

730-761 What is it that Judges do?

Credit Points:	12.500
Level:	Graduate/Postgraduate
Dates & Locations:	2008, This subject commences in the following study period/s: Semester 2, - 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 candidate's background and experience.
Prerequisites:	N.A.
Corequisites:	N.A.
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	N.A.
Coordinator:	The Hon Dennis Davis
Subject Overview:	<p>Objectives:</p> <p>A candidate who has successfully completed the subject should:</p> <ul style="list-style-type: none"> # Be aware of the range of factors that shape a judgment # Understand the weight of precedent, legal discourse, political ideology, judicial philosophy and advocacy upon the outcome of the case # Critically evaluate the key academic texts that have set out the main theories of adjudication # Read judgments and examine legal development by the courts by employing a theory/ies of adjudication. <p>Syllabus:</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # A critical read of key texts Hart, Raz, Fuller, Dworkin, Habermas, Derrida, Kennedy # Language, linguistic theory and the law # Reading judgments (Australian and comparative) both in the area of constitutional/human rights law and private law # The impact of political emergency upon the judicial function/adjudication.
Assessment:	Take-home examination (100%) (5-8 December) or Research paper 10,000 words (100%) (22 January 2009) (topic approved by the subject coordinator). A rough preliminary draft of which to be presented in class
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/730761