



**WINDSOR LAW**  
**Students' Law Society**

**Students' Law Society  
University of Windsor, Faculty of Law**

**Report from the  
Juris Doctor Degree Designation Committee**

**March 28, 2009**

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## A. EXECUTIVE SUMMARY

This report has been created by the Juris Doctor Degree Designation Committee (the “Committee”) in order to provide the student body at the University of Windsor, Faculty of Law with information regarding a potential change in degree designation, from our current Bachelor of Laws (“LL.B.”) degree to a Juris Doctor (“J.D.”) degree.

## B. INTRODUCTION

During the 2008-2009 academic year, the Students’ Law Society at the University of Windsor, Faculty of Law formed a Juris Doctor Degree Designation Committee. The Committee consisted of fifteen members from all three years of law school. The Committee met on numerous occasions, exchanged dialogue, and conducted research on a variety of issues surrounding the J.D./LL.B. degree designation debate. The Committee’s goal was to remain impartial and objective throughout the process, and provide the student body with information surrounding this debate.

The Committee determined that it is important to solicit feedback from the entire student body on this topic. To this end, the Committee will hold a referendum during the week of March 30<sup>th</sup>, 2009. The following question will be found on the referendum ballot:

*Do you support the change of the University of Windsor, Faculty of Law’s undergraduate degree name from “LL.B.” to “J.D.”?*

\_\_\_ YES

\_\_\_ NO

\_\_\_ ABSTAIN

The results of the referendum will be tallied, and released to the student body. Discussions will then arise between the Committee, the Administration, and the Faculty on the results of the referendum.

## C. BACKGROUND INFORMATION

### When would the change take effect?

The change from an LL.B. to a J.D. degree would apply to the **class of 2010**. These students would not receive an LL.B., but instead would receive a J.D. degree designation upon graduating from The University of Windsor, Faculty of Law.

As for Windsor Alumni, they will have the option of changing their degree designation from an LL.B. to a J.D. degree if they so choose. Alumni who prefer the current LL.B. designation **will not be forced to make the change**. The administrative process of changing the designation will

be determined at a later time. At this time, it is unclear if there would be any fee associated with switching one's degree designation.

### **Impact of the designation change on one's law degree**

The change in designation from an LL.B. to a J.D. is **a change in degree title only**. The entrance requirements and the degree requirements will remain unchanged. A Windsor Law J.D. would not be a graduate degree. Rather, it will continue to be considered an undergraduate professional degree program.

The Canadian academic requirements for receiving a J.D. and an LL.B. from Windsor Law would be identical. Like the LL.B., the J.D. is considered an undergraduate degree and the first degree to be obtained in law. Graduates obtaining a J.D. degree would also remain eligible to obtain a Masters of Laws (LL.M.) degree.

As with the LL.B. degree designation, a student who completes a law degree and receives a J.D. may apply to the Law Society of Upper Canada, or any other law society in Canada to write the bar exam. The J.D. accreditation would not have an association with the American Bar Association accreditation.

### **Windsor Law community**

The change to a J.D. degree designation would not have any profound effects on the Windsor Law Community. The curriculum of the Law program would not differ from what it is now.

## **D. EFFECT ON JOINT J.D./LL.B. PROGRAM**

Any switch in degree designation will not have an effect on our joint J.D./LL.B. program with the University of Detroit Mercy. The only change would impact the title of the joint program. If there was a change in degree designation to a J.D. degree, students enrolled in the joint program would receive a "Joint J.D. Degree", or another title the Administration deems appropriate. These students would continue to receive two degrees, a Canadian J.D. and an American J.D.

