Report to Convocation
April 26, 2012

Professional Development & Competence Committee

COMMITTEE MEMBERS

Thomas Conway (Chair)  Vern Krishna
Mary Louise Dickson (V-Chair)  Michael Lerner
Alan Silverstein (V-Chair)  Dow Marmur
Constance Backhouse  Wendy Matheson
Larry Banack  Susan McGrath
Jack Braithwaite  Janet Minor
John Callaghan  Barbara Murchie
Cathy Corsetti  Judith Potter
Adriana Doyle  Nicholas Pustina
Larry Eustace  Jack Rabinovitch
Alan Gold  Linda Rothstein
Howard Goldblatt  Catherine Strosberg
Susan Hare  Joseph Sullivan
Jacqueline Horvat  Robert Wadden
George Hunter  Peter Wardle

Purpose of Report:  Decision

Prepared by the Policy Secretariat
(Sophia Sperdakos 416-947-5209)
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COMMITEE PROCESS

1. The Committee met on April 12, 2012. Committee members Thomas Conway (Chair), Mary Louise Dickson (Vice-Chair), Alan Silverstein (Vice-Chair), Jack Braithwaite, John Callaghan, Cathy Corsetti, Adriana Doyle, Larry Eustace, Michael Lerner, Wendy Matheson, Susan McGrath, Janet Minor, Barbara Murchie, Judith Potter, Nicholas Pustina, Cathy Strosberg, Joe Sullivan, Robert Wadden and Peter Wardle attended. Staff members Diana Miles and Sophia Sperdakos also attended.
DECISION

FEDERATION OF LAW SOCIETIES OF CANADA AD HOC COMMITTEE
APPROVAL OF NEW CANADIAN LAW DEGREE PROGRAMS - UNIVERSITÉ DE MONTRÉAL

MOTION

2. That Convocation approve the Université de Montréal proposed new academic program leading to the conferral of a J.D. in North American Law that would entitle its holders to apply for admission to the Law Society of Upper Canada on the following conditions:

   (i) There be full implementation to the satisfaction of the Federation of Law Societies of Canada’s Ad Hoc Committee (“the Ad Hoc Committee”), until such time as a successor body is established pursuant to the implementation of the Federation of Law Societies of Canada’s Report on the Canadian Common Law Degree (“the Task Force Report”), of the undertakings and representations made by the applicant in its submissions to the Committee as set forth in Appendix B of the Ad Hoc Committee’s Report.

   (ii) There be ongoing compliance with such measures as may be established by the Federation pursuant to the implementation of the Task Force Report for the purpose of ensuring that the Université de Montréal Common Law Degree Program continues to meet the National Requirement.

Introduction and Background

3. The Federation of Law Societies of Canada (“the Federation”) established the Ad Hoc Committee on Approval of New Canadian Law Degree Programs (the “Ad Hoc Committee”). Its mandate is to make recommendations to the Council of the Federation concerning applications by Canadian universities for approval of new academic programs leading to the conferral of a common law J.D. or LL.B. Such approval would entitle its holders to apply for admission to Canadian law societies (“Law Degree Programs”) in common law jurisdictions.

4. Until such time as the Federation established a successor body pursuant to the implementation of the Final Report of the Task Force on the Canadian Common Law
Degree (the "Task Force Report"), the Ad Hoc Committee was mandated to consider any application in light of the national requirement set forth in the Task Force Report (the "National Requirement") and determine on what conditions, if any, an application should be approved.

5. The Université de Montréal applied to the Federation for approval of a common law J.D. program. The Ad Hoc Committee has considered the application and has recommended approval as set out in the motion to Convocation above.

6. Law Societies are being requested to consider the Ad Hoc Committee’s recommendation and if appropriate, approve it. The Federation’s material with the Ad Hoc Committee’s supporting material, including Appendices A and B, is set out at APPENDIX 1: Federation Ad Hoc Committee on Approval of New Canadian Law Degree Program.

7. The Committee agrees with the Ad Hoc Committee’s recommendations.
MEMORANDUM

FROM: Federation Executive
TO: Council of the Federation
Law society CEOs (for information)
DATE: January 30, 2012
SUBJECT: Ad Hoc Committee on Approval of New Canadian Law Degree Programs

ACTION REQUIRED: FOR DECISION

DRAFT MOTION:

WHEREAS the Ad Hoc Committee on Approval of New Canadian Law Degree Programs (the “Committee”) was established by the Federation with a mandate to make recommendations to the Council of the Federation in respect of applications by Canadian universities for approval by the Federation of new academic programs leading to the conferral of a common law degree which would entitle its holders to apply for admission to Canadian law societies (“Law Degree Programs”);

WHEREAS until such time as a successor body has been established by the Federation pursuant to the implementation of the Final Report of the Task Force on the Canadian Common Law Degree (the "Task Force Report"), the Committee is mandated to consider any application in light of the national requirements set forth in the Task Force Report (the "National Requirements") and determine on what conditions, if any, an application should be approved;

WHEREAS the Federation has received an application for approval of a common law J.D. program at the Université de Montréal;

WHEREAS in fulfillment of its mandate, the Committee has considered the application and makes the following recommendations to the Council of the Federation (the “Recommendations”) as set out in the Committee report appended hereto as Appendix A (the “Report”):

(a) That the Federation accept the application by Université de Montréal for approval of a new academic program leading to the conferral of a J.D. in North American Law which would entitle its holders to apply for admission to Canadian law societies (the “Montréal J.D.”), such approval being granted on the following conditions:
full implementation to the satisfaction of the Committee until such time as a successor body is established pursuant to the implementation of the Task Force Report, of the undertakings and representations made by the applicant in its submissions to the Committee as set forth in Appendix B of the Report; and

ongoing compliance with such measures as may be established by the Federation pursuant to the implementation of the Task Force Report for the purpose of ensuring that the Université de Montréal Common Law Degree Program continues to meet the National Requirements.

AND WHEREAS the ultimate authority for entitling holders of Canadian common law law degrees to apply for admission to law societies resides with the law societies themselves;

RESOLVED THAT Council approve the Recommendations and refer the Report and the Recommendations to Canada's law societies for their consideration and their ultimate approval.

ISSUE

1. The Council is asked to approve the recommendations of the Ad Hoc Committee on Approval of New Canadian Law Degree Programs (the "Committee") with respect to the application for approval of a new common law law degree program proposed by Université de Montréal.

BACKGROUND

2. The background to the establishment of the Committee and the conduct of its work with respect to the Université de Montréal application is set out in the recitals to the foregoing resolutions and in detail in the annexed Report.

3. With the work of the Committee now complete with respect to these applications, it is desirable that Council make a decision whether to accept the Committee's recommendations.

RECOMMENDATION

4. It is recommended that the resolution set out on pages one and two of this memorandum be approved.
Ad Hoc Committee on
Approval of New Canadian
Law Degree Programs

Report on an Application by:

Université de Montréal

January 2012
# Ad Hoc Committee on Approval of New Canadian Law Degree Programs

**Application by: Université de Montréal**

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INTRODUCTION

1. In Canada, each provincial and territorial law society determines whether the holder of a Canadian law degree is entitled to apply for admission to its bar admission or licensing program.

2. In the early 1990s, the law societies delegated to the Federation of Law Societies of Canada (the “Federation”) the authority to review and make recommendations with respect to new Canadian law degree programs leading to the conferral of common law degrees (“Law School Programs”).

3. In 2007, the Federation established the Task Force on the Canadian Common Law Degree (the “Task Force”) to recommend to law societies, for the first time, national academic requirements for a Canadian law degree for purposes of entry into bar admission or licensing programs.

4. Included among the factors motivating the Federation to undertake this initiative was the interest a number of Canadian universities and private degree-granting institutions expressed beginning in 2007 to offer new Law School Programs.

5. The Task Force said this at page 20 of its Final Report (the “Task Force Report”):

   New law schools will want to ensure that their graduates are eligible to enter bar admission programs in any common law jurisdiction in Canada. The adequacy and portability of their law degree for this purpose will be as essential to them and their students as it is to the already established law faculties. A clearly articulated national requirement is necessary to ensure that new Canadian law schools know what they must do to enable their graduates to enter bar admission programs.

6. As part of its work, the Task Force considered the long-term manner in which proposals for new law schools should be evaluated and by whom.

7. At the same time, however, given two applicants seeking a decision about their potential programs, prior to the conclusion of the Task Force’s work, the Federation Council recognized the need for a temporary mechanism to consider requests for approval of new Law School Programs.

8. In March 2009, the Federation Council established the Ad Hoc Committee on Approval of New Canadian Law Degree Programs (the “Committee”). Its original mandate was to evaluate applications for new Law School Programs on the basis of standards set by the Law Society of Upper Canada (last reviewed in 1969) as they may be applicable today.

9. The Task Force Report was issued in October 2009 and its recommendations for national academic requirements for a Canadian law degree for purposes of entry into bar admission or licensing programs (the “National Requirements”) were approved by Canada’s law societies in March 2010, with implementation of the National Requirements to be the subject of a further Federation process. The National Requirements are appended to this report as Appendix A.

10. In March 2010, the Federation Council revisited the Committee’s terms of reference and determined that applications for new Law School Programs should be considered in light of the National Requirements, pending the implementation of the recommendations of the Task Force Report.
11. In February 2011, the Federation Council approved the recommendations of the Committee regarding the new law degree program applications from Lakehead University and Thompson Rivers University. Each Canadian common law law society subsequently approved these new law degree programs.

COMMITTEE MEMBERSHIP AND TERMS OF REFERENCE

12. The following individuals are members of the Committee:

(a) **Ronald J. MacDonald, Q.C., Chair.** Mr. MacDonald is Director of Nova Scotia’s Serious Incident Response Team. He was the President of the Nova Scotia Barristers’ Society and is the Past President of the Federation;

(b) **Marilyn Billinkoff.** Ms. Billinkoff is the Deputy Chief Executive Officer of the Law Society of Manitoba;

(c) **Philip Bryden.** Mr Bryden is the Dean of the Faculty of Law at the University of Alberta and was the Dean of the Faculty of Law at the University of New Brunswick;

(d) **Tom Conway.** Mr. Conway is a partner at Cavanagh Williams Conway Baxter LLP, a Bencher of the Law Society of Upper Canada, a Federation Vice President and the Federation Council member representing the Law Society of Upper Canada;

(e) **Graeme Mitchell, Q.C.** Mr. Mitchell is Director of the Constitutional Law Branch of the Saskatchewan Department of Justice, was a Bencher of the Law Society of Saskatchewan and is the Federation Council member representing the Law Society of Saskatchewan; and

(f) **Stephanie L. Newell, Q.C.** Ms. Newell is a partner at O’Dea Earle Law Offices, Past President of the Law Society of Newfoundland and Labrador and served as the Federation Council member representing the Law Society of Newfoundland and Labrador.

13. The work of the Committee is supported by Deborah Wolfe, P.Eng. Ms. Wolfe is the Managing Director of the National Committee on Accreditation.

14. The Committee’s terms of reference, as approved by the Federation Council in March 2010 (the “Terms of Reference”), are as follows:

The Federation of Law Societies of Canada (the “Federation”) establishes the Ad Hoc Committee on Approval of New Canadian Law Degree Programs (the “Committee”) whose mandate shall be to make recommendations to the Council of the Federation in respect of applications by Canadian universities (the “Applications”) for approval by the Federation of new academic programs leading to the conferral of a common law degree which would entitle its holders to apply for admission to Canadian law societies (“Law School Programs”). In particular, and until such time as a successor body has been established by the Federation pursuant to the implementation of the Final Report of the Task Force on the Canadian Common Law Degree (the “Task Force Report”), the Committee shall:
(a) Consider any Application in light of the national requirements set forth in the Task Force Report (the “National Requirements”) and determine on what conditions, if any, an Application should be approved.

(b) Invite each applicant to make submissions to the Committee with respect to how the proposed Law School Program would meet the National Requirements.

(c) Determine in its discretion whether submissions by applicants shall be made orally, in writing or both.

(d) Determine in its discretion whether and in what manner it wishes to entertain submissions from persons, organizations or institutions other than applicants in respect of Applications.

(e) In Consultation with the senior staff of the Federation, submit for the Federation Executive’s approval a budget in respect of the Committee’s consideration of an Application.

(f) Endeavour to make recommendations to the Council of the Federation regarding an Application no later than three (3) months following receipt of submissions from an applicant including with respect to whether its Application meets the National Requirements, and if so, the conditions upon which such Application is approved, if any.

15. The Committee is mindful that the scope of its mandate does not extend to consideration of policy issues including whether it is desirable to increase the number of law graduates in Canada and if so, whether and how this might best be accomplished, whether by the expansion of existing programs or the creation of new ones. The Committee believes that these questions are best left to universities which seek approval of new programs and the provincial education authorities charged with approving such programs.

16. The Committee also appreciates the distinction between the mandate which has been conferred upon it, namely, to evaluate whether applications for new Law School Programs, if implemented, would meet the National Requirements, and the evaluation of whether existing programs meet the National Requirements. It acknowledges that the monitoring of whether new programs continue to meet the National Requirements on an ongoing basis would be the subject of a different process.

APPLICATION FOR APPROVAL OF NEW LAW SCHOOL PROGRAMS

23. Université de Montréal (“Montréal”), made a formal application to the Federation for approval of a new common law program. The Committee was seized with the application in 2011.

Background

24. In 2010, Montréal established a one year program of study at the Faculty of Law leading to a Juris Doctor (J.D.) specializing in North American law. The program accommodates approximately 50 students annually. The J.D. follows the existing LL.B. program at the Université de Montréal. Applicants who have not taken a Montréal LL.B. will need to demonstrate that they have competence in all required areas of a Montréal LL.B. before being accepted. Montréal does not plan to accept non-Canadian civil law graduates into this program.
25. Montréal reports that the program's objectives are:

- To provide students with an understanding of the institutions and history of the Canadian and United States Common Law systems;
- To enable students to proceed to comparative analyses of common law and civil law systems;
- To provide students with comparative skills in Anglo-Canadian and American law in the main areas of law;
- To enable students to develop a critical approach and outlook on Quebec, Canadian and American law;
- To impart students with the ability to use different legal systems to bring innovative solutions to complex problems; and
- To offer students holding a bachelor recognized by the Quebec Bar a training that gives them the opportunity to be admitted to the Bars of common law provinces or other common law jurisdictions.

26. In April 2011, in accordance with the Terms of Reference, Montréal submitted an application to the Committee with respect to how its J.D. would meet the National Requirements.

27. The Committee’s findings with respect to whether and in what manner Montréal’s proposed Law School Program would, when fully implemented as described, meet the National Requirements, are set forth in the table appended to this report as Appendix B-1.

**Committee Evaluation Process for Montréal**

28. On April 29, 2011, the Committee received submissions from Montréal. They are appended to this report as Appendix B-2.

29. On June 3, 2011, the Committee met by conference call to consider Montréal’s submission. As a result of its deliberations, the Committee sought additional information from Montréal by letter dated July 11, 2011. A copy of the letter is appended to this report as Appendix B-3.

30. On October 14, 2011, the Committee received supplementary submissions from Montréal. They are appended to this report as Appendix B-4.

31. On November 22, 2011, the Committee met by teleconference to consider Montréal’s supplementary submissions.

**CONCLUSION**

32. After due consideration of the application before it, the Committee makes the following recommendations to the Council of the Federation:

(a) That the Federation accept the application by Université de Montréal for approval of a new academic program leading to the conferral of a J.D. in North American Law which would entitle its holders to apply for admission to Canadian law societies (the “Montréal J.D.”), such approval being granted on the following conditions:
(i) full implementation to the satisfaction of the Committee until such time as a successor body is established pursuant to the implementation of the Task Force Report, of the undertakings and representations made by the applicant in its submissions to the Committee as set forth in Appendix B; and

(ii) ongoing compliance with such measures as may be established by the Federation pursuant to the implementation of the Task Force Report for the purpose of ensuring that the Université de Montréal Common Law Degree Program continues to meet the National Requirements.
APPENDIX A

Task Force Recommendations
THE TASK FORCE’S RECOMMENDATIONS

1. The Task Force recommends that the law societies in common law jurisdictions in Canada adopt forthwith a uniform national requirement for entry to their bar admission programs (“national requirement”).

2. The Task Force recommends that the National Committee on Accreditation (“NCA”) apply this national requirement in assessing the credentials of applicants educated outside Canada.

3. The Task Force recommends that this national requirement be applied in considering applications for new Canadian law schools.

4. The Task Force recommends that the following constitute the national requirement:

   A. Statement of Standard

      1. Definitions

         In this standard,

         a. "bar admission program" refers to any bar admission program or licensing process operated under the auspices of a provincial or territorial law society leading to admission as a lawyer in a Canadian common law jurisdiction;

         b. "competency requirements" refers to the competency requirements, more fully described in section B, that each student must possess for entry to a bar admission program; and

         c. "law school" refers to any educational institution in Canada that has been granted the power to award an LLB. or J.D. degree by the appropriate provincial or territorial educational authority.

      2. General Standard

         An applicant for entry to a bar admission program ("the applicant") must satisfy the competency requirements by either,

         a. successful completion of an LL.B. or J.D. degree that has been accepted by the Federation of Law Societies of Canada ("the Federation"); or
b. possessing a Certificate of Qualification from the Federation’s National Committee on Accreditation.

B. Competency Requirements

1. Skills Competencies

The applicant must have demonstrated the following competencies:

1.1 Problem-Solving

In solving legal problems, the applicant must have demonstrated the ability to,

a. identify relevant facts;

b. identify legal, practical, and policy issues and conduct the necessary research arising from those issues;

c. analyze the results of research;

d. apply the law to the facts; and

e. identify and evaluate the appropriateness of alternatives for resolution of the issue or dispute.

1.2 Legal Research

The applicant must have demonstrated the ability to,

a. identify legal issues;

b. select sources and methods and conduct legal research relevant to Canadian law;

c. use techniques of legal reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues;

d. identify, interpret and apply results of research; and

e. effectively communicate the results of research.

1.3 Oral and Written Legal Communication

The applicant must have demonstrated the ability to,

a. communicate clearly in the English or French language;
b. identify the purpose of the proposed communication;

c. use correct grammar, spelling and language suitable to the purpose of the communication and for its intended audience; and

d. effectively formulate and present well reasoned and accurate legal argument, analysis, advice or submissions.

2. Ethics and Professionalism

The applicant must have demonstrated an awareness and understanding of the ethical requirements for the practice of law in Canada, including,

a. the duty to communicate with civility;

b. the ability to identify and address ethical dilemmas in a legal context;

c. familiarity with the general principles of ethics and professionalism applying to the practice of law in Canada, including those related to,

i. circumstances that give rise to ethical problems;

ii. the fiduciary nature of the lawyer's relationship with the client;

iii. conflicts of interest;

iv. duties to the administration of justice;

v. duties relating to confidentiality and disclosure;

vi. an awareness of the importance of professionalism in dealing with clients, other counsel, judges, court staff and members of the public; and

vii. the importance and value of serving and promoting the public interest in the administration of justice.

3. Substantive Legal Knowledge

The applicant must have undertaken a sufficiently comprehensive program of study to obtain an understanding of the complexity of
the law and the interrelationship between different areas of legal knowledge. In the course of this program of study the applicant must have demonstrated a general understanding of the core legal concepts applicable to the practice of law in Canada, including as a minimum the following areas:

3.1 Foundations of Law

The applicant must have an understanding of the foundations of law, including,

a. principles of common law and equity;

b. the process of statutory construction and analysis; and

c. the administration of the law in Canada.

3.2 Public Law of Canada

The applicant must have an understanding of the core principles of public law in Canada, including,

a. the constitutional law of Canada, including federalism and the distribution of legislative powers, the Charter of Rights and Freedoms, human rights principles and the rights of Aboriginal peoples of Canada;

b. Canadian criminal law; and

c. the principles of Canadian administrative law.

3.3 Private Law Principles

The applicant must demonstrate an understanding of the foundational legal principles that apply to private relationships, including,

a. contracts, torts and property law; and

b. legal and fiduciary concepts in commercial relationships.

C. Approved Canadian Law Degree

The Federation will accept an LL.B. or J.D. degree from a Canadian law school as meeting the competency requirements if the law school offers an academic
and professional legal education that will prepare the student for entry to a bar admission program and the law school meets the following criteria:

1. Academic Program:

1.1 The law school's academic program for the study of law consists of three academic years or its equivalent in course credits.

1.2 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.

1.3 Holders of the degree have met the competency requirements.

1.4 The academic program includes instruction in ethics and professionalism in a course dedicated to those subjects and addressing the required competencies.

1.5 Subject to special circumstances, the admission requirements for the law school include, at a minimum, successful completion of two years of postsecondary education at a recognized university or CEGEP.

2. Learning Resources:

2.1 The law school is adequately resourced to enable it to meet its objectives, and in particular, has appropriate numbers of properly qualified academic staff to meet the needs of the academic program.

2.2 The law school has adequate physical resources for both faculty and students to permit effective student learning.

2.3 The law school has adequate information and communication technology to support its academic program.

2.4 The law school maintains a law library in electronic and/or paper form that provides services and collections sufficient in quality and quantity to permit the law school to foster and attain its teaching, learning and research objectives.

5. The Task Force recommends that the compliance mechanism for law schools be a standardized annual report that each law school Dean completes and submits to the
Federation or the body it designates to perform this function. In the annual report the Dean will confirm that the law school has conformed to the academic program and learning resources requirements and will explain how the program of study ensures that each graduate of the law school has met the competency requirements.

6. The Task Force recommends that the Federation, or the body it designates to consider proposals for new Canadian law schools, be entitled to approve a proposal with such conditions as it thinks appropriate, relevant to the national requirement.

7. The Task Force recommends that by no later than 2015, and thereafter, all applicants seeking entry to a bar admission program must meet the national requirement.

8. The Task Force recommends that the Federation establish a committee to implement the Task Force’s recommendations.
APPENDIX B-1

Université de Montréal

Summary of Applicant Submissions and their Alignment with National Requirements


### Applicant Submissions and their Alignment with the National Requirements – Summary

**Université de Montréal**

(References are to the Appendices in this Report)

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<td><strong>A. COMPETENCY REQUIREMENTS</strong></td>
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<tr>
<td><strong>1. Skills Competencies</strong></td>
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<tr>
<td><strong>1.1 Problem Solving</strong></td>
<td><em>Will be assessed in DRT 6464, Integration Workshop, in the J.D. program and as a standard teaching method in most courses during the LL.B. and J.D. programs.</em></td>
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<td><em>In solving legal problems, the applicant must have demonstrated the ability to,</em></td>
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<td>a. identify relevant facts;</td>
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<td>b. identify legal, practical, and policy issues and conduct the necessary research arising from those issues;</td>
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<td>c. analyze the results of research;</td>
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<td>d. apply the law to the facts;</td>
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<td>and</td>
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<td>e. identify and evaluate the appropriateness of alternatives for resolution of the issue or dispute.</td>
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<tr>
<td><strong>1.2 Legal Research</strong></td>
<td><em>Will be assessed in DRT 1901, Development of Skills Competencies 1, during the LL.B. program.</em></td>
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<td><em>The applicant must have demonstrated the ability to,</em></td>
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<tr>
<td>a. identify legal issues;</td>
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<td>b. select sources and methods and conduct legal research relevant to Canadian law;</td>
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<td></td>
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<td>c. use techniques of legal</td>
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reasoning and argument, such as case analysis and statutory interpretation, to analyze legal issues; 
d. identify, interpret and apply results of research; and 
e. effectively communicate the results of research.

