



Guidelines for Nominating LLM Thesis External Examiners

1. No later than six weeks prior to submission of the thesis for examination, an LLM candidate must submit a full draft copy of the thesis to their two supervisory committee members to review and determine if the thesis will be examinable. This should not be the first time that the supervisory committee members have seen an entire draft of the thesis.
2. No later than four weeks prior to submission of the thesis for examination, and **only if both members of the supervisory committee agree that the thesis is examinable**, a list of potential examiners' names and contact details must be submitted to the Graduate Program Director on the *LLM Thesis External Examiner Nomination* form.

Students and supervisory committee members must not approach any of the nominees directly about the thesis or the student's program until after the examination process is complete and the thesis returned.

3. The proposed examiners must:
 - hold a graduate degree in law or in a related discipline
 - be from outside of the University of Victoria Law Faculty
 - must not be in conflict of interest with the student and in particular must not be a former teacher or referee of the student
 - have expertise in a field to which the thesis relates

In nominating examiners, students and their supervisory committee members should seek to balance the following additional considerations:

- First and above all, one should suggest potential examiners who will give the thesis a fair reading. The proposed examiners need not agree with the argument, but they must be willing to assess the argument on its own merits.
 - Second, the student may want to use the thesis examination to place their work before someone whose own work they admire and/or who is prominent in the field. This should not be done, however, at the cost of securing a fair reading.
4. The Graduate Program Director reviews the names submitted, decides who should be approached and in what order, and then asks the Graduate Assistant to secure their willingness to act.
 - The Graduate Program Director may ask questions of the student, the supervisory committee members, or other people to determine the suitability of the nominees, and may (but need not) consult with the supervisory committee members or other people to determine the best order in which to approach the nominees.

- If the Graduate Program Director believes that no nominee is suitable or cannot secure the agreement of a nominee that the Director deems suitable, he/she may ask for replacement nominations. These are again provided by agreement of the student and supervisory committee members.
5. In unusual circumstances, it may be difficult for the student and supervisory committee members to agree on three nominations. If so, they should submit the nominations on which they can agree (if any). In this situation, or in any case in which in the Graduate Program Director's opinion the proposed examiners are all either a) not suitable, b) unavailable, or c) in a situation where confidentiality is likely to be compromised, the Graduate Program Director may choose an examiner who has not been nominated by the student and/or supervisory committee members. In such a case, the Graduate Program Director should consult the faculty members of the Graduate Studies Committee (with the exception of the student's supervisory committee members), explaining the circumstances and the proposed course of action.
 6. The process of securing the examiners' availability, sending the thesis and examination instructions to the examiner, and receiving the examiners' comments in reply is handled entirely by the Graduate Assistant and/or Graduate Program Director. Students and supervisory committee members should not be informed of the identity of the examiner until after the examination process is complete.
 7. When the Graduate Program Director is one of the supervisory committee members, he/she must designate another member of the Graduate Studies Committee to fulfill his/her functions. In that case, the prohibitions applicable to supervisory committee members apply to the Graduate Program Director.