

Access to Justice: A Legal Education Initiative

The Third Annual Dean's Forum Report
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Executive Summary

At the forefront of legal education, Access to Justice is developing into a highly publicized topic of interest, with the combined efforts of the legal community and law schools highlighting the need for change in the Canadian legal system. It is the hope of many key stakeholders in the legal industry to create a vested interest in current and future lawyers, a vested interest in working to eliminate this problem. The key to creating a viable approach to the access to justice problem is establishing an innovative regime, appropriately equipped to allow flexibility and choice to all members of the legal community, in order to provide them with not only the tools, but also the opportunities, to tackle the many facets of the issue.

Though many legal groups have attempted to create solutions to alleviate this problem, due to its far-reaching effects, it is an issue that requires dedication and multidimensional reflection. The Dean's Forum 2015 identified legal education as one of the foundational aspects of the Access to Justice problem in more ways than one. Key considerations in this report are related to the admissions process, the impact of high tuition costs, experiential opportunities and curriculum requirements, and interdisciplinary opportunities, each with a unique role to play in solving the access to justice problem.

Legal education is one consideration when it comes to the broad issue of Access to Justice, a consideration for the thousands of law students across the country, as well as the many potential law students. Transforming legal education would provide a greater opportunity to create change from the foundation of the legal profession, allowing students to become involved in a pressing social issue prior to entering the workforce, with the hope that each student would carry this newfound perspective on Access to Justice into their legal work.

While the research offers numerous options and considerations with regard to how to create effective reform around access to justice, the topic requires a dedicated dialogue that considers the needs of a diverse group of interested individuals in

order to create detailed, effective solutions. In hosting the Dean's Forum 2015, we endeavour to gain further insight from key stakeholders in the area of legal education and Access to Justice in order to make it possible to implement real and lasting change.

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The Access to Justice Problem

Access to justice is a multidimensional issue, and there is strong evidence that the current structure of the Canadian justice system falls far short of adequately meeting the needs of many Canadians.¹ The Supreme Court of Canada Chief Justice Beverly McLachlin recently brought the issue of access to justice to the forefront of the legal community and insisted that change was necessary in order to both accommodate, and facilitate change for, the significant number of individuals who find the legal system either too expensive or too complicated to navigate.^I Many other respected and renowned legal experts have followed this call to action by focusing their research on the multifaceted issue that is access to justice.^{II} The results of these research efforts clearly indicate that the access to justice issue that plagues the Canadian legal system is leaving many with legal problems left untended and unanswered. More specifically, these reports detail how the current system fails to meet the needs of many of the most vulnerable members of our society, with much of the burden falling on the shoulder of those from disadvantaged socioeconomic backgrounds.^{III} What truly ties the research and results of these reports together are not only the similar findings, but also a unified call for the support necessary to facilitate a change. Just as integral are the suggestions that any changes to be made should be based on input from the stakeholders and interested parties in society who are actually dealing with these issues in the justice system, in order to ensure that any subsequent changes would accurately reflect the needs of the Canadians it was designed to support.^{IV}

¹ Numerous studies have suggested that much of the problem of inaccessible justice exists due to an ever-increasing reliance on legal professionals by the public. Although many programs have been implemented to assist members of the public to familiarize themselves with legal knowledge, a growing number of individuals remain reliant upon lawyers to help them with their legal problems: See e.g. “Developing Capable Citizens: The Role of Public Legal Education” the report of the PLEAS Task Force, July 2007. A report of “The National Self-Represented Litigants Project,” further details the staggering amount of individuals that are appearing in court, self-represented. For example, in Canada in 2013, 60% of family law litigants, and 31% of civil litigants appeared self-represented. reasons cited for many of the self-represented litigants in the study were that they were unable to afford or retain counsel. Further, symposiums such as “Expanding Horizons: Rethinking Access to Justice”, (Proceedings of a National Symposium, March 2000) and the 2013 “CBA Envisioning Equal Justice Summit” have been held to discuss this issue, where hundreds of members of the current system gathered together and the consensus determined that the current model must be adapted in order to efficiently meet society’s expectations.

Access to justice is a societal issue facing the legal profession and community that has been brought to the forefront of academic discussion, and Saskatchewan has taken the notice. These calls to action have prompted the creation of the Dean's Forum to create an atmosphere in which those who have interest in the issue and the ability to help create solutions have a venue to discuss and create a dialogue about access to justice and the future of the legal system.

The Dimensions of Legal Education and the Access to Justice Problem

A great deal of research has been conducted at both the national and provincial level to discover what solutions might be viable options in remedying the access to justice issue. The topic is so broad that it would be impossible to consider all of the potential discussion points in one sitting. As a result, the 2015 Dean's Forum places a focus on looking at the access to justice issue as it relates to the students who will eventually become legal professionals. Our goal is to explore the tools and methods that are integral to equipping law students, our future lawyers, with the capacity to create real changes in the area of access to justice.

The information gathering process for this report involved consultations with key research reports and interviews with some of the many stakeholders in the legal education community, along with those well versed in the area of access to justice. Key reports considered for the 2015 Dean's Forum, including *Access to Civil and Family Justice: A Roadmap for Change* and *Transforming the Delivery of Legal Services in Canada*, were chosen for their unique contributions to the research being done on access to justice. Closer to home, the 2014 Report of the Curriculum Committee was also a key consideration in discussions on innovation in legal education. Additionally, interviews were conducted with both faculty and administration at the University of Saskatchewan College of Law in order to bring a robust and diverse perspective to the report.

As a result of extensive document review and consultations with key stakeholders, this report aims to consider key components of the issue of access to justice as it relates to legal education. Starting with how the considerations in the admissions

process are the first step in considering access to justice and legal education, this report will then analyze how the high costs of tuition contribute to access to justice by not only being cost-prohibitive to a more diverse group of law students, but also the options that students have post-graduation to give back to the community. Following the analysis of who attends law school is an in-depth look at how the curriculum taught to law students could be changed to further promote access to justice at a classroom learning level, as well as what key considerations need to be at the forefront of any attempts at change. Finally, a discussion on how interdisciplinary connections can be used to create a learning environment that fosters and promotes access to justice will be explored. Following a brief conclusion, questions and thoughts for moving forward will be presented.

Our report brings attention to the ways the legal education program and those involved in it can create an environment that is conducive to indoctrinating the importance of access to justice in law students. The goal is to find areas with the potential to create change that will instill in Canada's future lawyers, an awareness of the issue of access to justice. In short, how can law schools contribute to the education of students in a way that will create meaningful change and result in a perspective shift with regards to access to justice?

Access to Justice Considerations in the Admissions Process

Issue and Context

The primary concern for Canadian law school admissions committees when considering an applicant is the applicant's potential success for law school.^v As with other law schools across Canada, the University of Saskatchewan primarily determines this potential by assessing their applicants' GPA and LSAT scores. An important question to consider is: how do law schools, the legal profession, and society want to define success? Is it by the ability to attain high academic scores?

