

2006

## 2006-2010 Strategic Plan: Making a Difference

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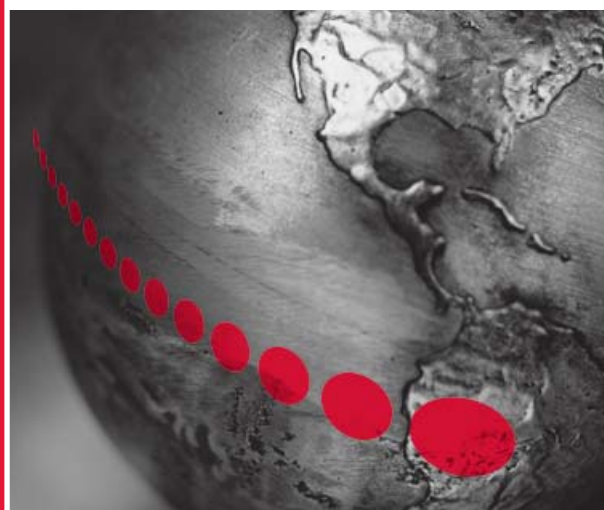
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Making a  
**Difference**

2006 - 2010



**PLAN FOR THE  
LAW SCHOOL**



# Making a Difference



## TABLE OF CONTENTS

### Chapter 1 Introduction

Introduction .....1

### Chapter 2 Mission and Values of the Law School

Mission .....5

Core Values .....7

### Chapter 3 Engagement as a Learning Community

Introduction .....9

An Engaged Learning Community: A Key Priority for Next Five Years .....10

Building “Best Practices” and Our Core Values into the Educational Program .....11

Initiatives for 2006-2010 .....13

### Chapter 4 Making a Difference: Osgoode as an Engaged Community

Introduction .....21

Making a Difference: Three Interconnected Themes .....21

Initiatives for 2006-2010 .....23

### Chapter 5 Osgoode as a Global Law School

Introduction .....27

Expanding Osgoode’s Global Dimension .....27

Initiatives for 2006-2010 .....28

### Chapter 6 Summarizing the Initiatives - Evaluating the Results

Overview of Initiatives for 2006-2010 .....31

Implementing, Measuring and Reporting on Progress .....32

Osgoode’s Future .....33

Appendix A Osgoode Strategic Planning Committee Members .....35

Endnotes .....36

## PLAN FOR THE LAW SCHOOL 2006-2010

Approved in principle by the Faculty Council of Osgoode Hall Law School on October 17, 2005

## C H A P T E R O N E

# Introduction

Osgoode Hall Law School is one of Canada's and the world's preeminent law schools.

Our mission is to contribute to new knowledge about the law and the legal system by being a centre for thoughtful and creative legal scholarship, to provide an outstanding professional and liberal education to our students so that they can assume positions of leadership in the legal profession, among legal academics and in all aspects of public life, and to serve Canadian society and the world in ways that further social justice.

Over the past 116 years, our faculty and alumni have truly made a difference in the development and the improvement of the legal system, legal scholarship and the legal profession in this province. We have worked to promote access to the legal system, focusing attention on the barriers standing in the way of many communities seeking justice and pioneering new ways of practising law. We have taken a leadership role in diversifying and reshaping the legal profession itself, broadening access through an admissions policy that stresses excellence while opening doors to communities that have traditionally been denied the opportunity to practise law. We have pushed at the frontiers of legal and interdisciplinary research. Our commitment to the highest standards while being imaginatively and courageously innovative has created a legacy of which we can be rightly proud.

No postsecondary institution in this province or, indeed, elsewhere in Canada, can survive on a legacy alone. Today all Canadian public institutions, including universities, are being subjected to increasing demands for accountability and being asked to demonstrate that their programs produce tangible and measurable results. Both the recently completed *Ontario Postsecondary Review* (the "Rae Review") as well as the 2005 Ontario Budget have made it clear that future funding in the postsecondary sector will turn to a large extent on institutions having clearly defined plans and objectives, and being able to demonstrate that their programs produce outcomes that are consistent with and advance their educational goals.

Thus this *Plan for the Law School 2006-2010* (the "Plan"). Given the fact that it has been five years since Osgoode last undertook a strategic planning process, and that most of the recommendations of the *Plan for the Law School 2000* have been implemented successfully, it was timely and appropriate for Osgoode to engage in a new strategic planning process. But the current external environment, featuring increased demands for accountability along with a heightened emphasis on planning and measurable educational outcomes, makes the case for a new Osgoode planning process compelling and unavoidable.

Osgoode's planning process coincided with wider discussions at York University that culminated in the adoption of a new *University Academic Plan* in June 2005 (the "UAP 2005"). The initiatives set out in this Plan resonate on many levels with the strategic priorities articulated in the UAP 2005. Many of the initiatives proposed here offer concrete ways to implement York's agenda, while also being tailored to advance the goals most important to Osgoode at this point in its history. Later chapters discuss particular intersections between these two planning documents.

The year-long process that led to the creation of this Plan represents what we believe to be one of the most comprehensive and inclusive planning exercises in the school's history. In the fall of 2004, all Faculty Council Standing Committees were asked to review progress made in the implementation of the *Plan for the Law School 2000* and to propose priorities for the next five years. In early 2005, a broad-based Strategic Planning Committee (SPC) was created, co-chaired by the Dean and the Chair of Faculty Council, and including the Chairs of all Faculty Council Committees, all faculty members with administrative responsibilities, senior administrators, and LLB student, graduate student, alumni and staff representatives. (See Appendix A for the membership of SPC.) Commencing in February 2005, the SPC met monthly to discuss the state and future of the school, consider possible priorities and themes for the next five years, debate proposals for change and, ultimately, to review draft chapters of this Plan. Two full-day meetings of Faculty Council were convened in May and August 2005 to review and assess the progress made by the SPC. Under the direction of the co-chairs, research was conducted to support the process, including a review of the external and University environments, a consideration of strategic plans adopted by other leading North American law schools, and focus groups with faculty, staff, students, alumni and employers of Osgoode graduates.

As part of the planning process, the Law School participated in the Law School Survey of Student Engagement 2005 (LSSSE) along with 52 American law schools. This is the second year of operation of the LSSSE, which is co-sponsored by the American Association of Law Schools and the Carnegie Foundation for the Advancement of Learning. It assesses the extent to which law students engage in a variety of educationally effective activities. Over one-half of Osgoode LLB students responded to the LSSSE 2005 and, as will be apparent, the results proved to be significant in terms of the development of this Plan.

Given the diversity of the Osgoode community, as well as the broad-based membership of the SPC, it might have been thought that the task of identifying a discrete list of priorities for the next five years would have been elusive. Yet as discussions unfolded in the SPC over the spring and summer of 2005, a surprisingly high level of agreement emerged over the priorities that ought to guide the school for the remainder of this decade.

The first and overarching priority is **building a more engaged learning community** – where students, faculty, staff and alumni are more connected to each other and to the broader legal community in Toronto, Canada and around the world. In one sense, this priority grows out of the *Plan for the Law School 2000*, which had identified as its first goal improving student satisfaction with the Law School. The focus in this Plan on engagement as a learning community, as described in more detail in Chapter 3, takes this idea to another level, by focusing attention on enhancing student learning and law school effectiveness.



Making engagement as a learning community an Osgoode priority is consistent both with established research on best practices in legal education as well as on the changing character of the legal profession and legal scholarship, and of the practice of law itself. Widely accepted research on best practices in legal education demonstrates that effective learning is dependant on practices such as student-faculty contact, encouraging cooperation

among students at all levels and promoting active rather than passive methods of learning. Students learn most effectively when they are actively engaged in the process of their own learning, rather than being mere passive spectators. At the same time, the changing nature of legal practice – in which highly specialized forms of practice have become dominant and where the content of substantive law changes on a continuous basis – suggests that law schools should focus less on mastering bodies of substantive law (which will likely be out of date by the time a student graduates in any event), and more on the development of high order professional and problem solving skills, along with a moral/ethical understanding of the role and purpose of legal professionals and scholars in a changing world.

Of course, a concern with active rather than passive forms of learning, as well as the promotion of professional skills and an ethical understanding of the role of law and lawyers in society, have all been features of the Osgoode program in the past. But, as described in more detail in Chapter 3, the results of the LSSSE suggest that we have additional work to do if we are to play a leadership role in this area. This is why this Plan has identified the promotion of a more engaged learning community at the Law School as our overarching priority for the next five years.

We propose to create the institutional supports and framework to become a North American leader in the development and implementation of active learning strategies in legal education at both the undergraduate and graduate levels. While we do not propose in this Plan to increase the size of the undergraduate program, we do propose to further increase the size, quality and ambition of our graduate program. Osgoode already has the largest graduate law program in Canada, with substantial increased enrolments in both our full-time Research Stream Graduate Program and the Professional Development Program over the last five years. We propose to further increase enrolments in both of these streams, with a view to establishing Osgoode as one of the handful of elite centres for graduate legal education in North America.

Chapter 4 describes a second, related priority theme – **promoting the Law School’s engagement with and connection to the broader community**. This must include not just our alumni but the broader legal profession as well as the public, particularly those communities who have traditionally lacked access to the legal system. This, of course, has been a central feature of our tradition, particularly since our affiliation with York University in the late 1960s. Osgoode is a socially engaged law school. This is reflected in the fact that, as a professional school, we aspire to better educate and prepare young lawyers to take their place in, and make a real contribution to, the legal profession. In providing a professional education, we believe it important to provide not just a sound training in legal reasoning and in the technical aspects of law, but also a deeper understanding of the social and ethical roles and responsibilities of members of the legal profession. We believe that in the next five years we must deepen this socially-grounded commitment to making a difference. We aspire to make a difference in the world, reflecting our insistence on the importance of looking beyond the four corners of black letters and recognizing a social responsibility to promote public service and the cause of social justice.



The third major priority for the next five years, as outlined in Chapter 5, is to **continue our efforts to situate Osgoode as a global law school**. Over the past five years, the Law School has made tremendous progress in forging international connections. We have increased substantially the opportunities to participate in student exchanges and in Joint Degrees, including the recent agreement with NYU Law School to establish a JD/LLB program and the possibility of a joint LLM degree with the University of Hamburg. Students from the LLB and graduate programs will have the opportunity to participate with students from two European universities (and perhaps soon also China) in one or more courses offered through the Internet as part of the Global Classroom initiative. But the internationalization of law practice and, indeed, of legal knowledge itself, suggest that we must redouble our efforts in this regard.



