



Introduction to Canadian Common Law

- *Do you have an instinctive sense of why evidence “fits” but need to explain it?*
- *Do you want to be able to read case law in terms of how the decision making process unfolds to establish facts from the evidence and leads to defensible opinions?*
- *Do you want to structure the flow of a survey report in the same manner as a court would use in reaching an opinion about a boundary location?*
- *Do you need more clarity on the limits of a surveyor’s role in guiding client opportunities for settling a boundary dispute?*
- *Do you need a solid foundation for continuous learning of survey law topics?*

Understanding the workings of the legal system and the legal process is essential for regulated professionals entrusted to make ethical and defensible decisions that have the potential of being reviewed by a court. This course immerses current and aspiring cadastral surveyors in a reasoning process and real-life applications to develop or bolster skills in forming and communicating professionally defensible opinions that strive to parallel what the courts do.

Topics include:

- the basic organisation, structure and underlying principles of the Canadian legal system and its common law tradition and their impact on how laws are made and enforced;
- the relationship between the courts and tribunals as sources of remedies and problem resolution, particularly as they relate to jurisdiction, including distinguishing the role of a surveyor versus the role of a lawyer;
- the legal process (evidence -> filter -> fact -> law -> conclusion) as a structure to follow in the evaluation of boundary and survey evidence;
- the use of a decided case to distill the



determinative facts, primary issues, relevant legal principles, and binding outcomes;

- the legal reasoning process as an approach to forming a professionally defensible boundary opinion that parallels what a court does; and
- the techniques of communicating information and explanations effectively and concisely, in a manner appropriate to the profession and relevant to the context of the client.

This course has been accredited by

**The Association of
Ontario Land Surveyors**



for 36 *Formal Activity* CPD hours.

The five 2-hour sessions will take place live on Monday evenings: April 10, 24, May 1, 15 and 29, 2017. The sessions can be attended in-person at Guelph or remotely from anywhere in Canada. The estimated level of effort is between 50 to 100 hours (depending on proficiency in English and professional experience) to complete the readings and assignments.

Go to 4pointlearning.ca to register (click [here](#) for registration instructions). If you have questions, please contact info@4pointlearning.ca. The fee is \$975 plus HST. Please note that aspiring surveyors are refunded \$500 (HST included) upon *successful* completion of the course.