

UTQAP Cyclical Review: Final Assessment Report and Implementation Plan

1 Review Summary

Programs Reviewed:	Juris Doctor, J.D. Master of Laws, LL.M. Doctor of Juridical Science, S.J.D. Global Professional Master of Laws, G.P.LL.M. Master of Studies in Law, M.S.L.
Division Reviewed	Faculty of Law
Commissioning Officer:	Vice-President and Provost
Reviewers (Name, Affiliation):	<ol style="list-style-type: none">1. Camille Cameron, Dean of Law; Weldon Professor of Law, Schulich School of Law, Dalhousie University2. Brian Cheffins, S J Berwin Professor of Corporate Law; Chair of the Faculty Board, University of Cambridge3. Andrew Guzman, Dean and Carl Mason Franklin Chair in Law, and Professor of Law and Political Science, Gould School of Law, University of Southern California4. Daniel Jutras, Wainwright Chair in Civil Law and former dean, Faculty of Law, McGill University
Date of Review Visit:	March 18 – 20, 2019
Date presented to AP&P	October 30, 2019

Previous Review

Date: September 30 – October 1, 2010

Summary of Findings and Recommendations

Undergraduate Programs

The reviewers observed the following strengths:

- New 1st-year JD curriculum gives sound, demanding core educational experience for new law students

The reviewers made the following recommendations:

- Reviewers recommended a survey of teaching in LPPE (Legal Process, Professionalism and Ethics) to ensure that all JD students are receiving a consistent introduction to these topics

Graduate Programs

The reviewers made the following recommendations:

- Reviewers endorsed the law school's plan to sustain the LLM program at a lower number of students –both to keep the academic standard high, and to keep the JD at the centre of the academic programs
- Reviewers noted some potential for the Faculty to build its doctorate program, so that it might play an increasing role as an academic career-entry qualification
- GPLLM (intended launch in 2011) as planned would not result in the same educational gain as the regular one-year LLM - Faculty should consider adding a dissertation component, which might increase time to completion

Faculty/Research

The reviewers observed the following strengths:

- Strength of interdisciplinary work is deeper in U of T than in many leading research universities.

The reviewers identified the following areas of concern:

- Faculty salaries at U of T are lower than those offered by peer American schools and are no longer significantly higher than those at other Canadian schools – issue of recruitment and retention

Administration

The reviewers observed the following strengths:

- Preeminent among Canadian law schools, and one of the best law schools in the world.

- Reviewers were encouraged that the Faculty is considering novel ways to create new revenue streams, notably the Internationally Trained Lawyers Program and the Global Professional Master of Laws (GPLLM)

The reviewers made the following recommendations:

- Organization, financial structure, and physical resources must be augmented substantially to ensure the continued vitality and future success of the Faculty
- Faculty must retain the ability to implement moderate tuition increases moving forward
- Huge, largely untapped potential resource in Faculty's thousands of highly successful alumni
- Completion of the planned Faculty of Law building project is 'vital to the Faculty's future' – longstanding critical need for facility augmentation

Current Review: Documentation and Consultation

Documentation Provided to Reviewers

The following documents were provided:

- Site Visit Schedule
- Terms of Reference
- Self-Study and Appendices (including faculty CVs and access to all course descriptions), March 2019
- *Towards 2030: The View from 2012 - An Assessment of the University of Toronto's Progress Since Towards 2030*
- 2010-11 Law External Review Report
- 2010-11 Administrative Response to the Law External Review Report
- Graduate Law Student Association Report

Consultation Process

The reviewers met directly with the following:

- Vice-President and Provost
- Vice-Provost, Academic Programs
- Executive Director of the Dean's Office
- Chief Law Librarian
- Dean, Faculty of Law
- Associate/Assistant Deans for JD Program
- Tenured faculty (in four sessions)
- JD Students

- Assistant Dean Advancement
- Associate/Assistant Deans for Graduate Programs
- Non-tenured faculty
- Financial Aid & Admissions representatives
- Reception with Law faculty (all faculty invited to join)
- Cognate Deans:
 - Dean, Faculty of Arts & Science
 - Dean, Factor-Inwentash Faculty of Social Work
- Faculty programs representatives:
 - Assistant Dean, JD Program
 - Executive Director, DLS
 - Director, LAWS
 - Executive Director, Asper Centre
 - Director, IHRP
 - Interim Director, PBSC
- Mental Health & Wellness representatives
- Facilities, Services & Administration representatives
- Law Alumni Relations representatives
- Indigenous Initiatives representatives
- Career Development Office representatives and industry representative
- Graduate Students
- School of Graduate Studies representatives

Current Review: Findings and Recommendations

Abbreviations

GPLLM: Global Professional Master of Laws

JD: Juris Doctor

LLM: Master of Laws

MSL: Master of Studies in Law

SJD: Doctor of Juridical Science

1. Undergraduate Program

Unless otherwise noted, all bulleted comments apply to all programs reviewed.

The reviewers observed the following **strengths**:

- Overall quality
 - The JD program is excellent
- Objectives
 - The JD program is well-designed to provide an academic and interdisciplinary legal education that focuses on critical thinking and problem solving and that

prepares students for a career “both within and outside of the practice of law,” and to support the eight learning outcomes the Faculty has identified.

