

LAWS6000: Legal System and Method I

Newcastle City Precinct
Trimester 1 - 2024



COURSE OUTLINE

OVERVIEW

Course Description	Legal System and Method I is the first foundational course in the Juris Doctor/Graduate Diploma in Legal Practice. It introduces students to the core intellectual and analytical skills in the discipline of law. In addition, the course begins the process of professional education through the study of professional written communication skills. It also orients students to the core subjects they study in the first year of their degree and to the University Legal Centre, where, in later years they will undertake studies relevant to the Graduate Diploma of Legal Practice.
Requisites	This course is only available to students enrolled in the Juris Doctor/Graduate Diploma in Legal Practice (12334) or Bachelor of Teaching (Humanities) (Honours) (12368) or Bachelor Education (Secondary) (40107) or Bachelor of Education (Secondary) (Honours) (40108) programs.
Contact Hours	Newcastle City Precinct Workshop Face to Face on Campus 36 hour(s) per Term Full Term This course will be offered in intensive mode and will require students to do additional blended learning activities and independent study.
Unit Weighting Workload	10 Students are required to spend on average 120-140 hours of effort (contact and non-contact) including assessments per 10-unit course.

CONTACTS

Course Coordinator	Newcastle City Precinct Dr Tim Connor Tim.Connor@newcastle.edu.au (02) 4921 6363 Consultation: by appointment (email Tim to arrange).
Teaching Staff	Dr Yucong Wang yucong.wang@newcastle.edu.au
School Office	Newcastle Law School 5th Floor, NU Space 409 Hunter Street Newcastle Law-School@newcastle.edu.au +61 2 4921 8666

SYLLABUS

Course Content	<ol style="list-style-type: none">1. Sources of Law and Elements of the Australian Legal System2. Case Reading and Analysis3. Legal Problem Solving4. Professional Legal Writing5. Core Academic Literacies (ie academic writing, research skills and oral communication)6. Legal Research7. Legal Ethics and Regulation of the Legal Profession
Course Learning Outcomes	<p>On successful completion of this course, students will be able to:</p> <ol style="list-style-type: none">1. Demonstrate an understanding of the sources of law and elements of the Australian legal system.2. Demonstrate critical skills in case reading and analysis and statutory interpretation.3. Demonstrate the capacity to locate primary and secondary sources of law accurately and efficiently.4. Demonstrate a developing capacity for critical self-reflection, goal-setting and techniques in professional self-management.5. Demonstrate advanced skills in core academic literacies (ie academic writing, research skills, and oral communication).6. Demonstrate a critical understanding of legal ethics and regulation of the legal profession7. Orally present and defend arguments in interactive dialogue with the teacher and peers in a style consistent with professional client consultations, mediation, negotiation and court appearances.

Course Materials

Prescribed Texts

- David Harmer et al, *Laying Down the Law* (LexisNexis, 12th ed, 2023)
This textbook is available as a hard copy or as an e-book. It can be purchased from book sellers or [directly from the publisher](#).
- *Australian Guide to Legal Citation* (Melbourne University Law Review Association and Melbourne Journal of International Law, 4th ed, 2018)
This is the official citation guide for Australian legal writing, and it also contains some vital information on formatting and presenting written documents. It can be downloaded as a PDF document from: <https://law.unimelb.edu.au/mulr/aglc/about>.

Recommended Texts

- Bruce Bott and Ruth Talbot-Stokes, *Nemes' & Coss' Effective Legal Research* (Lexis Nexis Butterworths, 8th ed, 2021).
The e-book version of this book can be [viewed online](#) via the University of Newcastle library's access to the 'Proquest Ebook Central' database, but only 3 students at a time can view it in this way.
- *LexisNexis Concise Australian Legal Dictionary* (LexisNexis Butterworths, 6th ed, 2021).
The e-book version of this book can be [viewed online](#) via the University of Newcastle library's access to the 'Proquest Ebook Central' database, but only 3 students at a time can view it in this way.
- Joseph M. Williams and Joseph Bizup, *Style: Lessons in Clarity and Grace* (Pearson, 13th ed, 2021)
This book is a powerful tool for improving your writing. Second-hand versions of earlier editions can be purchased from online booksellers. There are also ten copies of various editions available for loan from the University library. These copies are usually housed in the Auchmuty Library on the Callaghan Campus but, at no cost, you can use the 'Request' button to have one transported to the Newcastle City Campus Library, so you can pick it up from there.

COMPULSORY REQUIREMENTS

To pass this course, each student must complete ALL of the following compulsory requirements:

Contact Hour Requirements:

- **There is a compulsory attendance requirement in this course.** Attendance at all classes (seminars and workshops) will be monitored and records maintained by the Course Coordinator. To satisfy the compulsory attendance requirement, students must be present at 10 of the 14 workshops, unless they are able to demonstrate that their absence falls within the Adverse Circumstances policy. Unless this requirement is met, despite marks awarded in other assessment items, the student will receive a zero mark and an FF grade for the course.

