

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2024-25 COURSE REGISTRATION - PRELIMINARY COURSE INFORMATION (PCIS)¹

COURSE	LAW 343 Indigenous Law Drafting
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTORS	Melanie Mortensen
TERM OFFERED	Spring 2025
CLASS TIMES	Monday 6:30 – 9:20
PREREQUISITES/COREQUISITE	None

COURSE DESCRIPTION

This course is designed to offer practical skills that will allow students to consider how legislative drafting techniques may assist in advising on or writing laws that will increasingly be needed by Indigenous communities and governing bodies.

COURSE OBJECTIVE

This course has the goal of developing students' legal skills for drafting laws and other legal instruments with the aim of supporting Indigenous governance and Indigenous jurisdiction. In doing so, we will explore the ways that Indigenous governments, legal orders, legal traditions and laws intersect with federal, provincial and territorial governments and laws, with a view to understanding differing perspectives and different approaches to Indigenous governance and lawmaking. Students will be invited to consider the use of legislative drafting techniques to explore how these techniques may be used or drawn from in the making of enacted laws that may incorporate Indigenous legal traditions. The emphasis will be on preparing for practice in a shifting legal environment with a focus on writing. To achieve these objectives, students will be expected to develop a nuanced understanding of, and drafting strategies for, the organization of legal relationships by laws and agreements.

TEACHING METHODOLOGY

Methodology will include lectures, classroom and group discussions, practice exercises and problem analysis, individually and collectively. Participation is also a required element of the course. Guest speakers will be included if possible. The class will include jurisprudential considerations relevant for Indigenous lawmaking as well as the technical focus on drafting laws.

EXPECTED EVALUATION METHODOLOGY

Participation in Practice Exercises (including written exercises) 35%
Participation (Other) 10%
Proposal 15%
Final Project 40%

June 2024

¹ 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)