COURSE
Law 325 Access to Justice

UNIT VALUE
1.5 Units (3 hours of instruction per week)

INSTRUCTOR
M. Jerry McHale, QC

TERM OFFERED
Fall 2018

CLASS TIMES
See Schedule

OBJECTIVES AND COURSE DESCRIPTION

This course will examine the fact of diminishing access to justice and its far-reaching implications for the public, lawyers, the justice system and society as a whole. The aim is to provide both a theoretical framework and practical information to help prepare students to recognize, understand and respond to access issues. This will be done by exploring:

- the purpose, ideals and practical functions of our justice system,
- the meaning and evolution of the concept of access to justice,
- the nature, causes, scale and consequences of unmet legal needs and the contemporary access to justice problem,
- reform efforts of government, the courts, practitioners and other justice system participants to respond to unmet legal needs and to enhance access to justice, through mediation and other collaborative dispute resolution processes, through changes to procedural and substantive law, and through public education, legal assistance programs and technology, and
- how access issues are impacting clients’ behavior, lawyers’ roles and legal service delivery models, while forcing changes to legal ethics and to traditional approaches to defining, analyzing and responding to legal problems.

METHODOLOGY

The course content will be presented through lectures with class discussion. Students will have the opportunity to participate and critically reflect on the material in class. There will be some practical exercises and expert guest speakers from time to time. Required readings will be focused, and more extensive optional reading material will be identified for those who want it.

EXPECTED EVALUATION METHODOLOGY

There will be three evaluation components:

- a short mid-term paper exploring themes from the first part of the course (25% of the final grade)
- a report on an interview with a justice system stakeholder (30% of final grade)
- a final research paper (45% of the final grade)

Note that for law students wishing to fulfill their major paper requirement in this course, you may do so with the instructor’s permission, in which case the major paper will count as your final research paper.

May 2018

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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 Associate Dean (lawassoc@uvic.ca).