



**Western
Law**

***Western Law:
Achieving Excellence on the World Stage***

Strategic Plan (January 2014)

BACKGROUND

The Faculty of Law approved its last Strategic Plan in February 2006. Since then, much has changed at Western Law and in the landscape of Canadian legal education.

Western University approved its new Strategic Plan - *Achieving Excellence on the World Stage* at Senate and the Board of Governors in January 2014. The University has redefined its Mission and Vision in the draft Strategic Plan as follows:

***Mission:** Western creates, disseminates and applies knowledge for the benefit of society through excellence in teaching, research and scholarship. Our graduates will be global citizens whose education and leadership will serve the public good.*

***Vision:** Western will be a destination of choice for the world's brightest minds seeking the best learning experience at a leading Canadian research university.*

The Western Law Strategic Plan is modelled on the following priorities that are set out in the University's Strategic Plan:

***Leading in Learning:** Provide Canada's best education for tomorrow's global leaders*

***Raising Our Expectations:** Create a world-class research and scholarship culture*

***Reaching Beyond Campus:** Engage alumni, community, institutional and international partners*

***Taking Charge of Our Destiny:** Generate and invest new resources in support of excellence*

This plan has been formulated following significant consultation and discussion starting in the winter of 2013 with faculty. Our plan represents the views and comments of a broad cross-section of faculty, staff, students and alumni whose input and approval we were grateful to receive.

CONTEXT

Since the adoption of Western Law's last strategic plan, there have been several significant changes to legal education in Canada, including:

- the establishment of two new law schools, Thompson Rivers and Lakehead;
- the creation of a uniform national standard for the Canadian Common Law Degree by the Federation of Law Societies of Canada. The standard stipulates both the substantive knowledge and other competencies that all approved law degrees must provide, beginning with the graduating class of 2015;

- the growing shortfall of articling placements, attributable to increasing class size at some law schools and an influx in foreign-trained lawyers seeking to be licensed in Ontario. The Law Society of Upper Canada (LSUC) established an Articling Task Force to address this issue in May 2011 and, in November 2012, voted to approve a new pilot Law Practice Program (LPP) as an alternative to traditional articling;
- the approval by LSUC Convocation on November 21, 2013 of Ryerson University and the University of Ottawa as approved providers of the LPP in English and French, respectively.
- the further confirmation by LSUC Convocation that students of Lakehead who complete clinical and other experiential training, including unpaid work placements, during the three-year JD program will not need to article or take the LPP in order to qualify for admission to practice law in Ontario.
- the demand for increased skills training and clinical legal education, as recommended by the Carnegie Report on legal education and the introduction of the LPP;
- the launch of the Legal Futures Initiative of the Canadian Bar Association in 2013, which will ultimately report on ongoing changes in the legal marketplace, including legal education and continuing professional development;
- the growth of enrolment in Ontario law schools, as indicated in the incoming class numbers below. On December 1, 2013 Queen's Faculty Board approved an increase in its incoming first-year class for 2014 by approximately 35 students.

	<u>2006</u>	<u>2013</u>	<u>Percentage Change</u>
Ottawa	302*	309*	+2%
Osgoode	301	294	-2%
Windsor	205*	228*	+11%
Toronto	178	205	+15%
Queen's	154	176	+14%
Western	153	176	+15%

*only English common law. There were an additional 86 students admitted to Ottawa's incoming French language common law program in 2013.

*Windsor JD and Canadian – American Dual JD (University of Detroit Mercy)

WESTERN LAW: OUR CURRENT POSITION

Western Law is well-positioned to succeed in this changing academic and professional environment. Our faculty hold recognized expertise across a wide range of disciplines; our core curriculum has long been among the most comprehensive in the country; we have extensive clinical learning opportunities; our students are engaged, collegial and committed to their collective success; and our graduates continue to have a high rate of articling placement in an increasingly competitive market. Currently, we have no plans to increase our incoming JD class size.

