

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2011-12 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION¹

COURSE	Law 307B Civil Procedure with Drafting
UNIT VALUE	2.0 Units (4 hours of instruction per week)
INSTRUCTOR	Andrew Pirie
TERM OFFERED	Fall 2011
CLASS TIMES	See schedule
PREREQUISITES/CO-REQUISITES	Required Course for LL.B. Students

MAJOR EDUCATIONAL GOALS

This course is about the civil litigation process and civil justice. In the course, students will

1. Learn the fundamental knowledge and skills necessary to understand and, if called, to work in the civil justice system with a particular emphasis on developing a professional and ethical approach to effectively solving civil procedure problems.
2. Develop a sound theoretical and practical understanding of the principles, the processes, and the rule-based practices underpinning the civil justice system in common law jurisdictions, particularly B.C.
3. Apply the knowledge, principles, processes, skills, and rules you have learned, along with associated analytical and drafting skills, to realistic civil procedure issues in order to achieve client, professional, and personal goals.
4. Critically evaluate the system particularly around access to civil justice

SUBJECT MATTERS TO BE COVERED

In order to achieve the above goals, the following specific subject matter will be covered in the course, subject to amendment depending on class needs.

1. The classical structure and functioning of a Western civil justice system:
Courts and jurisdiction; Venue issues; Economics of litigation; Rules of civil procedure and principles of their interpretation; Commencing proceedings; Limitation of actions; Pleadings including other litigation legal writing; Multiple claims and parties; Disposition without trial; Case Management
2. The adversarial system:
History, function, and general principles; Roles of participants; Problems and criticisms
3. Professional Responsibility:
Legal ethics; Rules guiding the professional conduct; Principles of responsibility
4. Conducting a civil action in the B.C. Supreme Court:
Practice issues, i.e. Discovery; Chambers practice; Interlocutory applications; Case management; Settlement out of court
5. Legal skills:
Client interviewing and counselling in the civil litigation context; Legal analysis and advice; Legal drafting of documents used in litigation

EVALUATION

1. There are 3 evaluation components. They will allow me to evaluate how well you have achieved proficiency in the attainment of the major educational goals set out above. Please refer to Faculty of Law policies on grading descriptions.
In-class test on "The Lectures" - 40%
Litigation File assignments (3 file assignments including a drafting assignment) - 60%

Clear instructions will be given on how to successfully complete each evaluation component.

2. No students will be allowed to complete a major paper in this course.

March 2011

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager, Academic Administration and Student Services (lawmaass@uvic.ca).