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**1 Calendar of Dates – Faculty of Law
2001-2002**

2001

2002

L. Gialoretto; B.A.(W. Ont.), B.A.(Carleton), Dip. Air & Space,
LL.M., M.B.A.(McG.)
Robert Godin; B.C.L.(McG.), B.A.(Sir G.Wms.)
Sunny Handa; B.Com.(McG.), LL.B.(Tor.), LL.M., D.C.L.(McG.)
Andrew Harakas; B.A.(Michigan), LL.B.(Juris Doctor)(Michigan
State), LL.M., Air and Space Law(McG.)
Rod Margo; LL.M.(McG.), Ph.D.(London)
Peter Nesgos; D.C.L.(McG.)
John Saba; B.A., M.A., LL.B., LL.M. D.C.L.(McG.)
Francis P. Schubert; B.C.L., D.E.S. Rel. intern.,
Ph.D. Law(U. Geneva)
Peter Van Fenema; LL.M.(McG.)
Ludof W. Van Hasselt; Ph.D.iur(Leyden)
Henri A. Wassenbergh; Ph.D.iur(Leyden)
Ludwig Weber; Lic iur, Dr. Jur(Heidelberg), LL.M.(McG.)
James Woods; B.A., B.C.L., LL.B.(McG)

2.7 Law Library Staff

JOHN HOBBS, B.A., M.L.S.(McG.) **(Acting)**
Law Area Librarian
LOUISE ROBERTSON, B.A., M.L.S.(McG.)
Associate Law Librarian
DANIEL BOYER, B.A.(McG.), LL.B.(UQAM), M.L.I.S.(McG.)
Wainwright CitR—T9Y,RjTgC—X

Canadian provinces as well as those of a number of jurisdictions in the United States and elsewhere. Third, the inter-dependence of the modern world means that many legal problems transcend individual legal systems. A knowledge of both the civil law and the common law is therefore an asset. Finally, the comparative and trans-systemic dimension of McGill's programme is useful in foreign service, government work, international practice, and law reform, whether in Quebec or other provinces.

McGill's programme engages its students and professorial staff in the study of law not only as a means for achieving desirable social objectives, but also as an end in itself. The Faculty is confident that its graduates, who are awarded B.C.L. and LL.B. degrees simultaneously, will continue to make special contributions to Canadian public and intellectual life through careers that take many paths, not limited to any particular province or region or to the practice of law.

Beginning in academic year 1999-2000, students will obtain both a civil law (B.C.L.) and common law (LL.B.) degree after completing 105 credits taken over three or four years. Concepts from the two legal systems are presented through an innovative, integrated methodology that fosters critical analysis. Joint degrees in management or social work are also possible, and students have opportunities to take part of their legal education abroad. Starting in 2001-02, students will also have the opportunity of completing a B.C.L./LL.B. with minor programme.

The New McGill Curriculum

In 1998, the Faculty adopted a creative and challenging new approach to legal education that will prepare McGill graduates for careers that increasingly require knowledge of more than one legal system. From the very first year, students will be introduced to civil law and common law concepts and encouraged to compare and critically evaluate the two traditions. This dramatic and unique curriculum, which explores the common law and the civil law in an integrated fashion, is entirely different from the "three-plus-one" programmes offered by other faculties. McGill's trans-systemic method fosters not only outstanding analytical ability, but also

4.4.7 Special Students

The Faculty permits a limited number of students to attend courses as Special Students. Students registered in other faculties of McGill University, students registered in other universities, and candidates not actively pursuing a university degree can apply on that basis to follow certain courses within the Faculty. Permission to do so will only be granted to applicants who satisfy the Faculty of their capacity to undertake with advantage the study of law. Candidates who have been refused admission to degree programmes or who plan to seek admission to the Faculty of Law at McGill as regular students are not eligible for admission as Special Students. Special Students may obtain a letter from the Faculty specifying the course or courses which they have successfully pursued and the grade which they have obtained.

Applications from Special Students should be made by August 1 for Fall courses and by December 1 for Winter courses.

Note: Courses taken by Special Students cannot be credited toward a McGill law degree.

4.4.8 Comité des équivalences

While the Faculty will consider applications from candidates seeking to fulfil the requirements of the Comité des équivalences of the Barreau du Québec, we will only consider candidates applying through the National Committee on Accreditation in exceptional circumstances.

4.5 Admissions Procedure

Applicants wishing to submit an application to the Faculty of Law must provide the Admissions Office with the information and documentation requested in the Application Package. Application packages can be obtained from the Faculty of Law after September 1. The elements of the Application Package are described below. Other than transcripts, all documents must be provided to the Admissions Office by the deadline indicated in section 4.7.

4.5.1 Application Forms and Fee

must complete 18 credits in addition to the 105 credits needed for the B.C.L./LL.B. programme. Since Science Minors are typically 24 credits whereas Arts Minor Concentrations are typically 18 credits, Law students will be allowed to count six credits of a 24 credit Minor Programme towards their Law degree.

Law students should consult the Faculty of Arts and Faculty of Science sections of the *Undergraduate Programs Calendar* to determine the requirements for individual Minors.

5.5 Course Sequences by Year

These regulations set out for each year in the Faculty, the courses which are streamed for that year. All other courses, i.e. courses not indicated by year, may be freely taken in any year after the first, subject to further restrictions and prerequisites which may be imposed from time to time. These rules may be set aside in the case of students authorized to study on a part-time basis, and students pursuing approved joint degrees with other Faculties within the University.

1. The following courses may be taken **only** in the first year
2. The following courses may be taken in first year, in satisfaction of the requirement to take one complementary course in that year:
3. The following courses may be taken **only** in the second year:

5.5.1 Students Enrolled in the M.B.A./Law Programme

The first year of studies for the M.B.A./Law Programme is composed exclusively of the required courses for the M.B.A.

