

University of Toronto Mississauga – Sociology
SOC475H5S (Winter 2019)

Sociology of Law and Lawyers

Time: Monday, 1:00 PM – 3:00 PM

Location: Deerfield Hall, DH 3055

Instructor Information

Instructor: Liu, Sida
Office location: NE 6288
Email address: sd.liu@utoronto.ca
Office hours: Monday, 3:30 PM – 5:30 PM
Course website: U of T Quercus, <https://q.utoronto.ca>

Teaching Assistant: Eduardo Gutierrez Cornelius

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Course Description

This course examines law and society through the lens of the legal profession. Law represents one of the most elite and influential professions in our society; lawyers are responsible not only for the administration of justice, but also are key players in economic and political life. Understanding who lawyers are, the process of legal education, how lawyers build their careers, which lawyers can (and choose to) attain elite positions, and the clients that lawyers serve are all key issues for understanding access to justice, and for understanding lawyering as a profession. This course will rely on empirical research to cover topics related to law school, where lawyers work and the work that they do.

Prerequisites, Exclusions, CSL Group

SOC205H5/231H5, 209H5, 221H5, 222H5, 0.5 SOC credit at the 300 level.

Learning Objectives

At the end of the course, students will be able to:

- Select research topic, formulate a research question, and research the question by synthesizing it with the existing literature on the topic.
- Develop a conceptual argument that draws on a review of the literature.
- Apply sociological concepts, theories, and perspectives to historical and contemporary issues.
- Critically reflect on historical and contemporary issues.
- Critically evaluate sociological concepts and theories.
- Communicate sociological knowledge in a concise, clear, and correct manner in writing in individual, partnered and/or group settings.

Textbooks and Other Materials

There is no textbook for this course. The course readings are a collection of journal articles, book chapters, and other readings compiled by the instructor and available on Quercus.

Evaluation Components and Grading Policies

Type	Date(s) Due	Weight
Reading Responses	Weekly (Weeks 2-12)	16%
Class Participation	Weekly	9%
Midterm Exam	27 February 2019 (Wednesday)	40%
Final Essay	5 April 2019 (Friday)	35%

All assignments must be submitted electronically to Quercus. No hard copy is required. Email submission will not be accepted.

Reading Responses

Each week you are required to submit to the Discussions board on Quercus a 500-word (approx.) analysis of the main themes and arguments of ALL the assigned readings for that week BEFORE CLASS (i.e., before 1:00 PM on Monday). The reading response should be a fully integrated reflective essay, not a simple combination of summaries of individual readings. When submitting your reading response, please paste the full text directly into the textbox on the Discussions board. Do NOT use attachments. Include the word count at the end of your entry.

Your first submission will be due for the Week 2 readings. You will submit a total of 8 reading responses. Each submission accounts for 2% of your final grade. You will be automatically assigned 1% for submitting the response (unless it is of such dubious quality that it does not deserve a grade), and another 1% will be added to your grade if the response is excellent.

You have three “free tickets” between Week 2 and Week 12, which you may submit in lieu of the reading responses. For each “free ticket,” instead of the response, please simply write your name, student number and indicate this is your “free ticket” week. Any other failure to submit the reading response will result in a mark of zero for that week.

Class Participation

You are expected to attend class, read assigned course material before class, and prepare for, lead, and participate in classroom discussions. You are also expected to visit the Quercus course website on a weekly basis and check for updates from the instructor and the teaching assistant, as well as follow discussions. You are expected to be respectful of fellow classmates in discussions and lectures, curious and open-minded about others’ and one’s own perspectives, and cultivate an environment for mutual growth through collaboration and dialogue. A grade for your overall class participation will be given by the instructor at the end of the term and it accounts for 9% of your final grade.

Midterm Exam

The midterm exam will be a take-home exam in the format of short essay questions. The exam will be distributed after the Week 6 class and the due date is **27 February 2019 (Wednesday) at 12:00 PM (noon)**. Specific information of the midterm exam will be given at least one week prior to the distribution of the exam. The midterm exam accounts for 40% of your final grade.

