



**Internal Academic Review
Faculty of Law
Internal Academic Review Committee Report to Senate**

The Internal Academic Review (IAR) of the Faculty of Law is now complete. The Internal Academic Review Committee (IARC) has taken into consideration all of the submissions related to the IAR of the Faculty of Law and respectfully submits the following report. The IARC Report to Senate is intended to supplement the findings of the attached Review Team Report and to provide a mechanism for the Dean of the Faculty to report on the progress in addressing the Review Team recommendations.

Summary of the Internal Academic Review of the Faculty of Law

The Internal Academic Review Committee (IARC) commends the Faculty of Law for its exemplary leadership and positive response to the recommendations in the IAR reports. The IARC wishes to recognize the dedication of the Faculty and staff to creating a very positive learning environment for students.

The IARC acknowledges the vibrant research environment in the Faculty and supports the appointment of the Associate Dean (Graduate Studies and Research). The IARC would concur with the review team's suggestion that the Faculty work to maintain appropriate relationships between academic and professional programs. The reviewers' recommendation that the first-year curriculum be evaluated is supported by the IARC, which recognizes that the Faculty has already embarked on a consultation process with faculty, staff, students and alumni on this matter.

The IARC supports the measures for integration of support services, particularly library services, into Faculty operations. The Faculty may wish to review support staff roles and IT requirements. The Faculty of Law has introduced improvements to IT equipment in classrooms and has set some future goals in this area. The IARC also applauds the Faculty of Law for its involvement with community service through clinical programs and encourages the Faculty to consider linkages that can be made between these programs and the strategic initiatives in the Faculty.

The IARC agrees with the report recommendation that the Faculty of Law explore ways to enhance collegial communication channels and internal consultation methods so that the Faculty continues to work together towards a shared vision, common purpose and new initiatives. The IARC encourages the Faculty's efforts to build relations within Queen's.

Outcomes of the Internal Academic Review For the Faculty of Law

*Response submitted by the
Dean of the Faculty of Law*

Research Environment

Under the leadership of the Associate Dean (Graduate Studies and Research), the research environment at the Faculty of Law continues to flourish.

In spring 2008, the Faculty launched a new section of its website dedicated to research. The website includes extensive information about grant opportunities and highlights faculty research achievements and publications. In June 2008, the Faculty launched its new Ph.D. program, which welcomed its first student in September 2008. Four additional students will join the program in September 2009.

In the fall of 2008, the Associate Dean (Graduate Studies and Research) began meeting with faculty members to develop a Strategic Plan for Research that will help to clarify what kinds of research and research performance we aim to foster at Queen's Law. A draft of the plan, which clearly articulates goals, initiatives and performance measures for 2010-2015, has been distributed to the faculty for comment. It will also be presented for discussion at the faculty retreat in August 2009. We expect that the Strategic Plan will be completed in fall 2009. An assessment of the relationship between the LL.M. and the Ph.D. program is ongoing.

First-Year Curriculum

A review of the first-year curriculum is underway. The process was initiated by the Associate Dean (Academic) at the faculty retreat in August 2008. Since that time the Associate Dean (Academic) has requested comments from members of faculty as well as staff involved in the first-year program and conducted two roundtables with members of faculty and staff. In addition, the Law Students' Society held a Town Hall Meeting with interested students. Faculty, staff and student participation in the process has provided the opportunity to define more precisely concerns regarding the current first-year program. These concerns and potential solutions will be presented to the faculty and discussed at the faculty retreat in August 2009.

If it is determined that changes to the curriculum should be made, a plan will be put in place to decide upon and implement the changes by the 2011-12 academic year at the latest.