In their second year, students are required to take their first year law courses. Thereafter, normal Faculty course sequence rules apply.

6 Undergraduate Courses of Instruction

6.1 Regular Courses

The Senate of McGill University has authorized the Faculty of Law to offer the following courses. Not all courses will be offered in 2001-02. More detailed information on course availability, course content, prerequisites, course sections, French language sections, limitations on enrolment, instructors and mode of evaluation is provided at the close of each academic year upon Early Course Registration for the next academic session. Course registration materials may also be found on the Faculty's web site:

<http://www.law.mcgill.ca/academics/>

Students may also enrol in certain courses offered by the Institute of Air and Space Law (see section 10) with the permission of the Director of the Institute and of the Associate Dean (Academic).

Consult section 10 for descriptions of 500-level courses.

The names of course instructors are listed on the Course Timetable available on *infoMcGill* via the Web <http://www.mcgill.ca/students/courses/>.

Course credit weights are given in parentheses after the title.

389-500 ABORIGINAL PEOPLES AND THE LAW. (3)

483-448 ADMINISTRATION OF THE PROPERTY OF ANOTHER AND TRUSTS. (3) The basic law on the administration of the property of another by those performing acts of custody, simple administration or full administration. Includes those holding property under tutorship, curatorship, testamentary executorship, deposit, mandate, substitution and trust.

491-400 THE ADMINISTRATIVE PROCESS. (3) The administrative process and the legal structure of administrative agencies. Statutory interpretation, delegated legislation, policy rules, administrative discretion, administrative procedures and problems of institutional design will be considered in the context of some contemporary administrative agencies.

476-159 ADVANCED APPELLATE COURT ADVOCACY. (2) Topics in the art of appellate court written and oral advocacy are covered. Evaluation will include practical exercises on topics covered in the course.

472-200 ADVANCED CIVIL LAW OBLIGATIONS. (2) General theory of obligations in the Civil Law tradition, the interaction of contractual and extra-contractual obligations; introduction to unjust enrichment; relationship of general law to special regimes of compensation such as no-fault regimes; certain aspects of the modalities, transfer, alteration and extinction of obligations.

482-200 ADVANCED COMMON LAW OBLIGATIONS. (2) Relationship between tort, contract, and restitution in theory and practice (including consideration of negligent misrepresentation, economic loss, exclusion clauses, and means of overcoming problems of privity); relationship between Common law and no-fault regimes; special problems in civil liability, such as non-feasance and the liability of public authorities.

491-421 ADVANCED CRIMINAL LAW. (3) Specific crimes and defenses, and problems in procedure, as a continuation of Criminal Law and Criminal Procedure. Selected topics will be announced in advance.

389-505 ADVANCED JURISPRUDENCE. (2)

485-182 ADVANCED TORTS. (2) This seminar examines in depth one or more selected problems in the law of torts such as protection of privacy, interference with economic and other relations, defamation, products liability, professional malpractice, strict liability, the future of tort law, and statutory compensation schemes.

494-465 BANKING AND NEGOTIABLE INSTRUMENTS. (2) Canadian law of negotiable instruments, with emphasis on the Bills of Exchange Act. The concept and attributes of negotiability. Bills of exchange, cheques, and promissory notes. Banker and customer; banker's security; letters of credit; credit cards and other recent developments. The relationship of federal and provincial laws.

493-432 BANKRUPTCY. (3) Federal bankruptcy law, including bankruptcy petitions, an individual's rights to a discharge, the nature of claims provable in bankruptcy, the rejection and assump-

492-115 CANADIAN CHARTER OF RIGHTS AND FREEDOMS. (3)

A critical analysis of the Charter and its implications for the legal process in general, and domestic human rights law in particular, organized around the following themes: pre-Charter human rights law and its legacy; general considerations respecting the entrenchment, application and interpretation of the Charter; procedural issues and judicial review under the Charter; advocacy under the Charter.

389-547 CANADIAN LEGAL HISTORY. (3)

389-502 CANON LAW. (3)

486-456 CHILDREN AND THE LAW. (3) An analysis of the rights and protection of children under the civil law of Quebec. The impact of reproductive technology on the law affecting children (personhood, filiation, adoption, civil remedies), the rights and protection of minors (child abuse and neglect, emancipation, representation) and the role of parents, the state and the court in child welfare. Comparisons with other jurisdictions will be pursued.

473-144 CIVIL LAW PROPERTY. (5) The theoretical framework of property law. The patrimony and the basic classifications of prop-

496-494 TERM ESSAY 4. (3)

496-495 TERM ESSAY 5. (3)

496-496 TERM ESSAY 6. (3)

493-414 ESTATE PLANNING. (3) Attribution and basic income splitting techniques, estate planning and capital gain tax exemption, income tax consequences arising upon death, taxation of estate and trust and their beneficiaries, post mortem tax planning, estate freezes, transfer of family businesses, income tax aspects of buy-sell agreements between shareholders, basic principles of valuation, deferred income plans, retirement planning, registered charities, income tax consequences of matrimonial regimes. Particular emphasis will be placed upon those aspects of personal and corporate income tax which are relevant in designing and implementing estate plans.

389-536 EUROPEAN COMMUNITY LAW I. (3)

389-537 EUROPEAN COMMUNITY LAW II. (2)

471-415 EVIDENCE (CIVIL MATTERS) SIVILho0CDpx7YMTM5qWxjn4pMjI9hxhxhjpMjI9h97pIET9IHpMjI9hQU6-ThvljI97Y

483-145 LAND USE PLANNING. (3) A study of private and public control of land use and development, including: constitutional jurisdiction; provincial, regional and local planning; regulatory and discretionary tools (e.g., zoning by-laws, subdivision control, site-plan control), acquired rights; expropriation, land values and compensation, protection of sensitive areas (e.g. heritage property, agricultural land).