The ambitious changes that we propose here will only become a reality with the necessary infrastructure and resources. We are committed to maintaining the Osgoode library as the leading academic law library in Canada. Recent external reviews of the library have suggested a need to make additional investments in professional library staff, as well as in acquisitions, and the Law School is committed to making these investments.

Over the past five years, Osgoode has made substantial investments in information technology, reflecting the fact that this was a major priority of the *Plan for the Law School 2000*. Building on this investment, we will leverage the use of technology by promoting and implementing electronic means of connecting faculty, staff, students and alumni.

An inviting and hospitable physical environment to which students and faculty are drawn is critical to building an engaged community at Osgoode. The need for extensive renovations and expansion of the Osgoode building was identified as a priority for the school and for York University prior to this planning process, but the discussions in SPC have reinforced the fact that the current building is not well designed to enhance community within the institution. We thus affirm the fact that the comprehensive renovation and expansion plan for the Osgoode building, which previously was approved by the University, remains a key element of the success of this Plan.

The initiatives advanced in this Plan will require substantial additional resources. While we have not attempted to develop a budget or to formulate specific cost estimates, we believe that it will be necessary to raise approximately \$20 million over the next five years if this Plan is to be successfully implemented. The Dean advises that he has been working with the Director of Advancement to explore the possibilities for raising the necessary funds from both the private and the public sectors.

Together, this Plan represents one of the most ambitious and exciting sets of initiatives in Osgoode's history. But we also believe it is realistic, and that it responds to the current needs, challenges and opportunities facing the school. If we can succeed in implementing this Plan over the next five years, we believe that we will have been part of a truly transformative and historic exercise, building on our traditions while at the same time affirming Osgoode as an innovative leader in a new and evolving environment for legal education in the 21st century. We look forward to the challenge and the opportunity of making these initiatives a reality.

## C H A P T E R T W O

# Mission and Values of the Law School

## Mission

As noted in Chapter 1, Osgoode’s mission is:

- to contribute to new knowledge about the law and the legal system by being a centre for thoughtful and creative legal scholarship,
- to provide an outstanding professional and liberal education to our students so that they can assume positions of leadership in the legal profession and in all aspects of public life, and
- to serve Canadian society and the world in ways that further social justice.

These three dimensions of our mission are inextricably linked. The research of faculty members enriches and deepens their teaching. Both our strong graduate program and broad undergraduate community are involved in advancing knowledge in ways that are collaborative and provocative. We aspire to link the search for truth and new knowledge with the practical affairs of government law-making and the administration and enforcement of the law and the pursuit of social justice. Our law students, as part of their education, are encouraged to become intimately involved in the advancement of the public interest.

### 1. Advancing New Knowledge and Promoting Scholarship

The Osgoode community includes many outstanding, creative and productive scholars. Collectively they have contributed to, defined, and in many cases initiated, most of the major legal and public policy debates relating to the role of law in society. They are renowned for innovations in scholarship and for pursuing the truth and following the evidence wherever it may lead them. They pioneered interdisciplinary and empirical approaches to the law. They have anticipated emerging areas of law practice and public policy and have made lasting contributions to the structure of federal institutions of government and the interpretation and application of the Charter of Rights and Freedoms.

Our Plan continues to reinforce this fundamental purpose of the Law School through its commitment to expand and enlarge the graduate program through the active encouragement of faculty and graduate students in scholarly exchanges and conferences, and to continue our investment in the law library to ensure it maintains its position as Canada’s leading law library.

### 2. Offering a Challenging and Comprehensive Curriculum for Professional Development and a Liberal Education

An integral part of Osgoode’s mission is teaching, learning and serving our students. We pride ourselves on the high calibre of our student body, and the high quality of our graduates. An Osgoode legal education prepares LLB level students for any professional role they might choose – including legal practice, legal education, government service, work with non-profit organizations, and alternative dispute resolution. Its primary aim is to develop leaders in all of these professional fields and in society more generally.



It is critical that our student body learn about and appreciate the role of law and lawyers in society, the role of our legal institutions, and how lawyers can assist their clients with an extremely high degree of ethics. An Osgoode professional legal education includes learning about, as well as critically interrogating, a range of mechanisms to address and resolve disputes. It incorporates learning about ideas that influence the development of the law, including a range of social and cultural theories and ideas that inform public policy. It includes scholarship and research, an ability to analyze problems, and the ability to provide wise counsel.

An Osgoode legal education also seeks to develop among all students, a “humane perspective on law, and a deeper understanding of law as a social phenomenon and intellectual discipline.” Osgoode strives to maintain within the Law School an atmosphere in which “creativity, broad cultural interests, humane and humanistic impulses, are encouraged.”

The Osgoode faculty, both our full-time as well as adjunct faculty, is passionately committed to teaching and to fostering a learning environment. Our teachers are unsurpassed in legal education. Our teaching is based on the assumption that learning must be an active process of engagement and that people learn in different ways. Our students agree. The LSSSE results indicate that over 87% of respondents believe the Osgoode academic program has contributed in a meaningful way to acquiring a broad legal education. Over 80% evaluate their experience at Osgoode as “good” or “excellent”. Our primary emphasis over the next five years will be to further and promote Osgoode as an engaged learning community, with an emphasis on active learning, as Chapter 3 demonstrates.

### **3. Furthering the Public Interest and Social Justice**

Osgoode has a long and proud tradition of public service, which lies at the core of our mission. Our faculty members and graduates have contributed to making Canada a more just and humane society on many fronts. The Law School is committed to “actively participate in the process of making the law and the legal profession responsive to the needs of the society which it serves.” This includes a duty on the part of the Law School:

- to instill in its graduates an understanding of the barriers standing in the way of equal access to the justice system, and
- to impart a sense of the profession’s public responsibility to serve all sectors in society, as well as the skills and knowledge needed in order to serve constituencies not legally represented.

Chapter 4 maintains and enhances the Law School’s ongoing emphasis on this long-standing societal purpose of the Law School, through its recommendations around hosting the Ontario Law Reform Commission, extending its novel and important proposed requirement related to the student public interest service requirement, reinvigorating clinical programs through increased use of full-time faculty, and through encouraging more public partnerships with a variety of organizations and institutions.

## Core Values

Throughout its history, Osgoode has never wavered from its commitment to and belief in a set of core or enduring values that define the Law School. They were articulated in the *Plan for the Law School 2000*, and are re-stated with slightly different emphasis in this Plan. At the heart of Osgoode's core values is our commitment to the highest quality professional education and scholarly excellence in the study of law. Our other core values include excellence, celebrating diversity, encouraging critical perspectives, the pursuit of interdisciplinary inquiry, fostering an environment of innovation, and our commitment to lifelong learning.

### 1. Celebrating Diversity

Osgoode fosters and celebrates diversity. It is a key component that contributes to the excellence of our faculty, students and staff. It is fundamental to our recruitment practices for new faculty. It is a hallmark of the composition of our student body, and was noted as an important strength in the LSSSE results. For example, a significantly different result was indicated among Osgoode students in questions of diversity, when compared to their responding peers at the other 52 LSSSE participating law schools. Specifically, 81% of 1st year respondents, 75.5% of 2nd year respondents and 80% of 3rd year respondents indicated in the LSSSE that they "often" or "very often" had serious conversations with students of a different race or ethnicity. Osgoode is committed both in principle and practice to the goal of equality in every aspect of our endeavors. It translates to a learning environment that is comfortable and accessible for the diverse groups within the Law School.

### 2. Encouraging Critical Perspectives

Osgoode has always taken seriously the idea that there is no one way to view the world and its problems and successes. We not only respect diverse perspectives, opinions, and approaches to problems; we encourage them; we thrive on them. In part, this value reflects an understanding that there are myriad forms of experience and prisms through which they may be seen, not one of which can claim to offer an essential truth. It follows that one of the most important attributes of a well educated lawyer is the ability to move around a problem and see it from several different perspectives. Over 80% of LSSSE respondents indicated that the academic program has contributed meaningfully to critical and analytical thinking.

This value is reflected most clearly in the myriad interests, activities and commitments of faculty, staff and students. Within the Osgoode Hall Law School community there is a collective sense of respect, even mutual support, for our many individual and intellectual passions, and a recognition of the importance of preserving and enhancing a community in which ideas are fostered and encouraged, as well as challenged. Through the LSSSE, we learn that a significant number of Osgoode students across all years report that they often or very often "had serious conversations with students who are very different from you in terms of their religious beliefs, political opinions or personal values" (80.4% in 1st year; 66.6% in 2nd year; and 75.6% in 3rd year).

### **3. Pursuing Interdisciplinary Inquiry**

Osgoode has been a pioneer in interdisciplinary inquiry. This leadership reflected a conviction that law was not an autonomous discipline, that law could only be understood by understanding both how law affects the society it governs and how, in turn, that society and its values, power structures and institutions affect law. The commitment to interdisciplinarity involved collaboration with non-law colleagues in research and scholarship. It expanded to include offering graduate degrees outside law, and now, as a matter of course, it means drawing on literature in other disciplines to illuminate legal issues. Work in and across multiple disciplines is now indispensable not only for advancing knowledge through research but also for the education of students learning the law. The intellectual skills of other disciplines are required for students to think with sophistication about the legal process and how it develops and interacts with other social, economic, and political systems.

Osgoode retains its emphasis on the importance of pursuing interdisciplinary inquiry through a number of strategic priorities that are described in Chapter 4 of this Plan.

### **4. Innovation**

Innovation requires a commitment to bring forward new methods and ideas that, by their very nature, challenge and change the status quo. Innovation has been a longstanding hallmark of Osgoode Hall Law School – in our scholarship, our approaches to teaching and learning, and in our collective efforts to look at law and its role in society from a range of perspectives and vantage points. Innovation remains an enduring value of Osgoode and a driving force throughout this Plan for the next five years. It shows itself in the many creative strategic initiatives set out in the next three chapters and summarized in Chapter 6.

### **5. Commitment to Lifelong Learning**

Vibrant institutions like Osgoode recognize that learning about the law is not a three-year process. It is a lifelong one. We encourage self-learning. We are expanding our graduate program to provide more opportunities for those who seek to pursue the scholarly route after their LLB. Our ongoing emphasis on the importance of continuing legal education reflects this core value. We will be seeking ways of maximizing our technology investment to become a leading centre of expertise and information for alumni and others who wish to continue to hone and improve their legal knowledge and skill base.

