

2024-2025 Environmental Law Course Guide:

[Explicitly Environmental Law Courses](#)

Forest Law (LAW 395)

Mining Law (LAW 394)

Climate Litigation (LAW 391D)

Natural Resources (LAW 392)

Sustainable Development Law (LAW 389D)

Corporate Social Responsibility and the Law (LAW 306D)

Green Rights and Warrior Lawyers (LAW 393D)

Environmental Law (LAW 387B)

Topics in First Nations Law- Indigenous Law and Climate Change (LAW 358D)

International Environmental Law (LAW 323D)

Directed Research

[Potentially Environmental-Themed Courses](#)

International Law (LAW 316C)

Aboriginal Peoples & Canadian Law (LAW 352)

Aboriginal and Treaty Rights (upper year seminar) (LAW 353D)

Intellectual Property and Human Rights (LAW 420D)

[Useful Courses for Environmental Lawyers](#)

Admin Law (LAW 509)

Federalism (LAW 347B)

Trusts (LAW 451)

Evidence (LAW 476C)

Business Organisations (LAW 459C)

Civil Procedure (LAW 469)

Advanced Criminal Procedure (LAW 400)

Trial Advocacy (LAW 474)

[Timetables](#)

Explicitly Environmental Law Courses

Forest Law (Law 395)

- 3 credits
- Fall M 2-5
 - Adjunct Professor: Professor Garton (B.Sc.F. (U. of T. 1983), LL.B. (U. of T. 1989)) is a Vancouver lawyer with over 25 years of experience advising clients on forestry law topics, primarily focused on the commercial, first nations and environmental aspects of forestry law. He previously lead the forestry law practice at Bull, Housser & Tupper LLP (now Norton Rose Fulbright LLP) where his clients included large and small timber tenure holders, first nation governments, logging contractors, lenders to the forest sector and industry associations. He recently retired as General Counsel to Seaspan ULC, a large BC-based shipbuilder and marine services provider. Prior to attending law school Billy worked in the BC coastal forest industry as well as in Alberta and Ontario.
- Description:
 - Industry-side
 - Forests have long been a cornerstone of British Columbia's natural environment and economy. Government has created a complex regulatory regime seeking to balance competing interests in the forest, including those of industrial & recreational users, public interest groups, government and Indigenous Nations. The interface between these different visions of forest resource management and the impacts of climate change upon BC's forests have produced some of the most challenging questions that BC lawyers and policy-makers have had to address in recent decades, and public interest in the outcome is high. Initially this course will examine the current statutory regime that regulates activities in BC forests, as well as the legal nature of the forest tenures or entitlements that the BC government may grant to the private sector, First Nations, and other groups. We will then address a number of more specific topics, including the current policy debate and announcements for forest tenure and logging reform, the nature and effect of Indigenous rights to forest lands and resources, wildfire suppression and liability, a comparative survey of forest policy in selected other jurisdictions, the financial interest of the Province in BC's forests and enforcement of that interest, the role of professional reliance in forest management, the compliance and enforcement regime for BC forest laws, the key commercial issues a lawyer would encounter in practising forest law and the planning framework that the BC government uses to weigh competing wildlife, heritage, biodiversity, environmental and industrial interests. Guest speakers may be included to provide different expertise or perspectives on some of the public policy issues that will arise.
- Evaluation:
 - Final exam: 100%

Mining Law (LAW 394)

- 3 credits
- Fall M 5-8
 - Adjunct Professor: Professor Collie (B.A. (University of Calgary), LL.B. (University of Toronto), M.A. (University of Toronto)) is Counsel at DLA Piper (Canada) LLP, in the Vancouver office. He was called to the Ontario Bar in 1992 and the British Columbia Bar in 1993. He practises in the areas of securities law, corporate finance, mergers & acquisitions, mining and related general corporate and commercial transactions. His mining-related experience includes financing of mining ventures and companies, drafting and negotiating

mining joint venture and option agreements, royalty agreements, acquisitions and dispositions of mining properties and companies, advising on mineral tenure, and advising on disclosure requirements for mineral projects.

- Adjunct Professor: Professor Monk (B.B.A. (Simon Fraser University), MBA (UBC), LL.B. (University of Alberta)) is Counsel at DLA Piper (Canada) LLP in Vancouver. He was called to the Alberta Bar in 1998 and the British Columbia Bar in 1999. Alan practices in the areas of securities law, mergers & acquisitions, mining and related general corporate and commercial matters. Alan's securities practice involves public and private financings of mineral exploration companies and advising on continuous disclosure, corporate governance and general regulatory compliance for public companies. His mining practice includes the negotiation and preparation of a variety of commercial agreements, including option and joint venture agreements, royalty agreements, and confidentiality agreements as well as mineral title matters.
- Description:
 - Industry-side
 - This course is intended to serve as a general introduction to Canadian mining law, with a focus on British Columbia. It will cover "black letter" areas of the law such as mineral tenure systems, as well as related commercial law matters which most lawyers practising in the area would likely encounter, such as typical forms of commercial agreements, and issues which arise in mining finance (particularly in a public markets context). Specific areas to be covered include: ownership and acquisition of mineral interests; types of mineral interests including mineral claims and leases; major agreements in exploration and mining (e.g., confidentiality agreements, option and joint venture agreements, royalty agreements); permitting of a mine in British Columbia; financing of mining ventures and related securities law considerations (e.g., standards of disclosure for mineral projects).
- Evaluation:
 - Final exam: 100%

Climate Litigation (LAW 391D)

- 3 credits
- Fall F 1:30-4:30
 - Adjunct Professor: Professor Ho received his J.D. from the University of Victoria in 2014, and was called to the British Columbia bar in May 2015. As an associate at Tollefson Law, his areas of practice in public interest environmental law have included environmental assessments, regulatory hearings, and judicial reviews. He has appeared before the Enbridge Northern Gateway Joint Review Panel, the NEB in its hearing into the Trans Mountain Expansion Project, the BC Environmental Appeal Board, the Federal Court and Federal Court of Appeal, and the BC Supreme Court. He also holds a Master of Public Administration (UVic '14), a B.Sc. in environmental sciences (UBC '10), and a B.A. in political science (UBC '10). He is currently pursuing a Ph.D. in Law and Society at UVic. In his capacity as Program Coordinator at the Pacific Centre for Environmental Law and Litigation (CELL), he helps deliver CELL's educational program, which trains law students in litigation practice skills through exposure to real-life pieces of public interest environmental litigation.
- Description:
 - Using climate litigation as the focus, this seminar provides students with opportunities to develop competencies to be effective legal advocates before the courts and other regulatory bodies. Consistent with international trend, increasingly environmental defenders in Canada are

using the court system to hold governments and other actors accountable for their contributions to climate change. Aspiring lawyers who wish to practice in this field need not only a solid understanding of the substantive legal theories underpinning climate litigation, but also develop competencies in litigation strategy, evidence, and procedure. Using real examples of climate cases, students will learn about aspects of the law that are engaged in these cases, and work both independently and in collaboration with classmates to prepare for and complete various exercises that emulate different stages of litigation. These exercises include working with expert evidence, drafting a factum, and delivering oral argument in a moot in relation to those climate cases.

