

# THE CANADIAN ASSOCIATION OF LAW TEACHERS



## BULLETIN

NOVEMBER 2004

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## WORD FROM THE PRESIDENT

Prof. Annie Rochette, Faculty of law, UBC



It is my pleasure to serve as President for the 2004-2005 year. Let me take this opportunity to tell you a little bit about some of the changes that have occurred in my time on the Executive, report on last year's annual conference, invite you to this year's conference, and conclude with a brief note about your current Executive.

### What's New?

This is my third year serving on the CALT Executive. In my three years, I have seen many changes to the way we serve our members. Two changes, however, are particularly noteworthy. First, we have replaced the wide distribution of the CALT print directory with a searchable database on the new CALT website, although print copies can be made available to those who request them. This saves printing costs, enabling us to put those resources towards the annual conference, and provides members with a quickly searchable format. We hope you have an opportunity to try out the new database, and to see our newly updated web page.

Second, the format of the annual conference has been changed. The annual conference has traditionally been the highlight of the organization, giving us the best opportunity to share our research, as well as talk about the issues that we all face as law teachers. Three years ago, under the leadership of France Houle (then president) and Philip Girard (then vice-president), the format of the conference was changed from one based on section meetings, to a publicized Call for Papers based on a theme, thus giving members the opportunity to present their scholarly work on thematic panels. This change in the format has resulted in an impressive increase in the number of papers over the last three years. Section meetings are still welcomed and section chairs should request space for such meetings by responding to the call for papers within the publicized time frame.

### Reporting Back on the 2004 Conference

On the topic of our annual conference, the 2004 conference was held in Winnipeg on the theme of "Law's Confluence: Merging, Emerging and Diverging." Over 75 participants attended, and 36 papers were presented on 14 panels. We were delighted with the mix of senior and junior scholars, as well as with the significant contributions of graduate students, who were specially invited to participate in the 2004 conference. The well-attended plenary entitled "Biography of the Supreme Court of Canada: Individuals, Ideologies and Institutions" was a conference highlight, presenting an interesting and less public picture of some Supreme Court of Canada Justices. I should also note that our past efforts to recruit junior scholars were rewarded by their strong participation on the panels, as well as in the pre-tenure faculty workshop and the new professors' dinner.



## **WORD FROM THE PRESIDENT** *(Cont'd)*

The theme for the Law Forum, a joint initiative between the Council of Canadian Law Deans, the Law Commission, the Canadian Association of Law and Society, and CALT, was "What is Legal Knowledge?" Six panelists, from a variety of disciplines and institutions, presented challenging responses to this question to an engaged audience.

The closing banquet took place at the historic Fort Garry and was again, very well attended. CALT would especially like to thank the Deans who were able to join us. The banquet provided the setting for recognizing Professor Mary-Jane Mossman (Osgoode) with the CALT Prize for Academic Excellence and Professor Sylvette Guillemard (Laval University) as the winner of the CALT Scholarly Paper Award for her paper "Le cyber-consommateur est mort, vive l'adhérent." I would like to express a special thank you to Lorna Turnbull, who worked very hard to make sure that the Winnipeg conference was a success.

### **An Invitation to Attend the 2005 Conference**

Our 2005 annual conference will be held in Vancouver, British Columbia from June 22-24th. Considering the large number of our members who attend both the CALT and the Canadian Law and Society Association (CLSA) annual conference, and because of the joint CALT/CLSA events of the Law Forum and Legal Perspectives, we decided to hold our event in conjunction with the CLSA, rather than follow the Congress of Social Sciences and Humanities. Our theme for the 2005 conference, which you will find in this bulletin, is "Law's Paradoxes." We look forward to your fascinating ideas about how your own research reveals these paradoxes (or not!).

Following on the success of last year's Scholarship and Pedagogy workshop for pre-tenure faculty, which was attended by over thirty junior scholars and two Deans, we hope this year to revive, in a slightly modified format, the traditional CALT "Teaching Clinic", popular in the late eighties and early nineties. As such, we invite ideas about teaching and learning issues that you would like to discuss in a more informal and interactive workshop setting. These teaching and learning workshops will take place alongside (but not conflicting with) the more formal panel presentations.

One of the things I hold dear as a scholar and law teacher is the idea of the scholarship of teaching. We think about our teaching all the time. We think about ways of improving student learning, about new methods to engage students, and about the use of new technologies in the classroom. In fact, we spend a lot of our time thinking, preparing and delivering our teaching. Why not write about it? Why not share with your colleagues your reflections about what worked, what didn't work, your frustrations, and your concerns? If you have been teaching for a while, why not help your new colleagues with their teaching by sharing



your experiences? With some additional research, why not turn these reflections into a publishable scholarly article? I therefore encourage you to submit, in response to our call for papers, proposals that deal with the scholarship of teaching. Last year, one entire panel of our colleagues presented, in a scholarly fashion, their ideas and research into teaching and learning issues. It would be great to have more than one of these panels at our conference in Vancouver. If we have enough of these papers, we could approach a law journal to publish a special issue on legal pedagogy; this could even be a yearly occurrence!