Our Professional Development Program (PDP) is the embodiment of our strong commitment to lifelong learning. The PDP was established over 10 years ago to meet the ongoing educational needs of practising lawyers and is unique among law schools in Canada. We are committed to expanding and continuously improving our efforts to meet those needs, and that commitment is reflected in a number of the initiatives described in this Plan.

What follows is a detailed description of the three primary priorities and the specific initiatives that, together and collectively, not only will make a significant difference over the next five years, but will do so in ways that respect and reflect the fundamental purposes and values of Osgoode Hall Law School.



## Engagement as a Learning Community

### Introduction

This is the first of three chapters that describe Osgoode’s key priorities over the next five years. The overarching theme for all three chapters is building a more engaged Law School – where students,

faculty, staff and alumni are more connected to each other and to the broader legal community in Toronto, Canada and around the world. Engagement is about making stronger connections and achieving deeper understandings, and through that engagement, strengthening our learning environment. It is about building communities and realizing how Osgoode interacts with them and makes a difference. Osgoode has a rich and proud tradition of graduating lawyers and legal scholars who indeed make a difference in the quality and caliber of work they do, and in the positive ways in which they have an impact on society. Building on that tradition and deepening Osgoode’s commitment to make a difference is the Law School’s main focus over the next five years.

Central to this direction are the internal strategies that the Law School intends to pursue to unify and energize the entire Osgoode community. This aspect of the engagement priority is about much more than student satisfaction, although high measures on that scale are an important indication of our success in implementing these strategies. It is about implementing innovative strategies that maximize active participation and involvement in an intellectually and socially meaningful community.

In part, it means fostering an environment where members of the Osgoode community find it rewarding to spend time together – both at the Law School and in our PDP programs. While the *Plan for the Law School 2000* set the stage for significant progress in a number of areas related to improving student satisfaction, the Strategic Planning Committee that oversaw the development of this plan and Faculty Council agreed that more can be done in this area. Moreover, the recently completed Law School Survey of Student Engagement 2005 (LSSSE), in which Osgoode students participated, has identified a number of effective educational practices which require greater emphasis in the years ahead. The strategies described in this chapter have, as their goal, the achievement of an environment and culture of engagement that distinguishes Osgoode from its peers.

## **An Engaged Learning Community: A Key Priority for Next Five Years**

Osgoode has a long tradition of seeking innovative ways to encourage learning. The literature and research around student learning and best practices indicate that there is broad consensus on the following key elements of learning:

- Effective learning requires students to acquire deep understanding of part of the substance of what they are learning; expertise requires, as a first step, an appreciation of just what “deep understanding” requires in some portion of the discipline;
- Effective learning requires the teacher to know individual students well enough so that their individual misconceptions are revealed and corrected;
- Effective learning requires creating a community within each class where students become self-conscious about their own education and monitor their own learning through interaction with teachers and peers.

This research has been applied to the law school setting, with a growing literature devoted to identifying “best practices” for legal education. The seven “best practices” have been identified as follows:

- Encourage student-faculty contact
- Encourage cooperation among students
- Encourage active learning
- Give prompt and frequent feedback
- Teach students effective time management
- Communicate high expectations coupled with assurances that those expectations can be met
- Respect diverse talents and diverse ways of learning

It turns out that these kinds of pressures for change in legal education are also linked to developments in the legal profession, which makes traditional forms of legal education less relevant and useful in a changing legal environment.

One of the most comprehensive and carefully researched studies of these developments was the Australian Law Reform Commission’s (ALRC) four-year inquiry into the civil justice system culminating in the publication in 2000 of its report, *Managing Justice*. The Commission called for the re-articulation of the curriculum in university law schools, away from the dominant focus on mastering bodies of substantive law, and towards the development of high-order professional and problem-solving skills (such as more effective oral and written communications, negotiation, advocacy, client interviewing, and conflict resolution).

The ALRC advocated the re-orientation of an LLB legal education around what lawyers need to be able to do, rather than remaining anchored around outmoded notions of what lawyers need to know. In order to assess progress in this area and facilitate development, the Commission suggested that law schools should make explicit the nature and extent of their skills development programs (whether as separate units, as modules within substantive



units, or in clinical programs), and how they examine these skills. The Commission acknowledged that, in calling for greater attention to be paid to broad, generic professional skills development, it did not seek to minimize the need for students to receive a solid grounding in core areas of substantive law, the historical organization (and divisions) of the common law system, the language and key concepts of core areas of law, and the nature of the relationships as between the state, the courts and the individual. However, the Commission also cautioned against perpetuating ‘a false polarity between substantive knowledge and professional skills’. Properly conceived and executed, professional skills training should not be a narrow technical or vocational exercise. It should be fully informed by theory, devoted to the refinement of the high-order intellectual skills of students, and calculated to inculcate a sense of ethical propriety, and professional and social responsibility.

The Commission concluded by recommending that, “in a changing environment, the best preparation that a law school can give its graduates is one which promotes intellectual breadth, agility and curiosity; strong analytical and communication skills; and a moral/ethical sense of the role and purpose of lawyers and law in society.”

## **Building “Best Practices” and Our Core Values into the Educational Program**

These developments are entirely consistent with Osgoode’s underlying values and mission, as described in Chapter 2 of this Plan. At the heart of Osgoode’s values is the concept of a profound ethical concern, one that seeks to increase students’ awareness of the relationship between law and society and their professional and scholarly responsibility not only to individual clients but also to the community at large, as well as encouraging students to be constructively critical of all aspects of the law and the legal system. Osgoode also has pioneered the use of different modes of teaching and learning, particularly in the area of clinical legal education.

In considering ways to deepen engagement within the Osgoode community, and enhance the educational effectiveness of the Osgoode program, it is essential to have some understanding as to how well we are actually achieving these goals at present. York’s UAP 2005 points out there is a paucity of data about student experiences and a pressing need to fill this gap. This reflects the fact that professional education, not just in law but in other disciplines, is increasingly focused on outcomes, as opposed to content. As the Rae Report noted, educators must be prepared to demonstrate that their graduates have actually developed certain competencies, as opposed to simply having covered certain substantive material. This approach was adopted by the Ontario government in its 2005 Budget, with an indication that incremental public funding will be directed to those institutions that have coherent plans and can measure the outcomes of their program against the objectives set forth in their plans.

Accordingly, Osgoode participated in the Law School Survey of Student Engagement 2005 (LSSSE), which assesses the extent to which students engage in a variety of educationally effective activities. As the LSSSE Law School Report 2005 explains, obtaining information about student behaviours and law school environments is essential for focusing attention and resources in ways that will enhance student learning and law school effectiveness. Slightly

more than half of all Osgoode students participated in the survey in spring 2005, a response rate consistent with that of the 52 American schools that participated in the study.

As is the case for all law schools participating in this exercise, the Osgoode results contain encouraging findings about the LLB program, as well as indicate areas of concern or ones requiring further attention. The encouraging findings from the Osgoode results include the following:

- Over 80 per cent of Osgoode respondents believe that the academic program contributes substantially to acquiring a broad legal education;
- Approximately 80 per cent of Osgoode respondents believe that the academic program contributes substantially to thinking critically and analytically;
- Approximately 80 per cent of Osgoode respondents evaluate the entire educational experience at Osgoode as “excellent” or “good”;
- Approximately 90 per cent of Osgoode respondents state that, if they could start law school over again, they would enroll at Osgoode;
- Over 80 per cent of Osgoode respondents report that they “very often” or “often” have serious conversations with students of a different race or ethnicity than their own;
- Osgoode students are more likely than those at other participating law schools to spend significant amounts of time studying and on academic work;
- Osgoode students are more likely than those at other participating law schools to have participated in a clinical or public interest project as part of a course or for academic credit;
- Osgoode students are more likely than those at other participating law schools to have included diverse perspectives (different races, religions, genders, political beliefs, etc.) in class discussions or writing assignments;
- Upper-year Osgoode students are more likely than those at other participating law schools to complete a written paper of 20 pages or more; and
- While only 13 per cent of students at the other 52 participating law schools expect to have no education-related debt when they graduate, and a total of just 5 per cent at those schools expect to graduate with education-related debt of less than \$20,000 debt, approximately 28 per cent of third year Osgoode students expect to graduate with no educational debt, and an additional 28 per cent of third year Osgoode students expect to graduate with less than \$20,000 of educational debt.

At the same time, the Osgoode results do suggest certain areas that require attention and further consideration. In particular:

- Osgoode students in all three years of the LLB program are significantly more likely than those at other participating law schools to come to class without completing readings and assignments;
- Osgoode students in all three years are significantly less likely than those at other participating law schools to report that their law school experience encourages the ethical practice of law;
- Osgoode students in first year are significantly less likely than those at other participating law schools to have worked on a paper or project that required integrating ideas or information from various sources;



- Osgoode students in all three years are significantly less likely than those at other participating law schools to report that their law school education has helped them learn to write clearly and effectively, or to work effectively with others; and
- Osgoode students in all three years are significantly less likely than those at other participating law schools to report that their examinations during the current year challenged them to do their best work.

We believe that this evidence confirms the view that has emerged from the discussions in the Strategic Planning Committee over the past number of months that building a more engaged academic program and community should be a key priority for the Law School over the next five years. Shortcomings to be addressed are in the very areas that have been identified through the planning process and are included in this Plan as priorities for the next five years – around improving pedagogy, better linking theory with practice, and ensuring that Osgoode students see the study of law in a larger context.

## **Initiatives for 2006 – 2010**

Creating a more engaged and connected learning community requires a multi-dimensional approach or set of strategies. Osgoode will pursue initiatives built around the following key strategies:

### **1. Increase Emphasis on Legal Ethics and Professionalism, Active Learning, and Problem Solving as Key Components of the LLB Educational Program**

As the discussion in the previous section indicated, professional education in law and other disciplines increasingly is moving away from an emphasis on coverage and towards an attempt to promote intellectual breadth, strong analytic and communication skills, along with an ethical, moral sense of the role and purpose of law and lawyers in society.