Background Information

Large Pool of Law School Applicants

Every law school in Canada has an increasing pool of applicants to choose from, and each law school establishes an admissions process to select “the best and the brightest.”^{vi} Each year the University of Saskatchewan College of Law has 1000 to 1200 applications for 126 places in the first year class.^{vii} It seems a lack of applicants is not an issue as there are roughly 10:1 applicants for every available spot. However, the question that concerns those involved in legal education, the legal profession, and society at large remains: is the College selecting the right people from this pool of qualified applicants?

Option: A Holistic Approach for Law Schools to Contribute to Accessible Justice

Changes to the admissions process alone would be an unsustainable approach to our goal of improving access to justice unless viewed in light of other issues. Many people accepted into the Aboriginal and special categories get accepted because they have an interest in access to justice, but applications into these categories have been declining since 1993.^{viii} It is unfortunate that applicants in these categories are waning, because “[t]he admission of greater numbers of students

of diverse racial, ethnic, and class backgrounds... offer[s] the ingredients of an environment where students and faculty might learn about multiple ways of knowing, doing, and being.”^{IX} We could ask ourselves: what are ways the College of Law can ensure our classes have this valuable diversity?

Subjective Component to Law School Admissions

Law schools often have a subjective component to better understand applicants, such as personal statements, reference letters, or interviews. The University of Saskatchewan College of Law requires a personal statement, which is reviewed by all the members of the admissions committee.^X A personal statement allows an applicant to share any attribute not shown by the LSAT and GPA, for example, their work and life experiences, or personal characteristics. This assessment of subjective qualities is often what differentiates the candidates who otherwise have very similar objective qualities. After having established that a candidate is academically capable of completing law courses, the committee then asks: what can this person bring into the cohort?^{XI}

Admissions Process and Public Interest

As law schools are the “gatekeepers” to legal education,^{XII} law schools play an influential role in promoting both private and public interests.^{XIII} Law schools can seek to serve not only “professional education and critical, scholarly study of law” but also “its role in society.”^{XIV} By addressing the needs of the legal profession and society, law schools can gain respect from the public, uphold the integrity of the legal profession, and foster initiatives for greater access to justice. In order to improve our community’s access to justice, it is our proposal in the Dean’s Forum of 2015 to accept students who will effectively contribute to increasing access to justice both during law school and after graduating.

Analysis

(i) Admissions Committee Membership Impacts the Selection Process

Here at the University of Saskatchewan, the law school admissions committee consists of two to four faculty members and two law students in their third year: one appointed from the Law Student Association (LSA) and the other from the Aboriginal Law Student Association (ALSA).^{xv} These students are involved throughout the whole process.^{xvi} The committee's workload is heaviest in April to summer, which unfortunately conflicts with the student representatives' exam schedules, as well as faculty members' teaching, research and writing responsibilities.^{xvii} If our College makes a commitment to devoting more time in selecting the applicants who will best contribute to legal education, the law profession, and society at large, it may be necessary to expand the committee in order to offset the increased workload.

Option: Consideration of Admissions Criterion

It is essential to determine what we are specifically looking for in law school candidates. The University of Calgary, for example, evaluates their applicants' work, community and extra-curricular activities to determine whether they have passion, leadership, maturity, resilience, and whether they learn from past experiences. Perhaps the University of Saskatchewan can gauge whether applicants have any attributes necessary to positively contribute to the access to justice courses in the curriculum. Would that include open-mindedness? Communication skills? Approachability to clients?

Option: Consideration of Admissions Committee Membership

Involving community members in the admissions process could assist in determining what qualities to look for in applicants as well as aid the committee with their workload. A volunteer from the community could give his or her input into which applicant would add to the community, and moreover, volunteers from the Canadian Bar Association and the Indigenous Bar Association could add their perspectives on who would add to the legal community. In addition, the

committee could include alumni volunteers. All of these volunteers could have limited terms in order to share the responsibility and participation among different members of the community.^{xviii} Nevertheless, there is value in having consistent committee members who are familiar with the process. To ensure there are always experienced members who can share their knowledge, the membership terms could turn over in different years so there is always a combination of experienced and fresh perspectives.

(ii) Continuing Law Students' Exposure to Access to Justice Once Admitted

An interest in access to justice may be an attribute the admissions committee dedicates to actively seeking in its applicants. However, one problem with this criterion is that people can change during law school, both in the sense that some may lose interest in access to justice, and in the sense that others may gain an interest. According to a questionnaire for clinical law students, over sixty percent of these students come to law school interested in access to justice; unfortunately, this motivation often wanes by the time students graduate.^{xix} Thus, the Dean's Forum's vision of increasing access to justice through legal education involves continuing law students exposure to access to justice in the curriculum, as discussed below. The aim is, firstly, to keep those already interested in access to justice involved, and secondly, to inform those not already interested in access to justice to consider making it a part of their own goals, or at least become more curious about it. While our College of Law can aim to attract certain students who are more dedicated to access to justice initiatives by providing certain programs, it is futile if the high cost of tuition is a barrier. The next section elaborates on the impact of high tuition costs on access to justice.

The Impact of High Tuition Costs on Access to Justice

Issue & Context

Law school tuition has an impact on access to justice in three ways:

1. Underprivileged individuals cannot afford to attend;²
2. Individuals dependent on part-time jobs to attend are time-constrained from participating in opportunities that provide exposure to access to justice such as clinical experiences; and
3. High tuition costs result in high debt loads that may deter entry into public interest careers, which typically have lower salaries than the private sector.

In order to remove these barriers, a consideration of (i) tuition costs and the opportunities available to alleviate these costs; and (ii) increasing a diversity of students' eligibility for clinical experiences is necessary.

Background Information & Analysis

(i) Alleviating Tuition Costs: Financial Aid and Debt Reduction Programs

The total cost of obtaining a legal education in Canada can reach at least \$68,176.73 and in Saskatchewan \$62,345 without considering additional expenditures such as textbooks and living expenses.³ While there are exceptions,

² According to a study on Ontario law schools following tuition deregulation, increased tuition rates were accompanied by a shift from the proportion of students from a socioeconomic background within the middle 40% to the top 20% of the average income distribution. During this period, there were no similar changes in Quebec and British Columbia, where tuition was not deregulated. For more information, see: Alan JC King, Wendy K Warren & Sharon R Miklas, *Study of Accessibility to Ontario Law Schools* (Kingston: Social Program Evaluation Group Queen's University, 2004) at ii, online: Law Society of Upper Canada <<http://www.lsuc.on.ca/media/convjan05accessibilitystudy.pdf>>.