- Evaluation:
 - Exercises: 40%
 - Research and writing assignment: 55%
 - Participation: 5%

Natural Resources (LAW 392)

- 3 credits
- Spring M 5-8
 - Adjunct Professor: Professor Hickling M.Sc., LL.B., B.C.L. has practised natural resources law in British Columbia for twenty years. He was a UBC Law gold medalist, clerked at the Supreme Court of Canada, held a Commonwealth Scholarship at Balliol College, Oxford, and the WM Tapp Studentship in Law at Gonville & Caius College, Cambridge. He has led negotiations on significant natural resource issues and published articles on energy law, environmental law, and indigenous rights in leading academic journals.
- Description:
 - Natural resources are the foundation of our economy, our society, our politics, and our past and our future. How a society governs the use of natural resources determines whether or not (and for how long) that society will be prosperous, innovative, fair and just, and free. Natural resources are also key drivers in peace and conflict, between jurisdictions in our federal system and at the international level. This fast-paced introductory course will compare the constitutional, regulatory, and policy frameworks that govern natural resource sectors in British Columbia – energy, forestry, mining, water, and wildlife – with a view to preparing students for entry into legal practice. In addition, students will be invited to consider developing policies and emerging issues on topics such as investment and finance, royalty and tax structures, climate and biodiversity, and indigenous rights. Some important questions about the deep structure and function of law may also be explored: Is law a system of rules and sanctions, or is it a social process that supports decision-making? How is law informed by values and how does it respond to changing priorities? How are concepts like pluralism, distributive justice, and intergenerational equity reflected in law?
- Evaluation:
 - Final exam: 100%
 - Optional short research paper: 15%

Sustainable Development Law (LAW 389D)

- 3 credits
- Spring M 2-5

- Professor: Professor Affolder is a faculty staff member who is a leading scholar in transnational environmental law whose research explores some of the most challenging and complex issues of our time. She was a lawyer in private practice in Boston, Massachusetts with the firms Hill & Barlow, and (what is now) DLA Piper. She also held a research associate position at Harvard Business School and consulted for Oxfam International, working to integrate gender and development law perspectives in the negotiations leading to the Rome Statute of the International Criminal Court.
- Description:
 - Where do we locate law in the quest for sustainability? How is it both a driver of unsustainable practices and a critical tool in transforming how we live? In this interactive seminar, we explore how the concepts of sustainability and sustainable development have shifted over time and how they relate to law and the role of lawyers. The seminar format provides an ideal opportunity to engage critically with key legal documents and texts, allowing us to deepen our negotiation, speaking, writing, and legal drafting skills. In the process, we will develop a knowledge of legal responses to sustainability conflicts across a broad range of areas of legal practice spanning business and transactional law, land use planning, project finance, and strategic litigation.
 - Topics we will address include legal responses to climate change and biodiversity destruction at local and transnational levels, the use of legal principles in both litigation and regulation, engagement with legal concepts of sustainability by actors within and beyond the state, and the intersection of scientific and legal knowledge. We will look at novel ways of structuring deals and legal mechanisms to advance sustainable legal practices. This seminar will be of interest to anyone keen to explore how lawyers can bring about and support transformational change.
- Evaluation:
 - Evaluation will be based on active participation and leadership in class exercises, simulations, and seminar discussions (30%) and a research paper (70%).

Corporate Social Responsibility and the Law (LAW 306D)

- 3 credits
- Spring M 2-5:
 - Professor: Dr. Liao B.A.H (Queen's); LL.B. LL.M. (UBC); Ph.D./S.J.D. (Joint Degree) is an Associate Professor at Allard Law and the UBC Sauder Distinguished Fellow of the [Peter P. Dhillon Centre for Business Ethics](#) at the UBC Sauder School of Business. Her research focuses on corporate law and sustainability, climate governance, and social justice. She is Chair of the [Canada Climate Law Initiative](#), a national research centre advancing director knowledge on the latest in climate science, climate risk disclosures, and fiduciary obligation. Committed to community-engaged scholarship, Dr. Liao is featured in the Federation of Asian Canadian Lawyers (FACL) BC documentary [But I Look Like a Lawyer](#), and sits on the FACL BC Advisory Committee.
- Description:
 - This seminar examines the theoretical concepts, legal principles, and case studies relating to the dynamic and evolving field of corporate social responsibility (CSR), its various iterations, and the law. The course aims to have students consider the effects and values of the market system and its impacts on corporate behaviour, and the relationship between the law, CSR, and tensions inherent within the governing mechanisms of the corporation. Weekly topics may include climate change and corporate environmental regulation, ESG and risk management, greenwashing, Indigenous relations and reconciliation, board diversity, business and human

rights, the business of law, and evolving standards across certain industries such as extractives. There may be a field trip, in discussion with the class. Students will develop comprehension of a rapidly expanding and highly relevant area of law, while advancing their research, writing, and analytical skills.

- Evaluation:
 - Class participation: 30%
 - Paper on any topic covered in the course or as approved by the instructor: 70%

Green Rights and Warrior Lawyers (LAW 393D)

- 3 credits
- Spring W 9:30-12:30
 - Professor: Professor Wood's research relates to sustainability, globalisation, transnational governance, voluntary environmental standards, climate change, environmental law, corporate social responsibility and social justice. He holds the Canada Research Chair in Law, Society and Sustainability at the Allard School of Law, University of British Columbia, where he also directs the [Centre for Law & the Environment](#). His current projects relate to the rights of nature, environmental rights, homelessness, the reception of English law in colonial British Columbia, and the future of the International Organization for Standardization.
- Description:
 - Around the world, citizens and lawyers are using law to vindicate the human right to live in a healthy environment and the rights of nature to exist and flourish. In this seminar, students explore the theory and practice of environmental human rights, rights of nature and public interest lawyering through real world case studies of environmental lawyers and defenders on the front lines of struggles to protect people, species and ecosystems in Canada and beyond. The seminar uses a variety of learning materials including documentary films, video interviews, live guest appearances, biographies, news media, case law, legislation, government documents, non-governmental reports and academic literature. Students facilitate class discussion on a specific date and topic, write a blog post on a real "Warrior Lawyer" and complete a research project applying lessons from the theory and practice of environmental rights to a current environmental law issue.
- Evaluation:
 - Facilitation of class discussion: 10%
 - Blog post: 25%
 - Research paper or project: 65%

Environmental Law (LAW 387B)

- 3 credits
- Spring Thurs 2-5
 - Professor: Professor Stacey B.Sc (Alberta), LL.B (Calgary), LL.M (Yale), D.C.L (McGill) is Associate Professor. She researches environmental crises and the visible and invisible ways in which law creates, regulates and prevents these events. Her work focuses on environmental assessment law, disaster law, climate change, emergency powers and the rule of law. Her first book, *The Constitution of the Environmental Emergency* (Hart Publishing, 2018) addresses what the rule of law requires in light of our vulnerability to catastrophic environmental harm. A profile of her work on environmental emergencies and the rule of law can be found on the [Research Portal](#). Professor Stacey's current work investigates how law regulates disaster as

disconnected and exceptional events, contrary to the experiences of those most vulnerable to disaster and in spite of our current era of climate disruption. You can read about this project on the [Research Portal](#).

- Description:
 - Environmental issues challenge our understanding of law in many ways. Environmental issues are complex scientifically and politically, and temporally and geographically. They require a close examination of the potential and limits of core areas of legal doctrine (e.g. tort law and public law) and how these doctrines need to be stretched or adapted to account for the complexity of environmental problems. Students will learn about the contested purposes and principles of environmental law, contested jurisdiction over the environment (Indigenous authority and Canadian constitutional law), how the environment is governed by the Canadian state (e.g. environmental assessment law, endangered species protection, plastics regulation), and the role of the courts. The course is designed both for students seeking a concise introduction to the subject-matter as part of a well-rounded legal education, as well as for students seeking to specialise in this growing and substantial area of law, for which Environmental Law 387 provides foundation for further studies.
 - Note that this course follows a “flipped classroom” model and is structured around problem-based learning that requires active participation during class time.
 - It is strongly recommended that students take Federalism and Administrative Law prior to this course. Students who have not taken these courses should reach out to Professor Stacey for background readings prior to starting the course.
- Evaluation:
 - Class engagement: (20%)
 - Midterm assignment: (20%)
 - Final project: (60%).

