

Law 349 - Business Law Clinic

2009 Fall Session

Course Outline

Instructor: George C. Glover, Jr.
Location: Room 142
Times: Wednesday, 6:30 -9:30 p.m.
Unit Value: 1.5 units

CONTACT INFO:

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Director Business Law Clinic
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SUGGESTED MATERIALS:

Smyth, J.E., Soberman, D.A., and Easson, A.J., *The Law and Business Administration in Canada*, Tenth Edition. Toronto, Prentice Hall.

Supplemental readings provided during term.

OBJECTIVES:

Students will:

1. develop an understanding of how the lawyer- client relationship is initiated and cultivated; and
2. develop an understanding of the lawyer's role in facilitating her or his clients' business transactions and day-to-day business operations.

METHODOLOGY:

Client interaction, team and individual legal research and writing, feedback from and discussion with Clinic Director and Mentor regarding client files and research, class discussion each Wednesday evening, lectures, student presentation, and apprenticeship methods will be used. **Students are expected to:**

1. **Have responsibility for managing up to four client files per student**, including sourcing potential clients, preparing for and conducting client interviews, analyzing and

researching issues, discussing the analysis and research with mentors and the Clinic Director and preparing written responses to the client.

2. Source and present to the class for discussion an article in an area related to the practice of business law;
3. Read the assigned materials prior to class;
4. Be able to identify and discuss the issues presented by client files and the assigned materials; and
5. Participate in class discussion of the assigned materials, client files and any exercises relating to the assigned materials. The purpose of the discussion is to develop an understanding of the issues presented by the materials; to develop the student's ability to analyze, synthesize, and present legal material; and to enable the Clinic Director to gain a sense of the student's understanding of the materials and achievement of the objectives referred to above.

EVALUATION:

Student grades in Law 349 will be assessed as Pass or Fail. Each student must obtain a passing grade for each of the following course components and student class participation:

Student Clinical Participation:

Students will be expected to attend, and actively participate in, all classes, (including a **day trip to the offices of Clinic sponsor, Bull, Housser & Tupper, in Vancouver**) and to participate with their team in a brief weekly discussion with the Clinic Director provide on their team's files. They will be responsible for promoting the Business Law Clinic to potential clients and researching and providing legal information in response to real and simulated client requests. The mandate of the Business Law Clinic is **not** to give legal advice or to practise law. Rather, the function of the Clinic is to provide legal information only. Failing a sufficient number of clients in a term, other exercises may be assigned to students who have not reached the minimum workload expectation for the course. Each student will also be expected to set-up and attend at least one meeting during the term with the Victoria lawyer who has been designated as the student's mentor.

Assignment 1: Your two-person designated team must contact 4 former clients of the Business Law Clinic or source 4 or more potential new clients or umbrella networks for the Business Law Clinic. Each student must have a telephone conversation with an appropriate manager in at least two organizations and write a follow-up letter referring to your conversation and providing information about the clinic. **Due date for delivering to the Clinic Director, for review, your follow-up letters to at least two target clients you approached is noon on September 23, 2009.**

Assignment 2: Each student must set-up and attend at least one meeting during the term with the Victoria lawyer who has been designated as the student's mentor. **The due date for confirming that mentor meetings have been set up is September 23, 2009.**

Assignment 3: Each student must research and prepare a memorandum of legal research for at least 2 clients or, failing a sufficient number of clients in a term, from a list of research topics provided by the Clinic Director and discuss with the class a summary of the legal research they have conducted for the Clinic.

Assignment 4: Each student must clear and respond to voicemail and e-mails received on the Clinic phone line and e-mail on a rotating week basis. Each student must present to the class on a rotating week basis an article related to Business Law or the practice of law.

Summary:

The purpose of this course is to introduce students to the impact that law has on decision-making in business and to assist students in becoming more sophisticated as providers of business legal services. Classes will focus primarily on discussion and analysis of selected cases which come into the Business Law Clinic. There will also be lectures by various lawyers and other legal professionals on business law matters. The readings and assignments have been selected to emphasize client relations and legal research from a business law perspective.

Other Important Notes:

Regulations:

Students should obtain and review all regulations and policies contained in the University of Victoria Calendar, 2009-2010 ("U Vic Calendar", available online at <http://web.uvic.ca/calendar2009>), both generally and specifically for the Faculty of Law.

The Undergraduate Academic Regulations (2009-2010) of the UVic Calendar (<http://web.uvic.ca/calendar2009/FACS/UnIn/UARe/PoAcI.html>) set out the University's expectations about attendance and assignments. The Faculty of Law's Academic Regulations can also be found in the University Calendar at <http://web.uvic.ca/calendar2009/FACS/FoLa/FARe.html>.

Classroom Climate:

An inclusive, respectful, and diverse classroom environment is crucial to our work in this course. To ensure that all class members feel welcomed and equally able to contribute to class discussions, we must all endeavor to be respectful in our language, our examples, and the manner in which we conduct our discussions and group work. We have both an ethical

and legal obligation to support this kind of environment. For your reference, you may wish to consult the University's Discrimination and Harassment Policy (<http://web.uvic.ca/uvic-policies/pol-1000/1150HPP.html>). The University of Victoria and the Faculty of Law are committed to promoting, providing and protecting a positive, supportive and safe learning and working environment for all its members. We expect all aspects of this class to be conducted with this commitment firmly in mind.

If you have any concerns about the climate of the class, please feel free to contact us or the Associate Dean.

Academic Integrity:

As part of the academic community of both the Faculty of Law and the University as a whole, academic integrity is centrally important in the work of faculty and students. Please consult the University Calendar for policies respecting paraphrasing, plagiarism, and cheating. **If you have any concerns or questions, or require clarification, do not hesitate to send me an e-mail.**

It is your responsibility to familiarize yourself with the university policy on academic integrity. The policy on academic integrity can be found on the web at the following address: <http://web.uvic.ca/calendar2009/FACS/UnIn/UARe/PoAcI.html>

Accommodation for Students with a Disability:

There are support systems, resources, and forms of accommodation available to students with a disability. If you wish to access any of these supports, resources or accommodations, I encourage you to contact the Associate Dean or the Resource Centre for Students with a Disability (<http://rcsd.uvic.ca/>) and I would be more than happy to work with you to ensure your success in this course.

Accommodation of Religious Observances:

The University of Victoria and the Faculty of Law have policies guaranteeing accommodation for those students who are unable to participate in a class or an aspect of the course owing to a religious holiday or observance (<http://web.uvic.ca/calendar2009/GI/GUPo.html>). If you will be missing a class, know that you will be unable to complete an assignment or exam, or otherwise require accommodation on account of a religious holiday or observance, please speak with me (or the Associate Dean) and I will be pleased to work out some satisfactory form of accommodation.