

Supreme Court of Canada Cases for Student Review

Assignment:



1. Either individually or in pairs, choose one of the Supreme Court of Canada cases from the list below (sorry, not all links are live, you may have to copy and paste the URL in order to actually access the case).
2. When you choose your case, e-mail me (cindy.rotar@ucdsb.on.ca) to advise which case you have chosen, and I will confirm that you are the first to select that case. If you have not chosen a case on or by class time Thursday, February 24th, 2011, one will be assigned to you.
3. You will use the FIDS case analysis model and prepare a brief of your case, which you will present to the class. If you want to get creative at this point and do a powerpoint presentation, or pretend that you are a member of the media reporting on the case, or any other reasonable method of presenting, that is just fine, as long as you have all of the details. Remember, you must present the Facts, Issues, Decision and the Significance of the case – especially the social significance to Canadians as a whole. Think “5 minute presentation”.
4. You must also be sure to **define** any legal terms used in or relevant to your case.
5. We will be presenting these in class starting Monday, February 28th, 2011. You **must** also submit a **written** version of your presentation. The written version will be the source of most of your marks. (E-mail is preferred.) The written version is due Friday, March 4th, 2011. This mark will be included on your preliminary reports, or will be conspicuous in its absence.
6. Please be sure to advise if you require any special equipment to present (although I can't think of anything I don't already have in place). Feel free to use technology in your presentation (video, .ppt, photostory3, etc.).
7. Although I have given the case citation and the link to the judgments of the Supreme Court of Canada, do not feel limited by this. You are free to investigate other sources of information to assist you in understanding the case, if you wish. Please be sure to cite your sources.
8. A rubric is also below. Please look at the rubric before you prepare your Case Analysis and Presentation!

Supreme Court of Canada Cases for Student Review

Case Name and Citation	Topic	Students
1 Tremblay v. Daigle , [1989] 2 S.C.R. 530 http://scc.lexum.umontreal.ca/en/1989/1989rcs2-530/1989rcs2-530.html	legal status of fetus; fathers' rights	Gray & Stephenson-Bowes
2 R. v. Beatty , 2008 SCC 5 http://scc.lexum.umontreal.ca/en/2008/2008scc5/2008scc5.html	dangerous driving	Beach
3 Citadel General Assurance Co. v. Vytlingam , 2007 SCC 46 http://scc.lexum.umontreal.ca/en/2007/2007scc46/2007scc46.html	vehicle insurance coverage	
4 R. v. Tran , 2010 SCC 58 http://scc.lexum.umontreal.ca/en/2010/2010scc58/2010scc58.html	definition of provocation	Hutchison
5 Leskun v. Leskun , 2006 SCC 25, [2006] 1 S.C.R. 920 http://scc.lexum.umontreal.ca/en/2006/2006scc25/2006scc25.html	misconduct of spouses on divorce	McCulloch
6 Young v. Bella , 2006 SCC 3, [2006] 1 S.C.R. 108 http://scc.lexum.umontreal.ca/en/2006/2006scc3/2006scc3.html	negligence re: child abuse	Bell
7 R. v. Teskey , 2007 SCC 25 http://scc.lexum.umontreal.ca/en/2007/2007scc25/2007scc25.html	judge's written reasons delivered 11 months after verdict	
8 R. v. Spencer , 2007 SCC 11, [2007] 1 S.C.R. 500 http://scc.lexum.umontreal.ca/en/2007/2007scc11/2007scc11.html	voluntariness of confession	
9 Madsen Estate v. Saylor , 2007 SCC 18, [2007] 1 S.C.R. 838 http://scc.lexum.umontreal.ca/en/2007/2007scc18/2007scc18.html	joint accounts, right of survivorship; presumption of advancement	
10 Alliance for Marriage and Family v. A.A. , 2007 SCC 40 http://scc.lexum.umontreal.ca/en/2007/2007scc40/2007scc40.html	the matter of standing in family law case	
11 Reference re Same-Sex Marriage , 2004 SCC 79, [2004] 3 S.C.R. 698 http://scc.lexum.umontreal.ca/en/2004/2004scc79/2004scc79.html	same-sex marriage	Tysick
12 R. v. Krieger , 2006 SCC 47, [2006] 2 S.C.R. 501 http://scc.lexum.umontreal.ca/en/2006/2006scc47/2006scc47.html	right to trial by jury	
13 R. v. Clayton , 2007 SCC 32 http://scc.lexum.umontreal.ca/en/2007/2007scc32/2007scc32.html	search and seizure; arbitrary detention	Hillier, Kozak
14 R. v. B.W.P.; R. v. B.V.N. , 2006 SCC 27, [2006] 1 S.C.R. 941 http://scc.lexum.umontreal.ca/en/2006/2006scc27/2006scc27.html	deterrence a principle of sentencing under YCJA?	
15 R. v. Trotta , 2007 SCC 49 http://scc.lexum.umontreal.ca/en/2007/2007scc49/2007scc49.html	evidence after conviction discrediting Crown's expert witness	
16 R. v. Singh , 2007 SCC 48 http://scc.lexum.umontreal.ca/en/2007/2007scc48/2007scc48.html	right to silence	Crowe
17 R. v. Marshall , [1999] 3 S.C.R. 456 http://scc.lexum.umontreal.ca/en/1999/1999rcs3-456/1999rcs3-456.html	Treaty rights; fishing rights	
18 R. v. Ewanchuk , [1999] 1 S.C.R. 330 http://scc.lexum.umontreal.ca/en/1999/1999rcs1-330/1999rcs1-330.html	sexual assault; implied consent	Spanchak
19 Charkaoui v. Canada (Citizenship and Immigration), 2007 SCC 9, [2007] 1 S.C.R. 350 http://scc.lexum.umontreal.ca/en/2007/2007scc9/2007scc9.html	certificates of inadmissibility; review of detention	

