

## REPORT OF ACADEMIC STANDARDS COMMITTEE

Report #W2017-4; June 2017

In this report the Academic Standards Committee (ASC) brings to Senate its evaluation and recommendation on the following item:

- Proposal for a Juris Doctor Program

### A. PROPOSAL FOR A JURIS DOCTOR PROGRAM

#### 1. INTRODUCTION

##### 1.1 Changes in the Legal Profession

The second half of the twentieth century has been called the gilded age of Canadian legal education, with the country's law schools attracting a constantly expanding pool of applicants at a time when the demand for legal services and the average salaries for graduates were both gradually rising while methods of practice stayed relatively static.<sup>1</sup> The last decade and a half has seen a new set of trends, with the legal profession entering a phase of transformative and sometimes disruptive change caused by the information revolution that is affecting so many aspects of contemporary society. As consumers of legal services in Canada gain more and more access to new information and technology-based solutions, they have acquired more and more power.

In a trend that many have called a crisis in the traditional billable hour model, newly empowered clients are demanding more information on services, more ongoing involvement in decision-making and more expansive explanations of the risks and potential outcomes of various legal strategies, and generally better value for money from legal professionals.<sup>2</sup> Consumers of legal services have become increasingly reluctant to pay more than the value that these young lawyers are adding by reviewing documents and performing other high volume, routine work. Instead, individuals and businesses are increasingly seeking value-added strategic advice from specialized legal professionals that is grounded in their unique circumstances.

One sign of the domestic impact of these trends is the significant shortage that exists in the supply of articling positions, especially in Ontario. For example, a recent study by two Ryerson researchers shows that in 2011 a full 91% of the province's law firms did not provide articling positions, and that 10% of law school graduates (15% in the case of visible minority graduates) could not find articling positions.<sup>3</sup> This shortage led to the creation of Ryerson's LPP pilot project as the Law Society of Upper Canada explored various means to address the problem, but the articling shortage is merely one aspect of a far larger set of challenges.

The Canadian Bar Association recently participated in the publication of a report *Do Law Differently* that catalogues these challenges in a Canadian context. In the report's words: "Almost everything about career choices and employment options for new lawyers is in flux. The career paths that previous lawyer cohorts reliably anticipated, and profitably enjoyed, for the last several decades have already begun to narrow, or even, in some places, to close completely."<sup>4</sup> *Do Law Differently* highlights four main causes of this flux:

- the liberalization of market regulation which has made it easier for non-lawyer legal service providers to compete directly for some types of work traditionally carried out by lawyers;

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<sup>1</sup> Holloway, Ian. "A Canadian Law School Curriculum for This Age," *Alberta Law Review*, 3:3, 2014, p. 788.

<sup>2</sup> *Ibid.*, p. 16.

<sup>3</sup> Levin, Anver & Asher Alkoby. "Barriers to the Profession: Inaction in Ontario, Canada and its Consequences," *Oñati Socio-Legal Series*, 2013, p. 583.

<sup>4</sup> The Canadian Bar Association & Jordan Furlong. *Do Law Differently: Futures for Young Lawyers*, 2016, p. 9. This report was commissioned by the Canadian Bar Association Young Lawyers under the auspices of the Canadian Bar Association Futures Initiative.

- the role of process improvements and technological advances that have made the virtual delivery of legal services a reality and resulted in straightforward legal tasks becoming increasingly automated and more efficiently completed;
- the entry of new players in the market has changed competitive pressures on lawyers, with consumers increasingly seeking to minimize costs by accessing a variety of legal service providers for different tasks; and
- access issues are coming to the fore, with the bulk of the legal needs of Canada’s population remaining unmet due to barriers of cost.<sup>5</sup>

To best respond with a new Juris Doctor program that builds these shifts into the content of legal education, the curriculum must change. So too must assessment methods and pedagogy, as well as the way technology is incorporated into the educational experience.

## **1.2 Addressing the Societal Need for a Law School of a Different Kind**

Legal professionals are fundamentally problem solvers. But with the legal information revolution that is underway they will require a broader skillset to effectively address the range of emerging, multi-dimensional opportunities and challenges that Canadians face. Exposing law students to the perspectives of other professionals at an early stage will enable them to better integrate their services with those of other professionals throughout their career. And legal education can help instill in students an entrepreneurial approach to service delivery that will enable them to better meet client expectations.

Throughout internal and external consultations, it was found that the idea of offering solution-focused education of future leaders in the legal profession resonates very widely. Internally, colleagues spoke of the importance of a law school at Ryerson being integrated into other schools and departments and being built on the unique strengths of the university. External respondents recognized the importance of locating such a Juris Doctor program at Ryerson, how advantageous it would be to have such a program in a location that can conveniently serve the entire Greater Toronto Area and beyond, and how beneficial such a program would be for Ontario. They also appreciated that it would be another important component of the university’s commitment to community engagement and city building.

The societal need for a law school of a different kind can be broken down into the following three elements:

- promoting affordability and access to justice for communities and end consumers of legal services;
- ensuring better access to the profession, for reasons of equity, diversity and inclusion (EDI); and
- providing legal training that ensures law school graduates have the transferable skills to be truly career-ready.

### *Affordability of Legal Services*

Access to justice has become a serious challenge within Canada’s legal system – so much so that a significant portion of Canadians with a legal problem have no idea where to turn. According to the Law Society of Upper Canada’s National Action Committee report on Access to Justice in Civil and Family Matters, “over 20% of the Canadian population takes no meaningful action with respect to their legal issues,” and, “[o]f those who do not seek legal assistance, between 42% and 90% identify cost – or perceived cost – as the reason for not doing so.”<sup>6</sup> The result has been either a lack of action on justiciable

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<sup>5</sup> This topic is increasingly the subject of empirical research in a provincial setting. See, for example, The Ontario Civil Legal Needs Project Steering Committee. “Listening to Ontarians,” (2010), and Macfarlane, Julie. “The National Self-Represented Litigants Project: Identifying and Meeting the Needs of Self-Represented Litigants” at [http://www.lsuc.on.ca/uploadedFiles/For\\_the\\_Public/About\\_the\\_Law\\_Society/Convocation\\_Decisions/2014/Self-represented\\_project.pdf](http://www.lsuc.on.ca/uploadedFiles/For_the_Public/About_the_Law_Society/Convocation_Decisions/2014/Self-represented_project.pdf)

<sup>6</sup> Access to Family and Civil Justice: A Roadmap for Change, Action Committee on Access to Justice in Civil and Family Matters, October 2013, p. 4.

problems or consumers' use of the services offered via other avenues (such as paralegals or accountants) in an attempt to seek solutions. Affordability can be achieved only when the rising efficiencies that are being made possible through new forms of legal process management are translated into more cost-effective market options available to the bulk of Canadians.

The proposed program will address affordability by giving students the tools to deal proactively not just with technological innovation but with access to justice issues and social innovation as well – these areas being ones in which Ryerson has expertise as it has extended its model of entrepreneurial innovation to the area of social entrepreneurship.<sup>7</sup> Students will study subjects relevant to this societal need in:

- a second-year module focusing on social innovation (Social Innovation and the Law);
- in required bootcamps dealing with the foundations of professional development (Ryerson Law School Bootcamp) and technology and process innovation (Technology and Innovation Bootcamp);
- in the use of digital tools such as Excel in analyzing taxation issues and financial statements (Financial Bootcamp);
- in coding and its legal uses (Coding Bootcamp);
- in the personal skills needed for working in diverse contexts (Emotional Quotient/Cultural Quotient Bootcamp); and
- in various second-year modules that provide guidance in customizing the legal supply chain in new and innovative ways – especially the module dealing with the practical aspects of working in law (The Business of Lawyering), the skills needed in legal project management, legal analytics and legal process engineering (Legal Innovation), and the evaluation of possible ways of overcoming barriers to justice (Access to Justice Solutions).

#### *Access*

In addition to making the most effective use possible of the opportunities inherent in technology, entrepreneurialism and innovative approaches to delivering legal services, access involves several important elements: incorporating a commitment to EDI, and forging long-lasting partnerships with Canada's Indigenous peoples.

##### *(i) Equity, Diversity and Inclusion*

Also critical to enhancing access will be making the profession more diverse, not only in terms of its ethno-cultural make-up, but also in life experiences, perspectives, and an ability to integrate with other disciplines.

The legal profession has not kept pace with the increasing diversity of Canada's population which is arguably contributing to access challenges. Consumers often look for professionals who share their language and experience but struggle to locate them; as a result, many do not, or cannot, access the services that they need.

As the gateway to the legal profession, legal education programs have a central role to play in promoting diversity. Law schools can offer programs which appeal to a representative sample of Canadian society and expose all students to the diverse needs and perspectives of different Canadian communities. Moreover, law schools can play an influential role in reducing barriers to professional practice by offering experiential learning opportunities and ongoing support for alumni. According to a survey conducted by the Law Students' Society of Ontario, "Students expressed views that the

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<sup>7</sup> An intriguing example of this focus recently in action was the Social Good Hackathon held on the Ryerson campus. See Jesse Winter, "Young Coders Were Given 24 Hours to Solve Local Charities' Tech Challenges," Toronto Star, March 31 2017.

profession, its regulator and academics were ‘out of touch’ and elitist and were excluding future lawyers that come from backgrounds that the profession needs the most.”<sup>8</sup>

Ryerson has shown a deep and abiding commitment to EDI. This commitment is embodied in the university’s student recruitment, innovative curricular offerings, faculty hiring and supports for community engagement. Ryerson has a rich tradition of outreach to diverse student communities seeking pathways to professional career advancement, and the university continues to introduce innovative programming to extend this outreach. Similar forms of outreach will inform the recruitment strategies of the Ryerson Law School, with special attention to what the LSUC’s Equity Advisory Group (EAG) Working Group has referred to as “the intersectional nature” of the barriers that candidates from diverse backgrounds often face.<sup>9</sup>

This is especially crucial given that the proposed program places such emphasis on the technological aspects of the emerging market for legal professionals. Technological proficiency (especially involving coding) and digital literacy within the legal profession are highly male-dominated. Part of Ryerson’s EDI mandate with respect to the Juris Doctor program will be to engage in a rebalancing of the gender dynamic, graduating female graduates who can excel in these areas.

#### (ii) Partnerships with Indigenous Peoples

Ryerson is establishing an ever-expanding range of courses in Indigenous topics throughout its curriculum as well as Indigenous-focused credentials such as The Chang School’s new Certificate in Aboriginal Knowledges and Experiences. The university also has a range of partnerships with Indigenous communities due to the work of Ryerson Aboriginal Student Services and the Centre for Indigenous Governance. A partnership with the First Nations Technical Institute through the Department of Politics and Public and Administration and the School of Social Work enables FNIT students to complete Ryerson certificates and degrees.

These various partnerships will be extended through the establishment of the Ryerson Law School, given an infusion of Indigenous issues throughout the Juris Doctor program’s curriculum. These include the incorporation of a mandatory course in Indigenous Law, as well as through concerted efforts to attract Indigenous students to the program, and making use of the fact that Ryerson’s Toronto location, on the traditional territories of the Mississaugas of the New Credit, is in close range to various First Nations.

#### *Career Readiness*

In the current market for legal services, career-readiness means a change-management focus that allows graduates to adapt to sectoral shifts, as exemplified by the fact that a third or more of the lawyer members of the Law Society of Upper Canada now work in contexts other than the traditional legal firm.<sup>10</sup>

How to be prepared to accept change? Through an education that stresses change management, the essential nature of skills associated with digital literacy, and the acquisition of transferable skills in addition to the traditional competencies and skills associated with a law degree. It is this type of integrative education that must be at the heart of any new law program proposal.

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<sup>8</sup> Just or Bust? Results of the 2014 Ontario Law Students’ Tuition, Debt and Student Financial Aid Experiences, 2014, p. 45.

<sup>9</sup> LSUC EAG Working Group. Submission in Response to the Developing Strategies for Change: Addressing Challenges Faced by Racialized Licensees Consultation Paper, 2015, p. 2.

<sup>10</sup> The Law Society of Upper Canada. Annual Report Performance Highlights 2010, p. 7. [http://LSUC\\_Performance\\_EN\\_Annual\\_Report\\_2010.pdf](http://LSUC_Performance_EN_Annual_Report_2010.pdf).

One of the most influential sets of recommendations concerning the sort of law education that is required, as law programs move away from traditional methods of legal training, is the Carnegie Foundation's 2007 report *Educating Lawyers*:

To build on their strengths and address their shortcomings, law schools should offer an integrated, three-part curriculum: (1) the teaching of legal doctrine and analysis, which provides the basis for professional growth; (2) introduction to the several facets of practice included under the rubric of lawyering, leading to acting with responsibility for clients; and (3) exploration and assumption of the identity, values and dispositions consonant with the fundamental purposes of the legal profession. Integrating the three parts of legal education would better prepare students for the varied demands of professional legal work.<sup>11</sup>

The program's innovation-focused approach will equip graduates with the real-world skills and competencies needed to meet the present and future needs of consumers of legal services. A list of some of the mandatory courses to be offered at the Ryerson Law School demonstrates the different approach to training between Ryerson and existing Ontario law schools:

- Technology Innovation Bootcamp
- Financial Bootcamp
- The Business of Lawyering
- Social Innovation and the Law
- Coding Bootcamp
- Legal Innovation
- IP and Privacy
- Access to Justice Solutions
- Professional Placement

A set of required courses provides a grounding in issues related to access to justice and social innovation that will make the Ryerson program distinctive in terms of core curriculum. These mandatory courses include:

- Ryerson Law School Bootcamp
- Indigenous Law in Canada
- Social Innovation and the Law
- Advocacy and ADR
- Legal Innovation
- Access to Justice Solutions
- Emotional Quotient//Cultural Quotient Bootcamp

### **1.3 Key Elements of the Ryerson Juris Doctor Program**

The FLSC's 2012 report, which recommends a shift in Canadian legal education towards problem-solving, analysis, and application in its competency requirements has been used in analyzing the extent to which its list of general competencies will be met by our graduates to ensure their practice-readiness with a change-management focus.<sup>12</sup> We have also noted the FLSC's contention that law schools can do more to prepare graduates by introducing additional opportunities to practise the application of skills. The 2012 report recognises the importance of doctrinal learning, but stresses the need to blend theory and practice.

