

LAWS4054A: Legal Practice 1 - Part A

Newcastle City Precinct
Semester 1 - 2024



COURSE OUTLINE

OVERVIEW

Course Description The course introduces the practice of law, focusing on litigation and legal transactions, legal actions and gives emphasis to professional responsibility and ethical behaviour. The course is made up of a module which covers a variety of areas of practice where communication, research, advocacy and legal transaction skills are utilised.

The legal placement requirements for Legal Practice require students to enrol in LAWS6888 in Semester 2 of the year in which they take this course. The placement hours are spread across the full year.

Skills focus This course will focus on assisting students to develop the following skills: Legal research and database use; Writing- legal audience; Ethical decision making/professional judgment

Requisites This course is only available to students enrolled in the Bachelor of Laws / Diploma of Legal Practice Bachelor of Laws (Honours) / Diploma of Legal Practice

Assumed Knowledge LAWS1010, LAWS1011, LAWS1020, LAWS1021, LAWS2030, LAWS4001, LAWS3040, LAWS3041.

Contact Hours **Newcastle City Precinct Seminar ***
Face to Face On Campus
2 hour(s) per Week for 12 Weeks

Unit Weighting Workload * This contact type has a compulsory requirement.
10
Students are required to spend on average 120-140 hours of effort (contact and non-contact) including assessments per 10 unit course.

Multi-Term Sequence Advice This course is part of a multi-term sequence. Both Part A and Part B must be completed to meet the requirements of the sequence. Part A and Part B must be completed in consecutive terms. Students must complete Part A before completing Part B. Students must complete the sequence within a twelve month period. If students complete Part A but are unable to complete Part B within the timeframe, they must re-enrol in Part A. Part A cannot be completed as a standalone course, it will only count towards your program once you have successfully completed Part B.

CONTACTS

Course Coordinator **Newcastle City Precinct**
Ms Sarah Breusch
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Consultation: By appointment

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SYLLABUS

Course Content The course introduces the practice of law focussing on litigation, legal transactions and dispute resolution and gives emphasis to professional responsibility and ethical behaviour. The course is made up of a module which covers a variety of areas where communication skills and legal transaction skills are utilised. The course develops skills in written communication, legal letter writing, document drafting, interviewing, research, non litigious negotiation and settlement.

Course Learning Outcomes **On successful completion of this course, students will be able to:**

1. Demonstrate the attainment of knowledge and development of key skills required of entry level lawyers;
2. Build upon and apply earlier learning in both substantive and procedural law;
3. Understand professional responsibility and professional ethics;
4. Demonstrate effective oral and written communication skills.

Course Materials

Ross Hyams and Adrian Evans, *Practical Legal Skills* (Oxford University Press, 5th ed, 2021)

Jerome Doraisamy, *The Wellness Doctrine for Law Students and Young Lawyers*, (Xoum Publishing, 2015)

Robbenolt and Sternlight 'Psychology for Lawyers -Understanding the Human Factor in Negotiation, Litigation and Decision-Making' (American Bar Association, 2012) Chapter 3 'Emotion' and Chapter 9 'Interviewing Clients and Witnesses'

Marjorie Silver (ed) *The Affective Assistance of Counsel: Practising Law as a Healing Profession* (Carolina Academic Press, 2007)

Paul Brest and Linda Hamilton Krieger *Problem Solving, 'Decision making and Professional Judgment A guide for Lawyers and Policy Makers'* (Oxford University Press, 2010), Part 4 Guiding and Influencing Decisions

Peter Butt, *Modern Legal Drafting: A Guide to using Clearer Language* (Cambridge University Press, 3rd ed, 2013)

COMPULSORY REQUIREMENTS

In order to pass this course, each student must complete ALL of the following compulsory requirements:

- Seminars: Compulsory attendance Face to Face on Campus. There is a compulsory attendance requirement in this course. Students may miss one class without penalty, if they miss more than one, make up work will be required. If a student misses more than three classes they may not be able to pass the course.

Course Assessment Requirements:

- Satisfactory completion of all assignments is required.

SCHEDULE - Seminars are in the Conservatorium Room 235 on Thursdays 1-3pm

Week	Date of class	Topic	Learning Activity	Assessment Due
1	29 Feb	Introduction How to draft a great file note	Jennie Skulander- legal research update (2pm)	Assessment 1 available
2	7 March	Legal research- Westlaw Introduction to legal drafting	May Nguyen- Westlaw 1pm-2pm	
3	14 March	Wellbeing and resilience as a lawyer	Dianne Kirby- University Counselling	
4	21 March	Drafting- provision of legal advice Affidavits/statutory declarations		Assessment 1 due 11pm Thursday 21 March 2024 Assessment 2 available
5	28 March	Verbal communication skills Emotions in law Communication and cultural awareness in an Indigenous context		
6	4 April	Trauma informed communication	We Gotchu Girl	Assessment 2 due 11pm Thursday 4 April 2024
7	11 April	Advanced Drafting- Review of contracts		
Mid Term Break				
Mid Term Break				
8	2 May	Panel of Lawyers	TBC	
9	9 May	Job applications and interviews and creating a professional profile	Seema Devashri- Employability Consultant UON	
10	16 May	How not to get sued Work Management skills	David Collins, Mullane and Lindsay	
11	23 May	Ethics in Practice		
12	30 May			
13	6 June			
Examination Period				
Examination Period				

ASSESSMENTS

This course has 3 assessments. Each assessment is described in more detail in the sections below.