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1.3 Oral and Written Legal Communication

The applicant must have demonstrated the ability to, 
a. communicate clearly in the English or French language; 
b. identify the purpose of the proposed communication; 
c. use correct grammar, spelling and language suitable to the purpose of the communication and for its intended audience; and 
d. effectively formulate and present well reasoned and accurate legal argument, analysis, advice or submissions.

Oral and written legal communication will be woven through the core LL.B. curriculum. In addition, oral competencies will be further developed in DRT 6464, Integration Workshop, in the J.D. program.

Appendix B-2, Section 2.2.1 and Table 2.

2. Ethics and Professionalism

2. Ethics and Professionalism

The applicant must have demonstrated an awareness and understanding of the ethical requirements for the practice of law in Canada, including, 
a. the duty to communicate with civility; 
b. the ability to identify and address ethical dilemmas in a legal context; 
c. familiarity with the general principles of ethics and professionalism applying to the practice of law in Canada, including those related to, 
   i. circumstances that give rise to ethical problems; 
   ii. the fiduciary nature of the

A new course will be introduced in 2011-2012 in the J.D. program that will comply with the National Requirement.

Appendix B-2, Section 2.2.1 and Tables 2 and 3.
lawyer’s relationship with the client; iii. conflicts of interest; iv. duties to the administration of justice; v. duties relating to confidentiality and disclosure; vi. an awareness of the importance of professionalism in dealing with clients, other counsel, judges, court staff and members of the public; and vii. the importance and value of serving and promoting the public interest in the administration of justice.

### 3. Substantive Legal Knowledge

The applicant must have undertaken a sufficiently comprehensive program of study to obtain an understanding of the complexity of the law and the interrelationship between different areas of legal knowledge. In the course of this program of study the applicant must have demonstrated a general understanding of the core legal concepts applicable to the practice of law in Canada, including as a minimum the following areas:

<table>
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<tr>
<th>3.1 Foundations of Law</th>
<th>Competencies will be taught in six mandatory LL.B. courses and two mandatory J.D. courses.</th>
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<td>Appendix B-2, Section 2.1.1 and Table 2.</td>
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<th>3.2 Public Law of Canada</th>
<th>Competencies will be taught in five mandatory courses in the LL.B. program.</th>
<th>✓</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Appendix B-2, Section 2.1.1 and Table 2.</td>
<td></td>
</tr>
</tbody>
</table>
### 3.3 Private Law Principles

The applicant must demonstrate an understanding of the foundational legal principles that apply to private relationships, including:

a. contracts, torts and property law; and

b. legal and fiduciary concepts in commercial relationships.

Competencies will be taught in two mandatory courses in the LL.B. program and seven mandatory courses in the J.D. program.

**Appendix B-2, Section 2.1.1, 2.2.1 and Table 2.**

### B. APPROVED CANADIAN LAW DEGREE

The Federation will accept an LL.B. or J.D. degree from a Canadian law school as meeting the competency requirements if the law school offers an academic and professional legal education that will prepare the student for entry to a bar admission program and the law school meets the following criteria:

#### 1. Academic Program

1.1 The law school's academic program for the study of law consists of three academic years or its equivalent in course credits.

Most students will have completed 133 credits during the LL.B. and J.D. programs over four academic years.

**Appendix B-2, Section 2.3 and Table 3.**

1.2 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.

Teaching at the Faculty combines traditional pedagogy, such as lectures and tutorials; practical work, including legal clinics and internships; technopedagogy, such as cyber-tribunal and WebCT; and, social media, more specifically videos, social networks and blogs.

**Appendix B-2, Section 1.6.2 and Table 3.**
<table>
<thead>
<tr>
<th>1.3 <strong>Holders of the degree have met the competency requirements.</strong></th>
<th>A variety of mechanisms, including external evaluations, are used to ensure the quality of the program.</th>
<th>✓</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appendix B-2, Section 2.3 and Table 3.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.4 <strong>The academic program includes instruction in ethics and professionalism in a course dedicated to those subjects and addressing the required competencies.</strong></td>
<td>A new course will be introduced in 2011-2012 in the J.D. program that will comply with the National Requirement.</td>
<td>✓</td>
</tr>
<tr>
<td><strong>Appendix B-2, Section 2.2.1 and Tables 2 and 3.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.5 <strong>Subject to special, circumstances, The admission requirements for the law school include, at a minimum, successful completion of two years of postsecondary education at a recognized university or CEGEP.</strong></td>
<td>Completion of the LL.B. program is required for admission to the J.D. program.</td>
<td>✓</td>
</tr>
<tr>
<td><strong>Appendix B-2, Sections 2.1.2 and 2.2.2, and Table 3.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>2. Learning Resources:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 <strong>The law school is adequately resourced to enable it to meet its objectives, and in particular, has appropriate numbers of properly qualified academic staff to meet the needs of the academic program.</strong></td>
<td>Plans have been developed to ensure that any additional human and physical resources required to offer the J.D. are in place.</td>
<td>✓</td>
</tr>
<tr>
<td><strong>Appendix B-2, Section 1.2 and Table 3. Appendix B-4, Section 2.1.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2 <strong>The law school has adequate physical resources</strong></td>
<td>All required facilities are in place.</td>
<td>✓</td>
</tr>
<tr>
<td>for both faculty and students to permit effective student learning.</td>
<td>Appendix B-2, Section 1.6.2 and Table 3. Appendix B-4, Section 2.2.</td>
<td></td>
</tr>
<tr>
<td>2.3 The law school has adequate information and communication technology to support its academic program.</td>
<td>All required facilities are in place. Appendix B-2, Section 1.6.2 and Table 3. Appendix B-4, Section 2.3.</td>
<td></td>
</tr>
<tr>
<td>2.4 The law school maintains a law library in electronic and/or paper form that provides services and collections sufficient in quality and quantity to permit the law school to foster and attain its teaching, learning and research objectives.</td>
<td>All required facilities are in place. Appendix B-2, Section 1.6.1 and Table 3. Appendix B-4, Section 2.4.</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B-2(a)

Université de Montréal

Correspondence

April 28, 2011
Montreal, April 28, 2011

Mr. Ronald J. MacDonald, Q.C., Chair
President Ad Hoc Committee on Approval of New Canadian
Law Degree Programs
Federation of Law Societies of Canada
World Exchange Plaza
45, O’Connor St., Suite 1810
Ottawa, (Ontario) K1P 1A4

Subject: Faculty of Law of Université de Montréal’s Submission for
Accreditation by the Law Societies of Canada

Dear Mr. MacDonald,

Our Faculty of Law began offering graduate programs in North American
Common Law in 2001 to respond to legal developments arising from increased
global exchanges and North American economic integration. First designated as
a D.E.S.S. («Diplôme d’études supérieures spécialisées» or «specialized
graduate studies diploma»), the title of the program was changed to J.D. in 2010.

The National Committee on Accreditation recognized in July 2001 (see letter
attached) that students holding a D.E.S.S. from our Faculty of Law should be
evaluated on an individual case by case basis according to their «legal
credentials and professional legal experiences». The Committee then decided
that applicants from our law school would be considered for a certificate of
qualification if they have taken a total of 26 credits hours of common law
courses during the D.E.S.S.

The Faculty of Law of Université de Montréal hereby submits the combination
of the common law courses of the LL.B. and the J.D. in North American
Common Law for accreditation according to the new rules of the Canada’s
National Requirements. The Faculty trusts that the contents of these two
programs fully comply with the standards now applicable by the Federation, as
approved by Canada’s Law Societies in March 2010. The two academic
programs submitted for recognition last on average four years and total 133
credits (101 cr. at the LL.B. and 32 cr. at the J.D.). Even in exceptional cases where students follow the LL.B. with honors, the LL.B. with Graduate Programs or the LL.B./MBA, the minimum requirement of “three academic years or its equivalent in course credits” will be met.

You will find enclosed our proposal which describes, in part one, the high quality of our Faculty of Law founded in 1878 and, in part two, sets out the combination of the common law courses of our LL.B. program and the J.D. in North American Common Law that are submitted for recognition by your Committee.

If you have any question, please do not hesitate to contact me.

Yours sincerely,

[Signature]

Gilles Trudeau
Dean of Law

Cc: Mrs Deborah Wolfe, Managing Director of the National Committee on Accreditation
APPENDIX B-2(b)

Université de Montréal

Application for the Approval of a New Law Degree Program

April 28, 2011
LL.B. and J.D. in North American Common Law

2011

Submission of the LL.B. and J.D. programs for accreditation by the Federation of Law Societies of Canada
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EXECUTIVE SUMMARY

The Faculty of Law belongs to the Université de Montréal, which is one of the world’s preeminent universities.

Established in 1878, the Faculty of Law has acquired a reputation of excellence for the education it provides and the quality of its scientific research. Combining civil and common law in a uniquely bidual environment, the education provided at the Faculty of Law seeks to make students proficient in both Western legal traditions.

In view of consolidating and increasing its leadership in legal education and research, the Faculty develops responsive and innovative academic programs and forward-looking research projects that are at the cutting-edge of their discipline.

The Faculty’s specialized program in North American Common Law, which includes a Microprogram, a J.D. and an LL.M, is at the forefront of this mission. Covering Canadian and American law as well as comparative law, this program serves as a springboard for its students’ intellectual mastery of the various legal systems of North America, as well as their successful professional qualification in the continent’s different jurisdictions.

Since its inception in 2001, the achievements of the North American Common Law program have been impressive. External expert examiners have praised the program’s high quality and lauded its curriculum for facilitating its students’ integration into the common law jurisdictions in the United States and Canada.

In order to further increase its students’ opportunities of integration into the broader North American legal market and also offer a program that meets national standards, the Faculty is submitting for accreditation by the Federation of Law Societies of Canada, under the Canada’s National Requirements regime, the components of two of its law programs, namely, the LL.B. and J.D. specialized in North American Common Law.

The Faculty believes that the combination of these two programs fully complies with the Federation of Law Societies’ Canada’s National Requirements, as approved in March 2010.
INTRODUCTION

The Faculty of Law belongs to the Université de Montréal, which is among the top universities in the world. The Université de Montréal is composed of 13 faculties, two affiliated schools, more than 80 research units and over 200 undergraduate programs, 100 master programs and 70 doctoral ones.

The Faculty of Law has acquired a reputation of excellence for the education it provides and for the quality of its scientific research.

While traditionally known as a civil law Faculty, the Faculty has in fact a strong bijural tradition, which it used to develop a unique graduate program specialized in North American Common Law. This program was introduced to maximize the opportunities of students and help them to integrate in an increasingly internationalized and globalized practice of law. This program equips students with all the intellectual tools needed to successfully face the daunting challenges of a highly professional and competitive international legal environment, particularly those raised by North American economic integration. Graduates of the North American Common Law program are already practicing in various common law jurisdictions across Canada and the United States.

The Faculty submits the combination of the LL.B. and J.D. in North American Common Law for accreditation by the Federation of Law Societies of Canada. The Faculty trusts that the Canada’s National Requirements contents of these two programs fully comply with the standards applicable by the Federation, as approved by the Canada’s Law Societies in March 2010.

This document presents the Faculty of Law of the Université de Montréal and its LL.B. and J.D. programs. It is divided in two parts. The first part provides an introduction to the Faculty of Law, to its history and vision, as well as to its professors, students, and programs. It then highlights its significant involvement on the international scene and in society. The second part outlines the components of its LL.B. and J.D. programs specialized in North American Common Law that particularly meet the Federation of Law Societies’ Canada’s National Requirements.
PART I – THE FACULTY OF LAW OF THE UNIVERSITÉ DE MONTRÉAL

1.1 The Faculty

The Faculty of Law at the Université de Montréal is one of the most prestigious in Canada. With over 130 years of legal expertise, it has made a significant contribution to the evolution of law and to the recognition of law as an academic discipline.

The Faculty of Law is by most indicators, such as the number of professors, number of students, and number of programs, one of the most important in Canada. Some 56 professors and 100 lecturers teach about 1,500 students enrolled at the undergraduate and graduate levels. Nearly one-third are graduate students and most of them study on a full-time basis.

Proud of its century-old tradition of excellence, the Faculty prides itself in the success of its students and in providing the highest quality of education. In this endeavour the Faculty can count on dynamic and competent professors, who are highly committed to their students, engaged in social debates, deeply involved in cutting-edge research, and whose publications have significantly contributed to legal scholarship in Quebec, Canada and internationally. Everyone at the Faculty, be they professors, lecturers, teaching assistants, librarians, or administrative staff, is dedicated to the success of students.

The Faculty of Law provides a stimulating learning environment, conducive to a successful academic live and stimulating student experience. Located in Montréal on the flank of Mount-Royal, the Faculty occupies a separate building with an elaborate library and modern digital facilities. It hosts several research centres and research chairs, as well as professional assistance and development center. A student café and a Law Co-op further contribute to the quality of the student experience. As a major intellectual center, the Faculty hosts countless lectures, seminars and conferences each year.

In order to ensure constant communication between the Faculty and its alumni and partners, it regularly publishes a bulletin, Droit Montréal.
1.1.1 History and Achievements

Established in 1878, the Faculty was originally a branch of Québec City’s Université Laval in Montréal. It became part of the Université de Montréal upon its foundation in 1920. Between 1895 and 1942, the Faculty was located on St. Denis St. in Montréal. In 1945, it moved to Mount-Royal and was relocated in 1968 to its current location, which became the Pavillon Maximilien-Caron in 1978 in honour of a famous jurist who influenced an entire generation of law professors and students. One of the first full-time law professor in Quebec, Maximillien Caron promoted a reform in the teaching of law that integrated all aspects of life and instituted new pedagogical methods that included sociology, economics and politics. The Faculty is proud to follow in his footsteps.

Since the graduation of its first class in 1879, the Faculty has trained the largest number of jurists in Canada. Indeed, approximately 15,000 students have obtained an undergraduate law degree from the Faculty.

Graduates from the Faculty of Law are renowned in their province, country and internationally. Alumni and professors have been, and still are, pioneers in many fields of law, such as indigenous law, cyberspace law and business law. They have greatly contributed to Quebec and Canadian society as jurists, politicians, business persons and artists.

For instance, three alumni became Chief Justice of Canada: the Rt. Hon. Thibaudeau Rinfret, the Rt. Hon. Gérald Fauteux and the Rt. Hon. Antonio Lamer. More became puisne justices of the Supreme Court of Canada, such as the Hon. Mr. Justice Jean Beetz, the Hon. Mr. Justice Michel Bastarache; the Hon. Madam Justice Louise Arbour before becoming UN High Commissioner for Human Rights and Chief Prosecutor for the UN International Tribunal for the Former Yugoslavia, and the Hon. Madam Justice Marie Deschamps.

It is also worth mentioning that Réjane Laberge-Colas was the first woman in Canada to be appointed to a superior court in 1969, and that Alice Desjardins was the first full-time female professor of law in Canada as well as the first woman to be appointed to the Federal Court of Appeal in 1987.

Internationally, and in addition to the achievements of the Hon. Louise Arbour, Philip Kirsch was the first President of the International Criminal Court; Jules Deschênes was a judge at the United Nations International Criminal Tribunal for the Former Yugoslavia from 1993 to 1997; Élise Groulx Diggs is the founder of the International Criminal Defence Attorneys Association and a member of the International Criminal Bar; William A. Schabas is the director of the Irish Centre for Human Rights at the National University of Ireland; and, Raoul Dandurand was the President of the Assembly of the Society of Nations in 1925.

As politicians, the Faculty counts among its alumni Governor Generals (e.g., Georges Vanier and Jules Léger); one Prime Minister of Canada (Pierre-Elliot Trudeau, who was also student and a
constitutional law professor at the Faculty); eleven Premiers of Québec (Pierre-Joseph Olivier Chauveau, Joseph-Adolphe Chapleau, Jean-Lomer Gouin, Maurice Duplessis, Paul Sauvé, Daniel Johnson, Jean-Jacques Bertrand, Robert Bourassa, Pierre-Marc Johnson, Daniel Johnson Jr., Bernard Landry); numerous ministers at the provincial and federal level and three mayors of Montréal (Louis-Arsène Lavallée, Jean Drapeau and Jean Doré). Countless graduates were also elected to the National Assembly of Quebec and Parliament of Canada.

The education provided by the Faculty has also proven to be profitable in many other professions. For instance, a number of graduates became well-known writers, actors, journalists, historians, musicians or poets, such as famous poet Abraham Moses Klein. As business leaders, alumni established or occupy senior positions in national and international companies in the financial, communication and technological sectors.

**Vision, Mandate and Mission**

The Faculty’s vision is pluralist and relies on four pillars: education, research, society and international cooperation.

Training professional jurists to anticipate change, to see and think beyond the „box”, and to maintain a curious and investigative mind, lies at the heart of the Faculty’s mandate. Central to its mission is not only the transmission of knowledge, but also the development of analytical and critical skills.

Research has been another pillar of the Faculty over the past 50 years. Core to its mission is to support, produce and disseminate scientific knowledge. The Faculty supports traditional, theoretical and interdisciplinary research. It also acknowledges the important role that jurists play in society, which is why it encourages students and professors to partake in social debates and share the result of their reflections.

Lastly, the Faculty highly values its professors’ and students’ openness to the world. It thus supports the expansion of the global networks to which it participates, maintains affiliations with many other law schools in the world, and strongly encourages student exchanges.

**1.2 Academics**

Faculty members, several of whom hold graduate degrees from common law jurisdictions and specialize in various areas of the common law, are at the cutting edge of their discipline in all fields of law. Particularly important areas of teaching and research at the Faculty are contracts law, international law, criminal law, constitutional law, business law, comparative law, statutory interpretation, etc. *(for detailed information, see annex I).*
1.2.1 Teaching

Our professors are first and foremost dedicated to teaching. They provide our students with the support and inspiration that they need to become accomplished jurists and responsible social actors. They are available and attentive to the needs of students. In fact, their mentoring is an essential component of the education provided by the Faculty. Lecturers (many of them judges, practicing lawyers or notaries), retired and emeriti professors, as well as teaching assistants, also contribute to the Faculty’s activities by developing and teaching innovative and diversified courses.

The Faculty is also significantly enriched by the presence of visiting professors, who provide a unique insight into different legal systems and cultures. Over the past decade, foreign visiting professors have come from Iceland, Scotland, Spain, Tunisia, China, France, Brazil, Switzerland, etc. They have shared their expertise in fields as varied as American and Scandinavian law, Chinese legal reform, and foreign investment in Tunisia.

1.2.2 Research

Research is a central part of academic life. Through their research, publications and participation to major conferences in Canada and abroad, the Faculty’s professors not only contribute to the elaboration of the law, but also help in rethinking it and in shaping public policies. Indeed, with their rich, dynamic and sustained scientific activities, they are much sought-after for their expertise at the national and international levels. Our professors are leaders in traditional and emerging fields of law, such as constitutional law, indigenous law, legal theory, new technologies (information technologies and biotechnologies), business law and international trade.

They are exceptionally productive when it comes to research. Every year, they publish books – including award-winning ones - and scientific articles in most fields of law. Their books are published both by Canadian publishers, such as Éditions Yvon Blais, Carswell, LexisNexis, McGill-Queen’s University Press or University of Toronto Press, and by prestigious international publishing houses such as Presses Universitaires de France, Oxford University Press, Cambridge University Press, Dalloz, or Bruylant. As well, their papers are accepted by major law journals in many jurisdictions. The Faculty’s professors are also committed to the dissemination of their knowledge in many languages. In addition to French and English, they publish work in Spanish, Chinese, Italian, Dutch, and Portuguese.

As researchers, our professors are quite successful when it comes to getting their research funded. According to the CREPUQ (Conférence des recteurs et principaux des universités du Québec), the funding they received for the year 2003-2004 amounted to 66 percent of public funds allocated for this purpose in Quebec. Several are regular recipients of research grants from the Social Sciences and Humanities Research Council (SSHRC) of Canada, the Fonds de
recherche sur la société et la culture of Québec, or other funding agencies or organizations, public or private. Some have received prestigious prizes and honours for their career in research, such as the gold medal of the SSHRC or doctorates honoris causa.

1.3 Students

The Faculty recognizes that its strength lies in its students and alumni, who share the desire to learn and push the boundaries of knowledge and create a sense of community belonging.

The Faculty selects students with the best academic records. Of the 1,500 students enrolled in law, two thirds are women and around 30 percent are graduate students. The number of graduate students has increased significantly over the past 30 years. In addition, in some programs, the number of international students constitutes half the student body, further contributing to the dynamism of the Faculty. International students come from Europe, Asia, the Middle East, Africa and South America.

Many students have obtained prestigious scholarships, research grants and prizes for their academic achievement, thesis and research project. For instance, graduate students receive scholarships and grants from the Social Sciences and Humanities Research Council (SSHRC) of Canada, the Fonds de recherche sur la société et la culture of Québec, the Canadian Bar Association, the Association des professeurs de droit du Québec (APDQ), foreign universities, the Faculty of Graduate Studies at the Université de Montréal, etc.

1.3.1 Student Associations and Newspapers

Law students are represented by two actively involved associations: the Associations of Students in Law at the Université de Montréal and the Association of Graduate levels in Law. These two associations are part of the Federation of Student Associations of the Campus of the Université de Montréal.

Student associations ensure the integration of students and their participation in Faculty affairs, and facilitate their involvement in society. Associations include many committees concerned with issues such as access to justice, human rights, international business and the environment. Some associations bring together students sharing a particular identity, such as the Jewish Law Students Association, or the Black Law Students Association.

Through their associations, students organise conferences, meetings with professionals or law firms, as well as social activities. They also publish a student newspaper, Le Pigeon dissident, own the student café, Acquis de droit, and broadcast on the student radio.

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1 Association des étudiantes et étudiants en droit de l’Université de Montréal et Association des cycles supérieurs en droit.
2 Fédération des associations étudiantes du campus de l’Université de Montréal.
Long after leaving the Faculty, alumni contribute to its dynamism by supporting scholarship programs, research chairs and publications. The Association of graduates in law from the Université de Montréal\(^3\) ensures the continued participation of alumni in the affairs of the Faculty.

1.3.2 Professional Development Center

The Professional Development Center offers law students seeking an internship or employment individual and confidential professional advice. It also publishes employment offers and organizes a number of career-oriented activities such as interview simulations and visits to law firms. The Centre serves as the intermediary between students and employers, therefore facilitating students’ entry into the legal profession.

1.3.3 Law Cooperative

Since 1985, the student co-op, Coop Droit, is the Faculty’s law bookstore and one of the few specialized law libraries in Quebec. It offers 4,000 titles to students and law firms at competitive prices.

1.3.4 Other Services

In addition to the particular services provided at the Faculty, the Université de Montréal offers a vast array of services to its students, from orientation and psychological counselling to medical services and sport and recreational facilities.

1.4 Research

The Faculty provides an extraordinarily stimulating environment for researchers. The Faculty has set up two research centres and nine research chairs in which professors, professionals and students work together. Hundreds of seminars, conferences and workshops are organized each year, thereby stimulating scientific exchanges, reflection and research.

The nature of research undertaken at the Faculty is diversified and innovative, covering traditional forms of legal scholarship, multidisciplinary approaches and external perspectives to law, such as sociology of law and law and economics. Research fields also encompass emerging and rapidly evolving fields of law, such as electronic commerce, new information technologies, or sustainable development law.

In order to better support research, the Faculty has recently created an associate deanship exclusively devoted to research. Its mandate is to strengthen the research component of the Faculty by ensuring greater synergy and coordination among researchers, increased financial support for them (both professors and graduate students), and broader dissemination and promotion of the Faculty’s research.

\(^3\) Association des diplômés en droit de l’Université de Montréal.
1.4.1 Research Centres

The Faculty has two research centres. The first one specializes in public law and the second in business law and international commerce.

