

**FACULTY OF LAW, UNIVERSITY OF VICTORIA**  
**2024-25 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION (PCIS)<sup>1</sup>**

<b>COURSE</b>	LAW 343 – Administrative Law – Practice and Procedure
<b>UNIT VALUE</b>	1.5 Units (3 hours of instruction per week)
<b>INSTRUCTOR</b>	Kaitlyn Chewka
<b>TERM OFFERED</b>	Fall 2024
<b>CLASS TIMES</b>	See Schedule
<b>PREREQUISITES/COREQUISITES</b>	LAW 301 or 3011 (recommended as a pre-requisite but can be taken as a co-requisite)

### **COURSE DESCRIPTION**

Administrative law is often characterized as a complex area of law that requires specialized knowledge. This course, which builds on the foundations laid in Law 301, is aimed at demystifying administrative law through a practical approach to learning. Specifically, the course will focus on the development of fundamental legal skills and knowledge in the context of administrative law. This course will be helpful for students interested in clinics or co-op terms where there is work before administrative decision-makers or judicial review proceedings. Upon successful completion of the course, students should:

1. Understand the different types of administrative law proceedings that exist in British Columbia and the unique legal considerations that arise in each context;
2. Have the requisite skills and knowledge to appear before and advise statutory decision-makers, including an understanding of:
  - a. The importance of the applicable statutory scheme, including the interplay between a statutory decision-maker's home statute, the *Administrative Tribunals Act* and any applicable tribunal bylaws or rules;
  - b. Procedural fairness considerations at various stages of the process; and
  - c. Other legal issues that may arise, including evidentiary issues, *Charter* values, and strategic considerations;
3. Have the requisite skills and knowledge to advance or respond to a petition for judicial review, including an understanding of:
  - a. Various discrete administrative law issues, such as discretionary bars to judicial review, tribunal standing on judicial review, standard of review, procedural and substantive grounds of review, and the remedies available on judicial review;
  - b. The interplay between an administrative decision-maker's home statute, the *Judicial Review Procedure Act*, the *Administrative Tribunals Act*, and the *Supreme Court Civil Rules*;
  - c. How to draft a record affidavit and the evidentiary issues that may arise;
  - d. How to draft a petition and response to petition for judicial review; and
  - e. Best practices for arguing a petition for judicial review.

### **COURSE OBJECTIVES**

- To explore the common law and statutory issues and requirements relating to incompetency, succession, and estate planning.

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<sup>1</sup> The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Law front office ([law.studentservices@uvic.ca](mailto:law.studentservices@uvic.ca))

- To consider the role of lawyers involved in planning for incompetence and death, estate administration and litigation.
- To become familiar with general principles and processes relating to estate planning.

**TEACHING METHODOLOGY** (Subject to change)

Lectures, class-based discussions, and activities. Guest lecturers from the profession and judiciary will contribute their expertise.

**EVALUATION METHODOLOGY** (Subject to change)

- Participation
- Drafting assignment – drafting petition or response to petition
- Three (3) hour final examination on an in-person OPEN book basis using Exam 4 software (open mode – no access to the internet)

Students may not write their Major Research Paper in this course.

*June 2024*