Final Essay

The final essay will be a 10-page (double-spaced) essay in which you will be asked to use course readings to analyze an empirical topic on the legal profession. The due date of the final essay is **5 April 2019 (Friday) at 12:00 PM (noon)**. Specific information of the final essay will be given at least two weeks prior to the last class in Week 12. The final essay accounts for 35% of your final grade.

Course Schedule

Week 1 (7 January 2019)

Course Introduction

Kritzer, Herbert M. 1999. "[The Professions Are Dead, Long Live the Professions: Legal Practice in a Postprofessional World.](#)" *Law & Society Review* 33: 713-759.

Week 2 (14 January 2019)

The Canadian Legal Profession

Girard, Philip. 2014. "[The Making of the Canadian Legal Profession: A Hybrid Heritage.](#)" *International Journal of the Legal Profession* 21: 145-169.

Dinovitzer, Ronit. 2015. [Law and Beyond: A National Study of Canadian Law Graduates.](#) Available at <http://individual.utoronto.ca/dinovitzer/images/LABReport.pdf>

Week 3 (21 January 2019)

General Theories

Abel, Richard L. 1989. *American Lawyers*. New York and Oxford: Oxford University Press. (Chapters 2-3, pp. 14-70)

Abbott, Andrew. 1986. "[Jurisdictional Conflicts: A New Approach to the Development of the Legal Professions.](#)" *American Bar Foundation Research Journal* 11: 187-224.

Week 4 (28 January 2019)

The Social Structure of the Bar

Heinz, John P. and Edward O. Laumann. [1982] 1994. *Chicago Lawyers: The Social Structure of the Bar (Revised Edition)*. Evanston, IL: Northwestern University Press. (Chapter 6, pp. 127-176)

Sandefur, Rebecca. 2001. "[Work and Honor in the Law: Prestige and the Division of Lawyers' Labor.](#)" *American Sociological Review* 66: 382-403.

Week 5 (4 February 2019)

Law Firm Growth

Nelson, Robert L. 1981. "[Practice and Privilege: Social Change and the Structure of Large Law Firms.](#)" *American Bar Foundation Research Journal* 6: 95+97-140.

Galanter, Marc, and William D. Henderson. 2008. "[The Elastic Tournament: A Second Transformation of the Big Law Firm.](#)" *Stanford Law Review* 60: 1867-1906.

Week 6 (11 February 2019)

Lawyers and Clients

Sarat, Austin, and William L. F. Felstiner. 1986. "[Law and Strategy in the Divorce Lawyer's Office.](#)" *Law & Society Review* 20: 93-134.

Shapiro, Susan P. 2002. *Tangled Loyalties: Conflict of Interest in Legal Practice*. Ann Arbor, MI: University of Michigan Press. (Chapters 4, 80-133)

Nelson, Robert L., and Laura Beth Nielsen. 2000. "[Cops, Counsel, and Entrepreneurs: Constructing the Role of Inside Counsel in Large Corporations.](#)" *Law & Society Review* 34: 457-494.

----- Reading Week: 18-22 February 2019 -----

****Midterm exam due at 12:00 PM (noon) on 27 February 2019 (Wednesday)****

Week 7 (25 February 2019)

Professional Work

Kritzer, Herbert M. 1997. "[Contingency Fee Lawyers as Gatekeepers in the Civil Justice System.](#)" *Judicature* 81: 22-29.

Levin, Leslie C. 2004. "[The Ethical World of Solo and Small Law Firm Practitioners.](#)" *Houston Law Review* 41: 309-392.

Liu, Sida. 2006. "[Client Influence and the Contingency of Professionalism: The Work of Elite Corporate Lawyers in China.](#)" *Law & Society Review* 40: 751-781.

