

## **MODULE CURRICULUM AND ASSESSMENT STANDARDS:**

### **SECTION F: ADVANCED LEVEL**

The following pages define the curriculum and assessment standards for the advanced level of Legal Studies.

Advanced level modules demand a higher level of expertise and help prepare students for entry into the workplace or a related post-secondary program.

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## MODULE LGS3010: CONSUMER & PROPERTY LAW

**Level:** Advanced

**Theme:** Social Context

**Prerequisite:** None

**Module Description:** Students identify laws relating to renting personal and real property, purchasing a home, making investments and building or renovating a home. Students describe methods for protecting the consumer, challenging issues and law-related careers.

**Module Parameters:** No specialized equipment or facilities.

**Supporting Modules:** LGS1010 You & the Law 1 (As a Consumer and as a Family Member)  
LGS1020 You & the Law 2 (In Society and in the Workplace)

### Curriculum and Assessment Standards

Module Learner Expectations	Assessment Criteria and Conditions	Suggested Emphasis
<p><i>The student will:</i></p> <ul style="list-style-type: none"><li>• identify and describe laws governing complex consumer transactions</li></ul>	<p><i>Assessment of student achievement should be based on:</i></p> <ul style="list-style-type: none"><li>• analyzing cases related to the concepts in the module.</li></ul> <p><i>Assessment Tool</i> <i>LGS3010–1: Consumer &amp; Property Law Sample Case Study</i> <i>LGS3010–2: Consumer &amp; Property Law Sample Case Study Analysis</i></p> <p><i>Standard</i> <i>Rating of 3</i></p>	100
<ul style="list-style-type: none"><li>• demonstrate basic competencies.</li></ul>	<ul style="list-style-type: none"><li>• observations of individual effort and interpersonal interaction during the learning process.</li></ul> <p><i>Assessment Tools</i> <i>Basic Competencies Reference Guide and any assessment tools noted above</i></p>	Integrated throughout

**MODULE LGS3010: CONSUMER & PROPERTY LAW (continued)**

Concept	Specific Learner Expectations	Notes
Renting Personal and Real Property	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• describe the various types of bailments (parking, rental, repair, storage, liens, etc.)</li> <li>• describe the rights and responsibilities of bailors and bailees in specific situations</li> <li>• explain the basic principles of contract law that apply to rental agreements</li> <li>• define different types of rental arrangements; e.g., fixed term (lease), periodic, at will and temporary (e.g., hotels, innkeepers, rooming houses)</li> <li>• describe liability implications of leasing property</li> <li>• identify items to be considered if assigning or subletting</li> <li>• research the legal implications of two or more people living together for economic reasons.</li> </ul>	<p>Lease agreement <i>Residential Tenancies Act</i> Property management company</p>
Purchasing a Home	<ul style="list-style-type: none"> <li>• differentiate between real and personal property</li> <li>• research various forms of property ownership</li> <li>• describe the rights of the property owner; e.g., water rights, air space, quiet enjoyment</li> <li>• explain the procedures involved in listing a property for sale</li> <li>• describe elements included in an offer to purchase</li> <li>• outline the various searches necessary to investigate the purchase</li> <li>• contrast methods of financing the purchase</li> <li>• compare the rights and obligations of the mortgagee with those of the mortgagor</li> <li>• describe the role of various professionals in buying and selling property (realtors, lawyers, assessors, surveyors).</li> </ul>	<p><i>Builders' Lien Act</i> Condominium association Documents related to an offer to purchase (available at any real estate or law office) <i>Real Estate Agents' Licensing Act</i> Real Estate Council Legal Resource Centre Title registries Real estate agent Conveyance lawyer Mortgage agreement Appraiser</p>