1.4.1.1 Public Law Research Centre (CRDP)

Established in 1962, the Centre de recherche en droit public (CRDP) is the first and most important legal research centre in Canada. The CRDP is renowned for its interdisciplinary approach and work on contemporary forms of law as well as for maximising the involvement of students in its extensive research activities. Research concentrates on three main axes: law and new social relations; law and information and communications technologies; and, law, biotechnology and community.

Many of the CRDP’s research projects have broken new grounds, particularly in genetics law, aboriginal law and cyberspace law. Since 1995, the Centre publishes a bilingual electronic review, Lex Electronica, which is an international journal specialized in communications and information technologies law, health and biotechnology law, as well as theories of law and social changes.

The Centre relies on the active participation of 15 full-time researchers and 50 students from a dozen different countries currently working on over 20 research projects. Many more researchers collaborate with the Centre, mainly through the latter’s extensive research networks. One of them is the Law and Change Network, an international and interdisciplinary network of researchers led by the CRDP in the context of a collaborative venture with McGill and Laval universities.

Among the CRDP’s most important recent research projects, one deals with the various dimensions of the status of Aboriginal peoples in Canada, and another one examines questions pertaining to privacy and information security. As far as the first one is concerned, Andrée Lajoie, a gold medal winner of the Social Sciences and Humanities Research Council (SSHRC) originally established a network of researchers around the theme of “Indigenous Peoples and Governance”, which Pierre Noreau now pursues. With 39 researchers across 21 Canadian universities, the network is the largest on indigenous issues in Canada. The Centre has also established international research groups, such as the Groupe international de travail sur la vie privée et la sécurité, which aims to identify the legislative or technological measures required to protect the personal information of citizens within and outside territorial borders. Professors from the Faculty collaborate with Commissioners on data protection and privacy from Canada and Spain, including the autonomous communities of Catalonia and Pais Vasco, and the autonomous region of Madrid, as well as with academics from Canada, France, Belgium and the

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4 Regroupement stratégique Droit et changements.
United States. The CRDP is in fact affiliated to some 30 research centres and networks around the world.

1.4.1.2 Centre for the Law of Business and International Trade (CDACI)

The Centre was established in 1997 and aims to become a reference in business law at the national and international levels. It is a dynamic focal point for research and the exchange of ideas in that field of law.

The Centre has seven primary researchers working along four main research axes of business law, namely: corporate law, international commercial law, dispute prevention and resolution, and economic analysis of law. The Centre has organized a number of international conferences and research projects throughout the years. As part of its mandate, the Centre also strives to train future generations that are informed, dynamic, ingenious and well-equipped to resolve the increasingly complex challenges facing the business world.

The Centre is also keen on building relations with centres and groups concerned with issues pertaining to business law. In support of this endeavour, the Centre has obtained numerous research grants and has recently received funding from the Social Sciences and Humanities Research Council of Canada to expand the Transatlantic Network: Law, Businesses and Risks. The Network aims to support research in view of improving the scientific understanding of the interplay between risk and law in the corporate world. In addition to the Université de Montréal, it is composed of four universities: Université Paris I, Université Lyon II, Université du Luxembourg and the Université de Nantes.

1.4.1.3 LexUM

LexUM was established in 1993 at the Faculty as the first legal website in Canada. In the particular area of legal information technology, it has clearly become a Canadian and international leader. LexUM uses the most advanced technologies to ensure greater access to legal material. The Laboratory created IIJCan-CanLII, the largest free online library, and provides free online access to Supreme Court decisions and to most Canadian legislation and jurisprudence.

LexUM has also developed partnerships with international organizations and countries interested in developing access to law. It has, for instance, created the Universal Human Rights Index of United Nations Documents and Juris International, a trilingual source of legal information on international trade; contributed to the creation of JuriBurkina, the first institute of legal information in West Africa; and, took part in the program of the United Nations to modernize the legal systems of Algeria and Tunisia. To maintain its edge, the Centre has become a private company, but continues to partner with the Faculty through a joint research chair (LexUM Chair) held by Professor Daniel Poulin.
1.4.2 Research Chairs

Chairs support professors in their research, ensure greater visibility of their work and give students the opportunity to gain research experience. They also appeal to practitioners following developments in particular fields of law and to the general public, since many chairs address issues affecting them.

In sum, research chairs are vibrant poles of specialized research where academic production abounds, in the form of articles, books, conferences, online forums or blogs. In sum, chairs are major producers of legal knowledge, greatly contribute to the dynamism of intellectual life at the Faculty, and offer it a window to the world.

1.4.2.1 Canada Research Chair in North American and Comparative Legal and Cultural Identities

Founded in 2006, the Chair reflects upon the relations between law, politics and culture by referring to themes where constitutional questions play a central role. The Chair examines the interactions between cultures, legal traditions, and the empirical and theoretical modalities of these interactions as well as the formation of legal identities in a context where the legal culture of the United States is accorded unprecedented visibility and prestige, and where comparativism has become the norm rather than the exception.

Chairholder: Professor Jean-François Gaudreault-Desbiens

1.4.2.2 Notarial Chair

Established in 2001, the Notarial Chair is the result of a partnership between Quebec’s Chamber of Notaries and the Faculty of Law. The mission of that Chair is to support the development of the notarial field and the notarial profession and enhance their sphere of influence. In so doing, the Chair carries out studies, has set up a Web site, organized conferences, granted bursaries and promoted international exchanges.

Chairholder: Professor Brigitte Lefebvre

1.4.2.3 Jean Louis Baudouin Chair in Civil Law

Since its inception in 2006, the Chair promotes research and teaching in civil law. It regularly invites Canadian and foreign professors to teach comparative civil law courses. It also supports research in substantive areas of private law, and organizes conferences, workshops and seminars on questions pertaining to civil law. The Chair also grants scholarships to doctoral students in civil law.

Chairholder: Professor Benoît Moore
1.4.2.4 R.L. Wilson Chair in e-Commerce Law and Information Technology

The Chair was established in 2003 to expand the leadership role of the Faculty on the legal challenges posed by information technologies and e-commerce. The Chair aims to stimulate research on the rules and regulations able to ensure the proper functioning of e-commerce and other activities on the internet and to strengthen the expertise of the research team specialized in law and information technologies. The Chair has published extensively and has organized numerous seminars, conferences and debates.

Chairholder: Professor Pierre Trudel

1.4.2.5 Chair in Governance and Business Law

Since 2005, the Chair aims to develop advanced expertise in the field of business law. The Chair has two main research axes: business ventures, judicial structure and governance; and the regulation of financial markets. As part of their work, researchers examine how law adapts to commercial activities and propose efficient solutions to problems affecting business law and international trade. Lastly, the Chair also trains future generations of jurists and researchers to be competitive leaders and encourages cooperation among parties concerned by business law and international trade.

Chairholder: Professor Stéphane Rousseau

1.4.2.6 Chair in e-Security and e-Business Law

Launched in 2005, the Chair aims to develop five main research themes pertaining to security and e-business, namely privacy, contracts, security, intellectual property, and e-commerce. The Chair has undertaken a number of research projects with specialists and students, such as on cyber-consumption, and security and electronic transactions. The Chair is also an interactive education tool to which students contribute as researchers or as part of their course.

Chairholder: Professor Vincent Gautrais

1.4.2.7 Jean Monnet Chair on the Law of the European Union

This Chair is the first in Canada exclusively dedicated to the law of the European Union. Since 2008 it aims to assuage the problems posed by the paucity of courses on the law of the European Union in Québec and Canada and to offer students wishing to pursue graduate studies or a career in this field the necessary resources and exposure.

Chairholder: Professor Nanette Neuwahl
1.4.2.8 LexUM Chair

As discussed above, the Faculty hosts the LexUM dedicated to ensure greater access to legal material.

Chairholder: Professor Daniel Poulin

1.4.2.9 Canada Research Chair (to be determined)

Recruitment is underway to fill the position for the Canada Research Chair granted to the Université de Montréal.

1.4.3 Journal and Publishing House

For nearly 60 years, the Faculty has published the *Revue Juridique Thémis*, which has become a reference for Quebec’s legal community as well as a symbol of tradition and excellence. Professors, students and practitioners contribute to its success, which has spread well beyond the borders of Quebec. Indeed, the Journal was ranked by the Washington and Lee University School of Law as Canada’s first primarily French-speaking journal, along with the University of Toronto Law Journal for English-speaking Canada and the Harvard Law Review for the United States. The Journal is published three times a year and touches upon all fields of law; public law, private law and criminal law. It also includes contributions from the research centres of the Faculty as well as letters from international jurists who provide insights into developments affecting their legal system.

The Journal belongs to *Les Éditions Thémis*, the publishing house of the Faculty. *Thémis* gives students a central role, as collaborators and users. It publishes high quality legal material such as specialized legal scholarship, legal textbooks, master and doctoral theses as well as conference proceedings. *Thémis* is also distributed in France and Belgium.

1.5 Programs in Law

Seeking to be a world leader in legal education, the Faculty offers classical programs in law and adapts to rapid changes affecting law and its practice by developing responsive and innovative academic programs.

The Faculty maintains its tradition of excellence by regularly evaluating, refining and adjusting its programs to ensure that they preserve their relevance and vitality.

The Faculty offers programs that combine both research and practice components, that are multi-disciplinary and that take into consideration the needs of future jurists and the role they are called upon to play in society. Our programs train jurists to practice law or choose other career paths where legal knowledge provides them with a distinct competitive advantage. They also seek to
facilitate international cooperation and exchanges, and to provide scholarships and work opportunities. Lastly, they allow students to specialize in nearly all fields of law.

1.5.1 Undergraduate Programs

The Faculty provides a comprehensive legal education and undertakes to train jurists who possess the knowledge and analytical resources to address legal problems with imagination, openness and flexibility. The Faculty offers the Baccalaureate in Law (LL.B.), which is renowned for its rigour. Outstanding students may also enroll in enriched programs combining undergraduate and graduate studies, such as the joint LL.B. and MBA program. These programs are described in Part 2 of this document.

1.5.2 Graduate Programs

The Faculty offers one of the vastest choices of graduate programs in North America. More than 20 programs are open to holders of an undergraduate law degree from a Quebec university (LL.B.) or from another province or country, as well as to holders of certain other undergraduate degrees.

The content and format of these programs are diversified, flexible and adapted to the needs of students. Courses or tutorials are given in small groups and are supervised by renowned specialists. Numerous scholarly activities also take place, such as seminars, conferences and symposia, providing a dynamic and intellectually stimulating environment for students. Scholarships and research positions are also available.

Although a good understanding of French is indispensable for the large majority of academic programs, students may be granted permission to draft their Master’s or Doctoral thesis in English.

<table>
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<tr>
<th>Graduate programs</th>
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<td><strong>Microprograms</strong></td>
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<td>- Business Law</td>
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<td>- Information Technology Law</td>
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<tr>
<td>- Law and Labour (joint program with the Department of Industrial Relations of the Université de Montréal)</td>
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<td>- International Law</td>
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<td><strong>D.E.S.S.</strong></td>
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<td>- Business Law</td>
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<td>- International Law</td>
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<tr>
<td><strong>J.D.</strong></td>
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<tr>
<td>- North American Common Law</td>
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<tr>
<td><strong>LL.M. (with Thesis)</strong></td>
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<tr>
<td>- Research (in all fields of law)</td>
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<tr>
<td>- Business Law</td>
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<tr>
<td>- International Law</td>
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<tr>
<td>- Information Technology Law</td>
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</table>
1.5.2.1 Microprograms

Graduate microprograms are mainly geared towards jurists wanting to develop expertise in a specialized field of law, such as Business Law, Information Technology Law, North American Common Law, Law and Labour, and International Law. They all entail 5 courses (15 credits) with 3 or 4 courses in the field of specialization, except for the Common Law program, which involves 17 credits, with six courses in the area of specialization.

1.5.2.2 Post Graduate Diploma (D.E.S.S.)

The Diplôme d’études supérieures spécialisées (D.E.S.S.) is a post-graduate diploma obtained after completing 10 courses (30 credits), of which 8 or 9 are in Business Law or International Law.

The D.E.S.S. in Business Law focuses on comparative law and international business law and is adapted to the global business world. Equally in tune with globalization is the D.E.S.S. in International Law, which addresses two specific components of this phenomenon: public international law and transnational law.

The Diploma of Notarial Law (D.D.N.) gives students access to the internship of the Quebec Chamber of Notary upon completion of 36 credits (14 courses).

1.5.2.3 Juris Doctor (J.D.) Specialized in North American Common Law

The J.D. in North American Common Law includes 11 courses (32 credits). Following the J.D. in Common Law, students may undertake a supervised research project and obtain a LL.M. (for more information, see part II).
1.5.2.4 Master of Laws (LL.M.)

The LL.M. program requires completing 45 credits (10 or 11 courses) and a supervised research paper (around 60 pages/15 credits) or, alternatively, completing 5 courses and a thesis (around 120 pages/30 credits), the latter being usually required in order to pursue a doctorate.

LL.M. programs are offered in Business Law (with thesis or supervised research project); Information Technology Law (with thesis); North American Common Law (with supervised research project); International Law (with thesis or supervised research project); Taxation (joint program with HEC-Montréal); Notarial Law (with supervised research project); and, Research (Thesis). There is also a Master in Notary Law (LL.M.) with a supervised research project.

In addition, the Faculty offers the first LL.M. program in Canada designed exclusively for foreign graduate students, namely, the Master in Business Law in a Global Context (LL.M.). The program provides the leaders of tomorrow an advanced knowledge of North American law, comparative law and international law.

1.5.2.5 MBA with a Specialization in Business Law

The MBA from HEC Montréal is highly recognized internationally. It is a full-time, one year program, or a part-time, three years program. It aims to transfer knowledge, develop skills, and instil ethical values essential to managerial functions. The MBA offers a specialization in business law instructed at the Faculty of Law.

1.5.2.6 Doctorate of Laws (LL.D.)

The Faculty provides a dynamic, motivating and supportive scholarly environment to doctoral candidates. The doctoral program is essentially devoted to independent in-depth research and writing. The first year includes compulsory courses such as philosophy and theory of law, construction of a research project and methodology. Within four semesters, candidates must past the comprehensive written and oral exams, before being allowed to begin writing their dissertation. Once the dissertation is submitted, a jury of five professors, including the supervisor and an external examiner, evaluate the thesis and its oral defence.

Doctoral candidates may opt for one or more supervisors; co-supervisions are frequent since they allow for the combined expertise of specialized professors. The Faculty also encourages students to undertake a joint supervision arrangement between the Faculty and a number of universities in France, Belgium and Germany. Through such arrangements, candidates obtain a degree from the Université de Montréal as well as from the partnering university.

1.5.2.7 Continuing Legal Education

As part of the continuing professional development requirements of the Quebec Bar, the Faculty offers tutorials and short programs to Quebec lawyers.
The Faculty is the only institution having a partnership agreement with the Quebec Bar to create continuing education activities, such as short courses. These short specialized courses cover topics such as the Canadian Charter of Rights and Freedoms, criminal law, business law, new developments in civil law, etc. (For more information, please see: http://www.droit.umontreal.ca/droitsanslacite/formation-continue/index.html)

The Faculty also proposes other activities. For instance, the Faculty, in cooperation with the China University of Political Science and Law and the East China University of Political Science and Law, offers a summer course on Chinese business law for lawyers.

The Faculty is currently reviewing its graduate programs to better respond to emerging challenges facing lawyers in their profession.

1.6 Learning Resources

1.6.1 Library

Located on the fourth and fifth floors of the Faculty, the Law Library hosts a vast collection of books, periodicals, dictionaries and theses, on site and online. Its printed collection includes over 200,000 documents, with around 80,000 legal books and 1,000 subscriptions to periodicals. The Library offers online access to 74 legal databases and hundreds of periodicals. It also provides links to French and English legal RSS feeds and Canadian and international legal blogs.

The Library is part of the network of 18 libraries on the campus of the Université de Montréal and Colombo, an inter-library research and loan network allowing students and professors to borrow books, periodicals and other documents from universities across Canada and around the world, therefore providing an unlimited pool of resources to the academic community.

The Library possesses 500 seated places, a study room for master students and a newly renovated one for doctoral candidates. The Library has high-speed wireless internet, computer labs and lends laptops and computer accessories to students and visitors. Off-campus access to the Library is available at all times.

1.6.1.1 Common Law Resources

The Law Library offers students all the essential resources in common law, with a particular focus on Canadian and American law. Its collection covers contract law, tort law, real property law, civil procedure, personal property, remedies, trusts and estates law, etc.

The Law Library gives access to an extensive number of online databases and indexes, among which are the Cambridge Journals Online, Quicklaw, eCarswell, Lexis-Nexis, Westlaw, HeinOnline, JSTOR, Kluwer Law, Oxford Journals, Index to Canadian Legal Literature, Index to Foreign Legal Periodicals, Index to Legal Periodicals & Books, LegalTrac, Current Law Index, Legal Journal Index and Wilson Index to Legal Periodicals.
In addition, the inter-library loan system mentioned above complements the resources offered by the library, ensuring that students find the common law documents they need in order to proceed with their research.

See: http://www.bib.umontreal.ca/DR/a-propos infos-generales.htm

1.6.1.2 Training and Research Assistance

Librarians are dedicated to helping students, lawyers and professors develop an efficient research strategy and methodology and to use available resources to their maximum capacity. They endeavour to offer specialized trainings to the academic community.

For undergraduate students, librarians propose tutorials on Atrium, the catalogue of the University, and on Maestro, the search engine of legal databases, such as CanLII, Quicklaw and Westlaw. Graduate students are offered tutorials on Endnote, a citation management program, on legal scholarship research and on other services and resources provided by the library, such as legal RSS feeds and blogs. In addition, a twinning program twins each doctoral candidate with a librarian specialized in their area of research. This invaluable resource allows doctoral candidates to receive personalized advice throughout their doctoral research project. All of these services are also offered to professors.

Moreover, a librarian is present throughout the day at the reference desk to provide assistance and answer inquiries. At all time, students can take an individual appointment with a librarian for further assistance or request assistance and advice through phone or e-mail. Librarians have also developed research guides specific to the different branches of the law and types of research. These include business law, labour law, French law, public international law, Canadian and Quebec legislation and jurisprudence.

1.6.2 Physical Resources and Learning Facilities

The Faculty has its own building where the large majority of services are offered to students (e.g., administrative services, student cooperative, student coffeehouse “Acquis de droit”, library, publishing house). All full-time professors have an office in this building, where they work and meet with students. Lecturers also have an office space. Office space is available to students working as research assistants for a professor or with a chair or research center.

The Faculty of Law’s building has recently undergone major renovations and access to high speed wireless Internet is now available throughout the building. Besides, courses and other academic activities take place in renovated rooms equipped with digital technology supporting innovative teaching methods.

Teaching at the Faculty combines traditional pedagogy, such as lectures and tutorials; practical work, such as legal clinics and internships; techno-pedagogy, such as cyber-tribunal and WebCT; and, social media, more specifically, videos, social networks and blogs. These diverse
pedagogical tools change the dynamic of teaching and allow for greater discussion, interaction and guidance between students and professors as well as among students. It is noteworthy that Prof. Vincent Gautrais was awarded the Clawbies for the best Canadian blog in the category ‘Law Professors/Law Faculty Blog’ (please see: http://www.clawbies.ca/2010-clawbies-%E2%80%93-canadian-law-blog-awards/).

The Faculty is also at the forefront in the field of judicial technology. The Faculty recently acquired a laboratory in cyberjustice as part of an ambitious project to computerize the judicial system. The scale of this project is unique in the world. The laboratory in cyberjustice is the product of a research project developed at the Public Law Research Center (CRDP) under the direction of Professor Karim Benyekhlef and in partnership with the Faculty of Law of McGill University. For this project, the Jean-Beetz-McCarthy-Tétrault lecture hall at the Law Faculty was transformed into a computer laboratory and a digital courtroom of 100 seats, where computer applications developed by the laboratory can be tested. Students can also use this courtroom for moot court events and doctoral oral defences. Besides, the infrastructure includes a virtual courtroom located at McGill University’s Faculty of Law, which enables communication among decentralized actors. This project has required an investment of $6,200,000.

1.7 The Faculty at the International Level

The Faculty currently has over 40 partnerships with universities and research centres around the world, and offers or hosts a significant number of programs and research projects with an international component. The involvement of the University at the international level is diversified, from exchange programs in Europe, Latin America or Asia to international cooperation.

The Faculty encourages its professors and students to acquire international exposure. In fact, the expertise of its professors is renowned and sought after internationally. For instance, many professors have been invited as visiting professors or hired as experts with international institutions, such as the United Nations, the European Union and the World Bank. Students are also internationally involved, either as exchange students or through practical experience such as UN simulation or international summer courses. Moreover, the Faculty attracts an ever greater number of foreign students and visiting professors, contributing to making Montréal a reference on the international legal sphere.

1.7.1 International Research Groups and Networks

Faculty professors and many research assistants lead or are members of international research groups, networks or working groups. For instance, professors are members of the Centre de recherche interuniversitaire sur la mondialisation et le travail, which regroups the Université de Montréal, Laval and HEC Montréal, and links together over 60 researchers in Canada and 150 internationally affiliated graduate students. Professors are also affiliated to numerous research
groups such as the working group on the International Rule of Law at the Amsterdam Centre for International Law, the Europe at the World Centre, a research centre based at the University of Liverpool, or the European Union-funded RELIGARE project.

In addition, the Faculty is also a member of the Association of Transnational Law Schools (ATLAS) that brings together prestigious law faculties dedicated to the study of transnational law and good governance. This consortium comprises the Université de Montréal (Canada), Osgoode Hall Law School (Canada), New York University (USA), London School of Economics and Political Science (UK), Universidad de Deusto (Spain), University of Cape Town (South Africa), University of Melbourne (Australia), Bucerius Law School (Germany), Bar Ilan University (Israel) and the National University of Singapore. Every year, one of the law schools hosts a doctoral summer school.

1.7.2 International Cooperation

As early as 1998, the Faculty had established a graduate program for African students on Democracy and the Media from which 68 students graduated. In the same year the Faculty, in cooperation with McGill University and the Canadian Institute for the Administration of Justice, began a training project for Chinese Supreme Court Judges that lasted until 2001. Thirty Chinese judges spent 10 months in Montréal and became trainers, most of the time at the Chinese National Judges College. The Faculty has since developed strong relationships with the Chinese judiciary and Chinese universities, such as the China University of Political Science and Law, the East China University of Political Science and Law and Wuhan University.

Moreover, as of 2011, students with a Master from the Faculty will be able to obtain a Master in Chinese Law from the China University of Political Science and Law in Beijing. Other involvements of the Faculty at the international level include the reform of the Institut National des Études Judiciaires in Morocco and the creation of a joint Master program in Business Law with the University Lyon II.

1.7.3 Exchange Programs

The Faculty encourages undergraduate and graduate students to undertake an exchange program for one or two semesters in one of the 13 universities with which the Faculty has a partnership agreement (e.g., France, Belgium, China, Switzerland, Spain, Italy or Argentina). Students wishing to deepen their knowledge of common law may also study at Osgoode Law School at York University, the Faculty of Law at the University of British Columbia or the Schulich School of Law at Dalhousie University. Doctoral students may take part in a joint supervision agreement between the Faculty and a partnering university. The Faculty also hosts each year an increasing number of exchange students who contribute to a diverse and multicultural student body.
1.7.4 Summer Courses

In 2002, the Faculty began organizing summer programs in cooperation with other universities. Its first summer course was on Chinese law at the China University of Political Science and Law (CUPL) in Beijing for students of the Université de Montréal and other Canadian universities. Since 2006, CUPL and the Faculty jointly head the summer program for Chinese students and jurists at the Faculty in July and August of each year.