Topics in First Nations Law- Indigenous Law and Climate Change (LAW 358D)

- 3 credits
- Spring Tues 9:30-12:30
 - Professor: Professor Clifford B.A., JD, LL.M. (Victoria), PhD (Osgoode) is WSÁNEĆ and a member of the Tsawout First Nation, his home community; he carries the name YELKATFE, which was passed to him by his late grandfather, Earl Claxton Sr. His PhD research uses community participation methodologies to explore the ways WSÁNEĆ laws are generated by and reflect the values, philosophies, lands, and worldviews of the WSÁNEĆ people. The research is equally important in terms of practical application for the WSÁNEĆ community and as a contribution to theoretical understandings of what it means to responsibly engage WSÁNEĆ law, and Indigenous law more generally, within complex contemporary power structures and dynamics. His publications cover a range of aspects relating to Indigenous law and Indigenous legal theory, including on legal pluralism, Indigenous language revitalization, and Indigenous spirituality.
- Description:
 - The topic and relevance of Indigenous law continues to gain attention, still we often remain unclear about what the revitalization of Indigenous law entails, and vague regarding the context and goals of that revitalization. Similarly, it is as clear as ever that climate change stands as the most pressing and important issue facing all of us (human and more-than-human), yet there is far less unanimity in terms of understanding and responding to these challenges. This course

will begin with the premise that these two seemingly intractable issues are not disparate. In this class we will explore the premise that both our theory and methodology of Indigenous law, and our diagnosis and approaches to climate change, can, and should be, intricately entwined and mutually reflective. Throughout the class we will draw upon works in political ecology, Indigenous law, and Indigenous studies. We will bring a critical lens to the ‘Anthropocene’, colonialism, and Indigenous law revitalization, both in Canada and elsewhere. In doing so, our discussions will circle around Indigenous knowledge and perspectives (particularly my own W SÁNEĆ tradition), capitalism and sovereignty, the binary between nature/society, and the agency and/or rights of the more-than-human world. This course will be in a seminar format, however, given its connections with Indigenous law, we will also bring in elements of Indigenous pedagogy and experiential learning where and when possible.

- Evaluation:
 - Attendance and Participation: 20%
 - Student Led Presentations or Discussions: 30%
 - Final Paper or Project: 50%

International Environmental Law (LAW 323D)

- 3 credits
- Spring F 9:30-12:30
 - Professor: Professor Mickelson A.B. (Duke), LL.B. (UBC), LL.M. (Columbia) is an associate professor. She has taught in the areas of international law, international environmental law, real property, environmental law and legal theory, and has supervised and co-supervised graduate students in a wide range of areas including international environmental law, international legal theory and international human rights. She has also served as the faculty advisor to UBC teams participating in the Jessup International Law Moot Court Competition. Her current research focuses on the impact of developing countries on the evolution of international environmental law. She is also a contributor to leading Canadian casebooks on international law and environmental law.
- Description:
 - International environmental law consists of a complex array of principles, regimes and institutional mechanisms to address environmental concerns, many of which are among the most pressing challenges of our time. This seminar provides an overview of this critically important and rapidly evolving field, including the major theoretical and policy debates that surround it. The first few sessions will be devoted to developing a common foundation of knowledge about the content and process of international environmental law, including customary law and soft law principles and the structure of treaty regimes. The sessions that follow will cover specific environmental problems and how they have been addressed through international initiatives. Among the issues that have been covered in previous years are climate change, shared water resources, ozone depletion, biodiversity conservation and marine pollution. The concluding sessions deal with cross-cutting issues that are relevant to a number of different environmental issues; examples of issues covered in previous years include the nexus between trade and environment, environmental human rights, and overconsumption.
 - Although there are no formal prerequisites, it is strongly recommended that students have taken Law 316 International Law.
- Evaluation:
 - Research paper of 5000-6250 words: 75%

- Paper proposal: 5%
- Participation: 20%

Profs Willing to Do Directed Research

- Affolder
 - Specifically for international and transnational issues
- Wood

Potentially Environmental-Themed Courses

International Law (LAW 316C)

- 3 credits
- Fall MW 11-12:30
 - Professor: Professor Mickelson A.B. (Duke), LL.B. (UBC), LL.M. (Columbia) is an associate professor. She has taught in the areas of international law, international environmental law, real property, environmental law and legal theory, and has supervised and co-supervised graduate students in a wide range of areas including international environmental law, international legal theory and international human rights. She has also served as the faculty advisor to UBC teams participating in the Jessup International Law Moot Court Competition. Her current research focuses on the impact of developing countries on the evolution of international environmental law. She is also a contributor to leading Canadian casebooks on international law and environmental law.
- Description:
 - This course will provide an overview of the international legal system, with a focus on its basic concepts and processes. While the course will touch on a number of different substantive areas (the law relating to the use of force, as well as aspects of international human rights law and international criminal law), and provide students with a sense of how international law has responded to the challenges that these areas have posed, the main goal is to arrive at some overarching insights into the operation of the international legal system and its future possibilities. By the end of the course, students should be able to identify international legal issues and analyse how these could be addressed within the structures and processes of the international legal system; explain and apply core international law norms; and identify and critically engage with some of the major theoretical and conceptual debates that underlie the field.
- Evaluation:
 - Final exam: 90%
 - Participation: 10%
 - Optional research paper (2500-3000 words) 30% (reducing exam to 60%)

Aboriginal Peoples & Canadian Law (LAW 352)

- 3 credits
- Fall TT 2-3:30
 - Professor: Professor Hilland BA (University of British Columbia), JD (University of British Columbia), LL.M. (University of British Columbia) is a member of the Nuxalk Nation and an Assistant Professor at the Peter A. Allard School of Law. Her research examines the intersections of Indigenous laws, Aboriginal rights, and environmental regulation to challenge discriminatory theories of colonial supremacy and Indigenous inferiority that are perpetuated through the contemporary colonial legal system. Key objectives of her research are to support the resurgence of Indigenous laws and to demonstrate the potential of Indigenous laws to enhance Canada's multi-juridical legal system. Professor Hilland has extensive experience in legal practice. Prior to entering academia, she advocated on behalf of First Nations to assert Aboriginal rights with respect to environmental issues, advised non-governmental organisations regarding Indigenous issues in the context of legal regulation, and was appointed King's Counsel in 2021. She also served as Associate Director of Indigenous Legal Studies at Allard Law from 2008-2012.

- Description:
 - This course builds on the module on Aboriginal and treaty rights in Constitutional Law, focusing on some issues covered in that course in more detail and looking at topics not usually covered in the constitutional law context (such as Indigenous law, the United Nations Declaration on the Rights of Indigenous Peoples, gender discrimination under the Indian Act, matters of child and family welfare, and problems plaguing the criminal justice system).
- Evaluation:
 - Presentation: 20%
 - Research paper: 80%

Aboriginal and Treaty Rights (upper year seminar) (LAW 353D)

- 3 credits
- Fall W 2-5
 - Professor: Scott Franks is a full time member of the Peter A. Allard School of Law
- Description:
 - This course focuses on key cases on Aboriginal rights. We will examine the case histories of three cases (as examples, Sparrow, Pamajewon, and the C-92 reference) from their surrounding context, through trial to the Supreme Court of Canada. We will review a variety of material, including news, video, transcripts, facta, affidavits, judgments, and commentary. Throughout the course, we will reflect on the choices of the parties, officers, counsel and judges in the context of the litigation, opening up an opportunity to discuss the ethics and practice of Aboriginal law, and the impact of these choices on law and society(ies). As these cases sit within a related jurisprudence, students will be expected to draw from their existing knowledge from the first year course on Aboriginal and treaty rights. Students will also be introduced to archival and critical methods in legal history, and how to prepare a scholarly writing for publication.
- Evaluation:
 - 250 word draft abstract: 10%
 - 1000 word research proposal: 30%
 - 3000-4000 word final paper: 60%
 - With permission, students may elect a 100% final paper

Intellectual Property and Human Rights (LAW 420D)