**MODULE LGS3010: CONSUMER & PROPERTY LAW (continued)**

Concept	Specific Learner Expectations	Notes
<p>Making Investments</p>	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• explain types of investments that are available</li> <li>• research the regulations that pertain to various types of investments</li> <li>• describe the need for more or less regulation by governments</li> <li>• outline tax implications of various investments.</li> </ul>	<p>Alberta Stock Exchange  <i>Law Now</i> Feb./Mar. 1997                      Mutual funds                      RRSP pamphlets                      Income tax office                      Government bonds                      (Canada Savings Bond information)  <i>Income Tax Act</i>  <i>Canada Deposit Insurance Corporation Act</i>  <i>Companies Act</i></p>
<p>Protecting the Consumer</p>	<ul style="list-style-type: none"> <li>• describe legal protection of a consumer (common law, statute law, contract law, government agencies)</li> <li>• identify consumer protection legislation</li> <li>• compare Alberta's laws relating to consumers with those of the federal government</li> <li>• describe various agencies that assist the buyer and seller</li> <li>• outline the steps to be taken in solving a consumer problem</li> <li>• explain the implications of purchasing a new or used item and the source from which it is purchased; e.g., retail stores, pawn shops, second-hand stores</li> <li>• describe the role of the credit bureau in providing information on an individual's credit rating</li> <li>• describe the assignment, breach and discharge of a contract.</li> </ul>	<p>Industry Canada,                      Consumer Products  <i>Hazardous Products Act</i>  <i>Consumers Packaging and Labelling Act</i>  <i>Textile Labelling Act</i>                      Advertising Standards                      Council of Canada                      Industry Canada Bureau                      of Competition  <i>Competition Act</i>                      Better Business Bureau                      Food inspector,                      Agriculture Canada                      Hotel and Restaurant                      Association of Canada                      Agriculture and Agri-Food                      Canada  <i>Food and Drug Act</i>  <i>Unfair Trade Practices Act</i>  <i>Direct Sales Cancellation Act</i>                      Manager of customer                      service department of                      any major store                      Canadian Standards                      Association</p>

**MODULE LGS3010: CONSUMER & PROPERTY LAW (continued)**

Concept	Specific Learner Expectations	Notes
Building or Renovating a Home	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• outline legal procedures involved in building a home; e.g., contracting help, insuring, financing liens, zoning</li> <li>• explain the role of various contractors and trades in building or renovating property.</li> </ul>	<p>Development Appeal Board</p> <p>Zoning Branch of municipal government</p> <p><i>Builders' Lien Act</i></p> <p>Contractors associations</p>
Challenging Issues	<ul style="list-style-type: none"> <li>• identify some challenging issues such as:               <ul style="list-style-type: none"> <li>– volunteers</li> <li>– intellectual property rights</li> <li>– unconscionable interest rates</li> <li>– “lemon” laws</li> <li>– conflicting property rights</li> </ul> </li> <li>• research one or more of these issues</li> <li>• research the laws in Canada regarding the issue(s)</li> <li>• compare legislation in Canada with that in other countries</li> <li>• research alternatives</li> <li>• propose possible solutions.</li> </ul>	
Law-related Careers	<ul style="list-style-type: none"> <li>• describe careers in consumer and property law; e.g.:               <ul style="list-style-type: none"> <li>– consumer advocate</li> <li>– arbitrator and mediator</li> <li>– lawyer within government or business</li> <li>– private security officer.</li> </ul> </li> </ul>	

## MODULE LGS3020: DISPUTE RESOLUTION

**Level:** Advanced

**Theme:** Social Context

**Prerequisite:** None

**Module Description:** Students demonstrate and apply such methods as negotiation, mediation, arbitration and adjudication used to resolve disputes. Students also identify career opportunities and challenging issues related to the dispute resolution methods.

**Module Parameters:** No specialized equipment or facilities.

**Supporting Modules:** LGS1010 You & the Law 1 (As a Consumer and as a Family Member)  
LGS1020 You & the Law 2 (In Society and in the Workplace)

### Curriculum and Assessment Standards

Module Learner Expectations	Assessment Criteria and Conditions	Suggested Emphasis
<p><i>The student will:</i></p> <ul style="list-style-type: none"> <li>differentiate between traditional and alternative dispute resolution methods</li> </ul>	<p><i>Assessment of student achievement should be based on:</i></p> <ul style="list-style-type: none"> <li>given cases/scenarios related to dispute, identifying the most appropriate method(s) used by the parties to resolve the dispute; discussing benefits and limitations of the method(s) chosen; suggesting alternative ways of handling the dispute, if appropriate.</li> </ul> <p><i>Assessment Tool</i> <i>LGS3020–1: Dispute Resolution Framework</i> <i>LGS3020–2: Dispute Resolution Sample Scenarios</i></p>	20
<ul style="list-style-type: none"> <li>demonstrate an understanding of the progression of dispute resolution options</li> </ul>	<ul style="list-style-type: none"> <li>given a variety of dispute situations, selecting one and simulating a hearing using at least one dispute resolution method.</li> </ul> <p><i>Assessment Tool</i> <i>LGSDISRES: Dispute Resolution Scoring Guide</i></p> <p><i>Standard</i> <i>Rating of 3</i></p>	80
<ul style="list-style-type: none"> <li>demonstrate basic competencies.</li> </ul>	<ul style="list-style-type: none"> <li>observations of individual effort and interpersonal interaction during the learning process.</li> </ul> <p><i>Assessment Tool</i> <i>Basic Competencies Reference Guide and any assessment tools noted above</i></p>	Integrated throughout

