

LAW SCHOOL @ MEMORIAL UNIVERSITY

Presentation to Senate, September 13, 2016



OUTLINE

- **Seeking Senate input on MUN law program**
- **History and Groundwork for the MUN Law School proposal**
- **Strengths of MUN Law School Program proposal**
- **Benefits to the province and the University**
- **The Question of Demand**
- **Feedback received**

HISTORY

LAW SCHOOL @ MUN

- **MUN Act (1949):** Vision of the university specifically included a law school
- **First Law School Report (1976)**
 - Law School not recommended
- **Second Law School Report (1987)**
 - Majority – not recommended now, but should be next major priority of the university; revisit in 10 years
 - Minority – recommended, with access to legal education the primary goal

RECENT PROGRESS

- **Third Law School Report: Report on Feasibility (2013)**
 - Board of Regents approved request for follow-up on 1987 report; requested feasibility review
 - Widespread consultation throughout the province
 - Committee unanimously concluded that a law school at Memorial was feasible
- **New Committee formed in 2014 to draft a Law School program proposal**

GROUNDWORK FOR THE LAW SCHOOL PROPOSAL

- Familiarization with curriculum expectations of the Federation of Law Societies of Canada
- Assessing the recent change in views on legal education: Canadian Bar Association's recommendations in *Equal Justice*
- Advice from law schools: Dalhousie, Osgoode, UNB
- Attending to Registrar expectations
- Developing collaborations with other Faculties
- Budget development
- Course development
- Concept design

STRENGTHS OF THE PROGRAM

- **A modest size (18 faculty; 80 students/year)**
- **A law school engaged with public issues**
- **Aboriginal knowledge integral**
- **Focus on problem-solving; use of technology**
- **Internships in communities – ties for future jobs**
- **Practical learning opportunities – e.g. court clerks**
- **Fosters collaboration within Memorial (joint degrees with MBA and MSW)**

THE PROGRAM CONT'D

- Specializations in the legal needs of the province:
 - Sustainable Northern Resource Development
 - Social Justice
- Sample courses: International Laws of the Sea; Aboriginal Legal issues in NL; Fisheries law; Arctic Ocean Law; Immigration and Refugee law; International Law and Trade; Technology and the Courtroom; Energy Law; Children, Mental Health and Disability; IP and Copyright; Construction Law

WHY A LAW SCHOOL IN NL?

- Legal education raises the capacity of the province: knowledge applied to a wide range of sectors (health, industry, education, police, community organizations)
- Access: NL and PEI only provinces without a law school
- Knowledge: fosters case law/research on our unique legal context
- Accountability: academic oversight required on judicial decisions and legislation
- Expertise for key issues of the province

HOW DOES MUN BENEFIT?

- **Cross-disciplinary synergies with other Faculties and campuses**
- **Deepens our research record and boosts existing initiatives like COASTS and the CFREF**
- **Supports MUN's aboriginal initiatives**
- **A law school “of a different kind” – accredited by the Federation – strengthens Memorial as one of Canada's most forward-looking and distinguished public universities**
- **Serves our three frameworks**

THE QUESTION OF DEMAND

- **Canada slow to develop new law schools**
 - Only two new (English) law schools in Canada since 1975
 - Thompson Rivers (2011)
 - Lakehead (2013)
 - No problem attracting good students/professors
- **Cross-national applications remain strong (23,600+)**
- **Dramatic increase in students going overseas for a law degree (England, US, Australia)**
- **This is a good time to attract Canadian students to NL**

INTERNATIONAL NUMBERS

- **Hard to track: perhaps 1,400 Canadian students studying law abroad (England, US, Australia)**
 - **High tuition (\$20,00-\$35,00 per year)**
 - **Need to tackle extra hurdle of the accreditation process**
- **Applications for accreditation from Canadians trained outside Canada has increased from an estimated 160 (2006) to 700 (2015)**

LAWYERS IN NL

- 149 lawyers per 100,000 people, lowest in Canada
- By comparison:
 - NS – 200
 - NB – 169
 - PEI – 151
 - ON – 315
 - SK – 155
 - AB – 228
- Approx. 700 practicing lawyers in NL, yet rural areas and the North poorly serviced

WHY A LAW SCHOOL NOW?

- **A new era in law school thinking: the value of public engagement and collaboration**
- **Older law schools have a more difficult time moving away from the traditional, insular model**
- **We have done plenty of reflection on this issue: it is time to make MUN Law a university priority**

FEEDBACK ON PROPOSAL

- **Strong support from aboriginal communities/governments: Nunatsiavut Government, Nunatukavut Community Council, Qalipu Mi'kmaq, Miawpukek First Nations**
- **Endorsed by Budget & Planning Committee**
- **Labrador Institute and Marine Institute – positive about opportunities for collaboration**
- **Engineering – positive on structure and the case for a law school, but has fiscal concerns**
- **Student senators – positive, assuming reasonable tuition**
- **Concerns from individuals about cost.**

MUN LAW CONCEPT

