
 - rule against tautology;
 - Approaches to interpretation:
 - modern principle (Driedger and *Rizzo Shoes*, *Bell ExpressVu*, *University of Calgary*);
 - textual;
 - contextual;
 - consequential;
 - purposive;
 - legislative;
 - Meanings:
 - ordinary meaning;
 - bilingual meaning;

- bijural meaning;
- technical meaning;
- legal meaning;
- original meaning;
- Intrinsic statutory aids:
 - title;
 - preamble;
 - headings;
 - marginal notes;
 - punctuation;
- external contextual aids:
 - previous versions of the statute;
 - Hansard/debates and parliamentary material;
- statutes *in pari materia*
- judicial notice;
- temporal operation and application (retroactive and retrospective legislation);
- appropriate words and phrases to use when drafting legislation; drafting conventions
- degree of specificity to write into legislation, depending on various contextual factors;
- process of researching and investigating statutory instruments to find applicable legislation and regulations, and sections;

Course Materials:

Statutory Interpretation, 3rd edition (2016)

By: Ruth Sullivan

Other resources as provided by the instructor

Teaching and Assessment: The course will be taught through lectures as well as by some guest speakers to give practical perspectives. Students will be assessed on a 100% final examination.

Minor Research Papers Allowed: 0