- Admissions requirements
 - The Faculty has recently taken the commendable initiative to implement a more holistic approach when assessing applications.
- Curriculum and program delivery
 - The quality of JD teaching is high.
 - The courses and other learning opportunities foster effectively the development of analytic, research and communications skills.
 - The wide array of optional JD courses in years two and three “reflect a close connection to our social context and timely responses to important legal developments”.
 - The quality of education the Faculty provides no doubt enhances employability.
- Innovation
 - Unlike many North American law schools, the first year curriculum has been successfully reorganized into semesters, which constitutes a substantial curriculum reform.
 - The upper year curriculum emphasizes classes that are taught jointly and collaboratively by tenured faculty and practicing lawyers.
 - The number and variety of curricular and co-curricular experiential learning opportunities for students is excellent (e.g., internships, externships, research assistant jobs, clinical offerings, and opportunities to volunteer with Pro Bono Students Canada and other organizations and societies).
 - There is no wait list for experiential learning opportunities.
- Accessibility and diversity
 - There has been a focus on increasing the diversity of the JD class, with some success, as indicated by an increase in the number of students of colour (now 35%).
 - The law school has embraced the need to respond effectively to the Truth and Reconciliation Commission Calls to Action.
 - The Indigenous Office does an excellent job on various initiatives.
- Student engagement, experience and program support services
 - There is overall a high degree of JD student satisfaction. Students communicated that they are happy, having a positive experience, and that the Faculty is supportive and willing to respond positively to challenges and crises that arise in their lives.
 - Students were especially enthusiastic about the way they interact with staff.
 - Each member of the first year class is paired with an upper year mentor providing a valuable foundation for successful integration into life in the law school.
 - Wellness initiatives for students merit praise; there is an open and helpful culture surrounding mental health; the in-house counselling services add a great deal of value.

- The Career Development Office is an excellent resource and service for JD students.
- Staff survey students to ensure that services are tailored to meet student needs.
- Quality indicators – undergraduate students
 - The student cohort is top-flight; this is reflected in:
 - the number of JD applications received; the high LSAT and GPA scores among accepted students
 - student placements: approximately 96% of students have employment in place at the time of graduation
 - There is a good faculty/student ratio.
- Student funding
 - The law school has a \$20 million development campaign for student financial aid.

The reviewers identified the following **areas of concern**:

- Innovation
 - There was some anecdotal evidence indicating that there are courses where changes from year-to-year are minimal.
 - Budgetary challenges may affect the range and availability of experiential learning opportunities; clinics already have serious funding challenges.
- Accessibility and diversity
 - Black and Indigenous students are still underrepresented.
 - The Indigenous Office cannot, by itself, change the curriculum. The reviewers heard some concerns that challenges to implementing the integrated approach the Faculty has adopted to responding to the TRC recommendations are not being given due attention (e.g., ensuring that faculty have the training and the capacity to make the integration effective; that “integration” does not merely become an “add-on” lecture toward the end of a full semester course; that meaningful integration is implemented consistently across all courses).
- Assessment of learning
 - The Faculty continues to employ 100% final exams though many leading North American law schools have moved away from this form of assessment.
- Quality indicators – undergraduate students
 - JD student-faculty ratios could be negatively affected by the growth of the GPLLM.
- Student funding
 - JD students know that the University of Toronto is the top law Faculty in Canada but doubts exist among them as to whether the higher tuition they pay as compared to other Canadian law schools is “worth it,” even if it is roughly half that of tuition at top American law schools.

The reviewers made the following **recommendations**:

- Curriculum and program delivery
 - Given that retrenchment may need to occur in response to the Faculty's financial challenges, the extensive offerings in 2nd and 3rd year might seem to be logical targets; however, the savings may be negligible with many of these courses being taught by adjunct professors.
- Innovation
 - The Faculty should not become complacent about the classroom experience. For example, the reviewers encourage professors to revisit and update their course materials annually to reflect current issues and to incorporate methods that allow for more interactive learning.
 - Consider giving students academic credit for summer experiential learning opportunities, which is the norm in other Canadian law schools.
- Accessibility and diversity
 - Continue current efforts to increase the representation of Black and Indigenous students in the JD program by providing support for existing initiatives, identifying new initiatives (including by looking at successful practices elsewhere) and by reaching out to and recruiting more students from outside Toronto and Ontario.
 - Build on Truth and Reconciliation Committee initiatives.
- Assessment of learning
 - Consider alternatives to 100% final exams; there are good pedagogical reasons for doing so, especially relieving student stress.
- Student funding
 - Student financial aid initiatives could be an important mechanism to deploy to achieve diversity goals.

2. Graduate Program

Unless otherwise noted, all bulleted comments apply to all programs reviewed.

The reviewers observed the following **strengths**:

- Overall quality
 - LLM and SJD: Both programs are structured in a manner that reflects best practices at peer institutions, and meet the high standards expected of a leading Faculty.
 - SJD: The program is in excellent shape.
 - GPLLM: The deliberate and thoughtful approach to program development is exemplary; the program adds strength to the Faculty.
 - GPLLM: While direct comparisons are difficult to make, comparisons to related programs at peer institutions suggests that the approach taken in this program is consistent with good practices elsewhere.
 - MSL: The program is both successful in its mission and sustainable.
- Objectives

