

# FACULTY OF LAW

## General Office

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**Academic Staff:** Please refer to the Faculty website at [umanitoba.ca/faculties/law](http://umanitoba.ca/faculties/law) (<https://law.robsonhall.com/faculty-staff/>)

**Law Admissions Inquiries website:** [lawadmissions@umanitoba.ca](mailto:lawadmissions@umanitoba.ca)

## Degree Programs Offered

The Master of Laws is a thesis-based program designed for completion in one year after the completion of a three year J.D. program. The program consists of participation in the Graduate Legal Theory Seminar, two additional courses and completion of a substantial thesis. Further details are available through the LL.M. website (<https://umanitoba.ca/explore/programs-of-study/master-laws-llm/>). Applicants should also consult the Faculty of Graduate Studies website (<https://umanitoba.ca/graduate-studies/>).

Equivalent academic courses completed at recognized universities elsewhere will be considered. For all admission requirements please refer to the first year information (<https://law.robsonhall.com/student-resources/admissions/admission-to-first-year-j-d-program/>) on the website.

### Juris Doctor-J.D.

Robson Hall, Faculty of Law, offers a three year J.D. program that starts with the fundamental doctrinal courses that allow students to acquire a solid foundation in law. From the foundational courses, students can move into legal specialties of their choice, or choose to pursue a J.D. concentrating on Indigenous law, business law, human rights, or Access to Justice in French. Clinical legal education has been a part of the J.D. program since the early 1970s and students develop lawyering skills under faculty guidance, expanding their perspectives and ethical understanding of the role of practicing lawyers. Scholarship and research is built into the J.D. program so students have an opportunity to develop a critical understanding of law and its development.

## The Profession and the Faculty of Law

### The Study of Law

Legal education in Canada is divided into two phases: the academic study of law at one of the university law schools and practical training under the auspices of a provincial law society for those who wish to be admitted to practice and called to a Bar. As there is a reciprocal recognition of university law degrees between the common law provinces (all provinces except Quebec), the academic study can be taken in any one of these provinces.

A sound education in law provides a good foundation for a great variety of careers. In the past most law graduates have entered the private practice of law to concentrate on various types of legal work including: real estate transactions, commercial contracts, company law, family law, taxation. While the tendency to specialize in the practice of law

is becoming more prevalent, most lawyers continue to be general practitioners prepared to perform most types of legal work according to the needs of their clients.

Besides the private practice of law, law graduates can join the legal departments of corporations as in-house counsel, or various government agencies that maintain legal departments. Law graduates also find careers in non-profit organizations, business, law enforcement, social work, and journalism.

### Clinical Learning

The curriculum invites critical assessment of the role of law in society as well as the development of skills relevant to the practice of law. In addition to lectures and seminars, students are given an opportunity to develop, under supervision, some of the research, writing and oral advocacy skills which will prove useful in the practice of law. In first year, students are acquainted with the various paper and electronic resource materials available in a law library, and they follow a program designed to develop legal research and writing techniques. In second and third years, students participate in negotiation exercises, mock trials and appeals and moot court competitions. Students may choose from a range of clinical Courses, including clerkships with various levels of court internships and externships. Throughout their legal studies students have many opportunities to serve actual legal clients both by taking internship and externship courses and through Volunteering with organizations such as the University Community Law Centre, Pro Bono Students Canada and The Legal Help Centre. This clinical training is just one element of the program at Robson Hall that contributes to the excellent reputation of our graduates.

### Research and Publications

Research and scholarly writing are integral elements of the mission of the University and the law school. Professors research, write and consult with the larger legal community in their particular area of expertise and students have similar opportunities. Each year students must take a writing requirement which provides an opportunity to explore a particular area of law in depth. Students have the opportunity to work on a number of scholarly publications including: *Asper Review of International Business and Trade Law*, *Canadian Journal of Human Rights*, *Manitoba Law Journal*, *Robson Crim and Underneath the Golden Boy*.

### Faculty of Law Centres of Excellence

Robson Hall is home to two named research chairs. In 1999, the Faculty of Law established the Asper Chair of International Business and Trade Law. The Asper Chair sponsors a variety of research including bi-annual academic conferences in international business and trade law. An internship program allows up to four students a year to work with the Asper Chair and creates opportunities for students to advance their education, while gaining skills necessary to pursue careers in law or business with an international focus. Additionally, students involved in the Asper program have the opportunity to participate in international commercial dispute resolution competitions.

The Marcel Desautels Chair in Private Enterprise and the Law has a mandate to conduct research and provide education on issues of specific interest to the privately held or family owned businesses. The Desautel Centre's focus is on the needs of closely held businesses.

### Student Organizations

All Law students are members of the Manitoba Law Students' Association (MLSA), the student government. Student participation in faculty governance takes place through the representation of elected

members of the MLSA. In addition to the Manitoba Law Students Association there exists a diversity of student groups at Robson Hall. No matter what your interests, joining a student group can greatly enhance your law school experience by providing you with greater opportunities throughout the year to interact with the community and other students.

Degree/Diploma	Years to Completion	Total Credit Hours	Has Co-op Option
Juris Doctor, J.D. ( <a href="https://catalog.umanitoba.ca/undergraduate-studies/law/juris-doctor-jd/">https://catalog.umanitoba.ca/undergraduate-studies/law/juris-doctor-jd/</a> )	3 (plus 2 years or 60 credit hours University degree level courses)	92	

This includes two years (60 credit hours) of study in an undergraduate program.