**MODULE LGS3020: DISPUTE RESOLUTION (continued)**

Concept	Specific Learner Expectations	Notes
Negotiation	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>define negotiation</li> <li>identify instances where negotiation would be appropriate.</li> </ul>	<p>Labour negotiator Litigation lawyer Insurance adjustor</p>
Mediation	<ul style="list-style-type: none"> <li>define mediation</li> <li>identify instances where mediation would be appropriate.</li> </ul>	<p>Alberta Arbitration &amp; Mediation Society Landlord &amp; Tenant Advisory Board Labour Relations Code Family Mediation Project Professional mediator Video re Insurance Mediation</p>
Arbitration	<ul style="list-style-type: none"> <li>define arbitration</li> <li>identify instances where arbitration would be appropriate.</li> </ul>	<p><i>Arbitration Act</i> <i>School Act</i> Superintendent of Insurance</p>
Adjudication	<ul style="list-style-type: none"> <li>describe when litigation is required in attempting to resolve a dispute</li> <li>participate in a civil court simulation</li> <li>participate in a criminal court simulation</li> <li>compare civil standards and procedures with criminal standards and procedures</li> <li>compare arbitration with adjudication</li> <li>describe innovations by the court to pre-empt trials, e.g., mini trials, victim-offender mediation.</li> </ul>	<p>Judge as speaker <i>Law Now (Resource News, Oct. 1987)</i> Mock Trial Kits from Legal Resource Centre Visit to Court House</p>
Challenging Issues	<ul style="list-style-type: none"> <li>identify some challenging issues</li> <li>research one or more of these issues</li> <li>research examples of negotiation, mediation, arbitration and litigation</li> <li>describe how these methods are used to resolve disputes in a variety of situations such as: <ul style="list-style-type: none"> <li>environmental issues</li> <li>workplace scenarios</li> <li>labour disputes</li> <li>conflicts between individuals and governments</li> <li>family breakdown.</li> </ul> </li> </ul>	

**MODULE LGS3020: DISPUTE RESOLUTION** (continued)

Concept	Specific Learner Expectations	Notes
Law-related Careers	<p><i>The student should:</i></p> <ul style="list-style-type: none"><li>• describe potential careers in law related to:<ul style="list-style-type: none"><li>– the courts</li><li>– labour relations</li><li>– litigation</li><li>– mediation</li><li>– arbitration</li><li>– negotiation.</li></ul></li></ul>	





**MODULE LGS3040: NEGLIGENCE** (continued)

Concept	Specific Learner Expectations	Notes
Elements of Negligence	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• describe the evolution of the area of negligence</li> <li>• describe the elements that make up the legal concept of negligence (duty of care, breach, real loss or injury).</li> </ul>	<p>Donaghue case <i>Law Now</i> (May 1993)</p>
Breach of Duty of Care	<ul style="list-style-type: none"> <li>• define the doctrine of the standard of care of the “reasonable man”</li> <li>• explain how the doctrine of the “reasonable man” applies to special categories; e.g., minors, professionals</li> <li>• explain the term “proximate cause” or “causation.”</li> </ul>	<p><i>Emergency Medical Aid Act</i> Floyd v. Bowers</p>
Damages	<ul style="list-style-type: none"> <li>• describe loss or injury as an element of negligence</li> <li>• identify the types of damages for which a person may claim compensation.</li> </ul>	<p>Mathews et al. v. Macaroon et al.</p>
Defences to Negligence	<ul style="list-style-type: none"> <li>• explain the principle of “contributory negligence”</li> <li>• define what constitutes “voluntary assumption of risk.”</li> </ul>	<p><i>Contributory Negligence Act</i></p>
Special Types of Liability	<ul style="list-style-type: none"> <li>• explain the special situations under which certain types of liability are imposed; e.g., strict, vicarious, occupiers’ liability</li> <li>• identify the liabilities that may apply to the driver and the owner of a motor vehicle as a result of a motor vehicle accident</li> <li>• analyze cases where special types of liability have been a key issue.</li> </ul>	<p><i>Occupiers’ Liability Act</i> <i>Innkeepers Act</i> <i>Highway Traffic Act</i> Mayfield Inn court decision</p>
Suing in Civil Court	<ul style="list-style-type: none"> <li>• describe the structure and process of the civil court (Provincial Court or Queen’s Bench)</li> <li>• prepare documents required to take action in civil court.</li> </ul>	

