

LWZ100A INTRODUCTION TO LEGAL STUDIES

Credit points:	10	Mode:	External/Internal
Assumed knowledge:	NA	Location:	External/internal
Pre-requisite(s):	NA	Learning method:	OLR
Year:	2012	Unit coordinator:	Darryl Saunders
Semester:	1 + 2	Phone:	(08) 89466116; mobile 0448068377
School:	Law & Business	Email:	darryl.saunders@cdu.edu.au

Unit Description

The unit is the starting point for all legal studies. Its content equips students to understand the basics of legal structures in Australia. This covers both institutional structures and the structure of our system of laws. The unit also practically equips students to locate legal resources. Finally students are introduced to the processes of legal writing and problem solving

Learning Outcomes

On completion of this unit a student should be able to:

1. Define and explain the structure and practices of Australian Law including: legislation, case law, international law, and public and private law;
2. Critically examine contemporary issues about law, justice and society, in particular, issues relating to the content and development of the Law of Contract and Tort law;
3. Locate relevant law using legal databases and other appropriate tools;
4. Produce basic legal writing using appropriate language, structure, and formatting; and
5. Use appropriate methodology to solve a practical legal problems

Teaching and Learning Strategies

Students are expected to take responsibility for their own learning by keeping up with the required reading and assessment tasks. The resources for this unit include: online lectures (synchronous and asynchronous), tutorials, and readings. Students will use legal databases to search and find statutes and case law. This is achieved through “hands on” use of such databases. In order to pass the subject, students are required to score 50% or greater for the entire unit. This may be difficult if you do not complete all assessments on time and incur penalties.

Reading:

The amount of reading in this subject is considerable. You should:

- set aside a significant amount of time for reading each week, and not leave it until the last minute;
- practice efficient reading skills, where key points are identified and less important information is skimmed; and
- expect some of the readings will be difficult, as you will be encountering new styles and vocabulary.

To improve your reading skills, you may wish to consult the resources on

<http://www.cdu.edu.au/graduateattributes/aquisition.html>

Taking notes:

To ensure you remember the information you are learning in the lectures and readings, it is important that you take notes while you study. Note-taking turns the 'passive' act of listening to a lecture or reading a document into an 'active' learning exercise. To get the most out of your notes, read back over them and re-word them, thinking about how to best summarise what you are learning. Use your notes to jot down your own thoughts, ideas, feelings, and responses to what you are learning. If you have reviewed and collated your notes effectively during semester, then you will have done 90% of the preparation for the end of semester exam as you go. You will also get more out the discussion board and tutorial activities.

CDU provides an online guide to effective study skills at: <http://learnline.cdu.edu.au/studyskills>. The section on 'Lectures and Tutorials' outlines various note-taking techniques that can help you take notes most effectively.

Tutorial activities:

The tutorials for Semesters 1 +2 will provide two unique learning environments:

First, some weeks will have an environment which is immediate and interactive. These will be known as 'live tutorials' (either in Collaborate or face-to-face, depending on whether you are an internal or external student) The first type of tutorials will focus on developing oral communication skills, and on developing your understanding of the course materials.;

Secondly, some weeks will enable students to learn using 'asynchronously'. These tutorials will be known as 'discussion board' tutorials. This means you will not be working 'live' with colleagues but rather on a discussion board where comments and responses can be made on an ongoing basis for a period of time. The second type of tutorials will focus on developing basic written communication skills required for a practical business or legal environment.

To prepare for tutorials, you should aim to be up to date with your reading and note-taking. Most of the time, you will not be expected to have prepared specific answers, but you should come to tutorials ready to participate. External students should have a working microphone and speaker in order to participate in tutorials.

Discussion:

As part of module one for this unit, you are required to participate in discussions with other students using online discussion boards as well as tutorials. The discussion boards are where you:

- help each other to understand the unit materials;
- respectfully debate and discuss ideas and issues related to the course;
- test out your own ideas and learn about other students' perspectives;
- encourage each other and pass on tips for surviving university; and
- develop your communication skills.

When contributing to the discussion board, you should strive to use correct spelling and grammar. Humor is welcome, but do not be offensive. Aim to express yourself in a way that would be appropriate in a professional workplace.

Assessment Tasks:

You will be required to undertake a variety of assessment tasks. These tasks develop various skills, including legal research and writing skills, critical thinking, as well as your understanding of key legal concepts taught in the course.

Time Management Skills:

Studying at university develops your time management skills. You are responsible for ensuring that you meet important due dates, and for keeping up with a regular study program. Good organisational skills are essential for all graduates in today's workforce. Find routines and time-management techniques that work for you.