³ In 2014, the average annual Canadian law school tuition was \$13,958.91 and in Saskatchewan was \$12,015. Additionally, the average post-undergraduate debt is \$26,300 and at least 50% of students have some form of debt after receiving a bachelor's degree. For more information on tuition rates in Canada, see Appendix I. For more information on student debt, see: Statistics Canada, *Graduating in Canada: Profile, Labour Market Outcomes and Student Debt of the Class of 2009-2010* (Ottawa: StatCan, November 2014) at 53, online: StatCan <<http://www.statcan.gc.ca/pub/81-595-m/81-595-m2014101-eng.pdf>>.

loan availability does not appear to be a major barrier for law students in Saskatchewan or elsewhere in Canada.⁴ Even if underprivileged students are able to obtain loans and cross the first tuition barrier, the resultant debt is likely to prevent individuals interested in pursuing careers in the public interest from doing so.⁵ Thus, increasing the proportion of law students obtaining public interest careers will require a reduced debt load and not merely improved loan availability.

Both the Federal and Provincial governments, including the government of Saskatchewan, provide grants to low-income students; however, these grants combined provide only enough for just over a quarter of the average tuition costs, let alone additional necessary expenditures.⁶

(a) Funding Option: Scholarships and Bursaries

While scholarships and bursaries may benefit some students, there are a number of factors that may prevent underprivileged students from accessing them:

- Eligibility may be contingent on full-time study status,⁷ which excludes students who are required to attend studies part-time because they must work to support their studies or families.

⁴ Both the federal and provincial governments provide integrated student loans in ten provinces and territories, which can cover the majority of the average tuition cost. For a 34-week study period, a Canada-Saskatchewan Integrated Loan will provide a maximum of \$13,872 annually. Furthermore, the five main Canadian private banking institutions also offer a professional line of credit upon proof of acceptance to law school. Consequently, it appears that addressing the issue of tuition should focus on debt reduction, which is normally accomplished through scholarships, bursaries, and grants. For more information, see: Government of Canada & Government of Saskatchewan, Canada-Saskatchewan Integrated Student Loan Handbook (Regina: Government of Saskatchewan, 2014) at 3, online: Government of Saskatchewan <<http://ae.gov.sk.ca/student-loan-handbook-2014-15>>.

⁵ Support for this scenario was demonstrated in a study involving NYU's School of Law, where students were given financial aid packages with an equivalent monetary value but distributed as either tuition subsidies or repayable loans. The results show that rates of first job placements in the public interest are about one-third higher when students are offered tuition subsidies. See: Erica Field, "Educational Debt Burden and Career Choice: Evidence from a Financial Aid Experiment at NYU Law School" (2007) 1 American Economic Journal: Applied Economics 1 at 22.

⁶ For a 34-week study period, a Canada-Saskatchewan Integrated Loan will provide a maximum grant of \$3,944 annually. For more information, see: *Supra* note 4 at 3)

⁷ At the University of Saskatchewan, eligibility for College of Law Bursaries is not dependent on study status; however, eligibility for the university's bursaries is dependent on study status. For more information, see: University of Saskatchewan, "Applying and Eligibility", online: University of Saskatchewan <<http://students.usask.ca/money/awards/eligibility.php>>.

- Many scholarships and bursaries are awarded based on academic merit or community involvement, which may not be attainable for students with time constraints such as family commitments, employment, etc.
- Bursaries are largely awarded based on financial need calculations, which may disqualify employed students who must work to support their studies.

Thus, scholarships and bursaries are likely not the foundation for easing the debt of underprivileged students.

(b) Funding Option: Canadian Law School Debt Reduction Programs

While each Canadian law school offers financial assistance,⁸ there are two noteworthy financial aid programs related specifically to reducing post-graduation debt:

- *University of Toronto, Post-Graduation Debt Relief Program (PDPR)*: PDPR is a low-income protection program for graduates who take low-income employment. Eligible graduates will receive a loan that covers eligible law school academic debt (i.e. non-private loans). At the end of each year in the program, a percentage of the loan is forgiven. After 10 years, the loan is entirely forgiven.^{xx}
- *Osgoode Hall, Income Contingent Loan Pilot Program (ICLPP)*: ICLPP is a five-year pilot program beginning in 2015 that will offer at least five students admission to law school without paying tuition. Eligible students will be required to pay the tuition when their income affords them to do so; however, if their income never reaches that point, the loan is entirely forgiven.^{xxi}

The PDPR and ICLPP are unique to Canadian law schools. Despite early discussions for a similar program at the College of Law, no such program exists.⁹

⁸ In addition to at least 118 different scholarships, bursaries, and prizes, the College of Law and University of Saskatchewan both provide non-repayable emergency funding; however, if tuition debt is outstanding, the funding is applied to the tuition rather than the emergency situation. See: College of Law, Scholarships and Financial Assistance”, online: College of Law <<http://law.usask.ca/students/scholarships-and-financial-assistance.php>>.

⁹ In 2013, then-Dean Anand was in discussions with the Saskatchewan government, Law Society of Saskatchewan, and the Canadian Bar Association to offer a similar program for College of Law graduates; however, nothing concrete has materialized as of 2015. The focus of the program was to

(c) Funding Option: Government Debt Reduction Programs

The Saskatchewan government and others, however, have implemented similar post-graduation debt reduction programs for other professions, most notably for health care professionals such as physicians and nurses:

- *Government of Canada, Canada Student Loan Forgiveness Program*: Eligible medical professionals employed for at least 50 days in a designated rural or remote community can have government student loan debt reduced by up to \$40,000 after five years.^{XXII}
- *Government of British Columbia, BC Loan Forgiveness Program*: While this program is currently under review, eligible professionals employed at publicly funded facilities or in under-served areas can fully reduce their provincial student loan debt after three years, including interest rates.^{XXIII}
- *Government of Saskatchewan, Student Loan Forgiveness Program*: Eligible nurses serving under-served rural communities with a population of less than 10,000 can reduce up to \$20,000 in provincial student loan debt after five years.¹⁰

In the aforementioned programs, funding comes from a sole source; the specific university department funds the income-contingent programs while governments fund the region-contingent programs. Implementation of these models will likely require students to contribute via increased tuition or governments to contribute via increased subsidies and there is debate regarding which group should shoulder this responsibility.^{XXIV}

offer financial incentives for students to enter rural practice. See: Geoff Ellwand, "U of S mulls incentives to get law grads to go rural" (May 20, 2013), online: 4 Students <<http://www.canadianlawyermag.com/4661/U-of-S-mulls-incentives-to-get-law-grads-to-go-rural.html>>.

¹⁰ Additionally, the Government of Saskatchewan funds the Graduate Retention Program, which refunds up to \$20,000 of tuition fees in tax credits for eligible students living in Saskatchewan and filing Saskatchewan tax returns; however, this program is not profession-specific. For more information, see: Government of Saskatchewan, "Saskatchewan Student Loan Forgiveness for Nurses and Nurse Practitioners Working in Rural Saskatchewan" (April 9, 2013), online: Government of Saskatchewan <<http://www.gov.sk.ca/news?newsId=bd932453-f816-4c9f-ae91-a2381ba07bb7>>; and Government of Saskatchewan, "Graduate Retention Program", online: Government of Saskatchewan <<https://www.saskatchewan.ca/live/post-secondary-education/graduate-retention-program>>.