495-482 LAW AND POVERTY. (3) The differential character of the law concerning rich and poor as reflected in case studies in crimi-

in the student's legal education. To be eligible to write a senior essay, a student must have completed at least four terms in the Faculty. Only one such essay may be submitted by a given student for credit.

491-424 SENTENCING IN CANADIAN LAW.

6.3 Faculty Supervised Equivalences

Credits are awarded as equivalences, upon the recommendation of the designated member of the professorial staff, for student par-

Common Law

Advanced Common Law Obligations
 Advanced Torts
 Equity and Trusts
 Limited Interests in Land
 Real Estate Transactions
 Remedies
 Restitution
 Sale
 Secured Transactions
 Wills and Estates

National Private Law

Banking and Negotiable Instruments
 Complex Legal Transactions I
 Complex Legal Transactions II
 Consumer Law
 Family Law
 Insurance
 Introductory Legal Research
 Private International Law

3. Legal Theory, Legal Traditions and Legal History

Aboriginal Peoples and the Law
 Advanced Jurisprudence
 Canadian Legal History
 Canon Law
 Comparative Civil Liability
 Comparative Legal Institutions
 Comparative Modern Legal History
 Contemporary Private Law Problems
 Economics for Lawyers
 Feminist Legal Theory
 Foundations of Canadian Law
 Jurisprudence
 Legal Theory
 Linguistic and Literary Approaches to the Law
 Roman Law
 Talmudic Law
 Theories of Justice
 Tort Theory

4. Human Rights and Cultural Diversity

Canadian Charter of Rights and Freedoms
 Civil Liberties
 Comparative Constitutional Protection of Human Rights
 Comparative and International Protection of Minorities' Rights
 Discrimination and the Law
 International Human Rights Internship
 International Human Rights Seminar
 International Law of Human Rights
 Social Diversity and Law

5. Social Law

Employment Law
 Immigration Law
 Labour Law
 Land Use Planning
 Law and Poverty
 Law and Psychiatry

6. Law of the State

Administrative Process
 Comparative Federalism
 Constitutional Law
 Constitutional Law of the United States
 Judicial Review of Administrative Action
 Municipal Law
 Policies, Politics and the Legislative Process
 Problems in Constitutional Law
 Statute Law

7. Regulation, Technology and Society

Communications Law
 Computers and the Law

Comparative Medical Law
 Current Problems of the International Legal Order
 Entertainment Law
 Environment and the Law
 Government Control of Business
 Intellectual and Industrial Property
 Science, Technology and the Law

8. Corporate Law and Taxation

Bankruptcy and Insolvency
 Business Associations
 Business Organizations
 Corporate Finance
 Corporate Taxation
 Estate Planning
 International Taxation
 Securities Regulation
 Tax Policy
 Taxation

9. International Business Law

European Community Law I
 European Community Law II
 International Business Enterprises
 International Carriage of Goods by Sea
 International and Domestic Documentary Sales
 International Development Law
 International Maritime Conventions
 Law and Practice of International Trade
 International Securities Markets
 Resolution of International Disputes

10. Public International Law

Current Problems of the International Legal Order
 International Environmental Law
 International Human Rights Internship
 International Law of Human Rights
 Law of International Organization
 Law of the Sea
 Public International Law

11. Criminal Law

Advanced Criminal Law
 Criminal Law
 International Criminal Law
 Sentencing in Canadian Law

12. Advocacy and the Legal Profession

Advanced Appellate Court Advocacy
 Civil Litigation Workshop
 Comparative Criminal Procedure
 Criminal Procedure
 Evidence (Civil Matters)
 Evidence (Criminal Matters)
 Judicial Institutions and Civil Procedure
 Judicial Law and Evidence
 Legal Professions and Ethics
 Legal Writing, Mooting and Advanced Legal Research
 Trial Advocacy

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Book Room houses the Wainwright Collection of French law from the *ancien régime* and other rare books. Other collections of note include an extensive collection of French legal theses and the John Humphrey Human Rights Collection. The Dobrin-Steinberg Computer Instruction Classroom, when not in use for teaching, may be used by law students for personal research. In addition, over 300 wired workspaces throughout the Library allow students to use personal laptop computers to access digitized information. There are also six Moot Team Preparation Rooms for the exclusive use of competitive moot teams and three group study rooms for use by McGill students.

WAINWRIGHT COLLECTION

The Wainwright Collection, comprising the personal library of the French legal historian Olivier Martin, was presented to the Faculty in 1959 by the late Arnold Wainwright, Q.C. It contains the world's finest university collection of early editions relating to French law.

A.H. METTARLIN ENDOWMENT

In 1987 the Law Library received a legacy of \$375,000 from the estate of Aaron H. Mettarlin, B.C.L.(1926), a leading notary in Montreal for over fifty years. The Mettarlin Endowment is used to purchase books and serials relating to the basic undergraduate collection in the Law Library.

ALAN AYLESWORTH MACNAUGHTON COLLECTION OF CANADIAN LEGAL MATERIALS

The late Senator Alan A. Macnaughton created an endowment for the McGill Law Library, the income to be used to buy Canadian legal materials. Senator Macnaughton was a Speaker of the House of Commons, Founder and Honorary Chairman of the Canadian World Wildlife Fund, Counsel at Martineau Walker, and a member of the Faculty of Law Advisory Board.

OTHER LIBRARY ENDOWMENTS

Annual gifts from graduates and friends of the Faculty contribute significantly to the maintenance of the Library's collection. For example, as a 25th Anniversary Project the Class of 1969 raised funds to substantially expand the Library's CD-ROM network capabilities providing greater access to a variety of information in electronic form. In addition, the Library has received a number of special endowments over the years which include such funds as the F. R. Scott Endowment in Constitutional Law, the International Law Endowment Fund, and the Law Library Serials Endowment.