Week 8 (4 March 2019)

Professional Career

Hagan, John, and Fiona Kay. 1995. *Gender in Practice: A Study of Lawyers' Lives*. New York: Oxford University Press. (Chapters 3-5, pp. 51-119)

Bliss, John. 2017. "[Divided Selves: Professional Role Distancing Among Law Students and New Lawyers in a Period of Market Crisis.](#)" *Law & Social Inquiry* 42: 855-897.

Week 9 (11 March 2019)

Hierarchy and Inequality

Kay, Fiona, and Elizabeth Gorman. 2008. "[Women in the Legal Profession.](#)" *Annual Review of Law & Social Science* 4: 299-332.

Wilkins, David B., and G. Mitu Gulati. 1996. "[Why Are There So Few Black Lawyers in Corporate Law Firms? An Institutional Analysis.](#)" *California Law Review* 84: 493-625.

Roderique, Hadiya. 2017. "[Black on Bay Street.](#)" *The Globe and Mail*, 4 November 2017. Available at <https://www.theglobeandmail.com/news/toronto/hadiya-roderique-black-on-bay-street/article36823806/>

Week 10 (18 March 2019)

Political Mobilization

Karpik, Lucien. 1988. "[Lawyers and Politics in France, 1814-1950: The State, the Market, and the Public.](#)" *Law & Social Inquiry* 13: 707-36.

Liu, Sida, and Terence C. Halliday. 2011. "[Political Liberalism and Political Embeddedness: Understanding Politics in the Work of Chinese Criminal Defense Lawyers.](#)" *Law & Society Review* 45: 831-865.

Marshall, Anna-Maria, and Daniel C. Hale. 2014. "[Cause Lawyering.](#)" *Annual Review of Law and Social Science* 10: 301-320.

Week 11 (25 March 2019)

Multi-Disciplinary Practice

Garth, Bryant G., and Joyce Sterling. 2009. "[Exploring Inequality in the Corporate Law Firm Apprenticeship: Doing the Time, Finding the Love.](#)" *Georgetown Journal of Legal Ethics* 22: 1361-1394.

Ballakrishnen, Swethaa S. 2017. "'She Gets the Job Done': Entrenched Gender Meanings and New Returns to Essentialism in India's Elite Professional Firms." *Journal of Professions and Organization* 4: 324-342.

Wilkins, David B., and Maria J. Esteban Ferrer. 2018. "[The Integration of Law into Global Business Solutions: The Rise, Transformation, and Potential Future of the Big Four Accountancy Networks in the Global Legal Services Market.](#)" *Law & Social Inquiry* 43: 981-1026.

Week 12 (1 April 2019)

Globalization

Liu, Sida. 2013. "[The Legal Profession as a Social Process: A Theory on Lawyers and Globalization.](#)" *Law & Social Inquiry* 38: 670-693.

Flood, John. 2007. "[Lawyers as Sanctifiers: The Role of Elite Law Firms in Business Transactions.](#)" *Indiana Journal of Global Legal Studies* 14: 35-66.

Liu, Sida, and Hongqi Wu. 2016. "[The Ecology of Organizational Growth: Chinese Law Firms in the Age of Globalization.](#)" *American Journal of Sociology* 122: 798-837.

****Final essay due at 12:00 PM (noon) on 5 April 2019 (Friday)****

Every attempt will be made to follow this schedule, but it is subject to change at the discretion of the instructor.

Procedures and Rules

Missed Tests/Quizzes or Late Assignments

Students who miss a term test or submit an assignment after the deadline will be assigned a mark of zero for the test, or will lose a percentage of the assignment mark for each late day.

However, students may request special consideration from the department (not the instructor)* for missed tests/quizzes or late assignments late due to reasons beyond the student's control, including:

- Illness or injury
- Disability
- **Religious observances** (i.e., holy days)
- Other unplanned circumstances entirely beyond the student's control (e.g., a court subpoena, a funeral, a car accident).