Participation

This unit is delivered in both internal and external modes. Attendance at lectures and tutorials is not compulsory, but is highly recommended to those students interested in passing the subject. **There is a mark of 10% allocated to tutorial participation as an incentive to come and participate in class. (This may be achieved by means of a test based upon the tutorial.) Thus, whilst it is not compulsory to attend, failure to attend may mean you lose marks.**

Lectures – weekly, 2 hours:

Lectures are delivered each week at the Casuarina campus. These lectures are recorded and placed on the unit Learnline page. Internal students are expected to attend the lectures on campus, whereas external students should download and listen to the audio file. External students should allow at least 48 hours for lectures to be uploaded. There is nothing to stop internal students from downloading lectures or for external students to attend on campus lectures. Lectures may also be delivered live to external students using one of the virtual Collaborate classrooms.

Tutorials – weekly, 1.5 hours (external) 1 hour (internal):

Internal students should attend one of the tutorials each week at the Casuarina campus, or undertake alternative task as directed. External students should attend one of the online tutorials using the virtual Collaborate classrooms, or undertake alternative task as directed. **It is your responsibility to arrange your schedule and personal affairs so that you can attend tutorials. Once you have joined a tutorial group, you will not be permitted to change.**

Private study commitments

It is recommended that students undertake 6 hours per week of private study. Private study includes reading time dedicated to prescribed or compulsory reading and undertaking assessment tasks (such as research essay work, court visit report or quizzes).

Specific details of individual class times can be obtained by accessing the class timetable at:

<http://skua.cdu.edu.au/swsodd>

Overview of Assessment

Item	Description/Focus	Value	Relates to learning outcomes
1.	1 online assessment (worth 5%)	5%	1
2.	2 online quizzes (each worth 5%)	10%	1
3.	Assignment 1 – Court Visit Report	5%	2, 3, 4
4.	Assignment 2 – Research Essay	20%	2, 3, 4
5.	Tutorial Participation	10%	1, 2
6.	Final Examination	50%	1, 2, 3, 4, 5

IMPORTANT NOTE. Do not leave this visit until the last Moment.

Resources

Required textbook(s)

1. Catriona Cook et al, *Laying Down the Law*, LexisNexis, (8th ed., 2009) (“LDTL”)
2. David Parker and Angelo Veljanovski, *Business Law Study Guide*, LexisNexis (2009) (“BLSG”)

Required textbooks can be ordered from the CDU Bookshop through their website at

www.cdu.edu.au/bookshop

Learnline (Online Learning System)

Learnline is Charles Darwin University’s on-line learning system. In this unit, Learnline will be used to:

- provide important announcements about the unit

- deliver live and pre-recorded online seminars, tutorials and other learning activities
- distribute lecture slides, and other study
- complete online assessments
- access feedback from tasks and grades for assessable work
- provide a communication point where you contribute to discussions as part of your assessment, and to interact with other students in the unit

You will need to connect to the Internet to access it, at <http://learnline.cdu.edu.au/>. Access to Learnline may not be available until Day 1 of Semester. If this is your first time using Learnline, click on 'Student Support' in the left-hand navigation panel BEFORE logging in.

It is recommended that all students have access to regular and reliable broadband access to complete unit requirements.

e-Reserve

e-Reserve allows electronic copies of journal articles, book chapters and lecturer notes that have been recommended by a lecturer as part of their course reading requirements. You can access e-Reserve at <http://ereserve.cdu.edu.au.ezproxy.cdu.edu.au/cgi-bin/library>. This site is password protected. Your CDU student login will provide you access. You can then search for items by Lecturer, Unit Code, Title, Author, keyword, Year or Date if you have that information.

Additional Resources

Required:

Melbourne University Law Review, Australian Guide to Legal Citation (3rd ed, 2010) (available online for free in PDF version)

Recommended:

General writing and grammar skills:

Peter Butt (ed), Concise Australian Legal Dictionary, LexisNexis (3rd ed, 2009)

Michael Meehan and Graham Tulloch, Grammar for Lawyers, LexisNexis (2nd ed, 2007)

Legal research/study skills and 'survival guides':

Sue Milne and Kay Tucker, A Practical Guide to Legal Research, Thomson LawBook Co (2008)

Bruce Bott and Ruth Talbot-Stokes, Nemes & Coss' Effective Legal Research, LexisNexis (4th ed, 2010)

Claire Macken, Law Student Survival Guide – 9 Steps to Law Study Success, Thomson Reuters (2nd ed, 2010)