**MODULE LGS3040: NEGLIGENCE** (continued)

Concept	Specific Learner Expectations	Notes
Challenging Issues	<p><i>The student should:</i></p> <ul style="list-style-type: none"><li>• propose solutions to problems related to negligence in regard to:<ul style="list-style-type: none"><li>– size of damage awards</li><li>– no-fault insurance</li><li>– manufacturers</li><li>– professionals</li><li>– motorists</li><li>– parents</li><li>– contingency fee system.</li></ul></li></ul>	
Law-related Careers	<ul style="list-style-type: none"><li>• describe careers related to civil litigation:<ul style="list-style-type: none"><li>– insurance adjuster</li><li>– driver education instructor (trainer)</li><li>– actuary</li><li>– consumer advocate.</li></ul></li></ul>	



## MODULE LGS3050: LAW & SMALL BUSINESS

**Level:** Advanced

**Theme:** Social Context

**Prerequisite:** None

**Module Description:** Students learn about laws relating to starting a business, running a business and ending a business. Students also explore challenging issues that affect small business and law-related careers.

**Module Parameters:** No specialized equipment or facilities.

**Supporting Modules:** LGS1010 You & the Law 1 (As a Consumer and as a Family Member)  
LGS1020 You & the Law 2 (In Society and in the Workplace)

### Curriculum and Assessment Standards

Module Learner Expectations	Assessment Criteria and Conditions	Suggested Emphasis
<p><i>The student will:</i></p> <ul style="list-style-type: none"><li>examine the legal considerations involved in operating a small business</li><li>demonstrate basic competencies.</li></ul>	<p><i>Assessment of student achievement should be based on:</i></p> <ul style="list-style-type: none"><li>acting as a consultant and providing advice to a client on the legal issues involved in starting, operating and ending his or her association with a small business.</li></ul> <p><i>Assessment Tool</i> <i>LGS3050–1: Law &amp; Small Business</i></p> <p><i>Standard</i> <i>Rating of 3</i></p> <ul style="list-style-type: none"><li>observations of individual effort and interpersonal interaction during the learning process.</li></ul> <p><i>Assessment Tool</i> <i>Basic Competencies Reference Guide and any assessment tools noted above</i></p>	<p>100</p> <p>Integrated throughout</p>

**MODULE LGS3050: LAW & SMALL BUSINESS (continued)**

Concept	Specific Learner Expectations	Notes
Starting a Business	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• describe the importance of protecting the intellectual property (copyright, patent, trademark, design, etc.) of a small business</li> <li>• analyze the various ways of organizing a small business; e.g., proprietorship, partnership, corporation</li> <li>• explain, if appropriate, some of the rights and remedies available to franchises</li> <li>• describe the advantages and disadvantages of using workspace in the home, leasing premises or buying a property</li> <li>• describe the various methods of financing a small business and the legal implications.</li> </ul>	<p><i>Copyright Act</i>  <i>Patent Act</i>            Canadian Patent Reporter            Inventor  <i>Law Now</i> Dec. 1994/Jan. 1995; Feb./Mar. 1996  <i>Alberta Business Corporations Act</i>  <i>Franchises Act</i>  <i>Law Now</i> Aug./Sept. 1996            Chamber of Commerce  <i>Law Now</i> Dec. 1994/ Jan. 1995; Oct./Nov. 1995; Apr./May 1995            YMCA–Small Business Ventures</p>
Operating a Business	<ul style="list-style-type: none"> <li>• identify and describe the various legal requirements in operating a small business</li> <li>• describe specific legislation as it relates to the sale of goods and services</li> <li>• discuss the elements of a contract to determine what is required to be in writing; e.g., are faxes legally effective?</li> <li>• discuss the rights and responsibilities of employees and employers</li> <li>• identify some common problems for employees and employers</li> <li>• describe how rights and responsibilities of employers and employees would change where there is a collective agreement</li> <li>• describe the taxation concerns of a small business in Canada</li> <li>• explain the reporting and recordkeeping requirements of a small business</li> <li>• describe alternative methods of securing and/or collecting the debts owing to a business or by a business</li> </ul>	<p>Statute of Frauds            Better Business Bureau            Municipal, provincial and federal licensing requirements  <i>Law Now</i> Oct./Nov. 1994; Dec./Jan. 1995; June/July 1995  <i>Direct Sales Cancellation Act</i>            Alberta Opportunity Company            Bank manager            Corporate lawyer  <i>Individual's Rights Protection Act</i>  <i>Workers' Compensation Act</i>  <i>Canadian Charter of Rights and Freedoms</i>            Employment Standards Code            Occupational Health and Safety  <i>General Sales Tax Act</i>            Unemployment Insurance Commission            Canada Pension Plan            Revenue Canada</p>