Reasons such as holidays, pre-purchased plane tickets, family plans (unless critical, such as death of an immediate family member), attending a wedding, lack of preparation, technology failure, or too many commitments are not considered to be beyond a student's control and will not be accommodated.

***Please note:**

- **You may not submit a special consideration request to re-write a test/quiz once the test has begun. If you are feeling ill, you must leave the room before starting your test/quiz and seek medical attention immediately.**
- **If you miss an item of term work and do not complete the missed item or any make-up by the examination period, you must submit a petition for an extension of time beyond end of term through the Office of the Registrar: <https://www.utm.utoronto.ca/registrar/current-students/petitions>.**

Extension of Time Special Consideration Process

If you are registered with Accessibility Services and want to request an extension of time for an assignment in advance of the due date (based on an accommodation letter already provided to your instructor), please email **both** your instructor **and** your Accessibility Advisor directly in order to obtain approval.

In all other cases, if you miss an assignment deadline due to circumstances beyond your control and seek an extension of time beyond the due date, please complete the following steps in order to be considered for academic accommodation:

1. Submit an online special consideration request form within three (3) days (including weekends and holidays) of the assignment due date via <https://app.utm.utoronto.ca/SpecialRequest/>.
2. Submit appropriate supporting documentation within three (3) days (including weekends and holidays) of the assignment due date via email to socscr.utm@utoronto.ca or the dropbox for supporting documentation located in the Department of Sociology. All documentation must be in its original form. If you submit documentation electronically (as a PDF or JPEG attachment ONLY), ensure it is legible and retain the original copy in case you are asked to present it later.
 1. If illness/injury is cited as the reason for the missed deadline, you must submit a **U of T Verification of Student Illness or Injury form** (VOI) stating you were examined and diagnosed on the day of the missed deadline or immediately after (i.e., the next day), and indicating a serious degree of incapacitation on academic functioning (e.g. unable to complete an assignment, unable to write a test/examination). The VOI must include a statement by the physician that notes the precise period that you are unable to complete your assignment. A statement from a physician that merely confirms a report (after the fact) of illness/injury made by the student is not acceptable. If you need additional extensions for the same assignment, you must follow the aforementioned procedures with the same physician.

2. If you missed a deadline for a reason connected to your registered disability (and your instructor did not grant approval in advance based your accommodation letter), the department can only accept documentation provided by Accessibility Services.
3. Other documentation can include, but is not limited to: a [U of T Verification of Extenuating Circumstances form](#); automobile collision or police reports; a death certificate; and supporting documentation from employers, lawyers and other professional persons. When in doubt, consult the [sociology academic counsellor](#) regarding appropriate supporting documentation for your special consideration request.
4. For an extension, supporting documentation must specify the exact period that you were unable to complete your assignment. The department will then determine if any extension is merited and if so, the period of extension approved. For extensions of time beyond the examination period, you must submit a [petition for an extension of time beyond end of term through the Office of the Registrar](#).
5. The department may request additional documentation in order to assess your case fully.

The department evaluates special consideration requests carefully and approval is not guaranteed.

- If there is concern about your special consideration request(s), your request may be refused and/or you may be asked to meet with an Associate Chair.
- If you have multiple special consideration requests (excluding requests pertaining to a documented disability with appropriate supporting documentation), your request may be refused.
- If you do not comply with the above instructions and timelines, or if or if your special consideration request is deemed unacceptable, your request will be denied and you will receive a grade of zero for the item you missed.
- If the department approves your special consideration request, you will be notified of the period of extension permitted.

The department (not the instructor) will inform you of the decision on your special consideration request via email to your U of T email account typically within one (1) week. However, you must submit your assignment per the instructions below as soon as you are able to do so; do NOT wait for the outcome of your special consideration request.

Late assignments must be submitted to the instructor via Quercus.

False statements and/or documentation will be treated as academic offences and handled accordingly.