- SJD: The program has been very successful in preparing and equipping students to conduct high quality academic research, oriented around the pursuit of an academic career.
- GPLLM: Program and concentration objectives are well-developed and articulated, and appropriate for the program.
- Admissions requirements
 - GPLLM: most students have significant work experience prior to entry, which increases the likelihood of serious engagement with the program.
- Curriculum and program delivery
 - LLM: The LLM Seminar and Alternative Approaches to Legal Scholarship courses provide an effective introduction to various theoretical perspectives and methodologies.
 - GPLLM: The program strikes an admirable balance of required and elective courses; students view the flexibility of the program as a strength, including the most recent changes introduced in 2018.
 - GPLLM: The program has adopted a sensible and workable strategy to deliver high quality education to students who are simultaneously working on a full-time basis (e.g. the use of an introductory bootcamp and Friday and weekend scheduling).
 - GPLLM: Course organizers convey effectively to students how the program seeks to attain its stated objectives; mechanisms to reach the objectives are well-tailored.
 - MSL: Students gain a useful knowledge of law that they can then apply to their own areas of study.
- Innovation
 - LLM and SJD: Both programs have been improved through initiatives undertaken since the last review.
 - LLM: The deliberately smaller size of the cohort and the introduction of the coursework only option alongside the existing options allows students to tailor their programs of study to meet their goals, and effectively considers Faculty resources.
 - GPLLM: With its focus on audiences including students who are not and who do not intend to become lawyers, the program represents an example of the North American trend toward a more expansive view of law schools and places the Faculty among the leaders in Canadian legal education in this regard.
 - GPLLM: Recent launch of Canadian Law concentration appears to be a success; there is a strong case in favour of having the GPLLM program cater to the needs to students seeking to requalify in Canada.
- Student engagement, experience and program support services
 - Students communicated that they are happy, having a positive experience, and that the Faculty is supportive and willing to respond positively to challenges and crises that arise in their lives.
 - Students were especially enthusiastic about the way they interact with staff.

- Space in Falconer Hall has been designated for the graduate programs, which fosters a positive sense of community among graduate students.
- LLM: Admissions website appears to be informative.
- SJD: Successful move to three different application dates.
- SJD: Progression through the program is subject to careful oversight.
- SJD: Students are given valuable teaching and mentoring opportunities throughout the program.
- SJD: Students report a very positive relationship with their supervisors, and are grateful for the support and advice of the Faculty in seeking external funding, and for the opportunity to participate in scholarly events within and beyond the Faculty.
- GPLLM: Students report a high degree of satisfaction with the program overall.
- GPLLM: Some career development services are provided, including workshops and access to a career coach.
- Quality indicators – graduate students
 - LLM: Time to completion rates are excellent (1.1 year).
 - LLM: The deliberately smaller size of the cohort enables the faculty to be highly selective.
 - SJD: Exceptionally selective (12% offer rate; 50% yield).
 - SJD: Time to completion (4.3 years) compares very favourably to other social sciences and humanities doctoral programs and other doctoral degrees in law elsewhere in North America.
 - SJD: Large number of graduates have secured academic positions in Canada and elsewhere in recent years.
 - GPLLM: rate of admissions (40-60%) seems reasonable and sustainable.
 - GPLLM: very low rate of attrition; reliable on-year time to completion.
 - MSL: Students are of very high quality.
- Student funding
 - LLM: Students in the LLM program are eligible for financial assistance based on merit and need and between half and two thirds hold an internal or external award averaging \$15,000; this is comparable to or better than what is offered by Canadian peers.

The reviewers identified the following **areas of concern**:

- Objectives
 - LLM: The program arguably remains in search of a distinctive identity, reflecting the “uneasy balance” struck by leading LL.M. programs around the world between supporting research and professional outcomes.
 - SJD: The dynamics of the job market (the small size of the Canadian market and the growth of doctoral cohorts across Canada) may make it difficult to sustain the program’s success.
- Curriculum and program delivery

- LLM: Students strongly desire LLM-only courses (rather than those shared with the JD).
- LLM: The small size of the LLM makes a wide array of graduate-specific courses unfeasible.
- LLM: The LLM Seminar and Alternative Approaches to Legal Scholarship courses are not perceived as signalling a research orientation for the LLM degree; the Alternative Approaches course may not provide students with an explicit critical and comparative perspective on different theoretical and methodological directions.
- SJD: Students strongly desire one or more advanced courses on methodology, particularly qualitative and quantitative empirical research; more generally students are looking for more structure and cohesiveness in the program.
- GPLLM: It may be hard to expand the program with current faculty and staff numbers; especially since the timetable is not family-friendly for faculty.
- GPLLM: timetabling is suited to students working full-time; however, students looking to requalify (i.e. those in the Canadian Law concentration) often do not have a work-restricted schedule.
- Student engagement, experience and program support services
 - LLM: Students report that the admissions process is difficult to navigate.
 - LLM: Students report that there should be better support for their pursuit of professional opportunities by the Career Development Office.
 - GPLLM: Students in the Business Law and Innovation, Law, and Technology concentrations would like to graduate with a stronger grasp of Canadian law, but may be reluctant to take courses outside their concentration, especially if they may not compare favourably to students in the Canadian Law concentration, who have more preparation in the area.
 - GPLLM: While students recognize that the level of career services support for the program has increased, career development services appear somewhat limited, and there is a strong desire for more services. These are challenging to provide due to the range of students served by the program, including students from industries for which the law school does not have employment expertise; students in the Canadian Law concentration want the program to connect more smoothly with the Canadian legal recruiting cycle.
- Student funding
 - SJD: Students express concerns related to the length and magnitude of funding; the magnitude is equivalent to, or slightly below, the funding at Canadian peers; internal funding is limited to three years, while other units at U of T have four or more years of funding.

The reviewers made the following **recommendations**:

- Objectives

- LLM: If the Faculty decides to shift the program’s emphasis toward research, some program adjustments would be necessary, including reconsideration of the coursework only option.
- SJD: Consider avenues for graduates other than an academic career; consider initiatives to foster skills and knowledge in contexts other than legal education and research.
- Curriculum and program delivery
 - LLM: Shifting the emphasis toward research may allow for the bolstering of research-oriented offerings, including more thorough and rigorous legal scholarship grounding.
 - SJD: Continue to provide and expand opportunities for doctoral students to come together in scholarly activities to combat the sense of isolation that is common in doctoral studies.
 - GPLLM: Consider increasing the stipend to increase faculty participation in program delivery.
- Student engagement, experience and program support services
 - GPLLM: The growth of the program may make it appropriate to invest in more robust career support.
 - GPLLM: To ensure a steady pipeline of high-quality applicants to grow the program while maintaining quality, will likely require investment of resources in marketing and promotion.
- Quality indicators – graduate students
 - Consider increasing the number of international LLM students while maintaining quality
- Student funding
 - SJD: Consider measures such as fundraising and thesis completion funds to extend funding for doctoral students without jeopardizing excellent time to completion rates.

