

<p style="text-align: center;">Faculty of Law University of Victoria JD/JID Transfer Policy</p>
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Effective Date: 13 May 2021

1.0 Context and Inspiration

The concept of the JD/JID program was initially conceived by John Borrows almost two decades ago and was collaboratively developed over many years. This developmental “bringing into being” of the JD/JID comprised intensive negotiations and ongoing discussions with law societies, numerous federal and provincial ministries, business, foundations, and national, provincial, regional, and local Indigenous organizations.

Several key principles guided the design and development of the JD/JID including:

- (a) UVIC had to have a strong, healthy JD program in order to be able to establish a vibrant and robust JD/JID.
- (b) The JD and the JD/JID are not mutually exclusive degree programs existing in separate silos. The intent is to enable faculty to move between both programs, teaching intersocietally across legal orders wherever possible. The intention is to find ways to increase and support faculty capacity to enable all law faculty members to teach in both programs.
- (c) In keeping with the intersocietal principle, Indigenous and non-Indigenous students may be accepted into the JD/JID.
- (d) Indigenous and non-Indigenous student admission into the JD/JID is designed holistically with weighted attention accorded to Indigenous community connections and experience, expertise, identity, and career aspirations.
- (e) JD/JID application criteria for the Indigenous students included completion of the LSAT, a minimum of 45 units toward an undergraduate degree (completion of three years), student statement, and letters of support. Students may also apply in the discretionary category.

2.0 Purpose

The purpose of this policy is to ensure and maintain the integrity of the JD/JID program by setting out the requirements guiding transfers from JD into the JID and from JD/JID to the JD. While there are many reasons students may apply to transfer, the pedagogies, and structural and scheduling differences between the two degree programs require careful consideration for each request.

An additional concern is that the holistic approach for student selection into the JD/JID, may encourage seeing the JD/JID being as a ‘back door’ to the JD program. For this reason, the admissions process into the JD/JID is rigorous with serious consideration given to student

experience and future aspirations. As a limited enrollment program that is designed holistically and is resource intensive, the integrity of the program requires that transfer out of the program only be permitted in limited circumstances so as to not undermine the integrity of the JD/JID.

It is the longer-term intention of the JD/JID committee to explore, pilot, and evaluate ways for JD students to enroll in early and upper year JD/JID courses.

3.0 Policy Statement

The question of student transfers from the JD/JID to the JD raises several additional questions and concerns.

- (a) The courses in the first two years of the JD/JID are transsystemic. Each course requires that students learn law from an Indigenous legal order as well as its common law or Canadian subject matter and legal processes. The JD/JID does allow for some courses in years one or two to be a JD course rather than a transsystemic course if necessary given faculty capacity and availability.

Consequently, any transfers from the JD/JID to the JD would have to be in the student's third year, after they have completed the first two years of the JD/JID program.

Further, any transfer from the JD to the JD/JID would require the student beginning at year one of the JID/JD regardless of what year they have achieved in the JD.

- (b) The integrity of the JD/JID degree program includes core transsystemic courses and LAW 395I Coast Salish Legal Studies and Language, and the two upper year field schools (year 3 and year 4). To date, LAW 395I, taught by Dr. Morales, is only available every second year. Students who have not completed these courses will not be considered to have completed the JD/JID program.

4.0 Application

4.1 JD/JID students in good standing may apply to the Associate Dean Academic and Student Relations and the Director, JD/JID program to transfer from the JD/JID into the JD once they have completed the first two years of the JD/JID.

4.2 Students applying to transfer from the JD/JID program to the JD program must demonstrate that extenuating circumstances have arisen during the course of their studies in the program and that transfer is justified because of health reasons, physical disability, exceptional family or financial hardship or other personal circumstances.

4.3 If the transfer application is approved by the Associate Dean Academic and Student Relations and the Director, JD/JID program, the student will be deemed to have obtained standing in each of the first two years of the JD program, and will transfer into the third year of the JD program. The student will receive full credit for all the courses taken in the first two years of the JD/JID program.

5.0 Definitions

In this policy Indigenous is inclusive of Aboriginal, First Nations, Metis, and Inuit and is not restricted to students who are registered as status under the *Indian Act* (RSC 1985 c.1-5).

6.0 Policy Contacts

Contact the following for interpretations, resolution of problems, and special situations

- (a) Associate Dean, Academic and Student Relations
- (b) Director, JD/JID
- (c) Director, Indigenous Initiatives

7.0 Authority

Associate Dean, Academic and Student Relations in consultation with the Director, JD/JID and the Director, Indigenous Initiatives.