

732-718 Judges and Judging: Today's Challenges

Level:	Graduate/Postgraduate
Dates & Locations:	2009, This subject commences in the following study period/s: August, - Taught on campus.
Time Commitment:	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidates background and experience.
Prerequisites:	N.A.
Corequisites:	N.A.
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	N.A.
Coordinator:	Prof Robert Nicholson
Subject Overview:	<p>Objectives:</p> <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand how judges work in the common law tradition, the challenges to carrying out their role and ways in which the work of a judge can be facilitated by counsel, solicitors and parties # Be aware of the role of judges as part of present-day expectations of litigation # Be aware of similarities and differences in the work of judges and courts in a range of jurisdictions, including Australia, the United Kingdom, the United States, Canada, New Zealand and the countries of the Asia-Pacific region # Be able to apply their learning to critically analyse and develop law reform proposals involving and affecting judges and courts. <p>Syllabus:</p> <p>Principal topics will include consideration, analysis, examination and discussion of present-day issues affecting judges and judging, including:</p> <ul style="list-style-type: none"> # The role of judges in a representative democracy # Governance issues in courts # The relative merit and content of guidelines and codes of conduct for judges # Comparison of the judicial role in adversarial and civil systems # Global statements of the objectives of courts and judges # The ethical implications of impartiality # Judicial selection methods # Judicial training requirements pre and post appointment # The management of justice # The judicial role in taking expert evidence Judges and self-represented litigants # Accountability: Complaints and discipline # Preparing reasons for decision # Orality in argument and the role of written submissions # Coping with the media # Maintaining public confidence # Cultural issues in litigation: Indigenous litigation # Judges and the cost of litigation # The special role of Chief Justices

	<ul style="list-style-type: none"> # Judges and technology # Ethical impacts beyond the court # Future developments and proposals for law reform of the role of judges and court.
Assessment:	Research paper 10,000 words (100%) (19 November) (topic approved by the subject coordinator)
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	Please see the Subject Objectives for this information.
Links to further information:	For the latest information on this subject, please visit: http://www.masters.law.unimelb.edu.au/subject/732718