Michael Brogan and David Spencer, Surviving Law School, Oxford University Press (2nd ed, 2008)

Richard Craver, Mastering Law Studies & Law Exam Techniques, LexisNexis (6th ed, 2006)

Patrick Keyzer, Legal Problem Solving - A Guide for Law Students, LexisNexis (2nd ed, 2003)

Substantive legal materials:

Justin Carvan, Understanding the Australian Legal System, Thomson Reuters (6th ed, 2010)

Elizabeth Ellis, Principles and Practice of Australian Law, Thomson Reuters (2nd ed, 2009)

Bryan Horrigan, Adventures in Law and Justice: Exploring Big Legal Questions in Everyday Life, UNSW Press (2007)

For Chinese-speaking students:

Vai Io Lo, 澳大利亚商法/Commercial Law in Australia, LexisNexis (2009) *this book is in Chinese and will enable Chinese speaking students to gain an understanding of a majority of the content of LWZ100A in their mother tongue first. Students will still be expected to have understood the required readings.

Proposed Learning Schedule (NOTE these are a guide only. These items may change. The page numbers for LDTL are based on the 7th edition these may change with the 8th edition which is not available at the time of writing)

Duration / Module	Topics	Required readings or student learning activities to be completed	Assessments Due
MODULE: Origins, Institutions, Sources and Classifications of Law Weeks 1 - 3	<p>1. Origins, Institutions, Sources and Classifications of Law – where does law come from and which people or bodies play a major role in its development?</p> <ul style="list-style-type: none"> – The Legal System – Parliament – The Court Structure – Separation of Powers – The Legal Profession <p>Sources and Classification of Law – what is ‘law’?</p> <ul style="list-style-type: none"> – Constitution – Legislation – Case Law – International Law – Indigenous/Customary Law – Public vs. Private law 	<p>Cook et al, LDTL, pp1-54; 463-467 (this reading is assigned for module 1 covering weeks 1 – 3)</p> <p>Parker et al, BLSG, pp 1 - 42</p> <p>*assigned electronic readings available via Learnline/E-Reserve</p>	<p>Online assessment 1 Due date: end of week 4</p> <p>Quiz 1 Due date: end of week 5</p> <p>*Note – these are the last days for completion. You are permitted to complete the assessments anytime before the due date</p>
MODULE: Legal Writing Techniques and Persuasion Week 4	<p>2. Legal writing techniques and persuasion</p> <ul style="list-style-type: none"> – Hermeneutics and Exegesis – Structure – Plain English – Plagiarism, Citation and Authority – Types of Legal/Business Writing. 	<p>Cook et al, LDTL, p403-445</p> <p>Cook et al, LDTL, p191-194</p> <p>*assigned electronic readings available via Learnline/E-Reserve</p>	<p>Quiz 2 Due date: end of week 6</p>
MODULE: Introducing Business Law Weeks 5 - 9	<p>3. Introductory to Business Law</p> <p>4. Introductory to Contract Law</p> <p>5. Introduction to Trade Practices, Fair Trading Law and Principles of Tort Law</p>	<p>Parker et al, BLSG, pp49 257 (Chapter 5 – 12) (*these chapters are assigned for a period of 5 weeks and are not a heavy burden of reading if you read at a constant pace).</p>	<p>Court Visit Report Due date: end of week 8</p> <p>Research Assignment Due Date: end of week 10</p>
MODULE: Law and Contemporary Society Weeks 10 – 12	<p>6. Law and contemporary society 1 – immigrants, discrimination and law</p> <ul style="list-style-type: none"> – White Australia Policy and current issues of racism – Immigration – Mandatory Detention <p>7. Law and contemporary society 2 – Indigenous Australians and the legal system</p> <ul style="list-style-type: none"> – Historical overview – Who is an ‘Aboriginal person’? – Land rights (introductory) – Indigenous courts and sentencing 	<p>Cook et al, LDTL, pp45-49</p> <p>Shaw v Wolf (1999) 163 ALR 205</p> <p>R v Cobby (1883) 4 LR (NSW) *</p> <p>*assigned electronic readings available via Learnline/E-Reserve</p>	
Week 13	Student Revision Week		
Week 14-15	Centrally organised examination period		

The above schedule is a guide only. The coordinator reserves the right to change the schedule when and if necessary.

Assessment Item 1

Description/Focus:	Online assessment, referencing, plagiarism and writing
Value:	5 %
Due date:	Midnight (23.59) end of week 4
Task:	Write a short prepared passage using full references and citations as set out in the AGLC not more than 300 words
Preparation:	Read the instructions carefully , attend the tutorials and read the AGLC
Presentation:	Must be written in English with good grammar, full punctuation, complying with the requirements of the AGLC, and displaying an understanding of plagiarism in academia.
Assessment criteria:	As per above.