(d) Funding Option: Law Society Debt Reduction Programs

There is, however, a final possible source of funding: former students currently employed in the legal profession. The Law Society of Manitoba currently offers a program in collaboration with the University of Manitoba's Faculty of Law to provide free legal education to students from remote Manitoba communities.

- *Law Society of Manitoba, Forgivable Loans Program*: Eligible law graduates employed in their home communities for at least five years can fully reduce all law school related debt, including tuition and living costs. This program is available for up to two students per year and is applied for prior to admission.^{xxv}

At present, law students and new graduates carry the responsibility for enhancing access to justice, which is an unrealistic at the preliminary stage of their legal careers. However, Law Societies are in a better position to contribute, as most of their members are experienced, professional lawyers.

(ii) Alleviating tuition costs to improve student access to clinical experiences

(a) Benefits and Costs of Clinical Experiences

There are many advantages to the inclusion of clinical experience in education; in fact, some scholars argue the clinical method should form the basis of a complete legal education, and others argue against it as will be discussed in the following section.^{xxvi} In addition to providing an opportunity for students to gain practical experience, clinical experience is valuable because it increases awareness about the legal issues that affect the most marginalized members of the community.

Unfortunately, clinical experience is not always possible for all law students. The factors that impact underprivileged students' ability to receive bursaries also influence their ability to access clinical experiences.¹¹

¹¹ At the College of Law, students enrolled in the clinical law program assist at the Community Legal Assistance Services for Saskatoon Inner City (CLASSIC) legal clinic for 32 hours per week in lieu of attending classes, which is the equivalent of a full-time job. Thus, students dependent on part-time

(b) Possible Solutions to Improve Access to Clinical Experiences

Reduced Tuition

There has been some suggestion that students could receive reduced tuition in exchange for participating in clinical law programs. However, this does not appear to be a practical solution for law schools. Clinical law programs are expensive to run since they are more resource-intensive than traditional classes.^{xxvii} Furthermore, legal clinics are already under tremendous financial pressure and dependent on student tuition.¹²

Summer Clinical Law Program

Another suggestion has been to make the clinical law program available during the summer when classes are not in session, since CLASSIC already employs students during the summer months. However, students dependent on employment to support their studies likely need to work during the summer, which produces the same dilemma as does taking the clinical program during the academic year. Additionally, if academic credit were to be awarded, students would need to enrol in the summer session and pay auxiliary fees to the university.

Summer or Long-Distance Classes

One possible solution is to provide classes over the summer either at the law school or via long-distance learning. Enrolment in one class over the summer is likely to allow students to undertake employment in the summer while also freeing time during the academic year, which may allow students to partake in opportunities that provide exposure to access to justice such as volunteering with Pro Bono Students Canada. While summer classes are currently not available at

employment will have difficulty in balancing the full-time hours at CLASSIC with a part-time job, in addition to the time spent attending the weekly seminar and writing the major paper required by the program.

<<http://www.classiclaw.ca/questions.html>>.

¹² For instance, CLASSIC is funded by various agencies including the University of Saskatchewan and the College, which both provide grants derived from student tuition. According to the College, the only scenario in which a tuition discount would be possible involves additional funding. For more information, see: Classic Law, “Questions”, online: Classic Law

the College of Law,¹³ it is possible to take a class at another law school, either physically or online, and obtain credit.

Alternatives to Legal Clinics

Another solution is to provide alternative clinical experiences other than the traditional legal clinic, which will be discussed in the following section. A possible experience could be based on the Access to Justice Clinical Course Project (AJCCP) at IIT Chicago-Kent College of Law, which combines clinical and classroom methods. In the AJCCP, faculty members vet each final project before public distribution, which results in lower associated costs than the traditional legal clinic, which requires full-time supervision of student work.¹⁴

While there are challenges associated with providing clinical experience in legal education, its role in access to justice suggests its accessibility is important, particularly if the curriculum is modified to mandate an access to justice component, as discussed in the next section.

¹³ According to Associate Dean Academic Surtees, summer classes have two major complications: instructors and the academic block system. If faculty teach during the summer, the number of classes in the winter session will be reduced since faculty are entitled to six weeks of holiday, teach only four classes per year, and may perform research elsewhere during the year. If practitioners were chosen, only night classes would be available as most practitioners work during the day. The block system is also a factor because it views student progression on a yearly basis. If a student fails a course, all credit is lost for the entire academic year, including credits from the winter sessions. While these logistical challenges are solvable, they would likely require negotiation between the Dean and Faculty Association.

¹⁴ The goal of AJCCP is for each student to design a document template that can be used by document assembly software for a self-represented litigant to use, allowing them to complete and print documents ready to be filed in court and thus automating the legal process. In creating this document template, students must contact a self-represented litigant and research their legal issue, such as how to file a name change or declare a living will. Thus, students learn and use multiple skills in this project: performing legal research and writing, providing client service, and learning how to combine technology with law. For a more detailed explanation of the program and its educational benefits, see: Ronald W Staudt & Andrew P Medeiros, "Access to Justice Clinics: A 4% Solution" (2013) 88 Chicago-Kent Law Review 694.

Experiential Opportunities and Curriculum and Degree Requirements

Issue & Context

As the current legal education curriculum and program exists at the University of Saskatchewan, there is no embedded or required access to justice component for law students; what limited course options and opportunities are provided are optional, limited to small classes, and only provide outreach to a very small group of students (and, likely, only those with a prior interest). As a result, the current state of affairs has access to justice issues in the background, when the pressing nature of the issues at hand, (what some might even describe as a dire social problem) should be at the forefront of legal education. The ideal goal would be to create a curriculum and education program where access to justice becomes an inherent part of legal education, through a combination of options that can offer students the opportunity to learn about access to justice in a way that will benefit them and their future careers, without forcing a subject that many often see as polarizing on students.