- 3 credits
- Fall M 9:30-12:30
 - Professor: Professor Reynolds B.A. (Man), LL.B. (Dal), B.C.L., M.Phil., D.Phil. (Oxon) teaches and researches in the areas of copyright law, intellectual property law, property law, intellectual property and human rights, and technology and access to justice. His current research focus is the intersection of intellectual property and human rights, as well as the relationship between intellectual property and social justice. Before joining the Allard School of Law, Graham was a member of faculty at Dalhousie University's Schulich School of Law, where he was the Co-Editor in Chief of the Canadian Journal of Law and Technology and served as a member of the Schulich School of Law's Law and Technology Institute. Graham also previously served as the judicial law clerk to the Honourable Chief Justice Finch of the British Columbia Court of Appeal.
- Description:

- This seminar focuses on the intersection of intellectual property and human rights. It will cover the expansion of intellectual property protection; the development of human rights; specific intersections of intellectual property and human rights such as copyright and freedom of expression, patents and the right to health, and patents and the right to food; the issue of whether intellectual property is itself a human right; and the relationship between intellectual property and human rights. Co-requisite: Intellectual Property Law
- Evaluation:
 - Final Paper: 70%
 - In-class presentation: 10%
 - Class Participation: 20%

Useful Courses for Environmental Lawyers

Admin Law

- 4 credits
- Fall TT 2-4
 - Professor: Dr. Ford B.A. (Alberta), J.D. (Victoria), LL.M. (Columbia), JSD (Columbia) areas of research focus on regulation and governance theory, securities and financial regulation, and administrative law. Recently she has expanded her work to include access to justice and governance of the legal profession. Her most recent publications are “[The Legal Innovation Sandbox](#)” (with Quinn Ashkenazy, forthcoming Am J Comp L), and “[Regulation as Respect](#)” (forthcoming Law & Contemp Probs). Before joining academia, she practised law in Vancouver and New York. Her practice as a senior associate in securities regulation and financial litigation at Davis Polk & Wardwell LLP included many of the highest profile regulatory and white-collar criminal files of the dotcom bust and post-9/11 eras. She is a non-practicing member of the Law Society of BC, and the New York state and federal bars.
 - Description: Administrative law is woven deeply into our daily lives. Although they are less visible than courts or legislatures in the popular imagination, administrative bodies are actually the ones that develop and administer many of the rules that regulate us. Like Constitutional Law, Administrative Law is foundational. It sets the framework of rules according to which other, subject-specific areas of regulation – immigration and refugee law, environmental law, labour law, aspects of economic regulation – function. Admin Law also forces us to struggle with vexing questions, such as how to strike an appropriate balance between priorities such as regulatory effectiveness, context sensitivity, and legality; or where to draw the conceptual line between political (democratic), administrative (expertise-based), and judicial (law-based) authority. These questions go to the core of what it means to try to regulate a modern, heterogeneous, complex society based on the rule of law.
 - Evaluation: Class Participation: 20% Final exam: 80%
- Fall WF 9-11
 - Professor: Professor Liston BA Hons (English Language and Literature, Western), MA (Social and Political Thought, York), LLB (Toronto), PhD (Political Science and Law, Toronto) teaches public law including administrative and constitutional law, legal theory, and law and literature. Her research focuses on public law broadly and administrative law in particular. It also lies at the intersection of constitutional law, legal theory, and democratic theory. She has participated in two leading casebooks as a co-author of [Public Law: Cases, Commentary and Analysis](#) and as a contributor to [Administrative Law in Context](#). Her work has been cited by the Supreme Court of Canada in several precedential public law cases. Professor Liston’s [early scholarship](#) focused on the evolution of the concept of the rule of law and how it functions as a foundational legal principle in Canadian public law. This evolution tracked both theoretical and institutional change, culminating in a [reconceptualization](#) of this principle in the Canadian state. Her work grapples with the normative and institutional challenges that political power poses for the rule of law and democratic governance. She seeks to understand the complexity that good government demands as well as the current weaknesses in our system of responsible government. And, her work addresses—where possible—the legal means to improve accountability, public participation, and structures of justification for state action. Profiles of her work in [administrative law](#) can be found at Allard Law’s [Research Portal](#).
 - Description: Administrative law is deeply implicated in our everyday lives. It is also key to the study of other areas of law such as immigration and refugee, human rights, environmental

protection, labour relations, municipal governance, natural resources, social benefits, health and safety, professional self-governance, and licensing. As an advanced public law course, administrative law focuses on how courts are used to access government benefits and goods or to challenge abuses of public power. As part of the common law, administrative law permits judges to review the procedures and decisions of a variety of government decision-makers (e.g., agencies, arbitrators, boards, commissions, Ministers, municipalities, and tribunals) to ensure compliance with the rule of law. Two major themes structure this course: the legal requirements of the rule of law and the appropriate role of the courts given their strengths and limits.

- Evaluation: A combination of participation, in-term assessment, and a take-home final examination
- Spring TT 10:30-12:30
 - Professor: Professor Stacey B.Sc (Alberta), LL.B (Calgary), LL.M (Yale), D.C.L (McGill) researches environmental crises and the visible and invisible ways in which law creates, regulates and prevents these events. Her work focuses on environmental assessment law, disaster law, climate change, emergency powers and the rule of law. Her first book, *The Constitution of the Environmental Emergency* (Hart Publishing, 2018) addresses what the rule of law requires in light of our vulnerability to catastrophic environmental harm. A profile of her work on environmental emergencies and the rule of law can be found on the [Research Portal](#). With funding from SSHRC, Professor Stacey's current work investigates how law regulates disaster as disconnected and exceptional events, contrary to the experiences of those most vulnerable to disaster and in spite of our current era of climate disruption. You can read about this project on the [Research Portal](#).
 - Description: Virtually every facet of modern life is affected in some way by the administrative state from labour relations to immigration to professional governance to environmental protection. These laws are administered primarily by administrative agencies, not courts. This course provides an introduction to the rules, principles and policy considerations that shape the powers of these administrative decision-makers. Major topics will include administrative law remedies, procedural fairness, bias and independence, and substantive judicial review of administrative decision-making. The course aims to look beyond the standard administrative law preoccupation with judicial review, to include the study of administrative agencies themselves. We will devote special attention to administrative law issues in British Columbia such as the Administrative Tribunals Act and Aboriginal administrative law. This course is designed around students' active engagement with the course materials. Class time will be spent working through problems and discussion questions that apply the course material.
 - Evaluation: Limited open-book 3-hour final examination (70%); take-home midterm exam (20%); class participation (10%).
- Spring WF 10:30-12:30
 - Professor: Professor Russo LLB, LLM, PhD (Allard School of Law) focuses his research in the area of immigration and labour/employment law and he has published several peer-reviewed articles in this field. He joined UBC as a part-time faculty member in 2017 and was appointed a full-time Faculty Lead Lecturer for the LLMCL program in 2018. Dr. Russo's current interests in law extend to human rights, labour and justice issues. He has been invited to present on labour and migration issues to the Royal Society of Canada and the International Labour Organization. He worked as a legal researcher before pursuing his graduate law degrees. For almost a decade he served as one of the Federal Government's representatives at hearings held across Canada to resolve individual claims related to federally operated residential schools.