## Faculty Academic Regulations

### Admission to the Faculty of Law

#### Course Requirements for Admission to J.D. Program

Robson Hall, Faculty of Law offers three First Year Admission categories:

- Index Score (Regular) Category (50% GPA and 50% LSAT score)
- Individual Consideration Category
- Canadian Indigenous Category

The minimum academic requirement to apply is two (2) full-years of university degree level courses (equivalent to 60 credit hours). Included in the 60 credit hours should be a course to fulfill the University's mathematics requirement. Completion of the JD program fulfills the University's Written English requirement. For additional information about the University's Mathematics and Written English requirements, see the General Academic Regulations (<https://catalog.umanitoba.ca/undergraduate-studies/general-academic-regulations/#Residence-Written-English>) of this calendar.

All applicants must write the Law School Admission Test (<https://www.lsac.org/lSAT/>) (LSAT).

Please visit the Robson Hall website (<http://law.robsonhall.com/student-resources/admissions/>).

### Academic Regulations

All students are asked to note that some academic policies and regulations are under review and are subject to change. Please refer to the Governance website (<https://umanitoba.ca/governance/governing-documents/>) for updated information.

**Limited Access will not affect registration for the current Academic Year, which includes Fall, Winter, and Summer terms. See University Policy and Procedures – Repeat Course Policy – Section 2.5 (a) Limited Access** (<https://catalog.umanitoba.ca/undergraduate-studies/policies-procedures/repeated-course-policy/>).

The provisions of the General Academic Regulations (<https://catalog.umanitoba.ca/undergraduate-studies/general-academic-regulations/>), and the University Policies and Procedures (<https://catalog.umanitoba.ca/undergraduate-studies/policies-procedures/>) apply to all students. In addition, the Faculty of Law has regulations and requirements, published below, that apply specifically to its students.

Please see the MLSA website (<https://robsonmlsa.ca/>) for a complete list.

## Programs

### Evaluation

The regulations concerning evaluation would include the following:

1. Appeals
  - a. Mid-Term Grades
  - b. Final Grades
  - c. Grading Guidelines
  - d. Guidelines for Pass/Fail Courses
  - e. Juris Doctor Grades Appeal Committee
    - i. Membership
    - ii. Responsibility to Faculty Council
  - f. Senate Committee on Appeals
2. Deferrals and Extensions
  - a. Deferrals of Exams and Accommodation: Brief Extenuating Circumstance
  - b. Deferrals of Exams and Accommodation: Long-term Extenuating Circumstance
  - c. Rescheduled Examinations
  - d. Missed Mid-Term Examination
  - e. Illness or Emergency During Examination
  - f. Scheduling Deferred and Supplemental Examinations and Re-Writing Examinations
  - g. Papers and Assignments
  - h. Rescheduling Exams
3. Juris Doctor Students in Non-Law courses
4. Non-Juris Doctor students
5. Reasonable accommodations

### Appeals

#### Appeals of Mid-Term Grades

Mid-term assignments, papers, or examinations which are considered in the determination of the final grade for a course shall be retained in the custody of the instructor or the faculty until six months after the appeal period for final grades has elapsed.

A student shall be permitted to examine their mid-term assignments, papers, or examinations under conditions prescribed by the Associate Dean of the Juris Doctor program in consultation with the instructor.

A student may appeal the evaluation of a mid-term assignment, paper, or examination, as a part of a final course grade appeal only. As a professional school, the Faculty of Law does not permit students to appeal mid-term grades during the delivery of any course, though students have the right to challenge marks they received for term-work as part of the appeal of their final grade, in accordance with

the Final Examinations and Final Grades Policy ([https://umanitoba.ca/governance/sites/governance/files/2021-05/Final Examinations and Final Grades Policy - 2013\\_09\\_01 RF.pdf](https://umanitoba.ca/governance/sites/governance/files/2021-05/Final%20Examinations%20and%20Final%20Grades%20Policy%20-%202013_09_01%20RF.pdf)) of the University.

### **Appeals of Final Grades**

Appeals at the Faculty of Law will be conducted in accordance with the procedure outlined in the Final Examinations and Final Grades Procedures of the University of Manitoba, in addition to the following procedures approved for use at the Faculty of Law by the Law Faculty Council. The word paper(s) in this section means all type of written and documentary evaluative devices, including mid-term assignments, papers, and examinations.

A student may examine their paper(s) under conditions prescribed by the Associate Dean of the Juris Doctor program in consultation with the instructor. A student shall be entitled to examine their papers either in the Faculty of Law or on premises of comparable security to those in which students are allowed to review their papers elsewhere than in the Faculty of Law (which may be electronic with student-signed confidential disclosure), provided that in the latter case, the student bears any cost involved.

To the extent that the appeal puts their assessment in issue, all of the student's papers in that course will be reviewed, including work submitted during the term.

In the appeal document, the student must specify valid grounds for appeal and provide detailed particulars supporting these grounds. The student's grounds for appeal should center on the academic merit of the work at issue. Examples of invalid grounds for appeal include the following:

- Student is applying for jobs that require excellent marks
- Student was surprised or disappointed by mark
- Student worked very hard on the course
- Student's other marks are higher

An appeal will be considered by the instructor who assigned the original grade and a second reader with appropriate knowledge of the subject matter. Instructors are encouraged to provide a rubric and/or model answer when papers are reviewed. The standard of review for the second reader is whether a reasonable marker could have reached the same conclusion as the instructor, rather than whether the second reader would have assigned a different grade.

All exams, papers, or assignments resulting in a final course grade value of 1.0 or less shall be automatically reread by the instructor and another instructor (second reader) with appropriate knowledge of the subject matter. Instructors are encouraged to provide a rubric and/or model answer when papers are reviewed.