Osgoode takes seriously the LSSSE finding that our students feel Osgoode, in comparison to the other law schools surveyed, does not do as good a job of encouraging the ethical practice of law. Legal ethics is a critically important aspect of a legal education. It is a fundamental tenet of a professional legal education. While it is imbedded in many of the courses we teach, we accept the challenge to do more in this area.

With greater emphasis on legal ethics, we also remain committed to the principle of active learning and to integrating theoretical and practical perspectives on law. Recent scholarship has emphasized the importance of the integration of theory, doctrine and practice in legal education. It is sometimes assumed that theory can only be taught through lectures which, ironically, are a less effective teaching method since they involve passive rather than active learning. But as the ALRC Report discussed above explains, recent scholarship has demonstrated the possibility as well as the importance of integrating theoretical perspectives through simulation and other active learning techniques. This approach also means that students see the concrete implications of different theoretical approaches, and that they learn such theory in a much deeper and more meaningful manner.

- Osgoode is committed to doing more to pursue both of these objectives. We propose to incorporate legal ethics and professionalism, and active and engaged learning approaches



more directly into the LLB program, particularly in first year. It is recognized that creating space in the LLB program to pursue these objectives has implications for existing courses and that we must be clear on how that additional space will be used, and for what purposes. An options paper setting out different mechanisms to achieve these objectives will be developed and brought to the Academic Policy Committee, and subsequently Faculty Council, for consideration in the 2005-06 academic year. The options to be considered will include the addition of a January term in first year, and a revamping of the Legal Research and Writing (LRW) program to contain a substantive focus on professional responsibility and legal ethics and increased emphasis on skills training.

## **2. Create an Institutional Framework to Build a Culture of Engagement at the Law School**

While the Law School has an ongoing commitment to maintain and enhance an educationally enriching experience, and a variety of offices and/or bodies within the Law School seek to promote such a positive experience as part of their mandates (including the Associate Dean, the Assistant Dean First Year, the Offices of Student Services and the Academic Policy Committee), there is no formal institutional role or office dedicated specifically to this purpose.

- We therefore propose to establish a Standing Committee on Teaching and Learning (SCTL), with a specific mandate to develop, promote and enhance best practices in legal education within the educational program at Osgoode Hall Law School. The SCTL would review policies, procedures, and programs within the Law School so as to ensure that they were aligned with the goal of promoting an enriching educational experience for our students.
- A particular responsibility of the SCTL will be to design and implement an annual Osgoode Course Design Institute (OCDI) for full-time and adjunct faculty at the Law School, as well as for a limited number of graduate students with a particular interest in an academic career. The OCDI would be modeled on the successful Course Design Institute developed by the Centre for the Support of Teaching for York faculty. The York Course Design Institute is a two-day program run in May that helps instructors to re-think aspects of their existing courses or develop new ones. Through the program, participants examine the range of activities, assignments and assessment methods that they can use in their courses, and how they link to the main goals they are trying to achieve.

The OCDI would be specifically designed by and tailored for Law School instruction. It would involve not only members of the Osgoode faculty, but also invited guests and a limited number of participants from other law schools, in structured, intensive hands-on sessions. The particular content or theme of the OCDI could change each year, in accordance with changes or particular emerging needs of the Osgoode program. For example, given Osgoode's emphasis on values of diversity, innovative pedagogy, interdisciplinary study and the integration of theory and practice, these themes could be given particular attention in the OCDI. In this way, Osgoode's fundamental values can be deepened and reinforced.

## **3. Be a Major Centre for Graduate Studies**

The Graduate Program at Osgoode has reached maturity and holds its own in comparison with leading Graduate Programs in Law anywhere in the world. The full-time Research Stream is truly interdisciplinary with students from cognate disciplines such as political



science, women's studies, and international relations. It offers a coherent, integrated and substantive graduate-level education in law, and provides opportunities for students intending to pursue teaching careers. It provides real support for students seeking to establish themselves as serious scholars and contributors to the discipline of law. There are currently approximately 100 LLM and PhD students registered in the Research Stream, an increase of approximately 50% from five years ago.

This is complemented by the Professional Development Program which offers a total of 17 different LLM specializations and currently has over 400 students. This unique program offers cutting-edge and relevant programs for the legal profession, in furtherance of Osgoode's commitment to a life-long continuum of legal education.

- The graduate program is undergoing an expansion and redefinition, partly in response to the Rae Report but equally as a result of its successes in recent years. We propose further growth in both the Research Stream and the Professional Development LLM over the next five years, such that Osgoode be seen as having a leading centre for graduate legal education in North America. This is consistent with the UAP 2005, which has identified growth in graduate studies as a priority. The University has identified professional education, including law, as an area where it would welcome growth in graduate enrolment, and has also indicated that it will direct additional operating money to fund growth in this area.
- Under consideration is the possibility of introducing a modified form of specialization for some, but not all, of the new students. These "research clusters" are intended to create stronger intellectual communities among graduate students with similar interests, encourage scholarly publication by graduate students and attract the highest calibre of graduate applicants to Osgoode. These specializations would supplement the existing non-specialized Research Stream Graduate Program, and allow the graduate program to expand over a three-year period to accommodate as many as 50 new students yearly (currently about 32-34). Each proposed research cluster is anchored in current and prospective faculty strengths, and is an initiative (current or proposed) that will attract new student enrollments and provide for an enriched learning experience. The possibility exists of making these specialized offerings more course work dependent, and allowing students to submit articles accepted for publication in peer-reviewed journals in lieu of a thesis if they choose. Each research cluster would be enriched by an informal reading group. A number of research clusters will be created over the next five years, for example, in areas such as Law in the Global Community (an amalgam of Osgoode's strengths in transnational law, global governance, international criminal law, and human rights law), Media, Information and Technology which would bring together current strengths in Communications (sports and entertainment law; regulation of competition, computers and the law) Constitutional litigation (media law) and Information (Intellectual Property, Copyright, Patents and Trademarks), and Corporate Governance.
- The graduate expansion plan is contingent upon continuing improvement in completion rates, maintaining the current level of supervisions per faculty member, adequate funding resources, and the addition of new faculty who would have responsibility for supporting these specializations in the graduate program. Issues of graduate student funding and administrative support are being investigated. Active recruitment of graduate students will begin in 2005, with the goal of attracting the highest calibre of applicants and increasing enrolment and, possibly, with the establishment of the first one or two of these research clusters.

Beyond growth in numbers, over the next five years, further initiatives will be undertaken to ensure that graduate students contribute to creating an engaged Osgoode community.

- We propose to provide further opportunities for graduate students to teach in the LLB program, as well as to participate in the OCDI.
- Starting in 2005, a workshop on graduate teaching and supervision will be offered for faculty members in their first years of teaching and for graduate students applying for faculty positions. As well, a program of teaching mentoring will be introduced on an experimental basis in 2005-06. This will allow graduate students to learn from experienced teachers at Osgoode.
- We also propose to explore exchanges and international partnerships involving graduate students, such as the ATLAS initiative that is described in Chapter 5, that will provide greater opportunity for graduate students at Osgoode to obtain an enriching and forward-looking graduate education.

#### **4. Faculty Development and Recruitment**

We have already proposed the creation of the OCDI, which will allow all members of faculty to explore innovation in teaching and learning. But creating a truly engaged learning environment means having a sufficient number of faculty to enable seminar and other smaller group learning techniques to occur in the LLB program.

- The current full-time faculty complement is 52. We suggest that, at a minimum, there be a net increase in faculty complement to 60 by the conclusion of the five-year period of this Plan. Clearly this net increase in faculty complement can only be achieved through additional resources. The 2005 Ontario Budget proposed additional operating funding for universities and colleges, with a particular emphasis on growth funding for graduate programs. York University has indicated that growth in graduate enrolments, particularly in the field of professional education, is a priority for the University. Below we propose an increase in our graduate enrolments, which we expect will be accompanied by additional operating funding to support faculty complement. But it will clearly also be necessary to attract private sector support for additional faculty through endowed chairs. In 2004 the Law School established its first endowed chair, and it is hoped and expected that further such endowments will be obtained in the future.
- We propose that a particular priority for fundraising should be the establishment of a Chair in Legal Education and Scholarship. The Chairholder will be a leading academic in the development of teaching, writing and scholarship on best practices in legal education. (In later chapters we identify other areas of particular priority for future endowed chairs.)
- We also propose that the Law School recruit a scholar who has particular expertise in the teaching, research and writing in the field of legal and/or professional ethics. This will be necessary to support the increased emphasis on professionalism and legal ethics which we propose for the curriculum.
- We further propose that in assessing potential candidates and making recruitment decisions over the next five years, more emphasis be placed on a prospective faculty member's commitment and potential to contribute to active, critical engagement and scholarship and supervision of graduate students, primarily at the PhD level.



- Finally, we would also encourage innovative methods of utilizing upper-year LLB and graduate students, as well as qualified adjunct faculty members, in the development of innovative teaching techniques and programs. In particular, we propose that the Law School commit to the continuation of the Dean’s Fellow Program, which has successfully been introduced in the first-year program, and that the program be expanded to include participation by Dean’s Fellows in the revamped Legal Research, Writing and Skills Program that we propose for first year.

## 5. Engaged Scholarship

An engaged educational program encompasses all aspects of the educational life of the school, including scholarship. This should include bringing together the scholarly activities of faculty, graduate students, and LLB students.

There are already important elements of interaction between various parts of the community in the scholarly work of the Law School:

- Osgoode has among the most highly developed Research Assistant program of any Canadian law school, which involves LLB and graduate students in the research activities of faculty members;
- We have over the past five years significantly increased the size and quality of our graduate program and, taking into account the PDP program, now have the leading program of graduate education of any Canadian law school;
- Our graduate students have created an important annual conference at which their scholarship is presented. It draws on faculty participation and involvement;
- In 2005, seven members of the Osgoode graduate program secured full-time tenure stream academic appointments, illustrating the depth and sophistication of our current graduate students; and,
- The recently developed Dean’s Fellow Program provides an opportunity for meaningful interaction between faculty and LLB students outside the classroom.

We believe it is important to consider initiatives that will further engagement and interaction between faculty, graduate students and LLB students in scholarly activities. As York’s UAP 2005 points out, fostering these connections is a key means of deepening the research culture of the institution. One possible way to achieve this is through enhancements to our existing research centres, or development of additional research centres that would be designed with this objective in mind.