Other summer courses are offered on an ad hoc basis by research centres and chairs at the Faculty or in cooperation with the University’s Center for International Studies and Research (CÉRIUM).

1.8 The Faculty in Society

The Faculty recognizes its responsibilities in society and the role that jurists play in fostering social justice. This is why it aims to instil a sense of public duty among its students. In so doing, the Faculty strongly promotes the participation of students in public interest programs and encourages professors and students to partake in public debates and contribute to policy-making in Quebec, Canada and abroad.

1.8.1 Clinical Program

For more than 30 years, the Legal Services Office (Bureau des services juridiques) has provided legal services to members of the university community and affiliated schools. Under the supervision of lawyers and notaries, students can undertake an internship where they study specific legal problems and share their research with their client.

The Office also has an important social role. Indeed, in the past, it has contributed to legislative reforms in areas such as legal aid (Loi sur l’aide juridique) and consumer protection (Loi sur la protection du consommateur).

1.8.2 Community Organization Program

As part of its mandate to foster a sense of social solidarity among its students, to make them aware of problems pertaining to access to justice and to provide them with some practical work experience, the Faculty offers internships with some thirty affiliated community organizations. These organizations work with women, immigrants and refugees on issues such as housing, health and labour. Guided by experienced lawyers, students listen, undertake research and offer advice to the organization and their clients.

1.8.3 Pro Bono Program

The Faculty is part of Pro Bono Students Canada, the only Pro Bono national student association in the world. The association regroups 2,000 students from law faculties across Canada and
promotes the Pro Bono tradition, namely, the provision of free legal counsel and services to public interest organizations, community groups, government agencies as well as underrepresented or marginalised individuals. As part of their practical education, students may undertake an internship with the Association.

1.8.4 Media

Professors intervene regularly in the media on issues pertaining to social and legal reforms as well as local, national and international events. They give interviews to journalists and feature in newspaper articles and social media. Through their engagement in the media, they reach a large audience and contribute to raising public consciousness about law and policy issues, and to the dissemination of legal knowledge. Moreover, events taking place at the Faculty, such as conferences, symposia and colloquia are open to the public and often covered by the media.

1.8.5 Commission of Inquiries

Professors have participated in countless commission of inquiries, such as the Royal Commission on Indigenous Peoples (1996), the Commission appointed to inquire into the Sûreté du Québec (Poitras Commission 1998), the Commission on the Fiscal Imbalance (Séguin Commission 2001), the Commission on the Overpass de la Concorde (Johnson Commission 2007), and the Commission on the Appointment of Judges in Quebec (Bastarache Commission).

1.8.6 Canadian Institute for the Administration of Justice

Since 1986, the Faculty is hosting the Canadian Institute for the Administration of Justice (CIAJ). The Faculty has collaborated on many occasions with the CIAJ by organising joint conferences and seminars and by publishing their proceedings. As previously mentioned, the Faculty has also worked with the CIAJ to train Chinese judges.
PART II - THE RECOGNITION OF THE LL.B. AND J.D. PROGRAMS BY THE FEDERATION OF LAW SOCIETIES OF CANADA

The following Part presents the LL.B. and the J.D. specialized in North American Common Law. The Faculty submits that the Canada’s National Requirements contents of these two programs fully comply with the standards of the Federation of Law Societies of Canada.

2.1 The LL.B. Program

2.1.1 Description of the program

The LL.B. is composed of common law and civil law courses. In fact, a majority of courses are common law courses or have substantial common law content. The program is taught in French.

The program provides a sound legal education and prepares to graduate studies, specialized studies and diverse professional practices. In particular, the program aims to form a jurist who

1) understands the foundational concepts and logics underlying various areas of law;
2) has developed an integrated approach to legal issues and is able to identify solutions that are legally sound and responsive to contexts;
3) masters the skills needed for the practice of law (e.g. qualifying concrete situations in legal terms, finding, consulting, and updating documentation, and mastering oral and written legal discourse);
4) is autonomous and capable of adapting to change and becoming the agent of its own continuing legal education;
5) understands the relationships between law and society and makes those relationships an integral part of the legal process of conflict resolution;
6) adopts a critical approach reflecting the plurality of conceptual perspectives on law;
7) is aware of his or her social responsibilities, and ready to comply with a code of ethics that is compatible with its responsibilities;
8) is cognizant of extra-judicial dispute resolution mechanisms.

The program comprises 101 credits, of which 62 are compulsory, 33 to 39 are optional and zero to six can be taken in disciplines other than law. The mandatory courses that are part of the Canada’s National Requirements are presented below in bold to facilitate their identification. A short description of the courses is also included. A comprehensive table encompassing these courses and those of the J.D. submitted for recognition is available later in this document.
<table>
<thead>
<tr>
<th>Course No</th>
<th>Credits</th>
<th>Length</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRT1001</td>
<td>2</td>
<td>1</td>
<td><strong>Introduction to Law</strong></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Concepts of law and rule of law; sources of law; composition and competencies of legislative, executive and judicial powers; basics of civil and common law.</td>
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<tr>
<td>DRT1010</td>
<td>3</td>
<td>1</td>
<td><strong>Foundations of Law 1</strong></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Introduction to the foundations of law through the history of institutions and ideas. Formation and evolution of the two most important Western legal traditions: common law and civil law. History and rights of the Aboriginal peoples of Canada.</td>
</tr>
<tr>
<td>DRT1022</td>
<td>3</td>
<td>1</td>
<td><strong>Foundations of Law 2</strong></td>
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<td>Introduction to fundamental questions about the law (what is law? what are its modes of expression? what are its functions?), and to various theoretical perspectives about it (positivism, natural law theories, legal realism, legal pluralism, etc.). Study and commentary of canonical texts.</td>
</tr>
<tr>
<td>DRT1221</td>
<td>3</td>
<td>1</td>
<td>Obligations 1 (Contract)</td>
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<tr>
<td>DRT1222</td>
<td>3</td>
<td>1</td>
<td>Obligations 2 (Contract)</td>
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<td>DRT1223</td>
<td>3</td>
<td>1</td>
<td>Obligations 3 (Contract)</td>
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<td>DRT1224</td>
<td>3</td>
<td>1</td>
<td>Physical Persons and Family Law</td>
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<tr>
<td>DRT1225</td>
<td>3</td>
<td>1</td>
<td>Property</td>
</tr>
<tr>
<td>DRT1501</td>
<td>3</td>
<td>1</td>
<td><strong>Constitutional Law 1</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>History, sources, and core principles of Canadian constitutional law.</td>
</tr>
</tbody>
</table>
Constitutional Law 2

Division of powers. Introduction to the protection of rights and liberties, and to Aboriginal rights.

Criminal Law 1

Source and foundations of criminal law. Fundamental principles of criminal responsibility. Study of the constitutive elements of criminal offenses, notion of criminal fault, and means of exoneration.

Development of Skills Competencies 1

Introduction to legal reasoning, documentary and computerized research techniques and to legal writing rules.

B - Mandatory - (27 credits)

Course No Credits Length Title

DRT2001 3 1 Statutory Interpretation

Analysis of the rules of statutory interpretation, namely, the rules and principles that guide the interpreter in determining the meaning and scope of legislative texts and the arguments that justify these interpretations.

DRT2100 3 1 Public International Law

DRT2231 3 1 Judicial Process 1 (Procedure)

Introduction to legal processes and adjectival law. Jurisdiction of various courts. The trial: roles of the judge and parties; judicial process; ordinary and special procedural rules. Remedies and possible orders.

DRT2232 3 1 Judicial Process 2 (Evidence)

of evidence.

DRT2401  3  1 **Business Law 1**

Notion of “business” and legal implications: study of various forms of business associations; legal personality of business corporations; legal publicity.

DRT2402  3  1 **Business Law 2**

Study of founding principles and rules governing business corporations. Federal and provincial legislation. Incorporation, administrative and capital structure, internal governance, the corporation’s interactions with external actors, winding-up and dissolution.

DRT2501  3  1 **Administrative Law**


DRT2505  3  1 **Criminal Law 2**

Fundamental dimensions of criminal evidence and procedure (federal and provincial). Fundamental principles governing sentencing. Impact of constitutional law.

DRT2902  3  1 **Development of Skills Competencies 2**

Development of legal reasoning and skills competencies. Improvement of communication skills through the analysis of one or two legal questions or complex problems.
Legal Systems and Theoretical Foundations

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## D - Optional - (minimum 3, maximum 24 credits)

### International Law

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<td>DRT3102</td>
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## E - Optional - (minimum 0, maximum 30 credits)

### Civil Law

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<td>DRT3202</td>
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### NORTH AMERICAN COMMON LAW PROGRAM AT THE FACULTY OF LAW OF THE UNIVERSITÉ DE MONTRÉAL

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<td>Execution of Judgements</td>
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**F - Optional - (minimum 0, maximum 27 credits)**

### Business Law

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### G - Optional - (minimum 0, maximum 30 credits)

#### Public Law and Criminal Law

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<td>Civil Liberties</td>
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<td>DRT3504</td>
<td>3</td>
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<td>Administrative Tribunals</td>
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<tr>
<td>DRT3505</td>
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<td>DRT3506</td>
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### H - Optional - (minimum 0, maximum 18 credits)

#### Labour Law and Social Law

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<td>Grievances and Arbitration</td>
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<td>3</td>
<td>1</td>
<td>Individual Labour Contracts</td>
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<td>DRT3603</td>
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<td>Collective Labour Contracts</td>
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<tr>
<td>Course No</td>
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<td>Length</td>
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<td>DRT3605</td>
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**I - Optional - (minimum 0, maximum 12 credits)**

### Tax Law

Course No Credits Length Title

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<td>Corporate Taxation</td>
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<tr>
<td>DRT3703</td>
<td>3</td>
<td>1</td>
<td>Tax Planning</td>
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<tr>
<td>DRT3711</td>
<td>3</td>
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**J - Optional - (minimum 0, maximum 30 credits)**

### Thematic Courses

Course No Credits Length Title

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</table>
### Health Law
- **DRT3810**  3  1  Health Law

### Law and Public Policy for Youth
- **DRT3811**  3  1  Law and Public Policy for Youth

### K - Optional - (minimum 3, maximum 3 credits)

#### Professional Skills

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</table>
| DRT3910   | 3       | 1      | **Seminar: Research and Writing**  
Thematic research and dissertation presenting findings. |
| DRT3911   | 3       | 1      | **Seminar: Problems Solving**  
Relational aspects of the practice of law in a specific sector of law. Resolution of practical cases. Research and essay. |
| DRT3912   | 3       | 1      | **Seminar: Alternative Methods of Resolution of Conflicts**  
| DRT3913   | 3       | 1      | **Moot Court (Competition)**  
Research, dissertation and pleading. |
| DRT3914   | 3       | 1      | **Legal Clinic**  
Interview with clients of the Legal Clinic. Legal characterization of facts. Research and drafting of legal memoranda. |
| DRT3915   | 3       | 1      | **Moot Court (Internal)**  
Research, dissertation and pleading. |
**Research Internship**

Internship with a research center, at the legal affairs department of the University, or with a judge, a government department or a public body. Research and writing of legal memoranda.

**L - Optional - (minimum 0, maximum 6 credits)**

### Additional Professional Skills

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<td>CyberTribunal-Moot Court</td>
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</table>
In addition to this standard bachelor program, the Faculty offers advanced programs combining graduate and undergraduate courses. These programs are the following:

<table>
<thead>
<tr>
<th>Undergraduate and Joint Programs offered at the Faculty</th>
</tr>
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<tbody>
<tr>
<td><strong>Undergraduate Programs</strong></td>
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<tr>
<td><strong>Bachelor in Law (LL.B.)</strong></td>
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<tr>
<td><strong>Joint Undergraduate and Graduate Credits or Programs</strong></td>
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<tr>
<td><strong>LL.B. (Honours)</strong></td>
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<tr>
<td>Includes 4 courses from graduate programs</td>
</tr>
<tr>
<td><strong>LL.B. and Graduate Programs</strong></td>
</tr>
<tr>
<td>Includes 5 courses from graduate programs:</td>
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<tr>
<td>Common Law; Research; Business Law;</td>
</tr>
<tr>
<td>Information Technology; International Law;</td>
</tr>
<tr>
<td>or, Law and Labour</td>
</tr>
<tr>
<td><strong>LL.B. and MBA</strong></td>
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<tr>
<td>Law and Business Administration</td>
</tr>
<tr>
<td>The LL.B. includes 5 courses from the MBA</td>
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</table>

**LL.B. (Honours)**

This program allows outstanding students (3.7 or A- average after the second year in the LL.B.) to begin a graduate program by replacing four undergraduate optional courses with graduate courses.

**Joint LL.B. and Graduate Programs**

Students may take five graduate courses (15 cr.) in their third year of studies if they have a CEGEP degree and a bachelor in a discipline other than law (a minimum successful completion
of five years of postsecondary education) and have completed 65 credits in the LL.B. program with an average qualifying for graduate studies.

Graduate programs opened to third year law students consist of North American Common Law; Research (any field of law); Business Law; Information Technology; International Law; and, Law and Labour.

LL.B. and MBA

The program administered by the Faculty of Law and HEC Montréal combines the LL.B. and the MBA into three years instead of four and requires year-round study. This intensive program responds to an increasingly complex business world by providing a joint training in law and management. This advanced program is available to a limited number of students who hold a CEGEP degree and a bachelor (a minimum successful completion of five years of postsecondary education) and have an outstanding academic record. Five MBA courses are included in the LL.B.

2.1.2 Admission

Annually, more than 2,000 candidates apply to the Faculty’s LL.B. The host capacity in the first year is 335 students, who are then divided into five sections. The qualifications of admitted students are very high. The law program is in fact the hardest to get admitted into after medicine, dental medicine, veterinary medicine, optometry and pharmacy.

Admission is essentially based on the excellence of the academic record. Noteworthy is also the increased qualifications of students over the last few years. Approximately half the candidates hold a CEGEP diploma while the other half is composed of students having completed at least one university semester (or equivalent). Space available for these two categories of students is based upon the quality of the academic record of the applicant.

Apart from these two categories, the Faculty welcomes a limited number of international students each year. About 15 places are reserved for them within the quota of 335 students. Here again, the quality of the academic file of the applicant is evaluated taking into account the reputation of the university where he or she is primarily enrolled.

For admission purposes, the academic results of CEGEP students are converted through a complex mathematical formula that ensures fairness among candidates.

“The use of academic records for purposes of classification and selection assumes that there is a common basis for evaluation, or, alternatively, that the groups of students, their learning experiences, and the grading methods are inherently the same. The college education regulations are clear on the autonomy enjoyed by each institution in the evaluation of learning. Consequently, universities have devised a way of classifying students for purposes of selection by utilizing statistical methods.
to correct for observed differences in the grading systems used by the [CEGEP’S], and to adjust the resulting values so as to take into account the relative strength of each group of students. This method, called the R score, was adopted by Québec universities in 1995.\(^5\)

A similar formula is employed for university candidates which takes into consideration the university program.\(^6\)

2.2 The J.D. Program

2.2.1 Description of the program

The Faculty began offering a graduate program in North American Common Law in 2001 to respond to legal developments arising from increased global exchanges and North American economic integration.\(^7\) The J.D. complements the Canada’s National Requirements offered in the LL.B. program. First designated as a D.E.S.S., the title of the program was changed to J.D. in June 2010. As previously mentioned, our J.D. program can only be followed after graduating from a three year LL.B. program, itself containing a very high percentage of common law courses.

One of the particular strengths of our J.D. program undeniably lies in its comparative dimension. Given that our students already have three years of rigorous legal training, the pedagogical approach has to be adapted consequently. Hence the comparative approach designed to introduce students to new common law courses that sharpen their comparative, critical and analytical skills.

Another special feature of our J.D. is its emphasis on US Law. We are pursuing the broader objective of teaching beyond the basic common law courses by addressing issues that are key to the North American integration process. As a result, students acquire proficiency in Canadian and American common law, with acute analytical, comparative and communication skills as well as professional ethical values and the ability to undertake legal research and solve legal problems in North American legal systems and beyond. In addition, students have the competency to

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\(^5\) Conférence des recteurs et principaux des universités du Québec (CRÉPUQ), The R Score: What it is, what it does, 2009, p. 4.

\(^6\) http://www.futursetudiants.umontreal.ca/fr/admission/cote-de-rendement/adm_universitaire_calcul.html

\(^7\) The Common Law program is offered as a microprogram, a J.D. and a LL.M. As said, the microprogram is a short graduate certificate (17 cr.) which is part of the continuing education provided by the Faculty. It is designed for jurists who possess a law degree and who want to master the basics of North American Common Law. The LL.M. includes all J.D. courses (32 credits) and a supervised research project (13 credits). With its writing component, the LL.M. further develops the capacity to conceptualise and realize a research project in an area specific to the common law.
communicate effectively in both French and English. That being said, the vast majority of courses are taught in English.

The J.D. specialized in North American Common Law is unique in Canada. As mentioned earlier, the J.D. builds on the Canada’s National Requirements courses of the LL.B. and offers a specialization in North American Common Law.

The objectives of the J.D. program are the following:

- To provide students with an understanding of the institutions and history of the Canadian and United States Common Law systems;
- To enable students to proceed to comparative analyses of Common Law and Civil Law systems;
- To provide students with comparative skills in Anglo-Canadian and American law in the main areas of law;
- To enable students to develop a critical approach and outlook on Quebec, Canadian and American law;
- To impart students with the ability to use different legal systems to bring innovative solutions to complex problems;
- To offer students holding a bachelor recognized by the Quebec Bar a training that gives them the opportunity to be admitted to the Bars of common law provinces or other common law jurisdictions.

The J.D. program comprises 11 courses (32 credits).

As of 2011-2012, all courses will be compulsory. The table below presents these courses.

<table>
<thead>
<tr>
<th>Codes</th>
<th>Courses</th>
<th>Descriptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRT6565 (2 cr.)</td>
<td>History and Methods of the Common Law</td>
<td>Sources and formation of common law in England; development of Canadian and American legal institutions; interactions between sources and institutions in Canadian and American law.</td>
</tr>
<tr>
<td>DRT6566 (3 cr.)</td>
<td>Contracts</td>
<td>US and Canadian common law of contracts, from their formation to termination. Distinction between common law and civil law contracts.</td>
</tr>
<tr>
<td>DRT6567 (3 cr.)</td>
<td>Torts</td>
<td>Tort law systems of Canada and the United States. Intentional interferences, negligence, strict and vicarious liability, nuisance and the tortious liability of public authorities. Distinction between common law torts and</td>
</tr>
</tbody>
</table>
### Civil Law Extra-Contractual Obligations

#### DRT6568
**Real Property**

Rights and obligations in the field of common law real property. Notions of acquisition, transfer and extinguishment of property rights; forms of property ownership; rights, privileges, powers and obligations of owners and non-owners. Comparison between civil law and common law systems.

#### DRT6569
**Civil Procedure**

Civil litigation process in a comparative Canadian-American perspective. Enforcement of judgements, multi-parties actions, class actions and US multidistrict transfers and the federal courts.

#### DRT6570
**Contracts – Selected Problems**

Topics at the intersection of the common law of contracts and torts, including, for example, the sale of defective goods and product liability. Issues relating to damages. Study of the Sale of Goods Act.

#### DRT6571
**Secured Transactions in Personal Property**


#### DRT6572
**Remedies in Private and Public Law**

Nature and history of equity; relationship of equity to common law; origin of unjust enrichment in legal and equitable doctrines; principles underlying the recognition of grounds of restitution; and, remedies and defences to restitutionary claims in Anglo-Canadian and US law.

#### DRT6573
**Trusts and Estates**

Basic elements of trust law on a comparative Canada/US basis (the history of trusts as creatures of equity, the constitution of a trust, the duties, obligations and powers of trustees, as well as the rights and obligations of beneficiaries); selected problems in contemporary trust law; and, transmission of property on death.

#### DRT6464
**Integration Workshop**

Integration of knowledge acquired during the program through Complex Problem-Solving and Legal Memorandum drafting. Improvement of oral communication.
Full-time students can complete the program within two semesters and part-time students in five semesters.

The Faculty fully supports the need to offer a course centered on “Ethics and Professionalism” which requires students to demonstrate “an awareness and understanding of the ethical requirements for the practice of law in Canada.” The Faculty will include a mandatory course in the J.D. as of 2011-2012. This three credits course will comply with the contents planned in the document “Task Force Recommendations” (p. 3). Professor Marie-Claude Rigaud, member of the Quebec Bar’s Deontology Committee, has been asked by the Faculty’s direction to develop and teach this course. The Faculty is also seriously considering including this course in its regular LL.B. program. A decision on the matter will be taken subsequently to the evaluation of the LL.B. In the event that this course becomes a mandatory course in the LL.B., it would be removed from the list of compulsory courses. The students would be able to take an optional course part of a limited list of courses relevant to the objectives of the J.D.

Moreover, in an endeavour to further develop problem-solving, research, and oral and written legal communication skills, an Integration Workshop (3 credits) has been added to the J.D. In this workshop, students will integrate the knowledge they acquired throughout the program by solving complex problems and writing legal opinions. At the end of the course, students will be required to submit a written legal opinion and to plead the case upon which it is based before a jury.

2.2.2 Admission

The J.D. is a graduate degree requiring applicants to have an LL.B. degree with a minimum average of 2.7/4.3. As noted above, students are expected to demonstrate their command of both French and English. Approximately 50 students enrol in this program annually.

2.2.3 Recognized Quality of the North American Common Law Program

Beyond the integration in the J.D. of the two compulsory courses “Ethics and Professionalism” and “Integration Workshop”, it is also worth mentioning that the J.D. program (at the time known under the title DESS) was evaluated by two external experts in 2008, namely, Professor Thomas Carbonneau of Dickinson School of Law at Penn State University and Professor John D. McCamus of Osgoode Hall Law School at York University. Together, they concluded:

“As we have indicated in the introductory section of this report, it is our view that the DESS Common Law Program is a substantial success and stands as testimony to the strength and innovative spirit of the Faculté de droit de l’Université de Montréal. Widely renowned as one of
the leading civilian law schools of the world, it is obvious that its core competencies did not include establishing a graduate program in common law, any more than one would expect a leading common law school to be capable of providing a graduate program in civil law. Despite these common sense assumptions, the rapid development of the program and the success it has enjoyed in common law jurisdictions in North America indicates that the program was both well conceived and well implemented by the Faculté de droit. If one of the measures of the strength of a leading law faculty is its ability to adjust and reach beyond its basic preoccupations and do the unexpected, the mounting of the DESS Common Law Program is evidence of the pedagogical strengths and creativity of the Faculté de droit. By developing this program, the Faculté will maximize the opportunities for its students and aid them in participating in increasingly internationalized and globalized practice of law. Those who fashioned the program are, in our view, to be complimented and congratulated.”