Students who wish to appeal the results of a grade appeal based on procedural grounds must file an appeal with the office of the Associate Dean of the Juris Doctor program. A request for a review of appeal procedures must be filed within ten (10) working days of receipt of notification of the result of a Grade Appeal.

### **Grading Guidelines**

The grade performance of students in all courses will be recorded according to the University of Manitoba grading guidelines (<https://>

[umanitoba.ca/registrar/grades/](https://umanitoba.ca/registrar/grades/)). A change to the grading mode requires Senate approval through the appropriate Senate Standing Committee.

### **Guidelines for Pass/Fail Courses**

In each pass-fail course, ROASS (<https://www.umanitoba.ca/governance/governing-documents-students/#responsibilities-of-academic-staff-with-regard-to-students-roass>) requires that the instructor must communicate in writing to students what is required to earn a pass.

A list of these courses is available online in the University Academic Calendar (<https://catalog.umanitoba.ca/undergraduate-studies/law/>).

### **Juris Doctor Grade Appeals Committee**

The Juris Doctor Grade Appeals Committee oversees the processing of student appeals related to pass-fail, grade re-calculation, and re-evaluation of final grades in the Faculty of Law. If an appeal document clearly does not raise any valid ground of appeal, the Committee will deny the appeal without it being considered by the instructor or the second reader. To be valid, grounds of appeal must center on the academic merit of the work at issue.

The Juris Doctor Grade Appeals Committee ensures fair and consistent grade appeal processes that maintain the integrity of the Juris Doctor Program. The Faculty of Law Juris Doctor Appeals Committee is the first level of appeal of final grades and oversees the processing of appeals at the Faculty of Law. The committee does not typically decide any given appeal; that is left to the instructor whose grade is being appealed, and the second reader.

#### **Membership**

- The chair (Associate Dean of the Juris Doctor program)
- Two faculty members of the Faculty of Law elected by Faculty Council

Should an appeal be made regarding a grade assigned by one of the members of the Juris Doctor Appeals Committee, the Dean shall appoint an alternate to perform that member's duties on the Committee for that appeal only. A Committee member whose grade is being appealed shall still be involved in the determination of the appeal as the instructor who assigned the grade, along with a second reader.

#### **Responsibility to Faculty Council**

The Chair of the Appeals Committee will provide an annual report to Faculty Council summarizing the work of the Committee of the previous year. The report will include the number and types of appeals heard and their disposition. It shall also include, where deemed appropriate, any recommendations for change in these procedures, or any other matters arising out of the Committee's experience of concern to the Council.

### **Senate Committee on Appeals**

The Senate Committee on Appeals ([https://umanitoba.ca/governance/sites/governance/files/2021-06/Senate Committee on Appeals Policy - 2016\\_02\\_03.pdf](https://umanitoba.ca/governance/sites/governance/files/2021-06/Senate%20Committee%20on%20Appeals%20Policy%20-%202016_02_03.pdf)) is the second level of appeals.

### **Deferrals and Extensions**

#### **Extenuating Circumstances Defined**

- Brief Extenuating Circumstance: a situation outside of a student's control that affects their ability to fulfill their academic obligations

and requirements for a period lasting no more than 120 hours (5 days). This means a medical event or condition; a student circumstance requiring compassion, including bereavement; a religious observance; or participation in an inter-university, provincial, inter-provincial, national or international scholastic or athletic event. A scheduled vacation or holiday is NOT a Brief Extenuating Circumstance.

- Long-Term Extenuating Circumstance: a situation outside of a student's control that affects their ability to fulfill their academic obligations and requirements that lasts longer than 120 hours (5 days), or an accumulation of Brief Extenuating Circumstances for a given student in each semester totalling ten or more business days. This means a medical event or condition; a student circumstance requiring compassion; an accommodation authorized through Student Accessibility Services or a religious observance. A scheduled vacation or holiday is NOT a Long-Term Extenuating Circumstance.

#### ***Deferrals of Exams and Accommodation: Brief Extenuating Circumstance***

A student who cannot write a particular test, including a mid-term examination and a final examination, due to a Brief Extenuating Circumstance will receive a deferral by submitting a Self-Declaration Form for Brief or Temporary Absence (<https://umanitoba.ca/sites/default/files/2022-09/Self Declaration Fillable Form- FINAL for Website.pdf>) to their instructor and to the Associate Dean of the Juris Doctor program. The Associate Dean's office will monitor students' use of Brief Extenuating Circumstances at the Faculty of Law.

For any test other than a midterm or final examination, and for any midterm or final examination, the office of the Associate Dean of the Juris Doctor program, in consultation with the course instructor, shall be responsible for scheduling the deferral.

#### ***Deferrals of Exams and Accommodation: Long-Term Extenuating Circumstance***

A student who cannot write a particular test, including a mid-term examination and a final examination, due to a Long-Term Extenuating Circumstance must apply for a deferred examination (<https://umanitoba.ca/registrar/final-exams/conflicts-deferral/>) to the office of the Associate Dean of the Juris Doctor program setting out the reasons for the deferral.

The application must normally be filed within forty-eight (48) hours of the scheduled date of the missed examination or, in a case where more than one examination was missed, within forty-eight (48) hours of the scheduled date of the last examination missed.

The application must be accompanied by a medical certificate or otherwise, appropriate documentation certifying the reasons for the requested deferral, the inability of the student to write the examination at the regularly scheduled time and, where possible, an indication of the period of incapacity. Based on the evidence, the Associate Dean of the Juris Doctor program shall decide whether the application is approved. Based on the student's ongoing incapacity or in other justifiable situations, a deferral may be granted to a student who applies after the forty-eight (48) hour period has lapsed.