Assessment Item 2

Description/Focus:	Online quiz 2 and 3
Value:	5% each (10%)
Due date:	Quiz 2: Midnight (23.59) end of week 5 Quiz 3: Midnight (23.59) end of week 6
Task:	Complete the online quiz questions <u>WITHIN</u> time limits indicated. (5 minutes)
Preparation:	You <u>must</u> have: <ul style="list-style-type: none"> • thoroughly read all assigned readings in module 1; • listened comprehensively to the lectures in module 1; • prepared for tutorials and participated in module 1 tutorials; AND • ensured your computer and internet connection is stable and sufficient (e.g. meet at least the minimum requirements recommended by CDU) when sitting the quizzes. <p>In quiz one you will only have one attempt. You will be considered to have attempted the quiz if you enter it, regardless of whether you answer or save the answers to the question. As such, ensure you do not enter it until you are sufficiently prepared to take it. If you open the quiz, answer the questions immediately within the allocated time (5 minutes per quiz)</p> <p>You cannot accidentally open the quiz. You must press buttons more than once to open the quiz. If you open a quiz, you must immediately proceed to answer the questions. A second attempt of the quiz will not be given.</p> <p>In quiz two you will only have one attempt.. You will be considered to have attempted the quiz if you enter it, regardless of whether you answer or save the answers to the question. As such, ensure you do not enter it until you are sufficiently prepared to take it. If you open the quiz, answer the questions immediately within the allocated time (5 minutes per quiz)</p> <p>NOTE: You cannot accidentally open the quiz. You must press buttons more than once to open the quiz. If you open a quiz, you must immediately proceed to answer the questions. A second attempt of the quiz will not be given.</p>
Assessment criteria:	Correctly answer questions in the quiz.

Assessment Item 3

Description/Focus:	Court Visit Report
Value:	5 %
Due date:	Midnight (23.59) end of week 8
Length:	500 words
Task:	Students will be required to attend a court session and write a reflective piece on their visit.
Preparation:	<p>Students will need to have completed quiz one for the assessment topics to open.</p> <p>Using the 'Research Links' provided in the LWZ100A Learnline site, find the nearest court. You may need to ring them to find out what cases are being heard at the time. Do not leave this until the last minute. Check for court sitting times in your area over the summer break.</p>
Presentation:	Assignments MUST be submitted as a word document via the SafeAssign submission button in Learnline.
Assessment criteria:	A very detailed assessment criteria

Assessment Item 4

Description/Focus:	Research Essay
Value:	20 %
Due date:	Midnight (23.59) end of week 10
Length:	2,000 words + research journal
Task:	Students will be required to undertake an individual assignment. Students will be required to choose ONE of the topics from a list provided.
Preparation:	<p>Students MUST have completed quiz one for the assessment topics to open.</p> <p>Students will be required to research, draft, edit and finalise the research paper.</p> <p>The research journal must specify:</p> <ol style="list-style-type: none"> 1. when you undertake researching, and clearly indicate that research associated activities have been undertaken over a period of at least three (3) weeks; 2. when you undertake writing activities (including associated activities of drafting, editing and finalising the research paper) and clearly indicate that writing associated activities have been undertaken over a period of at least three (3) weeks; 3. which databases/websites/textbooks/journal articles/case or statutory law etc you use; 4. any research tutorials and/or referencing tutorials you have attended (or viewed); 5. any problems you experience in using research sources.
Presentation:	<p>Assignments MUST be submitted as a word document via the SafeAssign submission button in Learnline.</p> <p>Students MUST attach an assignment cover sheet to their assignment.</p>

Assessment criteria: A very detailed assessment criteria is attached to the questions. Read the instructions carefully.

Assignments will be subject to the Faculty policy on late submissions, which includes a reduction of marks based on submitting assignments after the due date and time.

Assessment Item 5

Description/Focus: Tutorial participation

Value: 10%

Due date: Weekly ongoing

Length: N/A

Task: Students are expected to constructively participate in learning exercises and tasks assigned for each tutorial. The tutorials are designed around developing the skills, knowledge, ethics and attitudes of being a professional in law and/or business.

There are two types of tutorial methods which will be used:

1. The 'live' tutorials are for both internal and external students. These tutorials will be conducted with a tutor who will facilitate discussion in 'real time' amongst students on set topics. There will be an online Quiz available following the live tutorials for the student to gauge their understanding of the topic. The tutorial participation mark will be awarded upon completion of these quizzes.
2. The 'discussion board' tutorials are for both internal and external students. These tutorials will require students to submit written answers, via discussion board, as instructed.

