

## LAWS70073 Expert Evidence

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2012, Parkville This subject commences in the following study period/s: July, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available
<b>Prerequisites:</b>	Prior study in evidence law or appropriate practical experience is recommended
<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 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: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information, contact the Melbourne Law Masters office. 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> ) or phone +61 3 8344 6190. Alternatively, visit our 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>	Expert evidence continues to play a major role in civil litigation and criminal prosecution, as well as in administrative regulation. Moreover, the field of expertise in law has become the site of numerous contemporary controversies over judicial standards for admissibility of expertise, how to evaluate the reliability of expert testimony and the ethics of experts and attorneys who present expert testimony. This subject is primarily a detailed examination of the law and policy of the regulation of expert evidence in Australia, as well as comparative reform movements of likely significance to Australia in the future, notably developments in the United States. The materials for the subject, most of which are from court files of actual cases, will emphasise the practical uses of expert evidence inside and outside the courtroom.  Principal topics will include: # The legal framework for regulating expert evidence # Debate and controversies about expertise # The admissibility of expert testimony

	<ul style="list-style-type: none"> <li># Restrictions on the conduct of experts</li> <li># Use of expert evidence inside and outside courtrooms.</li> </ul> <p>The above topics will be illuminated through the study of specific instances of expert evidence, conduct and regulation that have prompted change and reform or controversy in Australia or other countries, especially the United States.</p>
<b>Objectives:</b>	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> <li># Appreciate the current controversies concerning the reception of expert evidence in Australian courts</li> <li># Have a working knowledge of the major rules of evidence that regulate the evidence of experts (at common law and under the uniform evidence legislation)</li> <li># Be aware of important comparative developments in the law of expert evidence</li> <li># Be able to reflect upon the relationship between the courts, professional experts and the scientific community at an advanced level.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%) (12 pm 31 August to 5 pm 3 September) or 10,000 word research paper (100%) (18 October) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	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.
<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/masters/courses-and-subjects/subject-details/sid/5180">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subject-details/sid/5180</a>