

**Immigration and Citizenship Law 342**

**Fall Term 2010**

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**Units Value:**           1.5 units

**Classes:**                Tuesday and Thursday, 3:30 pm to 5 pm, from  
Thursday September 9<sup>th</sup> to Thursday December 2, 2010

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**COURSE DESCRIPTION**

The course will examine the legal rules, policies and principles (both domestic and international) that govern the eligibility of citizens, permanent residents and foreign nationals to enter, remain in, work in and study in Canada. It will examine the processes whereby foreign nationals may become permanent residents, whereby permanent residents may become citizens, and whereby foreign nationals may become temporary residents. It will also examine briefly the international and domestic laws that define Canada's commitment to refugee protection.

**COURSE OBJECTIVES**

Immigration and Citizenship law is a constantly changing area of law. This course cannot be comprehensive in its scope or in its treatment of any particular issue. Instead this course aims to:

- Stimulate your interest in immigration law by identifying and analyzing some of the key legal and social issues.
- Convey basic principles
- Assist you to understand and analyze the current state of the law governing immigration and citizenship.

**COURSE CONTENT**

September 9:               Introduction and Syllabus

September 14:            Immigration and citizenship policies and basic dilemmas  
                                  Navigating the IRPA and the Regulations  
                                  Identifying the decision-makers and their jurisdiction.  
                                  (CIC, CBSA, IRB)

The CIC Policy Manuals  
Historical and Theoretical Context

September 16:	Status: Citizen, Permanent Resident and Foreign National
September 21 and 23:	Constitutional and Administrative and Review
September 28 and 30:	Temporary Residents
October 5 and 7:	Permanent Residents: The Economic Class
October 12:	Provincial Nominee Programs
October 14 and 19:	Permanent Residents: The Family Class
October 21 and 26:	Refugee Determination in Canada
Oct. 28 and Nov. 2:	Inadmissibility and Removal
November 4 and 9:	Appeals to IAD
November 16 and 18:	Enforcement: Security Certificates, Danger Opinions, Secret Hearings and Detention.
November 23:	Pre-Removal Risk Assessment
November 25:	Humanitarian and Compassionate Grounds
Nov. 30 and Dec. 2:	Citizenship

**REQUIRED MATERIALS**

1. Materials provided on Moodle. These may be modified with additions and deletions as the course progresses.
2. Statutory Materials: Please download a copy of the *Immigration and Refugee Protection Act* [the IRPA] and the *Immigration and Refugee Protection Regulations* [the IRPA Regulations]. They are available at <http://laws.justice.gc.ca/en/I-2.5/index.html>. Also download a copy of the *Citizenship Act* available at <http://laws.justice.gc.ca/enc-29/text.html>.
3. Please familiarize yourself with the CIC homepage <http://www.cic.gc.ca/>. In particular you should bookmark the immigration manuals found at

<http://www.cic.gc.ca/manuals-guides/english/index.html>. Also familiarize yourself with the IRB homepage <http://www.cisr-irb.gc.ca/>.

5. News Clipping Service. The Center for Immigration Studies (a Washington think tank offers a clipping service from newspapers from around the world (including Canada) called CISNews. There is a daily posting and it is a very useful way of keeping up to date. At the beginning of each class we will discuss any important developments that have arisen. The website of the Center is <http://www.cis.org/>. To subscribe to the news service, go to <http://www.cis.org/immigrationnews.html>.

## **TEACHING METHODOLOGY**

This course will be taught through a combination of lectures, class discussion and problem analysis. Lectures will outline the subject matter and emphasize key concepts. In-class exercises and problem analysis will be used as learning tools, to assist students in applying knowledge from the readings and lectures. The goal is to have an active and engaged class room environment.

Assigned readings are set out in the course syllabus. These should be read carefully, as background to the lectures. Students are expected and encouraged to contribute to class discussion. The key aspects of the relevant statutes will be highlighted in the lectures.

## **EVALUATION**

- 30% of the final grade for this course will be based on an assignment distributed in class on Tuesday, October 26, 2010 and due at 3:30 pm, in class, on Tuesday, November 9, 2010.
- 70% of the final grade for this course will be based on an open book final exam. The date set for the exam is December 9, 2010.
- Examination accommodation to ameliorate specific disadvantages affecting a student may be granted consistent with Faculty of Law policy, on application to the Associate Dean.
- No student will be allowed to complete a major paper in this course.

To pass this course, students must complete the assignment and write the exam.

The assignments and exam will be evaluated on thoroughness, accuracy and clarity of content. Grammar, spelling and citation do count.

The assignment and exam will be graded by numerical percentage. The final grade for this course will be calculated by adding the weighted numerical grades of all evaluation components and determining the equivalent letter grade for the total of those weighted components.

Here is an example:

	Percentage		Weight		
Assignment 1	84%	x	30%	=	25.2
Exam	72%	x	70%	=	50.4
Final Grade	=	75.6	=	B+	

In this course, the relevant equivalencies between numerical and letter grades are as follows:

A+	A	A-	B+	B	B-	C+	C	D	Fail
90+	85-89	80-84	75-79	70-74	65-69	60-64	55-59	50-54	0-49

### **Penalties for Failure to Complete Assignments and Failure to Meet Deadlines**

The Faculty policy concerning deadlines for assignments is as follows:

“The Faculty expects assignments to be submitted on time; students who are unable to meet a deadline are expected to discuss the matter with their instructor. Whether or not an extension of time is granted is within the discretion of the instructor and conditional upon the student providing a reasonable excuse. Students who fail, without reasonable excuse, to meet deadlines for written assignments may be penalized in accordance with the grading and penalty assessment policy set by the particular instructor, filed in the Associate Dean’s office and communicated to the class at the beginning of the class term.

Appeals against rejection of a student request for additional time to complete a paper, or appeals against an allegedly unfair penalty assessment scheme may be made to the Studies Committee.”

#### **In Immigration and Citizenship Law 342, Fall Term 2010, the grading and penalty assessment policy is as follows:**

If you fail to meet the due date for the assignment in this course, without my prior approval, you will be penalized by having your grade for the assignment reduced by one letter grade for every day, or part of a day, that the assignment is late.

If you fail to write the final exam in this course without prior approval of the Associate Dean you will receive an “F” on the exam component of this course.