Ryerson acknowledges and respects the important work of the law schools that now educate law students. However, Ryerson proposes a different kind of law school that trains lawyers differently. The ten guiding principles are as follows:

#### *(i) Focus on Curricular Innovation*

The proposed program's curriculum will provide added value with an orientation towards practice readiness and change management. This mandate requires students to engage critically with the substantive content of law, the way it is currently practised by legal actors in various types of

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<sup>11</sup> Sullivan, William et al. *Educating Lawyers: Preparation for the Profession of Law*, 2007, p. 8.

<sup>12</sup> Federation of Law Societies of Canada. National Entry to Practice Competency Profile for Lawyers and Quebec Notaries, September, 2012.

organizations, and the ways that current practices might evolve with the increased utilization of technology.

From a curricular perspective this will require an expansion in the range of competencies taught to students. While still highly valued today, time-honoured competencies need to be supplemented with new ones as societal expectations as well as the role of articling in the profession change. Competencies already identified for the future include data management, emotional intelligence, entrepreneurial spirit, financial literacy, network building, process improvement, strategic thinking (beyond being a good tactician) and technological proficiency.<sup>13</sup> The program will also feature in-depth coverage of new fields such as cyber-crime, social innovation, legal entrepreneurship, and technologically-based legal functions such as eDiscovery.

Significant attention will also be paid to issues relating to ethics and professionalism. Our treatment of these topics takes into account the evolution in how the competencies related to this subject matter are increasingly being infused into legal education. In recent decades, there has been a shift away from a dependence on lecture-based instruction towards a more immersive approach involving case studies and problem-based simulations. Associated with this trend is a growing recognition that ethics and professionalism not only require a mandatory course – a required course which we have placed in the first semester of our program to ensure that students are introduced to the topic from the very start of their studies – but must be integrated throughout the curriculum. In line with this trend, care has been taken to incorporate key elements of ethics and professionalism in a number of courses in addition to the mandatory ethics and professionalism course.

With these added required competencies comes a need for an expansion of the mandatory portion of the overall program. In combination with the incorporation of professional placement into the core curriculum, only one semester out of the five remaining semesters will incorporate any elective courses, with all of the coursework in the other four semesters, including the five bootcamps, being required.

#### *(ii) A Rethinking of Content Delivery and Assessment Methods*

The mode of delivery in much of the coursework will feature collaborative co-teaching between faculty and practitioners. This expansion of the practitioner's role beyond that of "guest lecturer" also reflects Ryerson's commitment to providing practical education and integrating collaboration with the community.<sup>14</sup>

We also envision a partial shifting away from the 12-week lecture-based course.<sup>15</sup> This will be accomplished in a variety of ways:

*Bootcamps* - All semesters except the professional placement semester will begin with a compulsory one-week bootcamp that deals with subject-matter deemed to be essential to professional success, with all but the last bootcamp taught simultaneously by a two practitioners in separate sections.

*First year* - The first two semesters of the program will feature collaborative co-teaching between faculty and practitioners in all courses. Three courses in each semester – in contract law, torts law and property law in the first semester and in criminal law, constitutional law and administrative and

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<sup>13</sup> This list is adapted from the new proficiencies cited in Do Law Differently, pp. 17-19.

<sup>14</sup> The potential advantage of co-teaching models in legal education that utilize practitioners is an area that has received considerable attention in recent years, especially in the US. For a Canadian observer's summary of these recent trends, see Doug Ferguson, "Integrating the Profession in Experiential Legal Education," *Slaw*, June 30th, 2015.

<sup>15</sup> The research on intensive modes of delivery in post-secondary settings suggests that its learning outcomes are comparable to those using conventional delivery methods, with some studies even showing intensive modes of delivery to be more effective. See W. M. Davies, "Intensive Teaching Formats: A Review," *Issues in Educational Research*, 16(1), 2006 p. 10. [http://fbeunimelb.edu.au/\\_\\_data/assets/pdf\\_file/0019/634303/Davies1.pdf](http://fbeunimelb.edu.au/__data/assets/pdf_file/0019/634303/Davies1.pdf)

regulatory law in the second semester – will be taught for six hours each week, in two lecture-style sections of 75 students each, with the first five hours taught solely by the faculty member and the sixth hour taught by a practitioner in three breakout sections of 25 students each. The other four courses in these semesters – in legal research and writing, ethics and professionalism, foundations of law and legal methods, and Indigenous law – will have two hours a week handled by the faculty member in lecture-style sections of 75 students each, and the third hour devoted to breakouts of 25 students overseen by practitioners that will involve a variety of activities stressing group based applications. The Indigenous law course’s mandatory nature reflects Ryerson’s deep commitment to addressing the recommendations of the Truth and Reconciliation Commission in relation to legal education. As for its placement in the curriculum, it has been positioned in the first year in order to maximize the opportunity to weave foundational material to the topic of Indigenous peoples throughout the program. This is in conjunction with building Indigenous issues into the rest of the curriculum, including other courses, bootcamps, and professional placements.

*Second year* - The third and fourth semesters of the program will feature discrete two-week modules of content and associated practice, each representing a separate course, in the form of group work, role-playing and simulation that will also incorporate an online component for the presentation of knowledge. For each module, faculty will oversee 30 hours of class time, in two separate sections of students, during the weekday mornings of the two-week period. In the afternoons the focus will move to seven-member student firms to engage in the module’s practice portion. This portion will be overseen by mentors who will guide and assess the work of each firm. The immersive techniques involving simulated practice to be used here will be modeled on the resources developed in the LPP program.

*Third year* - The fifth and sixth semesters of the program will feature one semester of professional placement and in the other semester a mandatory EQ/CQ bootcamp as well as five electives.

Forms of assessment will also be transformed. A considerable body of empirical literature suggests that assessment is most effective if designed around competency-based learning outcomes, with multiple assessments – quizzes, exercise and group projects in addition to tests and exams – that provide students with an opportunity to gauge their understanding of basic competencies and learning outcomes in ways that the traditional 100 percent final exam does not allow.

*(iii) Incorporation of Legal Technology*

An important study of the legal profession identifies five specific technologically related trends currently operating in the legal profession:

*Growth of AI and QLP* - Artificial intelligence (AI) has already breached the walls of the legal profession, from predictive coding in litigation, to automated due diligence in transactional law, to IBM-Watson-assisted engines of mass data analysis.

*General counsel as legal supply chain and legal process manager* - The “convergence of technology, analytics, outsourcing, and procurement [has] allowed entrepreneurially minded individuals to develop new and more efficient methods to help deliver solutions to clients.”<sup>16</sup>

*Emergence of process efficiency as a competitive advantage* - In contrast to the past when substantive legal expertise was the main competitive distinguisher, process is taking on a greater role.

*Expanding role of start-ups* - So-called ‘apps for justice’ have begun providing solutions to legal problems encountered by the consumers of legal services. In 2009 there were 15 legal technology startups on the website AngelList. Four years later there were over 400.

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<sup>16</sup> Katz, Daniel Martin, “The MIT School of Law? A Perspective on Legal Education in the 21st Century,” *University of Illinois Law Review*, October 22, 2014, p. 1441.

*A growing concern with access to justice and the affordability of legal services* - Given issues related to affordability, entities such as LegalZoom and Rocket Lawyer are delivering some form of legal service or legal information products to help millions of people solve their specific legal problem. Law school graduates need to be closely aware of the trend and of the ways that it might be harnessed in beneficial ways.

The various elements of technological expertise that students will need in the program will be introduced in the Technology Innovation Bootcamp scheduled in the first week of the second semester as well as the Coding Bootcamp scheduled in the first week of the fourth semester. One reason for spending two concentrated weeks on technology in this way is to ensure an appropriate bridge for any students who enter the program without a substantial background in the use of technological tools. In addition, various projects throughout the proposed program, especially in several first-year courses and second-year modules, will require students to utilize a range of technological resources and, in the case of the final module taken in the second year, assess possible solutions to barriers to justice as well.

On January 31, 2017, the Federation of Law Societies of Canada issued a Consultation Report<sup>17</sup> which sought comment on, among other things, a draft amendment to the Model Code of Professional Conduct. If adopted, the proposal would add Canada to the list of 27 states in the United States that have adopted the duty of technology competence.<sup>18</sup>

*(iv) Attention to Communications and Relationship-Building Skills*

It is essential that lawyers have the means to communicate and build relationships effectively and to integrate these skills into their understanding of the principles of ethics and professionalism. Through its client file simulation exercises as well as its other experiential learning elements, the program will emphasize this set of important skills, both in the context of person-to-person interaction as well as more impersonal settings such as via social media. The emotional quotient/cultural quotient bootcamp offered in the third year of the program will be particularly useful in solidifying these skills.

*(v) The Building of Mentorship Relationships*

As the legal profession changes, so does the need for students to have the chance to interact with experienced practitioners who can provide them with the practical advice they need in shaping their educational experience as well as making the transition to their career. Peer mentorship and other forms of informal mentorship are a key part of any student's law school experience. The program will directly address these issues by ensuring that students at the Ryerson Law School have the chance to build these relationships during all three years of study. Each student in the program will be assigned to a practitioner-mentor using a system similar to the one pioneered in the LPP, with seven students attached to one mentor in each year of the program.

*(vi) An Alignment with Existing Ryerson Strengths, including Law-Related Areas*

Providing accessible, relevant, intellectually rigorous and career-ready postsecondary education has been Ryerson's touchstone from the very beginning. The Ryerson experience is multi-faceted. It emphasizes basic and applied research, creative endeavours and scholarly activities that respond to real-world problems in community, government, and the private and not-for-profit sectors. It is built on programs designed to be relevant to changing careers, professions and scholarly disciplines, with considerable opportunities for research and experiential learning. Graduates go on to make significant contributions in their fields of practice and in broader society. Deep connections and partnerships with leading institutions,

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<sup>17</sup> Federation of Law Societies of Canada, Model Code of Professional Conduct, Consultation Report, January 31, 2017, available online at:

<http://flsc.ca/wp-content/uploads/2014/10/Consultation-Report-Draft-Model-Code-Amendments-for-web-Jan2017-FINAL.pdf>

<sup>18</sup> <http://www.lawsitesblog.com/2017/03/another-state-adopts-duty-technology-competence-canada-may-also.html>



community agencies, industry, government and professional practices drive program and research relevancy.

The university has forged a reputation for being innovative and entrepreneurial, and is now acknowledged to be a global leader in supporting and fostering innovation. This includes successfully launching Canada's first legal incubator, while developing an innovative lawyer transition training pilot project in the form of the Law Practice Program. The proposed program will be infused with new energy, ideas and approaches, but just as importantly, will build on these existing strengths. Ryerson has a core complement of exceptional faculty members willing to lead the development of the law school and shape the innovative approaches associated with starting the school.

For example, the major in Law and Business offered by the Ted Rogers School of Management is one of the few B. Comm. programs of its kind in Canada. Members of the Department of Criminology possess expertise in a broad range of legal areas, such as transnational approaches to anti-terrorism, irregular migration, refugee protection, international and European human rights law, sovereignty and constitutionalism, criminal and international criminal law, etc. There are also several other Ryerson research areas and associated institutes, centres and zones whose experience will be key in the implementation of this program.

*(vii) An Educational Reach Across the GTA and Beyond*

Fully 85% of Ryerson University's undergraduates are from the Greater Toronto Area – 40% from the "905 Belt" (i.e. Halton, Peel, York and Durham) and 45% from the City of Toronto. This proposal is being submitted at a pivotal juncture in Ryerson's vision for its reach within the GTA, given the University's recently announced proposal for an expansion to Brampton. This proposed new facility would provide the potential for the Ryerson Law School to provide some of its offerings – in particular, perhaps some of the intensive bootcamp and module sections – in a location that can significantly extend its regional reach, while drawing on the considerable expertise and potential student populations in the Brampton area.

*(viii) A Progressive Social Justice-Oriented Emphasis*

The GTA and surrounding area represents not the limits of Ryerson's reach and ambition but it does ground the institution's deep connection to community. Ryerson is known for bringing together cultures, ideas and passions to foster creativity, understanding and achievement in an environment where issues of EDI as well as social justice are continually stressed in all aspects of its operations. This commitment is well exemplified by the ongoing outreach and research of Ryerson's CAW-Sam Gindin Chair in Social Justice and Democracy, the Jack Layton Chair, the Jack Layton Leadership School in Social Justice, Activism and Community, the Diversity Institute and the Centre for Indigenous Governance. The new law school will forge links with these and other existing Ryerson entities as part of its own outreach and recruitment efforts.

In addition to its outreach to diverse communities within an urban context, Ryerson has shown a commitment to forging partnerships with Indigenous communities by developing comprehensive programs in collaboration with institutions such as the First Nations Technical Institute. This commitment will extend to the new Juris Doctor program, as the program responds to the recommendations of the Truth and Reconciliation Commission by doing the utmost to attract Indigenous students, infusing Indigenous issues throughout the curriculum, and incorporating a mandatory Indigenous law course for all students in the program.

The focus on ethics will also be explicitly infused throughout the rest of the program. The inclusion of a mandatory first year course, Ethics and Professionalism, will explore the tensions that arise from balancing professional role-based obligations and organizational expectations with the public interest.