Preparation: Students are expected to come to class having prepared some answers to the questions. Tutorials are merely guided and facilitated by tutors.

Presentation: Group discussion and participation

Assessment criteria: *You should **prepare** answers before attending class. Participation is more than mere attendance. The aim is to encourage you to attempt to make substantive contributions to assist with your own learning, as well learn from your peers.*

A maximum of 1 mark per tutorial can be obtained.

*In order to obtain a full 1 mark for a 'discussion board' tutorial, you may participate by: Responding to the questions or exercises posed for discussion in the tutorial; **or***

*• Expressing opinions about how the questions or exercises for the tutorial and substantive content of the course relates to 'real life' events (e.g. in contemporary media); **or***

*• Raising genuine queries about the substantive content or exercises in that week's tutorial e (e.g. I experienced X problem when using the database Y. Did someone else experience this problem and could they please explain how they were able to fix it?); **or***

*• Responding to other student's queries or opinions; **AND***

*• Following the guides of netiquette set out in Law Central; **AND***

• Complying with basic rules of grammar and professional writing skills (e.g. not using SMS or instant messenger texting styles of writing).

Assessment Item 6

- Description/Focus:** Invigilated Open Book Exam
- Value:** 50 %
- Due date:** At a time to be determined and notified by CDU
- Length:** As per the exam questions. You must follow the instructions on the exam booklet
- Preparation:** NA
- Presentation:** Exams will be undertaken under supervision during the end of semester examination period organised by Charles Darwin University.
- For the purposes of LWZ100A, open book exam means you may take in any of the following materials:
- Any textbook, including prescribed textbooks, you may require **EXCEPT** any book borrowed from the CDU library;
 - Any case law, legislation, journal article which has been referred to during LWZ100A;
 - Any powerpoint slides;
 - Any notes or summaries you have made during the semester; and/or
 - Any dictionaries (bilingual or monolingual).
- You **will not** be permitted to take into your exam:
- Electronic devices (mobile phones, electronic dictionaries, calculators).
- There is no limit on the amount of textual material you take in. However, it is suggested you consider the realities of time pressure in deciding what you take in. You will not have an unlimited amount of time to read new material in the exam which you could have summarised during the semester.
- Assessment criteria:** **Read the instructions carefully.**

Assessment file protocol:

All assessments must be submitted Via the 'SafeAssign' portal provided. Only one document is permissible per submission.

All assessments must have a coversheet incorporated in the file.

Please use word files. DO NOT USE PDF'S

The file name should be lastname-firstname-studentnumber-assessmenttask-LWZ100A-s1- 2012. doc

ie. saunders-darryl-30001234-essay-LWZ100A-S1-2012.doc

Please download Assignment Cover Sheet here:

<http://learnline.cdu.edu.au/support/ess/assignment.html>

CDU Graduate attributes

CDU graduate attributes refer to those skills, qualities and understandings that should be acquired by students during their time at the University regardless of their discipline of study. (See <http://www.cdu.edu.au/teachingandlearning/gradattributes.html>). In this unit, the following graduate attributes are developed:

Attribute	Description	Learning outcomes
Acquisition	Can identify, retrieve, evaluate and use relevant information and current technologies to advance learning and execute work tasks.	1,2,3,4,5
Application	Is an efficient and innovative project planner and problem solver, capable of applying logical and critical thinking to problems across a range of disciplinary settings and has self-management skills that contribute to personal satisfaction and growth.	1,2,3,5
Creativity	Can conceive of imaginative and innovative responses to future orientated challenges and research.	4,5
Knowledge base	Has an understanding of the broad theoretical and technical concepts related to their discipline area, with relevant connections to industry, professional, and regional and indigenous knowledge.	1,2,3,5
Communication	Demonstrates oral, written, and effective listening skills as well as numerical, technical and graphic communication skills in a cross generational environment.	5
Team work	Has a capacity for and understanding of collaboration and co-operation within agreed frameworks, including the demands of inter-generational tolerance, mutual respect for others, conflict resolution and the negotiation of productive outcomes.	1
Social responsibility	Is able to apply equity values, and has a sense of social responsibility, sustainability, and sensitivity to other peoples, cultures and the environment.	2
Flexibility	Can function effectively and constructively in an inter-cultural or global environment and in a variety of complex situations.	5
Leadership	Can exercise initiative and responsibility, taking action and engaging others to make a positive difference for the common good.	1