

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

COURSE	Law 343 A01 Class Actions and Mass Litigation
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTOR	Rod Hayley
TERM OFFERED	Fall 2011
CLASS TIMES	See Schedule
PREREQUISITES/CO-REQUISITES	None

COURSE DESCRIPTION

This course will provide an overview and analysis of mass litigation, whether brought by way of various representative actions available under the Rules of Court and certain statutes; repetitive individual tort actions as in the asbestos and residential schools litigation; test cases; and statutory class proceedings, available in Quebec, Ontario and British Columbia, and Saskatchewan. Consideration will be given to policy reasons for the development and expansion of mass litigation in British Columbia and other jurisdictions as well as certain procedural and substantive law developments that have contributed to the growth of this kind of litigation. The course will examine the apparent deficiencies in the law leading up to the enactment of class action legislation and will highlight the key provisions of that statutory framework and the case law that has interpreted it. This type of litigation is extremely important from the perspective of both social and legal analysis. Moreover, it involves many diverse practice areas, including securities, banking law, aboriginal law, torts (including sexual assault), wrongful dismissal, shareholders actions, products liability and consumer claims generally, and constitutional law. Increasingly, practitioners – both barristers and solicitors – are being asked to advise their clients (whether potential plaintiffs or defendants) on the subtleties of class actions and other forms of mass litigation. This course will give students a point of entry into what is a complex, challenging and rewarding field that continues to expand rapidly. Given the cross-border implications of mass litigation, constitutional and conflicts of law issues will also be given some brief (but not over technical) scrutiny.

TEACHING METHODOLOGY

Lectures, classroom discussion and short presentations.

EXPECTED EVALUATION METHODOLOGY

1.	Short presentation	30%
2.	Research Paper 6000 to 7500 words, or 15-page Factum and 2000-3000 word paper	60%
3.	Class Participation	10%

June 13, 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 of Academic Administration and Student Services (lawmaass@uvic.ca).