- For example, there has been some indication that the current Ontario government might be willing to re-establish the Ontario Law Reform Commission. If such a Commission were re-established, it would be ideal to have it located at an existing law school such as Osgoode. In this way, the Commission would be located within a vibrant intellectual community, which would ensure that the Commission would remain abreast of the latest trends in legal thought and analysis. It would also be possible to establish a governance structure which ensured the active participation and involvement of faculty and students from all Ontario law schools, and not just the host institution.

Osgoode is particularly well suited to housing a Law Reform Commission given its long-standing commitment to the public interest, social justice and scholarship. Commission staff

could take an active part in the life of the Law School, participating in seminars, lectures, discussion groups and other activities. Moreover, Commission staff and visiting scholars participating in the work of the Commission would have the opportunity to test and develop their views through regular interaction with faculty and students, not just at the host institution, but at all six Ontario law schools.

The result would be close collaboration and partnership between all six Ontario law schools and the Law Reform Commission. As faculty members and students undertake research within the umbrella of the Commission, a cadre of scholars will be created who will have a particular interest and commitment to the work of the Law Commission. This will ensure that the Commission is closely integrated into the life of the Ontario law schools, while retaining necessary independence. LLB and graduate students would also be in a position to undertake legal research under the supervision of staff lawyers, develop expertise in the development and maintenance of the Law Commission Web site, as well as assist on a variety of Law Commission projects that emerge from time to time. This partnership would further the goal of creating an engaged and active scholarly community, not just at Osgoode but at all Ontario Law Schools. It also would advance the University's commitment to building cooperative research partnerships with communities inside and outside York, as described in the UAP 2005.

## **6. Growth of the Professional Development Program**

The Law School recently appointed a new Director for the PDP with a mandate to develop and implement a plan for growth. That plan involves building on existing successful PDP programs by reaching out to markets outside of Ontario and developing new programs, both degree and non-degree, which meet the continuing legal education needs of working lawyers and other professionals and executives.

The goal is to become a leader in providing timely, useful, innovative and thoughtful programs which promote engagement among lawyers, regulators, judges, legal academics and other members of the profession, as both instructors and learners. While the primary focus is to serve the legal profession, many PDP programs will be designed to draw attendees from outside the legal profession, thereby promoting interdisciplinary learning and engagement.

PDP is the face of Osgoode for the many professionals and executives it markets its programs to every day. In order to properly fulfill its mandate, the PDP draws instructors from outside Osgoode faculty. It develops different kinds of curriculum, in different ways than is done elsewhere at Osgoode. It is important, however, that PDP also mines the unique knowledge and resources within other Osgoode communities to meet the needs of PDP's community. A key objective is to become more fully integrated with those communities, so that PDP can both use their resources and provide more value to them.

## **7. Build Facilities and An Environment That Complement Our Programs**

An inviting and hospitable physical environment to which students, faculty, alumni and visitors are drawn is critical to building an engaged community at Osgoode. Following on the completion of the *Plan for the Law School 2000*, the need for extensive renovations to the Osgoode building was identified as a high priority for the school. Consultations with faculty,



staff and students indicated that the current building is not well designed to enhance community within the institution.

- The University has approved a proposal to undertake a comprehensive renovation and expansion of the current Osgoode building. We are currently in the process of securing the necessary financial support to enable this project to get underway. The goal will be to finance, construct and complete this major project within the next five years.
- In the immediate short term, it will be important to develop concrete, specific and lower-cost proposals that will make the building a more inviting place to work and study. The Dean and the administration of the school will make it a priority to develop and to consult with the community on possible initiatives. One possibility would be to create an Osgoode Learning Commons, which would be a community space in the school where students could access the Internet and interact informally with each other and with faculty. The Chief Law Librarian also will develop proposals to make the library a more physically inviting setting.
- As a commuter law school, Osgoode faces a unique set of challenges in creating an engaging environment for students, faculty and staff. As recognized in UAP 2005, understanding and overcoming these challenges is critical for York University as a whole. Further, the LSSSE results indicate that Osgoode students spend significantly more time commuting than do students at other North American law schools. Accordingly, we are proposing that the building plan include not only renovation and expansion of the Osgoode building, but securing necessary University approval to construct a Law School residence immediately adjacent to the Law School with accommodation for LLB and graduate students. In addition, we recognize the need to maintain and expand/improve the support services offered to our students in recognition of the unique challenges facing a commuter law school student body.

## **8. Encourage Use of Technology as a Tool of Engagement**

Over the past five years, Osgoode has made substantial investments in technology. The success of this investment is reflected in the LSSSE results, which indicate a high degree of satisfaction with computing technology at Osgoode. It is recognized that technology has the potential to disengage students and faculty by allowing them to participate in the Law School from a different, virtual space and time. While Osgoode remains committed to fostering in-person, real-time engagement as the central focus in our teaching and learning, we recognize also the very real potential that technology offers to connect and engage not only people in the Law School, but the larger law school community as well.

The Law School is well positioned to reap the benefits of its technology investment by promoting and implementing electronic means of encouraging on-line discussions and debates, convening virtual seminars and sessions with judges, scheduling on-line lectures, Global Classroom discussions and facilitated sessions with leading “guest” lecturers, and creating communities of interest across the law school community. Using technology as a tool of engagement includes enhancing the Osgoode Web site to be a central source of information, learning and engagement on legal issues in Canada, building on the reputation of the Osgoode Hall Law Journal and taking this concept of leading-edge thinking, research and scholarship to the Web site. It means being able to use the most advanced and sophisticated information technology to foster stronger connections and networks within and beyond the school’s physical boundaries.

## 9. Sustained Development of Canada's Leading Law Library

The Osgoode library has historically been a tremendous source of pride at Osgoode. It is also critical to building an engaged academic community, and to sustaining our culture as a research intensive law school. The Law School is committed to maintaining the library as Canada's leading academic law library.

- Following on reviews of the library conducted in 1999 and 2004, a need for additional professional librarians, as well as an increase in the library's acquisitions budget, were identified as essential if Osgoode is to maintain national leadership in this area. The Law School recognizes that these are important priorities and is prepared to make the needed investments in these areas.
- The Law School has recently appointed a Chief Law Librarian with a mandate to develop a strategic plan for the library. It is anticipated that plan will reflect the commitment to maintaining the library as Canada's leading academic law library and be developed and presented for approval by Faculty Council during the 2005-06 academic year. An important part of that plan might also include ways in which technology can extend the physical reach of the library by, for instance, providing a 24/7 law library reference service, including connections to law libraries around the world, or through the provision of an electronic index of all edited collections in law through the engagement of students, staff and faculty.

## C H A P T E R F O U R



## Making a Difference: Osgoode as an Engaged Community

### Introduction

The priority advanced in this chapter, “Making a Difference,” derives from Osgoode’s purposes, the provision of a rich and liberal legal education, the advancement of new knowledge, public interest and social justice, as well as our core values described in Chapter 2, notably, the pursuit of interdisciplinary inquiry, the celebration of diversity, and the encouragement of critical engagement.

This chapter extends the priority advanced in Chapter 3 of Osgoode to the many communities served by Osgoode. Many students come to Osgoode because of Osgoode’s international reputation as a law school committed to making a difference and because they too want to make a difference in law. Osgoode’s curriculum enables students to study with the leading, and often most critical voices, among law teachers in Canada. Our graduates do go on to make a difference in all aspects of their professional lives because of the interdisciplinary and contextual emphasis of their Law School experience. Osgoode alumni – undergraduate and graduate alike – become excellent lawyers and scholars, and they are also more than lawyers because through their legal education at Osgoode they have been prepared for the challenge of seeing and working with law’s larger implications: social and legal policy, social change and law reform.

This chapter demonstrates how Osgoode has acted upon its principles and realized its values, and, in particular, the recognition of the importance of making a difference. Osgoode has enriched the legal profession, and has extended the boundaries of conventional research. This chapter thus takes as its foundation that the hallmarks of legal education and research at Osgoode include bold innovation and an outward looking, socially engaged stance.

Osgoode has led the way in Canada in critical and interdisciplinary approaches to law. In the advancement of the public interest, Osgoode has fostered legal research and legal education that contributes to the improvement in the administration of justice, the role of legal institutions and the role of the legal profession in serving the public good. In support of social justice we have demonstrated a commitment to access to justice and social equality in the many communities in which we work and attempt to support.

### Making a Difference: Three Interconnected Themes

This Plan builds on these strength and recommits to Making a Difference – a priority that derives from our historic insistence on the importance of understanding and looking beyond



the four corners of black letters and our recognition of the social responsibility that inevitably follows, to recognize difference, to celebrate diversity, to promote public service and social justice – to make a difference. And, this chapter makes the case for doing more, organized around the following interconnected themes: ‘Law in Action’, Interdisciplinarity, Public Interest and Social Justice.

### **1. ‘Law in Action’: Theory into Practice, Practice into Theory**

Osgoode’s leadership in relation to ‘Law in Action’ is without equal in Canada. Osgoode promotes the study of law as a systematic and dynamic process that has social consequences, affects power relations, encompasses interacting behaviours, serves as a ritual and symbol, and is a reflection of interest group politics – in other words, law as a social construct and as a social relation.

This great strength of Osgoode’s undergraduate curriculum is reflected in 30 LLB courses, seminars and programs (including but not limited to intensive and clinical programs) that permit students to immerse themselves in the study of the ‘Law in Action’ from A [Administration of Civil Justice] to T [Tax Lawyering]. The LSSSE results indicate that Osgoode students are more likely to participate in a clinical or public interest project as part of a course or for academic credit, as well as to undertake volunteer work generally, than their peers at U.S. law schools. However, it also should be noted that many of the Law School’s clinical and intensive programs have become distanced from the full-time faculty. Indeed, a majority of our intensive and clinical programs are currently being directed by adjunct faculty who make an extremely valuable contribution to these programs. At the same time, we need to ensure that all aspects of the curriculum enjoy a connection to and commitment from within the full-time faculty, and we suggest below that this be identified as a priority in faculty recruitment over the next five years.

As a professional school, Osgoode’s stamp on the legal community has been to graduate students who have demonstrated competence in legal doctrine and legal skills and who have been encouraged at every stage of their legal education to develop a ‘human perspective on law and a deeper understanding of law as a social phenomenon and intellectual discipline.’ Our ‘Law in Action’ courses and programs insert the human and social dimensions of legal processes, enabling students to experience first hand both the power and limits of law. Through the introduction of a public interest requirement as a required component of the LLB program, described below, Osgoode’s leadership in this area will be reinforced.

