

LAWS90036 Legal Drafting

Credit Points:	12.5																								
Level:	9 (Graduate/Postgraduate)																								
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: Semester 2, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law JD website for further information about subject quotas.																								
Time Commitment:	Contact Hours: 36 hours Total Time Commitment: 144 hours																								
Prerequisites:	Successful completion of all the below subjects: <table border="1" data-bbox="386 600 1485 1093"> <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>12.5</td> </tr> <tr> <td>LAWS50024 Principles of Public Law</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50025 Torts</td> <td>November, Semester 2</td> <td>12.5</td> </tr> <tr> <td>LAWS50026 Obligations</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50027 Dispute Resolution</td> <td>Semester 1</td> <td>12.5</td> </tr> <tr> <td>LAWS50028 Constitutional Law</td> <td>Semester 2</td> <td>12.5</td> </tr> <tr> <td>LAWS50029 Contracts</td> <td>Semester 2</td> <td>12.5</td> </tr> </tbody> </table>	Subject	Study Period Commencement:	Credit Points:	LAWS50023 Legal Method and Reasoning	February	12.5	LAWS50024 Principles of Public Law	Semester 1	12.5	LAWS50025 Torts	November, Semester 2	12.5	LAWS50026 Obligations	Semester 1	12.5	LAWS50027 Dispute Resolution	Semester 1	12.5	LAWS50028 Constitutional Law	Semester 2	12.5	LAWS50029 Contracts	Semester 2	12.5
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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 inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.																								
Contact:	Email: law-aso@unimelb.edu.au (mailto:law-aso@unimelb.edu.au) Phone: +61 3 8344 4475 Website: www.law.unimelb.edu.au/jd (http://www.law.unimelb.edu.au/jd)																								

Subject Overview:	<p>Most legal thinking needs to be communicated in a written form. For legal advice to be useful and effective for clients, it needs to be able to be readily understood by people without a background in the law. It also needs to address the issues which are important to the recipient of the advice. The practice of law also involves the use of technical legal documents such as contracts. For these legal documents to be effective and to achieve the aims of the parties to whom they relate, they should be prepared by someone with expert legal drafting skills. The focus of this subject is on the development of the specialised skills needed for legal drafting. This crucial aspect of legal practice requires a broad set of skills including the ability to explain complex ideas using clear and simple language, the ability to understand the relative importance of various legal issues, attention to detail and structure, and an ability to properly appreciate the purpose and audience of the document. Legal Drafting enables students to develop this set of skills in an interactive manner. Topics covered will include understanding the types of drafting styles, drafting legal advice, presentation of legal advice, persuasive legal drafting, legal drafting in workplaces outside of law firms, and drafting technical legal documents. Students will be required to prepare a variety of types of written legal work which would be typically required in a legal workplace.</p>
Learning Outcomes:	<p>A student who has successfully completed the subject will have:</p> <ul style="list-style-type: none"> # An extended understanding of the attributes of good legal drafting in a variety of workplaces and contexts; # Developed an expert capacity to identify the skills and techniques available to achieve a better legal drafting style; # Applied those skills and techniques in the drafting of written legal advice and technical legal documents such as contracts to a high-level; and # Developed the ability to critically reflect on their written work. <p>Through the development of these cognitive and technical skills, students will develop the ability to:</p> <ul style="list-style-type: none"> # Independently synthesise complex legal issues into a clear written form suitable for commercial contexts; # Prepare technical legal documents; # Independently assess and improve on their own legal drafting and that of others; and # Communicate their legal thinking to both specialist and non-specialist audiences.
Assessment:	<p>Preparation, in advance, of written responses to problem-based exercises (3,000 words, in total), due before class in Week 10 of semester (30%); 2 hour examination (3000-4000 words), during the end-of-semester examination period (70%).</p>
Prescribed Texts:	<p>Specialist printed materials will be made available from the Melbourne Law School.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Generic Skills:	<p>Students who successfully complete this subject will understand and have developed:</p> <ul style="list-style-type: none"> # Advanced technical skills in preparing clear written legal work in a variety of workplaces and contexts; # Communication skills necessary to convey complex ideas and arguments in clear and concise language; # Expert judgement and creative skills necessary for understanding and drafting contracts and other similar technical legal documents; # Cognitive skills necessary to reflect critically and meaningfully on their performance of the above tasks.
Related Course(s):	<p>Juris Doctor</p>