**MODULE LGS3050: LAW & SMALL BUSINESS (continued)**

Concept	Specific Learner Expectations	Notes
Operating a Business (continued)	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• identify special legal considerations when importing or exporting goods.</li> </ul>	<p>City tax office  <i>Excise Act</i>  <i>Personal Property Security Act</i>  <i>Builders' Lien Act</i>  <i>Garageman's Lien Act</i>  <i>Excise and Customs Act</i></p>
Failure of or Ending a Business	<ul style="list-style-type: none"> <li>• research the voluntary and involuntary dissolution of a business; e.g., winding up, sale, death of an owner and bankruptcy.</li> </ul>	<p><i>Bankruptcy Act</i>  <i>Law Now Dec. 1995/Jan. 1996</i>  <i>Alberta Business Corporations Act</i></p>
Challenging Issues	<ul style="list-style-type: none"> <li>• identify some challenging issues such as: <ul style="list-style-type: none"> <li>– receivership/bankruptcy</li> <li>– liability</li> <li>– ethics in business</li> <li>– profit motive versus social responsibility</li> <li>– protectionism</li> <li>– subsidies and grants</li> </ul> </li> <li>• research one or more of these issues</li> <li>• research laws in Canada or the province in regard to the issue(s)</li> <li>• research alternatives</li> <li>• propose solutions.</li> </ul>	
Law-related Careers	<ul style="list-style-type: none"> <li>• describe careers in business law; e.g.: <ul style="list-style-type: none"> <li>– corporate lawyer</li> <li>– receiver</li> <li>– trustee in bankruptcy</li> <li>– tax lawyer.</li> </ul> </li> </ul>	



## MODULE LGS3060: CONTROVERSY & CHANGE

**Level:** Advanced

**Theme:** Social Context

**Prerequisite:** None

**Module Description:** Students explore how controversial issues evoke responses that may bring about changes in the law, and describe a wide variety of strategies that may be used for changing the law.

**Module Parameters:** No specialized equipment or facilities.

**Supporting Modules:** LGS1010 You & the Law 1 (As a Consumer and as a Family Member)  
LGS1020 You & the Law 2 (In Society and in the Workplace)

### Curriculum and Assessment Standards

Module Learner Expectations	Assessment Criteria and Conditions	Suggested Emphasis
<p><i>The student will:</i></p> <ul style="list-style-type: none"><li>describe how different views of people are expressed in controversial issues which may have legal implications</li></ul>	<p><i>Assessment of student achievement should be based on:</i></p> <ul style="list-style-type: none"><li>preparing a research document on a controversial issue which describes different views of people but stating a position on the legal issue(s) and the reasons for adopting that position.</li></ul> <p><i>Assessment Tool</i> <i>LGS3060–1: Controversy &amp; Change</i></p> <p><i>Standard</i> <i>Rating of 3</i></p>	70
<ul style="list-style-type: none"><li>describe the various methods used to bring about changes in the law</li></ul>	<ul style="list-style-type: none"><li>preparing an article that describes an event (real or fictional) in which people use various methods; e.g., lobbying, advocacy groups, public protests, court challenges, administrative appeals and petitions, to bring about changes in the law.</li></ul> <p><i>Assessment Tool</i> <i>LGS3060–2: Controversy &amp; Change</i></p> <p><i>Standard</i> <i>Rating of 3</i></p>	30
<ul style="list-style-type: none"><li>demonstrate basic competencies.</li></ul>	<ul style="list-style-type: none"><li>observations of individual effort and interpersonal interaction during the learning process.</li></ul> <p><i>Assessment Tools</i> <i>Basic Competencies Reference Guide and any assessment tools noted above</i></p>	Integrated throughout