External evaluators thus recognized the high quality of the J.D. program.
2.3 Recognition of the Canada’s National Requirements Competency for the LL.M. and J. D. programs

As previously mentioned, we submit for recognition the Canada’s National Requirements contents of the LL.B. and J.D. offered at our Faculty of Law. These requirements are summarized in the following table:

### National Requirements

#### Summary Table of Courses and Seminars

<table>
<thead>
<tr>
<th>LL.B.</th>
<th>J.D.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compulsory Courses (16 courses - 47 cr.)</td>
<td>Compulsory Courses (11 courses - 32 cr.)</td>
</tr>
<tr>
<td>Introduction to Law (2 cr.); Foundations of Law 1 (3 cr.); Foundations of Law 2 (3 cr.); Constitutional Law 1 (3 cr.); Constitutional Law 2 (3 cr.); Criminal Law 1 (3 cr.); Criminal Law 2 (3 cr.); Statutory Interpretation (3 cr.); Administrative Law (3 cr.); Judicial Process 1 (Procedure - 3 cr.); Judicial Process 2 (Evidence - 3 cr.); Business Law 1 (3 cr.); Business Law 2 (3 cr.); Development of Skills Competency 1 (3 cr.); Development of Skills Competency 2 (3 cr.); Professional Skills (3 cr.)</td>
<td>History and Methods of Common Law (2 cr.); Civil Procedure (3 cr.); Contracts (3 cr.); Torts (3 cr.); Real Property (3 cr.); Contracts: Selected Problems (3 cr.); Secured Transactions in Personal Property (3 cr.); Remedies in Public and Private Law (3 cr.); Trusts and Estates (3 cr.); Ethics and Professionalism (3 cr.); Integration Workshop (3 cr.)</td>
</tr>
<tr>
<td></td>
<td>79 cr.</td>
</tr>
</tbody>
</table>

While most J.D. candidates have obtained a LL.B. from our Faculty and therefore respect all of Canada’s National Requirements, the fact remains that some candidates may have obtained their LL.B. from another university in Quebec or from the University of Ottawa’s Civil Law Section (LL.L.). For these candidates, the Faculty will issue a conditional admission requesting that they succeed in all LL.B. courses (listed above) that are compulsory for the purpose of the Canada’s National Requirements prior to obtaining their J.D. degree. Henceforth, the Faculty will ensure that all holders of the J.D. fulfil Canada’s National Requirements within the two degrees. We
also assure that the J.D. will not apply to graduates with Civil Law degree from non-Canadian universities.

The academic programs submitted for recognition last on average four years and totalize 133 credits (101 cr. at the LL.B. and 32 cr. at the J.D.).\(^9\) Even in exceptional cases where students follow the LL.B. with honors, the LL.B. with Graduate Programs or the LL.B./MBA, they will meet the minimum requirement of “three academic years or its equivalent in course credits.”

The table below provides a summary of the number of credits undertaken by students in each of the LL.B. program:

<table>
<thead>
<tr>
<th></th>
<th>LL.B.</th>
<th>J.D.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor in Law (LL.B.)</td>
<td>101 cr.</td>
<td>32 cr.</td>
<td>133 cr.</td>
</tr>
<tr>
<td>LL.B. with Honours</td>
<td>101 cr.</td>
<td>20 cr. or 32 cr.</td>
<td>121 cr. or 133 cr.</td>
</tr>
<tr>
<td></td>
<td>Including 12 cr. of graduate studies (can be J.D. courses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LL.B. and Graduate Programs</td>
<td>101 cr.</td>
<td>17 cr. or 32 cr.</td>
<td>118 cr. or 133 cr.</td>
</tr>
<tr>
<td></td>
<td>Including 15 cr. of graduate studies (can be J.D. courses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LL.B. and MBA</td>
<td>101 cr.</td>
<td>32 cr.</td>
<td>118 cr.</td>
</tr>
<tr>
<td></td>
<td>Including 15 cr. of the MBA = 86 cr.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Assessing competency requirements**

The goals of the LL.B. and J.D. are defined above. To ensure that these goals and the abilities identified in the Canada’s National Requirements are met, the Faculty developed a number of mechanisms. First, all courses in our academic programs are appraised by students through surveys evaluating the performance of professors. The results are taken into consideration when promoting professors and evaluating lecturers. In addition, each program has a specific committee comprised of professors, lecturers and students whose main role is to ensure the quality of the program, of the education provided and of the effectiveness of the methods put in

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\(^9\) One credit is equivalent to 45 hours of work dedicated to learning, including, when necessary, the number of hours of personal work required of students as assessed by the University.
place to achieve programs’ goals. Finally, each program is subject to a periodical self-evaluation and to an evaluation by an external committee of experts. For instance, the LL.B. is currently under evaluation while the J.D., as noted earlier, was evaluated in 2008. These evaluation processes entail the consultation of students, graduates and employers. Together, these mechanisms constitute an effective manner to ensure that programs meet stated objectives and accord with future needs. In this respect, it is worth citing the external evaluators, who declared during their evaluation of the J.D. in 2008 that the protocol of evaluation of our programs “is in line with and exceeds the best practices of universities in other jurisdictions.”

Tables 2 and 3 are annexed to our submission and refer specifically to the fulfillment of Canada’s National Requirements by the LL.B. and J.D. programs of our Faculty and to the criteria for program approval. These tables refer not only to the current part of this document, but also to relevant elements in Part 1 of this request.

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10 Professor Thomas Carbonneau, Dickinson School of Law, Penn State University and Professor John D. McCamus, Osgoode Hall Law School, York University, Evaluation du Programme DESS Common Law, Faculté de droit, Université de Montréal, Report of the External Experts, p. 1.
### Table I – Professors at the Faculty of Law of Université de Montréal

<table>
<thead>
<tr>
<th>Names</th>
<th>Specialties</th>
<th>Education/Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Associate Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Karim Benyekhlef</td>
<td>Privacy rights, transnational governance, cyberjustice, information technology law.</td>
<td>-L.L.D. – U. de Montréal &lt;br&gt;-L.L.M. – U. de Montréal &lt;br&gt;-L.L.B. – U. de Montréal &lt;br&gt;-Called the Quebec Bar</td>
</tr>
<tr>
<td>Full Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anne-Marie Boisvert</td>
<td>Criminal law.</td>
<td>-L.L.M. – Harvard University &lt;br&gt;-L.L.B. – U. de Montréal &lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Full Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diane Bruneau</td>
<td>Tax law, trusts.</td>
<td>-M. Fisc. – U. de Sherbrooke &lt;br&gt;-D.D.N. – U. de Montréal &lt;br&gt;-L.L.B. – U. de Montréal &lt;br&gt;-Called to the Quebec Board of Notaries</td>
</tr>
<tr>
<td>Full Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Associate Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>François Chevrette</td>
<td>Constitutional law, civil liberties.</td>
<td>-D.E.S. – U. de Paris &lt;br&gt;-L.L.L. – U. de Montréal &lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Full Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Darankoum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Associate Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Patrice Deslauriers</td>
<td>Civil law, professional responsibility.</td>
<td>-D.E.A. – U. de Paris &lt;br&gt;-L.L.M. – U. de Montréal &lt;br&gt;-L.L.B. – U. de Montréal &lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Full Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renée-Claude Drouin</td>
<td>Administrative law, labour law, international labour law.</td>
<td>-D.Phil. – U. of Cambridge &lt;br&gt;-L.L.M. – U. Laval &lt;br&gt;-L.L.B. – U. Laval &lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Assistant Professor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Specializations</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-----------------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Geneviève Dufour                    | Assistant Professor         | Corporate law, merger and acquisitions, corporate social and environmental responsibility, history of company law. | -LL.D. – U. de Montréal  
-LL.M. – U. de Montréal  
-LL.B. in common law – McGill U.  
-B.C.L. – McGill U.  
-Called to the Quebec Bar |
| Hélène Dumont                       | Full Professor              | Criminal law, sentencing.                                                        | -LL.M. – U. of Berkeley  
-LL.M. – U. de Montréal  
-LL.L. – U. de Montréal  
-Called to the Quebec Bar |
| Isabelle Duplessis                  | Associate Professor         | International public law, international labour law, international organizations. | -LL.D. – U. de Montréal  
-LL.M. – U. of Montréal  
-LL.B. – U. of Montréal  
-Called to the Quebec Bar |
| Jacques Frémont                     | Full Professor              | Constitutional law, governance.                                                 | -Doct. Hon. – U. Aix-Marseille  
-LL.M. – Osgoode Hall Law School  
-LL.L. – U. de Montréal  
-Called to the Quebec Bar |
| Jean-François Gaudreault-DesBiens    | Full Professor              | Public and Canadian constitutional law, comparative civil and common law, comparative civil liberties, comparative federalism, jurisprudence. | -LL.D. – U. of Ottawa  
-LL.M. – U. Laval  
-LL.B. – U. Laval  
-Called to the Quebec and Ontario Bar |
| Ysolde Gendreau                     | Full Professor              | Intellectual property law, competition law.                                    | -Doct. – U. de Paris 2  
-LL.M. – McGill U.  
-LL.B. in common law – McGill U.  
-B.C.L. – McGill U.  
-Called to the Quebec Bar |
| Gérald Goldstein                    | Full Professor              | Private international law, civil law.                                          | -D.C.L. – McGill U.  
-LL.M. – McGill U.  
-D.E.S.S. – U. de Paris 2  
-Master – U. de Paris 2 |
| Marie Annik Grégoire                | Assistant Professor         | Family law, contracts, civil law.                                               | -D.C.L. – McGill U.  
-LL.M. – U. de Montréal  
-LL.B. – U. de Montréal  
-Called to the Quebec Bar |
<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Specialties</th>
<th>Education</th>
</tr>
</thead>
</table>
| Matthew P. Harrington       | Full Professor         | History of English and American law, English and American constitutional law, North-American common law. | - S.J.D. – U. of Pennsylvania  
- LL.M. – U. of Pennsylvania  
- J.D. – U. of Boston  
- Called to the Pennsylvania Bar |
| Jean Hétu                   | Full Professor         | Municipal law, administrative law, environmental law.                      | - LL.M. – Harvard U.  
- LL.L. – U. de Montréal  
- Called to the Quebec Bar  
- Advocatus Emeritus – Quebec Bar |
| France Houle                | Full Professor         | Administrative law, immigration law.                                      | - LL.D. – U. de Montréal  
- LL.M. – Queen’s U.  
- LL.B. – U. de Montréal  
- Called to the Quebec Bar |
| Noura Karazivan             | Assistant Professor    | Constitutional law, administrative law, International law.               | - LL.D. – U. de Montréal (in progress)  
- LL.M. – U. of Leiden  
- LL.B. in common law – McGill U.  
- B.C.L. – McGill U.  
- Called to the Quebec Bar |
| Konstantia Koutouki         | Assistant Professor    | Common Law, Intellectual property law, indigenous traditional knowledge, international economic law. | - LL.D. – U. de Montréal  
- LL.M. – Queen’s U.  
- LL.B. – Queen’s U.  
- B.A. – Concordia U.  
- Called to the Ontario Bar |
| Diane Labrèche             | Full Professor         | Criminal law, legal pedagogy.                                             | - LL.M. – Osgoode Hall Law School  
- LL.L. – U. de Montréal  
- Called to the Quebec Bar |
| Pierre-Claude Lafond        | Full Professor         | Consumer protection law, civil law, access to justice, alternative modes of conflict resolution. | - Doctorate – U. de Montpellier I  
- LL.M. – U. de Montréal  
- LL.L. – U. de Montréal  
- Called to the Quebec Bar |
| Suzanne Lalonde             | Full Professor         | Public international law, international law of the seas.                 | - Ph.D. – U. of Cambridge  
- LL.B. – Queen’s U.  
- B.A. – U. of Ottawa  
- Called to the Ontario Bar |
| Jean Leclaire               | Full Professor         | Canadian constitutional law, history of Canadian law, indigenous peoples and Canadian law. | - LL.M. – U. de Montréal  
- LL.B. – U. de Montréal  
- Called to the Quebec Bar |
| Brigitte Lefebvre           | Full Professor         | Family law, civil law.                                                    | - Doct. – U de Paris 2  
- LL.M. – U. de Montréal  
- LL.B. – U. de Montréal  
- Called to the Quebec Board of Notaries |
| Guy Lefebvre                | Full Professor         | International business transactions, transportation law, business law, governance. | - LL.M. – University College London (U. of London)  
- LL.M. – U. de Montréal  
- LL.L. – U. de Montréal  
- Called to the Quebec Bar  
- Correspondent of Unidroit |
<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Research Areas</th>
<th>Degrees and Bar Admissions</th>
</tr>
</thead>
</table>
| Violaine Lemay        | Assistant Professor          | Youth law, law and interdisciplinary theory and practice of professional intervention. | LL.D. – U. de Montréal  
LL.M. – U. Laval  
LL.B. – U. Laval  
Called to the Quebec Bar |
| Thérèse Leroux        | Full Professor               | Health law, bioethics.                               | Ph.D. – U. Laval  
LL.B. – U. de Sherbrooke  
Called to the Quebec Bar |
| Didier Lluelles       | Full Professor               | Civil law, insurance law.                            | D.E.S.S. – U. de Paris  
LL.L. – U. de Montréal  
Called to the Quebec Bar  
Elected Member of the Royal Society of Canada |
| Benoît Moore          | Associate Professor          | Civil law, family law, comparative law.              | D.E.A. – U. de Paris  
LL.M. – U. de Montréal  
LL.B. – U. de Montréal  
Called to the Quebec Bar |
| Jean-Louis Baudouin   | Chair in Civil Law.          |                                                     |                                                                 |
| Michel Morin          | Full Professor               | History of French, English, Quebec and Canadian law, Aboriginal law, comparative law. | M. Sc. – U. du Québec in Montréal  
LL.L. – U. de Montréal  
Called to the Quebec Bar |
| Sophie Morin          | Assistant Professor          | Civil law, family law.                               | LL.D. – U. de Montréal  
LL.M. – McGill U.  
LL.B. – U. de Montréal  
Called to the Quebec Bar |
| Nanette Neuwahl       | Full Professor               | European Union law, external economic relations of the European community, constitutional European law. | Doct. – European University Institute  
LL.M. – Leiden U.  
LL.B. – Leiden U. |
| Jean Monnet           | Chair on the Law of the European Union. |                                                     |                                                                 |
| Pierre Noreau         | Full Professor               | Sociology of law, theory of law.                     | Doct. – Institut d’études politiques de Paris  
M. Sc. – U. de Montréal  
LL.B. – U. Laval  
Called to the Quebec Bar |
| Hugues Parent         | Associate Professor          | Criminal law.                                        | LL.D. – Université de Montréal  
LL.M. – U. Laval  
LL.B. – U. Laval |
| Catherine Piché       | Assistant Professor          | Procedural law, evidence and civil procedure.        | D.C.L. – McGill U.  
LL.M. – New York U.  
LL.B. – Dalhousie U.  
LL.L. – U. of Ottawa  
Called to the Quebec, New York and Massachusetts Bar |
<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Areas of Expertise</th>
<th>Education/Professional Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danielle Pinard</td>
<td>Full Professor</td>
<td>Constitutional law, statutory interpretation, constitutional evidence.</td>
<td>LL.M. – London School of Economics and Political Science (U. of London)&lt;br&gt;-LL.L. – U. de Montréal&lt;br&gt;-B.A. – U. de Montréal&lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Daniel Poulin</td>
<td>Full Professor</td>
<td>Legal information system and computerisation of legal processes. LexUM Chair.</td>
<td>M. Sc. – U. de Montréal&lt;br&gt;-LL.M. – U. de Montréal&lt;br&gt;-B. Sc. – U. de Montréal</td>
</tr>
<tr>
<td>Louise-Hélène Richard</td>
<td>Associate Professor</td>
<td>Health law, commercial law</td>
<td>LL.M. – U. de Sherbrooke&lt;br&gt;-LL.B. – U. de Montréal&lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Marie-Claude Rigaud</td>
<td>Assistant Professor</td>
<td>Legal ethics, comparative civil procedure, arbitration and mediation, North American common law.</td>
<td>Doct. – U. de Paris 12&lt;br&gt;-LL.B. in common law – McGill U.&lt;br&gt;-B.C.L. – McGill U.&lt;br&gt;-Called to the Quebec and Ontario Bar</td>
</tr>
<tr>
<td>Louise Rolland</td>
<td>Full Professor</td>
<td>Civil law and legal methodology.</td>
<td>LL.M. – U. de Montréal&lt;br&gt;-LL.L. – U. de Montréal&lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Stéphane Rousseau</td>
<td>Full Professor</td>
<td>Corporate law, corporate governance, securities, law and economics. Governance and Business Law Chair.</td>
<td>S.J.D. – U. of Toronto&lt;br&gt;-LL.M. – U. Laval&lt;br&gt;-LL.B. – U. Laval&lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Alain Roy</td>
<td>Full Professor</td>
<td>Family law, children law, civil law.</td>
<td>LL.D. – U. Laval&lt;br&gt;-LL.M. – U. de Montréal&lt;br&gt;-LL.B. – U. de Montréal&lt;br&gt;-Called to the Quebec Board of Notaries</td>
</tr>
<tr>
<td>Jeffrey Talpis</td>
<td>Full Professor</td>
<td>Trusts and estates, private international law.</td>
<td>LL.D. – U. de Montréal&lt;br&gt;-LL.M. – U. de Montréal&lt;br&gt;-B.C.L. – McGill U.&lt;br&gt;-B.A. – McGill U.&lt;br&gt;-Called to the Quebec Board of Notaries&lt;br&gt;Paul-André Crépeau Medal Award- 2005 (Canadian Bar Association)</td>
</tr>
<tr>
<td>Luc B. Tremblay</td>
<td>Full Professor</td>
<td>Political philosophy, constitutional theory, human rights and legal interpretation.</td>
<td>D.Phil. – U. of Oxford&lt;br&gt;-LL.M. – U. of British Columbia&lt;br&gt;-LL.B. – U. de Sherbrooke&lt;br&gt;-Called to the Quebec Bar</td>
</tr>
<tr>
<td>Name</td>
<td>Title</td>
<td>Areas of Law</td>
<td>Education and Professional Background</td>
</tr>
<tr>
<td>--------------------</td>
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<td>----------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Gilles Trudeau     | Full Professor         | Labour law, labour relations, international labour law.  | - S.J.D. – Harvard U.  
- LL.B. – U. de Montréal  
- B. Sc. – U. de Montréal  
- Called to the Quebec Bar  
- Elected Member of the Royal Society of Canada |
| Hélène Trudeau     | Associate Professor    | Quebec, Canadian and international environmental law, civil and criminal responsibility for environmental damages. | - D.E.A. – U. de Bordeaux I  
- LL.B. – U. de Montréal  
- Called to the Quebec Bar |
| Pierre Trudel      | Full Professor         | Information and communication law, cyberspace law, e-commerce law, audiovisual law. | - LL.M. – U. de Montréal  
- LL.L. – U. de Montréal  
- Called to the Quebec Bar |
| Daniel Turp        | Full Professor         | Public international law, comparative constitutional law, human rights and law. | - Doct. – U. de Paris 2  
- D.E.A. – U. de Paris 2  
- Diploma in International Law – U. of Cambridge  
- LL.B. – U. de Sherbrooke  
- Called to the Quebec Bar |
| Martine Valois     | Assistant Professor    | Administrative law, constitutional law. | - LL.D. – U. de Montréal  
- LL.M. – Harvard U.  
- LL.B. – U. de Montréal  
- Called to the Quebec Bar |
| Two (2) assistants or associate professors position now opened | Public law. |  |  |
| One position to be opened in the very near future (approved by the University) | International economic law. |  |  |

**Emeritus Professors:**

- Albert Bohémier: Business law.
- Pierre Ciotola: Civil law.
- Roger Comtois: Civil law.  
  - Elected Member of the Royal Society of Canada  
  - O.C.
- Pierre-André Côté: Legislative interpretation. Administrative law.

---

**Convocation - Professional Development and Competence Committee Report**
<table>
<thead>
<tr>
<th>Name</th>
<th>Specializations</th>
<th>Awards/Accomplishments</th>
</tr>
</thead>
</table>
| André Lajoie          | Constitutional law. Legal theory. Indigenous people law. | -Elected Member of the Royal Society of Canada  
                        |                                                      | -Walter Owen Prize (Canadian Bar Association)  
                        |                                                      | -Gold Medal of the SSHRC  
                        |                                                      | -Doct. h. c. |
| Pierre Martineau      | Civil law.                                           |                                                      |
| Jacques-Yvan Morin    | International public law. Constitutional law. Philosophy of law. | -Officier de la Légion d’honneur (France)  
                        |                                                      | -Grand Officier de l’Ordre de la Pléiade  
                        |                                                      | -Grand Officier de l’Ordre national du Québec  
                        |                                                      | -Doct. h. c. |
| Yves Ouellette        | Administrative law.                                   | -Elected Member of the Royal Society of Canada |
| Gilles Pépin          | Administrative law.                                   | -Elected Member of the Royal Society of Canada |
| Jean Pineau           | Civil law.                                            | -Chevalier de la Légion d’honneur (France)  
                        |                                                      | -Walter Owen Prize (Canadian Bar Association) |
| Adrian Popovici       | Civil law.                                            |                                                      |
| Guy Rocher            | Sociology of law.                                     | -C.C.  
                        |                                                      | -Elected Member of the Royal Society of Canada  
                        |                                                      | -Chevalier de l’Ordre national du Québec  
                        |                                                      | -Doct. h. c. |
| Louise Viau           | Criminal law.                                         |                                                      |
### Associate and Visiting Faculty Members:

<table>
<thead>
<tr>
<th>Name</th>
<th>Field(s)</th>
<th>Honors and Awards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nabil Antaki</td>
<td>Alternative dispute resolution, Business law, International commerce.</td>
<td>C.M., Elected Member of the Royal Society of Canada</td>
</tr>
<tr>
<td>Hon. Jean-Louis Baudouin</td>
<td>Civil law, Comparative law.</td>
<td>Doct. h. c., Elected Member of the Royal Society of Canada, Ramon John Hnatyshyn Medal</td>
</tr>
<tr>
<td>Hon. Pierre Béliveau</td>
<td>Criminal law.</td>
<td></td>
</tr>
<tr>
<td>Michel Deschamps</td>
<td>Business law.</td>
<td>Medal of the Université de Montréal, Correspondent of Unidroit, Fellow of American College of Commercial Finance Lawyers, Paul-André Crépeau Medal Award (Canadian Bar Association), Advocatus Emeritus – Quebec Bar</td>
</tr>
<tr>
<td>Christine Gagnon</td>
<td>Civil law.</td>
<td></td>
</tr>
<tr>
<td>Claude Laberge</td>
<td>Medical law, Genomics.</td>
<td>C.M.</td>
</tr>
<tr>
<td>Anne-Marie LaRosa</td>
<td>International law.</td>
<td></td>
</tr>
</tbody>
</table>
Table 2: Faculty of Law of Université de Montréal Alignment with the Federation of Law Societies of Canada

<table>
<thead>
<tr>
<th>National Requirements</th>
<th>Courses or Activities</th>
<th>Program</th>
<th>Credits</th>
<th>Contents and Comments</th>
<th>Instructors (indicative and subject to changes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Competency Requirements</td>
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<tr>
<td>1. Skills Competencies</td>
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</tr>
<tr>
<td>1.1 Problem-Solving</td>
<td>DRT 6464 – Integration Workshop (Course already available)</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Integration of knowledge acquired during the program through Complex Problem-Solving and Legal Memorandums drafting. Improvement of oral communication. N.B.: Problem-Solving is also the standard teaching method at our Faculty. Most professors and lecturers are using this method in their classes and in their examination. See also DRT 2902 and DRT 3911 below</td>
<td>Prof. Marie-Claude Rigaud and Lecturers</td>
</tr>
<tr>
<td>1.2 Legal Research</td>
<td>DRT 1901 – Development of Skills Competencies 1</td>
<td>LL.B. 1st year</td>
<td>3 cr.</td>
<td>Introduction to legal reasoning, documentary and computerized research techniques and to legal writing rules.</td>
<td>Prof. Danielle Pinard and Professors and Lecturers</td>
</tr>
<tr>
<td>1.3 Oral and Written Legal Communication</td>
<td>DRT 2902 – Development of Skills Competencies 2</td>
<td>LL.B. 2nd year</td>
<td>3 cr.</td>
<td>Development of legal reasoning and skills competencies. Improvement of communication skills through the analysis of one or two legal questions or complex problems.</td>
<td>Prof. Danielle Pinard and Professors and Lecturers</td>
</tr>
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<tr>
<td>Additional Development of Skills Competencies</td>
<td></td>
<td>LL.B. 3rd year</td>
<td>3 cr.</td>
<td>3 credits from:</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>DRT 3910 – Seminar: Research and Writing</td>
<td>Thematic research and dissertation presenting findings.</td>
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<tr>
<td>Course Code</td>
<td>Course Description</td>
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<tr>
<td>DRT 3913</td>
<td>Moot Court (Competition)</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Research, dissertation and pleading.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>DRT 3914</td>
<td>Legal Clinic</td>
<td></td>
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<tr>
<td></td>
<td>Interview with clients of the Legal Clinic. Legal characterization of facts. Research and drafting of legal memoranda.</td>
<td></td>
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<tr>
<td>DRT 3915</td>
<td>Moot Court (Internal)</td>
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<td></td>
<td>Research, dissertation and pleading.</td>
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<tr>
<td>DRT 3916</td>
<td>Research Internship</td>
<td></td>
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<tr>
<td></td>
<td>Internship with a research center, at the legal affairs department of the University, or, with a judge, a government department or a public body. Research and writing of legal memoranda. See also DRT 6464 above.</td>
<td></td>
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</tr>
</tbody>
</table>

N.B.: Problem-Solving is also a standard teaching method at our Faculty. Most professors and lecturers are using this method in their classes and in their examination.