*(ix) Incorporation of elements of the Legal Innovation Zone and the Law Practice Program*

The Legal Innovation Zone (LIZ) is Canada's first legal incubator. After just a year, it is already incubating 19 companies, has contracted innovation for hire, and has launched a four-month family reform initiative to build a prototype as part of its goal to help develop a 21st century justice system. The experience gained by launching the LIZ will be utilized in devising the curriculum, especially those parts geared to the entrepreneurial aspects of legal service in today's fast-changing profession.

The Law Practice Program (LPP) was originally established by the Law Society of Upper Canada as a three-year pilot alternative to traditional articling licensing, and awarded to Ryerson because of its unique approach. The practising bar supports the program through mentoring, expert input, training program development and delivery, and work placements. Between its inception in 2014 and its current third year, hundreds of candidates have benefitted from the new opportunities this alternative has created, with excellent post-completion employment results.

*(x) A Commitment to Uncompromising Quality*

Ryerson is committed to uncompromising quality, defined broadly, which will be evident throughout the program, including through the following policies and procedures:

*Admissions:* We believe that a well-qualified, diverse and inclusive group of applicants exists. We anticipate that the transformative nature of Ryerson Law School's proposed program combined with the uniqueness of its admission process will extend the potential range of applicants. In addition to the usual requirement for past academic excellence, Ryerson will publicize the fact that it welcomes applications from students who demonstrate technological proficiency, past entrepreneurial activities, problem solving, community engagement, social innovation and/or the ability to overcome adversity due to a range of possible factors.

*Faculty:* Full-time faculty members will be expected to possess significant academic credentials in law (likely doctorates in law or equivalent), and/or come to Ryerson as well-respected lateral hires from top-tier law schools throughout Canada and internationally. Importantly, Ryerson will attract leading legal scholars who are innovative and creative. The same standards that govern full-time faculty hires will apply to cross-appointments to the law school from within Ryerson, while practitioners will be hired from the large and impressive pool of experienced professionals within the GTA.

#### **1.4 Estimating Student Demand**

The Ryerson Law School will undoubtedly be able to attract qualified applicants for a variety of reasons:

- The new law school will aspire to be different.
- The school will be the smallest in Ontario with the exception of Lakehead, with its particular focus on Indigenous matters and Northern Ontario.
- While the population of Ontario has doubled in the past three decades, only one new law school – Lakehead, has started since the establishment of numerous Ontario law faculties in the late 1950s and 1960s. Ryerson would be able to attract applicant numbers that put it in the same league as the other law schools in the province – i.e. ratios of registrants to applicants in the 5% to 14% range – simply given the existing regional demand for law school seats.
- Ryerson has the highest ratio of any university in the province per undergraduate slot.
- There has been a significant increase in the numbers of internationally trained law candidates who are seeking membership in the Ontario Bar. This group includes both candidates who have emigrated to Canada and Canadians who have pursued a law degree outside of Canada with the intention of practising within the country.

- Between 2005 and 2014 the ratio of internationally trained law candidates to those from Ontario law schools applying for licensure in the province rose from 7% to 37%.<sup>19</sup>
- About 35% of the approximately 600 internationally-educated candidates for licensing in Ontario are Canadian-born and received their law school education outside of Canada and returned to become licensed in Ontario. In other words, more than 200 Canadians return annually from law schools abroad. To put this in context, the Ryerson Law School will admit only 150 students into first year law.
- Ryerson's admission criteria will consider a variety of criteria, including an online interview, which will encourage and attract a broader pool of applicants.

### 1.5 Estimating Labour Market Demand

Authorities have had significant difficulties in the past in estimating future labour market demand. A report by the Canadian Bar Association's Legal Futures Initiative cites what it calls the lack of data on the Canadian profession:

There is limited data available on the profession in terms of services offered, pricing, profitability, incomes, and cost structures. There is mostly anecdotal information on client needs, preferences, and satisfaction, and on access to legal services more generally. The legal profession has little information on emerging competitors and their business specifics, including marketing and pricing strategies. There is also limited information on the demographics of the profession, its diversity, individual career expectations, and attitudes towards various working arrangements (full-time, part-time, consultants).<sup>20</sup>

In terms of employment, the Council of Ontario Universities, in a survey of Ontario university graduates, found law graduates from 2010 had an employment rate two years after graduation of 93.9%.<sup>21</sup> A recent study of regulated professions in Ontario commissioned by the Higher Education Quality Council of Ontario (HEQCO) found a much lower rate of employment for graduates from 2010 three years after graduation, with a rate of 73% for Ontario law graduates.<sup>22</sup> Such statistics, which tend to use definitions parallel to those applied by Statistics Canada in its Labour Force Survey, need to be treated with caution. As the HEQCO study of regulated professions in Ontario notes:

The LFS is, however, of limited value in assessing labour market outcomes for professional degree holders as it does not account for educational qualifications or the individual's intended occupation. In other words, it does not provide insight as to whether the individuals hold a position that they are trained for or whether they are underemployed.<sup>23</sup>

Once account is taken of how many graduates are working in jobs closely allied to their area of study, the statistics for graduates in regulated professions are reduced. The same HEQCO study estimates that the employment rate for 2010 Ontario law graduates three years after graduation who are employed and working in an area closely related to their field of study is 61%.<sup>24</sup>

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<sup>19</sup> These statistics are taken from

[http://www.fairnesscommissioner.ca/index\\_en.php?page=professions/law\\_society\\_of\\_upper\\_canada](http://www.fairnesscommissioner.ca/index_en.php?page=professions/law_society_of_upper_canada)

<sup>20</sup> CBA Legal Futures Initiative. *Futures: Transforming the Delivery of Legal Services in Canada*, August 2014,

[http://www.cba.org/CBAMediaLibrary/cba\\_na/PDFs/CBA%20Legal%20Futures%20PDFS/Futures-Final-eng.pdf](http://www.cba.org/CBAMediaLibrary/cba_na/PDFs/CBA%20Legal%20Futures%20PDFS/Futures-Final-eng.pdf)

<sup>21</sup> Council of Ontario Universities. *University Works: 2014 Employment Report*, February, 2014, p. 23.

[http://COU\\_University\\_Works\\_report\\_-\\_February\\_2014.pdf](http://COU_University_Works_report_-_February_2014.pdf)

<sup>22</sup> This contrasts to rates of 92% in nursing, 90% in engineering and architecture and 76% in education. Prism Economics and Analysis. *Labour Market Trends and Outlooks for Regulated Professions in Ontario*, Higher Education Quality Council of Ontario, 2016. p. 16.

<sup>23</sup> *Ibid.*, p. 16.

<sup>24</sup> This compares to 90% in nursing, 59% in architecture, 55% in engineering and 50% in education. *Ibid.*, p. 17.

Based on a comparison of demand and supply, the HEQCO study estimates that there will be 1.6 newly licensed lawyers in the province for each practising position that opens up between 2015 and 2025, due both to retirement replacement and GDP growth.<sup>25</sup> The study estimates that over the coming decade there will be approximately 29,500 law school graduates in Ontario. According to the HEQCO study, the likely effects are:

This will most probably result in a rising number of law school graduates not practising law. They will likely find opportunities in other professions or leave the province to find legal work elsewhere. Another, more positive outcome may be that new graduates will create their own jobs. New technology enables small firms and sole practitioners to access new and larger markets. Innovation and cultural shifts may also change how legal services are provided or lead to entirely new types of services.<sup>26</sup>

In other words, the study concludes, these trends will likely lead to a shift away from conventional forms of practice. In 2010 the Law Society of Upper Canada estimated that fully half of its lawyer members were situated in Metropolitan Toronto. In terms of employment, 23% of LSUC members classified themselves as sole practitioners, 20% as partners, 18% as associates, 16% were affiliated with government, 4% were employees, 2% were in education, and the remaining 18% were in a range of pursuits, including both the corporate and non-profit sectors.<sup>27</sup> These figures provide some indication of where demand for new Ontario legal graduates is concentrated at the moment, as the proportion of the profession that is in-house grows, while the representation of those who are in small firms or are sole practitioners rises as well.<sup>28</sup>

What can be stated with virtual certainty is that, as the legal services market continues to undergo disruptive change, new opportunities will arise for those with the skills and perspective to take advantage of these changes. In the words of a new US study of legal business models:

What is ultimately needed . . . is a broader reimagining of the overall model for legal service delivery, one that includes paraprofessionals, technologists, information specialists, process managers, and others – in addition to lawyers – as part of an integrated system for the delivery of legal services. This is the model that has evolved in medicine, also driven by the dual objectives of improving outcomes and quality of service while reducing costs. Such a redesigned approach to legal services – combined with a pricing model based on outcomes (results) rather than inputs (recorded time) – could significantly improve both the competitiveness and profitability of those law firms willing to take these issues seriously.<sup>29</sup>

And, not inconsequentially, such changes, when they occur in the Ontario legal services market are likely to have the major advantage of enhancing access to justice.

It is important to note that of all of the estimated 29,500 law graduates entering the Ontario profession over the 2015-2025 period, only an estimated 560 (or less than 2%) would have graduated from the

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<sup>25</sup> According to the study, the cumulative number of graduates, both from Ontario and elsewhere, between 2015 and 2025 is projected to be 29,500, with 12,700 positions opening up in the province, producing a cumulative excess supply of 16,800 positions. According to the HEQCO study, these excess supply conditions in the province appeared after 2009 as Ontario law schools collectively undertook a significant increase in enrollments at the same time as the supply of graduates from outside underwent its own substantial increase. *Ibid.*, pp. 49-50.

<sup>26</sup> *Ibid.*, p. 20.

<sup>27</sup> The Law Society of Upper Canada. Annual Report Performance Highlights 2010, p. 7. [http://LSUC\\_Performance\\_EN\\_Annual\\_Report\\_2010.pdf](http://LSUC_Performance_EN_Annual_Report_2010.pdf)

<sup>28</sup> Just as suggestive are the figures from the same year on the age distribution of the Society's lawyer membership, which show that over 40% of the membership is over aged 50 or over, with under 33% under the age of 40. *Ibid.*, p. 8.

<sup>29</sup> Georgetown Law and Thomson Reuters. 2017 Report on the State of the Legal Market. Peer Monitor Series. Centre for the Study of the Legal Profession at Georgetown University Law Centre and Thomson Reuters Legal Executive Institute, p. 17.

Ryerson Law School. In other words, the overall increase in law school graduates in Ontario created by establishing the Ryerson Law School will be insignificant.

The delivery model that the Ryerson Law School graduates will be trained to apply will ensure that they will be among those best positioned to deal with the transformation of the market for law school graduates that is already underway.

During the development of this proposal, Strategy Corp Incorporated (SCI) was commissioned by Ryerson to undertake a Labour Market Survey. Their working hypothesis was the following: “To better meet the labour market needs inside and outside of the legal industry, legally trained professionals will require different attributes than the legal professionals of 20 years ago. The market is changing and tomorrow’s graduates will need to be creative and skilled problem solvers, strategic planners, and process managers with the financial literacy, technological competency, and entrepreneurial spirit to compete in tomorrow’s economy.” SCI interviewed 52 legal and non-legal employers across a variety of industries.

The outcome of these interviews is series of themes whose ramifications have obvious alignment with the principles espoused in this submission in relation to the defining features of the proposed program:

- There are roles for legally trained professionals outside of legal positions, but students are not always made aware of these opportunities.
- Traditional legal education effectively teaches students how to think and solve problems, and this skill set is viewed favourably by non-legal positions.
- Industry experience and industry knowledge are seen as positive differentiators during the hiring process.
- Employers dislike the propensity of legally trained professionals to provide mere analysis rather than advice.
- Practical skills training is identified as a gap in legal training.
- There is an appetite to integrate practical training into the law school context.
- The legal field is changing and there will be fewer traditional law positions.
- Technological aptitude is essential for new lawyers.
- Integration of equity, diversity and inclusion in legal training will make for more well-rounded professionals.

## **2. THE PROPOSED PROGRAM**

### **2.1 Academic Administration**

Ryerson’s Juris Doctor program will be housed in a new law faculty, becoming the seventh faculty at Ryerson University.

### **2.2 Admission to the Program**

The program will admit a well-qualified cohort of 150 students per year. Applicants will require at least a three-year undergraduate degree, although students who have completed two years of undergraduate study with high academic and other performance may be considered as a means of enhancing access. Applicants will be required to submit a portfolio consisting of traditional components such as the application itself, a personal statement addressing certain criteria, resume, transcripts, a letter of recommendation/evaluation, and the results of the Law School Admission Test. In addition, applicants will be expected to complete an online interview. Attention will be paid to matters such as technological proficiency, past entrepreneurial activities, problem solving, community engagement, social innovation and/or the ability to overcome adversity in all its many forms.

It is of paramount importance that, right from the start, the profile of our incoming classes represents the program’s abiding commitment to EDI. This will be reflected in several aspects of the proposed admissions process:

- EDI-Related Recruitment Initiatives - The active recruitment of applicants from underrepresented communities will be key. The Ryerson Law School recruitment process will draw on best practices around EDI in legal recruitment, with admissions representatives visiting community groups, high schools and other relevant organizations to explain the benefits of law as a career path and outline the distinctive mandate of the Ryerson Law School. In addition, consultations are ongoing with ethno-racial law associations, with these associations being asked for their assistance in promoting the Ryerson Law School in their respective communities. The intent is to have them work with admissions officials in reaching out to students in both high schools and universities to encourage them to go to law school.
- LSAT and GPA - In fidelity to our vision to encourage applications from persons with diverse backgrounds, relevant life and work experiences, community affiliations, passion for justice, and openness to technological innovation, predetermined minimum GPAs or LSAT scores will not initially be set. The holistic candidate selection process will ensure that all successful candidates will be especially qualified, outstanding and exemplary with respect to the traits, aptitudes, and values which animate the program. Only once admissions officials have had time to develop admissions standards based on the candidate pool applying to the program will any figures be published, and then only as informational class profiles rather than set minimum values. Instead, the assessment process will reflect an ongoing effort during each admissions cycle to ensure that EDI factors are being fully taken into account.
- Online Interview and Personal Statement - It will be made clear to applicants that both the online interview and written personal statement are an essential part of their application packages. The technical aspects of the online interview process will be managed by an outside provider (this is already occurring for some of the most prominent law schools using this option in the USA). Candidates will receive the interview link and then will have an estimated 10 to 15 minutes to complete three or four questions carefully written to encourage a discussion of EDI and its personal ramifications to the applicant. A similar philosophy will govern the choice of topics applicants will be asked to elaborate on in the personal written statement as well as the structure of the mandatory rubric used by all assessors.
- Review and Assessment - The proposed admissions process will be carefully tailored and holistic, taking into account many individual factors. The initial review of applicant packages, including the online interviews, will be carried out by one to two experienced admissions support staff hired on four to six month contracts each year. They will use a formal rubric in reducing the total number of complete applicant files to a certain number that will then be passed on to an admissions committee.