## **E. OTHER ONTARIO LAW SCHOOLS**

### **University of Western Ontario**

In November of 2008, Western's University Senate approved the degree switch from an LL.B. to a J.D. All Western Law alumni have the option of switching their designation if they prefer. Further, all students currently in second and third year at Western Law can opt to receive the LL.B or J.D. designation. Students who started in the Fall of 2009 will receive the JD designation.<sup>1</sup>

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<sup>1</sup> [http://www.law.uwo.ca/News/March\\_09/JD\\_Info.html](http://www.law.uwo.ca/News/March_09/JD_Info.html)

Part of Western's reasoning was that a J.D. degree is typically intended to be a means of distinguishing graduates who had completed a period of post-secondary studies prior to attending law school.<sup>2</sup>

### **Queen's University**

The Faculty Senate at Queen's unanimously approved the motion to switch to the J.D. degree designation in February 2008.<sup>3</sup> Current students will have the option of switching degree designations, and all students will receive J.D. degrees starting with the class of 2011.

Part of Queens' reasoning is that the J.D. degree is recognized internationally as designating a high-quality, second-entry, professional degree program, and will open doors for graduates of their law school, and help graduates pursue international career opportunities.<sup>4</sup>

### **Osgoode Hall, York University**

York University's Senate approved the change to a J.D. from an LL.B. on January 22<sup>nd</sup>, 2009. The degree designation change will take effect for the graduating class of 2009. Alumni will have the option of changing their degree designation. Osgoode Hall will not be changing their admission requirements.

Part of Osgoode's reasoning for the degree change was to reflect "part of a growing trend among law schools in Canada and internationally to acknowledge that the degree holder has completed a period of post-secondary education prior to entering law school and that law is a second-entry degree".<sup>5</sup>

### **University of Toronto**

The University of Toronto was the first Ontario Law School to make the change from an LL.B. to a J.D. degree, in 2001. Their reasoning included the intention "to bring the law school up to the growing international standards for second degree law programs."<sup>6</sup>

### **University of Ottawa**

Like the University of Windsor, University of Ottawa's Faculty of Law has not made the change to the J.D. designation. It is the Committee's understanding that the school is looking into a potential change in degree designation for the common law program.

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[http://communications.uwo.ca/com/western\\_news/stories/law's\\_faculty\\_council\\_favours\\_j.d.\\_degree\\_20080402441982/](http://communications.uwo.ca/com/western_news/stories/law's_faculty_council_favours_j.d._degree_20080402441982/)

<sup>3</sup> <http://law.queensu.ca/students/lss/jdProposal.html>

<sup>4</sup> *Ibid.*

<sup>5</sup> <http://osgoode.yorku.ca/media2.nsf/12b78b08688673e285256db0006719dc/b98a0fd8c0fced4f85257547006959d2!OpenDocument>

<sup>6</sup> [http://www.law.utoronto.ca/alumni\\_frnds\\_content.asp?itemPath=4/18/6/0/0&contentId=535](http://www.law.utoronto.ca/alumni_frnds_content.asp?itemPath=4/18/6/0/0&contentId=535)

The Committee contacted Dean Feldthusen in February, who indicated that their Faculty of Law was “in the middle of a consultation with students and alumni.” He further noted that, “Student sentiment is overwhelmingly in favour of changing to a J.D. I expect we will vote to do so in March”.<sup>7</sup>

On March 27<sup>th</sup>, 2009, the Committee did however receive word that a vote to change the degree designation from an LL.B. to a J.D. degree failed at Faculty Council at Ottawa. At the time of publication of this report, the Committee had yet to receive a copy of the minutes from their Faculty Council meeting, so we are unable to provide a summary of the reasons why the vote failed, if it was tabled, or if it is still on the agenda for a later date.

### **Summary**

Both Windsor and Ottawa currently remain the only two Ontario law schools who offer an LL.B. degree.

## **F. OTHER CANADIAN LAW SCHOOLS**

The Committee did not conduct a comprehensive review of every Canadian law school to determine their participation, if any, in the degree designation debate. However, it should be noted that the University of British Columbia changed their degree designation to a J.D. in February of 2008.<sup>8</sup> Also, Dalhousie University is exploring the issue, and has conducted a student referendum.<sup>9</sup>

## **G. AMERICAN CONCERNS**

In Canada, the J.D. accreditation is not considered a graduate degree and has no association with the American Bar Association accreditation. However, a J.D. may provide Windsor Law graduates with more opportunities in the US. For instance, while large national firms likely understand that the Canadian LL.B. is, by and large, equivalent to the American J.D., smaller American firms may have concerns surrounding an LL.B. degree, and potentially think it is a direct-entry degree similarly issued in the United Kingdom.