Support Services

In the spring of 2008, the Faculty contacted Queen's IT Services and arranged for a review of the IT needs and capabilities of the Faculty. The review, conducted by Jim Lesslie, Manager of Departmental Development Information Technology Services, involved meetings with students, staff and faculty. A report was completed in July 2008 which includes recommendations about staffing and IT support, the Faculty website, the use of listservs, teaching and learning support, and classroom facilities. Several of the recommendations have already been implemented, including:

- A seminar classroom was refitted with new IT / AV capabilities in August 2008, and minor upgrades to other classroom are ongoing. Planning is also underway for the refurbishment and upgrading of the four basement classrooms of Macdonald in summer 2010.
- The faculty website was updated in spring 2009 and migrated to a new server, which allows for immediate updates to content and a more dynamic design and presentation. The content has been redrafted and reformatted to highlight our strengths, including faculty news, and our graduate and international programs.
- Additional IT staffing resources have been added by broadening a faculty support position to include support to the Manager of IT / AV services. The faculty continues to assess its need for additional staff resources in this area.
- The faculty listserv policy was reviewed in the winter 2009, and adjustments were made to reduce the volume of email traffic. A review of our internal communications is ongoing.

Clinical Programs

There is no doubt that our clinical programs are a core and highly valued part of our program at Queen's Law. They also provide an exceptional level of service to the community. The Faculty was pleased to add the new Queen's Business Law Clinic to our clinical curriculum this year, following a pilot project in 2008-09. The Clinic, funded by a grant from the Law Foundation of Ontario, will begin with 8 students in September 2009 and expand to 18 students in following years. The faculty is committed to our clinical programs, and continues to do our best to maintain and support the excellent quality of these programs.

Communication

It was noted in the Report that communication and consultation with faculty and staff is vital to build trust and foster a collegial atmosphere. With this aim in mind, the Faculty has instituted a practice of holding annually both a senior staff and a faculty retreat. The retreats, which began in 2008, provide a forum for dialogue and the exchange of ideas in

preparation for the academic year ahead. The retreats held to-date have been well received and productive.

The faculty also intends to increase the frequency and scope of our regular staff meetings, and continues the current practice of hosting an informal faculty roundtable with an open agenda followed by dinner at least once per term.

Recognizing that with time constraints and scheduling challenges it can be difficult to meet individually with all faculty members on a regular basis, the Dean has been meeting regularly with groups of three to four faculty members, with an open agenda to discuss any issues at the law school. These meetings have been successful and will be continued in the coming years.

We continue to develop a more complete orientation process for new faculty and staff members and to expand our Faculty Handbook. Several new appointments have been made in the past few years, and the new faculty and staff members will be consulted about improvements that can be made to our orientation process.

Attachment:

Review Team Report

**Report of the Internal Academic Review Team
Faculty of Law
March 2008**

Executive Summary

The Internal Academic Review Team for the Faculty of Law comprised the following members:

Dr. Sandra den Otter, History
Dr. Lewis Johnson, Business (Chair)
Dr. Margaret Moore, Political Studies
Dr. Laura Murray, English
Mr. Keith Rogers, Business Graduate Student
Mr. Trevor Smith, Business Undergraduate Student
Ms Lisa Woodcock, Staff, Advancement

The External Consultant was Dr. Carl Stychin of the University of Reading. (A second external consultant had to cancel at the last moment.)

Our report focuses on the “quality and suitability of academic endeavours”. We are in general impressed with the Faculty’s direction and leadership, but do recommend that:

the Faculty collegially develop and utilize a dynamic system of communication and consultation.

the Faculty collegially develop a clearer sense of the kinds of research and research performance it wishes to encourage and support, along with appropriate performance measures.

the Faculty ensure that adequate resources and broad support are provided to the clinical programs.

the Faculty dedicate more resources to IT services.

the first year curriculum be reviewed to ensure consistent learning objectives and outcomes, expectations, and required elements, while also preserving professors’ autonomy and academic freedom.

the Faculty explore or promote any mechanisms or resources (some perhaps at the university-wide level) available to augment their retention strategy.

We also attach the Report of the External Consultant, which was very well written and assisted us greatly. We recommend that it be read in conjunction with our Report.

Introduction

The Internal Academic Review (IAR) Team conducted its review of the Faculty of Law during the period November 2007-March 2008. The Team reviewed the self-study document, as well as the OCGS Appraisal of the Masters of Law Program and the proposal for the new PhD Program. One or more members of the Review Team attended all meetings held by the External Consultant (except for the meetings with the VPs), and the entire Team met with the Consultant to debrief his findings.