Students requesting a deferred examination due to a known condition must normally apply twenty (20) working days before the day of the scheduled examination with the office of the Associate Dean of the Juris Doctor program. Students who receive accommodations from Student

Accessibility Services must work with the office of the Associate Dean of the Juris Doctor program to schedule their deferred examinations.

Initial approval of all deferred examinations by the Associate Dean of the Juris Doctor program shall be conditional upon verification that the student has completed all required components of the course and that it is mathematically possible for the student to pass the course by writing the final examination. Approval will be rescinded if these conditions are not met.

Any students requesting a deferred examination(s) on the grounds that the examination(s) conflict(s) with vacation or holiday plans will not normally be granted a deferral.

#### ***Rescheduled Examinations***

Upon request, an examination scheduled in the December and April examinations shall be rescheduled by the Associate Dean of the Juris Doctor program under circumstances specified by the Office of the Registrar and Enrolment Services (<https://umanitoba.ca/registrar/final-exams/conflicts-deferral/>).

#### ***Missed Mid-Term Examination***

Where a student is granted a deferral of a mid-term examination, the final grade for the course may be calculated based on the other evaluations used in the course (i.e., assignments, papers, and final exams) weighted at 100% without including the mid-term examination, only if the Associate Dean of the Juris Doctor program determines that the student has met the bona fide academic requirements for the course based on those other evaluations.

#### ***Illness or Emergency During Examination***

If a student becomes ill or receives word of a family emergency during an examination and is unable to continue, the student must report at once to the examination invigilator, hand in the examination, and indicate either that they wish to submit their examination paper as: (1) completed; or (2) not completed and with the right to request a deferred examination. The invigilator must record all notifications. Students leaving an examination early in compliance with this section are eligible to apply for a deferred examination.

Only students who do not complete the examination and notify the invigilator of why they cannot complete the examination shall be eligible to apply for a deferred examination.

#### ***Scheduling Deferred and Supplemental Examinations (Both Brief and Long-Term Extenuating Circumstances)***

The scheduling of deferred, rescheduled, and supplemental examinations shall be at the discretion of the Associate Dean of the Juris Doctor program.

Deferred and supplemental examinations ordinarily shall be scheduled to enable the results to be communicated by August 15th, annually.

When an application for a deferred examination is approved, the Associate Dean of the Juris Doctor program, in consultation with the instructor concerned, shall schedule the deferred examination to take place normally within thirty (30) working days from the end of the examination series from which the examination was deferred, considering the following:

- If a deferred final examination is granted for a course that is a prerequisite to another course or courses, students may be permitted

to remain registered in those affected courses. However, if the examination is written after the revision deadline and the pre-requisite course is not satisfied, the student will be withdrawn from all courses requiring it. Deferred examinations in pre-requisite courses should be scheduled early in a term to ensure that results are available before the course revision deadline.

The Faculty of Law shall endeavor to schedule deferred examinations as soon as possible for potential graduands so that final grades may be available in sufficient time to meet planned graduation deadlines.

In the event students are unable to write the deferred examination within thirty (30) working days:

- The deferred examination shall be written at the next scheduled examination series in which the course is offered (unless the Associate Dean of the Juris Doctor program chooses to make other arrangements); subsequent requests for re-deferral may result in the student being denied registration in the current or a future term until all outstanding examination obligations have been completed.
- The Associate Dean of the Juris Doctor program in consultation with the instructor concerned may assign a grade without examination. In such cases, the grades shall be assigned based on the term work and assignments.
- The deferred examination must be written within the time frame that enables the examination to be written and graded, and, if necessary, a supplemental examination to be written and graded before the start of the next academic term where the progression rules require the successful completion of an entire academic year before a student is eligible to proceed in the next academic year.

#### ***Nature of Deferred and Supplemental Examinations and Re-Writing Examinations***

The nature, character, format, length, and content of all examinations, including deferred, rescheduled, and supplemental examinations, shall be at the discretion of the instructor responsible for setting the examination.

Apart from supplemental examinations that a student may be required to write to be eligible to progress or to graduate, a student cannot re-write an examination or assignment to improve a grade.

#### ***Papers and Assignments: Brief Extenuating Circumstances***

A student who cannot complete a particular assignment, including a final paper, by the deadline due to a Brief Extenuating Circumstances will receive an extension by submitting a Self-Declaration Form for Brief or Temporary Absence ([https://umanitoba.ca/sites/default/files/2022-09/Self Declaration Fillable Form- FINAL for Website.pdf](https://umanitoba.ca/sites/default/files/2022-09/Self%20Declaration%20Fillable%20Form-FINAL%20for%20Website.pdf)) to their Instructor and the Associate Dean of the Juris Doctor Program.

The Associate Dean of the Juris Doctor Program may grant an extension for an appropriate number of days, not exceeding five business days.

#### ***Papers and Assignments: Long-Term Extenuating Circumstances***

A student who cannot complete a particular assignment, including a final paper, by the deadline due to a Long-Term Extenuating Circumstance must apply for an extension to the Office of the Associate Dean of the Juris Doctor program setting out the reasons for the extension.

The application must be accompanied by a medical certificate or otherwise, appropriate documentation (<https://umanitoba.ca/law/student-experience/adjd-forms/>) certifying the reasons for the requested extension, the inability of the student to complete the assignment by the

deadline and, where possible, an indication of the period of incapacity. Based on the evidence, the Associate Dean of the Juris Doctor program shall decide whether the application is approved, in consultation with Accessibility Services when appropriate.