**TORY, TORY, DESLAURIERS & BINNINGTON PROGRAMME
FOR LEGAL RESEARCH AND WRITING**

This fund was established in 1989 by the firm Tory, Tory, DesLauriers & Binnington to promote legal research and writing within the Faculty of Law. The programme currently comprises two features: a summer fellowship programme and a legal writing award.

The Summer Fellowship permits two students to spend half a summer with the law firm in Toronto as part of the summer students programme and the other half of the summer as research assistants within the Faculty of Law. Students selected for the

individual member of the professorial staff who is assigned to the programme. The Legal Methodology Teaching Group meets weekly with the course director, who is a full-time member of the teaching staff.

7.13 Legal Theory Programme

In 1986 the Faculty established a Legal Theory Programme consolidating several formerly independent programmes under which visiting scholars were invited to McGill. Since then other facets of

9.9 Changes in Regulations

This Calendar and the Faculty Regulations in force govern students registered in the Faculty of Law during the 2001-02 academic year. Students are advised that they will be subject to changes made therein as published from time to time within the Faculty before the time of their fall registration.

- (a) the candidate has completed a graduate degree with thesis at McGill or at another university, and
- (b) the Graduate Admissions Committee is satisfied that the quality of his or her previous research is sufficient to justify admission to a doctoral program.

The latter usually requires review of the completed Master's thesis.

10.3 Application Procedures

Application will be considered upon receipt of:

1. application form;
2. statement of academic program and brief resume;
3. official transcripts and proof of degree;
4. certified translations of transcripts and proof of degree (if not written in French or English);
5. letters of reference on forms provided for that purpose (sent directly by the referee to the Graduate Program in Law);
6. \$60 application fee;
7. official TOEFL or IELTS score report.

All information is to be submitted to the Coordinator, Graduate Studies in Law, at the above address.

Deadline: February 1st in the year prior to the start of the academic year for which the candidate is applying.

LL.M. specialization in Bioethics

Applications are made initially through the Biomedical Ethics Unit in the Faculty of Medicine, which administers the program and teaches the core courses.

Applicants must be accepted first by Law and then by the Bioethics Graduate Studies Advisory Committee.

other course in the University or other universities related to the area of concentration, subject to approval by the Associate Dean (Graduate Studies and Research).

Graduate Certificate students generally remain in residence for both terms and take all air and space law courses.

Note: International students must register for at least 12 credits per semester in order to satisfy visa requirements.

MASTER'S DEGREES

The Master's programs consist of a course work component (normally 18 credits) and a thesis of approximately 100 pages. Candidates must remain in residence for three semesters. The third semester, usually devoted to thesis research, may be taken the summer of the first year, making it possible to complete residence requirements within one calendar year. If the thesis is not completed in this time, students must register for additional years as needed. All degree requirements must be completed within three years of the date of registration.

The thesis topic is normally determined in consultation with the supervisor early in the second semester and must be approved by the Associate Dean (Graduate Studies and Research). The submitted thesis is evaluated by the candidate's supervisor and an external examiner chosen by the Faculty of Graduate Studies and approved by an

10.4 Program Requirements

Graduate Certificate in Comparative Law

The Graduate Certificate is awarded after at least one term of residence in the Faculty and upon completion of a minimum of 15 academic credits. At least nine of those credits must be earned through course work, with the balance earned through essays or the preparation of teaching or course materials. In every case, the program is structured to meet individual needs and must be approved by the Associate Dean (Graduate Studies and Research).

Note: International students must register for at least 12 credits per semester in order to satisfy visa requirements.

Students who study at McGill under the terms of an international assistance project may, in some circumstances, be permitted to complete a practical internship for academic credit.

Graduate Certificate in Air and Space Law

The Graduate Certificate in Air and Space Law is a course work program with a limited research and writing requirement. It is particularly appropriate for students with a strong professional orientation who do not wish to write a thesis.

The Graduate Certificate is awarded after at least one term of residence in the Faculty and upon completion of a minimum of 15 academic credits. Those credits must include the three air and space law courses obligatory for Master's students (387-633, 387-636, and 387-637).

The required courses are offered in the fall, hence Graduate Certificate students must be in residence during at least one fall term. The balance of required credits can be obtained either through other IASL courses, Independent Study courses, or any

There is no uniform program of studies. Candidates follow a curriculum that, as far as possible, is fashioned to meet their particular needs as indicated by prior legal experience and aspirations. Candidates will normally take six courses, for a total of at least 18 credits, during the two terms of the academic year. All ICL graduate students must take either "Theoretical Approaches to Law" or "Legal Traditions".

Apart from this requirement, there is no set curriculum. Courses are for the most part determined by the student, in consultation with the Associate Dean (Graduate Studies and Research), with programs tailored to meet individual needs. Students who have a particularly strong academic record, who are already well-versed in the area they wish to study and who have a fully developed thesis proposal when they arrive at the Faculty may be authorized by the Associate Dean (Graduate Studies and Research) to take a reduced course load. In such cases, the minimum of course credits would be 9, and the expectations for the sophistication of the Master's thesis would be commensurately increased.

Candidates who complete all courses required of them with a grade of at least 65% (B-) may normally proceed to the submission of their Master's thesis on a subject approved by the Director or the

Courses offered within this concentration include:

Administrative Process
 Communications Law
 Comparative Medical Law
 Computers and the Law
 Contemporary Private Law Problems I
 Entertainment Law
 Environment and the Law
 Government Control of Business
 Intellectual and Industrial Property
 International Environmental Law
 Land Use Planning
 Policies, Politics and the Legislative Process
 Research Seminars
 Science, Technology and the Law

LL.M. – Specialization in Bioethics: The curriculum is composed of required courses (for 6 credits) offered in the Biomedical Ethics Unit, bioethics courses (3 credit minimum) offered by the base faculty or department and any graduate courses required or accepted by a base faculty for the granting of a Master's degree, for a total of 18 to 21 credits. A minimum of 45 credits is required including the thesis. For further information regarding this program, please refer to the Bioethics section.

