

LAWS50038 Legal Ethics

| Credit Points: | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Level: | 5 (Graduate/Postgraduate) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Dates & Locations: | 2012, Parkville This subject commences in the following study period/s: July, Parkville - Taught on campus. Semester 1, Parkville - Taught on campus. Seminars. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Time Commitment: | Contact Hours: 48 hours - one 3 hour seminar per week for standard semester and 5 hours x 9.5 days in intensive mode. Total Time Commitment: 144 hours. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Prerequisites: | <table border="1"> <thead> <tr> <th>Subject</th> <th>Study Period Commencement:</th> <th>Credit Points:</th> </tr> </thead> <tbody> <tr> <td>LAWS50023 Legal Method and Reasoning</td> <td>February</td> <td>12.50</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50025 Torts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.50</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50030 Property</td> <td>Not offered 2012</td> <td>12.50</td> </tr> <tr> <td>LAWS50031 Legal Theory</td> <td>November, Semester 2</td> <td>12.50</td> </tr> <tr> <td>LAWS50033 Trusts</td> <td>Semester 1</td> <td>12.50</td> </tr> </tbody> </table> | Subject | Study Period Commencement: | Credit Points: | LAWS50023 Legal Method and Reasoning | February | 12.50 | LAWS50024 Principles of Public Law | Semester 1 | 12.50 | LAWS50025 Torts | Semester 2 | 12.50 | LAWS50026 Obligations | Semester 1 | 12.50 | LAWS50027 Dispute Resolution | Semester 1 | 12.50 | LAWS50028 Constitutional Law | Semester 2 | 12.50 | LAWS50029 Contracts | Semester 2 | 12.50 | LAWS50030 Property | Not offered 2012 | 12.50 | LAWS50031 Legal Theory | November, Semester 2 | 12.50 | LAWS50033 Trusts | Semester 1 | 12.50 |
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| LAWS50023 Legal Method and Reasoning | February | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50024 Principles of Public Law | Semester 1 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50025 Torts | Semester 2 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50026 Obligations | Semester 1 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50027 Dispute Resolution | Semester 1 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50028 Constitutional Law | Semester 2 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50029 Contracts | Semester 2 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50030 Property | Not offered 2012 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50031 Legal Theory | November, Semester 2 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LAWS50033 Trusts | Semester 1 | 12.50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Corequisites: | None. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recommended Background Knowledge: | None. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Non Allowed Subjects: | None. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Core Participation Requirements: | The Melbourne Law School welcomes applications from students with disabilities. It is University and Law School policy to take all reasonable steps to enable the participation of students with disabilities, and reasonable adjustments will be made to enhance a student's participation in the School's programs. The inherent academic requirements for the study in the Melbourne Law School are: The ability to attend classes and actively engage in the analysis 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 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 must possess behavioural and social attributes that enable them to participate in a complex learning environment. Students are required to take responsibility for their own participation and learning. They also contribute to the learning of other students in collaborative learning environments, demonstrating interpersonal skills and an understanding of the needs of other students. Assessment may include the outcomes of tasks completed in collaboration with other students. Students who feel their disability will prevent them from participating in tasks involving | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | these inherent academic requirements are encouraged to contact the Disability Liaison Unit: http://www.services.unimelb.edu.au/disability/ . |
| Coordinator: | Dr Linda Haller, Mr Julian Sempill |
| Contact: | Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475 |
| Subject Overview: | Legal Ethics takes special responsibility for the study of professionalism, ethics and public service. Students in Legal Ethics explore the particular role that lawyers play in society, the values of the legal profession, and how the lawyer's role as both an advocate for the client and officer of the court has implications for the daily practice of law and relationships with clients and other practitioners. Topics covered include conflicts of interest, a lawyer's duties of confidence and professional responsibilities in the making and maintaining of claims of client legal privilege. The modern practice of law can experience a tension between traditional understandings of professionalism and commercial imperatives. Particular attention will be given to developing knowledge, insights and strategies that will allow students to recognise and understand tensions between traditional understandings of professionalism and the modern practice of law and to consider how they might personally manage these tensions. |
| Objectives: | Students who successfully complete this subject will: <ul style="list-style-type: none"> # Know the general law and professional conduct standards that regulate lawyers, including the duty to the client, to the court, to other practitioners and to third parties; # Understand how the role of lawyers, values of the profession and theories of justice underlie those duties, and have an extended understanding of recent developments in relation to ethics and professional responsibility and the implications for professional practice; # Be able to apply a lawyer's duties to various complex fact scenarios; # Be able to communicate aspects of a lawyer's professional obligations to a non-specialist audience (such as a client); # Demonstrate the cognitive skills and ability to reflect critically on the practical difficulties and ethical tensions that a practising lawyer will sometimes experience in discharging professional obligations and an ability to explore various ways to respond to those difficulties or tensions with creativity and initiative while still maintaining a high level of personal autonomy and accountability; and # Understand and be able to apply the principles relating to the holding of money on trust. |
| Assessment: | Assessment for subject when held over the course of semester: Class participation (10%); Submitted exercises (30%); Supervised examination (60%). Assessment for subject when run as an intensive offering: Submitted exercises of 1,500 words (30%); Assignment of 4,500 words (70%). |
| Prescribed Texts: | G E Dal Pont, Lawyers' Professional Responsibility (latest edition); Specialist printed materials will also be made available from Melbourne Law School. |
| 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: | Students who successfully complete the subject will have further refined the following skills developed during the first and second years of the JD degree: <ul style="list-style-type: none"> # Skills in identifying and resolving complex legal problems; # Skills in considering a range of options in response to a legal problem, and in identifying those which are sound, principled, and best meet the needs of the client or other audience while recognising the potential impact on third parties; # Skills in being open to new ideas and the perspectives of others; # Skills in the critique of received wisdom; |

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| | <ul style="list-style-type: none"># Skills in confronting unfamiliar problems and applying knowledge of legal ethics and professional practice principles to those problems with creativity and initiative; and# Skills in comprehending complex concepts and expressing them lucidly to specialist and non-specialist audiences. |
| Related Course(s): | Juris Doctor |