20	Trinity Western University v. British Columbia College of Teachers , 2001 SCC 31, [2001] 1 S.C.R. 772 http://scc.lexum.umontreal.ca/en/2001/2001scc31/2001scc31.html	discrimination on the basis of religion	Cameron
21	E.B. v. Order of the Oblates of Mary Immaculate in the Province of British Columbia , 2005 SCC 60, [2005] 3 S.C.R. 45 http://scc.lexum.umontreal.ca/en/2005/2005scc60/2005scc60.html	vicarious liability of employer	
22	Canadian Foundation for Children, Youth and the Law v. Canada (Attorney General) , 2004 SCC 4, [2004] 1 S.C.R. 76 http://scc.lexum.umontreal.ca/en/2004/2004scc4/2004scc4.html	s.43 CC	
23	Trociuk v. British Columbia (Attorney General) , 2003 SCC 34, [2003] 1 S.C.R. 835 http://scc.lexum.umontreal.ca/en/2003/2003scc34/2003scc34.html	birth registration laws violating s.15 equality rights of fathers	
24	R. v. Ruzic , 2001 SCC 24, [2001] 1 S.C.R. 687 http://scc.lexum.umontreal.ca/en/2001/2001scc24/2001scc24.html	defence of duress	Leeflang
25	R. v. Latimer , 2001 SCC 1, [2001] 1 S.C.R. 3 http://scc.lexum.umontreal.ca/en/2001/2001scc1/2001scc1.html	sentencing; minimum punishment cruel and unusual?	Donaldson, Duncan
26	United States v. Burns , 2001 SCC 7, [2001] 1 S.C.R. 283 http://scc.lexum.umontreal.ca/en/2001/2001scc7/2001scc7.html	extradition	
27	Pecore v. Pecore , 2007 SCC 17, [2007] 1 S.C.R. 795 http://scc.lexum.umontreal.ca/en/2007/2007scc17/2007scc17.html	wills and estates	
28	R. v. Mann , 2004 SCC 52, [2004] 3 S.C.R. 59 http://scc.lexum.umontreal.ca/en/2004/2004scc52/2004scc52.html	search of pockets	Worthington
29	D.B.S. v. S.R.G.; L.J.W. v. T.A.R.; Henry v. Henry; Hiemstra v. Hiemstra , 2006 SCC 37, [2006] 2 S.C.R. 231 http://scc.lexum.umontreal.ca/en/2006/2006scc37/2006scc37.html	retroactive child support	
30	R. v. Tessling , 2004 SCC 67, [2004] 3 S.C.R. 432 http://scc.lexum.umontreal.ca/en/2004/2004scc67/2004scc67.html	search and seizure based on aerial heat imaging	Fergusson, Reith
31	Moge v. Moge , [1992] 3 S.C.R. 813 http://scc.lexum.umontreal.ca/en/1992/1992rcs3-813/1992rcs3-813.html	termination of spousal support	
32	R. v. Askov , [1990] 2 S.C.R. 1199 http://scc.lexum.umontreal.ca/en/1990/1990rcs2-1199/1990rcs2-1199.html	delay in trial	
33	R. v. Ferguson , 2008 SCC 6 http://scc.lexum.umontreal.ca/en/2008/2008scc6/2008scc6.html	cruel and unusual punishment	Orfald-Morgan, Murray
34	Honda Canada Inc. v. Keays , 2008 SCC 39 http://scc.lexum.umontreal.ca/en/2008/2008scc39/2008scc39.html	employment law; wrongful dismissal	
35	Mustapha v. Culligan of Canada Ltd. , 2008 SCC http://scc.lexum.umontreal.ca/en/2008/2008scc27/2008scc27.html	Torts; Negligence; Duty of care Foreseeability	Mussell
36	R. v. A.M. , 2008 SCC 19 http://scc.lexum.umontreal.ca/en/2008/2008scc19/2008scc19.html	search and seizure; Charter of Rights; sniffer dogs	Thompson, Murphy
37	F.H. v. McDougall , 2008 SCC 53 http://scc.lexum.umontreal.ca/en/2008/2008scc53/2008scc53.html	standard of proof in civil cases	
38	R. v. Harrison , 2009 SCC 34 http://scc.lexum.umontreal.ca/en/2009/2009scc34/2009scc34.html	exclusion of evidence; bringing administration of justice into disrepute	Stienberg
39	Vancouver (City) v. Ward , 2010 SCC 27 http://scc.lexum.umontreal.ca/en/2010/2010scc27/2010scc27.html	Damages as remedy for Charter violation	



