

LAWS 2099/2 Credit Hours

Legal Profession and Professional Responsibility Syllabus

Fall 2018

Class hours, Weldon 105, Thursday 1:30 – 3:30

21 September: Wickwire Lecture

5:00 – 8:00

McCain Building, Auditorium 1

The Wickwire lecture is in lieu of one of our regularly scheduled classes; attendance is mandatory and the material is examinable

Please note that our first class has been moved to Weldon 305 to accommodate Orientation activities. All remaining regular classes will be held in Weldon 105

Instructor: Gillian MacNeil

Office: N/A

Office Phone: N/A

Office Hours: I am happy to arrange to meet with students by appointment.

Email: G.MacNeil@dal.ca

I am happy to meet with students informally before and after class. While I do not have an office on campus, if you wish to meet with me I am happy to do so. Please contact me via email if you wish to meet and we can set up a mutually convenient time and place for our meeting.

I am also happy to answer questions and provide feedback to students via email. If you wish to email me sample answers to practice questions, I am happy to review your answers and provide feedback and suggestions both in person and via email.

I will usually provide an initial response to your email within 24 hours. If I need time to offer a more detailed response, I will let you know in my initial email and provide a likely timeline for completion.

If for any reason I must cancel a class, I will send notification as soon as possible via email and will post a notification on the course Brightspace page.

Course Description

“This required upper year course examines various aspects of the nature and organization of the legal profession in Canada, including its history and evolution, the legal and ethical responsibilities of lawyers and judges and the influences of the adversary system. In particular, the class covers specific ethical rules which affect all lawyers in their organized legal profession... Serious attention will be given to dilemmas facing lawyers and the legal profession today.”

COURSE OBJECTIVES

This course has three overarching objectives:

- (1) Enable students to develop their knowledge about the regulatory structure for lawyering and its social, cultural, economic, and political contexts;
- (2) Guide students in developing the skills and attributes that will equip them to address ethical problems in practice, informed by a full awareness of their ethical duties to clients, the public, the court, other lawyers, the justice system, and the law society; and
- (3) Challenge students to think critically about contemporary controversies in legal ethics, professional regulation, and the future of the legal profession.

Course Pre-requisites, Co-requisites and/or other Restrictions

There are no prerequisites to this course.

Learning Management System Site Information

Some course materials will be posted on Brightspace. This will include power point presentations for lectures. Please check the course Brightspace page on a regular basis.

Required Text(s)

1. *Lawyers’ Ethics and Professional Regulation*, (3d ed) eds. Alice Woolley, Richard Devlin, Brent Cotter, and John Law (Toronto: LexisNexis, 2017)
2. The Nova Scotia *Legal Profession Act* (as amended by SNS 2010, c 56), the Nova Scotia Barristers’ Society *Regulations* passed under the Act (as amended to 20 July 2018), and the Nova Scotia Barristers’ Society *Code of Professional Conduct* (the ‘Code’, as amended to 20 July 2018).
3. Any supplemental readings will be available online on the course Brightspace page. The term “supplemental” indicates readings not included in the casebook; they are required readings for the course and will be included in the reading list as required readings. Please ensure that you read the materials provided in the relevant folder for each class on the course website.

You are responsible for the assigned reading material whether or not it is discussed in class.

Course Assessments

There will be one comprehensive final exam scheduled for Wednesday 12 December 2018. The exam will be two hours and thirty minutes and will begin at 9:30 AM. The exam will be open book. You will be permitted to bring into the exam your class reading materials (including power point presentations) and your own notes. The exam will be written on Exam4 software.

1. Student Requests for Accommodation

Requests for special accommodation for reasons such as illness, injury or family emergency will require an application to the Law School Studies Committee. Such requests (for example, for assignment extensions) must be made to Associate Dean, Academic Michael Deturbide or the Director of Student Services and Engagement Dana-Lyn Mackenzie as soon as possible, before a scheduled exam or a deadline for an assignment, and will generally require documentation. Retroactive accommodation will not be provided. Please note that individual professors cannot entertain accommodation requests.

Students may request accommodation for either classroom participation or the writing of tests and exams due to barriers related to disability, religious obligation, or any characteristic under the Nova Scotia *Human Rights Act*. Students who require such accommodation must make their request to the Advising and Access Services Center (AASC) at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation – Form A. Students may also contact the Advising and Access Services Centre directly at (902) 494-2836.

2. Plagiarism

All students must read the University policies on plagiarism and academic honesty <http://academicintegrity.dal.ca/> and the Law School policy on plagiarism <http://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>. Any paper or assignment submitted by a student at the Schulich School of Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the

instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.

LECTURE RECORDING

You are **not** permitted to record lectures. The unauthorised use of any form of device to audiotape, photograph, video-record or otherwise reproduce lectures is prohibited. Students must obtain prior written consent to any such recording. Exceptions may be granted in cases of private use for reason of accommodation.

ADDITIONAL INFORMATION

Students may wish to familiarize themselves with the following services and guidelines:

* General Academic Support – Advising Halifax:

https://www.dal.ca/campus_life/academic-support/advising.html

* Fair Dealing Guidelines <https://libraries.dal.ca/services/copyright-office/guidelines/fair-dealing-guidelines.html>