We are tasked specifically with making comments on the strengths and weaknesses of undergraduate and graduate academic programs; scholarship and research; teaching and learning; and service to the University, the profession, and the community. We are also expected to comment on the resources available and to evaluate plans for the future.

The Review Team is very impressed with the External Consultant's Report and will quote from it frequently. At the same time, we will make our own recommendations informed by our closer understanding of the University.

Strategy, Leadership, Governance, and Resources

The Faculty of Law is going through a process of change, with new leadership, a new administrative structure, and the recruitment of a number of junior faculty members. It is clear that the Dean is passionate about the Faculty, and has driven much of this change through force of personality. The Faculty's direction is molded by its strategy document, and is constrained by resource limitations. We will address each of these issues in this section of the report.

The Mission Statement of the Faculty (from the *Queen's Law Strategic Framework 2005-2010*) is: "Embracing our proud tradition of community, collegiality and service to our society, we develop outstanding legal professionals with a global perspective and create new knowledge that advances understanding and development of the law." The vision statement that flows from this is: "To promote excellence in teaching and research, maintaining and enhancing our rank within the top tier of Canadian law schools, with a financially accessible educational program that is global in scope." The strategy document provides five strategic goals intended to meet this global vision and national standing: excellence in teaching and research; community and collegiality; global perspective; financial accessibility; and strengthen alumni and external relations.

The first goal, excellence in teaching and research, is to be assessed by seven key indicators, and, for each of teaching and learning and research, there are a number of initiatives and performance measures. The remaining four goals are further defined by a number of initiatives and performance measures. These aspects of the strategy document are laudable, as they give the Faculty specific and measurable objectives, although some of these may need further refinement (in particular research, to which we will return later in this Report).

The Faculty is led in this mission by its Dean. There is no question that he has added a dynamic leadership to the Faculty, and that he is very active in working with alumni and others to raise the profile of the Faculty and to raise money. To assist him in his internal management of the Faculty, he has set up a committee of four associate and assistant deans, each with specific responsibilities. We agree with the Consultant that this structure is appropriate for the Faculty. We do have concerns, however, that this organizational structure and the Dean's external focus may isolate the Dean from the Faculty, and we agree with the Consultant that both communication and consultation are vital to ensure that members of the Faculty are engaged in the common purpose and that their opinions matter. It is more than just advising people of what is going on; it involves real dialogue with both faculty and staff to build trust and to foster a collegial atmosphere. The Consultant's recommendation for "an expanded Induction Guide" is an example of communication, and his recommendations for lunch time talks by the dean and "Away days" for staff, faculty, and senior management may represent more meaningful examples of "vehicles through which those values can be given opportunities for expression" by both sides. These recommendations are suggestive but not comprehensive, as the Faculty will find its own media for inclusive dialogue.

Enhanced communication and broader consultation will not only help the Faculty achieve its strategic goals; they may also serve to further integrate the newer and more senior members of faculty with a shared vision. The External Consultant expressed concern over the issue of retention and the potential demoralizing effect of faculty turnover. Improved communication and consultation may serve to give all members a stronger sense of belonging to the Faculty and hence strengthen their ties to the Faculty. For those members who do leave, we agree with the Consultant that a formal system of "exit interviews" would be a useful practice in order to determine if there are any systemic issues.

The Faculty would like to increase the number of faculty, which is highly dependent on increased revenue sources, in particular higher tuition fees. Growth in numbers would also require growth in facilities needed, which would be highly dependent on outside funds (e.g., alumni, government grants, corporate donations), since University resources are severely constrained. The Team recognizes the value of increased faculty numbers (smaller class sizes, more diverse courses, more research time) and can only encourage the Dean and central administration to continue to lobby the Provincial Government to level the playing field on tuition fees.

With respect to fund raising and alumni relations, the Consultant noted that the Faculty appears to have a devolved strategy with which he assumes the University is content. The Review Team is not convinced that such a strategy is viable in the long term, beyond targeted areas such as the Faculty's fiftieth birthday, as sharing the resources and expertise of the University Advancement Office should lead to more efficient and effective fund raising. The Review Team encourages the Faculty to work with the University Advancement Office to fill the vacant Development Officer position.