Late Assignments

- In order not to be considered late, assignments must be submitted by the due date listed on the syllabus via Quercus. ***You are expected to keep a back-up, hard copy of your assignment in case it is lost.***
- Late assignments for reasons that are within your control will be penalized 10% marks per day. The penalty will run from the day the assignment was due until the day it is submitted to the instructor via Quercus.
- The penalty period includes weekends and holidays.
- Assignments that are more than seven (7) days late will not be accepted.

Late assignments must be submitted in accordance with the instructions above; other faculty and staff within the department cannot and will not accept late assignments

Re-marking Pieces of Term Work

General

A student who believes that their written term work has a substantive error in grading may ask the person who marked the work for re-evaluation. Students have up to one month from the date of return of an item of term work or from the

date the mark was made available to inquire about the mark and file an appeal. For example, should the work be returned or the mark be made available on March 3rd, the student has until April 3rd to inquire in writing and start the remarking process. Instructors must acknowledge receipt of a student request for remarking within **3-working days**, and decisions should be provided in a timely fashion.

If an academic misconduct case is in progress for the piece of term work in question, a student may not appeal until the matter is resolved.

Details

Regrade requests for term work worth less than 20% of the final mark may be submitted to the person who marked the work for re-evaluation. The student must submit (1) the original piece of work and (2) a written explanation detailing why they believe the work was unfairly/incorrectly marked. If the student is not satisfied with this re-evaluation, he or she may appeal to the instructor in charge of the course if the work was not marked by the instructor (e.g., was marked by a TA). In those instances where the instructor was not the one who marked the work, the student must now submit to the instructor (1) the original piece of work, (2) the written reasons as to why they believe the work was unfairly/incorrectly marked, and (3) communications from the original marker as to why no change in mark was made. If a remarking is granted by an instructor, the student must accept the resulting mark as the new mark, whether it goes up or down or remains the same. Continuing with the remark or the appeal means the student accepts this condition. Instructors and TAs should ensure all communication with the student is in writing (e.g. follow-up email) and keep a copy for later reference.

Only term work worth at least 20% of the course mark may be appealed beyond the instructor. Such appeals must first follow the same guidelines as those mentioned directly above for work worth less than 20%. To escalate an appeal beyond the instructor, the student must submit to the [academic counsellor](#) (1) all previous communications between the student, original marker, and the instructor (2) the detailed reason(s) documenting why the mark for the work was inappropriate and (3) the original piece of work. If the department believes that re-marking is justified, the department shall select an independent reader. The student must agree in writing to be bound by the results of the re-reading process or abandon the appeal. Again, the student must accept that the mark resulting from the appeal may be higher or lower or the same as the original mark.

Where possible, the independent reader should be given a clean, anonymous copy of the work. Without knowing the original assigned mark, the reader shall determine a mark for the work. The marking of the work should be considered within the context of the course of instruction for which it was submitted. If the new mark differs substantially from the original mark, the department shall determine a final mark taking into account both available marks.

The final level of appeal is to the [Dean's Office](#). Appeals must already have been considered at the two previous levels (Instructor followed by Department), with the decision reviewed by the head of the academic unit, before they will be considered by the [Dean's Office](#). **Appeals must be submitted in writing, and include all previous correspondence, as soon as possible after the student receives the final response from the academic unit, but no later than one month after.** Appeals to the [Dean's Office](#) about the marking of term work will be reviewed to ensure that appropriate procedures have been followed in earlier appeals, that the student has been treated fairly, and that the standards applied have been consistent with those applied to other students doing the assignment. Any mark resulting from such an appeal will become the new mark, whether it is higher or lower or the same as the previous one.

This process applies only to term work; appeals for re-reads of final examinations are handled directly by the [Office of the Registrar](#).

Electronic Communication and Electronic Learning Technology

Email communication is rapid, convenient, and efficient—and you are encouraged to use it to enhance your learning and experience in the course. With that said, it is essential that you follow a few rules. **Note: Emails that do not follow these guidelines will not receive a response.**

- Assignments must be submitted to the instructor via Quercus.

