

LAWS70019 Class Actions

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	<p>2012, Parkville</p> <p>This subject commences in the following study period/s: July, Parkville - Taught on campus.</p>
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
Prerequisites:	None.
Corequisites:	None.
Recommended Background Knowledge:	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.
Non Allowed Subjects:	None.
Core Participation Requirements:	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 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 who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Contact:	<p>For more information, contact the Melbourne Law Masters office.</p> <p>Email law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) or phone +61 3 8344 6190.</p> <p>Alternatively, visit our website:</p> <p>www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)</p>
Subject Overview:	<p>Class actions have become an increasingly prominent feature of Australia's litigation landscape. Some people think they enhance access to justice, offer an efficient way to deal with large numbers of claims and function as an effective regulatory tool, while others criticise them as improper 'private' regulation or as just another way for lawyers to get rich. Students will have the opportunity to critically evaluate these views. Law reform proposals will be considered, as will the development, present state and likely future directions of the law and practice of Australian class actions. While the focus will be on Australia, methods used in other countries to bring and manage group proceedings will be considered and compared. Students will have the opportunity to engage and debate with lecturers and guest lecturers with substantial academic, practice, judicial and international experience.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # The origins of modern class action regimes in Australia # Comparisons of the federal and Victorian regimes with those in other Australian and overseas jurisdictions

	<ul style="list-style-type: none"> # The main stages of class action litigation # The roles of lawyers, judges, parties, litigation funders and regulators # Specific issues, including choosing a forum, defining the class, the role of the lead plaintiff, entrepreneurial lawyering, identifying and notifying class members, settlement and court approval # Comparing class actions with other procedures available for bringing and managing complex litigation # Securities class actions and the regulatory role of the class action # Funding and costs issues, including the role of commercial litigation funders.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the principles on which modern class action systems are based, and use these principles to analyse current debates about the purposes and efficacy of class action litigation # Understand the main stages of class action litigation and how class action proceedings are commenced, conducted and settled # Be able to identify, evaluate and compare the various procedures available in Australia to litigate group claims # Compare the main features of class action litigation in Australia, Canada, the United States and the United Kingdom, and use these comparisons to evaluate the efficacy of the class action and group proceedings regimes in these jurisdictions # Analyse key practical and ethical issues that arise in the context of class action litigation # Analyse, evaluate and propose law reform initiatives.
Assessment:	Take-home examination (100%) (12 pm 7 September to 5 pm 10 September) or 10,000 word research paper (100%) (22 October) on a 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. 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
Links to further information:	http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5141