Ideally, a better understanding about access to justice and the issues faced by marginalized groups in society when dealing with the law and legal processes would be an issue that every lawyer was well versed in and dedicated to bettering; this is easier said than done, as there will always be some who are more dedicated to a certain issue than others.^{xxviii} As a result, an excellent way to increase the commitment to access to justice would be to help students, faculty, and other stakeholders understand that not everyone sees the world the way that those involved in the legal community do, and not everyone has had the same life experiences as those in law schools and the legal profession.^{xxix} Ideally, law schools and the profession would create an environment where there was an increased understanding about Aboriginal issues, both locally and internationally. Further, that those who need access to justice the most are often people who have dealt with an entirely different set of life circumstances than many of us, from

relative positions of privilege, have ever encountered or even considered, such as First Nations, women in poverty, and people in vulnerable circumstances such as the elderly, disabled, and those with mental health or addictions issues.^{xxx} Where someone is in a vulnerable circumstance, and is struggling with a set of problems that we might see as a discrete legal issue, but that is in reality the result of a greater challenge, like addiction, has no cushion, challenging circumstances begin to arise and compound rapidly, and fixing discrete legal issues doesn't solve the overarching problem.^{xxxi} The challenge is to expose students to this different kind of legal context.^{xxxii}

Background Information

i) Option: Experiential Learning Opportunities that Incorporate an Access to Justice Component

“Legal principles are not the product of pure reasoning from fixed truths. To the contrary, legal principles are the indeterminate products of debates that occur within particular cultural settings.”^{xxxiii} Undoubtedly experiential learning would be an effective and impacting way to incorporate access to justice information into the legal curriculum in a way in which it could benefit students not only in aiding their knowledge on the topic but by informing other aspects of their legal education. This issue has not gone without notice, with effort being made to create and develop a policy that promotes learning opportunities and awareness about issues that affect the legal profession a key goal of the curriculum at the college. Even the mere impact of certain cases and decisions could mean more if a student had the appropriate experiential context within which to interpret the information.^{xxxiv} The law, and lawyers, do not operate in a vacuum, and the concept of “learning by doing” is not a novel one. However, law schools also do not operate in a vacuum. There are additional considerations, such as funding, faculty presence, student interest, and more at play in introducing more opportunities. Clinical, the most widely recognized and promoted of all experiential learning projects at law schools, are notoriously expensive and time

consuming to run. This issue has not gone without notice, with effort being made to create and develop a policy that promotes learning opportunities and awareness about issues that affect the legal profession a key goal of the curriculum at the college.^{xxxv} It is worth noting that the faculty at the College have attempted to create a place for alternative programming on an ad hoc basis, or within the scope of a course; there have been some shortened or smaller clinical placements run as independent research projects (IDRs) in the area of dispute resolution, as well as some courses with smaller clinical portions built in, such as the Access to Justice course.^{xxxvi} While such examples are illustrative of the potential for experiential learning components, these opportunities are the exception, rather than the rule. With a typical lecture seating up to 90 students,¹⁵ it is easy to see why the traditional, ‘black letter’ classes are the most cost effective options, as opposed to a clinical seminar which might only be able to accommodate a dozen students and requires additional resources, funding, and more faculty work and supervision. In a time when tuition costs have never been higher,¹⁶ creating more experiential learning opportunities for students must be weighed against the fact that rising tuition costs in and of themselves, as discussed in the previous section of this report, are contributing to the access to justice issue.

ii) Option: Changes to Curriculum Mandates and Degree Requirements with the Potential to Support Access to Justice Initiatives

The University of Saskatchewan College of Law (“the College”) strives to create a curriculum that gives students the opportunity to engage in an educational experience that exceeds expectations and sets the stage for a future of success

¹⁵ This can be noted as a general class size at the College for most traditional-style “black letter” law classes with a 100% final exam in the class lists provided by the College online: University of Saskatchewan College of Law Elective List < <http://law.usask.ca/students/current-students/PDF%20202014-2015%20elective%20lists.pdf>>

¹⁶ The current tuition cost at the College for the 2014-2015 academic year (including mandatory student fees) is \$12,800.95 with the average cost of books estimated at \$2500.00 from the University of Saskatchewan College of Law FAQ list online: <<http://law.usask.ca/programs/law-degree/faqs.php>>; tuition at other common-law schools in Canada ranges from \$6641 for out-of-province students (\$2273 for in-province students) at McGill university to \$30,230 for students at the University of Toronto College of Law. Tuition chart comparing the tuition of Canadian law schools available from Macleans online at: < <http://www.macleans.ca/education/university/law-school-in-canada-what-will-it-cost/>>.

and opportunity.^{xxxvii} The College, like many others across Canada, has particular curriculum requirements with a set number of credits and merits to be achieved in order to graduate, with the selection and flexibility of student scheduling in the upper two years being within the autonomy of the students so long as certain academic requirements are met.^{xxxviii} In the 2013-2014 academic year, under a mandate from the Canadian Federation of Law Societies denoting a general required competency requirement for all law students completing the program as of 2015.^{xxxix} As a result, three mandatory classes were added for upper years at the College and other law schools across Canada. With the implementation of mandatory classes for some items, the question becomes whether a mandatory component for access to justice or some form of experiential learning should be included. Such a mandate is not unheard of, with at least one law school in Canada incorporating public interest hours into graduation requirements.¹⁷ Additionally, “pro bono work has long been an important part of ensuring access to justice and the legal process for the indigent and under-represented.”^{xl} In practice, this is how many people in the general public and legal community expect lawyers to contribute to solving the access to justice issue, so in some respects, it seems almost logical to place a similar burden on law students, if only to ingrain the idea of pro-bono work into legal education and as a result foster involvement in and commitment to pro-bono work as students later become professionals.^{xli} However, the role of a law student is to be learning legal skills that can carry that student through life as a legal professional^{xlii}, and there is some doubt as to how being involved in pro-bono work can contribute to this goal.^{xliii} As discussed elsewhere in this report, clinical programs are also an excellent way to expose students to access to justice issues while incorporating experiential learning processes, but there are caveats to student schedules. While mandatory classes certainly can help with things like budgeting and staffing issues, students also value choice in their classes. Mandating a class or range of

¹⁷ The Juris Doctor program at Osgoode Hall Law School at York University in Toronto requires all students to complete the Osgood Public Interest Requirement (OPIR) comprised of 40 hours of legal public interest work over the course of the degree in order to complete the program. Additionally, upper year students must also complete a “practicum” class that blends theory with experiential learning in order to graduate. “Degree Requirements,” online: York University Osgoode Hall Law School < <http://www.osgoode.yorku.ca/programs/jd-program/degree-requirements/#public>>.

classes related to learning about access to justice, then, is perhaps not the best choice, and mandating a pro-bono requirement could work to compound problems with attitudes related to access to justice by those who are truly not interested and will do the bare minimum to meet the requirements.

While many who support a greater integration of access to justice in law school programming would like to see a mandatory requirement, is the solution really to include mandatory programming and additional degree components or requirements? Law students already face a variety of burdens, from learning to “think like a lawyer,” to the financial pressures of ever-rising tuition costs, readings, studying for classes, part-time jobs, seeking articles, volunteer commitments, and more. Why should the access to justice issue, one that has been created by many previous generations of legal professionals, be the sole responsibility of our new, up and coming generation of lawyers? Is reforming law school curriculum the best way to fill this gap in the legal system? Finally, why should access to justice programming be mandated for students, when there is no such requirement for practicing lawyers in terms of a contribution to access to justice initiatives?

The goal of creating a greater focus on and interest in access to justice should be to offer ways in which these changes can be implemented in law schools, but keeping in mind the importance of building in flexibility to work with the current administration, not against it. Additionally, flexibility should also be considered as it relates to students, who also face many challenges as up-and-coming professionals in a time of rising tuition costs and limited job availability. By offering a range of options and initiatives, the likelihood of success in access to justice initiatives will subsequently become much greater.