Course Assessment Requirements:

- It is a course requirement for LAWS6000 that students ATTEMPT and SUBMIT all items of assessment in order to achieve a passing grade in the course.

SCHEDULE

Date	Workshop Details	Topic	Preparatory Reading	Assessment
Monday 12/02/24	Workshop 1 (9am-12pm) Teacher: Tim	The Concept of Law/ Historical Origins of Australia's Legal System [Skill Focus: Reading strategically]	<u><i>Laying Down the Law</i></u> (<i>'LDL'</i>): Ch. 1 (1.1-1.48; pp. 5-16) Ch. 2 (2.1-2.95; pp. 22-52) Ch. 3 (3.1-3.15; pp. 57-62) <u>Pat Thomson's <i>Patter</i> Blog:</u> Not Reading Everything <u>Total</u> : 48 pages	
	Workshop 2 (1pm-4pm) Teacher: Tim	Australia's Legal System Today [Skill Focus: Taking and Managing Notes]	<u><i>LDL</i></u> : Ch. 3 (3.16-3.51; pp. 62-76) Ch.22 (22.7-22.22; pp 621-626) Dr Stephen Dewitt's blogpost about he uses the Evernote software <u>Total</u> : 42 pages	
Tuesday 13/02/24	Workshop 3 (9am-12pm) Teacher: Tim	Aboriginal and Torres Strait Islander nations and the 'reception' of English Law [Skill Focus: Critical Thinking]	<u><i>LDL</i></u> : Ch. 4 (4.1-4.74; pp. 85-126) <u><i>The New Lawyer</i></u> (<i>'TNL'</i>) Ch. 8 (pp. 304-318) ¹ <u>Total</u> : 56 pages	
	Workshop 4 (1pm-4pm) Teacher: Tim	Legislation [Skill Focus: Legal Reasoning]	<u><i>LDL</i></u> : Ch. 9 (9.1-9.61; pp. 311-34) & (9.81-9.104; pp. 350-9) <u><i>TNL</i></u> : Ch. 8 (pp. 286-303) ² <u>Total</u> : 51 pages	
Thursday 15/02/24	Workshop 5 (9am-12pm) Teacher: Yucong	Case Law and the Law of Precedent [Skill Focus: Case Reading]	<u><i>LDL</i></u> : Ch. 7 (7.1-7.11; pp. 193-205) <u>Total for <i>LDL</i></u> :13 pages <u>Case reading</u> : You need to download several court judgments from the Workshop 5 module in Canvas and then read the highlighted sections (not the whole case).	

¹ There is a link to Chapter 8 of TNL in the 'Workshop 3' folder in Course Readings. Only 3 students can access at a time, so please download as a PDF document as quickly as you can and then log out of ProQuest.

² See previous footnote.

	<p>Workshop 6 (1pm-4pm) Teacher: Yucong</p>	<p>The process of legal reasoning (anatomy of a judgment)/ case law research</p> <p>[Skill Focus: Case Analysis]</p>	<p><u>LDL</u>: Ch. 7 (7.13-7.57; pp. 209-35) (7.64-7.73; pp. 239-45) <u>Total for LDL</u>: 34 pages</p> <p><u>Case reading</u>: You need to download and read the case extracts from the Workshop 6 module page in Canvas.</p> <p><u>Optional reading</u>: <u>LDL</u>: All of Chapter 8</p>	<p>Oral Presentation (20%) due in podcast format, 3pm, Sunday 18 February</p>
Monday 19/02/24	<p>Workshop 7 (9am-12pm) Teacher: Yucong</p>	<p>Law on the Beach at Merewether Surf Life Saving Club, 1 John Parade, Merewether.</p>	<p>The Workshop 7 module page in Canvas has some documents to read and some short videos to watch. The confidentiality agreement must be signed and given to Yucong before observing the 'Law on the Beach' legal clinic.</p>	
	<p>Workshop 8 (1pm-4pm) Teacher: Yucong</p>	<p>Legal Practice and Ethics/Legal Dispute Resolution</p> <p>[Skill Focus: Ethical Judgments]</p>	<p><u>LDL</u>: Ch. 5 (5.1-5.58; pp. 133-57) Ch. 6 (6.41-6.59; pp. 179-87)</p> <p>Parker & Evans (pp. 22-5; 34-46); Field, Duffy and Higgins (pp. 101-20)³</p> <p><u>Total</u>: 71 pages</p>	
Tuesday 20/02/24	<p>Workshop 9 (9am-12pm) Teacher: Tim</p>	<p>Reflective Writing and (Other Forms of) Legal Writing</p>	<p><u>LDL</u>: Ch. 20 (20.1-20.54; pp. 575-93)</p> <p><u>Style: lessons in clarity and grace</u>: Lesson 3 (pp. 28-45) Lesson 4 (pp. 46-53)⁴</p> <p><u>Total</u>: 40 pages</p>	<p>Reflection Task: 'Starting Law School' (10%). Students will work on (and hopefully finish) this task in class during Workshop 9. It is due 11pm Tuesday 20 February.</p>
	<p>Workshop 10 (1pm-4pm) Teacher: Tim</p>	<p>Academic Integrity/ Legal Referencing (AGLC4)</p>	<p><u>LDL</u>: Ch. 21 (21.1-21.48; pp. 598-616)</p> <p><u>Nemes' & Coss' Effective Legal Research</u> (8th ed): Appendix A: Legal Citation Quick Guide (pp. 347-50)⁵</p> <p><u>Queensland Reports: List of Authorised Reports</u></p> <p><u>Total</u>: 33 pages</p>	<p>Reflection Task: 'First Australians' (10%). Students will work on (and hopefully finish) this task in class during Workshop 10. It is due 11pm Wednesday 21 February</p>