### **This Year's Executive**

Finally, a word on your Executive. As president, I am fortunate to be working with such an energetic and dedicated group of people. We represent a range of ages, law schools and regions of the country. We include both women and men, members of equality seeking groups, and specialists in a range of law areas. Finally, many of us are bilingual. The CALT executive aims to continue to build strength through diversity.

The members of this year's executive were active participants in the CALT annual conferences and were solicited to serve on the Executive; most were elected by a majority vote at our annual conference. In order to fill vacant spots, we also had to appoint two more to our Executive since then. CALT does not have an institutional method of nominating people to serve on the Executive. However, I would like to extend an invitation to anyone who would like to nominate a member (or themselves!) to serve on the Executive, to please let me, or any other member of the current Executive, know. We would be happy to include others who are interested in getting involved either in our work this year, or in the future.



## **CALT PRIZE WINNERS FOR 2004**

*by Lorna Turnbull*

The CALT Prize for Academic Excellence was won this year by Professor Mary Jane Mossman, who was recognized for her excellent teaching, research, and for being a good all-round citizen of the academy. As a teacher, she is known to be challenging, well-organized, encouraging and exceptional. She is committed to accessibility and inclusion. As a scholar she has contributed over 100 articles, reviews and government reports covering topics ranging from access to justice, family law, feminist theory, property, women and the legal profession. Her 1986 paper "Feminism & Legal Method: The Difference it Makes" has been reprinted several times, and is still recognized as a ground-breaking piece. She has also been successful in applying for grants and most recently has been named a Walter Gordon Fellow at York University. Professor Mossman has also been an inspiration to many, as evidenced by the many prizes she has won over her career, including most recently the Law Society of Upper Canada Honorary Doctorate. She has shown many of her more junior colleagues that the road to success can include not only personal triumphs but also progress for many others who are not so powerful before the law.

Sylvette Guillemard, associate professor in the faculty of law at Laval University, won the CALT Scholarly Paper Award for her article entitled "Le cyber-consommateur est mort, vive l'adhérent" which has recently been published in (2004) 131 *Journal of International Law* 7-61. Professor Guillemard's main argument is that in the context of internet commerce, on the one hand, consumer protection is a notion that is more difficult to put into practice. On the other hand, even the concept of "consumer", such as we think of it in traditional commercial transactions, with all that the concept implies with respect to relative weakness and lack of information, is simply not transferable to the world of cyber-space.



## CALL FOR PAPERS

### Law's Paradoxes

**Paradox.** \Par`a\*dox\, noun; from the Latin expression paradoxum, from the Greek expression beside, beyond, contrary to, to think, suppose, imagine. Para (by way of) doxa (what is received). Situations that defy intuition. Inconsistency, absurdity, irony, contradiction, and illogicality. Direct and indirect self-reference, infinity, circular definitions, and confusion. All of these abound in law. Are they explainable? Intractable? Solvable? Avoidable? Inevitable?

We invite proposals for papers on this year's theme, "Law's Paradoxes" to be delivered at the 2005 CALT Annual Meeting in Vancouver, B.C., June 22 – 24, 2005. The invitation extends to proposals for panels related to particular legal fields (e.g. intellectual property, administrative law, etc), as well as proposals by those who wish to present their "works/ideas in progress". We encourage submissions from a variety of legal perspectives that relate, however distantly, to the notion of the paradoxical in law.

CALT also encourages scholarly papers on issues of teaching and learning. Depending on the number of papers we receive, it is our hope to hold a few panel sessions dedicated to the scholarship of teaching throughout the conference.

**Papers or abstracts will be available to participants from CALT's website: <http://www.acpd-calt.org/>**

Potential attendees may be interested to know that this year's CALT conference is not being held in conjunction with the Congress of the Humanities and Social Sciences (scheduled for May 28-June 5, London, Ontario), and that the Canadian Law and Society Association will be holding its annual conference in Harrison Hot Springs, British Columbia from June 25 - June 30, 2005.