In the absence of designated cut-offs, at least in the first year of the program, significant attention will be paid to ensuring transparency to applicants in terms of how admission decisions are made. One way to do so is to make public the general criteria that will be used to assess the content of the online interview and personal statement. Besides an applicant's performance in their previous studies as well as their LSAT score, five criteria will be utilized: (1) relevant work experience, including any technology-related skills gained; (2) volunteer activities, including evidence of a commitment to social justice and/or the development of cultural/emotional competencies; (3) personal accomplishments that the applicant deems to be noteworthy, (4) personal factors that the applicant wishes to mention, especially those that reflect attempts to overcome adversity, and (5) career aspirations, including what particular career paths as a legal professional currently appeal and why.

It will be explicitly stated to applicants that these five criteria will be viewed through the lens of the program's four underlying principles:

- Increasing access to justice for Ontarians and Canadians;

- Innovation and entrepreneurship;
- Equity, Diversity and Inclusion; and
- Sound academic grounding.

An admissions committee, composed of faculty members and also, eventually, alumni and student representatives, will formalize the individual components, set the percentage ranges used to weight each of these five criteria as well as to weight the GPA and LSAT scores. It needs to be stressed that all involved in reviewing files – both the contract reviewers and members of the admissions committee – will have appropriate training.

This envisioned process will require the technical support of the Registrar's Office, especially in regard to transmission of data from OUAC to Ryerson. All of this process will be overseen by a Coordinator of Law School Admission, an Admissions Assistant & Advising, and the Associate Dean Students. As far as admissions for 2018 are concerned, the lead times necessary to register the program as a formal part of OUAC process dictate that an alternative process will have to be devised involving both OUAC and the Registrar's Office.

### **2.3 Grading, Promotion and Graduation Requirements**

The curriculum exhibits a progressive structure. All courses in the first two years of the program are mandatory and there are no specific course prerequisites. Completion of Year 1 is a requirement to enter Year 2, and completion of the first two years is a requirement to enter Year 3. If individual courses are failed, the student would need to complete a set assignment or exam to pass. As long as Policy 46 is in place, students may also be given “probationary” or “required to withdraw” status, depending on their overall performance in any semester.

Devising a grading and promotion policy in the context of a professional program such as a JD degree is a complex matter. The program will begin by utilizing Ryerson's GPA Policy 46, with the intention that once permanent administrators and staff are hired there will be a committee set up to take a formal scan of current sector norms and devise a policy that both reflects these norms as well as being infused by the distinctive aspects of the Ryerson Law School mandate.

### **2.4 Learning Outcomes**

The proposed program will ensure its graduates are well-prepared to contribute positively to the profession and society. The Ryerson Law School's program has fourteen intended learning outcomes which are based on the four pillars of the law school:

- (i) Increasing access to justice;
- (ii) Stimulating innovation and entrepreneurship;
- (iii) Promoting equity, diversity and inclusion; and
- (iv) Providing a sound academic grounding with innovative pedagogy – and address the knowledge, skills and values we expect our graduates will have developed by the time they have graduated from the JD program.

The fourteen learning outcomes are:

1. *Knowledge of the Canadian Legal System* - Describe and apply principles of the constitutional law of Canada, including the Charter of Rights and Freedoms, human rights principles, Aboriginal rights and Indigenous traditions, key principles of common law and equity, the administration of law in Canada, the legislative and regulatory system, and statutory construction and interpretation.
2. *Knowledge of Canadian Substantive Law* - Describe and apply principles on Canadian substantive law including private and public law, corporate and commercial law, family law, wills and estates, evidence, rules of procedure, and alternative dispute mechanism procedures.

3. *Knowledge of Ethics and Professionalism* - Outline the principles of ethical conduct, professional integrity and the respectful treatment of participants in the legal process.
4. *Ethics and Professionalism Skills* - Recognize, critically analyze, and make reasoned decisions about ethical issues based on the highest standards of professionalism.
5. *Oral and Written Communication Skills* - Communicate clearly, use language suitable to one's purpose and audience, craft well-reasoned and accurate legal arguments, and appropriately elicit information from clients.
6. *Analytical Skills*- Identify, research, and analyze legal issues, and craft legal solutions that are most appropriate to the context and effectively meet the needs of clients.
7. *Research Skills* - Identify legal issues, select relevant sources and methods, and apply legal reasoning and argument techniques using both primary and secondary resources in a range of fields.
8. *Client Relationship and Management Skills* - Strategically manage client relationships appropriate to client circumstances.
9. *Practice Management Skills* - Demonstrate a basic understanding of business fundamentals and manage professional responsibilities such as managing time, files, finances, and the delegation of tasks.
10. *Technology Related Skills* - Assess technological solutions to legal issues, identify the relevant tools used to conduct data analytics, and apply digital literacy in a range of legal contexts.
11. *Awareness Skills* - Recognize the emotional impact of words and actions, adapt to differing cultural perspectives, and relate one's own professional goals to societal needs and the public interest.
12. *Change Management Skills* - Identify and apply appropriate methods to facilitate stakeholder transition of legal practice to the use of new technologies, new processes, or other shifts in modes of operation.
13. *Autonomy and Professional Capacity Skills* - Exercise initiative, personal responsibility and accountability in personal and group contexts, and manage learning in changing circumstances.
14. *Social Innovation Skills* - Modify or develop new strategies, procedures, and activities to help break down barriers to justice and make legal services more affordable.

These learning outcomes have been mapped to the degree level expectations (DLEs). The outcomes have been developed to align with the FLSC's *Recommended Requirements for a Canadian Common Law Degree*. The learning outcomes, methods of delivery, and assessments have also been directly mapped to all the program's required and elective courses.

## **2.5 Mapping of Learning Outcomes (LOs) to Required and Elective Courses**

### *First Year*

The knowledge-based learning outcomes most stressed in the first year are LO1, covered at a foundational level in every first year course except the two bootcamps, and LO2, covered at a foundational level in Legal Research and Writing, Fdns. of Law and Leg. Methods, and Indigenous Law in Canada and at a proficiency level in the first semester's private law courses and the second semester's public law courses. LO3 has foundational coverage in the introductory bootcamp, Legal Research and Writing, Fdns. of Law and Leg. Methods, and Criminal Law. In addition, LO3 has proficiency-level coverage in the Ethics and Professionalism Course, given the course's central focus on this learning outcome.

The skills-based learning outcomes most stressed in the first year are LO4, LO5, and LO6. All three outcomes have at least foundational coverage in every first year course while proficiency-level coverage occurs in Ethics and Professionalism, Fdns. of Law and Leg. Methods and Criminal Law for LO4; in Fdns. of Law and Leg. Methods for LO5, since this course builds on the communications skills covered at a foundational level in the first semester courses; and in the Technology Innovation Bootcamp and Fdns.



of Law and Leg. Methods for LO6, since both of these courses feature assignments incorporating an intensive analytical component.

Coverage of the other skills-based learning outcomes LO7 to LO14 is scattered throughout the first year courses:

- LO7 has foundational coverage in the introductory bootcamp, Fdns. of Law and Leg. Methods, Criminal Law and Indigenous Law in Canada, since these courses feature assignments in which independent student research is highlighted;
- LO8 has foundational coverage in the introductory bootcamp and Legal Research and Writing and proficiency-level coverage in Ethics and Professionalism and Fdns of Law and Leg. Methods, since all of these courses help set the stage for the explicitly applied practice based assignments in second year;
- LO9 has foundational coverage in both the introductory bootcamp and Legal Research and Writing and proficiency-level coverage in Fdns. of Law and Leg. Methods;
- LO10 has foundational coverage in the three private law courses and three public law courses, given the introduction in these six courses of some of the technological methods used in contemporary legal practice. It has proficiency-level coverage in the Technology Innovation Bootcamp given the bootcamp's intensive treatment of the nuts and bolts of legal technology;
- LO11 has foundational coverage in the year's two bootcamps and proficiency-level coverage in Ethics and Professionalism and Fdns. of Law and Leg. Methods;
- LO12 and LO14 have foundational coverage in the first year's two bootcamps and Ethics and Professionalism; and
- LO13 has foundational coverage in the two bootcamps.

### *Second Year*

The first two learning outcomes are broadly represented in the second year. For LO1, proficiency-level coverage occurs in all this year's intensive module courses except for the process-focused modules Legal Innovation and Access to Justice Solutions. For LO2, proficiency-level coverage occurs in all the year's bootcamps and modules with the exception, again, of Legal Innovation and Access to Justice Solutions, as well as excluding the Business of Layering and Social Innovation and the Law. For both LO3 and LO4, proficiency-level coverage occurs in all third semester courses except for the Financial Bootcamp and Civil Procedure. In the fourth semester it has the proficiency-level coverage in the ethics-related modules Advocacy and ADR and Access to Justice Solutions. LO5 and LO6 have proficiency-level coverage in all second year courses. LO7 proficiency-level coverage applies to all second year modules except for the Business of Layering.

The second year, with its intensive practice-focused modules, is where the learning outcomes LO8 to LO14 receive most coverage:

- LO8 has proficiency-level coverage in all second year courses except for the Business of Lawyering and the Coding Bootcamp;
- LO9 has foundational coverage in the third semester courses except for Social Innovation and the Law and it has proficiency-level coverage in all fourth semester modules except for Legal Innovation;
- LO10 has proficiency-level coverage in the Business of Lawyering, Social Innovation and the Law, Legal Innovation, and Access to Justice Solutions;
- LO11 has foundational coverage in Social Innovation and the Law, Advocacy and ADR, and Access to Justice Solutions; and
- LO12, LO13 and LO14 all have proficiency-level coverage in the Business of Lawyering, Social Innovation and the Law, the Coding Bootcamp, Legal Innovation, and Access to Justice Solutions.

### *Third Year*

The two required courses, Professional Placement and the EQ/CQ Bootcamp, cover many of the outcomes at a proficiency level. Some of the outcomes are covered at a specialization level in the electives.

- LO1 has specialization-level coverage in all third year elective courses except for Advanced Legal Solutions;
- LO2 has specialization-level coverage in all third year elective courses except for Global Civil Society, Inter-Disciplinary Law, Immigration Law, Law and Injustice, and Advanced Legal Solutions;
- LO3 has proficiency-level coverage in the EQ/CQ Bootcamp and specialization-level coverage in Global Civil Society, Environmental Law, Children and the Law, Immigration Law, and Law and Injustice;
- LO4, LO5, and LO6, the skills-based outcomes, are all heavily represented in the third year courses, both required and elective. Each of these outcomes has proficiency-level coverage in the Professional Placement and the EQ/CQ Bootcamp and specialization-level coverage in all third year elective courses;
- LO7 has proficiency-level coverage in the Professional Placement and specialization-level coverage in all third-year elective courses;
- LO8 has proficiency-level coverage in the Professional Placement and the EQ/CQ Bootcamp;
- LO9 has proficiency-level coverage in the Professional Placement;
- LO10 has specialization-level coverage in Advanced Legal Solutions;
- LO11 has proficiency-level coverage in the Professional Placement and the EQ/CQ Bootcamp and specialization-level coverage in Inter-Disciplinary Law and Law and Injustice;
- LO12 and LO14 have no coverage in third year courses; and
- LO13 has proficiency-level coverage in the Professional Placement and the EQ/CQ Bootcamp.

## **2.6 The Curriculum**

### ***First Year***

In the first year, career readiness will be achieved by contextualizing the *Recommended Requirements for a Canadian Common Law Degree* in coursework that reflects how legal actors use tools of private and public law interchangeably. Classes will introduce students to a contextualized view of the principles of public and private law and guide them through the application of jurisprudence in practical settings. Students will gain an understanding of the broader social context behind rules of professional ethics and be introduced to basic concepts in file management, communication and interviewing. There will also be a mandatory course in Indigenous Law in Canada.

### ***Second Year***

The second year will feature substantive learning with simulated practice. An immersive approach will prepare students for the type of focused learning expected of legal advisers in a variety of organizational roles. At the same time, mentored practice will allow students to use newly acquired knowledge for client and user needs, especially those clients who may need help to determine whether they have a legal problem and then help in identifying it and seeking appropriate help. Much of the substantive knowledge will be introduced with key topics organized thematically. The aims of this thematic element include (1) fostering an appreciation of inclusive culture and diversity within the legal profession and society, (2) providing hands-on experience with the technological tools used in various areas of law, (3) thinking innovatively about problem-solving, and (4) learning specific transferable skills and knowledge associated with business management and client retention.

### ***Third Year***

The third year will incorporate a semester of elective courses, as well as a semester featuring a mandatory placement. The placement will see students undertake the supervised responsibilities of a lawyer. Typical placements will include legal clinics run by Ryerson, law firms, sole practitioners, governmental organizations, non-governmental organizations, corporations, and not for profit organizations.