Interdisciplinary Connections—Opportunities to Enhance Legal Education While Increasing Access to Justice

Issues & Context

A key component when creating a learning environment that is conducive to exploring access to justice issues may be to open a dialogue with other Colleges. The Law School currently exists very much in a silo and adopting further interdisciplinary programming would address this issue. The Report to the Curriculum Committee performed in the spring of 2014 confirmed that the College of Law is attempting to teach in new and innovative ways.^{XLIV} There are a wide variety of opportunities to engage in experiential learning and also an interest in alternative modes of assessment.

Harnessing this underlying interest by reaching out to students and other Colleges to create further interdisciplinary connections would allow law students to think of the Law and the clients they will serve holistically. It will foster an understanding that both legal issues and clients exist in the context of a variety of circumstances outside basic legal theory. This includes creating an interdisciplinary academic and social environment in which law is viewed in a global, multi-disciplinary context.

Too often, the conversation regarding changing legal education boils down to its perceived lack of practicability. Law students can graduate from law school without ever having drafted a will, met with a client and without knowing anything about the business of working, let alone running a law firm. These are valuable concerns that warrant considerable attention, but this is only part of the whole picture. The practice of law is driven by client interaction. Clients are complex people who approach lawyers with legal issues. The legal issues, however, are rarely isolated. A legal issue can have underlying currents that include business problems, family disagreements, educational crises' or healthcare dilemmas, just

to name a few. A holistic understanding of clients and of the public that lawyers serve could result in a greater ability to address access to justice issues. Further, an understanding of social interaction and of dealing with issues that fall well outside the legal realm is a necessary component in a complete legal education.

Background Information and Analysis

(i) Legal Education in a New Context – Opportunity for Curriculum Reform Through Interdisciplinary Learning with an Aim to Create Accessible Justice

According to two Canadian touchstone reports released in 2014, legal education in Canada is due for a change. In *The Cromwell Report*, Justice Cromwell sees a necessity to create “modules, courses and research agendas focused specifically on access to justice, professionalism, public service, diversity, pluralism and globalization”^{XLV}. In the *Canadian Bar Association Futures Initiative, Final Report*, attention is drawn to the need for new delivery models of legal education. When creating these models, the report indicates that “...education and training should offer new opportunities for collaboration – just as lawyers will need to work more closely with other professionals in the practice of law, so too should the stakeholders educating and training legal professionals.”^{XLVI} Each of these reports sees legal education and specifically interdisciplinary collaborations as being one of the key themes when creating more access to justice in Canada.

The result of these reports elicits a general sentiment that there is a need for law students to be moved out of the “ivory tower” and into the University community. This allows for an interdisciplinary, or multi-disciplinary education that encourages a greater understanding of the communities that lawyers will be serving.

(ii) The Role of Legal Skills Training in Exposing Students to Interdisciplinary Collaborations and Reflective Practice

As an example of legal education reform that includes legal skill training, we can look to the Bora Laskin School of Law at Lakehead University in Ontario. Lee Stuesser, the current dean of the Bora Laskin School of Law has been a long-time advocate for change in legal education:

Schools are the gateway to the profession and as such they should do more to prepare students for lawyering. After all the vast majority of law students who pay the high tuition do so precisely because they are looking for careers as lawyers.^{XLVII}

Lakehead University has taken an altogether different approach than that of other Law schools across Canada (Appendix II) and it is yet to be seen how effective the Lakehead model will be. In terms of access to justice, ideally a practical, skills based education will have the potential of allowing students to reflect on injustices in the system that they bear witness to during the course of their degree. Lee Stuesser's comments are a relevant and welcome addition to a conversation about legal education models. He is not alone in his opinion that law schools are not adequately preparing students for lawyering.^{XLVIII} The *CBA Legal Futures Initiative* echoes his sentiment and American commentators have recommended an "innovative, integrated, pluralistic law school curriculum with expanded experiential education and required clinical education".^{XLIX}

Adequately preparing students for lawyering in a fast paced, ever changing, globalized world is a daunting task. One way to address the issue of "adequate preparation" is to use the already existing resources in the larger University community. The Tennessee College of Law has a very successful clinical law program that situates law students in a clinic with both social work and clinical psychology students. Nurses have recently been added to the roster as well. The constant collaboration allows students to assist clients with a wide array of issues.^L Although not curriculum driven, the clinical law setting is an ideal place to incorporate informal, interdisciplinary learning.

(iii) Interdisciplinary Connections at the University of Saskatchewan, College of Law

The U of S College of Law has a strong clinical law program along with programming that is available to students that are interested in pursuing interdisciplinary opportunities:

(a) The Community Legal Assistance Services for Saskatoon Inner City (CLASSIC)

CLASSIC currently has a mission statement that situates itself in a way that “provides law and inter-disciplinary students with experiential learning, new insights into the cultural and social reality of law, and fosters an ethic of social justice.”^{LI} CLASSIC has social work students who work alongside law students in order to act as resources for clients who have issues that are outside the legal realm. Social work students have very different approaches to social issues. The social work students take part in the law student Orientation before they begin administering CLASSIC services.

A simple way to create additional interdisciplinary learning would be to allow the Social Work students to do a series of workshops educating law students about social work topics as a part of the orientation. This type of opportunity is invaluable and is not resource heavy. A variety of legal educators in the United States refer to this type of legal-service delivery as “holistic representation”.^{LII} Not only are clients given a holistic experience, service delivery providers are also exposed to different educational areas and are in a position to collaborate in an experiential learning environment.^{LIII} In Saskatchewan, this may involve increasing collaborations between CLASSIC and Saskatoon’s holistic, student run medical clinic, the Student Wellness Initiative Toward Community Health (SWITCH). As at the University of Tennessee, not only would clients receive a holistic experience, service delivery providers are also exposed to different educational areas and are in a position to collaborate in an experiential learning environment.^{LIV}

(b) Out of College Course Permission

The College of Law presents limited interdisciplinary learning options. However, students continue to express an interest in the area of pursuing interdisciplinary education.^{LV} Currently, the strongest and most used option for law students is to apply to the Associate Dean Academic to be given permission to take a maximum of six credits at other colleges either at the University of Saskatchewan or elsewhere. In order to get permission to take outside classes, an application is made to the Associate Dean Academic who then must find that there is an adequate connection to the law school.

(c) Existing Cross-College Course Offerings

There are also two courses offered that are taught in an interdisciplinary fashion. The Labour Arbitration Course is taught jointly to Edwards School of Business and College of Law students. The students participate in a mock arbitration and in some cases business students and law students take opposing sides. The Law and Psychiatry Class is taught to psychiatry students alongside law students. The Law and Psychiatry class is supported by the College of Law and the Department of Psychiatry. A member of the Psychiatry Department assists in the presentation of seminars and Psychiatric residents take the course alongside law students.