### **2. Interdisciplinarity in Research and Teaching**

Osgoode shares the commitment in York’s UAP 2005 to the importance of interdisciplinary inquiry. In addition to our distinguished cross-appointed faculty, a number of members of the Osgoode faculty are appointed to Graduate Programs in Political Science, Sociology, Disability Studies, History, Philosophy, Environmental Studies, Business Administration, and Women’s Studies. Osgoode’s program of graduate studies at the Masters and Doctoral levels is a fully interdisciplinary graduate program that attracts a broad range of talented international students. The Osgoode LLB curriculum contains no fewer than 20 undergraduate course and seminar offerings in theoretical and interdisciplinary perspectives on law. Graduate students are actively encouraged to take courses in cognate disciplines and to invite faculty from those disciplines to serve on their committees.



It should nevertheless be noted that many other law schools have in recent years followed this same path and developed a variety of interdisciplinary courses and programs. We suggest below the need to explore the development of additional, innovative interdisciplinary courses and programs over the next five years.

### **3. Public Interest and Social Justice**

In Chapter 2, Osgoode's long tradition of commitment to public service/interest and social justice was identified. These ideals have found expression and been realized in a number of different ways.

- Notable within our undergraduate program are the Intensive and Clinical programs that introduce students to issues of poverty, wrongful conviction, community lawyering, aboriginal communities, and business law (e.g. Parkdale Community Legal Services (PCLS), Community and Legal Aid Services Program (CLASP), Innocence Project, and Aboriginal Intensive Program). There is room to grow here, possibly in the areas of corporate responsibility and corporate governance, securities regulation, environmental concerns and resource management in the global economy.
- The Career Services Web site directs students to a number of social justice links within and without the Law School.
- We have developed the Honourable Ian Scott Public Interest Fellowships, an innovative program which permits first and second-year LLB students to work in a public interest setting during the summer months.

Building upon our commitment to scholarship and research, innovation and change, and to equality and equity, we recommit and renew our energy to do more. Our goal is to empower diverse groups within the school and society to work for the public good. There is enormous interest in the Osgoode student body; for instance, hundreds of first-year Osgoode students each year offer to volunteer at CLASP – far more than CLASP can accommodate. Osgoode has both the ability and the responsibility to facilitate and nurture these genuine expressions of commitment to contribute to the public and social good. Consistent with the UAP 2005, we propose to seize the opportunity to work with public sector, public interest and community organizations, the legal profession and the judiciary to develop programs that would provide credit and non-credit experiences for our students.

## **Initiatives for 2006 – 2010**

### **1. Academic Priorities and Learning/Scholarship Initiatives**

There are myriad possibilities through which renewal and enrichment of Osgoode's purposes and values can be expressed. One important priority must be to enhance our 'Law in Action' offerings by increasing the opportunities for students to study and contribute in different contexts and communities, and to be able to reflect critically upon their experiences.

- As noted above, despite the importance of the clinical and intensive programs in the Law School, the majority of these programs are currently being directed by adjunct faculty. We propose that a priority in future recruitment decisions be to increase the complement of full-time faculty able to teach in the clinical and intensive program(s), and whose scholarly interests lie in the area of clinical legal education as well as interdisciplinary research.

- We propose that a fundraising priority for the Dean be to secure funding to appoint a Chair in Clinical Legal Education.
- We propose that all LLB students be required to complete a public interest service requirement as a requirement of their graduation from the Law School. We recognize that Osgoode students already volunteer in our communities. As we have noted, Osgoode students are already more likely than their peers at U.S. law schools who participated in the LSSSE to take part in clinical or public interest activities. But at the same time, Osgoode students are less likely to report that Osgoode emphasizes the ethical practice of law. We have already proposed a commitment to address this shortcoming through greater focus on professionalism and legal ethics. Given Osgoode's historic commitment to public service and social justice, however, we believe that more can and should be done.

We propose that Osgoode be the first Canadian law school to introduce a public service requirement, which reflects Canada's unique legal traditions and Osgoode's commitment to access to justice. In recognition of the value added to a legal education and professional development as a result of public interest work, all LLB students would be required to complete 40 hours of law-related, uncompensated work as a condition of graduation. This requirement will be developed following further consultations and research on comparable programs in U.S. schools. It is anticipated that students would be permitted to complete the public interest requirement through participation in the school's clinical programs, in a volunteer student organization, in government or non-profit agencies, or in a law firm (provided that the entire 40 hours is uncompensated). The work must be law-related and in the public interest. "Law-related work" will be interpreted broadly and will include: the application or interpretation of law; the formulation of legal policy; the drafting of legislation or regulations; public legal education; or outreach to communities on legal issues. Work in the "public interest" may include opportunities in social justice, public service, as well as access to justice.

- In conjunction with this requirement, we propose to consolidate and extend our considerable strength in the area of 'Law in Action' across the curriculum, in particular through new programs in areas such as International Human Rights, Corporate Governance, Health Law, and Intellectual Property.
- We also propose to explore new forms of such programs, such as the innovative Labour Co-Op (which enables students to work during the summer and to follow up summer employment in an advanced seminar in the area) to other areas of law by exploring new partnerships with the Ontario Securities Commission, provincial ministries of Health, and Consumer & Commercial Affairs with a view to enabling all students to participate in courses of their choosing.
- We propose to build on the success of the Collaborative Research Teams in the undergraduate program, by developing and facilitating collaborative research projects involving faculty, graduate and undergraduate students.
- We propose partnerships with community legal clinics, local social action and community groups, NGOs, and legal organizations such as the Ontario Bar Association and the Advocates Society, to encourage student engagement with issues of importance to those communities and organizations.
- We propose to establish a "Best Practices Model" of theory into practice for all our 'Law in Action' curriculum offerings, using OCDI as the vehicle.



## 2. Use of Technology as a Means of Making a Difference

Technology is now a leading way of communicating and exchanging information. We believe that technology can be an effective tool for enabling Osgoode faculty, staff and students to make a difference in the broader community. We propose the following:

- Utilize the Internet to deliver information more effectively from the Osgoode clinics (e.g. CLASP, Osgoode Business Clinic, Innocence Project, PCLS) that provide legal services to members of the public;
- Encourage interactions and connections with legal clinics across the country and around the world;
- Enhance the presence of the Osgoode clinics on the Osgoode Web site;
- Develop a Web-based clinic resource 'centre' for supervision in external and 'Law-in-Action' programs; and,
- Develop the Canadian equivalent to the JURIST Web site in the U.S., which would be a central clearinghouse for disseminating information on Canadian legal developments to the legal community as well as the Canadian public. Such a Web site would be developed, managed and maintained, on a day-to-day basis, by Osgoode graduate and LLB students, using the same staffing model as has been employed in relation to the Osgoode Hall Law Journal. It would also feature commentary on current legal events by Osgoode faculty and students.

## 3. Faculty Recruitment and Development

As noted above, we propose the appointment of new faculty (both lateral and entry level candidates) whose record of excellence includes clinical and interdisciplinary approaches to scholarship and teaching.

## 4. Partnerships

Osgoode already enjoys strong connections with the Faculty of Environmental Studies, the Schulich School of Business, and various Organized Research Units (ORUs) within the University, such as the Centre for Work and Society, Centre for Refugee Studies, Centre for the Support of Teaching, and the Centre for Excellence in Health. We propose to strengthen our partnerships, both internally within the University and in the external community, as a means of strengthening and deepening our commitment to making a difference. Building on this commitment to interdisciplinarity and on the success of our Combined degrees in the Schulich School of Business (LLB/MBA) and Environmental Studies (LLB/MES), we also will continue to explore the creation of more joint/combined degree programs with other Faculties at York.

- We will continue to strengthen and enhance existing joint programs (LLB/MBA and LLB/MES) by, among other things, enhancing their visibility, exploring ways to enhance the funding available to students in the programs, working toward smoother integration of joint program students into the LLB program, building stronger relationships with program alumni, striving to increase enrollment in and further enhance the public profile of the programs, and encouraging deeper three-way collaboration among Osgoode, Schulich and FES on issues of law, business and environment.
- Given our recommendation to establish a mandatory public interest service requirement for all LLB students, it clearly will be necessary to expand our connections with public interest legal organizations in order to facilitate these placements for our students.

- We propose hosting the renewed Law Reform Commission, as a major partnership designed to permit active participation by Osgoode students in law reform initiatives.
- We propose exploring partnerships with other law reform bodies to advance research into institutional and law reform, as well as linking pedagogy to law reform, such as the Ontario Securities Commission, ministries of the provincial and federal governments, Legal Aid Ontario, Ontario Association of Legal Clinics, and the City of Toronto.
- We propose exploring opportunities to connect more effectively with the communities surrounding the York campus.
- We will encourage law firms to provide greater opportunities for students to undertake public interest work, either in conjunction with their work at the firm or through undertaking a portion of their articles by working with a community-based organization, international or national NGO, UNHCR, UNHRC, and so on, to spend a year after law school doing something different, and making a difference. We also propose to encourage law firms to sponsor a year of “making a difference” work before (or after) articling.
- We will continue to strengthen existing and explore new research partnerships within the University.

### **5. Build a Culture of Making a Difference**

Osgoode has a well-deserved reputation for making a difference through the work and reputation of its faculty and its graduates. Its social justice roots represent an important and unique legacy that reinforces the key diversity of educational participation noted in the recent Rae Report.

The changes proposed in this chapter, individually and collectively, will reinforce the culture of making a difference at Osgoode. They will ensure that all Osgoode graduates have an understanding and appreciation of the fact that an ethical approach to the practice of law is essential for a legal professional in the contemporary world.



## Osgoode As A Global Law School

### Introduction

To be a good Canadian lawyer has always consisted of more than simply knowing Canadian law and how to apply it to the exigencies of Canadian society. Canadian law and legal education has

never been as parochial or provincial in approach as many other legal traditions. As a result of both history and geography, Canadian legal culture has always had an international and comparative sensibility. A good Canadian lawyer or legal scholar is one who not only has an obligatory knowledge of British and Commonwealth legal systems and materials (e.g., Australia, New Zealand, South Africa, etc.), but also has an extensive familiarity with American law and materials. Although it should follow as a matter of constitutional necessity that Canadian lawyers are conversant in the ways of both the civil law and common law traditions, there has been less of an emphasis on such bi-juridical competence.