### ***Bootcamps***

Students will be required to take a series of five week-long bootcamps:

- (1) **Ryerson Law School Bootcamp** – The Ryerson Law School Philosophy; Career Planning; Networking/Mentoring; Leadership Coaching; Personal Development Project
- (2) **Technology Innovation Bootcamp** – The Evolution of Legal Technology; AI and QLP; Data Analytics and their Uses in Law; Technology Assisted Review (TAR); Understanding Regulatory Technology
- (3) **Financial Bootcamp** – Taxing Essentials; Financial Statements – Balance Sheets and Income Statements; Financial Statements – Cash Flows; Financial Statement Analysis; Tying it All Together with Cases and Current Events
- (4) **Coding Bootcamp** – Introducing HTML and CSS; Learning Python; Data Analytics Project; The Legal Technology Assessment
- (5) **Emotional Quotient and Cultural Quotient Bootcamp** – Developing Self-Awareness; Teamwork and Trust-Building; Working Effectively Across Cultures; Understanding the Client Relationship; EQ/CQ Implementation Project

The topics covered in the bootcamps connected with technology and finance (i.e. the Technology Innovation Bootcamp, the Financial Bootcamp and the Coding Bootcamp) are not meant to provide full subject area proficiency, but are designed to expose the students to potential technological and financial issues in legal practice, so that they are able to recognize them, if and when such issues arise. These bootcamps are therefore about “issue identification,” rather than substantive solutions, which are often better provided by non-legal staff (i.e. IT or accounting experts). The familiarity with these issues will then be reinforced – not technically, necessarily, but contextually – at several points later in the program.

There will be no waivers or challenge credits offered for the bootcamps. We do not expect students will have taken the topics covered in these courses in a legal context. The intention is that all students travel through the mandatory courses in the program as a cohort. Students always learn new concepts and ideas, and peer learning is strengthened when there are varied skill levels in the same class.

### **2.7 Delivery Methods**

With the exception of the bootcamps in each year of the program, the courses in each year are distinguished in the following ways:

- The first year courses incorporate both faculty-taught lectures and practitioner-taught sessions throughout the semester;
- The second-year courses are in the form intensive modules that again involve co-teaching of faculty members and practitioners, but now with the faculty members overseeing the lecture time in the mornings and practitioners overseeing the completion of various practice-oriented assignments completed by student ‘firms’ during the afternoons; and
- The third year electives are each taught by a single instructor, who may be a faculty member or a practitioner.

The combination of these various forms of delivery year by year has been chosen to maximize the innovative aspects of the school's pedagogical method, through combining substantial and practical components of practice, emphasizing experiential learning, and working with innovative technologies and processes.

## **2.8 The Curriculum in Academic Calendar Form**

### **1st SEMESTER**

#### **Required:**

JUR XXX Ryerson Law School Bootcamp (first week of class)

JUR XXX Legal Research and Writing

JUR XXX Contract Law

JUR XXX Torts Law

JUR XXX Property Law

JUR XXX Ethics and Professionalism

### **2nd SEMESTER**

#### **Required:**

JUR XXX Technology Innovation Bootcamp (first week of class)

JUR XXX Fdns. of Law and Leg. Methods

JUR XXX Criminal Law

JUR XXX Constitutional Law

JUR XXX Adm. and Reg. Law

JUR XXX Indigenous Law in Canada

### **3rd SEMESTER**

#### **Required:**

JUR XXX Financial Bootcamp (first week of class)

JUR XXX The Business of Lawyering

JUR XXX Business Law

JUR XXX Family Law

JUR XXX Civil Procedure

JUR XXX Social Innovation and the Law

### **4th SEMESTER**

#### **Required:**

JUR XXX Coding Bootcamp (first week of class)

JUR XXX Advocacy and ADR

JUR XXX Wills and Estates

JUR XXX Legal Innovation

JUR XXX IP and Privacy

JUR XXX Access to Justice Solutions

## 5th & 6th SEMESTER

Half of the class takes the placement in the 5<sup>th</sup> semester with the coursework taken in the 6<sup>th</sup> semester. The other half takes the reverse order.

### REQUIRED:

JUR XXX EQ/CQ Bootcamp (first week of class)

JUR XXX Professional Placement

PROFESSIONAL ELECTIVES: Five courses from Table I

JUR XXX	Global Civil Society and the Law	JUR XXX	Immigration Law
JUR XXX	Real Estate Law	JUR XXX	Criminal Procedure
JUR XXX	Labour and Employment Law	JUR XXX	Tax Law and Practice
JUR XXX	Advanced Corporate Law	JUR XXX	Evidence
JUR XXX	Inter-Disciplinary Lawyering	JUR XXX	Law and Injustice
JUR XXX	Environmental Law	JUR XXX	Advanced Legal Solutions
JUR XXX	Children and the Law	JUR XXX	Private International Law
		JUR XXX	Public International Law

## 2.9 Course Descriptions

**JUR XXX: Ryerson Law School Bootcamp** This intensive five-day bootcamp gives incoming Juris Doctor students the opportunity to learn about Ryerson University and the Ryerson Law School, as well as the legal profession. Students begin to lay the foundation for professional development and success by engaging in career planning, networking and mentoring. They are also introduced to leadership strategies and tools, culminating with a personal development project.

**JUR XXX: Legal Research and Writing** This course introduces students to the sources of law, fundamental principles and basic architecture of the Canadian legal system, legal research methods, relevant social science research methods and the impact of theoretical principles on substantive principles of Canadian law. The course provides a comparative look at legal research resources from the perspective of their potential strengths and weaknesses for practitioners.

**JUR XXX: Contract Law** Contract law provides a creative opportunity to clarify expectations and interests in a legally enforceable way. Working with real contracts from diverse sources, students are trained in contract fundamentals (formation, performance, breach, and remedies) and are introduced to the use of contracts in a variety of legal areas. Students apply these principles both in reviewing and drafting contract clauses and to critically assess emerging topics such as electronic, “smart” and self-executing contracts.

**JUR XXX: Torts Law** Tort law deals with the apportionment of responsibility for harms caused by individuals, companies and government. This course examines intentional and unintentional wrongs, and the central role that recovery and damages play in redress. Students learn to recognize wrongs and how to anticipate, avoid or address legal risk. They apply these principles in reviewing and drafting pleadings, and explore how principles of responsibility are challenged by non-human actors (e.g. AI, autonomous vehicles).

**JUR XXX: Property Law** Property law deals with ownership, possession, and control of tangible and intangible interests that offer value to individuals, companies and the state. Students analyze competing claims to various types of assets, and are introduced to the economic, moral and other arguments used to support those claims. They are given the opportunity to apply these principles in cases involving the infringement of property rights and explore comparative views of concepts of property in Indigenous law.

**JUR XXX: Ethics and Professionalism** Legal ethics and professionalism explores the tensions that arise domestically and internationally from balancing professional role-based obligations, organizational expectations and the public interest. Students consider behaviour and responsibilities generated by rules of professional conduct and situate legal professionals in a broader societal context. They learn to recognize and address ethical dilemmas they encounter in various practice settings, including novel challenges arising in technologically-mediated environments.

**JUR XXX: Technology Innovation Bootcamp** This intensive five-day bootcamp is an opportunity to explore and experience through workshops and seminars some of the technologies and innovative business practices that can help a lawyer succeed in the age of the consumer. It initiates the process whereby students gain the necessary skills and understanding of the innovative processes to successfully compete and thrive in a marketplace being rapidly disrupted by technology, consumer expectations and globalization.

**JUR XXX: Fdns. of Law and Leg. Methods** This course introduces students to foundational and influential theories of law (e.g. positivism, natural law, legal realism, law and economics, and critical perspectives: feminist theory, critical race theory and critical legal studies) as well as to effective communication and application of research results through a variety of written and oral communication and dispute resolution tools.

**JUR XXX: Criminal Law** Criminal law attempts to balance societal protection and the rights of the accused in both national and international settings. This course deals with the principles and processes of criminal defence and prosecution. Students learn and/or experience bail hearing, preliminary inquiries, judicial conferences, disclosure, and jury selection. There is a focus on issues related to equity, diversity and inclusion in the criminal justice system, particularly the intersection of criminal law with Indigenous culture.

**JUR XXX: Constitutional Law** Constitutional law is the supreme law of the nation state and the authority with which other laws and government actors must comply. Students learn about the powers and responsibilities of different levels and types of government as well as protecting and guaranteeing the rights of legal persons. Students have opportunities to work with ministerial briefs, governmental memoranda, factums and pleadings for landmark constitutional litigation cases, including Indigenous land claims, historical wrongs and competing rights.

**JUR XXX: Adm. and Reg. Law** Issues in administrative law and regulatory law are commonly encountered, due to their influence on everyday interactions between individuals and government entities. Regulatory law covers delegated rule-making, policy development and adjudication. Students learn about regulatory practice and principles of judicial review, as well as how to provide advice to individuals and corporations on complex rules, regulations, procedures, permitting, applications and enforcement. The role of the compliance function and rise of “RegTech” are also explored.

**JUR XXX: Indigenous Law in Canada** This course highlights the impact of Canadian laws on Indigenous peoples, including their complex relationship with Canada’s constitution. Traditional Indigenous legal systems and customs, and how these are practised in a modern context, are studied, along with the legal struggles of First Nations, Inuit and Metis within federal, provincial and territorial contexts. Students examine relevant legislation, regulations and case law and gain experience with by-law making, impact benefit agreements, revenue sharing agreements, and ownership structures.

**JUR XXX: Financial Bootcamp** The purpose of this intensive five-day bootcamp is twofold. First, it covers topics related to taxation and finance statements. Second, it provides extensive practice in using Excel as a financial tool. Students gain a sufficient understanding of these subjects to give them confidence in continuing to use them and learn with them as they proceed through their law school experience. The course provides the basic financial acumen to start their own business or legal practice.

**JUR XXX: The Business of Lawyering** Exposure to the realities of professional practice is a foundational requirement of legal education. This module concentrates on preparing students for multiple professional contexts and developing associated skills, such as collaboration, networking, billing, accounting methods, client relationships and file management, as well as furthering their understanding of the application of ethical standards to the changing practice of law.

**JUR XXX: Business Law** Using a transactional approach to business structures, students work with a simulated client file from idea through execution to potential problem areas. The module focuses on documents, processes and issues related to financing, liability, governance and operations, both in bricks-and-mortar and e-commerce businesses. Students draft and review documents (e.g. articles of incorporation, bylaws, shareholder/partnership agreements, confidentiality clauses and purchase and sale agreements). Challenges of applying traditional legal concepts to digital businesses are also explored.

**JUR XXX: Family Law** This module deals with major issues in family law including divorce and separation, child custody and access, division of property, continuing support, and the intergenerational ramifications of family law. It addresses techniques for conducting intake interviews, issue spotting and developing a theory of the case. Various

processes for disputes, such as negotiation, use of collaborative law, mediation, arbitration and litigation are addressed, including the impact of these processes on all parties to the case.

**JUR XXX: Civil Procedure** This module provides hands-on practice-based exposure to the Rules of Civil Procedure through interactive exercises, which include drafting and preparing pleadings and motion materials. These activities are designed to ensure students properly understand the difference between pleadings and evidence, and how to properly construct a claim with consideration efficiency and effectiveness. The module also includes practical applications of eDiscovery using the Sedona principles and the Electronic Discovery Reference Model (EDRM) framework.

**JUR XXX: Social Innovation and the Law** Societal change is demanding innovation in the delivery of legal services, interaction with clients and the development of new technological tools. In this module the emphasis is on recognizing who is the client, identifying problems and generating multi-faceted solutions. Students gain reinforcement in basic concepts in file management, communication and interviewing, problem recognition, data analytics, and knowledge generation software. They are also introduced to the fundamentals of design thinking.

**JUR XXX: Coding Bootcamp** This intensive five-day bootcamp focuses on several coding languages. Students gain a quick overview of HTML and CSS, the backbones of all websites, and spend time learning the fundamentals of Python, now widely used for applications in data analytics. After gaining basic proficiency in this program, students use it to complete a group project. They are also introduced to tests that help them assess their own proficiency in the fundamentals of legal technology.

**JUR XXX: Advocacy and ADR** This module introduces students to a diversity of processes for advocacy and alternative dispute resolution, including negotiation, mediation, third-party neutral evaluation, mini-trials, and judicial settlement conferences. Students explore questions of fit between the type of a dispute and choice of resolution process, critically assessing potential reforms designed to ensure access to affordable legal services. The potential for new technologies to contribute to online dispute resolution strategies is also addressed.

**JUR XXX: Wills and Estates** This module covers the basic legal principles and rules of succession and estate planning. Students come to appreciate the intersections between this field and the areas of trust, insurance, and tax as well as health law issues such as capacity and decision-making. They examine wills and estate documents and, through simulated client interactions, gain experience in engaging in conversations around estate planning including asset identification, designating powers of attorney and related matters such as digital rights upon death.

**JUR XXX: Legal Innovation** in today's legal environment encompasses technological, business and social innovation. This module focuses on developing skills in legal project management, legal analytics, and legal process engineering while allowing students to apply these skills in a project that stresses one or more of the three types of innovation mentioned above while gaining their Six Sigma yellow belt. The goal is to enhance students' capacity and ability to evoke change in the delivery of legal services.

**JUR XXX: IP and Privacy** This module discusses the private and public legal frameworks governing piracy, copyright and trademarks, as well as privacy and cyber-crime in Canada and other jurisdictions. Current issues and problems related to privacy such as online commerce, social media, cyber-bullying, the workplace, national security, law enforcement, genetics, health care and freedom of information are analyzed to understand the role of privacy in an increasingly data-driven world.

**JUR XXX: Access to Justice Solutions** In this module, students learn to identify barriers to justice and critically evaluate solutions. Using a comparative approach, international solutions (including in other sectors e.g. access to health, access to banking) are explored and global similarities identified. Students distill this learning into a toolbox of approaches which, using an emphasis on accessible technology, they then use to develop local solutions to make legal services more affordable for individuals and organizations of limited means.