3. Faculty/Research

The reviewers observed the following **strengths**:

- Research
 - The Faculty is a leading institution in legal research in Canada, producing influential and widely disseminated scholarship of the highest order.
 - There is a robust core of world-class scholars in this Faculty, an outstanding group by any measure.
 - Faculty initiatives, including making available small research funds and facilitating the development of research labs, are having a positive impact, with an increase in the number of grant applications, and an improving success rate.
 - External funding levels are in line with funding at peer institutions.
 - The David Asper Center for Constitutional Rights and the International Human Rights Program both pursue valuable and strong research and advocacy agendas.

- The Center for Innovation Law and Policy is a pole of attraction for excellent research and dissemination of scholarship.
- Groups of outstanding scholars have coalesced in Law and Economics, Legal Theory and Jurisprudence, Private Law, and Constitutional and Criminal Law.
- Faculty
 - One quarter of the Faculty are Fellows of the Royal Society of Canada, and five professors hold the rank of University Professor at the University of Toronto, an exceptional ratio within the University.
 - The Faculty takes significant measures to provide guidance and mentoring for younger colleagues on their way to tenure.
 - Earlier career colleagues generally feel adequately supported in their research endeavours and career progression. They feel that the standards for tenure are transparent and that they appreciate the annual formal feedback they receive.
 - Tenured faculty report a high level of satisfaction and a good sense of collegiality.

The reviewers identified the following **areas of concern**:

- Research
 - The University of Toronto does not appear to dominate SSHRC competitions as much as one would expect in view of the Faculty's stature in Canadian legal scholarship.
 - It is conceivable that existing research themes have crowded out other areas within the Faculty; for example, compared to peer institutions outside the United States, there are a relatively small number of professors researching in areas such as international, transnational, comparative and global law.
- Faculty
 - Faculty members identified a number of issues around gender equity, though the reviewers observed that not all women had the same perception of the issues, or of the degree to which the Faculty was contributing to or addressing these issues:
 - Significant concerns were raised about pay equity. Some individuals perceived that male and female faculty members are treated differently at certain key moments (e.g., retention opportunities).
 - Some concerns were expressed by faculty members about gender-based discrimination in treatment (e.g., award nominations).
 - Additional concerns included that teaching evaluations may feature a gender bias; and that female faculty carry heavier committee and student advising responsibilities.
 - Some female faculty appear to have distanced themselves from the Faculty; there was some mention of disgruntled faculty alongside speculation that this may be improving.

- There is currently only one non-tenured faculty member and limited resources for pre-tenure hiring that could support faculty renewal and help to increase the diversity of the faculty cohort.
- There is the perception that some colleagues have preferential workload arrangements.
- While the average teaching load appears to be generous compared to other Canadian law schools, an increase may be required due to current financial constraints, which could hinder to some degree scholarly output and productivity.
- Faculty would prefer a greater sense of community.

The reviewers made the following **recommendations**:

- Research
 - The Faculty should be open to the development of research centres that could provide a beneficial platform for research activity in select areas.
- Faculty
 - At a minimum, the Faculty should pay close attention to the concerns around gender equity and seek out strategies to surface causes of concern and address them as effectively as possible.
 - Conduct a review of faculty salaries with an eye to gender imbalances.
 - Give attention to the suggestions that some faculty are disgruntled.
 - Increasing workload by bolstering GPLLM lecturing may be the easiest change to implement.
 - Any exploration of workload increases need to consider gender equity and existing concerns about inequitable workloads across the Faculty.
 - Counteracting forces eroding a sense of community is appropriate, but reviewers note that this is part of a broader societal reality.

4. Administration

The reviewers observed the following **strengths**:

- Relationships
 - Excellent state of relationships within the Faculty.
 - Admirably strong sense of mission and a positive morale; faculty expressed pride in the institution and their presence within it; students communicated an appreciation for the Faculty and the education they are receiving; staff were generally happy in their roles and felt supported.
 - Cognate deans report that the Faculty has a strong reputation and is easy to work with.
 - Alumni relations are healthy, having improved under the current Dean.
 - Overall, we believe the relationships among the various individuals and constituencies at the Faculty are excellent.

- Organizational and financial structure
 - The 2016 move into the new Jackman Law Building is a major success story.
 - Widespread and robust confidence in the Faculty's leadership.
 - Leadership team is dedicated and capable.
 - The appointment of an Associate Dean whose mandate includes research support initiatives appears to have been most beneficial, including in measurable success in bringing forward and improving grant applications and securing of external funding.
- Long-range planning and overall assessment
 - The Faculty is a top-tier institution, in a very health state, with a longstanding and well-deserved reputation of excellence, outstanding students and professoriate, impressive physical and administrative resources, and effective leadership.
- International comparators
 - The Faculty is Canada's premier law school and an impact player globally. According to the available data, the Faculty is the top law school in Canada, a leading law school in North America and among the top 20 law Faculties in the world.