FIDS Case Analysis Rubric

Category / Criteria	Level 1 (50%-59%)	Level 2 (60%-69%)	Level 3 (70%-79%)	Level 4 (80%-100%)
Knowledge -usage of correct legal terminology to communicate legal concepts, positions, and arguments; -definition and use of relevant legal terms	-uses correct legal terminology with limited effectiveness; -defines and uses relevant legal terms with limited effectiveness	-uses correct legal terminology with some effectiveness; -defines and uses relevant legal terms with some effectiveness	-uses correct legal terminology with considerable effectiveness; -defines and uses relevant legal terms with considerable effectiveness	-uses correct legal terminology with exemplary effectiveness; -defines and uses relevant legal terms with exemplary effectiveness
Thinking -evaluation of different concepts, principles, theories and philosophies of law; -indication of accurate analysis of facts, issues and decision	-evaluates concepts, principles, theories, and philosophies of law with limited effectiveness; -analyzes facts, issues and decision with limited effectiveness	-evaluates concepts, principles, theories, and philosophies of law with some effectiveness; -analyzes facts, issues and decision with some effectiveness	-evaluates concepts, principles, theories, and philosophies of law with considerable effectiveness; -analyzes facts, issues and decision with considerable effectiveness	-evaluates concepts, principles, theories, and philosophies of law with exemplary effectiveness; -analyzes facts, issues and decision with exemplary effectiveness
Communication -expression of ideas, positions, arguments, and conclusions, as appropriate for different audiences and purposes, using a variety of styles and forms (e.g., case studies)	-expresses ideas, positions, arguments, and conclusions, in writing and in presentation, with limited effectiveness	-expresses ideas, positions, arguments, and conclusions, in writing and in presentation, with some effectiveness	-expresses ideas, positions, arguments, and conclusions, in writing and in presentation, with considerable effectiveness	-expresses ideas, positions, arguments, and conclusions, in writing and in presentation, with exemplary effectiveness
Application -application of the steps in the process of legal interpretation and analysis; -expression of position indicating appropriate level of legal analysis and interpretation	-applies the steps in the process of legal interpretation and analysis with limited effectiveness; -expresses position with limited effectiveness	-applies the steps in the process of legal interpretation and analysis with some effectiveness; -expresses position with some effectiveness	-applies the steps in the process of legal interpretation and analysis with considerable effectiveness; -expresses position with considerable effectiveness	-applies the steps in the process of legal interpretation and analysis with exemplary effectiveness; -expresses position with exemplary effectiveness

Note: A student whose achievement is below Level 1 (50%) has not met the expectations for this assignment or activity.