Anecdotally based on our opinion and a small survey of students in these classes, they are very popular and students speak very highly of the interaction with other Colleges. Each course is not only inter-disciplinary, but also takes an alternative approach to the traditional model of course delivery. This model could be expanded to include other courses taught jointly and/or in collaboration with other Colleges.

(d) Exploring the Potential Use of Technology to Pursue Interdisciplinary Learning Opportunities

Ideally, technology could also be used to create interdisciplinary learning experiences with global partners. A current example of harnessing technology to

promote interdisciplinary learning is evidenced in the program “Law Without Walls” run by the University of Miami (See Appendix B).

CONCLUSION

Although there are many ways in which legal education has potential to improve the access to justice issue in a Saskatchewan context, we also recognize that the College of law has encouraged students to be engaged in practical learning for a number of years. Faculty consistently see the benefit of adjusting the curriculum to meet the needs of current students as well as society at large.

Transforming legal education may seem a daunting task. The very idea that we were given the opportunity to write this paper is a strong indication that the College of Law is ready to start addressing the issue of access to justice as it relates to legal education. In the interim, perhaps there are questions educators can be asking themselves in terms of curriculum and course delivery. How do we identify when “enough” is being done? At what point does the access to justice issue move beyond the walls of the institution and into the offices of those practising in the field? Education provides only one potential solution to this broad issue.

As evidenced in this paper, there are a wide variety of opportunities to engage in experiential learning and also an interest in alternative methods of assessment. There is great value in extending the opportunity for non-traditional students to be admitted to law school. Legal institutions need to address the cost of education and examine the barriers this creates. It is in the best interest of students and educators to continue to pursue the endless opportunity present in an ever-changing learning environment.

We hope the Dean’s Forum can contribute in a meaningful way to an ongoing dialogue that will continue to consider the needs of a diverse group of interested individuals. It is our intention that action will result from the collective interest in creating accessible justice. This paper is one small piece of the puzzle. Ideally, it

will be used to assist in creating detailed, effective solutions that can be implemented for real and lasting change. The University of Saskatchewan is positioned to be a leader in the area of Access to Justice in Canada.

Appendix I

Law School	Annual Tuition
Dalhousie University	\$13,780.00
Lakehead University	\$15,594.20
McGill University	\$2,273.10
Thompson Rivers University	\$17,828.28
Queen's University	\$16,930.00
University of Alberta	\$10,221.12
University of Calgary	\$11,448.00
University de Moncton	\$5,604.00
University of Manitoba	\$9,310.70
University of New Brunswick	\$9,837.00
University of Ottawa	\$16,060.68
University of Saskatchewan	\$12,015.00
University of Toronto	\$30,230.00
University of Victoria	\$9,028.68
University of Western	\$18,420.00
University of Windsor	\$16,048.60
York University	\$22,672.08
Average	\$13,958.91

Table 1. Annual tuition fees for Canadian common-law schools in 2014-15 based on data collected from official law school websites.

Appendix II

BORA LASKIN FACULTY OF LAW AT LAKEHEAD UNIVERSITY – A NEW MODEL OF LAW SCHOOL DELIVERY

<<https://www.lakeheadu.ca/academics/departments/law/why-study-law>>

Lakehead University Faculty of Law focuses on three main issues: Aboriginal Law related to Aboriginal peoples; establishing a law practice in a small centre; and an emphasis on Natural Resources, with specialties in mining and forestry.

The classes are small. The first year class is divided into two sections, each comprised of thirty students. This small number allows the faculty to give students an opportunity to practically apply what is learned in class.

“Emphasis is placed on legal skill training including: written and oral communication, legal research, drafting, negotiation, interviewing and trial advocacy. Our goal is to develop students with leadership and critical thinking abilities who are aware of the social and ethical responsibilities of the legal profession and who are lawyer ready.”^{LVI}

Lakehead is also the first law school in Canada that integrates the curriculum in such a way that students will not need to article and will be eligible for licensing in Ontario right after graduation.

The Bora Laskin Faculty of Law was created to address a need for access to legal services in Northern Ontario and throughout rural Canada. The school is unique in that it saw a need in the community and responded by creating a brand new approach to legal education. Although perhaps seen by some as drastic, it is an example of the possibilities that arise when legal education delivery is creatively reimagined.

Appendix III

LAW WITHOUT WALLS – THE FOREFRONT OF INTERDISCIPLINARY EDUCATION

Law Without Walls - <http://www.lawwithoutwalls.org> - Miami Law

LawWithoutWalls is a part-virtual, global, multi-disciplinary collaborator program that focuses on the intersection of law, business, technology, and innovation. Its mission is to accelerate innovation in legal education and practice at the same time. The program collaborates with 30 law and business schools and a variety of academics in the area of technology, venture capital, entrepreneurship, business and law. The basic idea is that lawyers need to be educated in how to collaborate with other professions and face challenges that are presented in an international legal environment. Lawyers of today face issues created by technology and globalization. Students in the program develop skills in leadership, teamwork, project management, use of technology, business, social networking, problem solving and cultural competency.

Osgoode Hall Law School, York University, Schulich School of Business York University and University of Montreal Faculty of Law round out the Canadian schools that take part in Law Without Walls. For an in-depth explanation of the programs, visit the programs area of the website.

¹ The Access to Civil and Family Justice Action Committee, *Access to Civil and Family Justice: A Roadmap for Change* (Ottawa: Action Committee on Access to Justice in Civil and Family Matters, October 2013) [the *Cromwell Report*]

^{II} Julie MacFarlane, “The National Self-Represented Litigants Project: Identifying and Meeting the Needs of Self-Represented Litigants” (2013) <http://static1.squarespace.com/static/511bd4e0e4b0cecdc77b114b/t/5473a3cde4b07dc064394be/1416864717309/Self-represented_project.pdf>.

^{III} *Supra* note 1.

^{IV} *Ibid.*

^V Communications with Chair of Admissions Committee Mark Carter at the University of Saskatchewan College of Law, February 5, 2015 [Carter].

^{VI} Dawna Tong and W Wesley Pue, “The Best and the Brightest: Canadian Law School Admissions” (York: Osgoode Hall Law Journal, 1999) 843 at 875 [Tong, “Canadian Law School Admissions”].

^{VII} Communications with Admissions Committee Officer Doreen Petrow at the University of Saskatchewan College of Law, February 9, 2015 [Petrow].

^{VIII} Communications with Legal Education Professor Brent Cotter at the University of Saskatchewan College of Law, January 28, 2015.

^{IX} Janet E Mosher, “Legal Education: Nemesis or Ally of Social Movements” (1997) 35 Osgoode Hall LJ 14 613 at 630-631.

^X Carter, *supra* note 5.

^{XI} *Ibid.*

^{XII} Barry G Browning, “A Walk through the Black Forest or A Study of Criteria Effectively Available for the Selection of Students to Faculties of Law,” in Justice Roy J Matas & Deborah J McCawley eds, *Legal Education in Canada* (Montreal: Federation of Law Societies of Canada, 1987) 608 at 610 [Browning, “A Study of Criteria”].