- Description: Administrative law is the body of law in Canada that governs the resolution of disputes involving statutorily empowered decision-makers. It governs decisions made by administrative tribunals, government boards, regulatory agencies and other decisions by other public entities or individuals that make rules that affect all of society. It is individuals' most common contact point with the legal system in Canada. The study of administrative law helps to comprehend other legal disputes in several areas including immigration and refugees, labour relations, Indigenous governance, environmental and energy regulation, and many other areas that concern the exercise of public authority. Administrative law within Canada's constitutional structure permits courts to review the procedures and decisions of a variety of statutorily empowered decision-makers to ensure compliance with the rule of law. The content reviewed in this course includes the need to ensure fairness of administrative procedures such individuals' rights to participate in governmental decisions affecting them in front of an independent, impartial, and unbiased decision-maker. The course will also review current standards of judicial review, and remedies in administrative law. It includes a review of administrative law as it relates to access to justice issues and includes an examination of administrative law principles and issues relating specifically to Indigenous peoples.
- Evaluation: Participation (Case/Topic Briefs): -5% deducted from course grade for Incomplete
In-Class Bi-Weekly Quizzes: 10% Final Exam: 85%

Federalism

- ***This course is NOT open to Exchange students or Visiting students.***
- 2 credits
- Fall M 10:30-12:30
 - Professor: Professor Flynn JD (Osgoode), LL.M (Berkeley), PhD (Osgoode) focuses her research and teaching on municipal law and governance, administrative law, and property law. She has published numerous peer-reviewed papers, public reports, media articles, and a book on how cities are legally understood in law and how they govern, including the overlapping geographies and governance of city spaces, and the formal and informal bodies that represent residents. She is the Director of the Housing Research Collaborative, which comprises CMHC and SSHRC-funded projects focused on Canada's housing crisis: the [Housing Assessment Resource Tools](#) project, which helps communities to measure and address their housing need; and the [Balanced Supply of Housing Node](#), which brings together academic and non-profit community organisations to research responsive land use practices and the financialization of housing. Prior to entering academia, she practised banking and securities law at Milbank, Tweed, Hadley & McCloy in New York, where she was the recipient of several Legal Aid awards. She also practised Aboriginal Law at Ratcliff & Company in Vancouver, representing First Nations, and worked in a senior policy role at the City of Toronto focused on intergovernmental relationships.
 - Description: This course examines the relationship and authority of federal and provincial governments in Canada under the Constitution. We will review the core theoretical concepts and doctrines in Canadian federalism, including pith and substance, interjurisdictional immunity, and cooperative federalism. We will also explore the role of other governments, namely municipalities and First Nations. The course will equip you to identify and critique key doctrines in federalism, and to apply them to emerging legal challenges.
 - Evaluation: One final exam: 90% and participation: 10%
- Fall F 1:30-3:30

- Professor: Professor Bird DCL (McGill), BCL (Oxford), JD (Victoria), BA (Simon Fraser) focuses his research on constitutional law and theory, interactions between courts and legislatures, jurisprudence, philosophy of law, legal history, and bills of rights. Before joining Allard Law, he was a postdoctoral research fellow and lecturer at Princeton University in the James Madison Program in American Ideals and Institutions. His academic writing has appeared in venues such as the Dalhousie Law Journal, Cambridge Law Review, Alberta Law Review, Supreme Court Law Review, and Manitoba Law Journal. He is co-editor of *The Forgotten Fundamental Freedoms of the Charter* (2020, LexisNexis Canada). Professor Bird's writing on current affairs has appeared in a variety of media outlets. He also clerked for judges of the Supreme Court of British Columbia and for the Hon. Justice Andromache Karakatsanis at the Supreme Court of Canada. He completed his doctorate at McGill University.
- Description: In this course we will study, through the lens of judicial decisions and academic scholarship, the doctrines and theories that animate Canadian federalism. The interpretation and application of the division of legislative powers between the provinces and the Parliament of Canada will be a prominent topic of consideration in this course.
- Evaluation: Final exam: 100%
- Spring M 10:30-12:30
 - Professor: Professor Parkes B.A. (Trinity Western), LL.B. (UBC), LL.M. (Columbia) is a full-time faculty member of the UBC Faculty of Law. Debra Parkes is the Chair in Feminist Legal Studies at the Peter A. Allard School of Law, UBC. Before joining the Faculty at Allard Hall, Prof. Parkes was a member of the Faculty of Law, University of Manitoba for 15 years. Her scholarly work examines the challenges and possibilities of framing and adjudicating rights claims, with a particular focus on (in)equality, social and economic rights, and rights in the criminal justice, corrections, and workplace contexts. She was Editor-in-Chief of the *Canadian Journal of Women and the Law* from 2009-2013.
 - Description: NA
 - Evaluation: NA
- Friday 1:30-3:30
 - Adjunct Professor: Professor Beaton is a lawyer at Juristes Power Law in Vancouver and a member of the Law Societies of British Columbia and Ontario. He practises primarily in areas of Aboriginal law, constitutional law, and administrative law. He clerked for Chief Justice Beverley McLachlin at the Supreme Court of Canada in 2014-2015, prior to which he clerked at the Court of Appeal for Ontario. In September 2023, Ryan completed a SSHRC postdoctoral fellowship in the Allard School of Law at the University of British Columbia. His research examines clashing positivist-pluralist notions of power and legitimation in the development of Aboriginal law in Canadian courts. In September 2021, he completed his PhD in Law at the University of Victoria, with a dissertation focused on judicial performances of sovereignty in Canadian Aboriginal law. Originally from Montreal, Ryan received his MSc in Mathematics from McGill in 2005, his PhD in Philosophy from the University of Toronto in 2011, and his JD from Harvard Law School in 2013.
 - Description: In this course we will study theories and doctrines relating to Canadian federalism. Issues of constitutional interpretation and institutional competence will receive particular attention, as will current tensions in the politics of the division of powers.
 - Evaluation: Final Exam: 100%

Trusts

- 3 credits
- Fall WF 9-10:30
 - Professor: Professor Pavlich B.A. (Witwatersrand), LL.B. (Witwatersrand), LL.M. (Yale) has been an academic for over 30 years and on three occasions has received awards for teaching excellence, including the University's Killam Teaching Prize and the Faculty of Law's George Curtis Teaching Award. Professor Pavlich teaches courses on property law, the law of trusts and historical comparative law. He has also lectured extensively in the field of education law. Pavlich is the author and editor of several books and articles in his areas of legal interest including *Real Estate Law in British Columbia* (CCH Canada), *Condominium Law in British Columbia* (Butterworths), *Academic Freedom and the Inclusive University* (UBC Press), *Managing Environmental Justice* (Rodopi), and *Trusts in Common-Law Canada* (LexisNexis Third Edition 2020).
 - Description: The course deals with Canadian principles and rules that regulate and enable management of social and business affairs through express, resulting and constructive trusts. The course aims to provide grounding in trust law by setting out its doctrinal foundations through the perspectives of history, policy, practice, case-precedent and statute. It reviews how various types of trusts are constituted and terminated. It covers the roles of the settlor, trustee and beneficiary and considers the major rights and obligations that characterise the relationships between them. Emphasis is placed on the trustee's rights and obligations in the proper administration of trusts. It also reviews selected remedies available to beneficiaries in circumstances of breach or interference with their rights. Textbook required: D. Pavlich: *Trusts in Common-Law Canada* (3rd edition)
 - Evaluation: final exam: 100%
- Spring WF 9-10:30
 - Professor: Professor Hofri-Winogradov PhD (Oxford), MA (Tel Aviv), LLB (Tel Aviv), BMus (Berklee), TEP (Society of Trusts and Estates Practitioners) is a full-time member of the Peter A. Allard School of Law. He specialises in trusts law, fiduciary law, corporate law, estates (succession & wills) law, "elder law", pensions, insurance, general private law, and relevant issues of tax and family law. Following his doctoral studies at Oxford University, professor Hofri-Winogradov published comparative research on the reform and transformation of trust law and trust practice in dozens of countries worldwide, using a large array of empirical research methods: quantitative, qualitative and historical. A winner of two academic prizes, he was a visiting professor at Georgetown Law Center, at Western Ontario University, at the Center for Transnational Legal Studies, London, and at the University of Virginia School of Law, and was Martin Flynn Global Law Professor at the University of Connecticut School of Law.
 - Description: The course deals with Canadian principles and rules that regulate and enable management of social and business affairs through express, resulting and constructive trusts. The course aims to provide grounding in trust law by setting out its doctrinal foundations through the perspectives of history, policy, practice, case-precedent and statute. It reviews how various types of trusts are constituted and terminated. It covers the roles of the settlor, trustee and beneficiary and considers the major rights and obligations that characterise the relationships between them. Emphasis is placed on the trustee's rights and obligations in the proper administration of trusts. It also reviews selected remedies available to beneficiaries in circumstances of breach or interference with their rights. Textbook required: Mark R Gillen, *The Law of Trusts: A Contextual Approach* (4th edition, Emond Montgomery, 2021).
 - Evaluation: Final exam: 75% Assignment: 10% Class participation: 15%