The reviewers identified the following **areas of concern**:

- Organizational and financial structure
 - Graduate students report some disappointment that voting rights at Faculty Council do not reflect the current configuration of undergraduate and graduate cohorts.
 - Including JD curricular matters in the portfolio of the Associate Dean Research is not ideal, but does not appear to have impeded efforts to enhance research support.
- Long-range planning and overall assessment
 - The Faculty's financial position is the primary source of concern for the Faculty at the time of the review, especially given the recent tuition cuts by the Ontario government.
 - With the Faculty there are concerns that Toronto will struggle to keep up with top American law schools thought of as peers due to the comparatively modest financial resources on hand.
- International comparators
 - The Faculty and its JD students have different perspectives on the question of appropriate comparators that are likely to shape debate about the Law Faculty's priorities for the foreseeable future, with JD students focusing on the Canadian context and the Faculty focusing on the North American context.

The reviewers made the following **recommendations**:

- Organizational and financial structure

- Consider a small adjustment to governance rules in response to graduate student concerns about representation, if possible.
- Long-range planning and overall assessment
 - Growing the GPLLM appears to be a realistic objective, given the program's intellectual rigour and the fact that a master's degree from U of T should markedly improve the employment prospects of students seeking to requalify. It is critical that the investment of time, energy, and financial resources continues to be made to sustain and grow the program, given its potential role as a key mechanism for addressing the Faculty's fiscal stress.
 - Continued cross-subsidization from the University and some difficult Faculty choices in terms of resource allocation appear inevitable to maintain the Faculty's healthy state.
 - Consider other fundraising objectives, for faculty research and related activities, as well as for clinics and other experiential opportunities and services for students.



2 Administrative Response & Implementation Plan

FACULTY OF LAW
University of Toronto

Edward Iacobucci,
Dean and James M. Tory Professor of Law

October 7, 2019

Office of the Vice-Provost, Academic Programs
University of Toronto
65 St. George Street, 3rd Floor

UTOAP Administrative Response

This past winter, the Faculty of Law underwent an External Review (“Review”) conducted by the External Review Team (“Reviewers”) of Professor Camille Cameron, Dean of Law and Weldon Professor of Law, Dalhousie University; Professor Brian R. Cheffins, Chair of the Faculty Board and S J Berwin Professor of Corporate Law, Faculty of Law, University of Cambridge; Professor Daniel Jutras, Wainwright Chair in Civil Law, McGill University; and, Professor Andrew Guzman, Dean and Carl Franklin Chair in Law, USC Gould School of Law. We are grateful to them for undertaking the Review, as well as for their feedback by way of the Report of the External Reviewers.

It is gratifying to read the Reviewers’ praise for the Faculty of Law. We are delighted with their conclusion that their Review “reveals a top-tier institution, with a long-standing and well-deserved reputation of excellence, outstanding students and professoriate, impressive physical and administrative resources, and effective leadership.”

We are perhaps even more appreciative, however, of the constructive suggestions that the Reviewers provided, and that formed the basis of the Vice-Provost, Academic Programs’ Request for Administrative Response and Implementation Plan. Our Administrative Response will focus on the Reviewers’ suggestions cited in the Request for Administrative Response. It is worth re-emphasizing, however, that while our response to the suggestions for improvement will be the priority in this document, it was extremely gratifying to read the praise for a Faculty of which I and many others are very proud.

Innovation in JD Teaching and Learning

The Review encouraged innovation in JD teaching and evaluation, taking the view that similar institutions are broadening considerably their teaching and evaluative methods.

The Faculty appreciates the suggestion and will continue to work on innovation in the classroom. Within our Faculty, there is a wide variety of teaching styles. Some extremely successful teachers rely on a traditional approach to law school teaching, one that relies heavily on a professor in part lecturing, and in part asking questions of the class to encourage discussion that nurtures the students’ understanding of an area of law. Others are more innovative, relying on experiential learning in the classroom (e.g., negotiation exercises; mock arguments), technology (e.g., video; online surveys), co-teaching with adjunct practicing lawyers, and more. And some courses, such as a growing suite of externships and associated seminars, also innovate.

As the Reviewers observed, student evaluations of faculty teaching are consistently strong. Evaluations are on a 5-point scale, with 1 at the top; if an instructor receives averages of 2 or below, this is a relatively rare and disappointing outcome. Norms are closer to the 1.5 range, while top instructors are closer to 1 on average. It is also worth noting that the distribution of positive reviews is spread rather evenly across teaching styles, with some of the more traditional approaches attracting similarly strong reviews compared to more innovative ones.

Notwithstanding this favourable starting point, the Faculty always strives to improve, and we will take up the Reviewers' invitation to consider more innovative pedagogy. A specific action to be accomplished in the next six months is that the Associate Dean, Students will enlist the help of the University's Centre for Teaching Support & Innovation to help discuss teaching innovation and best practices with Faculty colleagues. The AD will also lead a discussion of best practices among colleagues, better ensuring that good ideas circulate.

The Reviewers also shared concerns about a preponderance of 100% final examinations, encouraging a diversification of means of evaluation. There is clearly experimentation across colleagues, but it is also fair to say that the 100% final remains a prominent part of the evaluation landscape at the Faculty. This is in part because there are drawbacks from moving away from 100% finals. If diversification means writing a final examination as well as a mid-term, or an essay, students sometimes express concern that additional moments of evaluation generate a greater workload than that in courses where students write only a final exam. And eliminating the final exam altogether, which is true of many courses, comes with pedagogical implications that will not appeal to every instructor in every course.

That said, the Reviewers are correct to emphasize the stress associated with 100% final examinations. Moreover, an increasing demand for accommodations may also be relevant to the appropriate approach to evaluations. The Associate Dean, Students, and the Associate Dean, Curriculum and Research will together in the next six months embark on a review of our Faculty's approach to evaluations. The conclusion may simply be to establish a working group that will make concrete recommendations at a later date, but we will start the process in the short term.