Still, in shaping our priorities, it would be imprudent to disregard the pressures on legal education. We need only observe the current crisis in American legal education to realize that significant growth in the number of graduating law students cannot be sustained. If our graduates are to continue to succeed, we will need to offer them not only a solid foundation in legal knowledge and analysis, but also the professional competencies and leadership skills necessary to become ethical and effective practitioners and leaders in the profession. We have, as well, many successful graduates who have assumed leading roles in the public and private sectors and in higher education. The decisions we make to shape our JD program must enhance rather than narrow the career aspirations of our students.

At the same time, we must uphold the study of law as an academic pursuit within a research-intensive university, and exercise care to protect academic freedom and support free intellectual inquiry. Legal scholarship is vital to the synthesis and analysis of various doctrines, the enhancement of critical theories, the development of innovative solutions to emerging problems, and upholding the rule of law in society. It is crucial that our faculty and students increase their capacity for high-quality scholarship in a variety of legal disciplines, and that we gain a richer understanding of law's interaction with other disciplines across the University.

Leading in Learning: Provide Canada's best education for tomorrow's global leaders

THE JD PROGRAM

Our central mission remains to educate students in the core areas of Canadian law, in analytical skills and in effective legal research, writing and advocacy. We will also provide students with opportunities to apply their legal knowledge and to gain experience in group work, dispute resolution, and leadership skills development.

Western Law will continue to pursue its goal to be the pre-eminent law school in Canada focusing on business law in the global environment. We will provide our students with an unmatched depth of course offerings and co-curricular opportunities in business law, including intensive courses and speakers' series that allow our students to interact with world-renowned academics and eminent practitioners. We will foster our relationship with the Richard Ivey School of Business, developing interdisciplinary courses and recruiting top-quality candidates into our combined JD/HBA and JD/MBA programs. We will also pursue international academic

opportunities for our students to gain exposure to business law in the global economy from a variety of financial, social and political perspectives.

We see the following elements as priorities for enriching our JD program.

- **Legal Research, Writing and Advocacy:** We will seek to revise and enhance our first-year program in legal research, writing and advocacy by providing more opportunities to practice and assess legal research and writing skills. We will also review our upper year curriculum and consider options for additional writing requirements that require more critical analysis and develop students' abilities to write for a variety of audiences, including academic publication.
- **Small Group Instruction:** Small group instruction for Western Law students is vital to the development of legal research, writing and reasoning skills and to the overall student experience at Western Law. We will enhance this experience by ensuring that small group instructors in first and upper years provide regular, individualized feedback to students throughout the research and writing process, and by keeping the small group classes at a size that fosters active intellectual discussion. We may recruit additional professional support to supplement faculty resources to provide this feedback.
- **Core Curriculum:** Our core curriculum sets our graduates apart for the breadth of their legal knowledge. It is important to ensure that full-time faculty members continue to teach our core courses. We will also regularly offer specialty courses in key areas of faculty strength, including international law, private and public law, and intellectual property, information and technology law.
- **Capstone Project:** We will consider introducing a capstone project that allows third-year students to integrate the knowledge and skills that they have developed. This will help them to appreciate that legal issues are multi-faceted, and will increase their confidence in applying what they have learned to complex situations.
- **Global Citizenship:** Consistent with Western University's Strategic Plan, we will graduate "global citizens whose education and leadership will serve the public good". This includes providing appropriate academic and co-curricular opportunities to engage with diverse perspectives and to appreciate the role of lawyers in promoting the public good in their communities, in society and across the globe.
- **Clinical and Experiential Education:** Every student should have the opportunity to serve in one of our clinical programs, whether Community Legal Services, the Business Law Clinic, Sport Solution, Pro Bono Students Canada, or the Dispute Resolution Centre ("Western Law's Clinical Programs"). These programs allow students to build interpersonal skills, develop a sense of professional and ethical responsibility, practice non-adversarial dispute resolution, and appreciate the value of access to justice and pro bono work.

Experiential learning also includes the more hands-on experiences provided, for example, by work on law journals, in advocacy competitions, or in the Ontario Court of Justice Clerkship course. We will expand our range of experiential learning opportunities to complement a variety of student interests, including through the development of externship programs in specialty areas.

