

LAWS70202 Advanced Civil Litigation

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: October, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
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/
Coordinator:	Mr Gary Cazalet
Contact:	For more information: 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:	Civil litigation is experiencing unprecedented levels of reform. Legislative changes, court decisions, changes to court rules and economic pressures are changing the way litigation is practised across the common law world. The proper roles of parties, lawyers, judges and courts are under scrutiny and discussion. The focus of this subject is current and significant issues in civil litigation, with an emphasis on new and emerging developments. The subject is taught by Gary Cazalet, a former member of the Victorian Bar and the Director of Studies, Dispute Resolution in the Melbourne Law Masters and guest lecturers drawn from the profession and the courts. Principal topics include: # Recent significant procedural reforms in Australia and overseas

	<ul style="list-style-type: none"> # Law reform proposals # Cost of justice, including contingency fees and compensatory costs # Judicial intervention, including case management # Duties to the court, including communications with the court and behaviour in court # Questions of jurisdiction # Discovery and the duty to disclose # Security for costs # Enforcement of judgments # Pre-trial settlement procedures.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the elements of and current issues in civil litigation # Be able to critically examine, analyse, interpret and assess these elements and issues # Be an engaged participant in debate regarding contemporary and emerging issues such as duties to the court, pressure for reform of discovery processes and judicial case management # Have a sophisticated appreciation of the factors driving recent reforms in civil procedure # Have an advanced understanding of the practical effects of reforms and current practices on civil litigation # Have a detailed understanding of critical elements in civil litigation processes # Have the cognitive and technical skills to generate critical and creative ideas relating possible future reforms and methods to deal with current problems in civil litigation procedure # Have the cognitive and technical skills to independently examine, research and analyse aspects of civil procedure # Have the communication skills to clearly articulate and convey complex information regarding civil procedure both to specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field.
Assessment:	10,000 word research paper (100%) (20 January 2016) on a topic approved by the subject coordinator. A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the 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:	www.law.unimelb.edu.au/subject/LAWS70202/2015
Notes:	This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.