University policy states that in addition to the grade, the recommendation for extension should indicate the reason(s) for consideration being given, a description of the outstanding work to be completed, and the date by which the work must be submitted. The following maximum extensions are allowed:

1. For courses terminated in April - August 1st
2. For courses terminated in August - December 1st
3. For courses terminated in December - April 1st

#### **Juris Doctor Students in Non-Law Courses**

Information related to non-law courses is found in the Progression Rules procedures.

#### **Non-Juris Doctor Students**

Students not currently in the Juris Doctor program but taking Juris Doctor courses (LLM, MHR students) may have rules particular to their program that apply in addition to these rules about evaluation in the Juris Doctor courses.

#### **Reasonable Accommodations**

Upon request and submission of satisfactory documentation, other accommodation, such as extended time for writing an examination, or writing an examination in a separate room, shall be made by the office of Student Accessibility Services, consonant with the National Requirement of the Law Societies of Canada.

#### **Residence Requirements for the Juris Doctor Degree**

To obtain the Juris Doctor (J.D.) degree from the University of Manitoba, ordinarily a student must successfully complete two of the three years of the Juris Doctor (J.D.) program at the University of Manitoba. The remaining year may be completed at another law school as approved by the Admissions Committee or the Dean's office.

#### **Licence to Practise Law**

Graduates who wish to practise must apply to the Law Society of the province in which they wish to practice. Law societies generally require applicants to complete a bar admission course. The Law Society must be satisfied as to the good character and repute of its applicants, as well as their academic competence and qualifications. Inquiries with regard to the Province of Manitoba should be made to the Law Society of Manitoba (<https://lawsociety.mb.ca/>).

#### **Practice-Based Learning**

Practice-based learning at the Faculty of Law will be comprised of for-credit and not-for-credit opportunities for students to experience and acquire skills for the effective practice of law under the mentorship of qualified faculty and practitioners. Practice-based learning at the Faculty of Law will adhere to the standards of the National Requirement of the Federation of the Law Societies of Canada. The opportunity requires a substantial investment of time and energy.

Practice-based learning at the Faculty of Law responds to the needs of legal practice and is established and reviewed according to the following general guidelines:

- All for-credit opportunities must be initially submitted to the Faculty of Law Academic Affairs Committee for consideration and ultimately be approved by Law Faculty Council.

- The maximum number of Pass/Fail for-credit opportunities for Juris Doctor students in third year will be restricted to 18 credit hours.
- The maximum number of Pass/Fail for-credit opportunities for Juris Doctor students in second year will be restricted to 12 credit hours.

Procedures for the following topics are outlined below:

- Externships
- Competitions
- Internships and other Clinical Opportunities
- Clerkships

## Externship

### General Requirements

- Externships are for 3L students.
- Co-requisite course LAW 3024 Legal Professions and Professional Responsibility in the Fall term
- Some externships may have additional pre-requisite and co-requisite course requirements.

### Academic Credit

Externships involve an 8-month placement spanning the fall and winter terms. Students earn six (6) credits per term for twelve (12) credits over both terms.

Typical enrolment limits:

- Legal Help Centre Externship: normally up to ten (10) students.
- University of Manitoba Community Law Centre (UMCLC) Criminal Law Externship: up to normally ten (10) students.
- Manitoba Law Reform Commission Externship: normally up to one (1) student.
- L. Kerry Vickar Business Law Clinic Externship: normally up to (10) students.
- Cochrane Saxberg Indigenous Community Legal Clinic Externship: normally eight (8) ten (10) students.
- RobsonCrim Attorney General Externship: normally one (1) - two (2) students.

As stated, these are typical enrolment limits. The Associate Dean of the Juris Doctor program has discretion to increase or reduce these numbers in consultation with the Director of Clinical Practice.

### Application Criteria

- 3L
- Completion of required externship application forms
- If required, an interview

### Application Process

1. To apply for externships, students must fill out the appropriate externship application package(s).
2. Each externship has a separate package to be filled out and submitted to the UM Faculty of Law Externship Online Application Portal, and application deadlines vary from year to year and across the Externships.
3. Students may apply for more than one externship and must rank each application according to their preference.

4. Student interviews, if necessary, will take place after the application deadline has passed.
5. Following interviews, students will be ranked by the placement organizations. Successful students will be informed of their placement.

### Externships Include

#### Legal Help Centre Externship

The Legal Help Centre is a legal clinic in Winnipeg that offers legal and social service information and summary legal advice to those who meet the financial eligibility guidelines. Students assist clients through legal clinics and fieldwork. They can also expect to conduct research and prepare legal documents, participate in the court process, participate in outreach services and community involvement, and engage in other learning experiences.

#### University of Manitoba Community Law Centre (UMCLC)

**Criminal Law Externship** This course is meant to develop a student's skills in criminal law by having the student participate in seminar instruction, court observation, and assisting supervising lawyers in relation to criminal law activities and case conduct. Students can expect to be taught foundational criminal law knowledge and engage in student representation of Legal Aid Manitoba clients charged with summary conviction offences.

#### Manitoba Law Reform Commission

**Externship** The Manitoba Law Reform Commission is Manitoba's official law reform agency. Students will be given the opportunity to assist with all stages of Commission reform projects, from proposals to final reports. The students will mostly assist in the projects' legal research and consultation stages.

#### L. Kerry Vickar Business Law Clinic Externship

This externship provides students with fundamental corporate and commercial law skills. Students will be exposed to work from various entities such as not-for-profits, charitable, community-based, and start-up enterprises. The legal skills learned will provide students with a comprehensive understanding of business law.