Evidence

- 4 credits
- Fall TT 2-4
 - Professor: Professor Harris B.A. (SFU), LL.B. (UBC) is an award-winning professor who also has extensive experience as appellate counsel. He has authored numerous articles on issues in criminal law and evidence, and his writing has been cited in a number of trial and appellate judgments. Nikos has served as a guest speaker for a number of organisations including Continuing Legal Education, the Trial Lawyers Association, and Crown Counsel of British Columbia. He is also an advocacy advisor for the Supreme Court Advocacy Institute which assists counsel in preparing submissions for the Supreme Court of Canada. Nikos served as a judicial clerk at the British Columbia Court of Appeal and was a Raymond Herbert Award recipient.
 - Description: This course is a survey of the system by which the admission of proof at a trial is regulated. After a brief introduction to the law of evidence and to the basic requirement of relevancy, the course involves a critical analysis of the exclusionary rules which prohibit, with many exceptions, proof by means of character, opinion and hearsay. As well, the courts and legislatures have evolved certain rules governing the use of the different sources of proof such as the oral testimony of witnesses, tangible objects (called real evidence) and documents. Students will be asked to consider how well these various rules further the purposes for which they were developed by the courts and legislatures and how the rules work in practice.
 - Evaluation: final exam: 100%
- Spring MW 2-4
 - Professor: Dr. Cunliffe BA, LLB (Melbourne), LLM, PhD (UBC) studies how courts decide the facts of contested cases. She is particularly interested in expert evidence, the operation of implicit bias, and legal processes regarding gendered and racialized violence, particularly those regarding Indigenous people. Dr Cunliffe is also a member of the evidence-based forensic initiative, which is based at the University of New South Wales. From 2021 – 2023, Dr Cunliffe served as the director of research and policy for the joint Federal-Nova Scotia [Mass Casualty Commission](#) which was tasked with studying the “context, causes and circumstances” of a mass casualty incident that occurred in Nova Scotia in April 2020. The Commission’s [Final Report](#) was delivered in March 2023. She has won a Courage in Law award from the Indigenous Legal Students Association (2016), UBC Killam Research Fellowship (2014), the Killam Award for Teaching Excellence (2010) and the George Curtis Memorial Award for Teaching (2010).
 - Description: This course provides an introduction to the principles and application of the law of evidence in Canada. Evidence is the system by which the admission of proof at a trial is regulated. The course begins with an introduction to the basic principle of relevance and the sources of evidence law. For much of the term, we consider the rules which exclude certain evidence, and the exceptions to those rules. Adopting a principles-based approach which is in accordance with Supreme Court of Canada jurisprudence, the course will consider both criminal and civil trials, with a significant emphasis on working with particular facts and problems. The course will consider how well particular rules further the purposes for which they were developed by the courts and legislatures, and how well the rules work in practice.
 - Evaluation: Final exam: 50% research paper: 40% midterm evaluation: 10%

Business Organisations

- 4 credits

- Fall MW 2-4
 - Professor: Professor Hutchison B.A. (Rochester), J.D. (Columbia), Ph.D (Wisconsin) focuses his research and teaching focus on corporate transactions, comparative corporate governance, and the historical development of corporate law. He has also published on corporate taxation and competition law. His current research focuses on corporate governance and contractual negotiation in the context of mergers and acquisitions. Prior to joining the law faculty, Camden earned his Ph.D. in history at the University of Wisconsin–Madison, where his dissertation examined the history of corporate regulation in the nineteenth- and twentieth-century United States. Before returning to graduate school, he practised as a corporate associate at the law firm of Kirkland & Ellis LLP, where he represented private equity firms and public corporations in connection with mergers, acquisitions, and other corporate transactions. Camden holds a J.D. from Columbia Law School and a B.A. in history from the University of Rochester.
 - Description: This course provides an overview of the primary legal means of organising businesses, including sole proprietorships, partnerships, and--most importantly--corporations. The course will focus on Canadian corporate law, but other jurisdictions (particularly the state of Delaware) will also be addressed. The central topics of this course include: (1) the history of corporate law; (2) the differences between corporations, partnerships, and other organisational forms; (3) jurisdictional/organisational choice and forming a business organisation; (4) investment securities and corporate finance; (5) directors' duties and corporate governance; (6) control transactions; and (7) shareholder rights and remedies. Special emphasis will be placed on the legal and business considerations central to serving as a corporate solicitor. Required textbook: Poonam Puri et al, Cases, Materials and Notes on Partnerships and Canadian Business Corporations, 6th ed (Toronto: Carswell, 2016).
 - Evaluation: Final exam: 95% Class Participation: 5%
- Fall F 1:30-5:30
 - Adjunct Professor: Professor Festinger has taught a wide variety of courses relating to intellectual property law, communications, media & video game law, as well as corporate law over more than 30 years at the Allard School of Law. As well Jon is Faculty in Residence at the UBC Emerging Media Lab. He has also taught at various times at the Sauder School of Business, UBC Graduate School of Journalism, the Thompson Rivers University Faculty of Law, the University of Victoria Faculty of Law, and the School of Law, Queen Mary University of London. He is the author of the first edition of Video Game Law published by LexisNexis in 2005, and co-author of the second edition published in 2012, and was a founding editor and on the Editorial Board of the Interactive Entertainment Law Journal (Edward Elgar Publishing). He was Guest Editor of the Volume 46, Number 3 of the UBC Law Review “Digital Media, Video Games, and the Law” (2013). As well, Jon authored “Mapping the Electronic Highway: A Survey of Domestic and International Law Issues” 1995, Volume 29, University of British Columbia Law Review. Jon is Of Counsel at Chandler Fogden Lyman; a Trustee of the BC Sports Hall of Fame; and Past Chair and a Director of viaSports B.C.
 - Description: This course provides an introduction to the law of partnerships and corporations in British Columbia. Although reference will be made to laws in other jurisdictions, the emphasis will be on the Canada Business Corporations Act, the B.C. Business Corporations Act, the Partnership Act and the surrounding common law. The course explains the nature of the corporation and its formation and management. The powers and duties of directors are discussed in detail and the rights of shareholders are examined. There will be minimal coverage of securities law. Required Materials: 1. Ziegel, Daniels, et al., Partnerships and Business

Corporations (4th ed.) 2. Business Corporations Act S.B.C. 2002, c. 57 3. Canada Business Corporations Act, R.S.C. 1985, c. C-44 3. Partnership Act, R.S.B.C. 1996, c. 348