However, in recent years, there has been even more pressure on Canadian lawyers and legal scholars to deal with and understand a set of dynamics and interests that occur outside Canada. Indeed, it is now trite to state that the world is becoming more globalized. The age when countries and societies, like Canada, could only concern themselves with local and national issues is no longer pertinent. There is now a definite ‘global’ dimension to the sources, dynamics and resolution of local and national challenges – economic competition, technological innovation, international engagement, and the like have transformed the world and its constituent local and national sites. And, of course, law and legal institutions are not immune to this global impetus. While the legal process is habituated to local and national settings, it has international and transnational dimensions that cannot be ignored. Indeed, law, legal institutions, and lawyers have been closely involved in this globalizing trend: they have played a decisive role in enabling and facilitating this process. For better and/or worse, the impact of this global trend is evident both in domestic law and international law as well as in the more informal processes generated by international organizations and agencies, corporations and business networks, consulting and law firms, and expert communities.

### Expanding Osgoode’s Global Dimension

In order to remain at the cutting-edge of legal research and legal education, the Law School must develop and incorporate an integrated and long-term strategy to respond to this global turn. Many important changes and initiatives have already begun to take shape; there are new courses, exchange opportunities, visitor programs, research networks, etc. which have already made a significant contribution to this effort. However, if the Law School is to meet its self-imposed and noble challenge of accommodating to changes in law and of making itself

responsive to the needs of the society which it serves, it must make a more serious, sustained and substantial institutional response to the fact that the study and practice of law now has a defined and increasingly central global dimension. A greater emphasis on a global dimension to legal research and legal education would mean that such an approach would be extended and deepened so that there would be a more intimate and thorough grasp of different legal cultures. Osgoode needs to build on that (and its other traditions) so as to integrate this global approach into its basic endeavours and pursuits. This might require a re-framing of the core competencies which faculty and students would be required to develop by way of international (public and private), comparative, and transnational law courses.

As such, the leading law school of today and tomorrow is the law school which appreciates and acts upon the global nature, impact and relevance of law. In particular, Osgoode must strive to ensure that the incorporation of such a global dimension remains true to its traditional commitment to social justice and diversity. In short, the Law School must be sure that extending its global horizons and ambitions is done in such a critical way so as to strengthen, not weaken, the imperative to advance legal education's vocation as a training for public service and leadership.

In an important sense, the effort to incorporate a global and diverse dimension to the Law School's mission is well underway. Osgoode already emphasizes diversity of population and of scholarship. As well as recruiting students, faculty and staff who are diverse in terms of education, gender, race, age and class, this requires that a learning environment and culture be fostered that is comfortable and inviting for diverse groups within the school. It encourages diversity of views, a more-than-Canadian perspective, and an interdisciplinary approach to scholarship. Furthermore, extensive efforts have already been made to ensure that Osgoode's international profile is enhanced and the quality of educational and research opportunities is increased by formal and informal connections with other law schools around the world.

## **Initiatives for 2006 – 2010**

In consolidating and furthering past initiatives, it will be a matter of taking further steps along two separate, but related axes. The first involves recognizing that 'the global is on the local doorstep' and bringing into the Osgoode experience a greater focus on and attention to global issues and dimensions. The second involves a recognition that, as well as incorporating global perspectives into local study, there also needs to be a similar push to spread Osgoode's influence on a more global scale. Bringing these two perspectives forward more strongly into the Osgoode experience requires a set of strategies that advance the Law School along a number of fronts.

### **1. Foster the Global Dimension of Our Student Body**

- We propose to re-double our efforts to improve links with and responsiveness to the local community, so as to ensure that the students admitted represent the different global cultures and communities which are present in the GTA and Canada generally. In particular, strategies will be developed to re-capture the national spread of students from which the undergraduate body is drawn and become a truly national undergraduate law school.



## 2. Faculty Recruitment and Renewal

- We will maintain our commitment in striving to recruit and retain faculty who have the appetite and credentials to deliver such a global program of undergraduate and graduate education as well as to engage in research which incorporates a global dimension. In replacing retiring faculty, we will ensure that those appointed have the necessary experience and interest to give real substance and seriousness to this ambition.

## 3. Build Global Focus and Interaction in the Educational Program

- We propose to undertake a more thorough re-framing of the core competencies which faculty and students would be required to develop by way of international (public and private), comparative, and transnational law courses. This would mean, for example, deliberately designing the LLB curriculum to require students (and faculty) to become truly global in their appreciation of the methods and approaches of other legal systems and traditions.
- We propose to require all LLB students to have taken at least one course from an identified group of courses that deal with international, comparative, and transnational law as a condition of graduation. This direction is reinforced by the UAP 2005 which aims to ensure that every York student has the opportunity for a significant international component in their studies.
- We propose to develop and rationalize the various exchange agreements with universities around the world so as to enable students to fulfill their Osgoode requirements in other legal cultures, requiring a greater degree of flexibility in the Law School's formal degree requirements than presently exists.
- We propose to develop further opportunities for Osgoode students to obtain joint qualifications with other leading universities. Although the Agreement with NYU and possible agreement with the University of Hamburg are a bold first step forward in this regard, they are only a first step. Further and more expansive efforts will be made to develop more varied and more international connections with other leading law schools around the world.
- We propose to provide greater opportunities for students and faculty to work in the local 'global community' and to address their specific needs. This might be achieved through ensuring that CLASP has a fuller role and is more integrated into the educational program of the Law School.
- Through the PDP, we propose to develop opportunities for continuing legal education with a global focus. This might be achieved by offering degree or non-degree programs which attract lawyers from outside Canada, by taking successful PDP programs to other jurisdictions, and by providing programs which offer international content.

## 4. Be a Major Centre for Graduate Legal Studies

- Consistent with our earlier proposals to expand graduate enrollment, Osgoode will continue to attract and draw graduate students from all corners of the globe by demonstrating that the law school has the will and wherewithal to deliver a graduate program that is second-to-none in its appreciation of the global dimension of legal studies and research.
- We propose to further increase the opportunities for graduate students to be part of a global network to advance their studies and research. In particular, we propose that the Law School proceed to finalize the ATLAS (Association of Transnational Law Schools) proposal, whereby Osgoode would be a leading partner in a global consortium of leading law schools which will offer a series of colloquia and courses for doctoral students.



## 5. Use Technology to Build Global Reach

- To continue building Osgoode's global reach, we will ensure that the technology is in place to globalize the teaching venues at Osgoode so as to allow both undergraduate and graduate courses to be made available on a national and international basis. While much of the infrastructure is already in place, there is still a considerable amount of work to be done to create the other institutional supports for such ambitious initiatives.

## 6. Research

- Building on this Plan's overarching commitment to creating an intellectual and institutional environment in which research is funded and supported, we will integrate further a global dimension to Osgoode's scholarly output. This means that faculty and students are afforded the resources, both intellectual and budgetary, to bring to fruition the kind of curriculum and education envisaged by a global approach. Osgoode has already made a large investment in expanding its capacity for internationally oriented research, and York has signaled in the UAP 2005 a strong commitment to further build on the University's well known strength in this area. The Law School is well positioned to intensify and broaden its global research culture.
- We will enhance the possibilities for bringing scholars of international repute to Osgoode for extended periods. It is vital that the Law School community become a centre to which scholars and practitioners of global standing will be attracted. This includes being flexible in permitting courses taught by leading international scholars to be delivered on a short-term or compressed basis. By nurturing the Law School as a focal point for such global studies, it will be possible to invigorate further all other aspects of the educational and research agenda.
- We propose that serious consideration be given to refocusing the mandate of the Jack and Mae Nathanson Centre for Organized Crime and Corruption so as to deal directly and expressly with transnational law and globalization, while retaining, as part of its mandate, a concern with organized crime and corruption.
- We propose to increase the openings and funding for Osgoode to send faculty and graduate students to research centres and conferences around the world. While faculty already make a significant contribution on the international stage, this will be increased and broadened.

In short, a commitment to ensuring that the Law School becomes a global law school implies that we must be prepared to bring the world to Osgoode and Osgoode to the world. This will not mean reducing or hollowing out the core competency of students in the basics of Canadian law and practice. On the contrary, it will work towards ensuring that those traditional skills and knowledge are enhanced and deepened by situating them in a richer and more diverse global culture. Indeed, the ultimate ambition of making Osgoode into a genuine global law school is not only to improve and hone the talents of the truly excellent student, but also to redefine what it means to be a truly excellent lawyer. In ensuring that Osgoode becomes an 'engaged community' which 'makes a difference', attention to the global dimension of legal education and research will be a vital and exciting endeavour.

## C H A P T E R   S I X

## Summarizing the Initiatives – Evaluating the Results

This Plan includes an ambitious set of initiatives that, together, build on Osgoode’s many strengths and core values to become a more engaged law school – one that incorporates best learning practices, engages communities that Osgoode touches in ways that make a difference, and extends our reach as a global law school. This chapter provides an overview of the initiatives of the Plan and describes how achievement of the Plan will be evaluated and reported on over the next five years.

### Overview of Initiatives for 2006 – 2010

This Plan builds on Osgoode’s foundations while setting bold new directions in a number of areas:

- Creating an institutional framework to build a culture of engagement and making a difference including:
  - establishing a Standing Committee on Teaching and Learning to develop and promote best practices in legal education and an annual Osgoode Course Design Institute tailored for law school instruction,
  - increasing student fellowships in the area of public interest law and action, and
  - introducing a public interest/social justice requirement as a condition of graduation from the LLB program.
- Increasing emphasis on active learning, legal ethics and professionalism and problem solving including:
  - considering options to better integrate legal ethics and professionalism and active and engaged learning into the LLB program, particularly in first year, and
  - redesigning the LRW Program to increase emphasis on professional responsibility and legal ethics, skills training, greater instructor feedback and the active study of dispute resolution mechanisms.
- Enhance the Focus on ‘Law in Action’ including:
  - consolidating our considerable strengths across the curriculum in this area,
  - establishing new programs in areas such as International Human Rights and Corporate Governance,
  - exploring new forms of such programs, such as the innovative Labour Co-op, and other opportunities and community partnerships with a view to enabling all students to participate in courses of their choosing,
  - establishing a “Best Practices Model” of theory into practice for all our ‘Law in Action’ curriculum offerings, and
  - encouraging law firms to allow students to defer their articles for a year in order to work for a community-based organization.