Designating the degree as a J.D. may correct that possible misconception and reduce the need for Windsor graduates to explain the distinctions between a Canadian law degree and those which do not require any post-secondary education for entry. A J.D. may demonstrate to American employers that the Canadian law degree is a professional degree, and may provide more opportunities for Windsor Law graduates looking to work in various American jurisdictions.

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<sup>7</sup> E-mail correspondence: Thursday, February 26<sup>th</sup>, 2009.

<sup>8</sup> [http://www.law.ubc.ca/news/2008/march/03\\_18\\_2008\\_LLBJD.html](http://www.law.ubc.ca/news/2008/march/03_18_2008_LLBJD.html)

<sup>9</sup> <http://www.canadianlawyermag.com/Dal-debates-JD-designation.html>

## H. INTERNATIONAL COMMUNITY

Traditionally in much of the commonwealth, including the U.K., Australia, and Hong Kong, the LL.B. designation has typically been used to refer to students who entered the study of law directly out of high school or the equivalent. The J.D. designation however, has typically been reserved for students who receive a law degree after having first obtained an undergraduate degree or Masters.

Some international jurisdictions have begun to move away from the LL.B. to the J.D. designation in order to better reflect the realities of their student bodies. However, other countries have decided to keep the LL.B. degree designation.

In Canada, an LL.B. is recognized as a professional degree that is obtained after first completing at least two years of undergraduate education. The vast majority of Windsor Law students however, already have an undergraduate degree prior to beginning law school

In an effort to fully assess the impact of changing degree designations from an LL.B. to a J.D. on Windsor Law graduates who are, or may be, seeking international employment, the Committee has attempted to solicit feedback from top international firms and law schools in the following countries: United Kingdom, Australia, New Zealand, Japan, South Korea, Hong Kong, various countries in the European Union, South Africa.

Below is a brief summary of the various law degrees offered in different countries, and the feedback that the Committee has received from various international employers and law schools. **The names of the law firms, schools and individuals responding have not been included. In addition responses have been paraphrased. Please also take note that these are opinions garnered from individuals and may not necessarily reflect the thoughts of the rest of the firm or school.**

### Hong Kong

In Hong Kong the LL.B. is still the most commonly conferred legal degree, however, the J.D. variant has entered into local universities as a means of accounting for second entry law students.

The Committee received one response, stating:

- *A J.D. degree would be of value as it is seen as a postgraduate degree. There are many lawyers here qualified in Hong Kong, the UK, Australia and New Zealand who hold a LL.B. which is a first degree as they enter law school directly from secondary school. Therefore, a J.D. would assist in distinguishing from those.*

### Australia

In Australia, students enter the study of law directly after completing secondary education and need not complete an undergraduate degree first. These students have typically received the LL.B. designation. Typically, the J.D. has existed in Australia but was reserved for those

students who sought legal education after having obtained an undergraduate degree. The University of Melbourne now offers a J.D. degree, for students who have completed an undergraduate degree.<sup>10</sup>

The Committee received two responses from firms in Australia:

- *We recruit both LL.B and J.D. students, and we believe it is an individual choice as to the degree path someone chooses and can be based on personal circumstances or by location as at some universities. For example, in Australia, the University of Melbourne is now only offering a J.D. program. In addition, when we review applications we consider not only the academics but also the person's strengths in leadership & communication skills, involvement in sporting or other activities, interest in law and a commercial international environment.*
- *One respondent did not think the change we are exploring would have any impact in their market.*

### **Japan**

Japan's legal system has experienced a major overhaul, and the J.D. degree has been an area of focus in this reform. J.D. degrees are now awarded to students who have obtained an undergraduate degree.<sup>11</sup>

The Committee received two responses from law firms in Japan:

- *A law firm responded by saying that the J.D is quite popular in Japan and the LL.B is considered unpopular.*
- *Another law firm indicated that Japanese lawyers may be more familiar with the United States legal education system and will probably prefer a J.D to an LL.B.*

### **United Kingdom**

In the U.K., students receive admission to an LL.B. program directly from high school. Unfortunately, the committee did not receive any feedback from U.K. firms.