Truth and Reconciliation Commission Calls to Action

The Reviewers noted that the Faculty's TRC Committee has recommended that the Faculty not adopt a mandatory, stand-alone course in response to the TRC Calls to Action, but rather has instead recommended that the Faculty integrate Indigenous perspective and content throughout the curriculum. The goal is to ensure that Aboriginal Law and Indigenous legal traditions are part of the very fabric of the student experience throughout all three years of the JD Program, and across a wide array of content areas in the curriculum. The Reviewers rightly observed that there are in the abstract advantages and disadvantages with the mandatory course approach, as opposed to the one the Committee recommended and that the Faculty adopted. The Reviewers commented specifically on implementation, expressing some concern that the integration approach has been unevenly adopted across the curriculum. There is a danger, for example, that instructors are either not incorporating Indigenous perspectives, or are doing so superficially.

The specific administrative action that responds to the Reviewers is one that has been underway since the last academic year and will continue this year. The TRC Committee was mandated last year to undertake an audit of our approach to implementing its curricular recommendations. It has asked to continue the examination, with a view to making recommendations, this academic year. The Faculty welcomes the Committee's conclusions. If it appears that the ideal approach of meaningfully integrating Indigenous

perspectives across the curriculum is not happening at an appropriate rate, or with a certain degree of consistency across courses, then the Faculty will examine alternatives, including how better to support the integrative approach going forward, or revisiting the idea of a mandatory course. The Faculty's timeline for this review is 12-18 months.

LLM Program

The Faculty appreciates the Reviewers' praise for its graduate programs, including for the remarkable placement rate of graduates from the SJD program, and its observation that the LLM and SJD programs "are structured in a manner that reflects best practices at peer institutions, and meet the high standards expected of a leading faculty of law." The Reviewers expressed some concern about the identity of the LLM program: is it a research-based program, or something else? While such a blurry identity is, as the Reviewers noted, common in North American LLM programs, they suggested that the emergence of the Faculty's professional master's program, the GPLLM, has further complicated the LLM's identity.

As the Reviewers observed, the Faculty has considerably restructured its graduate program in recent years, with a significant reduction in the size of the LLM program and a significant expansion of the GPLLM program. The primary motivation of this restructuring was to better match students with the programs in which they enroll: while it may not necessarily be research-based (though it can be), the LLM is a general academic degree offering law graduate students the opportunity to dive deeply into legal questions across a wide span of subjects; while the GPLLM has four concentrations with narrower curricula that are focused on the particular professional aspirations of its students, who may or may not have prior law degrees. The new structure of the graduate program allows greater choice for our students than in the past.

We appreciate the point raised by the Reviewers that some LLM students have expressed an interest in more LLM-only content. As the Reviewers noted, the cohort at this point is small – only about 30 students a year (down by about half from past peaks). Despite this small size, LLM students have three significant curricular opportunities not available to JD students. They take the LLM seminar, which is exclusively for LLM students. They have the option to take *Alternative Approaches*, a course open only to graduate students. And they have the option to write a short or long LLM thesis. Moreover, within the courses shared with JD students, there is a wide array of choices, including the option to replace a final exam with a research paper as an alternative form of evaluation, and taking directed research credits that are research-only credits. Nevertheless, the Faculty will ask the Associate Dean, Graduate to examine best practices at peer institutions and to report back within three months on whether this examination uncovered practical opportunities for more LLM-only programming at the Faculty.

The Reviewers suggested that the Faculty consider increasing the number of high-quality international LLM students, in part because of the higher fees that they pay relative to domestic students. We are proud of the quality of the international students that we attract to the program. We are also proud of the selectivity of the LLM program generally, with this past year seeing about 240 applications for 30 spots. We would, however, certainly welcome even greater numbers of high quality international LLM students. To that end, we welcomed a gift that allowed us to support incoming LLM students from Tsinghua University in China, and entered into an agreement with the National University of Singapore for an LLB/LLM combined degree that brings two students from this institution every year to our LLM program. The Associate Dean, Graduate has considered how best to attract international students repeatedly in the past, and will continue to consider agreements and other means to do so over this academic year.

GPLLM Program

We appreciate the many thoughtful comments of the Reviewers about the GPLLM program. They observe accurately that the program has a mix of non-lawyers, domestic lawyers, and non-Canadian lawyers seeking to requalify in Canada. Such a mix is in general a strength of the program. The Reviewers observed that the mix could pose challenges with scheduling: while an executive-style schedule well suits students who are simultaneously working, it is not obviously as suitable for those who do not necessarily hold down full-time employment. The Reviewers suggest that requalifying lawyers who are not working, for example, might prefer a more conventional schedule. This is a fair comment, but it is worth noting that many requalifying lawyers in the GPLLM are employed during the program, some in the legal community (e.g., as clerks), some outside of it. The Faculty has considered carefully its scheduling of the program in the past, recognizing constraints that include the mix of students enrolled, but will continue to consider and reconsider our approach. On the one hand, some students without current full-time employment might prefer a smoother pattern of class time, but on the other, an even more concentrated schedule would facilitate enrollment from outside the Toronto area. The graduate program administrative team will continue to review scheduling and how it impacts students and the program's identity. This will have a two to three year timeline.

The Reviewers also commented on the challenges associated with staffing the GPLLM program with high-quality instructors. Clearly, as they suggest, one option might be to increase compensation for teaching in the program, though with the financial constraints currently facing the Faculty, this poses obvious challenges. As the program gains a reputation as an excellent one in which to teach, with engaged and enthusiastic students, the hope is that any adjustments to attract instructors will be at the margins. Another reason for optimism is that the JD program benefits from the efforts of many enthusiastic adjunct instructors, and the hope is that as the GPLLM consolidates its reputation, attracting such adjuncts will also become easier.