**MODULE LGS3060: CONTROVERSY & CHANGE (continued)**

Concept	Specific Learner Expectations	Notes
Controversial Issues	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• define and provide examples of what constitutes a controversial issue</li> <li>• identify a number of controversial issues locally, nationally and internationally</li> <li>• research the legal elements of those issues</li> <li>• research laws relevant to the defined issue; e.g., historical perspective, current legislation, implications for society, in other countries</li> </ul>	<p>Legal Education and Action Fund (LEAF)</p> <p>Politicians</p> <p>Information from various lobby groups (e.g., profile organizations, National Rifle Association, Local Chapter of Victims of Violence, local police service, women’s rights groups, AIDS Network)</p> <p>An annotated Criminal Code</p> <p>Lawyer</p>
Effecting Change	<ul style="list-style-type: none"> <li>• analyze various methods used to bring about changes in the law</li> <li>• propose possible solutions to effect changes in the law.</li> </ul> <p><b>Note:</b> In this module, research and interest will determine what issues the student decides to investigate. Some possible topics for investigation are listed below.</p> <ul style="list-style-type: none"> <li>• victims of crime</li> <li>• pornography and censorship</li> <li>• substance abuse</li> <li>• same sex marriage</li> <li>• environment</li> <li>• sexually transmitted diseases</li> <li>• capital punishment</li> <li>• abortion</li> <li>• gun control</li> <li>• right to die</li> <li>• prison reform</li> <li>• immigration</li> <li>• mandatory drug testing</li> <li>• aboriginal issues.</li> </ul>	

**MODULE LGS3070: LANDMARK DECISIONS****LEVEL:** Advanced**Theme:** Social Context**Prerequisite:** None**Module Description:** Students analyze, in detail, “landmark decisions” and their subsequent influence on the political, social and economic environment.**Module Parameters:** No specialized equipment or facilities.**Supporting Modules:** LGS1010 You & the Law 1 (As a Consumer and as a Family Member)  
LGS1020 You & the Law 2 (In Society and in the Workplace)**Curriculum and Assessment Standards**

Module Learner Expectations	Assessment Criteria and Conditions	Suggested Emphasis
<p><i>The student will:</i></p> <ul style="list-style-type: none"> <li>identify “landmark decisions” and analyze their subsequent effects</li> <li>demonstrate basic competencies.</li> </ul>	<p><i>Assessment of student achievement should be based on:</i></p> <ul style="list-style-type: none"> <li>preparing a report detailing a case(s) considered to be “landmark decision(s)” and explaining how the outcome of the case(s) had an impact on society.</li> </ul> <p><i>Assessment Tool</i> <i>LGS3070–1: Landmark Decisions</i></p> <p><i>Standard</i> <i>Rating of 3</i></p> <ul style="list-style-type: none"> <li>observations of individual effort and interpersonal interaction during the learning process.</li> </ul> <p><i>Assessment Tool</i> <i>Basic Competencies Reference Guide and any assessment tools noted above</i></p>	<p>100</p> <p>Integrated throughout</p>

**MODULE LGS3070: LANDMARK DECISIONS** (continued)

Concept	Specific Learner Expectations	Notes
Background	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• define the term “precedent” and explain how it operates in our legal system</li> <li>• identify and discuss examples of “landmark decisions.”★</li> </ul>	
Analyzing Change	<ul style="list-style-type: none"> <li>• analyze the political, social and economic environment of the time a particular decision was rendered</li> <li>• compare the outcome of these cases with the present “notions of justice”</li> <li>• research the subsequent influence of the decision on court cases and legislation.</li> </ul>	
Challenging Issues	<ul style="list-style-type: none"> <li>• suggest future issues that may allow landmark cases to evolve in regard to:               <ul style="list-style-type: none"> <li>– Language Rights</li> <li>– Family Law</li> <li>– Criminal Law</li> <li>– Immigration</li> <li>– Sovereignty</li> <li>– Expert Witness</li> <li>– Rights and Freedoms</li> <li>– Minority Rights</li> </ul> </li> </ul>	<p><i>Law Now</i> (Oct. 1993)</p> <p><b>Note:</b> Because this module is primarily research based, the resources below are a partial list.</p> <p><i>Scales of Justice</i> (audiotapes, study resource guide based on texts <i>Seven Famous Cases</i> and <i>Ten Famous Cases Revisited</i>)</p>

★The following page comprises a partial list of cases felt to be landmark cases in the Canadian perspective.