**The Deadline to Submit Proposals is March 1st, 2005.**

Proposals may be in either English or French, but please supply both an English and French title for your paper or presentation. You may send a brief summary of your proposal (no more than 250 words) by email or mail to:

**Sonia Lawrence, Assistant Professor  
Osgoode Hall, York University  
4700 Keele Street, Toronto, Ontario M3J 1P3  
slawrence@osgoode.yorku.ca**

*(If sending by email, please note "CALT proposal" in the subject line of your email.)*

**CALT also plans to hold a number of interactive workshops on teaching, learning and the tenure process. Examples of such workshops could include the following: use of learning technologies, designing effective assessments, teaching innovations, encouraging active learning in the law classroom, balancing research, teaching and administration, etc. Please submit a description of the interactive activities you plan for the workshop with your workshop proposal. Please keep in mind that the workshops will last 60-90 minutes. Please indicate on your proposal that it is a workshop proposal.**

**You can also send suggestions for workshops that you would like CALT to organize to Annie Rochette ([annie.rochette2@mail.mcgill.ca](mailto:annie.rochette2@mail.mcgill.ca)).**



## CALT AWARD FOR ACADEMIC EXCELLENCE

### Terms of Reference

1. The annual CALT Prize for Academic Excellence honours exceptional contributions to research and law teaching by a Canadian law teacher in mid-career.
2. To be considered for the prize, one or more colleagues must nominate a candidate by submitting a complete curriculum vitae of the candidate, three letters of reference, and representative student evaluations (in the form of a letter or otherwise) to:

**Annie Rochette**  
**CALT President**  
**2142 Marcil avenue**  
**Montréal, QC, H4A 2Z1**

3. Five copies of the nomination documentation must be submitted before March 1, 2005.
4. The nominations are considered by a selection committee composed of three persons (either law teachers or members of the judiciary) appointed by the President of CALT. The President forwards the nominations to the members of the selection committee and organizes the meetings of the selection committee by conference call, if necessary. The President does not have a vote in the selection process.
5. The selection committee assesses the candidates on the following criteria: quality of teaching; creation of new courses; and research in relation to law reform or other legal matters. Considering the diversity of the Canadian legal academic community, the selection committee may also take into consideration the factors of geographic representation and sex.
6. In view of the quality of the candidates nominated but not selected in past years, the selection committee may include in its consideration candidates previously nominated but not selected. If the selection committee determines to reconsider such previously nominated candidates, it shall inform the nominators of such previously nominated candidates so selected. Such nominators may, if they so wish, submit additional information to the President for the consideration of the selection committee.
7. The name of the recipient of the prize is announced at the CALT Annual Meeting.



## CALT SCHOLARLY PAPER AWARD

### Terms of Reference

In order to recognize the work of new scholars, CALT conducts an annual competition for scholarly papers that make a substantial contribution to legal literature. Any member of CALT holding an appointment at a faculty or department of law at a Canadian university is eligible to enter the competition within seven years of commencing the first such appointment. An entry consists of the submission of a paper on a legal topic, which will be reviewed by a selection committee.

If the selection committee determines that none of the submitted papers in a given annual competition makes a substantial contribution to legal literature, it may decline to select any paper for the award. No honourable mentions may be awarded if the Scholarly Paper Award is not given. The selection committee may use its own discretion in making these determinations and the decisions of the selection committee are final.

A paper is not eligible for consideration if it, or a substantially similar paper by the same author, has been published (i.e. has appeared in print) prior to January 1, 2005. The same paper may not be submitted more than once. However, a paper that is a substantial revision of a paper previously submitted and not selected, may be submitted in a subsequent competition as long as neither the first paper nor a substantially similar paper by the same author has been published prior to January 1, 2005. Co-authored papers may be submitted if each co-author is eligible to submit a paper. Copyright in any paper submitted remains the property of the author. The manuscript submitted for review will not be returned to the author.

Essays longer than 60 pages in length are not normally considered. The manuscript must be typed, double spaced, on 21.5 cm. x 28 cm (8.5 x 11 in.) paper. Five copies of the paper must be submitted to the President of CALT on or before March 1, 2005.

**Annie Rochette**  
**CALT President**  
**2142 Marcil avenue**  
**Montreal, QC**  
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## **SOME INFORMATION ON SSHRC**

*by Lorna Turnbull*

The new SSHRC Committee for Law, SocioLegal Studies (and for 2005 including criminology) seems to be working well for legal scholars across the country. The staff at SSHRC are pleased with the sixty or so applications they have received from law faculty in the two years since the new committee has been operating, although they are hoping to see increasing numbers over the next few years. This year, 24 standard research grants were awarded for law projects, ranging from \$39,900 to \$110,000 for three years. Titles range from "Dissent, Concurrence, and Other Judicial Opinions: Reason(s) and Passion in the Production of Law" to "Silent Partners and Executive Spouses: The Construction of Women's Unpaid Market Work in Tax Law". The deadline for applications each year is October 15th, despite the implementation of financial aid programmes.