DOCTOR OF CIVIL LAW (D.C.L.) DEGREE

The Doctor of Civil Law is a research degree offered by both the ICL and the IASL, with identical requirements. Candidates who do not hold a McGill law degree may be required to take two or three courses designed to introduce them to the McGill professors and resources available in their field.

The degree will be awarded, at the earliest, after the completion of three years of residence in the Faculty. In the case of a candidate holding an LL.M. from McGill or an equivalent degree from another university, the residency requirement may be reduced to two years of study beyond the Master's degree, with the approval of the Faculty of Graduate Studies and Research, upon recommendation of the Graduate Studies Committee of the Faculty of Law.

At any stage, a candidate may be required to pass an oral examination to test general knowledge in the field of research.

The principal basis for evaluation is a doctoral thesis of about 300 pages. It must constitute a significant contribution to legal knowledge, evidencing in concept and execution the original work of the candidate. Its form must be suitable for publication. The thesis must be submitted within four years of completion of the residency requirement.

10.5 Course Descriptions

The names of course instructors are listed on the Course Time-table available on [infoMcGill](http://www.mcgill.ca/students/courses/) via the Web <http://www.mcgill.ca/students/courses/>.

The course credit weight is given in parentheses after the title.

INSTITUTE OF AIR AND SPACE LAW COURSES

387-613 GOVERNMENT REGULATION OF AIR TRANSPORT. (3) Economic regulation of air transport and navigation, deregulation, liberalization, open skies. Economic and regulatory theories, competition, anti-trust regulation. Status, negotiation, and implementation of international agreements on air services.

387-632 COMPARATIVE AIR LAW. (3) Comparative approaches to air law. Selected problems of private law not codified by international conventions including product liability; government liability for certification and inspection of aircraft; ATC liability; aviation insurance; fleet financing; leasing.

387-633 PUBLIC INTERNATIONAL AIR LAW. (3) Sources of public international law relating to the air space and its aeronautical uses. International aviation organizations and their law-making functions. Legal responses to aviation terrorism.

387-636 PRIVATE INTERNATIONAL AIR LAW. (3) Sources of private international air law. Conflicts of laws. Unification of law of liability.

Liability for damage on the surface, liability of the ATC and CNS/ATM providers. Rights in aircraft and their international recognition.

387-637 SPACE LAW AND INSTITUTIONS. (3) Legal regime of outer space, celestial bodies and spacecraft. Liability for damage caused by space activities. Registration of spacecraft. Assistance to spacecraft and astronauts in distress. Military uses of outer space. Institutions involved in the law-making process.

387-638 AIR AND SPACE LAW APPLICATIONS. (3) Selected topics in advanced air and space law, including satellite-based systems for aeronautical communications; navigation and surveillance/Air Traffic Management (CNS/ATM); remote sensing; manufacturing in micro-gravity.

387-690A,B,C MASTER'S THESIS I. (3) Preparation of thesis proposal.

387-691A,B,C MASTER'S THESIS II. (3) Preparation of literature review.

387-692A,B,C MASTER'S THESIS III. (6) Thesis research report.

387-693A,B,C MASTER'S THESIS IV. (12) Completion of thesis.

387-694A,B,C MASTER'S THESIS V. (3) Thesis research report.

INSTITUTE OF COMPARATIVE LAW COURSES

These short descriptions are designed to provide a flavour of the curriculum. More detailed descriptions are available in course registration materials. The number of credits for each course is indicated in parentheses.

Courses open to undergraduate and graduate students

389-500 ABORIGINAL PEOPLES AND THE LAW. (3) Current legal topics relating to native peoples, including the concept of aboriginal title, and constitutional aspects of contemporary land claims. Aspects of Canadian law relating to native peoples, their constitutional status, and hunting and fishing rights.

389-501 JURISPRUDENCE. (3) The main schools of jurisprudence and the most significant writings, particularly contemporary writings, in legal philosophy.

389-502 CANON LAW. (3) History, sources and methods of interpretation of canon law, its influence on secular legal traditions, its codification, and its contemporary relevance.

389-503 ECONOMICS FOR LAWYERS. (3) An introduction to the economics of resource allocation. The role of the pricing system in product and factor markets, causes of markets, causes of market failure and criteria for corrective intervention by public policy.

389-504 FEMINIST LEGAL THEORY. (3) Feminist theory and its relevance and application to law, including feminist methodologies in law, the public versus private dichotomy, and changing conceptions of equality.

389-505 ADVANCED JURISPRUDENCE. (2) An advanced course on selected topics in legal theory.

389-506 LEGAL THEORY. (3) The philosophical basis of private law, from a comparative and historical perspective.

389-507 LINGUISTIC AND LITERARY APPROACHES TO THE LAW. (2) The techniques of linguistic and literary analysis and their contribution to the interpretation and evaluation of legal texts.

389-508 RESEARCH SEMINAR I. (2) Research seminar to be offered by members of the Faculty or visiting professors, to permit research in legal traditions and legal theory in areas not covered by other courses in the program.

389-509 RESEARCH SEMINAR II. (2) Research seminar to be offered by members of the Faculty or visiting professors, to permit research in legal traditions and legal theory in areas not covered by other courses in the program.

389-510 ROMAN LAW. (3) An examination of the contemporary relevance of principles of Roman law, in both civil and common law jurisdictions.