#### Saxberg Indigenous Community Legal Clinic Externship

Students will work with supervising lawyers in numerous locations near Winnipeg to provide free legal assistance to Indigenous community members. During the externship, students will learn how to interview clients, provide counsel, develop and manage client files, and conduct qualitative research. Significant focus on decolonization and indigenizing the law will be part of this externship opportunity.

#### RobsonCrim Attorney General Externship

A unique externship opportunity placing students within the Manitoba Department of Justice in the Public Safety Division. The focus of this externship will be for students to work with government lawyers and staff on matters related to policing.

### Competitions

Participation by the Faculty of Law in any competition in each academic year is at the discretion of the Dean, with input from the Director of

Clinical Practice. Note: a moot or competition may or may not happen each year, due to resource constraints.

### **General Requirements**

- Competitions are for 2L and 3L students
- Tryouts for oral presenters
- Writing sample if applying as a researcher
- Any competition must be approved by Law Faculty Council, relying on recommendations from the Academic Affairs Committee

### **Academic Credit**

Moot competitions count as 3 credit courses. The Solomon Greenberg moot is part of the LAW 2650 Introduction to Advocacy class program and does not count for 3 credits.

### *Usual per student limits on the number of competitions*

- A student may participate, either as an oralist or as a researcher, in no more than one external Appellate Advocacy Moot for academic credit in each academic year. For the purposes of this rule, "Appellate Advocacy Moot" includes the Jessup International Moot, the Gale Cup Moot, the Fox Moot, the Corporate Securities Moot, and the Bowman Moot.
- In addition to an appellate advocacy moot, a student may participate in one of the following competitions for credit in the same year as the appellate advocacy moot: the Kawaskimhon National Aboriginal Moot, the McIntyre/Sopinka Cup, the National Family Law Negotiation Competition, and the Canadian Negotiation Competition. The rationale for this rule is that these competitions provide a different educational experience than an appellate advocacy moot. For example, a student could participate for academic credit in the Kawaskimhon National Aboriginal Moot, or the Bowman Moot, or both the Bowman Moot and the Kawaskimhon Moot, in the same year.
- Any participation in external competitions, either Appellate Advocacy Moots or otherwise, must not exceed the maximum number of Pass/Fail-for-credit opportunities for a given year, as outlined above in the general guidelines to this Procedure.
- A student is generally prohibited from participating in the same competition in the same role in two successive years. For example, a student shall not participate in the Bowman Moot as an Oralist in their second year and then again in that moot as an Oralist in their third year; however, a student may participate for example, in the Bowman Moot as an Oralist for one year, and as a Researcher in the next.
- The Director of Clinical Practice has the discretion, in collaboration with Academic Affairs, to waive these limits in appropriate circumstances, such as when there are more spaces than students who would be eligible under the usual limits.
- The Director of Clinical Practice will inform students of their selection for moots in advance of course registration.

### **Application Process**

- Students must sign up for tryouts and rank the moots they wish to participate in by preference.
- A tryout will be held during which students argue for a prescribed number of minutes in front of the Moot Selection Committee.

### **Competitions Descriptions**

#### *Donald G. H. Bowman National Tax Moot*

Moot is based on taxation in Canada.

#### *Jessup International Law Moot Court*

This moot involves a simulated dispute between states before the International Court of Justice.

#### *The Laskin Moot*

Bilingual moot concerning administrative and constitutional law.

#### *Kawaskimhon Moot*

A consensus-based, non-adversarial moot that incorporates Indigenous legal traditions with federal, provincial, and international law. This includes roundtable negotiations on a topic pertaining to Indigenous law.

#### *Solomon Greenberg Trial Moot > Western Canada Trial Moot (MacIntyre Cup) > Sopinka Cup*

The Solomon Greenberg Trial Moot is an in-house advocacy moot. Eight (8) competitors are chosen by the professors of the 2L LAW 2650 Introduction to Advocacy course, who select the top students from that class to compete. The top two students from the Solomon Greenberg Trial Moot will go on to represent the Faculty of Law in the Western Canada Trial Moot and, if successful, will move on to the Sopinka Cup Moot.

#### *National Family Law Negotiation Competition (NFLNC)*

This competition will simulate legal negotiations in which law students, acting as lawyers, negotiate a series of family law issues. The National Family Law Negotiation Competition is a competition for students who have studied family law and negotiation. Working in teams of two, the law students will negotiate with opposing teams in three successive rounds of increasing complexity. The competition will be judged by senior family law practitioners and judges from across Canada. Preference will be given to students who have already completed both Negotiation and Family Law, but students who are enrolled in either or both of those courses during the Fall Term after the selection process may also be considered.

#### *Bastarache Moot*

A French-language legal advocacy competition centered around an appeal from a lower court decision concerning statutory or constitutional language rights.

#### *Canada Negotiation Competition*

A competition where students engage in a simulated legal exercise to negotiate a series of legal issues.

#### *Julius Alexander Moot*

An equity and diversity issues moot.

#### *Gale Cup Criminal Appellate Moot*

Concerns a previously decided Supreme Court of Canada Decision on criminal and/or constitutional law topics.

#### *Harold G. Fox Moot*

Intellectual property law competition.

### *Moot Researcher*

Engages in research to assist the moot team before and at the competition. Generally, a 3L student.

#### **Selection Criteria**

Preference is given to third-year students.

## **Internships and Other Academic Opportunities**

### **General Requirements**

Internships and clinics are for 3L students. Some internship and clinical courses have prerequisite and co-requisite course requirements.

### **Academic Credit**

Academic credit is determined by the Academic Affairs Committee and endorsed by Law Faculty Council.