In a similar vein, individuals at the Faculty of Law Library expressed concerns with serving “two masters” (the University Library system and the Faculty of Law), and would like to see a more devolved library system where the Law Library would report only to the Dean, who would be allocated appropriate resources from the University Library system to run the library. The Review Team does not encourage such devolution. The current University Library system is the product of a painful process of amalgamating several former branch and department libraries around campus, a system which featured serious diseconomies, redundant activities, and parochial decision-making. Devolution may appear to make life easier for the Law Library, but such thinking ignores the benefits of a central system (human resources, staff training and development, internal transfers, coordinated decision-making, university-wide vision, etc.)

A further aspect of the Faculty’s strategy is increased internationalization. We applaud the Faculty’s successes with the International Law Spring program at Herstmonceux Castle, as well as their other international activities. We share with the Consultant a concern that the Faculty may try to do too much too soon, and believe a measured approach to further international linkages would be appropriate.

Scholarship and Research

We agree with the Consultant that the appointment of an Associate Dean for Graduate Studies and Research is a good move. The position will provide more focused planning for the new PhD Program, and will also provide mentoring, support, and monitoring of the research activities of faculty members. Research activity in the Faculty seems very vibrant. Most faculty maintain a productive research program; they present work at national and international conferences. They publish articles in peer reviewed journals and publish monographs and edited volumes with well-regarded academic presses. Several are involved actively with significant collaborative research projects. There have been a number of new faculty members hired with active research agendas. The Faculty provides generous research support, and maintains a healthy research-teaching balance. The new PhD program should in time enhance the research culture of the Faculty. We believe that the Faculty should continue to encourage research in its many varied expressions, and agree with the Consultant that “complacency must be avoided.”

As mentioned earlier in this Report, the performance measure of “research quality and productivity” is not well operationalized. It would be useful for the Faculty to collegially develop a clearer method of defining research, and to agree on a system to more formally measure progress toward meeting the research goal. In saying this we are not advocating that the Faculty narrow its idea of acceptable research, but rather that it achieve greater clarity about the range of research it values and the measures it recognizes. This could then be augmented by periodic peer school comparisons and/or periodic external audits of research output.

Teaching and Learning and Academic Programs

The Consultant was satisfied overall with the curriculum, admission requirements, mode of delivery, evaluation methods, and overall quality of the undergraduate and masters programs. He concluded that: “The quality of education is of a very high standard and is delivered by a highly skilled faculty.” He was particularly impressed with the Clinical Legal Education programs.

While the Review Team broadly concurs with this assessment, we do have some comments and concerns. With respect to teaching, we note that the Faculty makes good use of available resources, including the extensive use of sessional instructors, that the quality of education as measured by USAT scores compares favourably with the rest of the University, and that there is flexibility with respect to teaching load. However, the Faculty is under-resourced with too few tenured or tenure track faculty, and this could potentially lead to a lack of consistency with turnover of sessional instructors from year to year. Remedies might include the use of “clinical” faculty, whose principal academic duty would be teaching (recognizing that this would dilute the research culture of the Faculty), and the hiring of more tenure track faculty (recognizing the Faculty’s resource constraints). Another possibility is the use of PhD students as teaching assistants in the Legal Research and Writing program (the “Columbia Law School model”), but this would have to wait until the PhD program becomes well established, with substantial numbers of highly qualified students.

The Consultant highlighted one problem with the first year curriculum. The new Legal Research course taught by the Reference Librarian provides continuity across the first year class, but the in-course, small section part of the skills development program taught by individual faculty members is problematic: there is apparent inconsistency in expectations and delivery among different instructors. This would appear to be an important foundation mechanism which deserves more careful guidelines and attention.

With respect to students, we applaud the quality of students and the Faculty’s dedication to student financial support. We recognize that attracting quality students is the key driver for the long term success of the Faculty, and we encourage the Faculty to continue to focus on recruitment activities. We also applaud the Faculty’s proactive admissions policies for targeted groups of individuals. Student exit surveys show a general satisfaction with the quality of programs, which is further evidence of the quality of the academic experience.