**MODULE LGS3070: LANDMARK DECISIONS** (continued)

Concept	Specific Learner Expectations	Notes
<p>Challenging Issues (continued)</p>	<p><u>Language Rights</u></p> <ul style="list-style-type: none"> <li>– Forest v. A. G. of Manitoba, Bilodeau v. A. G. of Manitoba</li> <li>– Attorney General of Quebec v. Quebec Association of Protestant School Boards et al</li> <li>– Mahe v. H.M.Q.</li> <li>– <i>Public Schools Act</i> of Manitoba</li> </ul> <p><u>Family</u></p> <ul style="list-style-type: none"> <li>– Murdoch (Rathwell)</li> <li>– Pettkus v. Becker</li> <li>– Pelech v. Pelech Moge v. Moge</li> </ul> <p><u>Criminal</u></p> <ul style="list-style-type: none"> <li>– Regina v. Big M Drug Mart Ltd.</li> <li>– Regina v. Morgentaler (Supreme)</li> <li>– Regina v. Brydges</li> <li>– Regina v. Oakes</li> </ul> <p><u>Immigration</u></p> <ul style="list-style-type: none"> <li>– Tomey Homma v. The King, The King v. Quong Wing</li> </ul> <p><u>Canada’s Sovereignty</u></p> <ul style="list-style-type: none"> <li>– Operation Dismantle v. The Queen</li> </ul> <p><u>Expert Witness</u></p> <ul style="list-style-type: none"> <li>– Truscott (Marshall)</li> </ul> <p><u>Rights and Freedoms</u></p> <ul style="list-style-type: none"> <li>– Roncarelli v. Duplessis, The King v. Russell (The Winnipeg General Strike)</li> </ul> <p><u>Minority</u></p> <ul style="list-style-type: none"> <li>– Regina v. Cadien, Riel v. The Queen, Calder v. Attorney General of British Columbia, Regina v. Brydges</li> </ul> <p><u>Right to Die</u></p> <ul style="list-style-type: none"> <li>– Nancy B. v. H.M.Q.</li> <li>– Rodriguez v. H.M.Q.</li> </ul>	<p><i>Great Alberta Law Cases</i> (ACCESS Network, audiotapes)</p> <p><i>A Case for Canada</i> (10 cases historically important in the areas of rights and freedoms, minority rights, social justice)</p> <p><i>World’s Great Trials from Socrates to Jean Harris</i> (Brandt Aymor and Edward Sagarin, Bonanza Books, Crown Publishers)</p> <p><i>On Trial</i> (Jack Batten, Macmillan, 1988)</p> <p><i>Great Trials in American History</i> (teacher resource)</p>



## MODULE LGS3080: CRIMINAL LAW

**Level:** Intermediate

**Theme:** Societal Context

**Prerequisite:** None

**Module Description:** Students examine the criminal justice system, including the criminal process and the roles and responsibilities of the participants. Students also explore challenging issues and law-related careers.

**Module Parameters:** No specialized equipment or facilities.

**Supporting Modules:** LGS1010 You & the Law 1 (As a Consumer and as a Family Member)  
LGS1020 You & the Law 2 (In Society and in the Workplace)

### Curriculum and Assessment Standards

Module Learner Expectations	Assessment Criteria and Conditions	Suggested Emphasis
<i>The student will:</i> <ul style="list-style-type: none"><li>examine the Canadian criminal justice system</li></ul>	<i>Assessment of student achievement should be based on:</i> <ul style="list-style-type: none"><li>correctly answering 50% of the questions from a test bank related to the following concepts: the criminal justice system, criminal process, police, crown and defence, consequences, conditional release, challenging issues and law-related careers.</li></ul> <i>Assessment Tool</i> <i>Refer to test banks from authorized resources</i>	75
	<ul style="list-style-type: none"><li>demonstrate basic competencies.</li></ul>	<ul style="list-style-type: none"><li>given two cases, one related to a summary offence and one related to an indictable offence, describing the criminal process from the initiation of a criminal charge, to the resolution of the case.</li></ul> <i>Assessment Tool</i> <i>See procedures chart for an indictable offence and for a summary offence in authorized resources</i> <ul style="list-style-type: none"><li>observations of individual effort and interpersonal interaction during the learning process.</li></ul> <i>Assessment Tool</i> <i>Basic Competencies Reference Guide and any assessment tools noted above</i>