Convocation - Professional Development and Competence Committee Report
### 2. Ethics and Professionalism

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Title</th>
<th>Degree</th>
<th>Credits</th>
<th>Description</th>
<th>Instructor(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRT XXXX</td>
<td>Ethics and Professionalism (new course)</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Minimum contents as defined in “Task Force Recommendations”, p. 3.</td>
<td>Prof. Marie-Claude Rigaud and Lecturers</td>
</tr>
</tbody>
</table>

### 3. Substantive Legal Knowledge

#### 3.1 Foundations of Law

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Title</th>
<th>Degree</th>
<th>Credits</th>
<th>Description</th>
<th>Instructor(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRT 1001</td>
<td>Introduction to Law</td>
<td>LL.B.</td>
<td>2 cr.</td>
<td>Concepts of law and rule of law; sources of law; composition and competencies of legislative, executive and judicial powers; basics of civil and common law.</td>
<td>Prof. Benoit Moore, Prof. François Chevrette, Prof. Marie-Annick Grégoire, Prof. Danielle Pinard, Prof. Anne-Marie Boisvert, Prof. Jacques Frémont, Ms. Maude Cheko, Mr. Sébastien Lanctôt</td>
</tr>
<tr>
<td>DRT 1010</td>
<td>Foundation of Law 1</td>
<td>LL.B.</td>
<td>3 cr.</td>
<td>Introduction to the foundations of law through the history of institutions and ideas. Formation and evolution of the two most important Western legal traditions: common law and civil law. History and rights of the Aboriginal peoples of Canada.</td>
<td>Prof. Jean Leclair, Prof. Michel Morin, Ms. Édith Vaillancourt, Mr. Arnaud Decroix</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Credit Hours</td>
<td>Description</td>
<td>Instructors</td>
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</tr>
<tr>
<td>DRT 1022</td>
<td>Foundation of Law 2</td>
<td>3 cr.</td>
<td>Introduction to fundamental questions about the law (what is law? what are its modes of expression? what are its functions?), and to various theoretical perspectives about it (positivism, natural law theories, legal realism, legal pluralism, etc.). Study and commentary of canonical texts.</td>
<td>Prof. Pierre Noreau, Prof. Violaine Lemay, Prof. Jacques Frémont, Prof. Luc Tremblay, Prof. Jean François Gaudreault-Desbiens</td>
<td></td>
</tr>
<tr>
<td>DRT 2231</td>
<td>Judicial Process 1 (Procedure)</td>
<td>3 cr.</td>
<td>Introduction to legal processes and adjectival law. Jurisdiction of various courts. The trial: roles of the judge and parties; judicial process; ordinary and special procedural rules. Remedies and possible orders.</td>
<td>Prof. Catherine Piché, Ms. Hélène Maillette, Mr. Daniel Saint-Pierre, Mr. Donato Centomo</td>
<td></td>
</tr>
<tr>
<td>Course Code</td>
<td>Credit</td>
<td>Course Title</td>
<td>Description</td>
<td>Instructors</td>
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</tr>
<tr>
<td>DRT 2001</td>
<td>3 cr.</td>
<td>Statutory Interpretation</td>
<td>Analysis of the rules of statutory interpretation, namely, the rules and principles that guide the interpreter in determining the meaning and scope of legislative texts and the arguments that justify these interpretations.</td>
<td>Prof. Stéphane Beaulac, Prof. Danielle Pinard, Prof. Martine Valois, Mr. Frédéric Bérard</td>
<td></td>
</tr>
<tr>
<td>DRT 6565</td>
<td>2 cr.</td>
<td>History and Methods of Common Law</td>
<td>Sources and formation of common law in England; development of Canadian and American legal institutions; interactions between sources and institutions in Canadian and American law.</td>
<td>Prof. Konstantia Koutouki, Prof. Stéphane Beaulac</td>
<td></td>
</tr>
<tr>
<td>DRT 6569</td>
<td>3 cr.</td>
<td>Civil Procedure</td>
<td>Civil litigation process in a comparative Canadian-American perspective. Enforcement of judgements, multi-parties actions, class actions and US multidistrict transfers and the federal courts.</td>
<td>Prof. Catherine Piché Mr. Éric Escayola</td>
<td></td>
</tr>
<tr>
<td>Course Code</td>
<td>Title</td>
<td>Credits</td>
<td>Description</td>
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<tr>
<td>DRT 1501 –</td>
<td>Constitutional Law 1</td>
<td>LL.B.</td>
<td>3 cr.</td>
<td>History, sources, and core principles of Canadian constitutional law.</td>
<td>Prof. François Chevrette, Prof. Danielle Pinard, Prof. Noura Karazivian, Prof. Jacques Frémont, Prof. Martine Valois, Mr. Frédéric Bérard, Ms. Ingrid Roy, Mr. Alexandre Morin</td>
</tr>
<tr>
<td>DRT 1502 –</td>
<td>Constitutional Law 2</td>
<td>LL.B.</td>
<td>3 cr.</td>
<td>Division of powers. Introduction to the protection of rights and liberties, and to Aboriginal rights.</td>
<td>Prof. François Chevrette, Prof. Danielle Pinard, Prof. Noura Karazivian, Prof. Jacques Frémont, Prof. Martine Valois, Mr. Frédéric Bérard, Ms. Ingrid Roy, Mr. Alexandre Morin</td>
</tr>
<tr>
<td>DRT 1505 –</td>
<td>Criminal Law 1</td>
<td>LL.B.</td>
<td>3 cr.</td>
<td>Source and foundations of criminal law. Fundamental principles of criminal responsibility. Study of the constitutive elements of criminal offenses, notion of criminal fault, and means of exoneration.</td>
<td>Prof. Diane Labrèche, Prof. Anne-Marie Boisvert, Prof. Hugues Parent, Mr. Nicholas Bellemare</td>
</tr>
<tr>
<td>DRT 2505 –</td>
<td>Criminal Law 2</td>
<td>LL.B.</td>
<td>3 cr.</td>
<td>Fundamental dimensions of criminal evidence and procedure (federal and</td>
<td>Prof. Diane Labrèche, Prof. Anne-Marie Boisvert, Prof. Hugues</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Course Description</td>
<td>Instructor(s)</td>
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<tr>
<td>DRT 2501</td>
<td>Administrative Law</td>
<td>Fundamental principles governing sentencing. Impact of constitutional law.</td>
<td>Prof. France Houle, Prof. Jean Hétu, Prof. Martine Valois, Prof. Noura Karazivian, Mr. Frédéric Bérard, Ms. Mélissa Blaise</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DRT 2401</td>
<td>Business Law 1</td>
<td>Notion of “business” and legal implications: study of various forms of business associations; legal personality of business corporations; legal publicity.</td>
<td>Prof. Geneviève Dufour, Prof. Stéphane Rousseau, Prof. Vincent Gautrais, Ms. Anne Talbot, Mr. Mathieu Halpin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DRT 2402</td>
<td>Business Law 2</td>
<td>Study of founding principles and rules governing business corporations. Federal and provincial legislation. Incorporation, administrative and capital structure, internal governance, the corporation’s interactions with external actors, winding-up and dissolution.</td>
<td>Prof. Geneviève Dufour, Prof. Stéphane Rousseau, Mr. Mathieu Halpin, Ms. Johanne Pérusse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Course Code</td>
<td>Degree</td>
<td>Credits</td>
<td>Description</td>
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<tr>
<td>DRT 6566 – Contracts</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>US and Canadian common law of contracts, from their formation to termination. Distinction between common law and civil law contracts.</td>
<td>Prof. Konstantia Koutouki, Prof. Stéphane Beaulac</td>
<td></td>
</tr>
<tr>
<td>DRT 6567 – Torts</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Tort law systems of Canada and the United States. Intentional interferences, negligence, strict and vicarious liability, nuisance and the tortious liability of public authorities. Distinction between common law torts and civil law extra-contractual obligations.</td>
<td>Prof. Mathew Harrington Prof. Stéphane Beaulac Prof. Marie-Claude Rigaud</td>
<td></td>
</tr>
<tr>
<td>DRT 6568 – Real Property</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Rights and obligations in the field of common law real property. Notions of acquisition, transfer and extinguishment of property rights; forms of property ownership; rights, privileges, powers and obligations of owners and non-owners. Comparison between civil law and common law systems.</td>
<td>Prof. Mathew Harrington</td>
<td></td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Degree</td>
<td>Credits</td>
<td>Description</td>
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<tr>
<td>DRT 6570</td>
<td>Contracts Selected Problems</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Topics at the intersection of the common law of contracts and torts, including, for example, the sale of defective goods and product liability. Issues relating to damages. Study of the Sale of Goods Act.</td>
<td>Prof. Konstantia Koutouki Mr. Jakob Adamski</td>
</tr>
<tr>
<td>DRT 6571</td>
<td>Secured Transactions in Personal Property</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Evolution of security interests in personal property in the common law jurisdictions through a comparison of key issues arising in the Personal Property Security Act and the US Uniform Commercial Code.</td>
<td>Mr. Keith Wilson</td>
</tr>
<tr>
<td>DRT 6572</td>
<td>Remedies in Private and Public Law</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Nature and history of equity; relationship of equity to common law; origin of unjust enrichment in legal and equitable doctrines; principles underlying the recognition of grounds of restitution; and, remedies and defences to restitutionary claims in Anglo-Canadian and US law.</td>
<td>Prof. Matthew Harrington</td>
</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Degree</td>
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<tr>
<td>DRT 6573</td>
<td>Trust and Estates</td>
<td>J.D.</td>
<td>3 cr.</td>
<td>Basic elements of trust law on a comparative Canada/US basis (the history of trusts as creatures of equity, the constitution of a trust, the duties, obligations and powers of trustees, as well as the rights and obligations of beneficiaries); selected problems in contemporary trust law; and, transmission of property on death.</td>
<td>Prof. Matthew Harrington</td>
</tr>
</tbody>
</table>

**Total National Requirements Credits** | 79 cr. |
### Table 3: Faculty of Law of Université de Montréal Compliance with the Canada’s National Requirements of the Federation of Law Societies of Canada

**Criteria for Program Approval**

#### B. APPROVED CANADIAN LAW DEGREE

The Federation will accept an LL.B. or J.D. degree from a Canadian law school if the law school offers an academic and professional legal education that prepares the student for entry to a bar admission program and meets the following criteria:

1. **Academic Program**

<table>
<thead>
<tr>
<th>Conditions</th>
<th>Submission</th>
<th>References</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 The law school’s academic program for the study of law consists of three academic years or its equivalent in course credits.</td>
<td>Most students will have followed 133 credits in law during the LL.B. and J.D. programs and will have studied four academic years. Even in exceptional cases where students follow the LL.B. with honors, the LL.B. with Graduate programs or the LL.B./MBA, they will meet this criterion because they will have completed at least 118 credits and more than three years of law study.</td>
<td>See section 2.3, 2.1 and 2.2</td>
</tr>
<tr>
<td>1.2 The course of study consists primarily of in-person instruction and learning and/or instruction that involves direct interaction between instructor and students.</td>
<td>Teaching at the Faculty combines traditional pedagogy, such as lectures and tutorials; practical work, including legal clinics and internships; technopedia, such as cyber-tribunal and WebCT; and, social media, more specifically videos, social networks and blogs. These diverse pedagogical tools change the dynamic of teaching and allow for greater discussion, interaction and guidance between students and professors as well as among students.</td>
<td>See section 1.6.2</td>
</tr>
<tr>
<td>1.3 Holders of the degree have met the competency requirements.</td>
<td>Each program has a specific committee comprised of professors, lecturers and students whose main role is to ensure the quality of the program of the</td>
<td>See section 2.3</td>
</tr>
</tbody>
</table>
education provided and of the effectiveness of the methods put in place to achieve programs’ goals. Finally, each program is subject to a periodical auto-evaluation and to an evaluation by an external committee of experts. Hence, the LL.B. is currently under evaluation while the J.D, as noted earlier, was evaluated in 2008. These evaluation processes entail the consultation of students, graduates and employers. Together, these mechanisms constitute an effective manner to ensure that programs meet stated objectives and accord with future needs.

<table>
<thead>
<tr>
<th>1.4 The academic program includes instruction in ethics and professionalism in a course dedicated to these subjects and addressing the required competencies.</th>
<th>A mandatory course on ethic and professionalism (3 cr.) will be introduced in the J.D. program in the academic year 2011-2012. The syllabus will cover the minimum requirements of the “Task Force Recommendations”, p. 3. Ethics and professionalism are also discussed in several courses including Judicial Process 1 and 2.</th>
<th>See section 2.3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5 Subject to special circumstances, the admission requirements for the law school include, as a minimum, successful completion of two years of postsecondary education at a recognized university or CEGEP.</td>
<td>A successful completion of two years of postsecondary education at a recognized university or CEGEP is the minimum requirement to be admitted in the LL.B. program. To be admitted to the J.D., students must hold an LL.B. with a general average of at least 2.7/4.3 or the equivalent.</td>
<td>See sections 2.1.2 and 2.2.2</td>
</tr>
</tbody>
</table>

### 2. Learning Resources:

<p>| 2.1 The law school is adequately resourced to meet its objectives; in particular, it has | The Faculty has 56 full-time professors. Lecturers, retired, visiting and emeriti professors, also contribute to the | See sections 1.2 and table1. |</p>
<table>
<thead>
<tr>
<th>Statement</th>
<th>Description</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2 The law school has adequate physical resources for both faculty and students to permit effective student learning.</td>
<td>The Faculty and the University provide the quantity and quality of classroom facilities to support its programs (LL.B. and J.D.).</td>
<td>See Section 1.6.2</td>
</tr>
<tr>
<td>2.3 The law school has adequate information and communication technology to support its academic program.</td>
<td>The Faculty and the University provide all the modern learning facilities to support its programs (LL.B. and J.D.).</td>
<td>See Section 1.6.2</td>
</tr>
<tr>
<td>2.4 The law school maintains a law library in electronic and/or paper form that provides services and collections sufficient in quality and quantity to permit the law school to foster and attain its teaching, learning, and research objectives.</td>
<td>The library has all the resources to meet its teaching, learning and research objectives, including legal books, periodical and legal databases.</td>
<td>See Section 1.6.1.</td>
</tr>
</tbody>
</table>
APPENDIX B-3

Université de Montréal

Correspondence

July 11, 2011
BY EMAIL

July 11, 2011

Gilles Trudeau
Dean of Law
Université de Montréal
C.P. 6128, succursale Centre-ville
Montréal, QC H3C 3J7

RE: Université de Montréal Proposal for a Common Law Law Program

Dear Dean Trudeau,

Thank you for the time taken to prepare Université de Montréal’s submission to the Ad Hoc Committee on the Approval of New Canadian Law Degree Programs. The documents have been very helpful in facilitating the work of the committee.

Your submission was circulated to the committee members for their review and evaluation. The committee then met by conference call on June 3, 2011 to discuss the proposal and compare it to the standards as laid out in the report of the Task Force on the Canadian Common Law Degree.

After carefully considering all the material provided, the committee has determined it requires further information on the following points before it can complete its deliberations:

- We have viewed your table 3, in particular your learning resources. We also note that the committee implementing the Task Force standards has developed a table, attached, describing additional information on learning resources which the Canadian law schools will need to complete, starting in 2012. Please provide the information in the attachment.
- Please also identify more specifically the qualifications and experience of faculty members your law school will utilize in its common law program to instruct in private law subjects where the law of Quebec is not based on the common law.

Once we receive the additional information, the committee will finalize its deliberations.

If you have any questions, please do not hesitate to contact me or Deborah Wolfe.

Yours sincerely,

Ronald J. MacDonald, Q.C., Chair
President
APPENDIX B-4(a)

Université de Montréal

Correspondence

October 14, 2011
October 14th, 2011

Mr. Ronald J. MacDonald, Q.C., Chair
President Ad Hoc committee on Approval of New Canadian Law Degree Programs
Federation of Law Societies of Canada
World Exchange Plaza
45, O’Connor St., Suite 1810
Ottawa (Ontario) K1P 1A4

RE: Université de Montréal Proposal for a Common Law Program

Dear Mr. Macdonald,

Following your letter of July 11th, 2011 concerning our submission to the Ad Hoc Committee on the Approval of New Canadian Law Degree Program, please find enclosed the two additional documents requested, namely:

1. Learning resources of our Faculty of Law according to the table developed by the Task Force.
2. The qualifications and experience of faculty members our law school will utilize in its common law program to instruct in private law subjects where the law of Quebec is not based on common law.

For further information, please do not hesitate to contact me.

Yours sincerely,

Gilles Trudeau
Dean of Law

c.c.: Mrs Deborah Wolfe, Managing Director of the National Committee on Accreditation
APPENDIX B-4(b)

Université de Montréal

Resources

October 14, 2011
2.1 The law school is adequately resourced to enable it to meet its objectives, and in particular has appropriate numbers of properly qualified academic staff to meet the needs of the academic programs

Numbers and Qualifications of Professors and Lecturers

The Faculty has fifty-five full-time faculty staff and will hire at least two new professors in the 2011-2012 academic year. A summary of our professors’ qualifications and fields of expertise can be found in appendix A of our submission for accreditation. The Faculty includes renowned experts in traditional areas of law such as civil law, common law, constitutional law, criminal law, labour law, as well as leading experts in cyberjustice, aboriginal law, corporate governance, e-commerce, minority rights, etc. Professors are first and foremost dedicated to teaching. They provide our students with the support and inspiration that they need to become accomplished jurists and responsible social actors.

Of our fifty-five full-time professors, thirty-six have a doctorate in law. Exceptional circumstances aside, a doctoral degree is now required to become a tenured professor at our Faculty. Among these fifty-five professors, thirty-eight have studied abroad or outside Québec and thirty of them have attended an institution where teaching is entirely or mainly based on the common law. The Faculty has recently filled two positions, having hired Professor Han-Ru Zhou in the field of public law and Professor Hervé Prince in international trade law. The Faculty can also count on seven Adjunct Professors who work mainly as supervisors or teachers in graduate programs. Their curriculum can be found in appendix A of our request for accreditation.

This team is assisted by approximately one hundred lecturers who teach in various academic programs. According to the 2009-2010 statistics of the Université de Montréal dated May 17, 2011, the number of lecturers amounted to 21.4 full-time professors. The Faculty imposes strict qualifying conditions upon potential lecturers. They must have a master in law and at least three years of experience in a relevant field of law or hold an undergraduate diploma in law and possess at least six years of relevant legal experience. Since our lecturers come from all spheres of professional practice (law firms, government, businesses, judiciary, public corporations, etc.), our students are exposed to various professional backgrounds which contribute to enriching their education.

The Faculty’s stimulating environment is further enriched by the presence of internationally-renowned Visiting Professors, who provide a unique insight into different legal systems and cultures and who engage with students of all levels.

The quality of teaching at the Faculty of Law is monitored through the systematic student evaluation of all courses taught in our academic programs. These surveys invariably confirm the pedagogical competence of our professors. Furthermore, in an endeavour to
support teaching excellence, the Law Student Association annually awards a prize of excellence for each of the following categories: full-time professors and lecturers.

**Support staff**

The Faculty has an experienced and dedicated support staff fulfilling all responsibilities related to its educational mission. Excluding the personnel of the Law Library, research assistants and similar categories of personnel, thirty-four support staff work full-time, and seven part-time. These valuable human resources are supervised by an administrative director.

All members of the Faculty’s executive board (Dean, Associate Deans, Secretary) have access to specific secretarial services (five persons in total). The Dean can also count on an executive assistant (vacant position). For their part, two Assistant Deans support the three Associate Deans responsible for the management of academic programs. The Assistant Deans both hold university degrees, respectively in education and management. Besides, an academic coordinator manages rooms and plans exam schedules. The Faculty also employs a full-time director for its notarial law program (the holder has to be a member of the Chamber of Notaries) as well as a full-time coordinator for the master program “Business Law in a Global Context”, which is geared towards international students. The latter holds a Master in Law. Two administrative technicians ensure the daily management of the law school’s finances and the recruitment of non-regular personnel (lecturers, research assistants, etc.).

The coordinator of the Faculty’s Professional Development Centre (described below) holds a Bachelor and Master in Law. A full-time communication officer is also employed by the Faculty; she holds a Bachelor in Law and a Bachelor in Communication. For her part, the Faculty’s full-time development officer, who is responsible for relations with alumni and donors, holds a Bachelor in Law and is a member of the Québec Bar. The Faculty’s Coordinator of Computer Resources (see below) possesses a Bachelor in Law and is currently finishing a Master in Project Management. Moreover, the Information Technology agent (see below) has a Bachelor in Administration and pursues his graduate studies in this discipline while working full-time at the Faculty of Law. The Continuing Studies Officer (part-time) is managing the Faculty’s involvement in the continuing education of practicing lawyers and notaries. She is a member of the Québec Bar and holds a graduate degree in law. The Faculty also relies, on a part-time basis, on the services of a student who works as recruiting coordinator while pursuing his graduate studies in law.

Seven full-time secretaries are available to support professors and lecturers with their teaching materials and research work. The students office consists of an information clerk and six administrative technicians responsible for the management of student files.
Secretarial assistantship is also provided to the Continuing Studies Officer and the Events Coordinator of Centre for Business Law and International Trade.

Research centres also benefit from support staff. Hence, the Public Law Research Centre (CRDP) employs a full-time assistant to support the director, and two full-time assistants work with professors and researchers. The CRDP also employs a full-time financial agent, a full-time administrative clerk, and a full-time Computer Technician. Two other employees, the Scientific Coordinator and the Communication Officer, work part-time. For its part, the Centre for Business Law and International Trade employs a part-time Scientific Coordinator and an assistant.

The Faculty’s publishing house “Les Éditions Thémis Inc.” employs a full-time Publication Editor and a full-time Sales Manager.

Last, the Faculty count on many part-time staff to assist it in a number of tasks (alumni association, exam supervision, aid to the Professional Development Center, publicity, etc.). Besides, numerous students are hired part-time to fill a number of functions: research assistants, corrector, lecturers, etc.

The description of the Law Library personnel can be found below.

**Number of full-time equivalent students in each program**

The number of students enrolled in each program offered by the law school is indicated below in a table produced by the University’s Registrar Office. The last available statistics cover the 2010 Fall trimester. It is unfortunately impossible, until now, to combine the number of full-time and part-time students. The latter ones nevertheless constitute a small minority in most academic programs.