One area which does require some care and attention is the future role of the LLM program once the PhD program is instituted. The LLM was redesigned for 2005-06 to function both as a professional program for practising lawyers with scholarly inclinations, and as an academic program leading into the PhD. Since this restructuring was so recently introduced, care and attention will be required to ensure that these two purposes are adequately served. The new PhD program must also be managed well with respect to the number, quality, and research interests of potential students. It is essential that the program have high quality students, that there be a critical mass of students, and that their

interests be sufficiently similar that dialogue and collaboration can occur among students. We endorse the identification of clusters of research strength as an effective way to recruit PhD students, to capitalize on limited resources, and to ensure a reputation for excellence; possibly in the newly-proposed fields “Legal Issues Relating to Aboriginal Peoples” and “Comparative Law and Legal Traditions” and the reconfigured field “Jurisprudence and Legal Theory.” A flourishing doctoral program will enhance the Faculty of Law in several important ways, not least in nurturing a culture of high quality research. Such a culture will also make it easier to recruit and to retain high quality faculty.

Support Services

Support services are a crucial element of any department, since they provide the physical and social infrastructure necessary for teaching, learning, and research. Except for physical space restrictions in some areas (such as the Library, group study areas, and, if growth in faculty numbers is achieved, office space), the Library’s support services are generally adequate and mostly appreciated by the students. The Consultant noted, in contrast, that there appeared to be a lack of awareness between some tenure track faculty and clerical and support staff with respect to description and prioritization of duties. He recommends improved internal communications, as well as more formal career development plans and opportunities for staff development, with which we concur. An “expanded Induction Guide” would also help to educate all members of their respective duties and responsibilities.

There are two particular aspects of support services where further attention is required. The Library has somehow functioned with 1.5 librarians and a small technical staff. We are pleased with the Dean’s announcement in his commentary on the Consultant’s report that he had negotiated with the Chief Librarian that the vacant librarian position will be filled (subsidized in part by the Faculty) and the soon-to-be-vacant technician position will be filled at 0.5. The University Library system should continue to be sensitive to the unique demands of the Law Library and should not try to effect efficiencies by centralization of services (notably cataloguing).

A second area where action is required is provision of IT services. The current system seems to be stretched to the limit and further resources may be needed to ensure continued service. Areas where services could be improved include improved IT hardware equipment in the classrooms and library, more resources to maintain existing equipment, improved online accessibility for research, and more support for instructor use of IT materials.

Service

The Faculty’s service to the academic and professional communities is well-documented and commendable. Service to the local community is excellent, particularly the clinical programs, but also the broad representation of members of the Faculty on community legal, social, and economic boards and agencies. We highlight the clinical programs

because they effectively embrace a number of the Faculty's strategic initiatives, including pedagogy, professional development, service, and social justice. Concerns have been expressed by some individuals that these programs are not valued in the current culture of the Faculty; the Team believes these programs are very important and should be encouraged to flourish.

The Self Study Report makes no mention of service to the University; casual empiricism (including a review of faculty curricula vitae) suggests that members of the Faculty have not been overly active in Senate and other university-wide bodies. This is unfortunate, since, as a professional school, it is very easy to become isolated from the broader University community. We note that, eventually, the PhD program may provide increased opportunity for faculty to engage in a meaningful way with colleagues in other departments.

Conclusion

The Faculty of Law is on the right path with a good trajectory under dynamic leadership. To ensure that the Faculty's strategy is achieved, we recommend that:

the Faculty collegially develop and utilize a dynamic system of communication and consultation.

the Faculty collegially develop a clearer sense of the kinds of research and research performance it wishes to encourage and support, along with appropriate performance measures.

the Faculty ensure that adequate resources and broad support are provided to the clinical programs.

the Faculty dedicate more resources to IT services.

the first year curriculum be reviewed to ensure consistent learning objectives and outcomes, expectations, and required elements, while also preserving professors' autonomy and academic freedom.

the Faculty explore or promote any mechanisms or resources (some perhaps at the university-wide level) available to augment their retention strategy.