**JUR XXX: Professional Placement** Students participate in a semester-long placement to further develop and apply practice-ready skills essential for success. There will be a variety of settings: private practice, in-house legal department, government or legal clinic. During the placement, students participate in regular professional development sessions connected with the program, submit reflective assignments and engage in facilitated discussions highlighting the skills and training they have gained.

**JUR XXX: EQ/CQ Bootcamp** Living and working in a global, multicultural and diverse context demands an awareness of the impact of emotions and cultural outlook on our work. In particular, being able to recognize and understand the impact of one's own emotions and identifying and addressing cultural biases is critical to the success

of all projects. In this intensive five-day bootcamp, Juris Doctor students explore and experience vital emotional and cultural competencies for optimal personal and group success.

**JUR XXX: Global Civil Society and the Law** This course will look alternative sources of law in a global context including beyond the state. Students will be challenged to examine how legally-trained professionals navigate the space between formal and informal processes for rule generation and application. The course will examine grievance mechanisms and the processes of conflict resolution. Skills acquired include project management, campaigning and advocacy, networking and communication through social media and writing policy briefs and media releases.

**JUR XXX: Real Estate Law** This course analyzes the legal requirements imposed by the Registry Act, the Land Titles Act, land and title insurance, and how these requirements shape the lawyer's role in helping clients navigate the issues surrounding title to land. Also examined are the major changes in real estate practice due to technology and the fact that it is essential to understand the process that technology has replaced so that practitioners can ensure successful outcomes for their clients.

**JUR XXX: Labour and Employment Law** The forces of globalization, technological change, organizational restructuring, and the expansion of capital markets continue to transform the nature of work and the role and power of labour market actors. The course reviews the common law and statutory rules pertaining to employment in both unionized and non-unionized settings. It explores the scope of the law, and how the rights and responsibilities of employees, employers and unions are construed, and are evolving, in the "new economy".

**JUR XXX: Advanced Corporate Law** This course tracks the life cycle of a Canadian corporation from incorporation, organization, structure, governance, mergers and dissolution. Students acquire the understanding and background to ensure that they have the ability to incorporate a Canadian company, address critical issues around structure, governance requirements and the ultimate merger and dissolution of companies, and are able to review due diligence issues that arise in this process.

**JUR XXX: Inter-Disciplinary Lawyering** Professionals are increasingly being asked to collaborate across conventional disciplinary borders. This course analyzes the practical challenges facing these collaborative groups as they work through multi-faceted issues that involve expertise in areas within and beyond the law, such as business, technology, science, medicine, social work and psychology. Students will learn how to identify and integrate relevant expertise from such areas to solve complex legal problems using skills of communication, networking and teamwork.

**JUR XXX: Environmental Law** Students reconcile the objectives of environmental protection with local advocacy. Through non-traditional (including Indigenous) approaches to environmental education, they learn to be advocates by coming to understand how to support policies and legislation that require making difficult policy choices about protection. Students work with national and provincial legislation, the common law and regulatory prosecution related to air, land, and water, conservation, biotechnology and extractive industries to study the legal effect of these policy choices.

**JUR XXX: Children and the Law** This course deals with how childhood is conceptualized, constructed and regulated through statutory, common law and social science frameworks. It addresses issues surrounding conception, such as multiple parenthood, biological vs. non-biological parents, the role of Assisted Reproductive Technologies (ART) and their impact on parentage. It also deals with domestic and international adoptions, child protection, criminal justice, child labour, childhood and diversity, education, participation and empowerment, and the impact of the Truth and Reconciliation Commission.

**JUR XXX: Immigration Law** This course explores historical, economic, policy, and human rights factors framing the theory and practice of immigration law in Canada and the role that lawyers play in the administration of both domestic and international immigration regimes. Topics examined include inland processing, refugee determination hearings, inadmissibility determinations, detention reviews, removals, and humanitarian and compassionate considerations. Students will also examine jurisprudence produced through the Charter of Rights and Freedoms, judicial review, and significant international and comparative decisions.

**JUR XXX: Criminal Procedure** This course begins with a survey of the source and limits of police investigative powers, focusing on the Canadian Charter of Rights and Freedoms and motions for the exclusion of illegally obtained evidence. The course examines pre-trial processes, including bail, (non-) disclosure, crown and judicial conferences, and election and plea (bargaining) before moving on to jury selection, trial procedure,



examination/cross-examination of witnesses, and sentencing. Attention is also paid to appeals and select specialized court proceedings.

**JUR XXX: Tax Law and Practice** This course introduces tax principles in the Income Tax Act, as they pertain to four major types of taxpayers/entities: individuals, corporations, trusts, and partnerships. Topics covered include residency, employment and business income/deductions, capital transactions, dividends, the theory of integration, corporation-specific transactions (rollovers and reorganizations), and civil & criminal penalties. Also included is an overview of international tax principles (tax jurisdiction, tax treaties, transfer pricing, and e-commerce). In addition, application of AI in tax is addressed.

**JUR XXX: Evidence** This course imparts the basic principles of evidence law in the civil and criminal context, including hearsay and its exceptions, as well as relevant implications of opinion, character, and expert evidence. Students learn about the distinctive ways that legal processes treat matters of evidence and the connections between rules of evidence and rules of civil and criminal procedure. They also look at the growing role of electronic evidence and the use of social media as evidence.

**JUR XXX: Law and Injustice** Law is often implicated in injustice, rationalizing inequalities, domination, cruelty, and neglect. And yet, marginalized groups continue to turn to law as an instrument of social change, sometimes successfully. This course explores the nature and experience of injustice through its tense relationship to law. Relying on a mixture of theoretical perspectives on law as well as experiential learning modules, it equips students to think about law and justice in creative ways.

**JUR XXX: Advanced Legal Solutions** This project-based course builds on the thinking and skills developed in Access to Justice Solutions during fourth semester. Students break into teams to develop and refine a solution to a challenge set by outside organizations and subject-matter experts. After building a prototype of their solution, the student teams participate in a pitch session in front of external experts, law firms, government and community representatives who assess the feasibility of their work.

**JUR XXX: Private International Law** Students explore the international context for relationships between private parties across jurisdictions. In doing so they gain an introductory understanding of the origin of and responses to conflicts of law and the role of international dispute resolution processes, while engaging in analysis of issues relating to topics such as merchant law, jurisdiction, and human rights. They also have opportunities to apply their learning through preparation of an international dispute resolution file, and related activities.

**JUR XXX: Public International Law** This course sheds light on the international legal system governing the rights and obligations of sovereign states in their interactions with one another and with non-state entities, such as international organizations and non-state actors. Students learn how international law is generated, the distinctive elements of international legal reasoning, and the manner in which international law interacts with domestic (particularly Canadian) law through legal reasoning, treaty negotiation, custom as well as “soft law.”

### **3. THE FACILITIES PLAN**

The temporary Ryerson Law School space (Stage 1) and the new permanent space will reflect Ryerson’s commitment to fostering student-centered pedagogical approaches to legal education. Both spaces will be configured in a way that facilitates group-based learning while still allowing individual students the opportunity to work on their own.

#### **3.1 Stage 1**

In the first phase of its development, the Ryerson Law School will be housed on the fourth floor (with some use of the third floor) of the Podium building (POD), which will be repurposed to temporarily accommodate the first two cohorts of students in 2018-19, 2019-2020 and 2020-2021. This space is being made available as Ryerson’s Daphne Cockwell School of Nursing relocates to the Daphne Cockwell Health Sciences Complex, which is expected to be complete by July 2018.

The rollout of the program in Fall 2018 depends on space availability. If the space in POD is not ready in time for the Fall 2018 start, the new law school will require a space-related contingency plan. This would likely involve the use of rented space.

### **3.2 The New Space**

It is anticipated that the Ryerson Law School will be housed in a brand new state-of-the-art facility designed with the needs of both students and faculty in mind to provide an optimal learning environment. Research on law school facilities in Canada and the United States indicates that for the size of law school being proposed there is an adequate number of classrooms, lecture halls, break out rooms, team-learning spaces, and other related facilities. All teaching and learning spaces will be fully equipped with the latest technology – they will be smart teaching and learning spaces.

Once approval is granted for Ryerson to establish a law school, negotiating will begin for the new space with development partners in the vicinity of the university. Time is of the essence but Ryerson's recent record with respect to construction and with respect to integrating the university in the surrounding cityscape demonstrates a capacity to achieve timely, efficient results.

## **4. THE LAW LIBRARY PLAN**

Ryerson's Legal Knowledge Centre and Commons (LKCC) will be an innovative, student-centred facility that supports the Juris Doctor program's teaching, learning and research needs in multi-faceted ways. Its collection development policy will reflect the program curriculum, and it will have sufficient staff to provide services that support the pedagogical and research requirements of both students and faculty.

The LKCC will be integrated into the overall learning experience of students. It will build on the traditional academic skills and knowledge that have always been at the heart of legal education by helping to develop:

- an ability to use innovative and entrepreneurial approaches to develop better legal solutions – including an awareness of how modern business techniques and technology can lead change;
- the interpersonal and leadership skills necessary to lead and succeed, whether working in teams, with other disciplines or across jurisdictional boundaries; and
- the skills needed to work nationally and globally both inside and outside the legal profession.

The LKCC will be in keeping with trends throughout academic libraries worldwide, and will be supplemented by substantial access to resources in virtual space as well as new ways of using library spaces. Acquiring and maintaining both print and virtual collections including solutions-based software to support the innovative approach that is central to the Ryerson Law School's program, the LKCC will be an integral part of an active law school dedicated to experiential learning. And it will be an important support to the ongoing scholarship required by, and central to, the work of the school's faculty, students and administration.

Subject to final determination in a feasibility study as to which is better, the LKCC will be temporarily housed in either the current Ryerson Library and/or the Student Learning Centre. The facility will have sufficient space to house the print collection, including core reference materials and course reserves. The LKCC facility will also provide ready access to electronic resources. This will include computer stations for individual students as well as large screen monitors for student "firms" to work at and on which to view legal resources from around the country and internationally as a team.

To fully maximize the use of all these resources, the LKCC will be staffed by Information Professionals and student research assistants. It will have its own Head Law Librarian and library staff who will be there to meet the needs of faculty and students.

## **5. FACULTY AND STAFF**

### **5.1 Teaching and Mentorship**

Once the program is fully implemented, the curriculum will be delivered by 15 tenure-stream members as well as a number of part-time practitioners whose work represents a total of 4.6 relevant full-time equivalents and 22 mentors.

*Practitioner Teaching* - Delivery of the bootcamps will be by practitioners. In the first year, the six courses Contract Law, Torts Law, Property Law, Criminal Law, Constitutional Law and Adm. and Reg. Law will run in 12 sections each employing a CUPE member to teach three breakout hours per week. Meanwhile the other four first year courses will run in a total of 8 sections, each employing a practitioner to teach three breakout hours a week. In the second year, seven practitioners will deliver three hours a week during a semester. In the third year, one practitioner will deliver a section of the electives in each semester.

*Mentorship* - The role of mentors in all three years will be conceptually separate from practitioner teaching, although in the second year the practitioners involved in teaching will serve in a dual capacity. In all three years, mentors will oversee 21 students per semester.

## **5.2 Administration and Staff**

(a) **The Dean's Office** will comprise the Dean; an Assistant to the Dean; a Continuing Legal Education Coordinator; a Director of Alumni Relations, Marketing & Communications; an Administrative Support staff member; an Associate Dean of Facilities, Finance & HR; a Finance Administrative Assistant; and a Coordinator of Facilities, Finance & HR.

(b) **The Student Services Office** will comprise an Associate Dean, Students; an Assistant to the Associate Dean; an Admissions & Recruitment Coordinator; a Program Director; two Assistants; a Career Development Director; and two Placement Coordinators.

(c) **The Information Technology unit** will comprise an IT Technical staff member and a Webmaster/Social Media Assistant.

(d) **The Legal Knowledge Centre and Commons** (initial staffing plan) consists of a Head Law Librarian, a law librarian, and four library support staff.

## **6. PEER REVIEW REPORT**

**REVIEWER:** W. Brent Cotter, Q.C, Professor of Law and former Dean, College of Law, University of Saskatchewan

### **INTRODUCTION**

I was engaged to conduct an external peer review of the Proposed Law School and Juris Doctor Program at Ryerson University. For the purposes of this review I received materials from Ryerson University, made a one day site visit to Ryerson to meet with proponents of the proposal and University leaders, tour the University and proposed facilities for the law school, and to provide comments and feedback on the proposal and to provide a well-informed basis for the peer review.

### **A. OBJECTIVES**

#### **i) Consistency with Institutional Mission**

While the documents prepared to describe and support Ryerson's proposal to establish a law school focus predominantly on the case for a new law school at Ryerson, and less on the philosophy and goals of Ryerson University as a whole, my own familiarity with Ryerson University, the meetings with University leaders and aspects of the law school proposal identify clearly the type of University Ryerson is and seeks to be. The 2014 Ryerson University Academic Plan describes the university's Vision in the following terms:

#### **Ryerson's Vision**

Ryerson will be Canada's leading comprehensive innovation university, recognized for its high-quality career-related and professional bachelor, master's and doctoral programs and relevant scholarly, research and creative activities. It will be a global leader in interdisciplinary, entrepreneurial zone learning. Ryerson's students, graduates and faculty will contribute significantly to Ontario's and Canada's social, cultural and economic well-being.

Ryerson will provide students with the best learning experience, leading to great careers and engaged graduates who enable change. The university, through the sustained work of faculty and staff, is continuing on a transformative path to meet the changing needs of students and helping to shape Canada's future generation of change-makers and advocacy leaders, innovators and entrepreneurs.

