

LAWS 2019 Law and Technology

Class location: Weldon

Major Paper Course

Credit Hours: 3

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Drop in: on Mondays, Tuesdays, and Wednesdays, or by appointment

Course description

New technologies, such as digital social media, artificial intelligence (AI), blockchain, the “internet of things”, and machine learning, play an increasingly central role in how individuals live and interact with each other; how businesses innovate and create new opportunities; and how governments function and serve their constituencies. But the development and use of these technologies can raise complex legal, policy, and ethical challenges, with serious implications for human rights and the public interest.

This course offers students the opportunity to explore how new technologies affect the democratic process, freedom of expression/hate speech, gender balance, data protection, freedom of contract, intellectual property, global and personal security, etc. and to reflect on whether the law needs adapting or not. Students are encouraged to generate and explore researchable issues in their areas of interest in order to meet their individual and/or collective expectations for the seminar. There is no technical background or expertise required for enrollment in the seminar. Students are, however, expected to make use of the Internet and other research tools to access seminar-related materials and conduct research on a final paper.

Learning Outcomes

After successful completion of this course the student(s) will:

1. have a good understanding of the legal, policy and ethical issues arising from the use of new technologies;
2. have the skills, knowledge and comprehension to analyse and interpret legal resources in the field of law and technology;
3. have the skills, knowledge and comprehension to formulate innovative solutions to problems relevant to law and technology;
4. be able to conduct supervised scientific research in the field of law and technology;
5. be able to present their research findings both orally and in writing;

6. have mastered the analytical skills to individually conduct research and write an argumentative paper in the field of law and technology.

Class schedule

Class #	Date	Topic
1	04 Sept	Introduction <i>Overview of the course</i>
2	11 Sept	Democratic process
3	18 Sept	Freedom of expression
4	25 Sept	Gender balance and respect of minorities <i>Selection of paper topic</i>
5	02 Oct	<i>Hands-on discussion on research design, research question and methodology</i>
6	09 Oct	Data protection
7	16 Oct	Cyber-security and surveillance
8	23 Oct	Smart contracts
9	30 Oct	Intellectual property
10	06 Nov	<i>Paper presentations</i>
	13 Nov	Reading week – no class
11	20 Nov	<i>Paper presentations</i>
12	27 Nov	<i>Paper presentations</i>
	13 Dec.	Paper deadline

Course materials

Required readings per class will be made available on Brightspace.

Assessment

Your performance in the course will be evaluated according to the following breakdown: Descriptions of each element are below.

Attendance & participation	15%
Research presentation	15%
Major paper	70%

- **Attendance & participation (15%):** The success of this seminar depends on your meaningful engagement throughout the semester. To this end, attendance is mandatory (you will not receive class

participation credit for attending, but unexcused absence from any session will impact your participation grade). This grade is determined on the basis of meaningful participation in class discussion that reflects thoughtful attention to the assigned readings.

• **Description of problem, Research question, methodology, outline & working bibliography (non graded):** In preparation for your major paper, you are asked to formulate a research question, outline and working bibliography. This is a working document, subject to change according to the feedback I provide. **Due: October 8, 2019 @ 3:30 PM, by email** to lucie.guibault@dal.ca

The outline should indicate the headings and subheadings that will structure the paper. The working bibliography should list the primary and secondary sources you plan to rely on in your paper.

The assignment as a whole should form a maximum of three (3) pages, double-spaced (except for the abstract).

• **Research presentation (15%):** Presentations will be allotted 20 minutes, followed by questions and answers from your peers. How you use those 20 minutes is up to you — audiovisual (video, podcast, etc.) may be incorporated, but should not replace your voice. (Please let me know in advance if you will require audio-visual equipment.) You may also include a handout — an abstract or a short reading that might help your peers engage with the subject matter. Your research presentation should focus not on your paper as a whole, but on a specific and narrow question. This might mean presenting the core argument (as opposed to summarizing each section of the paper) or a specific issue that you may still be struggling with. The choice is yours. (We will talk briefly about presenting your research during Class 6.) Dates will be determined by sign-up sheet in class.

• **Major paper (70%):** Due: **December 13, 2019 @ 3:00 PM.** To be submitted in electronic form by email to lucie.guibault@dal.ca. Papers should be between **25 (minimum) and 35 (maximum) pages, double-spaced, Times New Roman, 12-pt, default (1-inch) margins.** Please also include a table of contents on the first page. These must adhere to the law school's "Major Paper Guidelines" available online at: <https://www.dal.ca/faculty/law/currentstudents/jd-students/academic-regulations.html>. Further details are set out below. (We will talk in class about how to develop, research and write a major paper during Class 5) The topic of law and technology contains a wide-range of subject matter and you may write on any subject that relates to the law as it relates to digital technology or life sciences and the law. I am happy to discuss proposed topics in advance of your choice. (For this, please come see me in my office.) Please send me (by email) your final paper topic by September 24, 2019 @ 12:00 PM.

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 Michael Deturbide or Ms. Dana-Lyn Mackenzie, Director of Student Services as soon as possible, before a scheduled exam or a deadline for an assignment, and will generally require medical 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 494-2836.

Submission of Papers - Policy on Use of Originality Checking Software

Major papers and assignments must be submitted in hard copy. Students should hand papers in to the place stipulated by the instructor and ensure they are date and time stamped. Please read the law school policy on late penalties: <https://www.dal.ca/faculty/law/current-students/jdstudents/academic-regulations.html> Please note students may also be required to provide an identical electronic copy of their paper to the instructor by the due date. Papers may be submitted by the instructor to a text-matching software service to check for originality. Students wishing to choose an alternative method of checking the authenticity of their work must indicate to the instructor, by no later than the add/drop date of the course, which one of the following alternative methods they choose: a) submit copies of multiple drafts demonstrating development of their work b) submit copies of sources c) submit an annotated bibliography

Plagiarism

All students in this course must read the University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the <http://academicintegrity.dal.ca/> website, and the Law School policy on plagiarism, available online at <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.