### **Application Processes**

Application processes are laid out in the syllabus for each course.

### **Internships**

#### *Public Interest Law Centre Internship 1 & 2 (PILC)*

Normally one (1) – two (2) students work with the PILC under the supervision of a PILC lawyer. They will engage in significant legal research projects relating to current or potential PILC cases; interviews, assessments, and referrals of persons seeking to employ the PILC's services; and they will be responsible for conducting one (1) or two (2) files.

### **Other Clinical Course Opportunities**

#### *UMCLC (Legal Aid Clinic)*

Students will assist in the operations of Legal Aid Manitoba. No limit on student numbers.

#### *Clinical Administrative Law*

Students learn and develop legal skills through classroom work and simulated exercises focused on administrative law. Normally up to sixteen (16) students.

#### *Rights Clinic*

Students work on real-world litigation files under the supervision of a lawyer. Students also engage in community advocacy and legal information delivery. Usually up to ten (10) students.

### **Selection Criteria**

Selection criteria are laid out in the syllabus of each course.

## **Clerkships**

### **General Requirements**

The twenty-five (25) students with the highest-grade point average in 2L are invited to apply.

### **Clerkships Include**

- Court of Appeal Clerkship
- The Court of King's Bench Clerkship
- Provincial Court Clerkship

### **Academic Credit**

- The Court of Appeal Clerkship spans the entire year in the form of two 3 credit hour courses. The students who take this clerkship will take the Court of Appeal Clerkship in the fall semester and the Court of Appeal Clerkship Advanced in the winter semester.
  - Normally four (4) students.
- The Court of King's Bench is 3 credits and offered in the Fall and Winter terms.
  - Normally two (2) students per term.
- The Provincial Court Clerkships are 3 credits each and are offered in the fall and winter terms.
  - Normally two (2) students per term.

### **Application Process**

Students who apply for a clerkship will be selected by a committee of faculty members chosen by the Dean's Office.

### **Selection Criteria**

The committee considers a range of factors in making their decisions, including:

- Proven academic strength.
- Proven research strength.
- Genuine interest in the program.
- Other considerations students wish to raise.

## **Practice-Based Classroom Learning**

The following mandatory courses in the Juris Doctor curriculum provide practice-based learning:

- LAW 1540 Legal Methods or LAW 1542 Méthodes juridiques
- LAW 1530 Legal System
- LAW 2680 Legal Negotiation to Advocacy or LAW 2682 Négociation juridique
- LAW 2650 Introduction to Advocacy or LAW 2652 Introduction à la Plaidoirie

Several elective (optional) courses in the Juris Doctor curriculum provide practice-based learning, including the following:

- LAW 3360 Advanced Legal Research
- LAW 3340 Advanced Advocacy
- LAW 3532 Intensive Criminal Law
- LAW 3020 Clinical Administrative Law

## **Experience Record Opportunities**

Optional, not-for-credit learning opportunities will be made available to students in the Juris Doctor program. Where a given learning opportunity requires a substantial investment in time and energy, it will be recorded on the participating students' experience records.

## **Progression Rules**

To earn a Juris Doctor degree, a student will undertake a comprehensive program of study to obtain an understanding of the complexity of the law and the interrelationships between different areas of legal knowledge in



line with the National Requirement of the Federation of the Law Societies of Canada.

### **Procedures**

The Juris Doctor program of study is ordinarily a three-year full-time degree. Ordinarily, a student must complete two years of the program in residence to obtain the Juris Doctor degree. However,

- with the permission of the Associate Dean of the Juris Doctor program, a student may take one year of the Juris Doctor program at another university.
- with the permission of the Juris Doctor Academic Standings Committee, in special circumstances, a student may take more than one year of the Juris Doctor program at another Canadian university toward their University of Manitoba Juris Doctor degree.

### **Academic Program**

The University of Manitoba's Academic Program for the study of Law (<https://catalog.umanitoba.ca/undergraduate-studies/law/juris-doctor-jd/>) consists of three full-time academic years or equivalent, for a total of 92 course credits.

The course of study consists primarily of in-person instruction and learning and/or instruction and learning that involves direct interaction between instructor and students.

Faculty-specific policies are permitted under the Final Examinations and Final Grades Policy (<https://umanitoba.ca/governance/governing-documents-academic/#final-examinations-and-final-grades>) of the University.

### **The Faculty of Law Juris Doctor Prerequisites**

Many of the courses in the Juris Doctor program have prerequisites. A list of these courses and a progression chart are available on the Faculty of Law website (<https://law.robsonhall.com/student-resources/registration-timetables/>).

### **General Progression Rules**

A student must complete an academic year according to the prescribed accumulation of credits before being allowed to progress to the following year or to graduate.

Students may be prevented from re-registration in the following circumstances:

- Withdraw from the program for medical or compassionate reasons
- Received deferred examinations for all exams in a final examination series
- Who fail to write deferred examinations as scheduled

In these situations, students may be required to establish, through appropriate medical consultation, preparedness to resume studies.

### **Non-Law Courses**

Juris Doctor students may take a non-LAW course in addition to their LAW courses. In first year, law, JD students are required to take 32 credits. They may, with the approval of the Associate of the Juris Doctor program, take a non-LAW course in addition to those 32 credits. In second and third year law, JD students require 30 LAW credits each year. They may, with the approval of the Associate Dean of the Juris Doctor program, take

a non-LAW course in addition to those 30 credits. Grades obtained in non-law courses are not applied to JD degrees.

### **Outside Courses**

With the prior approval of the Office of the Associate Dean of the Juris Doctor, admitted JD students may take a maximum of 6 credit hours of courses offered by other university law programs during an inter-session or summer session and these courses may count toward their University of Manitoba Juris Doctor degree.