^{XIII} D A Soberman, “Law Schools Under Attack,” *Dalhousie Law Journal – Special Issue 1983: Notes and Comments*, 7 Dalhousie LJ (1982-1983) 825 at 825 [Soberman, “Law Schools”].

^{XIV} *Ibid.*

^{XV} Communications with Admissions Committee Officer Doreen Petrow at the University of Saskatchewan College of Law, February 9, 2015 [Petrow].

^{XVI} Carter, *supra* note 5.

^{XVII} *Ibid.*

^{XVIII} Communications with University of Calgary Law Admissions Coordinator Catherine Valestuk, February 12, 2015.

^{XIX} Janelle Anderson, “Clinical Legal Education: Perspectives from Former Clinical Law Students” (Manitoba Law Journal 37.1) 427 at 443.

^{XX} University of Toronto, Faculty of Law, “Post-Graduation Debt Relief Program”, online: University of Toronto <<http://www.law.utoronto.ca/academic-programs/jd-program/financial-aid-and-fees/back-end-debt-relief-program>>.

^{XXI} Osgoode Hall Law School, “Osgoode Hall Law School announces new approach for financial accessibility” (September 15, 2014), online: Osgoode Hall Law School <http://www.osgoode.yorku.ca/media_releases/osgoode-hall-law-school-announces-new-approach-financial-accessibility>.

^{XXII} Government of Canada, “Canada Student Loan Forgiveness for Family Doctors and Nurses” (July 22, 2014), online: CanLearn <http://www.canlearn.ca/eng/loans_grants/repayment/help/forgiveness.shtml>.

^{XXIII} Government of British Columbia, “BC loan forgiveness program”, online: StudentAidBC <<https://studentaidbc.ca/repay/repayment-help/bc-loan-forgiveness-program>>.

^{XXIV} Bruce Pardy, “Poor Students, Well-Paid Lawyers: Post-Graduation Income-Contingent Tuition Fees for Law Schools” (2004) 29 Queen’s LJ 848 at 854.

^{XXV} University of Manitoba, “News Release: Bringing Justice to the Masses” (October 12, 2010), online: University of Manitoba <<http://umanitoba.ca/news/blogs/blog/2010/10/12/news-release-bringing-justice-to-the-masses/#more-750>>.

^{XXVI} Neil Gold, “Clinic is the Basis for Complete Legal Education: Quality Assurance, Learning Outcomes and the Clinical Method” (2015) 22 International Journal of Clinical Legal Education, online: Northumbria Journals <<http://northumbriajournals.co.uk/index.php/ijcle/article/view/406/793>>.

^{XXVII} Shelley Gavigan & Sean Rehaag, “Poverty Law, Access to Justice, and Ethical Lawyering: Celebrating 40 Years of Clinical education at Osgoode Hall Law School” (2014) 23 Journal of Law and Social Policy 1 at 4.

xxviii Communications with Professor Doug Surtees at the University of Saskatchewan College of Law, February 25, 2015 [Surtees], who was consulted due to his extensive experience in education, law, and legal education, as well as his prominent role within the College and the legal community.

xxix *Ibid.*

xxx *Ibid.*

xxxi *Ibid.*

xxxii *Ibid.*

xxxiii "How the Course is Taught" online: NYU School of Law Experiential Learning Lab <
<http://www.law.nyu.edu/experientiallearninglab/coursedevelopment>>

xxxiv Surtees, *supra* note 28. In discussing how, for example, a decision such as the recent *Carter* case would have so much more of an impact on those who had worked with the affected group of people; the concept would be less abstract.

xxxv Michaela Keet – An Overview of Teaching and Evaluation Methods, A Report of the Curriculum Committee, College of Law, University of Saskatchewan, 2014 [Report of the Curriculum Committee].

xxxvi Communications with Professor Michaela Keet at the University of Saskatchewan College of Law, March 1, 2015, who was consulted due to her extensive experience in working in the area of Access to Justice. She also assisted in facilitating the Dean's Forum course for 2015 in her role as the faculty advisor.

xxxvii According to the brief synopsis on the University of Saskatchewan College of Law website describing the Law Degree: Juris Doctor program. See: University of Saskatchewan College of Law Programs "Law Degree: Juris Doctor," online: University of Saskatchewan <
<http://law.usask.ca/programs/law-degree/index.php>>

xxxviii "Curriculum Information Session Package," online: University of Saskatchewan College of Law <
<http://law.usask.ca/students/current-students/2014-2015%20CURRICULUM%20INFORMATION%20SESSION%20pdf%20long%201.pdf>>

xxxix *Ibid.*; see also: "Task Force on the Canadian Common Law Degree," online: Federation of Law Societies of Canada <
http://www.flsc.ca/_documents/Common-Law-Degree-Report-C.pdf>.

xl From NALP's findings on experiential learning and law practice, which surveyed a wide variety of associates about how their law school experiences have availed them in practicing in the profession. "2010 Survey of Law School Experiential Learning Opportunities and Benefits" available online: The National Association for Law Placement (NALP). <
<http://www.nalp.org/uploads/2010ExperientialLearningStudy.pdf>>.

xli *Ibid* at page 23.

xlvi Surtees, *supra* note 28. In discussing what role, if any, students should be playing

xlvi *Supra* note 40 at page 26; only 17% of associates who participated in the study rated participation in pro-bono work during law school as "very useful" in terms of applying to their legal work.

xliv *Supra* note 35.

xlvi *Supra* note 1.

xlvi The Canadian Bar Association Futures Initiative, *Transforming the Delivery of Legal Services in Canada* (August 2014) at 57.

xlvi Lee Steusser, *The Canadian Bar Association National Magazine* (2014) Accessed online at <
<http://www.nationalmagazine.ca/Articles/Students-2014/Failing-grade.aspx>>

xlvi See also "Time for Law Schools to Rethink Teaching Law" Canadian Lawyer Magazine, 2013

<http://www.canadianlawyermag.com/4848/Time-for-law-schools-to-rethink-teaching-law.html>

Michael Plaxton - Identity Crisis Grips Law Schools – The Star 2012

http://www.thestar.com/opinion/editorialopinion/2012/08/23/identity_crisis_grips_law_schools.html

xlvi Antoinette Sedillo Lopez, Peggy Maisel, Robert Seibel & Karen Tokarz *Legal Education at a Crossroads: Innovation, Integration and Pluralism Required!* 43 Wash. U.J.L. & Pol'y vii 2013 at page 13

^L Douglas Blaze and R. Brad Morgan, *More Equal Access to Justice: The Unrealized Potential of Law Schools*, University of Tennessee 82 (2013) at page 181

^{LI} <http://www.classiclawn.ca>

^{LII} *Supra* note 50 at 185

^{LIII} *Supra* note 48

^{LIV} *Ibid.*

^{LV} *Supra* note 28.

^{LVI} <https://www.lakeheadu.ca/academics/departments/law/why-study-law>.