The proposal for the establishment of a law school at Ryerson is fully consistent with this Vision and has clearly been developed with a Ryerson-specific law school in contemplation. The program focuses significantly on a program of education and training for law students that will prepare them for career opportunities in ways that will be responsive to an evolving world that will require graduates to have career-ready legal skills and the ability to adapt to multidisciplinary, entrepreneurial, advanced technology environments. Throughout the proposal this mission is at the forefront of the proponents' conception of a new law program at Ryerson. It is fully consistent with the Institution's Mission and Academic Plans.

#### **ii) Clarity and Appropriateness of Program Requirements**

This proposal is in some respects unique to Ryerson's own extensive experience in the development of a 'program'. Since "law" as a separate academic discipline does not presently exist at Ryerson University, the proponents have had to develop a new program borrowing from the expertise in other moderately comparable programs at Ryerson as well as the approaches adopted at other Canadian and US law schools, all with an eye to Ryerson's own unique mission. All of this occurs in the context of an understandable desire to ensure that the program also meets the requirements of the legal profession so that its graduates will be able to pursue legal careers. This has required the designers of the program to meet a variety of goals in the design of the program.

In this work, the Originating Committee has also been attentive to the balanced model of legal education advocated by the influential 2007 Carnegie Foundation Report on Legal Education, in which its authors argue for a combination of rigorous academic study, the learning of practical lawyering skills and the development of character in accordance with the ethical norms of the profession.

The approach has been to ensure that all or nearly all of these 'constituencies' expectations are met. This has meant that the Program Requirements of the Federation of Law Societies are satisfied, ensuring that graduates will be able to enter the Canadian legal profession. It has also meant that the program is interwoven with significant practical learning opportunities, designed to strengthen students' skills in areas relevant to the future of law, as the proponents rightly envision. In full fidelity to the University's vision, the proposed program advances career readiness and, in particular, career readiness associated with a world in which law and the delivery of legal services will be dramatically different from the present models. A significant component of this latter objective is a full-term placement of senior students in a work environment.

As well, the program, consistent with Ryerson's educational approach, is integrative '*across courses*', strengthening the pedagogical linkages within the program as a whole. The proposal does this better than any existing curriculum within Canadian legal education.

One of the consequences of this need to meet multiple objectives – the legal profession's requirements, the Ryerson vision of career-ready graduates, and an integrated program, all within an orientation toward the future of law, has resulted in a more limited set of optional or elective course offerings than is available at Canadian law schools of similar size. This does not compromise the program requirements but does impose limits on the flexibility available to students with respect to their learning choices at the margins of the program. This limitation may be able to be moderated over time with the addition of new options for students, but this should be done with attention to Ryerson's mandate in order to avoid the

development of a smorgasbord of course offerings that could undermine the highly co-ordinated nature of the Originating Committee's proposed curriculum.

The program's requirements and learning outcomes are clearly in line with Ryerson's own Degree Level Expectations.

### **iii) Appropriateness of Degree Nomenclature**

The Juris Doctor degree is a sui generis nomenclature within North American universities. Historically delivered through a program that was not a direct entry degree program, it was nevertheless referred to as a Bachelor of Laws degree (LL.B). In the last decade, all Canadian common law schools have amended their degree nomenclature to the J.D. nomenclature to better reflect the non-direct entry nature of their programs, comparable to the programs at US law schools and to acknowledge the fact that nearly all entrants into the program possess at least one university degree. While the JD language is an anomaly, it is now the standard across common law Canada and is appropriate for Ryerson's proposed program.

## **B. ADMISSION REQUIREMENTS**

The adequacy and appropriateness of Ryerson's proposed Admission Requirements for the JD program should be assessed in two somewhat interrelated contexts. First, will there be a demand for the program sufficient to attract a significant number of high quality applicants of the kind that Ryerson sees as its target market? Second, are the admission requirements sufficiently rigorous to ensure that the candidates who are admitted to the program will be capable of succeeding in the program?

With respect to the first question there is substantial evidence that the demand for an opportunity to study law in common law Canada, in Ontario and in Toronto is very high. Ryerson has done extensive research on this point to ensure itself that the applicant pool will be large and strong. Canada continues to have a high demand:supply ratio when it comes to JD programs, at or near the highest in the common law world, and this demand is likely to continue for the foreseeable future. The level of demand is consistent across the country, and the relatively slow growth in law school places in the metropolitan Toronto area, over the last 20 years, when compared to its significant population growth, virtually assures Ryerson of a large and well qualified applicant pool. Two other features of Ryerson's approach supplement this. First, Ryerson is intending to keep law school tuition below the Ontario law school average and well below the tuition level of the two other Toronto law schools. While the tuition cost of a law school education at Ryerson will still be high, the University will be at a competitive advantage over other proximate law schools, a factor in attracting applicants to its program. Second, Ryerson proposes to undertake an extensive, holistic approach to candidate selection, a proposal that exceeds the commitment of any other Canadian law school with respect to candidate selection. While this is a demanding undertaking and difficult to sustain, the approach alone will attract many candidates, a number of whom will be the types of candidates that Ryerson's proposal targets. There is no doubt that there will be a large pool of qualified applicants for first year places at Ryerson's law school.

With respect to the second question – quality of students – Ryerson proposes to rely on the standard admissions criteria – Grade Point Averages and Law School Admission scores – but significantly supplemented by more subjective criteria – personal statements, examination of applicants' personal histories and in particular the requirement of an on-line applicant interview. The latter initiative – unique among existing Canadian law schools – has the potential, if done well, to enable Ryerson to attract qualified candidates who are also closely aligned with Ryerson's mission for the law school – an orientation to law practice for the people, post-modern approaches to law, an orientation to career-ready graduates and a commitment to attracting a law student population that is more representative of the community. Provided that attention is paid to candidates with sufficient intellectual ability – the study of law is intellectually rigorous – the additional criteria incorporated into its 'holistic' process will enhance

its admissions approach and potentially make a meaningful contribution to efforts to make the legal profession more representative and more responsive to the legal needs of ordinary Canadians.

Taken together, this approach to Admissions will put in place more than adequate admission requirements.

### **C. STRUCTURE**

This criterion is closely tied to the Program proposed by Ryerson, which is reviewed in the following section. With respect to the Program Structure in general, Ryerson proposes a JD degree program of three years' duration, with predominantly in-person learning, that is the equivalent attendance of six semesters of law school education. This is the national standard, and is part of the Federation of Law Societies' 'National Requirement' for the JD degree to be recognized in Canada's common law provinces, thereby enabling graduates to enter the post-law school pipeline to qualify as practicing lawyers. The proposed program borrows from law school programs in the US that are beginning to emphasize practical learning imbedded in the JD program itself, including a concentrated placement in one semester of the final year of law school. This requirement makes the Ryerson program different from than most Canadian law school curricula, where such placements or experiential learning opportunities are optional for students. Ryerson has intentionally designed its program to link its classroom learning with these placements and experiential learning opportunities and in this respect it is both carefully thought out and sound. That said, it is likely that the details of this more imaginative structure to its program will require modification to ensure that it fully achieves its objectives.

In my opinion, while this approach is different from most law schools, the structure is sound. Many other Canadian law schools are evolving their programs in this direction and the proposed Ryerson program is only slightly ahead of the curve among those law schools who are seeing the need to more fully integrate academic legal education with hands-on experience.

### **D. PROGRAM CONTENT**

The question of Program Content needs to be considered in the context of two complementary objectives that a Ryerson Law School curriculum must meet. First, the originators of the Ryerson law school proposal are determined that Ryerson will educate law students differently in order that they will 'do law differently'. This requires that the program content be designed to reflect this orientation. Hence there is significant emphasis on the use of mentors in regular courses, emphasis on the link between law and justice, emphasis on the link between law and technology and the requirement that students be exposed to law in real world contexts through placements and experiential learning. Second, there is the need – an imperative for the Ryerson program to be credible and in demand – that the program meet the minimum curriculum requirements of the Federation of Law Societies so that the JD will be accredited, enabling its graduates to pursue legal careers in common law Canada. This means that the Ryerson program must offer courses in all required subject areas required by the Federation. The Federation requirements draw heavily on three Carnegie Foundation's three orientations – academic learning, learning in real life contexts and reflective professionalism. Ryerson's proposal explicitly embraces this orientation, so there is no philosophical divide between the Ryerson proposed program and the Federation's requirements.

But the more that must be done within the three-year program, the less space there is for anything else, and the less room for error. Subject to three observations and recommendations I set out below, in my opinion Ryerson's program content meets its two thematic objectives, and the program proposal is sound, and it will meet Federation requirements.

#### **Observations and Recommendations**

1. The program proposal that I was asked to review placed nearly all of the substantive academic learning in the first-year program, along with two perspectives courses and the Professional

Responsibility requirement. Associated with this approach, and important to Ryerson's objectives, one hour per week of each course would be a more practical engagement with a practicing lawyer mentor, dedicated to an examination of the ways in which the academic subject matter has real world application. One of the consequences of this organization is that it provides limited – perhaps truncated – time for students to learn and digest the content of several foundational courses. In addition, law schools generally conceive of the first-year substantive law courses as a central place in the curriculum to assist students in developing the skill of rigorous academic analysis, one of the three Carnegie Foundation themes. My recommendation – shared with the Originating Committee – is that adjustments to this structure should be made to provide greater teaching time for these foundational courses. This might require that some be moved to the second year of study, or that some non-substantive law courses be consolidated.

2. Associated with the first recommendation, I suggest that the engagement of practicing lawyer mentors be incorporated more gradually into the first-year program. The opportunity for students to engage with lawyers who are committed to enhancing students' learning experiences is wonderful. But for meaningful engagement, it will be important that students know 'a bit of law' first. This learning will take a period of some weeks, and the mentored learning will be enriched if students have digested some law before this engagement with mentors. My recommendation is that the use of the mentors begin to take place part way through each course and, if feasible, be increased from that point forward as each term proceeds. This will make the engagements more valuable for the students and more fulfilling for the instructors.

3. One of the common occurrences associated with the evolution of law school curricula is the gradual expansion of elective course offerings, usually associated with the academic interests of the professors. This is generally a benefit to students, provided that the set of offerings does not evolve into a smorgasbord that results in a loss of focus for the overall program. This is particularly important for Ryerson's program, designed as it is with some very specific pedagogical objectives in mind. It will be important, going forward, that the gradual development of new offerings in its program be disciplined, and as consistent as possible with the law school's vision and objectives.

#### **E. MODE OF DELIVERY**

As noted, the program will be delivered in ways that are largely consistent with those of existing Canadian common law schools. This includes the equivalent of a three-year law program, with primarily in-person classroom and seminar sessions, over the course of most of the three-year program. Ryerson's proposal differs in two significant ways from most other Canadian law programs in its mode of delivery. While all or nearly all JD programs in Canada provide some linkages between classroom learning and the practice of law, Ryerson intends to do this in a comprehensive, strategic way, beginning in the first term of law school and continuing, in various forms, throughout the curriculum. Second, the program builds in a required 'Professional Placement' term for all students in the third year. With the exception of Lakehead University, where such a placement is required to fulfil its approval as an equivalent to the Law Practice Program, I am unaware of any other Canadian law school program that take this approach – a full term required placement.

These unique aspects of the program require significantly greater effort in building partnerships, obtaining commitments from many practicing lawyers and ensuring that adequate and consistent assessments of students are in place. Ryerson is confident that these components will be able to be achieved, and considerable efforts have already been made to do so. This will enable the program to meet its more visionary objective of 'doing law school differently'. And it offers the potential to launch a law school program that could become a model for others who wish to link more closely the academic and law practice dimensions of legal education.

The proposed Mode of Delivery of the JD program is sound.

## **F. ASSESSMENT OF TEACHING AND LEARNING**

The assessment of students will largely follow the approaches used at other Canadian law schools. There is a clear intention to move away from the use of 100% final examinations in most or all courses. While Ryerson will undertake this to a greater extent than other Canadian law schools, it is consistent with the trend in Canadian legal education. It is also consistent with Ryerson's objective of weaving academic and practice components of learning into each course, commonly requiring assessment of multiple components of a course. The assessment of student achievements in placements is also a challenge, but law schools have faced this challenge for at least the last generation and have found ways of adequately assessing student performance. Given Ryerson's strong commitment to the incorporation of professional placements in its program, I am confident that it will ensure adequate assessment of student performance in these areas.

My understanding is that the assessment of teaching will be undertaken within the rubric that presently exists at Ryerson, including rules and regulations of the University and as articulated in collective agreements, which will apply to the professoriate at Ryerson's law school.

## **G. SUPPLEMENTARY OBSERVATIONS**

### **i) Physical Premises**

I would add this comment, which is perhaps associated with 'Mode of Delivery'. While law schools are becoming increasingly technological, there is still a great need for a physical presence for the law school. This presence includes the basics of a law library, reasonable proximity to classrooms where law is taught, a central administration of the law school where services for law students can be accessed, and a locus where students can engage with and learn from one another. As a new law school, Ryerson has the basics in place on a temporary basis to meet these physical requirements. These requirements are adequate temporarily, but only barely so. Most of Canada's law schools, including newly established law schools, have or have acquired - within a short time after their establishment - separate self-enclosed physical premises in which the law school functions. Ryerson's university footprint is unique in Canada and does not easily lend itself to a 'greenfield' development for the physical premises of its law school. But it will be important to ensure that adequate physical premises that the law school can call home are put in place in a timely way. The Proposal sets out the time frame within which this will be achieved. In my view, it is important that Ryerson commit to meeting this timetable. This will be important for the identity that Ryerson imaginatively contemplates for its law school and will help to ensure that it will garner respect as a very good law school - a law school for the future.

### **ii) Initial Program Leadership and Founding Faculty**

As with any new program, it will be critical that the founding leadership and faculty be fully committed to the vision and objectives that form the foundation of Ryerson's new law school. There is a strong magnetism toward standard conceptions of legal education, evolving as they are, and it will be important for Ryerson to select law school leadership and faculty who embrace the contemplated objectives, champion them and build the program in ways that best achieve them, not only initially but over the long term. Those new law schools that did so and remained true to their vision over the long term have been successful; those who did not do so tend to be less successful.

