

LAWS70225 Medical Litigation

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2011, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Corequisites:	Visit the Melbourne Law Masters website for more information about this subject.
Recommended Background Knowledge:	Visit the Melbourne Law Masters website for more information about this subject.
Non Allowed Subjects:	Visit the Melbourne Law Masters website for more information about this subject.
Core Participation Requirements:	Visit the Melbourne Law Masters website for more information about this subject.
Contact:	For more information, contact the Melbourne Law Masters office. Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190. Alternatively, visit our website: www.masters.law.unimelb.edu.au (http://www.masters.law.unimelb.edu.au/)
Subject Overview:	Principal topics will include: <ul style="list-style-type: none"> # Solicitors' practices in taking instructions and investigating claims # Assessment of the viability of a negligence action # Access to records as a prerequisite to litigation # Obtaining opinions from medical experts # The role of expert evidence in medical litigation # The format of litigation, writ, statement of claim, defence, discovery, interrogatories and the preparation of Special Damages # Identifying the defendant # Subpoena, summons to witness to appear and produce documents and admissibility of various documents in evidence # Disciplinary investigations and procedures under the <i>Health Practitioner Regulation National Law Act 2009</i> (VIC) # Professional Standards Panel hearings and disciplinary hearings at the Victorian Civil and Administrative Tribunal (VCAT) # Coroners' investigations and procedures at Inquest # Role of coroners' findings and recommendations.
Objectives:	A student who has successfully completed this subject should: <ul style="list-style-type: none"> # Understand the initial process of assessing and investigating a claim and the procedure of litigation in relation to medical injuries # Gain knowledge of the substantive law relating to thresholds and limits on damages, limitations of actions and discoverability and causes of action and causation # Have examined from the perspective of both the patient and health professional, the investigation and clarification of issues, the gathering and admissibility of evidence, the instructions to be given to solicitors and counsel and the preparation for hearing and mediation # Understand the role of regulatory inquiries and disciplinary proceedings against health practitioners

	# Have analysed the role of coroners' investigations and inquests in making health practitioners accountable.
Assessment:	Visit the Melbourne Law Masters website for more information about this subject.
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject.
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