It should further be noted that contrary to lawyers called to the Quebec Bar, notaries who want to practice in Québec have to complete, after obtaining their bachelor in law, a one-year graduate university degree in notarial law. Thus, in the following table, it should be recalled that the course referred to as “Diploma – Notarial Law” is essentially of a professional nature. Courses in that program are therefore largely taught by practicing notaries. The program is in fact managed by a notary, who has a full-time position.
### REGULAR STUDENTS

<table>
<thead>
<tr>
<th>Degree</th>
<th>Full Time</th>
<th>Part Time</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
<td>Men</td>
</tr>
<tr>
<td>Law</td>
<td>380</td>
<td>737</td>
<td>20</td>
</tr>
<tr>
<td>Research and Professional Degrees</td>
<td>47</td>
<td>128</td>
<td>9</td>
</tr>
<tr>
<td>North American Common Law</td>
<td>15</td>
<td>31</td>
<td>11</td>
</tr>
<tr>
<td>Business Law in a Global Context (Professional Degree)</td>
<td>9</td>
<td>25</td>
<td>-</td>
</tr>
<tr>
<td>Information Technology</td>
<td>-</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>North American Common Law</td>
<td>-</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Law and Labour</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>International Law</td>
<td>4</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>International Law</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Business Law</td>
<td>6</td>
<td>3</td>
<td>9</td>
</tr>
<tr>
<td>Business Law</td>
<td>-</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Diploma – Notarial Law</td>
<td>25</td>
<td>79</td>
<td>2</td>
</tr>
<tr>
<td>Master – Notarial Law (Professional Degree)</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Law</td>
<td>37</td>
<td>39</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>524</strong></td>
<td><strong>1053</strong></td>
<td><strong>60</strong></td>
</tr>
</tbody>
</table>

**General description of student support services**

Students at the Faculty of Law can take advantage of all the services generally offered by the Université de Montréal. The services available on campus have actually transformed
the Université de Montréal into a small city. These services meet not only the needs of students, but also provide a stimulating and lively student life. These services cover the following areas: cultural events, financial assistance and scholarships, insurance, libraries, cafeterias and cafés, orientation of new students, student work, students with handicaps, international students, housing, student mobility, students’ parents, career planning, health, linguistic support, sport, etc. For more information on these services, consult: http://www.sae.umontreal.ca/

In addition to these services, our Faculty offers other services specifically adapted to law students.

Professional Training Center

The Professional Training Center (Centre de formation pratique) provides an array of activities aimed at developing the skills and competencies of aspiring lawyers. Students enjoy the guidance of professors, litigators, business leaders, and judges, therefore covering the spectrum of careers in law. As mentioned in our submission for accreditation (p. 22), the Faculty recently built a cyberjustice laboratory as part of an ambitious project to computerize the judicial system. The scale of this project is unique in the world. For this project, the Jean-Beetz-McCarthy-Tétrault lecture hall at the law school was transformed into a computer laboratory and a digital courtroom of one hundred seats, where computer applications developed by the laboratory can be tested. Students can also use this courtroom for moot court events, oral presentations, doctoral thesis defences, etc. This project has required an investment of $6,200,000.

Professional Development Center

The Faculty of Law has its own center dedicated to professional development. A counsellor offers students individual consultations and support to prepare for internships and enter the workforce. She organizes a number of training workshops and special activities (sponsorship, career day, simulations of interviews, conferences, etc.). In addition, the office has a documentation centre on legal careers. For further information, please visit: http://www.droit.umontreal.ca/services/cdp/index.html

Law Cooperative

The Student Coop at the Faculty of Law was created in 1985 to make books and law collections available at the lowest possible price. Throughout the years, the Coop and its mission have evolved. In 1992, the Law Coop became Quebec’s second licensed library specialized in law. In 1994, it was joining the ranks of the Fédération des coopératives québécoises en milieu scolaire (FCQMS), which regroups around sixty cooperatives.
operating universities, colleges and even high schools. In 2007, the Law Coop welcomed its members in its newly renovated library.

Today, the Law Coop serves, apart from Faculty members, numerous prestigious law firms throughout Québec. In addition, the online shop (www.droit.coop) offers members numerous advantages and the possibility to order online. The website also allows everyone to browse through the catalogue of the Coop.

The Law Coop hires approximately ten law students for its library and ten others for its student coffee. It is financially involved in the activities of the student association (AED) and the corporation of graduating students (CEFDUM) while offering students the possibility to acquire some management experience. The Law Coop’s Administrative Board comprises fifteen members elected during the annual General Assembly.

Café Acquis de Droit

The Café Acquis de Droit is a concession of the Association of Students in Law at the Université de Montréal (AED)¹ and has been operated by the Law Coop since 2002. Fair trade is among its core values and many fair trade products are available at the Café, such as chocolate, coffee, sugar, and rice. The Café offers numerous services to its members, such as hot meals at lunch time, sandwiches, sushis, and salads, pastries (croissants, rolls, muffins, etc.), breakfast sandwiches, etc.

Moreover, the Café proposes a catering service for special events held at the Faculty.

Student life

Students of the Faculty belong to two student associations, the Association of Law Students (AED, undergraduate level) and the Association of Graduate Law Students (ACSED, graduate level).² These two associations are part of the Federation of Student Associations of the Campus of the Université de Montréal (FAÉCUM).³ Members of their executive boards sit at Faculty Council as well as on other Faculty committees. In addition to organizing cultural and professional development activities, they coordinate numerous other committees, therefore contributing to a dynamic student life. The AED publishes a student newspaper, Le Pigeon dissident, and both associations have launched websites presenting their activities and addressing other subjects of interest.

Student associations also operate a mentoring program. Mentors are older law students who help younger ones learn and develop skills relevant to the legal profession. It is a

¹ Association des étudiantes et étudiants en droit de l’Université de Montréal.
² Association des étudiantes et étudiants en droit de l’Université de Montréal et Association des cycles supérieurs en droit.
³ Fédération des associations étudiantes du campus de l’Université de Montréal.
customized guidance program, voluntary, free and confidential, offered by a mentor in view of responding to the needs of a student according to his or her personal, academic and professional objectives. Mentors are not required to answer questions relating to course content; their role is to guide students to improve their study method. For more information, consult:

http://www.aedmontreal.com/
http://www.acsed.ca/

Overview of law school operating budget for the academic program from all sources and sources of funding

The total budget of the Faculty of Law is estimated for the year 2011-2012 at $17.5 million. This budget is made of two funds, each governed by different administrative rules.

Firstly, the working budget mainly funds teaching activities as well as the Faculty administration. This fund is $14.2 million for 2011-2012. The research fund, largely made of contracts and research grants, supplements it. It covers the expenses associated to the salaries and benefits of research centres employees and research assistants. Last year, this fund amounted to $3.3 million. The working budget can vary depending on the student clientele, as will later be discussed.

The budget presented does not take into consideration endowments made to the Faculty, which vary from one year to another and whose returns have been highly variable in the past few years.

The working budget of the Faculty comes from the University, a public institution subject to the budgetary rules established by the Government of Québec. The Government gives a subsidy and determines the tuition fees, which together amount to more than 90 percent of the income related to the functioning of the University. Remaining incomes come from diverse sources (clinics, administration fees, premium graduation, services, etc.). If many factors influence the income of the University, the most important ones remain, on the one hand, the evolution of the student clientele, since governmental funding depends on the number of registered students, and, on the other hand, tuition fees, also fixed by the Government. The basic tuition fees for next year for a regular student from Québec will amount to $2,168 per year. Canadian students outside Québec pay $5,668 to enrol at the Université de Montréal, while international students should pay in 2010-2011, in addition to basic tuition fees, between $11,267 and $13,111 depending on the subject at the undergraduate level, $11,267 at the master level and $9,916 at the doctoral level.

The working budget of the various faculties of the university is established in a conventional manner, that is, from the figures obtained in the preceding year to which are
added wage increases, to the exception of increases in salary scales that are assumed by the Faculties (net of savings related to outgoing personnel). However, since 2007-2008, the budget allocated to faculties also takes into consideration incomes generated by the number of registrations. According to this new model, the budget of a Faculty varies depending on the number of students. Since the historical basis already includes registered students, only the variation in the number of students is financed up to 80 percent of incomes or losses associated to teaching. The remaining 20 percent serves to cover various expenses of the University (professorial allowances, increased wages, start-up fund, etc.) and to maintain its budgetary balance. It should also be noted that student credits are weighted according to the level of study. For instance, a Master student brings 3.3 times more than a bachelor student per credit/student. This method takes into account the real cost of training (supervision, etc.).

The budget of the Faculty of Law for the year 2011-2012 is the following:

**Budget 2011-2012**

**SALARIES – REGULAR PROFESSORS**

<table>
<thead>
<tr>
<th>C.V. BUDGET</th>
<th>BUDGET</th>
<th>PROJECTION (FORECAST)</th>
<th>DISTRIBUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>2011-2012</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$6 706 796</td>
</tr>
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**SALARIES - OTHER EMPLOYEES**

<table>
<thead>
<tr>
<th>C.V. BUDGET</th>
<th>BUDGET</th>
<th>PROJECTION</th>
<th>DISTRIBUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>2011-2012</strong></td>
</tr>
<tr>
<td>Assistants</td>
<td></td>
<td></td>
<td>$192 438</td>
</tr>
<tr>
<td>Teaching, Exams marking, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lecturers</td>
<td></td>
<td></td>
<td>$1 907 215</td>
</tr>
</tbody>
</table>
Part-time (other) $177 500

Sub-total $2 277 153

SALARIES – REGULAR ADMINISTRATIVE STAFF

Managers and Professionals

<table>
<thead>
<tr>
<th>C.V. BUDGET</th>
<th>BUDGET</th>
<th>PROJECTION</th>
<th>DISTRIBUTION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
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<td>$880 055</td>
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Support staff $1 093 315

BENEFITS $2 507 330

OTHER EXPENSES

<table>
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<th>BUDGET</th>
<th>PROJECTION</th>
<th>DISTRIBUTION</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>2011-2012</td>
</tr>
</tbody>
</table>

Other expenses $731 034

TOTAL GLOBAL $ -$ $14 195 683

Note:
The research budget for 2010-2011 $3 300 000
The budget should, in principle, be balanced at the end of the year.

2.2 The law school has adequate physical resources for both faculty and students to facilitate effective students learning

The Faculty possesses its own building where the vast majority of services are offered to students. However, classes are mainly offered in classrooms located in an adjacent building connected to the Faculty through an internal corridor. The classrooms have been entirely renovated in the past two years and are equipped with all necessary digital technology to support innovative pedagogy. The rooms are not only used by the Law Faculty but also by other Faculties, mainly the Faculty of Arts and Sciences. An electronic system of room reservation was put in place to ensure optimum utilization. This system requires predetermined schedules, which are from 8:30 to 11:30, from 13:00 to 16:00 and from 19:00 to 22:00. The Faculty decides the time slots and the type of room, which is then allocated by an electronic system. Until now, this system has worked well and no class has been moved because of a shortage of rooms. The University has numerous types of rooms where the number of seats depends on teaching needs.

The Faculty is also equipped with an ultra-modern courtroom for moot court events and other oral presentations or defenses, as mentioned above. This room has a surface area of 152.3m² including the control room, the server room and the office of the judge. The Faculty’s Legal Clinic⁴ occupies 106.65m² divided in a number of smaller rooms.

For its part, the Faculty has 2 720.13m² to accommodate professors, staff members and students who work as research assistants. These spaces are currently sufficient to ensure the educational mission of the institution. As previously mentioned in our submission document, each professor has its own office and lecturers also have access to rooms for meeting students.

The two students associations (undergraduate and graduate) have their own rooms to carry out their activities.

For its part, the library enjoys a space of 3,106.30m². These spaces allow students to work in small groups as described further below.

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⁴ Bureau des services juridiques.
2.3 The law school has adequate information and communication technology to support its academic program

The General Direction of Information Technologies (DGTIC)\(^5\) coordinates infrastructure networks and manages access for employees, teachers and students of the University. Among others, students can configure various services through the “UdeM Portal”. The University offers a large number of online services to students, such as: application and admission, course selection, financial aid, job postings, housing, access to personal files and official documents.

Classrooms are equipped with projector, high-definition camera, sound system, wireless access and plugs for laptops. This infrastructure gives access to a wide choice of technopedagogical possibilities.

Besides the Cyberjustice courtroom mentioned previously, the Faculty of Law also has exclusive access to a multimedia room equipped with the most recent technology (projector, touch screen system for recording progress, etc.). Also note that students can connect anywhere on the campus to the wireless network with their laptops, smart phone or electronic tablet.

All professors have a laptop for teaching and research. Both students and teachers are able to use the resources provided by the library (electronic journals, databases, catalogues, etc.) and the University (online courses on Studium, Internet, etc.) (See the library section below).

All employees use a desktop computer to perform the various functions assigned to them.

Our Faculty of Law has a Information Technology Coordinator. In particular, he has the responsibility:

- To provide support for front-line employees, teachers and students, and to track records for assistance with DGTIC for computer problems;
- To administer access management, authorization lists of employees and professors of the Faculty;
- To represent the Faculty with the DGTIC and coordinate with their representatives all developments and technological changes.

The University also offers professors a performing digital teaching service: StudiUM. This system is supported by Moodle version 2.0.2. Moddle is a free e-learning system allowing professors to create online pedagogical contents and build a community of learners. This new system facilitates collaboration between professors and students in a digital environment at the edge of technology. For instance, professors can use it to

\(^5\) Direction générale des technologies de l’information et de la communication.
communicate during online activities and upload resources for students. For their part, students can share information with participants, upload assignments, and directly access the library to conduct research. This digital environment enriches pedagogy and allows educators to keep in touch with students during and outside class.

The Faculty of Law enjoys the services of a techno-pedagogy agent to implement available techno-pedagogical activities. Teaching staff benefit from the individual support they need to meet their pedagogical goals.

2.4 The law school has a law library that provides services and collections in electronic and/or paper form sufficient in quality and quantity to permit the law school to foster and attain its teaching, learning and research objectives

Personnel

Library staff includes a director, four librarians, two documentation technicians, three full-time and three part-time clerks.

The director and librarians all have an undergraduate degree and three of them hold a LL. B. They also hold a Master in Librarianship and Information Science.

The director of the Law Library works under the managing director of the University Libraries of the Université de Montréal. The director manages the overall activities of the Library including staff, facilities, and policies. She maintains close relations with the Management of the Faculty of Law and is a member of Faculty Council. The budget for documentary resources is allocated by University Libraries, but the development of collections and the selection of materials is the responsibility of the director.

The Law Library

Location

The Law Library has a surface area of 3,730m² and occupies two full floors in the heart of the Faculty of Law. There are 520 individual study carrels. The Library has quiet and group study areas. Students may also access fourteen rooms for group work with a total capacity of sixty students. These rooms are available when booked for three-hour period. Most rooms have a flat board to facilitate group work.

Graduate students also have their own rooms. Master students have a study room with a maximum capacity of twenty-eight persons. This room has seven computers, one printer and several connections for laptops. Doctoral students also have their specific study room

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6 Direction des bibliothèques.
able to welcome twenty persons. This modern room has four computers, one printer and all workstations are equipped with plugs for laptops.

Equipments

There are fifty computers (thirty-six desktops and sixteen laptops) for students to consult electronic resources and to make university assignments. Four paying photocopiers and one printer are also available. The wireless network is accessible throughout the library. Access to reserved resources is also available off-campus through the proxy.

The computer laboratory of the Faculty of Law is located in the Library and offers forty additional computer workstations, two printers and one projector. The schedule of the lab is the same as the Library’s. It is mainly used for workshops and tutorials, but is also accessible to students outside training periods. The lab is reserved for students of the Faculty of Law.

The Collection

The collection of the Library contains the printed version of 99,000 monographs and 88,000 periodicals, for a total of 187,000 documents. The Library has a subscription to 944 titles including periodicals, databases and printed loose-leaf materials. Half of the material is in English.

Apart from the printed collection, the Library offers electronic resources relevant to the programs and research activities of the Faculty of Law. Notably, there are more than thirty databases covering the jurisdictions of Quebec, Canada, the United States, and France, as well as the main tools from the United Kingdom, the European Union and the Commonwealth. Included are the following databases: Quicklaw/Lexis-Nexis, Westlaw, Azimut, REJB, Hein Online, LegalTrac, CCH, Index to Foreign Legal Periodicals, Index to Legal Literature, Halsbury’s Law of England, eCarswell, HeinOnline, JSTOR, Current Law Index, Legal Journal Index, Wilson Index to Legal Periodicals, etc. In addition, the full-text version of more than 1,600 periodical titles and approximately 5,000 monographs (Oxford University Press, Cambridge University Press, Irwin Law, Routledge, etc.) is available electronically.

The policy of collection development is aligned with the teaching and research needs of the Faculty. In a nutshell, it aims to acquire all legal materials published in Quebec and those of well-known Canadian legal publishers relevant to the programs and research activities of the Faculty and this, for legislation, case law and legal scholarship. We also purchase all publications on Canadian and Quebec law published abroad.

Apart from publications pertaining to national law, we acquire all publications of university level published in France and numerous other publications in French (Belgium,
Switzerland) on topics particularly relevant to Quebec law or political status, such as civil law, civil procedure, notarial law, commercial law, constitutional law and jurisprudence.

The policy also provides for the purchase of essential legal material published in the United Kingdom and in the United States in the fields of commercial law, contract law, criminal law, public law, administrative law, labour law, constitutional law and jurisprudence.

The budget of the Law Library represents fourteen percent of the overall budget of the University Libraries, for a total of $693,000 for the year 2011-2012, of which $506,000 goes to subscriptions (databases and periodicals) and $187,000 to the purchase of books and other materials.

Students and professors can always suggest the acquisition of publications they believe is in the interest of the Faculty of Law.

The Services

Assistance and reference

The four librarians offer assistance and reference services every day of the week from 10:00 to 21:00 at the reference desk. The librarians are also available by appointment for individual meetings with users (students and professors) having more complex legal questions or needing information on documentary resources.

The help service is mainly on-site, but students can also contact the librarians by telephone or e-mail.

The Library also offers a twinning program between doctoral students and librarians to provide candidates with individual and customized support throughout their studies. The program aims to develop students’ research abilities, improve their information literacy skills and further their reference management capacities.

Workshops

Numerous training sessions on databases, catalogues and indexes are given by librarians during classes. These sessions are adapted to the course and aim to initiate students to legal research or perfect their abilities. Students can also sign up for group training on various subjects, such as the citation software Endnote.

Research guides

Librarians prepare research guides to direct students towards the most relevant legal material in different fields of law and introduce them to specific research methods. These guides are available on the website of the library.
Technical support

The Library offers a computer support service. For instance, a technician can assist students to set up their laptops to install the proxy to access library resources off-campus.

Loans/Inter-library loans/CRÉPUQ Card

For undergraduate students, loans are limited to three days to guarantee greater access to material and reference work. Graduate students can borrow documents for a period of twenty-eight days. Access to the user file is available online allowing off-campus renewals and reservations. For publications not available in campus libraries, students and professors can use the inter-library loan service (free for books and $3 for articles), which provides access to publications from other university libraries around the world.

In addition, students and professors can obtain a free CRÉPUQ card to borrow material in all Canadian university libraries.

Opening hours

Throughout the academic year, the Library is open from 8:00 to 23:00 from Monday to Thursday and from 8:00 to 21:00 on Fridays and from 10:00 to 19:00 Saturdays and Sundays. During exam periods, the Library is open every day, including weekends, from 8:00 to 23:45.
APPENDIX B-4(c)

Université de Montréal

Faculty List

October 14, 2011
The profile of instructors involved in the Faculty’s “private” common law offerings

The Faculty relies on both tenured, or tenure-track, professors and lecturers in its common law program, with the former teaching the majority of classes. This combination of full-time academics and high level practitioners allows students to be exposed to different areas of the common law and provides them with a rich and multi-faceted learning experience.

1. JD in North American Law

As chair of the Common Law Program Committee, Professor Matthew P. Harrington oversees the academic of the JD Program. He holds a Ph.D. and a LL.M. from Pennsylvania University, a JD from Boston University and was called to the Pennsylvania and New Jersey Bars. Before joining our Faculty, Professor Harrington taught at George Washington Law School, where he was Associate Dean for a certain time. He was also visiting professor at Roger William University, New England School of Law, and Chicago-Kent College of Law. Professor Harrington specializes in private law topics (torts, contracts, trusts, property, remedies), as well as being a foremost scholar in the history of English and American constitutional law. He has been teaching in the Common Law Program since 2003. Throughout the years, Professor Harrington has taught Property, Torts, Trust, Remedies and Contracts. He will continue to teach one or more of these courses annually.

Professor Stéphane Beaulac also teaches regularly in the JD Program. A Full Professor at the Faculty of Law, he started his academic career at Dalhousie Law School in 1998. He holds a Ph.D. in international law from Cambridge University (Darwin College) and also had an LL.M. in comparative law as well as a degree in legislative drafting. His background is bjurual: civil law at the University of Ottawa and common law at Dalhousie Law School. Professor Beaulac clerked at the Supreme Court of Canada with Madam Justice Claire L'Heureux-Dubé. He has been a member of the the Law Society of Upper Canada for more than twelve years. In 2006-2007, as a Max Weber Research Fellow, he worked at the European University Institute in Florence, Italy. Recipient of the Neil MacCormick Fellowship, he conducted research at the University of Edinburg, in Scotland in 2010. In the same year, he was also appointed as visiting professor at the University of Ulster, in Northern Ireland, and as associate researcher at the University of Amsterdam, in The Netherlands. In the winter of 2011, he lectured on comparative constitutional law at the University of Trento, in Italy. He has been teaching Foundations and Methodology of Common Law, Torts, Contracts and Remedies in the Common Law Program since 1998-1999. In the future, he will be teaching one or more of these courses.

Professor Konstantia Koutouki holds a Doctorate in law from the Université de Montréal, a Master in law from the University of Ottawa and a LL.B. in Common Law from Queen’s. She has been teaching at our Faculty since 2005. Prior to her appointment at the Université de Montréal, she taught at Queen’s, Concordia, and Carleton Universities. Professor Koutouki specializes in the law of intellectual property (copyright and trademarks), particularly in relation
to indigenous law. She also has a strong interest in sustainable development law. Professor Koutouki has been involved in the common law program since her arrival at our Faculty. She teaches Foundations and Methodology of Common Law, Contracts and Contracts: Selected Problems. She will offer one or more of these courses depending on the needs of the JD Program.

Professor Catherine Piché was hired by the Faculty in 2009 and specializes in evidence and civil procedure. She is also a member of our Common law program committee. She holds a Doctorate from McGill University, a LL.M. from New York University, and a LL.B. from Dalhousie University as well as a L.L.L. from the University of Ottawa. Professor Piché was called to the Québécois, New York and Massachusetts Bars. She also taught at the University of Ottawa and at the University of Augsburg (Germany). In addition, she practiced law for several years with large American and Canadian firms. Professor Piché is responsible for the Civil Procedure course of our common law program.

Professor Marie-Claude Rigaud holds a Ph.D. in Law from the Université de Paris as well as a LL.B. and B.C.L. from McGill University. She is a member of the Québec and Ontario Bars. Prior to being hired by our Faculty in 2010, she taught at the Université de Sherbrooke and at the Rothman School of Management of the University of Toronto. Professor Rigaud has a vast experience in private practice, having worked in Montréal, Toronto and Zurich. Since 2010, she has been a member of the Committee in charge of drafting the revised Québec Bar’s Code of Ethics since 2010, as well as a member of the Federation of Law Societies of Canada - Competencies Development Task Force since 2011. Professor Rigaud will teach the course of Ethics and Professionalism and will be responsible for the Integration Workshop. Professor Rigaud could also be called upon to teach Torts, which she has already taught as a lecturer.