### **iii) The Quality of the Submission**

The proposal to establish a new professional degree program is a challenge for any University. This is partly because the proposal must satisfy the institution's requirements, as well as the unique vision an institution may have for its students - as Ryerson does - a vision that may not always fit into the standard conception of a professional program. As well, the program must meet the professional requirements for



such programs, established by external professional bodies, in order that its graduates will be able to become qualified to work in the professional discipline.

As a consequence, Ryerson, and the proponents of the Proposal, have set for themselves an unusual and difficult task. My reading of the Proposal and my site visit have satisfied me that they have delivered on this task in a remarkable way. Significant background work has been undertaken to make the case for the need of a law school in the metropolitan Toronto area. Research has been undertaken on ways in which new models of legal education may better serve the needs of citizens in the future. A series of consultations with various ‘communities of interest’ has been undertaken. All of this background work is of exceptional quality and comprehensiveness.

A program has been carefully designed to ensure compliance with the legal profession’s requirements while at the same time advancing the Vision of Ryerson and the objectives of a program that will prepare graduates of the program to address society’s legal needs of the future. Physical facilities have been identified for the home of the law school, initially on a temporary basis and ultimately at a permanent location. While the task of fulfilling these objectives lies ahead, the Proposal is an impressive roadmap for its achievement.

## **H. CONCLUDING COMMENTS**

Ryerson is proposing the establishment of a law school that builds upon the solid academic traditions of existing law school programs, but contemplates a different, supplementary objective – a focus on the future of law practice, and a model of educating law students that will prepare them for that future, all within the context of Ryerson’s own vision.

The Proposal makes the case for, and advances a sound model of, the achievement of this vision of a ‘different’ law school. It proposes a model of a law school for which there is room within the constellation of legal education in Canada, and in Toronto specifically.

Subject to a few qualified observations noted above, it is my view that the proposal meets all of the requirements of Ryerson’s Academic assessments, and should receive approval.

## **7. ORIGINATING UNIT’S RESPONSE TO THE PEER REVIEW REPORT**

The Peer Review report is structured using the six evaluation criteria mandated by the University’s Policy 112: Development of New Graduate and Undergraduate Program: Objectives, Admission Requirements, Structure, Program Content, Mode of Delivery, and Assessment of Teaching and Learning.

### *Objectives*

The one significant qualification Dr. Cotter makes in this section is with respect to electivity: “One of the consequences of this need to meet multiple objectives – the legal profession’s requirements, the Ryerson vision of career-ready graduates, and an integrated program, all within an orientation toward the future of law, has resulted in a more limited set of optional or elective course offerings than is available at Canadian law schools of similar size. . . This limitation may be able to be moderated over time with the addition of new options for students, but this should be done with attention to Ryerson’s mandate in order to avoid the development of a smorgasbord of course offerings that could undermine the highly co-ordinated nature of the Originating Committee’s proposed curriculum.” The Committee notes this qualification, and undertakes to do its best to provide support and encouragement to future administrators of the program to maintain fidelity to the curricular vision, and especially to ensure that the evolution of curricular offerings does not dilute or depart from that vision.

### *Admission Requirements*

Dr. Cotter states, “there is substantial evidence that the demand for an opportunity to study law in common law Canada, in Ontario and in Toronto is very high. Ryerson has done extensive research on this point to ensure itself that the applicant pool will be large and strong.” He also spends some time discussing both the standard and non-standard aspects of the proposed admissions process, paying particular attention to our proposal for a mandatory online interview of all applicants. “The latter initiative,” Dr. Cotter notes, “unique among existing Canadian law schools – has the potential, if done well, to enable Ryerson to attract qualified candidates who are also closely aligned with Ryerson’s mission for the law school.”

### *Structure*

In analyzing the structure of our proposed program, Dr. Cotter spends some time discussing the required semester-long placement in the program, which reflects what is being done in a variety of law schools in the US, where placements or other experiential learning opportunities are mandatory. Dr. Cotter voices general approval for this route. He goes on to voice a minor qualification: “That said, it is likely that the details of this more imaginative structure to its program will require modification to ensure that it fully achieves its objectives.” The committee interprets this statement to mean that the exact specification of the placement course, as currently outlined in our proposal, may need continual refinement once students are actually enrolled, given the need to ensure that students’ placement experiences satisfy the intended role of this curricular component in the overall aims of the program. The Committee notes this qualification, and will ensure that future administrators of the program are aware that it has been made at this juncture in the program’s development.

### *Program Content*

Dr. Cotter’s three recommendations are as follows:

- i) “The program proposal that I was asked to review placed nearly all of the substantive academic learning in the first-year program . . . One of the consequences of this organization is that it provides limited – perhaps truncated – time for students to learn and digest the content of several foundational courses.” On this point, he concludes: “My recommendation – shared with the Originating Committee – is that adjustments to this structure should be made to provide greater teaching time for these foundational courses.” On this first recommendation, the committee was able to take Dr. Cotter’s remarks made during his visit into account, and we have substantially restructured the delivery of the six first year courses – Contract Law, Torts Law, Property Law, Criminal Law, Constitutional Law and Adm. and Reg. Law – by expanding the student contact hours per week from 3 to 6.
- ii) His second recommendation is related to the first. “I suggest that the engagement of practicing lawyer mentors be incorporated more gradually into the first-year program. . . My recommendation is that the use of the mentors begin to take place part way through each course and, if feasible, be increased from that point forward as each term proceeds. This will make the engagements more valuable for the students and more fulfilling for the instructors.” In terms of this second recommendation, the Committee undertakes to relay to the administrators of the program the possible pedagogical advantages of ‘back-loading’ the practitioner-led breakout hours in all ten of first year courses. As implied by Dr. Cotter, this change will not necessarily affect the total number of hours that practitioners are employed in any course, merely shifting the timing of these hours during the term
- iii) His third recommendation returns to a qualification he has already made in the first section of the report. “One of the common occurrences associated with the evolution of law school curricula is the gradual expansion of elective course offerings, usually associated with the academic interests of the professors. This is generally a benefit to students, provided that the set of offerings does not evolve into a smorgasbord that results in a loss of focus for the overall program. This is particularly important for

Ryerson's program, designed as it is with some very specific pedagogical objectives in mind. It will be important, going forward, that the gradual development of new offerings in its program be disciplined, and as consistent as possible with the law school's vision and objectives." For our response to Dr. Cotter's third recommendation, see our comments in the Objectives section above.

#### *Mode of Delivery*

In this section Dr. Cotter emphasizes the connections between learning and professional practice. "While all or nearly all JD programs in Canada provide some linkages between classroom learning and the practice of law," he notes, "Ryerson intends to do this in a comprehensive, strategic way...Second, the program builds in a required 'Professional Placement' term for all students in the third year...These unique aspects of the program require significantly greater effort in building partnerships, obtaining commitments from many practicing lawyers and ensuring that adequate and consistent assessments of students are in place. Ryerson is confident that these components will be able to be achieved, and considerable efforts have already been made to do so."

#### *Assessment of Teaching and Learning*

With regard to assessment of students, Dr. Cotter notes that "it will largely follow the approaches used at other Canadian law schools. There is a clear intention to move away from the use of 100% final examinations in most or all courses. While Ryerson will undertake this to a greater extent than other Canadian law schools, it is consistent with the trend in Canadian legal education." The committee members are grateful for the recognition of the need for, and desirability of, innovation in student evaluation and assessment.

#### *Concluding Observations*

Dr. Cotter makes several concluding observations: one on the prospective physical space for the law school on the Ryerson campus, the second on founding leadership and faculty of the law school and the third dealing with the submission itself. In terms of the first two observations, the originating committee defers to the Dean of Record to discuss the commitments Ryerson is making, both with respect to physical space and to the nature of the founding leadership of the proposed law school. On the third observation, the committee members would like to express appreciation for Dr. Cotter's thoughtful, supportive and encouraging evaluation.

### **8. RESPONSE OF DEAN OF RECORD (Dr. Anver Saloojee)**

In my capacity as Dean of Record of Ryerson's proposed Juris Doctor program, I would like to thank Dr. Cotter for his assessment of the program proposal and for the wide-ranging report he provided in his role as peer reviewer. In responding to his report, I have taken note of the Originating Committee's responses which cover the points related to the six evaluation criteria outlined in Ryerson's Policy 112: Objectives, Admission Requirements, Structure, Program Content, Mode of Delivery, and Assessment of Teaching and Learning.

In this letter I will concentrate on the one issue covered in this list where the Committee's response involved a substantive change to the proposal. I will also focus on two comments Dr. Cotter made in his supplementary observations. In both these cases, the Originating Committee members viewed the comments as being outside their purview.

The one response made by the Committee which involves a significant amendment to the proposal was with respect to the student contact hours associated with six core first-year courses – (1) Contract Law, (2) Torts Law, (3) Property Law, (4) Criminal Law, (5) Constitutional Law and (6) Adm. and Reg. Law. In the original version of the proposal provided to Dr. Cotter, all of these courses was presumed to run in two sections of 75 students each for three student contact hours a week during 11 weeks of a 12 week semester. Given the co-teaching model used in the first year of the program, this would have meant

utilizing a tenure-stream faculty member in each section to teach two of the weekly student contact hours and a practitioner to oversee breakout groups of 25 students in the third hour. Dr. Cotter recommended, and the Committee accepted, an increase from three to six student contact hours for each of these courses, which means utilizing the tenure-stream faculty member to teach an average of five of these weekly hours in each section and the practitioner to oversee breakout groups, again of 25 students, in the sixth hour. (Dr. Cotter suggested that the division of hours per week might change throughout the semester, with the practitioner's hours being concentrated near the end of the semester.) As Dean of Record, I concur with this change. I note that the alteration does not affect costing, since for RFA workload purposes each of these sections (now a total of six rather than three student contact hours per week) is still considered to be a single course.

In Dr. Cotter's supplementary observations, he comments on the timely provision of adequate physical premises:

*Ryerson's university footprint is unique in Canada and does not easily lend itself to a 'greenfield' development for the physical premises of its law school. But it will be important to ensure that adequate physical premises that the law school can call home are put in place in a timely way. The Proposal sets out the time frame within which this will be achieved. In my view, it is important that Ryerson commit to meeting this timetable. This will be important for the identity that Ryerson imaginatively contemplates for its law school and will help to ensure that it will garner respect as a very good law school – a law school for the future.*

Speaking on behalf of Ryerson and its administration, I note that the University takes very seriously the commitment it is making to provide first temporary facilities for the initial incoming years of students and then a permanent home that is fully in keeping with the innovative nature of the program. If for whatever reason the current plans for temporary space in the Podium building for the September 2018 start prove to be unworkable, other space (possibly rental) will be found in time for the arrival of faculty, staff and students. The permanent premises that will then be created to replace the temporary facilities will be a major addition to the Ryerson campus. These premises will include sufficient offices, classrooms, lecture halls and library to give the law school a distinctive place on the Ryerson campus.

Dr. Cotter's second advisory comment in his supplementary observations deals with the founding leadership and faculty of the law school:

*As with any new program, it will be critical that the founding leadership and faculty be fully committed to the vision and objectives that form the foundation of Ryerson's new law school. There is a strong magnetism toward standard conceptions of legal education, evolving as they are, and it will be important for Ryerson to select law school leadership and faculty who embrace the contemplated objectives, champion them and build the program in ways that best achieve them, not only initially but over the long term. Those new law schools that did so and remained true to their vision over the long term have been successful; those who did not do so tend to be less successful.*

As soon as the requisite approvals have been acquired, Ryerson's Provost has committed to appoint an Interim Dean as a formal decanal search for the inaugural Dean begins. It will be the responsibility of both the Interim Dean and inaugural Dean, in tandem with the Provost and President, to form committees to carry out the initial tenure stream faculty hiring as well as initiating the hiring of staff, beginning with two Associate Deans and Head Law Librarian in addition to staff members in charge of recruitment and admissions. Because of the inaugural Dean's pivotal role in the entire process of creating the Ryerson Law School, considerable consultations will take place both within Ryerson and in the broader community to find the exceptional individual who can carry forward the distinctive mandate of the Ryerson Law School and turn it into reality.

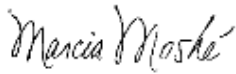
## 9. ASC EVALUATION

The Academic Standards Committee (ASC) recommends that a periodic program review be completed within five (5) years of the implementation of the program.

### **Recommendation:**

**That Senate approve the law program proposal as described in the agenda package, contingent on approval by the Federation of Law Societies of Canada, and contingent on the establishment of a Faculty of Law at Ryerson.**

Respectfully Submitted,



Marcia Moshé, Chair for the Committee

### ASC Members:

Charmaine Hack, Registrar

John Turtle, Secretary of Senate

Marcia Moshé, Chair and Interim Vice Provost Academic

Denise O'Neil Green, Assistant Vice President/Vice Provost, Equity, Diversity and Inclusion

Anne Marie Singh, Faculty of Arts, Criminology

Anne-Marie Lee Loy, Faculty of Arts, English

James Nadler, Faculty of Communication & Design, Creative Industries

Wendy Freeman, Faculty of Communication & Design, Professional Communication

Thomas Tenkate, Faculty of Community Services, Occupational and Public Health

Annette Bailey, Faculty of Community Services, Nursing

Medhat Shehata, Faculty of Engineering and Architectural Science, Civil Engineering

Donatus Oguamanam, Faculty of Engineering and Architectural Science, Mechanical & Industrial Engineering

Vadim Bostan, Faculty of Science, Chemistry & Biology

Yi Feng, Ted Rogers School of Management, Finance and Accounting

Jim Tiessen, Ted Rogers School of Management, Health Services Management

Jay Wolofsky, Library

Linda Koechli, Chang School of Continuing Education

Dalia Hanna, Chang School of Continuing Education