389-511 SOCIAL D

ies, we will examine: 1. The empirical effect of cultural diversity on legal systems. 2. Institutional structures to accommodate diversity. 3. Theoretical perspectives.

389-512 THEORIES OF JUSTICE. (3) The concept of political justice and its relationship to particular legal and economic institutions, including the moral foundations of theories of justice, the nature of legitimate political authority, and the nature of distributive justice.

389-513 TALMUDIC LAW. (3) Historical sources of Talmudic law, methods of interpretation, selected topics, and relation to various secular legal traditions.

389-514 TORT THEORY. (3) An examination of theoretical founda-

11.3 Centre for Medicine, Ethics and Law

The Centre for Medicine, Ethics and Law was founded in 1986 by the Faculties of Medicine, Religious Studies and Law, with subsequent participation by the Department of Philosophy. Its mission is to undertake and promote transdisciplinary research, teaching and community involvement in a broad field which includes health law and bioethics. The Centre's members are involved in a wide variety of activities including clinical and research ethics consultations to McGill Teaching Hospitals, governments and other institutions. The Centre has received substantial funding to support its programmes in "HIV Infection and AIDS", "The Contemporary Canadian Family", "Environment, Health, Ethics and Law" and "Psychiatry, Ethics and Law". Graduate students can undertake their Master's studies in law through the Master's Specialization in Bioethics in which Centre members, from the participating faculties including the Faculty of Law, act as thesis supervisors.

11.4 Centre for the Study of Regulated Industries

The Centre for the Study of Regulated Industries was founded in September 1977 and became affiliated with the Faculty of Law in 1988. Its principal foci are the air transport and telecommunications sectors. It conducts research and provides consultation in regulatory/policy matters attendant to these industries. In addition, the CSRI organises seminars, colloquia and videoconferences on issues such as privatisation, deregulation, globalisation and harmonisation of competition law and policy, as well as interdisciplinary workshop series on these topics.

12 Admission to the Legal Professions

12.1 Quebec

The attention of candidates for the Bar of Québec and for the Québec Notarial Profession is drawn to the special legislation and regulations governing those professional bodies.

Information regarding admission to the Bar may be obtained by applying to the Barreau du Québec, 445 boul. St-Laurent, Montreal H2Y 3T8. Telephone: (514) 954-3459.

Information regarding admission to the Notarial Profession may be obtained by applying to the Chamber of Notaries, 630 René Lévesque Boulevard West, Montreal H3B 1T6. Telephone: (514) 879-1793.

12.1.1 Bar of Quebec

In addition to those courses indicated as degree requirements by the Faculty, students intending to seek admission to the Bar of Quebec are advised that the Bar admission examinations may bear upon subjects falling within the following Faculty courses:

- Business Associations
- Taxation
- Banking and Negotiable Instruments
- Bankruptcy and Insolvency
- Labour Law
- Criminal Procedure
- Administrative Law
- Municipal Law
- Land Use Planning

12.1.2 Notarial Profession

The Regulations of the Board of Notaries, while not requiring students to take a pre-determined obligatory profile of courses, state that students seeking admission to the Notarial Profession will be examined on the following matters:

3.01.05...the drawing up of deeds, other documents relating to the practice of the notarial profession, opinions and consultation; questions on civil and commercial law, including insurance law, public or private corporation law, the Bills of Exchange Act and the Bankruptcy Act, the Loi du notariat (Notarial Act) and the by-laws and regulations of the Chambre des notaires; the

keeping of offices, notarial accounting, financial law, financial administration, fiscal law and practical business procedure. (Order in Council 3531-78, November 15, 1978)

It is suggested, therefore, that students intending to proceed to the Notarial profession, while pursuing the B.C.L. degree, take one or more courses in the following subjects:

- Administrative Law
- Accounting
- Banking and Negotiable Inst.
- Bankruptcy
- Civil Procedure
- Consumer & Commercial Law
- Company Law
- Constitutional Law
- Evidence
- Family Law & Matrimonial Property
- Insurance
- Land Use Planning
- Municipal Law
- Obligations
- Private International Law
- Property and Prescription
- Security in Property
- Special Contracts
- Successions
- Taxation

12.1.3 Language Requirements

Quebec law requires that candidates seeking admission to provincially-recognized professional corporations must possess a working knowledge of the French language, that is, be able to communicate verbally and in writing in that language.

To demonstrate this capability, candidates will be required to pass an examination set by the Office de la langue française, unless they can show that three years of full-time instruction in a French post-primary school have been completed. Candidates who have completed their secondary education in Quebec in 1986 or later and have received their certificate from secondary school are exempt from writing the examination. The professional corporation will require this certificate, proof of attendance or of successful completion of the Office examination.

The examination may be attempted by registered students during the two years prior to the date they receive a degree giving access to a professional corporation. Application forms for sitting the exam while still a student may be obtained from the Admissions, Recruitment and Registrar's Office. Priority will be given to those closest to graduation. Examinations take place every three months and may be attempted an unlimited number of times.

More information may be obtained from the Office de la langue française, 125 Sherbrooke Street West, Montréal, Québec, H2X 1X4. Telephone (514) 873-4833.

12.2 Ontario

Admission to the Bar of Ontario is regulated by the Law Society of Upper Canada. That Society requires that the applicant for admission be a graduate from an approved law school. The Law Faculty of McGill has been approved by the Society. Graduates with the degree of Bachelor of Laws (LL.B.) are generally eligible to enter the Bar Admission Course conducted by the Law Society of Upper Canada and to become student members of the Society.

It is important to note, however, that the Law Society of Upper Canada usually requires candidates to have completed a minimum of two years of university studies prior to commencing their studies in law. While some exceptions have been made in the past for students who have proceeded directly from CEGEP to their studies in the Faculty of Law it is not known whether these exceptions will continue to be made for students enrolled in the new McGill law programme launched in 1999-2000. Candidates considering commencing their law studies without the minimum two years of pre-law university studies should first seek detailed information on the above from the Secretary, Law Society of Upper

Canada, Osgoode Hall, 130 Queen Street West, Toronto, Ontario M5H 2N6.