- **Innovative Pedagogy:** We will encourage instructors to implement creative methods of course delivery and assessment, with the goal of improving students' skills and assessing learning outcomes across a broad spectrum of competencies. This includes simulations and problem-based learning, as well as e-learning platforms and "flipped" classrooms.
- **Interdisciplinary Learning:** In order to practice law well and to lead and succeed as global citizens, students need to be exposed to topics and issues that draw insight from cognate academic disciplines. Exposure to such non-law learning contributes to a richer appreciation of the role that law can play in our local and global communities and our need to address the many challenges our communities face now and in the future. We will collaborate with other Faculties to develop interdisciplinary courses in, for example, business, health, policy development, and sustainability.
- **The January Term:** In addition to providing the opportunity to bring in internationally-renowned scholars and practitioners, the January Term is ideal for alternative course delivery, experiential learning and interdisciplinary offerings. We will use the January Term to offer innovative, intensive learning experiences incorporating a range of assessment tools that challenge our students to think creatively, work collaboratively, and develop their writing, analytical, presentation and problem-solving skills.
- **Intensive Courses:** In recent years, Western Law has offered successful intensive courses in a variety of areas, including legal philosophy, restitution, public law, intellectual property, aboriginal law, and business law. These courses are popular with upper-year students and allow us to attract leading scholars from around the world, enriching the intellectual atmosphere for students and faculty alike. We will continue to make these courses a priority.
- **Mining Law and Finance:** The recently-endowed Cassels Brock Chair in Mining Law & Finance and our participation in a planned Centre for Sustainable Exploration and Resource Development will allow Western Law to become the national leader in mining law and finance. We will seek to expand our curricular offerings with multidisciplinary programs with the Richard Ivey School of Business and the Department of Earth Sciences in exploration geosciences, environmental science, mining law, finance, corporate social responsibility and business sustainability.
- **International Learning Opportunities:** Western Law has an extensive exchange program, with 23 partners in 15 countries, and roughly 35 incoming/outgoing exchange students annually. This is an important aspect of student recruitment. We will review the quality of our exchange relationships as appropriate, and strategically build new exchange partnerships with leading academic institutions, including in Asia.

Western Law has also established an active International Summer Law Internship Program, placing students at international organizations and agencies, financial institutions and courts around the world. We will seek ways to increase and diversify the range of available internships, offering a broad mix of international experiences for our students.

Our exchange and internship programs, together with select courses in our JD program, may enable students to obtain the Global and Intercultural Engagement Certificate now offered by Western.

- **Co-curricular Activities:** Student co-curricular activities, such as our internal advocacy programs, clinical experiences, dispute resolution training, student government, clubs and other associations provide important opportunities for students to develop their leadership, interpersonal and practical skills.

We will review our existing programs and opportunities to ensure that they are being offered in a coherent and consistent manner, and that they make appropriate use of Faculty resources and time during the academic year.

- **Student Space:** In 2012-13, the first phase of a three-year renovation was completed. This improved traffic circulation and accessibility, particularly to the administrative suite, and provided a new, independent office space for the Admissions Office and the Career and Professional Development Office. It also created a new Student Commons where students can study and interact in an informal setting. In 2013, renovations were completed to expand and consolidate the space for Western Law's Clinical Programs. These renovations also greatly enhance the professional setting of our clinics with improved accessibility for clients and visitors. As well, new group study rooms will be completed in 2014 along with improved space for visiting academics and our graduate students. Renovations to provide an additional classroom and student study areas and to relocate the Faculty's food service outlet (Chambers) are planned for 2014-16, subject to funding.

The implementation of these initiatives will require the coordination and likely realignment of faculty resources and a greater integration of substantive knowledge, skills and professionalism, whether through academic courses, clinical courses, or co-curricular opportunities. Further, the introduction of the Law Practice Program will undoubtedly shape students' expectations that they will graduate with both the analytical and practical skills necessary to begin their professional careers. If we are to remain competitive, we must be committed to the success of our students in the changing legal environment.

