

# LAWS70052 Written Advocacy

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2016.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>Increasingly and at all levels of the judicial hierarchy, written submissions are expected of, and are becoming an important tool for, advocates. Written advocacy also plays a role in a range of other legal documents, such as advices, affidavits and statements of facts. This subject aims to critically evaluate the use of written advocacy (principally in litigation) and to develop advanced skills in the preparation of legal documents. There will be a particular focus on written submissions, including written submissions at first instance and on appeal, and including both the factual and legal aspects of submission writing. This subject will focus on effective written advocacy by examining techniques used in Australia and, by way of comparison, techniques used in appellate courts in the United States and the United Kingdom. The subject will involve guest speakers from the judiciary and the Victorian Bar to provide practical perspectives on written advocacy.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Written advocacy: <ul style="list-style-type: none"> <li># History and role of written submissions in Australian courts</li> <li># Comparison with oral advocacy</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li># Comparison between Australia and the United States and the United Kingdom</li> <li># Submissions at first instance and at appellate level</li> <li># High Court submissions</li> <li># The writing, organisation and structure of well-written submissions, with a focus on the various aspects of the submissions, including:               <ul style="list-style-type: none"> <li># Themes</li> <li># Issues</li> <li># Structure</li> <li># Facts</li> <li># Legal Argument</li> <li># Style.</li> </ul> </li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Understand the concepts and goals of effective written advocacy</li> <li># Be familiar with the history and role of written submissions in Australian and US courts</li> <li># Have developed advanced skills in the preparation of written submissions</li> <li># Appreciate the potential for use of effective written advocacy in Australian courts</li> <li># Be able to critically assess written advocacy.</li> </ul>
<b>Assessment:</b>	Short written outline of submissions to be submitted during the subject (20%) Preparation of written submissions in a High Court case (80%)
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70052/2014">www.law.unimelb.edu.au/subject/LAWS70052/2014</a>
<b>Notes:</b>	This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ( <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ) for further information about the management of subject quotas and waitlists.
<b>Related Course(s):</b>	Graduate Diploma in Dispute Resolution Graduate Diploma in Government Law Graduate Diploma in Legal Studies Master of Commercial Law Master of Laws Master of Public and International Law