FACULTY OF LAW, UNIVERSITY OF VICTORIA
2019-20 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION (PCIS)

COURSE            LAW 372 Public Policy, Law and Dispute Resolution
UNIT VALUE        1.5 Units (3 hours of instruction per week)
INSTRUCTORS       Kurt J.W. Sandstrom, QC / James Deitch / Richard de Boer
TERM OFFERED      Spring 2019
CLASS TIMES       See Schedule
PREREQUISITES/CO REQUISITES None

OBJECTIVES and COURSE DESCRIPTION
Government’s most fundamental mandate is to contain conflict and maintain social and commercial order. However, state institutions are set up to solve only a few of the problems experienced by Canadians. 93% of everyday legal problems of Canadians go unresolved, creating $100 million dollars in social costs for Canadians.

The course explores how the state can address the problems of its citizens in a lasting and permanent way. In exploring how our public institutions do this and the many problems they are currently confronting in this respect, the course will examine the dispute resolution strategies, values and paradigms that inform government, the justice system, and society generally.

We will look at the important shift that is occurring from adversarial to collaborative or problem-solving models of dispute resolution. This will involve a study of different theories of conflict as well as a close look at practical examples and case studies to demonstrate how certain private and public disputes are being resolved collaboratively.

We will spend some time exploring dispute resolution in family law, look at new approaches to resolve disputes such as the civil resolution tribunal, therapeutic and problem solving justice models, justice access centres, restorative justice, Indigenous justice models, and other alternatives to the traditional court system and its adversarial approach.

Other matters considered will include:
- challenges being faced by modern justice systems in efforts to maintain social order, promote lasting resolution of disputes, and contain crime;
- government’s role in designing an effective and efficient justice system, and its role in that system;
- the problem of access to justice in an environment of scarce justice system resources, and
- how government is responding to the need to resolve disputes more effectively, economically and efficiently.

METHODOLOGY
The course will be taught by three lecturers using a number of expert guest lecturers, in a lecture format with class discussion. Past guests have included the Chief Judge of the Provincial Court, the Ombudsperson, and various family policy experts. During class, students will have the opportunity to participate and critically reflect on the material.

EXPECTED EVALUATION METHODOLOGY
There will be four evaluation components:
- A written exercise involving analysis of a dispute (25% of final grade)
- A second exercise or mini paper (worth 25% of the final grade)
- A final research paper chosen from a topic list, or selected by the student with permission (40% of the final grade)
- A class participation mark (10% of the final grade)

June 2019

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).