Keith D. Wilson is a partner at Heenan Blaikie, where he leads the Financial Services Law group for Québec and serves as co-leader of the national group. He holds LL.B. and B.C.L. degrees from McGill University. Mr. Wilson’s practice focuses on complex lending, credit and structured-finance transactions, both national and international in scope. His practice involves advising clients on banking, all aspects of movable and immovable security, personal property and real-estate security loan syndication, receivables purchase facilities, monetization, private placements, asset-based lending, wholesale and retail commercial finance, equipment finance, inter-creditor arrangements, letters of credit and other forms of credit enhancement, structured finance, including transactions using government and private forms of commercial risk insurance or guarantees, infrastructure finance and financing for public-private partnerships. Mr. Wilson is also active in debt restructuring and work outs, including proposals and arrangements under Canada’s federal bankruptcy and insolvency statutes. As a member of the Bars of Québec, New York and Ontario, Mr. Wilson is often consulted on national and international banking and lending arrangements and restructurings. Keith Wilson has been teaching Secured Transactions in our common law program since 2003 and should continue in the JD Program.
Jakub Adamski received a LL.B. and B.C.L. from McGill University and was admitted to the Law Society of Upper Canada in 2005. He also obtained a LL.M. in Business Law from Columbia Law School. Mr. Adamski is the co-author (forthcoming 2012) with Angela Swan of the Canadian Contract Law Book and the Halsbury’s Laws of Canada - Contract Law, and, with Lorne Sossin, of the Halsbury’s Laws of Canada on the Legal Profession. Mr. Adamski teaches American Corporate Law at McGill University and provides legal advice to leading Canadian law firms as an independent legal consultant. He has been teaching Contracts: Selected Problems for a year and is expected to continue in the JD Program.

Éric Escayola is a partner at Heenan Blaikie. He received a LL.B. and LL.L. from the University of Ottawa. He is also member of the Law Society of Upper Canada. He has been practicing civil litigation, in both English and French, since he joined the firm in 2004. He represents plaintiffs and defendants alike in cases involving individuals, trustees, corporations and insurers. The bulk of his practice focuses on estates and litigation; handling cases involving challenges and interpretation of wills, contested passing of accounts, claims for support by dependants and disputes relating to breaches of fiduciary duties. He also devotes a significant portion of his practice to administrative, regulatory and health law and to real estate law, serving condominium corporations as well as condominium property managers. Mr. Escayola represents clients from Ontario and Québec before the provincial Superior Court of Justice and Court of Appeal, the Federal Court, the Ontario Municipal Board and numerous other administrative tribunals. Mr. Escayola has been teaching Civil Procedure in our common law program and will continue depending on the needs of the JD Program.

In addition to these instructors, the Faculty plans to ask the University Administration the permission to open a new tenured or tenured-track position of professor in common law, whose teaching load will revolve around common law courses that are core to the JD Program.

2. Programme of Bachelor of Laws

Professor Stéphane Rousseau is a Full Professor and holds the Chair in Governance and Business Law. He also manages the Business Law and International Trade Center. Professor Rousseau has a Ph.D. in Law from the University of Toronto as well as a LL.M. from Laval University. He is also a member of the Québec Bar. He teaches and conducts research in corporate law, corporate governance, and financial markets law, as well as being a foremost expert in Law and economics. He is the founder of the governance blog (http://droit-des-affaires.blogspot.com) which he hosts with Ivan Tchotourian. He has lectured in many academic and professional fora in Canada and elsewhere (e.g. Argentina, Australia, Brazil, China, United States, France and Tunisia). He is also a research associate at the National Centre for Business Law at the University of British Columbia and at the Chair in Governance and Legal-Accounting at HEC Montréal. He received the André-Morel teaching award in 2007. Professor Rousseau teaches Business Law 1 and 2.
Professor **Geneviève Dufour** joined the Faculty in 2007. She received a LL.B. and B.C.L from McGill University as well as a LL.M. and Ph.D. from our Faculty. She has practiced for seven years in the field of mergers and acquisitions at Davies Ward Phillips & Vineberg. She was also senior legal adviser to the Canadian multinational Quebecor World. Her fields of expertise include corporate law, mergers and acquisitions, business organizations law, legal history, corporate responsibility and Chapter 11 of NAFTA. Professor Dufour teaches Business Law 1 and 2.

**Vincent Gautrais** is Full Professor at the Faculty, where he teaches a number of courses in Information Technology Law and Business Law. Since 2005, he has been holding the Chair in e-Security and e-Commerce Law, and writes a legal blog on these subjects. He also co-chairs the Master in Electronic Commerce (Faculty of Law, HEC Montréal and DIRO) ([http://www.cel.umontreal.ca/](http://www.cel.umontreal.ca/)). He previously taught at the University of Ottawa’s common law section. Since 1992, he has published extensively in the areas of e-commerce law, network security, Internet-based dispute settlement mechanisms, intellectual property and privacy. Vincent Gautrais holds a Master from Université de Rennes 1, in France, as well as degrees from the Université de Montréal (LL.D., LL.M., LL.B.). His Ph.D. thesis, entitled “Le contrat électronique international” was published in 2002 by Bruylant (Brussels). He has been called to the Québec Bar. Professor Gautrais teaches Business Law 1.

**Mathieu Halepin** is a lawyer in the tax group of Stikeman Elliot’s Montréal office. He was educated at Université de Montréal where he received an LL.B in 2005, an LL.M in North American Common Law in 2008, and an LL.M. in Tax Law (with HEC-Montreal), also in 2008. He was called to the Québec Bar in 2009, and teaches Business Law 1 and 2 in our JD Program.

A member of the Québec Bar, **Johanne Pérusse** has extensive business experience. She was the Vice-President, General Counsel and Secretary of Télémédia, Secretary and General Counsel of Corby Distilleries, and Secretary and General Counsel of Québécor Inc. She currently is Co-president of the Founder’s Circle of the Canadian Center for Architecture. She teaches Business Law 1 and 2 in our JD Program.
AMENDMENTS TO CPD REQUIREMENT

MOTION

8. That Convocation approve increased flexibility in the application of the interactive nature of CPD learning hours by allowing licensees to participate in the following interactive program-types for 6 out of the required 12 hours of learning:
   a. Archived video and audio webcasts of previously held learning programs.
   b. Completion of online programs that require the licensee to respond to questions and other prompts in order to progress through the learning modules.

9. That Convocation approve a change to the new licensee requirement to provide that new licensees may register for any program or alternative activity that is accredited for professionalism, without requiring that each program or alternative activity have 25% professionalism content, and provided that, overall, new licensees obtain three hours of professionalism content annually.

Background and Information

10. Lawyers and paralegals subject to the CPD requirement were obliged to meet their 2011 required hours by December 31, 2011. Although a full assessment of the CPD requirement and its operation is not due until 2013, information was received on the main issues that licensees identified over the course of the year. It was decided that a working group of the PD&C Committee and the Paralegal Standing Committee would consider the five top issues with a view to making recommendations on how best to proceed and the two committees would report jointly on recommendations.

11. Working Group members are Wendy Matheson (Chair), Jack Braithwaite, Cathy Corsetti, Howard Goldblatt, Michael Lerner, Susan McGrath, Ken Mitchell, Barbara Murchie, Judith Potter, Nick Pustina and Robert Wadden.
12. The working group met twice and recommends that two of the five issues be addressed forthwith and provided proposals for two amendments to the CPD requirement. The PD&C Committee and the Paralegal Standing Committee reviewed the recommendations and agree with them.

13. The two Committees’ Joint Report is set out in at APPENDIX 2: Joint PD&C Committee and Paralegal Standing Committee CPD Report.
APPENDIX 2

Joint Professional Development & Competence and Paralegal Standing Committee
CPD Report to Convocation

April 26, 2012

Professional Development & Competence Committee
Thomas Conway (Chair)
Mary Louise Dickson (V-Chair)
Alan Silverstein (V-Chair)
Constance Backhouse
Larry Banack
Jack Braithwaite
John Callaghan
Cathy Corsetti
Adriana Doyle
Larry Eustace
Alan Gold
Howard Goldblatt
Susan Hare
Jacqueline Horvat
George Hunter
Vern Krishna
Michael Lerner
Dow Marmur
Wendy Matheson
Susan McGrath
Janet Minor
Barbara Murchie
Judith Potter
Nicholas Pustina

Jack Rabinovitch
Linda Rothstein
Catherine Strosberg
Joseph Sullivan
Robert Wadden
Peter Wardle

Paralegal Standing Committee
Cathy Corsetti, Chair
Susan McGrath, Vice-Chair
Marion Boyd
Robert Burd
Paul Dray
Seymour Epstein
Robert Evans
Michelle Haigh
William C. McDowell
Malcolm M. Mercer
Kenneth Mitchell
James Scarfone
Baljit Sikand

Purpose of Report: Decision
Prepared by Policy Secretariat
(Sophia Sperdakos 416-947-5209)
COMMITTEE PROCESS


The Professional Development & Competence Committee (“PD&C Committee”) and the Paralegal Standing Committee (“PSC”) each met on April 12, 2012.

PD&C Committee members Thomas Conway (Chair), Mary Louise Dickson (Vice-Chair), Alan Silverstein (Vice-Chair), Jack Braithwaite, John Callaghan, Cathy Corsetti, Adriana Doyle, Larry Eustace, Michael Lerner, Wendy Matheson, Susan McGrath, Janet Minor, Barbara Murchie, Judith Potter, Nicholas Pustina, Cathy Strosberg, Joe Sullivan, Robert Wadden and Peter Wardle attended the PD&C Committee meeting. Staff members Diana Miles and Sophia Sperdakos also attended.

Paralegal Standing Committee members Cathy Corsetti (Chair), Susan McGrath (Vice-Chair), Marion Boyd, Robert Burd, Paul Dray, Robert Evans, Malcolm M. Mercer, Ken Mitchell, James Scarfone and Baljit Sikand attended the PSC meeting. Janet Minor also attended for part of the meeting.
CONTINUING PROFESSIONAL DEVELOPMENT (“CPD”) REQUIREMENT – PROPOSED AMENDMENT

MOTION

1. That Convocation approve increased flexibility in the application of the interactive nature of CPD learning hours by allowing licensees to participate in the following interactive program-types for 6 out of the required 12 hours of learning:

   a. Archived video and audio webcasts of previously held learning programs.

   b. Completion of online programs that require the licensee to respond to questions and other prompts in order to progress through the learning modules.

2. That Convocation approve a change to the new licensee requirement to provide that new licensees may register for any program or alternative activity that is accredited for professionalism, without requiring that each program or alternative activity have 25% professionalism content, and provided that, overall, new licensees obtain three hours of professionalism content annually.

Introduction and Background

3. In February 2010 Convocation approved the introduction of a CPD requirement for lawyers and paralegals who practise law and provide legal services, respectively, (those in the 100% fee paying category) commencing on January 1, 2011, with the first reporting of hours due on December 31, 2011.

4. CPD was defined as follows:

   Continuing professional development is the maintenance and enhancement of a lawyer or paralegal’s professional knowledge, skills, attitudes and ethics throughout the individual’s career.

5. The general requirement is that lawyers and paralegals subject to the requirement be required to fulfill 12 hours of CPD annually, with three of the 12 hours to be taken in topics related to ethics, professionalism and/or practice management. They are to fulfill their CPD requirements from the list of eligible activities.
6. New lawyers and paralegals are required to take 12 hours per year of programming accredited by the Law Society, for the equivalent of two full years of practice or providing legal services, respectively. Each program or activity must include a minimum of 25% of accredited content in ethics, professionalism and practice management. While the total percentage requirement is the same as for regular licensees (i.e., three of the 12 hours), this requirement was intended to result in the integration of ethics, professionalism and practice management in all CPD activities for new licensees.

7. Providers other than the Law Society that wish to provide stand-alone programs or program content in ethics, professionalism and practice management must apply for and obtain program approval. In 2011, the Law Society received over 3,700 applications from external providers for programs with professionalism integrated into the content and 3,400 of those applications were approved. All programs for which approval is sought must have a minimum of 30 minutes of professionalism imbedded in the learning.

8. Convocation approved that staff provide an annual information report to Committees and Convocation in 2011 and 2012. It also approved that there be a full assessment report to the Committees and Convocation by the end of April 2013 addressing the first two years of operation. Allowing two years of operation before conducting a comprehensive assessment is important to a meaningful review.

The First Year of Operation

9. The first full year of implementation of the requirement was very active with an extremely high rate of compliance and input from many licensees about the operation of the portal and issues related to the CPD requirement. During the first year of operation staff received and processed 7,300 accreditation applications, an additional 3,800 inquiries about accreditation and an estimated 50,000 telephone calls related to general CPD policies and the use of the portal.
10. Significant feedback was received from private and not-for-profit providers of programs, law associations, local lawyer and paralegal organizations and study groups and law societies in other provincial jurisdictions and internationally.

11. Operational changes, including to the portal, have been the subject of continual review and improvement. The portal technology and use will continue to be examined, updated and improved.

12. Although a full assessment of the CPD requirement and its operation is not due until 2013 the Director of Professional Development and Competence provided information on the main issues licensees identified over the course of the year. It was decided that a working group with membership from the PD&C Committee and the Paralegal Standing Committee would consider the top issues and whether there are issues that call for early attention, rather than waiting for the full review.

13. The five issues identified at this interim stage are as follows:
   a. “Participation” in CPD courses requirement.
   b. The new licensee integrated 25% professionalism requirement.
   c. Limits on number of hours to be claimed under alternative activities.
   d. The inability to carry-over credits into another reporting year.
   e. The number of professionalism hours required.

14. The working group recommended changes in response to the first two issues and recommended that the remaining issues form part of the full review. In the working group’s view, which the Committees share, most issues would benefit from more than one year implementation to consider whether or not the issues are transitional ones that will gradually disappear once licensees get used to the program and otherwise should remain part of the CPD requirement. Only those issues where aspects of the program appear to have led to unintended barriers should be the subject of change after only one year.

15. The Committees have set out the five issues, with recommendations for changes respecting two, for Convocation’s consideration.
“PARTICIPATION” IN CPD COURSES REQUIREMENT

16. The CPD requirement set out a detailed list of “eligible activities” among which is “Participation in CPD Courses.” This definition of what would qualify under this was explained as follows in the February 2010 report:

This will include attendance at live programs or participating in online “real time” courses, streaming video, web and or teleconference courses, provided there is an opportunity to ask and answer questions, viewing a previously recorded course with at least one other lawyer or paralegal. This includes programming offered by providers both in and outside Ontario. To qualify there must be the opportunity to interact with colleagues and/or instructors, for example in person, by e-mail or on the phone.

17. The requirement specified that for programming to be eligible under this category it must include the “opportunity to ask and answer questions” or “to interact with colleagues and/or instructors by e-mail or on the phone.” The goal was to encourage interaction among licensees as a way to increase opportunities for mentoring, professional networking and enhance the quality of the learning through an exchange of ideas.

18. This requirement has generated the most comment. The working group advised the Committees that the following points have been made most often about these aspects of the requirement:

   a. If the goal of the requirement is to encourage licensees to benefit from interaction with one another, the mere opportunity to ask a question on a webcast does not realistically make the activity interactive since most people do not in fact take advantage of the opportunity.

   b. Given the minimal amount of interactivity on a webcast, it seems artificial to allow credit when the program is “live,” but not when viewed at a later time.

   c. For licensees in smaller communities it may be impractical for an individual lawyer or paralegal to be able to meet the requirement of “interacting” with another licensee by viewing a video-replay together.

   d. Licensees’ perception of the requirement is that through it the Law Society is seeking to monitor them, rather than trusting them to choose the programming that is most relevant to them.

   e. The narrowness of the definition interferes with the ability to choose the most relevant CPD. Barristers, in particular criminal lawyers who are in court daily,
have noted that they are not able to attend live programming as frequently as other licensees.

f. As well, there are worthwhile online education programs in which the licensee must participate in the learning process by answering questions intermittently in a computer module. These do not currently qualify because there is no interaction with other licensees.

19. While the Committees reconfirm the value of a CPD requirement that brings licensees together to learn and have the benefit of one another’s input and experience they also recognize that ensuring access to relevant CPD and some flexibility in the completion of the requirement is also important.

20. The working group was of the view that the issues raised by licensees on this point were worthy of consideration at this stage and the Committees agree. The only difference between the “live” program one watches from computer and the archived webcast is the ability to ask questions in the former. The requirement that the archived webcast must be watched with a colleague in order to be eligible for credit has the laudable intent of bringing colleagues together, but the Committees are cognizant of the difficulties this requirement can raise. However the working group and the Committees do not think that all the goals that underlie the CPD requirement can be satisfied by watching video replays. The goal of interaction with other licensees is important, fostering the development of supportive professional networks and mentoring relationships.

21. While the Committees believe the goal of interaction should not be eliminated they believe that increased flexibility in the application of the interactive nature of CPD learning hours should be allowed, but only to a cap of 6 hours.

RECOMMENDATION 1

22. That Convocation approve increased flexibility in the application of the interactive nature of CPD learning hours by allowing licensees to participate in the following interactive program-types for 6 out of the required 12 hours of learning:

a. Archived video and audio webcasts of previously held learning programs.
b. Completion of online programs that require the licensee to respond to questions and other prompts in order to progress through the learning modules.

THE “NEW LICENSEE” REQUIREMENT

23. The CPD requirement specifies a more directed and supervised approach for new licensees in their first two full calendar years of practice. Prior to Convocation’s approval of a general CPD requirement the Law Society had approved a similar approach that was to apply to new lawyers. Before it even came into effect Convocation approved the CPD requirement for all licensees in the 100% fee paying categories and the new licenses requirement was added to the general CPD requirement.

24. The relevant provision states as follows:

That beginning in January 2011 new lawyers and paralegals be required to take 12 hours per year (for the equivalent of two full years of practice or providing legal services, respectively) of programming accredited by the Law Society, 3 hours of which per year will be in topics of ethics, professionalism, and practice management and will be integrated within the other 9 hours of accredited programming.

25. Pursuant to the requirement, new licensees can obtain their credits through programming as well as through alternative activities such as mentoring and study groups, but each of the activities must first be accredited and each must contain a minimum of 25% professionalism content.

26. The new licensee requirement has received substantial feedback, which the working group summarized for the Committees as follows:

a. Because new licensees are restricted to attending only accredited programming that meets the requirement to embed 25% ethics, professionalism or practice management content, licensees cannot obtain credit for many substantive law programs that may be more relevant to their learning needs, because they do not comply with the 25% requirement.

b. The complexity of the new licensee requirement has caused confusion among licensees.
c. The Law Society has tended to be the primary provider of new licensee programming. With a significant number of licensees required to take the accredited programming it is difficult to develop courses that focus on more specialized areas of practice. Licensees are often frustrated by “general” programming. The concern, moreover, is that there is diminishing return to attending programming that is not more specifically tied to particular practice areas.

d. One of the benefits of CPD for new licensees is interacting with more senior practitioners. If new licensees continue to attend different more generalized programming they may miss this opportunity.

27. The working group was of the view that although the intent of the new licensee requirement to ensure integrated, meaningful exposure to issues of professionalism was important, the rigidity of the 25% requirement may be undermining the goal of integrating an awareness of these issues in a relevant and practice-oriented way. The Committees agree. This was not the intended effect of the 25% requirement.

28. As a matter of course, most providers are now including some professionalism content in much of their programming, so that they can be accredited for some professionalism content, but not typically the 25% that the new licensee requirement mandates.

29. The Committees are of the view that new licensees should be exposed to professionalism content in all their programming, but that as currently designed the new licensee requirement is resulting in artificially imposed learning limitations. To address this, the Committees propose to remove the 25% integrated professionalism requirement and instead require that each program or alternative activity be accredited for professionalism content, but without a specified percentage.

30. New licensees will therefore be able to attend a broad range of programming, including substantive programming, provided it incorporates sufficient professionalism to be accredited by the Law Society. Like other licensees, new licensees will be required to have a total of three hours of professionalism content out of the 12 hour annual requirement.
RECOMMENDATION 2

31. That Convocation approve a change to the new licensee requirement to provide that new licensees may register for any program or alternative activity that is accredited for professionalism, without requiring that each program or alternative activity have 25% professionalism content, and provided that, overall, new licensees obtain three hours of professionalism content annually.

ISSUES ON WHICH THE COMMITTEES RECOMMEND NO CHANGE AT THIS TIME

32. The remaining three issues on which the most comment has been received are, a. limits on number of hours to be claimed under alternative activities; b. the inability to carry-over credits into another reporting year; and c. the number of professionalism hours required.

33. In all three cases the Committees are of the view that no changes should be made at this time. In the Committees’ view there continue to be valid reasons for retaining the current approach and/or there has been insufficient time to properly assess whether there should be a change.

(a) Alternative Activities

34. Under the requirement, alternative activities such as mentoring, teaching and writing are capped at six of the 12 hours. Those who engage in these activities, particularly writing and teaching, complain that they put in significant effort in these activities and should be able to claim all their credits in these areas. Some have suggested that the cap discourages their continued involvement in these activities. Senior licensees, in particular complain that they have difficulty finding CPD program hours that are meaningful to their learning.

35. The Committees recognize the value of mentoring, writing and teaching, which are recognized in the CPD requirements. They believe, however, that there are valid reasons for requiring that licensees obtain six hours of CPD from other activities that would foster the goals of CPD regarding both remaining current in substantive areas, interacting with
others and the requirement for professionalism content, which may well not fit within the writing and teaching components.

36. The Committees question those who suggest that the cap would deter them from continuing with these activities. Since they presumably engaged in these activities before there were CPD credits, it can be presumed that there are other reasons licensees undertake these than for CPD. There are many licensees, including senior licensees, who have and will continue to devote much more than 12 hours of their time to these types of activities.

37. The Committees are of the view that this issue does not call for a change prior to the full review of the CPD requirement. In their view it is not urgent.

(b) Carry-Over Credits

38. Some licensees have complained that they cannot carry credits over into the following calendar year, particularly for specialized, multi-day training that is offered every two to three years.

39. One of the purposes of the CPD requirement is that licensees make an annual practice of CPD. The accumulation of required credit hours cannot take precedence over the importance of regular habitual learning. Even if licensees took all their credits in CPD programming that would average approximately two full day programs a year. In the Committees’ views it is not unreasonable to expect licensees to meet the requirement without carry-over.

40. The Committees are of the view that this issue does not call for a change before the full review of the CPD requirement. In their view it is not urgent.

(c) Number of Required Professionalism Hours

41. The number of professionalism hours required differs across jurisdictions with a CPD requirement. This presents challenges both for licensees and for national employers such as national law firms and the Department of Justice who seek to offer programming across the country. Most other jurisdictions require two hours of professionalism credits.
The concern around this issue has been raised less by licensees than by those who administer national CPD. While the Committees agree that harmonized approaches are being developed across law societies and should be a factor in developing and maintaining programs, the Committees believe it is premature to be considering this issue after only one year. If changes are to be made they should take into account issues such as the availability of good programming that is not repetitive from year to year, the real implications of the difference in number of hours across the country and not just the administrative inconvenience factor, and a larger discussion as to whether harmonization, if it were to occur, should entail a reduction or an increase in the number of hours.

The Committees are of the view that this issue does not call for a change before the full review of the CPD requirement. In their view it is not urgent.

For the reasons discussed above the Committees make no recommendations for changes to the three issues discussed here.