**MODULE LGS3080: CRIMINAL LAW** (continued)

Concept	Specific Learner Expectations	Notes
Criminal Justice System	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• describe the historical basis of criminal law and the Criminal Code</li> <li>• identify statutes setting out criminal and provincial quasi-criminal law; e.g., Criminal Code, <i>Narcotics Control Act</i>, the <i>Highway Traffic Act</i>, the <i>Young Offenders Act</i></li> <li>• describe the role of the provincial and federal Departments of Justice</li> <li>• identify the jurisdiction of the courts within Alberta</li> <li>• identify alternatives to courts for dispute resolution (Sec. 4 and 69 of the <i>Young Offenders Act</i>, Aboriginal Tribal Councils, Adult Alternative Measures, etc.)</li> <li>• analyze the power and function of appeal courts and the role of the Supreme Court of Canada.</li> </ul>	<p><i>British North America Act</i>  <i>Martin’s Criminal Code</i>                      Alberta Criminal Lawyers Association                      Law Society of Alberta                      John Howard Society</p>
Criminal Process	<ul style="list-style-type: none"> <li>• differentiate between summary (including provincial), hybrid and indictable offences</li> <li>• outline the legal procedure for handling the various criminal offences from the commission of the offence to the trial</li> <li>• explain the purpose of a preliminary hearing</li> <li>• describe trial by judge or by judge and jury</li> <li>• describe how a jury is selected.</li> </ul>	<p>Magna Carta                      Criminal Code  <i>Canadian Charter of Rights and Freedoms</i>  <i>Individual’s Rights Protection Act</i>  <i>Young Offenders Act</i>                      Legal Aid Society of Alberta                      Student Legal Services</p>
Police	<ul style="list-style-type: none"> <li>• describe the role of the police in our criminal justice system</li> <li>• describe the powers of the police with respect to arrest, questioning, search and seizure, custody and release</li> <li>• explain the right of “habeas corpus.”</li> </ul>	<p>Municipal police</p>

**MODULE LGS3080: CRIMINAL LAW** (continued)

Concept	Specific Learner Expectations	Notes
Crown and Defence	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• describe the role of the Crown</li> <li>• explain the onus and burden of proof</li> <li>• describe sources of legal services</li> <li>• identify and describe the various defences and their effect on sentencing.</li> </ul>	<p>Criminal lawyer Crown prosecutor</p>
Consequences	<ul style="list-style-type: none"> <li>• analyze the purpose of and guidelines for sentencing</li> <li>• describe the various types of sentences</li> <li>• differentiate between federal penitentiaries and provincial jails</li> <li>• explain the purpose of different correctional institutions</li> <li>• analyze the relationship of the crime to the sentence administered</li> <li>• explain the implications of coming into conflict with the law even if acquitted (finger printing, job loss, publicity, etc.).</li> </ul>	<p>Correctional Services personnel Victim Services Correctional Services personnel Victim Services</p>
Conditional Release	<ul style="list-style-type: none"> <li>• differentiate between temporary absence program, parole and statutory release</li> <li>• describe the factors that determine the granting of conditional release</li> <li>• describe the role of the National Parole Board in federal and provincial paroles</li> <li>• describe the role of the Temporary Absence program in Alberta</li> <li>• describe the nature of after-care agencies.</li> </ul>	<p>Parole Board of Canada          Halfway houses</p>

**MODULE LGS3080: CRIMINAL LAW** (continued)

Concept	Specific Learner Expectations	Notes
Challenging Issues	<p><i>The student should:</i></p> <ul style="list-style-type: none"> <li>• identify some challenging issues such as the following:               <ul style="list-style-type: none"> <li>– prison reform</li> <li>– parole and mandatory supervision</li> <li>– plea bargaining</li> <li>– conditions for probation including community service, restitution and treatment (do they work?)</li> <li>– victims of crime</li> <li>– criminal law reform</li> <li>– the repeat offender</li> <li>– capital punishment</li> <li>– legal aid in Alberta</li> <li>– organized crime in Canada</li> <li>– the role of the police</li> <li>– young offenders and the law</li> </ul> </li> <li>• research one or more of the issues</li> <li>• research the laws in Canada regarding the issue(s)</li> <li>• compare legislation in Canada with that in other countries</li> <li>• analyze alternatives</li> <li>• propose possible solutions.</li> </ul>	
Law-related Careers	<ul style="list-style-type: none"> <li>• describe careers in the criminal justice system; e.g.:               <ul style="list-style-type: none"> <li>– court reporter</li> <li>– clerk of the court</li> <li>– bailiff</li> <li>– court attendant</li> <li>– sheriff</li> <li>– legal assistant</li> <li>– correctional and prisoner security officer</li> <li>– community corrections officer (probation and parole)</li> <li>– police officer</li> <li>– process server</li> <li>– investigator: fraud, insurance, arson, private.</li> </ul> </li> </ul>	