Students may receive credit only for studying at approved institutions. "Approved institutions" are institutions that are party to an exchange agreement with the Faculty of Law, courses which are offered or administered by another Canadian law school, those approved by the Association of American Law Schools, or those offered by any other well-reputed university approved by the Associate Dean's Office.

### **Part-Time Students**

Per academic year, a student enrolled in 18 or fewer credit hours is a part-time student in the Faculty of Law.

### **Course Requirements for Part-Time Students**

In a part-time student's first year, they must take LAW 1460 Constitutional Law, LAW 1530 Legal Systems, and LAW 1540 Legal Methods (or Méthodes juridiques), in addition to at least one additional course from the first-year curriculum. The Associate Dean of the Juris Doctor program has the authority to waive this requirement. In a part-time student's second year, they must take all outstanding first year courses. The Associate Dean of the Juris Doctor program has the authority to waive this requirement.

### **Time for Completion**

The time to completion for all requirements of the Juris Doctor degree is three (3) full-time equivalent years, or up to six (6) years with exceptions for accommodation consonant with the National Requirement, determined through the Associate Dean of the Juris Doctor program in consultation with the Academic Affairs Committee.

### **Juris Doctor Academic Standings Committee**

#### **Membership**

- The Associate Dean of the Juris Doctor program as Chair (non-voting)
- Two Faculty Members (elected by Law Faculty Council)
- Two Student Representatives (one appointed by MLSA, one appointed by MILSA)
- Student Advisor or Indigenous Legal Studies Coordinator, as applicable

#### **Good Academic Standing**

To be in good academic standing, a Juris Doctor student must satisfy the following requirements:

- Achieve a degree grade point average (DGPA) in the Faculty of Law of 2.0 or higher, and
- Achieve a grade of C or higher in any graded mandatory course in the Faculty of Law; and
- Achieve a Pass in any Pass/Fail course in the Faculty of Law

*Procedure for students whose DGPA does not meet the standard*

Student grades shall be reviewed by the Student Advisor at the conclusion of each academic term in which they receive a final grade, to flag any students whose TGPA (Term Grade Point Average) is below 2.0 or has received a grade of less than C in any mandatory course. The Student Advisor will notify the Chair of the Academic Standings Committee with these student numbers and grade information for consideration and action by the Committee.

**Academic Warning.** The first time a student's DGPA drops below 2.0 they will receive an Academic Warning from the Chair of the Academic Standings Committee. Students who receive such a warning are required to meet with the Academic Advisor to explore the potential need for additional support.

**Academic Probation.** The second time a student's DGPA drops below 2.0 the student will be placed on Academic Probation by the Chair of the Academic Standings Committee and must meet with the Academic Standings Committee and provide a plan for addressing the matters that led to academic probation.

**Required to Withdraw.** The third time a student's DGPA drops below 2.0 the student is required to withdraw from Law and will be ineligible to take courses from the Faculty of Law for a period of one academic term. The student must submit a written request for reinstatement to the Associate Dean of the Juris Doctor program who will confer with the Academic Standings Committee. The decision of the Academic Standings Committee may be that the student is found to be ineligible to proceed in Law. This decision may be appealed to the Senate Committee on Appeals.

Written requests for reinstatement must be received by the office of the Associate Dean of the Juris Doctor program by May 1 for Fall term reinstatement, and by November 1 for Winter term reinstatement. Oral submissions may also be considered. If the student is reinstated to take courses in the Faculty of Law, that student will be in Good Academic Standing until and if the student's DGPA drops below 2.0.

### **First Year Law Students**

Any student who earns a grade of less than C in any mandatory first-year course may write one supplemental examination or assignment in that course.

### **Second Year Law Students**

In any mandatory second year course, the Committee has the discretion, if it believes circumstances warrant, to permit any student who earns less than a grade of C to write a supplemental examination or assignment. If a student receives less than a grade of C on any supplemental examination or assignment (in any year of the JD Program), the student must repeat the course.

### **Third Year Law Students**

Any student who earns less than a D in any mandatory third-year course may write one supplemental examination or assignment in that course.

### **Senate Committee on Appeals**

The Senate Committee on Appeals is the second level of appeals.

### **Regulations of the Faculty of Law**

Regulations of the Faculty of Law, as amended from time to time governing attendance, evaluation, prizes, and progression may be

consulted at the Faculty's website (<https://law.robsonhall.com/student-resources/exam-information/>).

### **Miscellaneous Registration Matters**

The Associate Dean's office shall, subject to appeal to the Academic Affairs Committee, consider and determine all applications from students admitted to the faculty for permission:

1. to take part of their law studies at another university under a letter of permission with conditions;
2. to defer their law studies for a period of one or more academic years after successfully completing first or second year, and to permit such students to re-register following such an absence with conditions;
3. to withdraw before completing the academic year for which they are registered and to permit, in the case of a student who withdraws from first year under exceptional circumstances, that student to re-register for a subsequent academic year as a supernumerary student, and in the case of a second or third year student, to permit such student to re-register for a subsequent academic year; in all cases with or without conditions;
4. to switch from the full-time program to the half-time program and vice versa.

### **Registration**

All students will need to register themselves through Aurora. Please check the Faculty of Law (<http://law.robsonhall.com/current-students1/registration/>) website for detailed information.

### **Other Faculty Regulations**

Regulations of the Faculty of Law, as amended from time to time governing attendance, prizes and other may be consulted at the Faculty's website (<https://law.robsonhall.com/student-resources/exam-information/>).