- Evaluation: Final exam: 100%
- Spring MW 10:30-12:30
 - Professor: Dr. Liao B.A.H (Queen's); LL.B. LL.M. (UBC); Ph.D./S.J.D. (Joint Degree) is an Associate Professor at Allard Law and the UBC Sauder Distinguished Fellow of the [Peter P. Dhillon Centre for Business Ethics](#) at the UBC Sauder School of Business. Her research focuses on corporate law and sustainability, climate governance, and social justice. She is Chair of the [Canada Climate Law Initiative](#), a national research centre advancing director knowledge on the latest in climate science, climate risk disclosures, and fiduciary obligation. Committed to community-engaged scholarship, Dr. Liao is featured in the Federation of Asian Canadian Lawyers (FACL) BC documentary [But I Look Like a Lawyer](#), and sits on the FACL BC Advisory Committee.
 - Description: This course is an introduction to the law of partnerships and corporations. Although reference will be made to laws in other jurisdictions, the emphasis will be on the Canada Business Corporations Act, BC Business Corporations Act, BC Partnership Act, and the surrounding common law. The course explains the nature of the corporation, organisational choice and formation, capitalization, powers and duties of directors and officers, and rights and remedies of certain stakeholders. Topical issues covered include business and human rights, climate change, First Nations business structures, social finance and responsible investment, and the business of law. Students will learn about the legal and business issues lawyers must keep in mind when representing various corporate actors. Contract drafting and negotiation will also be addressed. Required Materials: 1. Yalden, et al., Business Organizations: Practice, Theory, and Emerging Challenges (2nd ed., 2017) 2. Business Corporations Act S.B.C. 2002, c. 57 3. Canada Business Corporations Act, R.S.C. 1985, c. C-44 4. Partnership Act, R.S.B.C. 1996, c. 348
 - Evaluation: final exam: 100%
- Spring Tues 4-8
 - Prof: TBD

Civil Procedure

- 3 credits
- Fall Tu 6-9
 - Adjunct Professor: Professor Byma (B.Comm. (University of Calgary), J.D.. (University of Manitoba)) is a partner in the Litigation and Dispute Resolution Department of Fasken Martineau DuMoulin LLP in Vancouver. His litigation practice focuses on commercial disputes as well as constitutional and public law matters, with experience in real estate cases, breach of trust and fiduciary duty claims, contract cases, oppression claims, shareholder disputes, fraud claims, division of powers, and Charter cases. Prior to joining Fasken Martineau DuMoulin he served as a law clerk to Mr. Justice Wagner of the Supreme Court of Canada.
 - Adjunct Professor: Professor Phillips (B.A., Honours (University of British Columbia), J.D. (University of British Columbia)), is a lawyer in the Litigation and Dispute Resolution Department of Fasken Martineau DuMoulin LLP in Vancouver. Her practice focuses on commercial disputes, including shareholder disputes and claims in breach of contract and tort, fraud claims, and personal injury appeals. Cindy also has experience with class actions and

regulatory prosecutions. Prior to teaching Civil Procedure, Cindy was involved with running the Allan McEachern Course in Advanced Trial Advocacy, Law 472.

- Description: We will study the Conduct of civil actions in the B.C. Supreme Court. Students will become acquainted with the Supreme Court Civil Rules and the common law governing procedure. Various procedural problems will be examined from two points of view: (a) that of the practitioner who must understand the workings of the Rules and consider strategic and ethical issues in order to conduct a case effectively; and (b) that of the student of the law who should question the assumptions underlying procedural rules and postulate strategic solutions. The emphasis will be the pre-trial stages of proceedings. Memorising the Rules will not be necessary, but an understanding of the basic structure of a civil lawsuit and a recognition of procedural problems and related strategic and ethical issues will be expected. Required Materials: Casebook: Civil Litigation, updated August 2024, available electronically on Canvas
- Evaluation: Exam: 95% Written Assignment: 5%
- Spring M 8:30-11:30
 - Adjunct Professor: Professor Goulden K.C. (B.Comm. (University of Calgary 1989), LL.B. (UBC 1992)) is a partner in the dispute resolution and litigation department with Norton Rose Fulbright Canada LLP (formerly known in Vancouver as Bull Housser LLP). His practice is focused in the areas of commercial, real estate, administrative, securities, and government disputes and litigation. Mr. Goulden has conducted a broad range of matters before all levels of court in British Columbia, the Federal Court of Canada and various administrative tribunals. He has been an adjunct professor at the Allard School of Law at UBC for over 20 years. Mr. Goulden is also the co-author of the book “Procedural Strategies for Litigators in British Columbia”. Sarah McCalla (she/her) (B.Sc. (University of Alberta 2006), B.Ed. (UBC 2007), J.D. (UBC 2014)) is a partner in the dispute resolution and litigation department with Norton Rose Fulbright Canada LLP. Her practice is focused on commercial and administrative litigation, regional and local governance matters, expropriation proceedings, forestry issues, real estate disputes, and society-related litigation. She clerked at the Supreme Court of British Columbia and has appeared before all levels of court in British Columbia, as well as the Ontario Superior Court of Justice.
 - Description: We will study the conduct of civil proceedings in the B.C. Supreme Court. Students will become acquainted with the Supreme Court Rules of Court and the common law governing those civil proceedings. Our focus will be on understanding the workings of the Rules, and considering strategic and ethical issues in order to conduct a civil action effectively. The emphasis will be upon the pre-trial stages of actions, although the conduct of trials and other proceedings (primarily from a procedural perspective) will also be reviewed. Memorising the Rules and procedure will not be necessary, but an understanding of the basic structure of a civil lawsuit, including the recognition of procedural problems and the tools available to deal with those problems will be expected. Required Materials: 1. Dillon and Li-Reilly, British Columbia Annual Practice, current or last year’s edition are both acceptable. 2. Supplementary materials referenced in class.
 - Evaluation: Final Exam: 100%
- Spring Th 5:30-8:30
 - Adjunct Professor: Professor Clavier is a partner at Fasken in Vancouver, practising as a trust, estates and charities litigator. Following 12 years as a barrister at the Pretoria Bar in the Republic of South African, Eric was called to the Bar of British Columbia in 2014, where he appears regularly before the Supreme Court of British Columbia and the BC Court of Appeal.

- Adjunct Professor: Professor Kressock is a partner with Lawson Lundell LLP in Vancouver, and is a member of the firm's Commercial Litigation Group. Paul has a Bachelor of Commerce (Honours) degree from the University of Manitoba, and a Juris Doctor from the Peter A. Allard School of Law at UBC. He was called to the Bar of British Columbia in 2015 and appears regularly before the Supreme Court of British Columbia and the BC Court of Appeal. Paul is also an Instructor in the Paralegal Program at the School of Legal Studies at Capilano University.
- Description: This course has the following objectives: 1.Introduce the fundamentals of civil procedure and familiarise students with the progress of a civil action. 2.Provide a theoretical framework for the rules of procedure and identify the values and policies on which the rules are based. 3.Place these rules in a practical context to encourage future practitioners to wield them in a responsible, strategic, ethical, and cost-effective manner. Required Materials: 1.Mark Fancourt-Smith and Gavin Cameron, Law 469 Civil Litigation Casebook, 2022 edition. 2.Janet Walker, et al. The Civil Litigation Process: Cases and Materials, 9th ed. (Toronto: Emond Montgomery Publications Ltd., 2022). 3.Supreme Court Civil Rules
- Evaluation: Final exam: 90% 3 short pass-fail assignments: 10%

Advanced Criminal Procedure

- 3 credits Lecture
- Spring TT 2-3:30
 - Professor: Professor Harris B.A. (SFU), LL.B. (UBC) is an award-winning professor who also has extensive experience as appellate counsel. He has authored numerous articles on issues in criminal law and evidence, and his writing has been cited in a number of trial and appellate judgments. Nikos has served as a guest speaker for a number of organisations including Continuing Legal Education, the Trial Lawyers Association, and Crown Counsel of British Columbia. He is also an advocacy advisor for the Supreme Court Advocacy Institute which assists counsel in preparing submissions for the Supreme Court of Canada. Nikos served as a judicial clerk at the British Columbia Court of Appeal and was a Raymond Herbert Award recipient.
- Description:
 - *This course is NOT open to Exchange students* Practice and procedure in criminal matters will be canvassed in this course, from the laying of a charge through to appeals. Topics covered will include powers of arrest and search, the requirements of a valid charge, bail, rulings, severance, disclosure, jury trials and indictable appeals. The application of the Canadian Charter of Rights and Freedoms to the criminal process will also be discussed. Instruction will be by lecture and use of an unannotated criminal code and case book.
- Evaluation:
 - Final exam: 100%