³ Available in the 'Workshop 8' folder in the Course Readings section of the LAWS6000 Canvas site.

⁴ Available in the 'Workshop 9' folder in the Course Readings section of the LAWS6000 Canvas site.

⁵ There is a link to this reading in the 'Workshop 10' folder in Course Readings. Only 3 students can access it at a time, so please download these 3 pages (pp. 331-333) as quickly as you can and then log out of ProQuest.

Thursday 22/02/24	Workshop 11 (9am-12pm) Teachers: Yucong and Tim	Strategies for surviving (and thriving) at Law School - Part 1 (Tim)/ Individual feedback on Podcasts (Yucong)	No preparatory reading at this stage. <i>From 12pm to 1pm there will be a welcome lunch with teachers and professional staff in the School of Law and Justice - to be confirmed (tbc).</i>	
	Workshop 12 (1pm-4pm) Teachers: Jess (tbc) and Tim	<u>Legal Research Training (Pt 1):</u> Introduction/ researching & citing secondary sources	<u>Optional reading:</u> <u>LDL:</u> Chapters 16 and 17 <u>Total:</u> 29 pages <i>If possible, please bring a laptop or other electronic device to class.</i>	Quiz: Legal Referencing Quiz (10%). Available 4pm Tuesday 20 February to 11pm Thursday 22 February
Friday 23/02/24	Workshop 13 (9am-12pm) Teachers: Yucong and Tim	Same as for Workshop 9 (Strategies with Tim – Part 2/ feedback with Yucong)	No preparatory reading at this stage.	
	Workshop 14 (1pm-4pm) Teachers: Jess (tbc) and Tim	<u>Legal Research Training (Pt 2):</u> researching & citing case law and legislation	<u>Optional reading:</u> <u>LDL:</u> Chapters 18 and 19 <u>Total:</u> 28 pages <i>If possible, please bring a laptop or other electronic device to class.</i>	Legal Research Quiz (10%) (Available 4pm Friday 23 February until 11pm Sunday 25 February) Written Case Note (40%) due 6pm Sunday 25 February

ASSESSMENT

This course has 4 forms of assessment and 6 individual assessment items. Each assessment is described in more detail in the sections below.

	Assessment Name	Due Date	Involvement	Weighting	Learning Outcomes
1	Reflection Task - Starting Law School*	11pm, 20/02/2024 NB We will work on (and hopefully finish) this task in class during Workshop 9.	Individual	10%	4, 5, 6
	Reflection Task – First Nations Australians*	11pm, 21/02/24 NB We will work on (and hopefully finish) this task in class during Workshop 10.	Individual	10%	1, 5

2	Online Quiz - Legal Referencing*	Available 4pm 20/02/24 to 11pm 22/02/24 (but must be completed within 180 minutes of starting)	Individual	10%	5, 6
	Online Quiz – Legal Research*	Available 4pm 23/02/24 to 11pm 25/02/24 (but must be completed within 55 minutes of starting)	Individual	10%	3, 5
3	Oral Presentation (in podcast format)*	3pm, Sunday 18 February	Individual	20%	1, 2, 5, 7
4	Written Case Note*	6pm Sunday 25 February	Individual	40%	1, 2, 3, 4, 5, 6

* This assessment has a compulsory requirement.

Late Submissions: With the exception of the quizzes (which must be submitted within the stated timeframe), the mark for assessment items submitted after the designated time on the due date, without an approved extension of time, will be reduced by 10% of the possible maximum mark for that assessment item for each day or part day that the assessment item is late. Note: this applies equally to week and weekend days.

