

OSGOODE

OSGOODE HALL LAW SCHOOL
YORK UNIVERSITY

Professional Development
LLM



Directors

Hon. Justice John Evans, Federal Court of Appeal

Mahmud Jamal, Partner, Osler, Hoskin & Harcourt LLP

Gus Van Harten, Assistant Professor, Osgoode Hall Law School

Professional LLM in Administrative Law

Outside Toronto?

Distance Learning options are available for some courses. Visit www.osgoodepd.ca for details.

www.osgoodepd.ca

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"As a government lawyer whose practice focuses on matters before administrative tribunals, Osgoode's Administrative LLM was, for me, the ultimate in continuing legal education. With faculty composed of top professors, practitioners, judges and policy makers, I highly recommend this program."

Christopher C. Cooper, BA, MA, LLB, LLM (Administrative Law)
GDipl. J.S.A.

"Osgoode's Administrative LLM is a good mix of theory and practice, and the courses I took have greatly assisted me in my immigration litigation work. The program is sensitive to, and accommodates the needs of busy practitioners without sacrificing the quality of instruction. Overall it is an excellent program and well worth the time invested."

Wennie Lee, BA, LLB, LLM (Administrative Law)

FACULTY

Raj Anand, Partner
WeirFoulds LLP

Brad Christakos, Barrister & Solicitor
West End Law

Jeff Cowan, Partner
WeirFoulds LLP

Ian Greene, Professor
School of Public Policy and Administration
Faculty of LA&PS, York University

Tom Schneider, Senior Counsel
Ministry of Labour (Ontario)

Lorne Sossin, Dean & Professor
Osgoode Hall Law School



DEGREE REQUIREMENTS

The degree requirements will be satisfied upon the completion of 36 credits. The 36 credits can be obtained by either coursework or a blend of coursework and a Major Research Paper. Please visit www.osgoodepd.ca for required and elective course information.

CURRICULUM

Courses will be offered in a combination of weekly and intensive formats. Videoconferencing is available for most courses, although occasional attendance in person in Toronto is required (refer to website for specific details on each course). Note: Faculty, curriculum, course descriptions and degree requirements are subject to change without notice. Visit www.osgoodepd.ca for full course descriptions and requirements.

This unique Professional LLM program gives students the opportunity to examine and analyze contemporary legal issues relating to the delivery of public programs of regulation and social benefit. Students will examine, at an advanced level: current developments in administrative law; theoretical perspectives on public administration; the law and application of judicial review principles; case studies in provincial and federal administrative programs; institutions and policy-making processes; and, the liability of the Crown and other public bodies.

COURSE DESCRIPTIONS

Overview and Current Developments [6 credits]

The main principles and rules of the standard of review analysis, procedural fairness, and selected additional topics will be reviewed throughout this course. The focus is on substantive and procedural grounds for judicial review and on current developments in the jurisprudence in these areas. Additional topics may include the impact of the state's international obligations on administrative action at the domestic level. This course lays the groundwork for the remainder of the program as it aims to provide an overview for students who have not previously had extensive exposure to administrative law, but also affords students who are experienced in the subject, an opportunity to reflect on and develop their knowledge base.

Some Theoretical Perspectives on Public Law and Administration [3 credits]

This course provides a theoretical framework by considering the application of some contemporary theories of, and perspectives on, public administration and administrative law. Theoretical perspectives considered will include: liberalism and the rule of law; the functionalist critique; legal pluralism; critical theory; feminism; public choice theory; and organizational theory. A focus of the course is the need to articulate theoretical bases for identifying appropriate roles for legislatures, agencies and courts in promoting, through law, democratic values and the protection of human rights in the administrative state.

Current Issues in Judicial Review of Administrative Policy [3 credits]

Students will examine some of the most important issues that have recently arisen in the course of the courts' supervision of administrative action, such as procedural fairness and institutional decision-making;

the giving of reasons; independence and impartiality; deliberative secrecy; specialization and expertise; and standards of court review of administrative decisions. It will also address, where applicable, the impact on administrative action of the *Canadian Charter of Rights and Freedoms*.

Administrative Law Remedies [3 credits]

The range of remedies available to those who are aggrieved by some administrative action, inaction, or decision, and attempts to identify their respective strengths and limitations will be explored. Topics may include: the ability of agencies to reconsider their decisions; the power of agencies to determine the constitutional validity of their enabling legislation and their remedial powers; the relationship between administrative remedies and the exercise by the courts of their supervisory jurisdiction.

The New Administrative Law [3 credits]

This course explores new trends in administrative law, and what are likely to emerge as central topics in the coming years. The evolving relationship between the political priorities of the executive branch and the administrative bodies set up by the legislature to exercise statutory powers is a theme throughout the course. Students start by exploring this theme in the context of public inquiries, and inquiries as a setting for new approaches to administrative law. Next, we delve into the issue of appointments to agencies, boards and commissions and the tension between the policy priorities of Government and the independence and impartiality of tribunals. The discussion then turns to access to administrative justice as a policy of Government and as a priority for tribunal initiative.

Regulatory Regimes [6 credits]

Students will investigate the manner in which administrative law issues play out in specific economic regulatory contexts. The focus will be on the nature of the oversight and enforcement mechanisms in selected regulatory regimes and the extent to which they are effective or not. The course will include classic perspectives from James Landis' *The Administrative Process* and Marver Bernstein's *Regulating Business by Independent Commission*, and contemporary views about the impact of deregulation, privatization, globalization, and the emergence of the Internet. The four substantive areas that will be considered are competition, environmental, professional, and securities regulation.

The Law of Inquests [3 credits]

This course explores inquests as an example of an administrative context in which issues common to many administrative tribunals arise. It will examine matters such as standing, admissibility of evidence, procedural rules and judicial review.

Major Research Paper: Administrative Law [6 credits]

A Major Research Paper (MRP) of approximately 70 pages may be completed on a topic in administrative law, provided appropriate supervision is available. The MRP should go beyond merely describing legal developments to include independent critical analysis of its subject matter.

TUITION AND FEES

Tuition and fees for the Professional LLM are currently \$20,153, payable in six equal installments throughout the program. In addition, a \$15 administrative charge is levied by the Faculty of Graduate Studies each term. Fees include the required course materials, provided in a balance of hard and electronic formats. Some materials may only be available in electronic format. An additional charge will apply to any shipping of materials outside of Canada. Light meals are provided for students attending classes in person in Toronto.

Tuition fees are set by the York University Board of Governors and are subject to change at any time. Students who take longer than six terms to complete their program may be subject to additional tuition charges.



CPD programming is accredited with law societies and CLE Boards across Canada and the United States. Email us at cpd@osgoode.yorku.ca with your request or question for specific CPD information and credit allocations.

FOR MORE INFORMATION

admissions-opd@osgoode.yorku.ca

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Canada at 1.888.923.3394



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