The Bar Admissions Course consists of a one-month preparatory session, a period of twelve months' service under Articles of Clerkship with a member of the practising profession in Ontario and a period of three months of full-time attendance at lectures organized by the Law Society of Upper Canada at three centres (Toronto; London; Ottawa). Upon successful completion of these courses candidates may be called to the Bar provided they meet the other requirements of the Ontario Bar.

12.2.1 Curricular Requirements

The Regulations of the Law Society of Upper Canada stipulate that an approved law school shall offer instruction regularly in the following areas:

- Agency
- Banking & Bills of Exchange
- Civil Procedure
- Company Law
- Conflict of Laws
- Contracts
- Criminal Law and Procedure
- Equity
- Evidence
- Family Law
- Jurisprudence or one subject of a jurisprudential nature
- Labour Law
- Legal History
- Legislation & Administrative Law
- Municipal Law
- Partnership
- Personal Property
- Real Estate Transactions
- Real Property
- Sale of Goods
- Taxation
- Torts
- Trusts
- Wills & Administration of Estates

The Regulations also require every student to take the major basic course offered in each of the following subject areas:

- Civil Procedure
- Constitutional Law of Canada
- Contracts
- Criminal Law and Procedure
- Personal Property
- Real Property
- Torts

12.3 British Columbia

The Benchers of the Law Society of British Columbia have recently introduced an entrance examination. Law school graduates who wish to become practising lawyers will be required to write this exam before beginning a ten-week professional training course consisting of skills training. As of the date of printing, the timing of implementation of the entrance exam was still to be determined.

Candidates wishing further information on requirements for admission to the Law Society of British Columbia should contact

opportunities both in the legal sector and in the alternative careers field.

The Career Placement Office, in conjunction with the Canadian Legal Career Development Network and *Quicklaw*, participates in a large mailing to distribute a questionnaire to all legal employers across Canada. The results of this survey are compiled into the Legal Employers' Directory, which is of invaluable assistance to students seeking information about potential employers.

13.2 On-Campus Recruitment

The Career Placement Office coordinates all activities related to on-campus recruitment for legal employers from different jurisdictions in Canada, such as Quebec, Ontario, East/West Recruitments, as well as the interviews of New York and other American law firms in the fall. Many information sessions are offered to the students about job opportunities with these employers as well as possibilities of clerkships in the different Canadian Courts.

13.3 Careers Days

The Career Placement Office organizes three Career Fairs annually. The Quebec and Common Law Careers Days take place in January and February in preparation for the Canadian recruitment processes. Over 80 legal employers participate in the two events and come to the Faculty of Law to speak to students about the opportunities available at their law firm, government body or association. At this occasion, seminars are also held on issues of relevance to students' careers. An Alternative Careers Conference takes place in February where guest speakers and panelists discuss opportunities for lawyers outside of private practice.

13.4 Training Programs and Publications

The Career Placement Office provides materials and organizes seminars on how to pursue a career in law or related areas. Individual counselling is provided by the Placement Office Director on the drafting of a curriculum vitae as well as preparing for interviews. Workshops on Effective Resume Writing and Developing Interview Skills are offered regularly. A Mock Interview Programme assists students in preparing for meeting with potential employers.

The Office is also happy to offer the Area of Practice Dinner Series. These provide an opportunity for practitioners to discuss their area of specialization with law students over dinner. The Career Development Office is making efforts to increase employment opportunities abroad for students.

The Career Placement Office publishes annually the *Legal Employment Career Handbook* which is specifically designed to assist students of the Faculty of Law to identify and prepare for job opportunities. A second publication, *The Students' Guide to Career Opportunities in International Law* is updated regularly and available from the Office.

13.5 Reciprocity Agreement

As a member of the Canadian Legal Career Development Network, the Career Placement Office was the host of its First Canadian Meeting in August 1999. As a result of this meeting, Reciprocity Agreements have been signed with placement offices of other Canadian Law Schools, enabling McGill students to obtain assistance in their employment research outside the Province of Quebec.

13.6 Alumni/ae Network

McGill's 3,500 alumni/ae throughout North America frequently assist the Faculty in placing graduates. The Alumni Network is an important resource to current and future students as graduates of the Faculty of Law collectively represent a repository of experience, information, and contacts.

In conjunction with the Alumni/ae Network, the Career Develop-

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SAMUEL HABERKORN MEMORIAL ENTRANCE SCHOLARSHIP –

Established by Max Haberkorn (B.C.L. 1971, LL.B. 1972) in memory of his father Samuel Haberkorn, a decorated resistance fighter in World War II, in recognition of the sacrifices he made for his children's education. Awarded by the Student Aid Office in consul-



QUEBEC BAR PRIZE – Awarded to the winning team in the Faculty's annual Moot Court Competition. Presented by the Quebec Bar Association. Value: \$200.

LORD READING SOCIETY OF MONTREAL PRIZE – Established in 1952, awarded to the student who obtains the highest standing in the first year. Value: \$200.

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SETSUKO USHIODA-AOKI PRIZE – Established in 2001 by Dr. Setsuko Ushioda-Aoki (D.C.L. 1993). Awarded by the Faculty of Law on the basis of academic merit to a graduate student in the LL.M. programme at the Institute of Air and Space Law. Value: \$500.

14.8 Scholarships and Major Prizes for Graduating Students

Unless otherwise noted the following scholarships and prizes are awarded upon the recommendation of the Prizes and Scholarships Committee of the Faculty of Law. These awards are given to McGill law undergraduates to assist in their pursuit of graduate studies at Faculties of Law other than McGill, or of a programme of professional training.

