

LAWS70052 Written Advocacy

Credit Points:	12.50
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2013, Parkville This subject commences in the following study period/s: April, Parkville - Taught on campus.
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 and critique 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 to 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:	For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	Increasingly and at all levels of the judicial hierarchy, written submissions are expected of, and are becoming an important tool for, advocates. This subject aims to critically evaluate the use of written submissions in litigation and to develop advanced skills in the preparation of written submissions. This includes the use of written submissions at first instance and on appeal, and includes both the factual and legal aspects of submission writing. This subject will focus on effective submission writing by examining the techniques for effective written advocacy that are used in Australia and, by way of comparison, the techniques used in appellate courts in the United States (US). The subject will involve guest speakers from the judiciary and the Victorian Bar to provide practical perspectives on written advocacy. Principal topics include: <ul style="list-style-type: none"> # Introduction to the history and role of written submissions in Australian and US courts # Critical assessment and comparison of written submissions filed in the United States Supreme Court and the Australian High Court # The different goals of oral and written advocacy # Differences between written submissions at first instance and at appellate level # Particular issues in preparing High Court submissions # A judicial perspective on effective written submissions

	<ul style="list-style-type: none"> # The organisation of well-written submissions, with a focus upon the various parts of the submissions, such as: <ul style="list-style-type: none"> # The framing of issues # Submissions on the facts # The summary of argument # The argument # The various stages of effective submission writing # Preparation of various parts of effective written submissions # Preparation of written submissions in a pending or hypothetical High Court case.
Objectives:	<p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Understand the concepts and goals of effective written advocacy # Be familiar with the history and role of written submissions in Australian and US courts # Have developed advanced skills in the preparation of written submissions # Appreciate the potential for use of effective written advocacy in Australian courts # Be able to critically assess written advocacy.
Assessment:	Various portions of written submissions to be submitted during the subject (20%) Preparation of written submissions in a pending or hypothetical High Court case (80%) (3 July)
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/subject/LAWS70052/2013