- Assignments will not be accepted via email. See above for how to submit them.
- All course communication should be conducted through Quercus or your U of T email account.
- All emails must include the course code (e.g., SOC123) in the subject line.
- All emails should be signed with the student's full name and student number.
- Emails from students will generally be answered within two working days of receipt.
- Treat emails as you would any other professional communication. Proofread. Use appropriate language.
- Emails that ask questions that are answered in the course syllabus or website (e.g., "how much is assignment X worth?") will not receive a response.
- All general questions about the course that are NOT addressed on the syllabus and course website should be directed to the instructor via email.

Classroom Etiquette

Students are expected to arrive at class on time.

If and when (at the instructor's discretion) laptop usage is allowed in class, they should be used for notes only. Other uses (e.g., emailing, web surfing) will result in the student being required to turn off the laptop and it may affect their participation mark.

Videotaping and recording lectures is strictly forbidden without written permission from the instructor.

Academic Integrity

Copying, plagiarizing, falsifying medical certificates, or other forms of academic misconduct will not be tolerated. Any student caught engaging in such activities will be referred to the Dean's office for adjudication and punishment. Any student abetting or otherwise assisting in such misconduct will also be subject to academic penalties.

Students are expected to cite sources in all written work and presentations. See these links for department citation formats and tips for how to use sources well:

- <http://www.utm.utoronto.ca/sociology/resources/resources-students>
- <http://advice.writing.utoronto.ca/using-sources/how-not-to-plagiarize/>

By enrolling in this course, you agree to abide by the university's rules regarding academic conduct, as outlined in the Calendar. You are expected to be familiar with the "Code of Behaviour on Academic Matters (www.governingcouncil.utoronto.ca/policies/behaveac.htm) and Code of Student Conduct (<http://www.governingcouncil.utoronto.ca/policies/studentc.htm>) which spell out your rights, your duties and provide all the details on grading regulations and academic offences at the University of Toronto.

Student Services and Resources

Accessibility

The University provides academic accommodations for students with disabilities in accordance with the terms of the Ontario Human Rights Code, including those who have a physical, sensory, or learning disability, mental health condition, acquired brain injury, or chronic health condition, be it visible or hidden.

If you have a disability or health consideration that may require accommodations, please approach Accessibility Services as soon as possible. The Accessibility staff are available by appointment to assess specific needs, provide referrals and arrange appropriate accommodations. The sooner you let us know your needs, the quicker we can assist you in achieving your learning goals in this course.

To register with Accessibility, please call the centre at 905-569-4699 or e-mail access.utm@utoronto.ca.
<http://www.utm.utoronto.ca/access>

Robert Gillespie Academic Skills Centre

The centre offers wide-ranging support to help students identify and develop the academic skills they need for success in their studies, including: understanding learning styles; essay and report writing; time management; lecture-listening; note-taking; and studying for tests and exams. <http://www.utm.utoronto.ca/asc/>

UTM Library (Hazel McCallion Academic Learning Centre)

The UTM library provides access to a vast collection of online and print resources to faculty, staff, and students. Various services are available to students, including borrowing, interlibrary loans, online references, research help, laptop loans and the RBC Learning Commons.
<http://library.utm.utoronto.ca>

A variety of **other student support services and resources** can be found at <http://www.utm.utoronto.ca/current-students>, including academics, health, wellness and student services.

Equity & Diversity

The University of Toronto is committed to equity and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect. As a course instructor, I will neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual in this course and wish to be alerted to any attempt to create an intimidating or hostile environment. It is our collective responsibility to create a space that is inclusive and welcomes discussion. Discrimination, harassment and hate speech will not be tolerated. If you have any questions, comments, or concerns you may contact the UTM Equity and Diversity officer at edo.utm@utoronto.ca or the University of Toronto Mississauga Students' Union Vice President Equity at vpequity@utmsu.ca.