- Fostering a global perspective and culture among students and faculty including improving links with the local, national and international communities and increasing exchange and joint degree opportunities.
- Recruiting and renewing our faculty including growing from 52 to 60 faculty, focusing recruitment to support strategic priorities such as clinical and intensive programs, interdisciplinary research, legal ethics and global dimensions of law.
- Establishing a number of research Chairs in priority areas including in Legal Education and Scholarship, and in Clinical Legal Education.
- Enhancing our commitment to research and engaged scholarship including enhancing and creating new research centres and research partnerships within York and with other law reform bodies, enhancing the global dimension of research and research collaboration, and supporting Osgoode student and faculty participation in research initiatives around the world.
- Hosting the Ontario Law Reform Commission at Osgoode and fostering close collaboration between the Commission, Osgoode and other law school partners.
- Being a major centre for graduate legal studies including increasing the number of full and part-time graduate students, establishing research clusters in key areas of legal studies and research, involving graduate students in innovative teaching programs, and increasing the global reach of the graduate program.
- Expanding the Professional Development Program in both student numbers and range of offerings.
- Undertaking significant renovation and expansion of the Law School building.
- Building a residence adjacent to the Law School for Law School students and visitors.
- Sustaining the library as Canada's leading law library by implementing the strategic plan being developed by the Chief Librarian.
- Continuing to use the most advanced and sophisticated information technology to support the Law School's strategic priorities.

## **Implementing, Measuring, and Reporting on Progress**

Throughout the development of this Plan, those who participated in the process stressed the importance of being able to measure progress along the path of building a more engaged learning community. Any good strategic plan must provide a path for implementation, and a way of measuring success in achieving its goals.

Many of the initiatives proposed here require the development of concrete plans and proposals by various standing committees or other bodies in the Law School. The individuals or committees responsible for each of the areas will develop separate, more detailed plans that will include the suggestions and ideas that came out of the focus group discussions and other planning processes at the Law School over the past few months. To assist in that end, a separate document has been prepared that catalogues the suggestions and ideas around the theme areas described above.

While it is important that implementation of the Plan be the collective responsibility of those existing committees and bodies, we believe it essential, nevertheless, that there be a single focal point for ensuring that the Law School is making measurable progress in implementing the Plan. The Dean and the Chair of Faculty Council will require regular progress reports and updates and will bring together as required the Chairs of the relevant Faculty Council committees and those whose administrative responsibilities touch upon elements of the Plan. In addition, Faculty Council committees will be asked to include in their annual reports updates on implementation of the various initiatives related to achievement of the Plan. The Dean also would report annually to Faculty Council on progress in implementation, as part of the Annual Report, and these progress reports would be published and made widely available to the community.

We believe it will be important to use objective measures of output in order to measure success in implementation. We propose to continue our participation in the LSSSE process that we started this year, on a bi-annual basis, and will report the results of the survey to the Law School community. Each survey will compare results to previous Osgoode results, and on a periodic basis, as appropriate, we will benchmark the results against other law schools that participated in the survey. We will also undertake other surveys of our students and alumni, as appropriate, to measure our progress in achieving our goals.

It is evident that successful implementation of this Plan will require additional resources. The 2005 Ontario Budget has committed additional resources to the post-secondary sector, and it will be important to ensure that an appropriate share of any additional funds flowing to York over the next five years are directed to the Law School. We believe that the proposals in this Plan are aligned with those in the *University Academic Plan* and, in particular, that additional operating funding for growth in graduate studies will be available. The Board of Governors has also approved tuition increases for 2006-07 and 2007-08, which will provide enhanced resources for the Law School.

We have not attempted to prepare a detailed cost estimate of the additional funding that will be required to successfully implement the Plan. Moreover, it is possible that certain of the initiatives that have been proposed can be implemented at relatively low cost, or through redirecting existing resources from areas of low to higher priority. Nevertheless it is clear that the Law School will have to undertake a major capital campaign if it is to achieve the objectives in this Plan.

We suggest that an ambitious yet attainable goal for such a capital campaign is \$20 million over the next five years. This will, we believe, enable us to fund the building renovation and expansion plan that has been developed, fund the faculty Chairs that are proposed here, and undertake other program enhancements designed to promote active and engaged learning.

## **Osgoode's Future**

This ambitious and important Plan charts the Law School's future over the next five years. The initiatives in this Plan resonate on many levels with the *University Academic Plan*

recently adopted by York University. Already one of Canada's and the world's finest law schools, the successful implementation of this Plan will enable Osgoode to move to the forefront of global legal education and chart a course for others to follow. It will establish Osgoode and York University as a leader in the development and implementation of active learning strategies, and reflect a commitment to ensuring that our students have a deep appreciation of the ethical issues that all legal professionals must confront. It will extend and reinforce the University's global connections.

Most importantly, it will build on Osgoode's tradition and commitment to making a difference in the communities in which we live and work. Osgoode has a well-deserved reputation for making a difference through the work and reputation of its faculty and its graduates. We should aspire to be a major force for meaningful change for a better Canada. Our legacy points this role. The nation's current challenges seem to demand our participation in new and innovative ways. We believe we have the energy, the vision and the commitment to make this contribution in the years ahead.

## A P P E N D I X A

## Osgoode Strategic Planning Committee Members

### Co-Chairs:

- Shelley A. M. Gavigan, Chair of Faculty Council and Clinical Education Committee
- Patrick J. Monahan, Dean

### Faculty:

- Neil Brooks, Chair of Academic Policy Committee
- John Davis, Chair of Information Technology Committee
- Paul Emond, Chair of Priorities & Finance Committee
- Colleen Hanycz, Assistant Dean First Year
- Doug Hay, Chair of Library Committee
- Allan Hutchinson, Associate Dean, Chair of Graduate Studies and Research & Seminars Committees
- Shelley Kierstead, Director of Legal Research & Writing (LRW)
- Sonia Lawrence, Chair of Equality Committee
- Michael Mandel, Chair of Academic Standing Committee
- John McCamus, Chair of Faculty Recruitment Committee
- Marilyn Pilkington, Chair of Curriculum Review Committee
- Poonam Puri, Chair of Student Awards Committee
- Ben Richardson, Chair of Admissions Committee
- Liora Salter, Director of Graduate Studies
- Janet Walker, Associate Dean, Chair of Grades Review and Tenure & Promotions Committee
- Toni Williams, Director of Legal Education Technology Centre (LETC)
- Peer Zumbansen, Faculty Member, Curriculum & Web site Research

### Staff:

- Gina Alexandris, Assistant Dean Student Services
- Victoria Watkins, Director, Professional Development Program
- Laurie Cormack, Research Coordinator
- Louise Resendes, Recruitment & Admissions Manager

### LLB Students:

- Morris Popowich
- Sumeet Dhanju
- David Ho
- Antonio Di Domenico

### Graduate Students:

- Laverne Jacobs
- Lori McMillan
- Daniel Tsai

### Alumni:

- Beverley Flynn, Corporate Solicitor, Morguard Corporation
- Sue-Lynn Noel, Owens, Wright LLP

### Consulting Assistance:

- Jim Thomas and Catherine Anastakis, KTA

### Administrative Support:

- Cathy Malisani and Donna Hart, Office of the Dean

## ENDNOTES

- i Report to the Social Sciences and Humanities Research Council of Canada, Law and Learning, which was chaired by Osgoode's former Dean and Professor Emeritus, Harry Arthurs.
- ii Report of the 1974 Long Range Academic Policy Study Group, Osgoode Hall Law School, March 25, 1974, Peter W. Hogg, Chair
- iii Report of the 1974 Long Range Academic Policy Study Group, Osgoode Hall Law School, March 25, 1974, Peter W. Hogg, Chair
- iv National Research Council, *How People Learn: Brain, Mind, Experience and School* (John D. Bransford et al. eds.) (National Academic Press 1999).
- v See Gerald Hess, "Seven Principles for Good Practice in Legal Education: History and Overview", 49 J. Legal Education 367 (1999).
- vi *Managing Justice: A Review of the Federal Civil Justice System* (Australian Law Reform Commission, 2000).
- vii *Managing Justice*, paragraph 2.89.
- viii Osgoode Hall Law School was the only Canadian law school to participate in this study. The 52 participating American law schools were from 27 states as well as the District of Columbia.
- ix See the "LSSSE Overview", which identifies general trends, including both encouraging and disappointing results which emerge from the study of law schools in North America.
- x See Byron D. Cooper, "The Integration of Theory, Doctrine and Practice in Legal Education", in *Erasing Lines: Integrating the Law School Curriculum: Journal of the Association of Legal Writing Directors*, Vol.1, No.1, October 2002, at 50.
- xi See in particular Cooper, at pp. 54-56.
- xii These insights are not new. In 1945 Karl Llewellyn summarized the purpose of engaging students in active learning as a way of furthering the understanding of the social context of law: "Technique without ideals may be a menace, but ideals without technique are a mess; and to turn ideals into effective vision, in matters of law, calls for passing those ideals through as hard-headed screen of effective legal technique." See AALS Committee on Curriculum, "The Place of Skills in Legal Education", 45 *Columbia Law Review* 345, 346 (1945). Llewellyn had developed the same theme in an essay on legal education a decade earlier: "The fact is that legal rules mean, of themselves, next to nothing. They are verbal formulae, partly conveying a wished-for direction and ideal. But they are, to law students, empty . . . Whereas to set rules into their social context, into the context of how men do things, and of what difference the rule makes to those men-this is to give body to a rule for any student. It has graphic value, it has movement value, it has memory value. Rules thus seen are not only more meaningful. They are also easier to learn . . . You also make critique of the rule take on its human content. You make critique inevitable, because the human content, once introduced, will never be denied." Karl Llewellyn, "On What is Wrong with So-Called Legal Education", 35 *Columbia Law Review*, 651, at 669 ( 1935).
- xiii By permitting participation from other Canadian and U.S. law schools, Osgoode would serve the broader public interest in enhancing values of active learning and best practices in legal education throughout the law school system in North America.
- xiv We recognize that donors may wish to provide endowments to support chairs in areas other than those identified in this Plan, and such endowments, assumed they are consistent with the Faculty policy on endowed chairs, will continue to be welcome.





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