Assessment 1 - Reflection Tasks: 'Starting Law School' and 'First Nations Australians'

Assessment Type	Written Assignment
Description	This task requires students to complete two short written reflections (of approximately 500 words each) in the style of blog posts. These pieces are an opportunity to demonstrate critical thinking skills, reflective skills and writing skills. Further details will be published on the Course Canvas site and this assessment task will be discussed in class.
Weighting	20% (10% for each of the two written reflections)
Compulsory Requirements	Attempt/Submission Requirement - Students must attempt and submit both reflection tasks to pass the course.
Due Date	<i>Starting Law School:</i> students will work on (and hopefully finish) this task in class during Workshop 9. It is due 11pm Tuesday 20 February. <i>First Australians:</i> Students will work on (and hopefully finish) this task in class during Workshop 10. It is due 11pm Wednesday 21 February.
Submission Method	Via course Canvas site.
Assessment Criteria	Will be published on the course Canvas site.
Return Method	Online via course Canvas site.
Feedback Provided	Yes.
Opportunity to Reattempt	Students will NOT be given the opportunity to reattempt this assessment.

Assessment 2 - Online Quizzes: Legal Referencing and Legal Research

Assessment Type	Quizzes
Description	<p>The Legal Referencing Quiz will require students to respond to 20 questions relating to the citation practices outlined in the <i>Australian Guide to Legal Citation</i> (4th ed).</p> <p>The Legal Research Quiz will require students to respond to 10 questions regarding the legal research techniques presented in Workshops 10 and 12.</p>
Weighting	20% (10% for each quiz)
Compulsory Requirements	Attempt/Submission Requirement - Students must attempt/submit both quizzes to pass the course.
Due Date	<p>The Legal Referencing Quiz will be available from 4pm on 20/02/24 until 11pm on 22/02/24. Students must complete the quiz within 180 minutes of starting it. Note: Many students will be able to complete the Quiz relatively quickly, but I have allowed a great deal of time so you can focus on addressing the questions without excessive time pressure. This particular quiz is as much a learning exercise as it is an assessment task.</p> <p>The Legal Research Quiz will be available from Available 4pm on 23/02/24 until 11pm on 25/02/24. Students must complete the quiz within 55 minutes of starting the quiz.</p>
Submission Method	Via course Canvas site.
Return Method	Online via course Canvas site.
Feedback Provided	Yes.
Opportunity to Reattempt	Students WILL NOT be given the opportunity to reattempt this assessment item.

Assessment 3 – Oral Presentation

Assessment Type	Presentation
Description	Students will prepare an oral presentation (maximum 10 minutes) in the form of an audio podcast. The presentation will provide an overview of the case allocated to students for the purposes of the Written Case Note task.
Weighting	20%
Compulsory Requirements	Attempt / Submission Requirement - Students must attempt/submit this assessment item to pass the course.
Due Date	3pm, Sunday 18 February
Submission Method	Via course Canvas site.
Assessment Criteria	Will be published on the course Canvas site.
Return Method	Online via course Canvas site.
Feedback Provided	Yes.
Opportunity to Reattempt	Students will NOT be given the opportunity to reattempt this assessment.

Assessment 4 – Written Case Note

Assessment Type	Written Assignment
Description	Students will prepare a 1000-word Case Note that will demonstrate case reading and critical thinking skills.
Weighting	40%
Compulsory Requirements	Attempt / Submission Requirement - Students must attempt/submit this assessment item to pass the course.
Due Date	6pm Sunday 25 February
Submission Method	Via course Canvas site.
Assessment Criteria	Will be published on the course Canvas site.
Return Method	Online via course Canvas site.
Feedback Provided	Yes.
Opportunity to Reattempt	Students will NOT be given the opportunity to reattempt this assessment.

ADDITIONAL INFORMATION

Grading Scheme This course is graded as follows:

Grade	Description
Ungraded Pass (UP)	There are no marks associated with this result and you have met the level requirements to pass the course.
Fail (FF)	Failure to satisfactorily achieve assessment objectives or compulsory course requirements. A fail grade may also be awarded following disciplinary action.

Communication Methods

Communication methods used in this course include:

- Face-to-face contact (in scheduled classes and consultations arranged by appointment)
- Discussion Board on course Canvas site
- Email communication with Course Coordinator

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 (Vivas)

As part of the evaluation process of any assessment item in this course an oral examination (viva) 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 \(viva\) Procedure](#). 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 button in the Canvas Navigation menu contains helpful information for using the Learning Management System. Students should familiarise themselves with the policies and procedures that support a safe and respectful environment at the University:

<https://www.newcastle.edu.au/current-students/no-room-for/policies-and-procedures>.

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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