Trial Advocacy

- 3 credits Experiential *Note: Total credit value for this course is 3 (lecture AND lab inclusive). This course fulfils the Experiential Learning requirement. This course is NOT open to Exchange students. Students registering for LAW 474.001 must also register for one of LAW 474.L01, 474.L02, 474.L03, or 474.L04.*
- Prerequisite: LAW 476 Evidence is a prerequisite for this course.
- Fall W 4-6pm (LAW 474.001) (Lecture)
 - Adjunct Professor: The Honourable Judge James I.S. Sutherland (B.A. (Carleton University), LL.B. (Queen's University)) was appointed a judge of the Provincial Court of British Columbia

in 2013. He was called to the Bar of British Columbia in 1990 after which he practised labour law for two years before joining the Crown Counsel Office from 1992-1997 prosecuting Judge alone and Judge and Jury trials. From 1997-2010 he worked at Gordon & Sutherland Barristers & Solicitors practising Criminal Defence law and conducting ad hoc prosecutions. From 2010 until his appointment in 2013 he worked at Sutherland Jette, Barristers practising criminal defence law. As counsel, Judge Sutherland appeared in the Supreme Court of Canada, all levels of court in British Columbia and Saskatchewan, as well as courts in Alberta and the Yukon. He is a frequent speaker at continuing legal education programs and is a previous recipient of the UBC Law Adjunct Professor Outstanding Achievement Award.

- Description: This course focuses on advocacy in trial courts. The emphasis is on pre-trial preparation, methods of developing facts through the examination of witnesses, and the development and presentation of legal argument. Procedural, evidentiary, and substantive law is considered as it relates to these areas. Professionalism, and ethics are also addressed. The course will be taught by a combination of lectures, readings, and advocacy practice simulations. The practice simulations are done in small groups [maximum of 12 students per group]. All students meet for a two-hour lecture once per week. Each small group also meets with its instructor for a two-hour advocacy practice session once per week.
- Evaluation: pass/fail based on lab participation and performance
- **Fall M 5-7pm LAB (L01)**
 - Adjunct professor: The Honourable Judge Vos (B.Com. (UBC), LL.B. (U Vic), LL.M. (LSE)) is an Associate Judge of the B.C. Supreme Court. Associate Judge Vos was appointed to the Supreme Court in March 2017. Prior to his appointment he practised civil litigation and also acted as a mediator on civil litigation cases.
 - Adjunct professor: Professor Corbett is a graduate of U-Vic Law and has been practising in Vancouver for 20 years. He is a partner at Quinlan Abrioux, and his practice focuses primarily on defending personal injury and professional negligence claims.
- **Fall Tues 5:30-7:30 LAB (L02)**
 - Adjunct professor: Professor Rhodes is a partner at Dolden Wallace Folick LLP in Vancouver. He has appeared as counsel at all levels of court in British Columbia and Alberta, as well as the Ontario Superior Court. Brian's practice has a particular emphasis on construction law, professional liability and product liability. Brian holds a Bachelor of Arts degree from the University of British Columbia and a Bachelor of Laws from Dalhousie University. In 2010 Brian completed the Program of Instruction for Lawyers – Mediation Workshop at Harvard University.
- **Fall W 6-8pm LAB (L03)**
 - Adjunct professor: The Honourable Judge Mark Jetté had a criminal defense practice in Vancouver from 1991 to 2017. He earned a bachelor of arts degree at Simon Fraser University with majors in political science and history before attending at the University of Victoria Law School. After graduating law school in 1990 he joined the law firm Oliver and Company where he completed his articles. He was called to the bar in British Columbia in 1991 and continued as an associate lawyer with Oliver and Company. He has written for and lectured at numerous CLE, CBA and TLABC seminars and at the British Columbia Institute of Technology on topics in criminal law. He participated as faculty at a National Judicial Institute Conference on domestic violence cases in the criminal and family courts and was appointed to the Provincial Court Bench in November 2017.
- **Fall Thurs 5:30-7:30 LAB (L04)**

- Adjunct professor: The Honourable Judge Duncan B.A. (Hons) 1994 (UBC) LL.B 1997 (McGill) LL.M 1998 (UBC) Davis & Company (now DLA Piper), articles and practice, 1998-2002 Crown Counsel 2002-2008 Private practice (mostly criminal defence) 2008-2021 Appointed to the Provincial Court January 11, 2021

FALL 2024**Monday**

9:30-10:30	Topics in intellectual property		
10:30-11:30		International Law (11-12:30)	Federalism (Flynn)
11:30-12:30			
2-3	Business organisations (Hutchison)	Forest Law	
3-4			
4-5			
5-6	Trial Advocacy Lab (L01)	Mining Law	
6-7			
7-8			
8-9			

Tuesday

9:30-10:30			
10:30-11:30			
11:30-12:30			
2-3	Evidence (Harris)	Aboriginal Peoples and Canadian Law (2-3:30)	Admin (Ford)
3-4			
4-5	Business Organisations Prof TBD		
5-6			Trial advocacy Lab (L02) (5:30-7:30)
6-7		Civil procedure (Phillips & Byma)	
7-8			
8-9			

Wednesday

9-9:30	Trusts (pavlich)	Admin (Liston)	
9:30-10:30			
10:30-11			
11-11:30			
11:30-12:30			
2-3	Business organisations (hutchison)	Aboriginal Treaty Rights	
3-4			
4-5			Trial Advocacy
5-6			
6-7			Trial Advocacy Lab (L03)
7-8			
8-9			

Thursday

9:30-10:30			
10:30-11:30			
11:30-12:30			
2-3	Evidence (Harris)	Admin (Ford)	
3-4			
4-5			
5-6	Trial Advocacy Lab (L04) (5:30-7:30)		
6-7			
7-8			
8-9			

Friday

9-9:30	Trusts (Pavlich)	Admin (Liston) (9-11)	
9:30-10:30			
10:30-11:30			
11:30-12:30			
1:30-2:30	Federalism (Bird)	Business Organisations (Festinger)	Topics in Environmental Law: Climate Litigation
2:30-3:30			
3:30-4:30			
4:30-5:30			
5:30-6:30			
6:30-7:30			
7:30-8:30			
8:30-9:30			

Spring 2025**Monday**

8:30-9:30	Civil Procedure (Goulden & McCalla)		
9:30-10:30			
10:30-11:30		Business Organisations (Liao)	
11:30-12:30			
2-3	Evidence (Cunliffe)	Corporate Social Responsibility and the Law	
3-4			
4-5			
5-6	Natural Resources		
6-7			
7-8			

8-9			
-----	--	--	--

Tuesday

9:30-10:30	Topics in First Nations Law		
10:30-11:30		Admin (Stacey)	
11:30-12:30			
2-3	Advanced Criminal Procedure		
3-4	(2-3:30)		
4-5			
5-6			
6-7			
7-8			
8-9			

Wednesday

9-9:30	Trusts (Horfi)		
9:30-10:30			Green Rights and Warrior Lawyers
10:30-11:30	Admin Law (Russo)	Business Organisations (Liao)	
11:30-12:30			
2-3	Evidence (Cunliffe)	Admin (Russo)	
3-4			
4-5			
5-6			
6-7			
7-8			
8-9			

Thursday

9:30-10:30			
10:30-11:30	Admin (Stacey)		
11:30-12:30			
2-3	Advanced Criminal Procedure (2-3:30)	Environmental Law	
3-4			
4-5			
5-6	Civil Procedure (5:30-8:30)		
6-7			
7-8			
8-9			

Friday

9-9:30	Trusts (Hofri)		
9:30-10:30		International Environmental Law	
10:30-11:30	Admin (Russo)		
11:30-12:30			
1:30-2	Admin (Russo) (1:30-3:30)		
2-3			
3-4			
4-5			
5-6			
6-7			
7-8			
8-9			