Finally, aside from its considerable academic merits, the Reviewers identify the GPLLM as an important program for the financial health of the Faculty and suggest accordingly that the Faculty may wish to consider deeper investment in marketing and other support staff. Our level of investment in the GPLLM, including in its marketing, has increased significantly in recent years, and to date has achieved what we hoped to achieve. (We are in fact over our target enrollment this year by about 10%, with even stronger students than in the past.) And we do not have plans to grow significantly in the next few years, but rather to consolidate the program after this period of significant growth. That said, there may well be further organic growth as the program's reputation grows, and the Reviewers were correct to say that existing growth has already put pressure on the supports for the GPLLM program. The Dean's Office will continue to work with the Associate Dean, Graduate to ensure that the program has adequate human and other resources in place to support the GPLLM. The Faculty will also explore ways in which the program can realize better support from the University's School of Graduate Studies.

Gender Equity

The Reviewers reported concerns about gender equity at the Faculty, including concerns about pay, funding and awards, and teaching evaluations that the Request for Administrative Response highlighted. These concerns are real and the Faculty will continue to seek concrete strategies to address them. On the specific matters raised around pay, awards and teaching, the following paragraphs set out our Administrative Response, but with respect to these and other gender equity issues, the Administration will continue to monitor, listen, and work to address concerns.

Gender equity in pay is a concern across the University of Toronto. Indeed, while the Reviewers were visiting, the central University was examining pay equity across the campus. In the time that elapsed since the Reviewers' report, the University reported their findings on pay equity, and in response to what they found, made an across-the-board pay increase to women professors. The University and the Faculty are continuing to examine pay equity at the Faculty in particular, considering whether additional adjustments are appropriate.

On awards and funding, there clearly is a basis for concern. For example, the Faculty has five University Professors at the moment, all men. The Faculty has been alive to these concerns and gender is an explicit consideration in the deliberations of the Awards Committee, which makes recommendations about which award nominations the Dean's Office should support. In recent years, the Faculty has nominated many more women than men for significant awards. In 2017-18 and 2018-19, the Dean's Office, on the advice of the Awards Committee, made 21 nominations of colleagues to prestigious academic and professional awards; sixteen of the nominees were women, five were men. While such a ratio may not be appropriate every year, it addresses some of the historical discrepancies that exist. And the fact that we were successful in five of the 21 nominations, and all five were female nominees, confirms that these were highly deserved nominations. We will continue to ensure that women are given strong consideration for award nominations going forward.

Finally, the Reviewers also mentioned concerns about teaching evaluation and gender. As a general response to this concern, the University conducted a thorough study into the impact of gender on course evaluations across campuses and did not find any significant differences, though the data for this study were derived from electronic evaluations that Law will only adopt in 2020. Locally, for the purpose of this Response, we went back to the assessment of teaching at the Faculty for PTR purposes (which better controls for factors like class size than the raw evaluation data, though the raw data are similar) since 2014-15 and found that women outperformed men as teachers at the Faculty every single year. We will, however, continue to monitor course evaluations for evidence of gender-based discrepancies, especially after we adopt electronic course evaluations in 2020.

Diversity

The Faculty is committed to diversity. Our Faculty is an intellectual big tent that recognizes that a wide range of perspectives meaningfully contribute to our understanding of law, and similarly recognizes that culture, personal histories and backgrounds inform those perspectives. Diversity is therefore fundamental to our academic mission. We are proud of the progress that the Faculty has made in increasing diversity, but recognize that significant work remains. While offering praise for this progress, including our wide range of outreach efforts, the Reviewers identified specific diversity concerns with respect to faculty and students.

In respect of faculty, once the Faculty hires again, hopefully in the near term after having only hired three faculty in six years, diversity will be a prominent consideration. As the Reviewers suggest, greater representation of Black and Indigenous colleagues would be welcome. In the meantime, we will continue to put priority on inviting Black and Indigenous colleagues in our Distinguished Visitor program.

Regarding student diversity, on some dimensions the Faculty is doing very well, but on others, especially around Black and Indigenous students, there is clearly room for improvement. The Manager, Indigenous Initiatives will continue to explore ways to attract excellent Indigenous students, and our Admissions Office will continue to place priority on admitting Indigenous students. With funding received from the Law Foundation of Ontario, this academic year we will be launching an Indigenous Outreach &

Mentorship Program, which is intended to strengthen our current and alumni Indigenous students' relationships with the law school and to facilitate pipeline building, with the goal of increasing the representation of Indigenous students in our future classes.

We are also at the beginning of our launch of the Black Future Lawyers Program, which will be an outreach effort explicitly intended to attract excellent Black students, in part by relying on Black alumni and other Black lawyers to help create a critical sense of community for incoming Black students. The University's Faculty of Medicine has taken such an approach with great success, and we hope to do the same.

Financial Position

The Reviewers were correct to identify financial concerns as presenting the greatest challenges to the continued success of the Faculty. They identified various appropriate and sensible strategies for addressing these challenges. For example, they noted that with the success of the fundraising campaign for student financial aid, there may be room to seek to raise funds for other priorities, including supporting experiential learning and research at the Faculty. While student financial aid will continue to be a priority, there is clearly merit in broadening fundraising priorities in the coming years.

The Reviewers also observed that "continued cross-subsidization from the University and some difficult Faculty choices in allocation of resources both appear inevitable if the Faculty is to weather this financial storm undiminished." On the latter point about difficult choices, in response to the Ontario government's mandated cuts to tuition this year, the Faculty made considerable cuts to its expense budget over the summer, and moreover reduced staffing levels. These cuts, difficult though they are, have, along with University support, mitigated the harm to our financial position caused by the Ontario government's tuition policy.