THE GRADUATE PROGRAM

Western's Strategic Plan includes among its priorities the need to expand quality graduate enrolment. Western Law continues to prioritize the development of its graduate programs. We

have recently expanded our graduate offerings to include two separate masters degrees (the LLM and the MSL), and our PhD program was launched in 2013.

We also see the following elements as priorities for enriching our graduate programs:

- **Focused Recruitment:** We will focus our recruitment efforts to increase the enrolment of high-calibre students whose academic interests are consistent with our research priorities and whose presence in the faculty will enhance the research profiles of their supervisors and colleagues. This includes the recruitment of domestic students from Western's JD program and other leading law Faculties.
- **Interdisciplinary Study:** We will use our MSL and PhD programs to encourage interdisciplinary work within the Faculty, principally by attracting students and scholars with expertise in other disciplines. We will also participate in relevant collaborative programs across campus (such as the Collaborative Programs in Transitional Justice and Post-Conflict Reconstruction and in Environment and Sustainability), and contribute to pertinent "hub and spoke" programs hosted in other Faculties.
- **Engage students in research enterprise:** We will encourage PhD students to assist in the instruction and training of MSL and LLM students, with a view to enhancing our track-record of placing graduates in faculty positions in Canada and abroad, and improving the overall quality of dissertations produced by our students. We will also encourage graduate students to present their research at internal faculty seminars and scholarly conferences.
- **Professional Graduate Education:** We will consider introducing a Graduate Diploma aimed at legal professionals seeking continuing professional development in legal ethics and professionalism, with the possibility of online instruction.
- **Graduate Office Space:** Renovations to provide new office space for our graduate students will be completed in early 2014.

Raising our Expectations: Create a world-class research and scholarship culture

In recent years, Western Law's research mission has been enhanced in several important respects. We are now home to two research groups: the Public Law and Legal Philosophy Research Group and the Tort Law Research Group. These groups have hosted world-renowned speakers, colloquia and conferences, and have enriched the Faculty's research atmosphere through collaboration and intellectual exchange. In addition, we have intensified our efforts to obtain external research funding from both the tri-council agencies and other donors, with particular success in the intellectual property, information and technology law area, which has increased the opportunities for faculty members to conduct and disseminate leading research. Finally, Western Law has fostered important interdisciplinary relationships in the Western community and beyond, in areas including business, legal philosophy, mining, library and information science, history and political science.

In building on our existing research successes and strengths, we will work to develop and consolidate our research mission in the following ways.

- **Expand and promote our research outcomes:** Our faculty produce research that has impact among scholars, judges, practitioners, policy-makers and the broader community. We will celebrate our achievements and promote a broad spectrum of research and research outcomes, emphasizing our individual and collective strengths. As part of this effort, we will develop a Research Impact Framework that will facilitate the more systematic collection and promotion of our research outcomes.
- **Collaborative Research:** Within the Faculty, we will support collaborative research that generates new perspectives and enhances research outcomes. We encourage faculty to consider the formation of additional research groups, with a view to increasing both internal collaboration and interdisciplinary perspectives.
- **Selectively invest in interdisciplinary areas of strength:** We believe that our faculty members should be key players in the interdisciplinary research pursued at Western, as the law provides the essential framework in which many developments in science, medicine, policy development and business are pursued. We will increase our participation in Western's Signature Areas and interdisciplinary initiatives, such as the Centre for Transitional Justice and Post-Conflict Reconstruction, the Centre for Environment and Sustainability, the Centre for Financial Innovation and Risk Management, and the Masters in Financial Economics, Masters of Public Health, and Health Information Science programs.
- **Hire and retain established faculty:** This will include the appointment of leading scholars to fill our recently-endowed Chairs: the W. Geoff Beattie Chair in Corporate Law and the Cassels Brock Chair in Mining Law & Finance. These Chairs will raise Western Law's research profile and help to build strategic partnerships both within Western and in the private sector. We will also intensify our efforts to have a Canada Research Chair allocated to the Faculty.
- **Partner with other institutions:** We will continue to mount named lectures, intensive courses and speakers' series that attract world-renowned scholars to Western Law, and provide visiting scholars with the opportunity to engage with full-time faculty and build lasting collaborative scholarly relationships. We will also seek out faculty exchange programs that allow our researchers to share their research abroad.
- **Bring the world to Western:** We will host national and international conferences where leading academics, judges and practitioners can share their research and form collaborative relationships.
- **Increase success in research grants:** We will increase the number and quality of external funding applications submitted by faculty, providing support with grant-writing and other online resources, student research assistants, and peer review.