### **Summary**

Internationally the switch to the J.D. designation appears to be informed more by a new understanding of and need for legal professionals to work in a global world. The J.D. symbolizes that the person carrying it has obtained a second entry degree. While most countries that have changed from an LL.B. to a J.D. have not made substantial changes to curriculum or length of study, the J.D. operates to demonstrate the new realities of legal education. In Canada, this

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<sup>10</sup> <http://jd.law.unimelb.edu.au/go/about-us/melbourne-jd>

<sup>11</sup> <http://www.waseda.jp/law-school/eng/system.html>

means recognition of the fact that the vast majority of law graduates have obtained Bachelor level degrees before entering the study of law.

Moreover, there is some validity to the argument that international employers are more receptive to a J.D. applicant than an LL.B applicant simply for the reason that the former degree connotes a higher level and length of education. While it is impossible to fully quantify the perceptions of recruiters and/or law firms, it is fair to say that the J.D. is growing in stature as a common legal education designation. The international community is moving towards a distinction in law degrees: persons with undergraduate degrees prior to their legal education are classified as J.D.; those without are classified as an LL.B. A shift in Canada towards a J.D. designation may bring this country's legal education and degree designation in line with the international standard.

## **I. ALUMNI**

Windsor Law has yet to solicit Alumni feedback on this issue. The Committee has met with Dean Elman, Dean Gold, and Dean Herlehy to discuss the matter of soliciting alumni feedback. This task will be taken on by the Administration over the summer months. A survey will likely be created, and sent to Windsor Law Alumni, soliciting their feedback on a potential degree designation switch. Feedback received will be gathered by the Administration, and presented to Faculty Council in the Fall of 2009.

## **J. PROCESS POST REFERRENDUM**

The student referendum is the first and most important step in the process of evaluating a degree designation change. The results of the referendum will be brought to Faculty Council this April.

If there is overwhelming support for the degree change, this issue may be voted on at Faculty Council this April. However, the Committee anticipates that faculty will first want to hear from the alumni. This would take place over the summer, and pushes any vote to Fall 2009. If a vote to change the degree designation to a J.D. passes at Faculty Council, it will be sent to the University Senate for approval.

If the motion is approved by the University Senate, the change will take effect immediately. If this is the case, the graduating class of 2010 would be the first to have the option of choosing a JD degree designation, and other groups within the community (alumni and current students) will be contacted to offer them a choice as well.

## **K. CONCLUSION**

With this report, the Committee has attempted to provide students with impartial, informative, and useful information. It is by no means an exhaustive observation of the subject matter. Rather, it is a brief snapshot of the important issues that drives this discussion.

The Committee wishes to impress upon the student body the importance of becoming informed and voting in the upcoming referendum. Moreover, it is hoped that the student body will seek out further information independently.

The potential degree designation change at Windsor Law is an immensely important subject. Please insure that you vote during the upcoming referendum as it will be highly determinative of the outcome to this debate.

## **APPENDIX - COMMITTEE COMPOSITION**

The Committee was chaired by Geoffrey Marr, Vice President Academic of the Students' Law Society for the 2008-2009 school year. The Committee consisted of the following student members from the University of Windsor, Faculty of Law:

### **Law III**

Mohamed Hashim  
Christine La Fleur  
Geoffrey Marr  
John Michael Picone  
Derek Schroeder

### **Law II**

Rob Andreacchi  
Michael Barbero  
Joe Bowcock  
Matthew Johnstone  
Trevor Zeyl

### **Law I**

Matthew Badrov  
Delia Greco  
Yannick Katirai  
Andrea MacGillivray  
Eric Pardu