On the former point about subsidization, the Faculty of Law is a net recipient of University subsidies. The budget model that the University adopted in 2006, however, followed the principle that subsidies to faculties were generally to be capped on a going forward basis. Thirteen years later, as our costs have systematically risen, but our subsidies have not systematically risen, this has created significant pressure on the Faculty, especially since the Faculty of Law, unlike other faculties on campus, has been unable to benefit from significant increases in the enrollment of relatively high-paying international students. Moreover, our per-student government grants have been effectively frozen or even slightly reduced since the early 1990's, and have in any event been set at the same level as an Arts undergraduate student despite the vastly different cost structures across the programs. Government grants have fallen to around 13% of Law's budget.

The Faculty appreciates the help that the University recently provided to mitigate, though by no means eliminate, the impact of the government's mandated 10% tuition cut. It is clear, however, that the conditions that led to a disproportionate impact on the Faculty of Law from the mandated cut (a low ratio of government grant to the cost of a student's education; minimal international enrollment) will remain challenging to the Faculty.

With these and other considerations as context, the Faculty welcomes the re-examination of the 2006 budget model that the University has undertaken. The emerging principle resulting from that process that divisions will invest more in University academic priorities, not just divisional priorities, is welcome. Much will depend on implementation: it will be up to the Faculty to make the case to the University for

the academic merits of greater support; and it will be up to the University to make the prospect of additional support for academic priorities meaningful.

I would like to take this opportunity again to thank the Reviewers for their efforts in reviewing the Faculty, for their constructive suggestions, and for their overwhelmingly positive Report.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Edward Iacobucci". The signature is written in a cursive style with a distinct loop at the end.

Edward Iacobucci
Dean, Faculty of Law

3 Committee on Academic Policy & Programs (AP&P) Findings

The spokesperson for the reading group reported that the summary covered the full review. The reading group requested clarification on the 100% final exam structures in some JD courses, as well as the possibility of giving students credit for summer experiential learning opportunities. Turning to the Doctor of Juridical Science (SJD) program, the group raised questions concerning the desire for advanced courses on methodology, the length and scope of funding as well as potential avenues for graduates other than an academic career. Finally, the group had questions about graduate students' concerns about representation at Faculty Council.

Dean Iacobucci responded that not all JD courses had 100% final exams and, in those that did, students did receive feedback throughout the course. Given the small class sizes and the structure of the JD curriculum, participation in and preparation for classes was vital and exams helped to ensure students were engaging with the materials. Dean Iacobucci noted that he understood the pressures faced by students with respect to final exams, but that in many cases, if given a choice between writing assignments and 100% exams, most students chose the 100% exam. Finally, he noted that a study was being undertaken of practices at other Canadian universities to inform upcoming discussions of the Faculty's practices.

With respect to credit for summer opportunities, Dean Iacobucci responded that, for several reasons, it was not being considered at this time. Chief among these reasons was the fact that for-credit experiential learning required close interaction with faculty, who do not normally teach during the summer, and the fact that not all students have equal access to these summer opportunities.

Regarding the SJD program, Dean Iacobucci noted that given the disparate research methodologies utilized by SJD students, a single advanced methodologies course would be impracticable. The Faculty ensured that students were able to access relevant advanced methodology courses through cognate units where appropriate. Turning to funding, Dean Iacobucci noted that the Faculty offered competitive funding packages, none of which required TA employment, allowing students to focus on their theses. Regarding career paths, around three-quarters of graduates had secured academic positions and, owing to the fact that SJD students typically came into the program with a JD and an LLM, most were able to find jobs in a related field if they did not pursue academic careers.

Finally, regarding representation on Faculty Council, 1/3 of seats were currently reserved for student representatives; given the recent growth in graduate student enrolment the Faculty may examine whether to allot more of these existing seats to graduate students.

No follow up report was requested.

4 Institutional Executive Summary

The reviewers affirmed the overall excellence of the Faculty of Law, its faculty, students, programs and leadership. They praised the excellent students in the JD program, noting the program's high quality teaching, recent curricular improvements, and high levels of student satisfaction. They found the SJD program to be in excellent shape, and they had praise for the Faculty's other graduate offerings, including the innovative GPLLM. They found the faculty's scholarship to be "of the highest order." They concluded that "according to the available data the University of Toronto is the top law school in Canada, is a leading law school in North America and is among the top 20 law faculties in the world." The reviewers recommended that the following issues be addressed: increasing innovation in JD teaching and assessment of learning; addressing remaining challenges in integrating recommendations of the Truth and Reconciliation Commission; enhancing and developing a distinctive identity for the LLM program; addressing inconsistencies of structure and services for students pursuing the GPLLM in order to practice law in Canada and securing teaching staff to deliver the program; addressing concerns about gender equity; increasing diversity of the faculty complement and student body; and improving the Faculty's financial situation. The Dean's Administrative Response describes the Faculty and programs' responses to the reviewers' recommendations, including an implementation plan for any changes necessary as a result.

5 Monitoring and Date of Next Review

The Dean will provide an interim report to the Vice-Provost, Academic Programs on the status of the implementation plans, due midway between the year of the last and next site visits.

The next review will be commissioned for a site visit to take place no later than eight years from March 2019.

6 Distribution

On October 26, 2020, the Final Assessment Report and Implementation Plan was posted to the Vice-Provost, Academic Programs website and the link provided by email to the Dean of the Faculty of Law, the Secretaries to AP&P, Academic Board and Governing Council, and the Ontario Universities Council on Quality Assurance. The Dean provided the link to the Directors of the Programs.