EDWIN BOTSFORD BUSTEED SCHOLARSHIP – Founded by the will of the late Mrs. Busteed in memory of her husband, Edwin Botsford Busteed, K.C., B.A., B.C.L.(1879), this scholarship will be awarded to an applicant, chosen by the Faculty, who desires to carry out graduate research on some subject connected with the law of Quebec and approved by the Faculty. The scholarship can be used to supplement funds for graduate studies already received from other sources. Candidates should make application for this scholarship through the Office of Undergraduate Studies. Value: approximately \$5,400.

MAXWELL COHEN O.C., Q.C. AWARD – Awarded to a student in the graduating class who has demonstrated overall highest academic achievement in the course in public international law and in at least one advanced course in the area of public international law. Value: \$1,000.

JOHN W. COOK, K.C. PRIZE – Awarded annually to an outstanding member of the graduating class in law in memory of the late John W. Cook, K.C., B.C.L.(1897), on the basis of high academic standing throughout the programme, participation in Faculty activities and possible postgraduate intentions. Candidates may indicate their eligibility for this award through the Office of Undergraduate Studies. Value: \$2,500.

JOHN E. CRANKSHAW PRIZE – Established by friends of the late John E. Crankshaw, Q.C., B.C.L.(1920), formerly lecturer in Crim-

14.9 Scholarships, Bursaries, Prizes and Loan Funds in all Faculties

A complete list of scholarships, bursaries and financial aid in the University generally and the regulations governing the various loan funds are given in the Undergraduate Scholarships and Awards Calendar, which may be accessed on the Web (<http://www.aro.mcgill.ca>) or obtained from the Admissions, Recruitment and Registrar's Office, James Administration Building, 845 Sherbrooke Street W., Montreal, Quebec, H3A 3N6. Telephone: (514) 398-3910.

14.10 Law Society Scholarships

Various provincial law societies and law foundations sponsor scholarships for residents of their respective provinces. Inquiries should be directed to the Admissions Office. The following schol-

fees paid in advance will be refunded on application to the Student Accounts Office.

All students who have accessed MARS to register must officially withdraw in writing from the University if they decide not to attend the session(s) for which they have registered. Otherwise they will be liable for all resulting tuition and other fees.

The University shall have no obligation to issue any transcript of record, award any diploma or re-register a student in case of non-payment of tuition fees, library fees, residence fees or loans on their due date.

Access to MARS for the Registration functions will be denied until these debts are paid in full. Students must pay all debts before the end of the registration period to be permitted to register.

16.7 Access to Fee Information

Students may view their latest fee information, including a detailed breakdown of the fees they are being charged, by accessing SATURN (<http://www.is.mcgill.ca/students>).

An updated fee account balance may be obtained by calling MARS (398-6277).

16.8 Deferred Fee Payment**Students With Sponsors**

Students whose fees will be paid by an outside agency such as the Department of Veterans Affairs, CIDA, a foreign government; or their University department (i.e. teaching assistants or demonstrators), must have written evidence to that effect. Students in any of the above categories should go to the Student Accounts Office with the appropriate documentation, where a "Tuition Payment Deferral" may be issued (if applicable). The University reserves the right to insist upon payment. If the outside party does not pay the fees within 90 days of invoicing, the student is ultimately responsible for paying the fees plus the late payment fee and accrued interest.

Students With Loans, Bursaries, Scholarships

McGill scholarships or awards are normally credited to the recipient's fee account by late August (early January for the winter term). The fee balance may be verified on MARS or SATURN.

Interest and late payment charges resulting from late tuition payments for students awaiting government funding will be cancelled UPON RECEIPT of such assistance and full payment of outstanding tuition fees. Contact the Student Aid Office, 3600 McTavish Street. Telephone: (514) 398-6013 or 398-6014.

Students are reminded that tuition and residence fees have first call upon financial aid received from any source.

17 University Administrative Officers

Richard W. Pound, O.C., O.Q., Q.C., C.A., B.Com.(McG.),
B.A.(Sir G.Wms.), B.C.L.(McG.) **Chancellor**

Robert Rabinovitch, B.Com.(McG.), M.A., Ph.D.(Penn.)
Chair of the Board of Governors

Bernard J. Shapiro, B.A.(McG.), M.A.T., Ed.D.(Harv.)
Principal and Vice-Chancellor

Luc Vinet, B.Sc., M.Sc., Ph.D.(Montr.)
Vice-Principal (Academic)

Morty Yalovsky, B.Sc., M.Sc., Ph.D.(McG.)
Vice-Principal (Administration and Finance)

Derek Drummond, B.Arch.(McG.), F.R.A.I.C., O.A.Q., O.A.A.
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(Information Systems and Technology)**

Pierre R. Bélanger, B.Eng.(McG.), S.M., E.E., Ph.D.(M.I.T.)
Vice-Principal (Research)

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Stuart Price, B.Sc., Ph.D.(Bristol) **Associate Vice-Principal
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Associate Vice-Principal (Macdonald Campus)

Ian Butler, B.Sc., Ph.D.(Brist.), F.C.I.C.
Associate Vice-Principal (Research)

Martha Crago, B.A., M.Sc.A., Ph.D.(McG.)
Associate Vice-Principal (Teaching Programs)

Rosalie Jukier, B.C.L., LL.B.(McG.), B.C.L.(Oxon.)
Dean of Students (to May 31, 2001)

Bruce Shore, B.Sc., M.A.(McG.), Ph.D.(Calg.)
Dean of Students (from June 1, 2001)

Frances Groen, B.A.(Penn.), B.L.S.(Tor.), M.A.(Pitts.)
Director of Libraries

Robin Geller, B.Sc.(Eng.)(Queen's), LL.B.(Ott.) **Registrar and**