Reaching Beyond Campus: Engage alumni, community, institutional and international partners

Alumni

Western Law has an academic community of more than 500 students and an alumni base of over 6,000. The generous funding support we have received from our alumni over the years has been critically important to our continued success. However, equally important is the support we receive from our alumni in helping us shape our strategic objectives, as well as in the classroom, in hosting events and in supporting our advocacy and clinical programs.

Over the past five years, we have, on average, enjoyed the presence and academic support of approximately 60 adjuncts (mostly alumni) teaching or lecturing in our JD program. We have also consulted our alumni on matters of strategic importance for the law school. They have been unfailingly generous with their time.

In 2013 we formed a Dean's Circle of alumni, friends and colleagues who (in addition to their funding support) have offered their time and expertise to assist us in formulating our strategic priorities to ensure the continued success of Western Law.

We will continue to engage our alumni as teachers, mentors, donors and life-long representatives of Western Law in the community. Through the cooperation of the Career and Professional Development Office and Alumni Relations, we will develop a mentorship program that connects our students and recent graduates with experienced alumni to provide ongoing career and networking support in Ontario and around the world.

Community

Our students engage directly with the community through our range of legal clinics: Community Legal Services, Pro Bono Students Canada, the Western Business Law Clinic, Sport Solution and the Dispute Resolution Centre. In the fall of 2013, we completed renovations to consolidate and provide greatly enhanced accommodation for these clinics, including a common reception area, interview rooms, offices and workstations. This will improve the level of service and professionalism that students can offer community members who seek their assistance.

International Partners

Western Law has active relationships with various international partners, including our 23 exchange partners and the hosts for our summer internship program. Every year, we welcome scholars from leading institutions around the world to teach in our January Term, intensive courses and speakers' series, and to share research with our faculty through workshops and conferences.

We will seek to strategically expand and enhance our international partnerships both at an institutional and individual level, so that faculty and students can engage with leading scholars and practitioners from across the globe and gain an international perspective on legal issues.

Taking Charge of Our Destiny: Generate and invest new resources in support of excellence

Public funding of Western has been declining significantly in recent years. Currently, the Provincial share of Western's operating budget is approximately 45%, down from 85% in the late 1970s. This trend will most likely continue.

Accordingly, we must be imaginative and coordinated in identifying and pursuing alternative funding sources to support Western Law's academic mission. This requires not only ensuring the continued support of our alumni, but more importantly, pursuing private sector funding. More often than not, the private sector will be interested in investing in academic programs and research that are innovative, interdisciplinary, and benefit society. This may involve partnerships with other Faculties, institutions or organizations. However, such arrangements should not derogate from the protection of academic freedom in our teaching and research activities.

We will also consider participation in continuing professional and executive education, particularly where we can build on existing programs at Western. Possibilities may exist with the Ivey Business School and Earth Sciences in relation to multidisciplinary sustainability and corporate social responsibility programs, the Schulich School of Medicine and Dentistry and the Faculty of Health Sciences in relation to health law and policy, and the Faculty of Health Sciences in relation to sports law and management.

Conclusion

The issues currently facing Canadian legal education are challenging, but they also present an opportunity for reflection and renewal of our historical approach to the education of the next generation of legal professionals. Law schools that develop innovative, engaging programs that help their students to develop intellectually, personally and professionally, will thrive. Western Law embraces the opportunity to modernize our approach to legal education. We will provide our students with a unique collegial experience and the knowledge, skills, perspectives and experience to become leaders in their communities, the profession and in society. By enhancing our core curriculum with experiential learning practices, international opportunities, critical scholarship and interdisciplinary partnerships, we will ensure that our faculty, students and alumni achieve excellence on the world stage.