	Assessment Name	Due Date	Involvement	Weighting	Learning Outcomes
1	Mandatory attendance at all module classes	All Semester	Individual	Formative	1, 2, 3, 4
2	Legal research file note	11pm 21 March 2024	Individual	Pass/fail	1, 2, 3, 4
3	Legal drafting assessment	11pm 4 April 2024	Individual	Pass/fail	1, 2, 3, 4

Assessment 1 - Mandatory attendance at all module classes

Assessment Type	Participation
Description	You may not pass this course if you miss more than 3 seminars. Additional work will be set if you miss more than 1 seminar.
Weighting	Satisfactory completion required
Due Date	As scheduled
Submission Method	n/a
Assessment Criteria	Attendance at and participation in class activities
Return Method	n/a
Feedback Provided	yes

Assessment 2 – Legal research file note

Assessment Type	Problem question assignment
Description	Students are to complete a file note detailing the legal research they undertake and its application to a problem question
Weighting	Pass/fail
Due Date	11pm Thursday 21 March 2024
Submission Method	Turnitin via Canvas only
Assessment Criteria	The paper will be assessed as to whether the legal research has been completed, recorded and conveyed in a file note to a standard that would be acceptable for a graduate solicitor to provide to their supervisor.
Return Method	Via Canvas
Feedback Provided	Yes where resubmission is required

Assessment 3 – Legal drafting assessment

Assessment Type	Drafting an application for an Apprehended Violence Order
Description	Students are required to draft an application, based upon the instructions provided
Weighting	Pass/fail
Due Date	11pm Thursday 4 April 2024
Submission Method	Turnitin via Canvas
Assessment Criteria	The application will be assessed as to its clarity, admissibility in court and whether it correctly represents the client's instructions. The standard expected is that of a graduate lawyer.
Return Method	Via Canvas
Feedback Provided	Yes where resubmission is required

ADDITIONAL INFORMATION

Grading Scheme

This course is Part A of a multi-term sequence. A grade will be awarded at the completion of Part B.

Communication Methods

Communication methods used in this course include Canvas and email. There is an expectation that students have notifications for Canvas enabled.

Course Evaluation

Each year feedback is sought from students and other stakeholders about the courses offered

in the University for the purposes of identifying areas of excellence and potential improvement.

Oral Interviews

As part of the evaluation process of any assessment item in this course an oral examination may be conducted. The purpose of the oral examination is to verify the authorship of the material submitted in response to the assessment task. The oral examination will be conducted in accordance with the principles set out in the [Oral Examination Guidelines](#). In cases where the oral examination reveals the assessment item may not be the student's own work the case will be dealt with under the [Student Conduct Rule](#).

Academic Misconduct

All students are required to meet the academic integrity standards of the University. These standards reinforce the importance of integrity and honesty in an academic environment. Academic Integrity policies apply to all students of the University in all modes of study and in all locations. For the Student Academic Integrity Policy, refer to <https://policies.newcastle.edu.au/document/view-current.php?id=35>.

Adverse Circumstances

The University acknowledges the right of students to seek consideration for the impact of allowable adverse circumstances that may affect their performance in assessment item(s). Applications for special consideration due to adverse circumstances will be made using the online Adverse Circumstances system where:

1. the assessment item is a major assessment item; or
2. the assessment item is a minor assessment item and the Course Co-ordinator has specified in the Course Outline that students may apply the online Adverse Circumstances system;
3. you are requesting a change of placement; or
4. the course has a compulsory attendance requirement.

Before applying you must refer to the Adverse Circumstance Affecting Assessment Items Procedure available at:

<https://policies.newcastle.edu.au/document/view-current.php?id=236>

Important Policy Information

The 'HELP for Students' tab in UoNline contains important information that all students should be familiar with, including various systems, policies and procedures.

Wellness Contacts

There are a variety of pressures on law students, and being able to perform well academically under pressure, without excessive stress will contribute to enhanced outcomes in wellbeing and academic results. Reach out to support services and learn ways to maintain your mental health, deal with stress and common issues like perfectionism, procrastination and anxiety.

To access UON support:

<https://www.newcastle.edu.au/current-students/support/personal>

Ph: 4921 6622 or email: counselling@newcastle.edu.au

For support outside of office hours call the University Crisis Support Line on 1300 653 007 or for chat sms 0488 884 165.

For immediate support contact Lifeline 24/7 on 13 14 11 or <https://www.lifeline.org.au>

This course outline was approved by the Head of School. No alteration of this course outline is permitted without Head of School approval. If a change is approved, students will be notified and an amended course outline will be provided in the same manner as the original.

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