LAWS1100
Law, Lawyers and Society
Session 2, In person-scheduled-weekday, North Ryde 2022

Macquarie Law School

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General Information

Unit convenor and teaching staff
Lecturer
Dr Amanda Head
Contact via ilearn
6 First Walk rm 518
Tuesday 11.05am - 11.55am

Credit points
10

Prerequisites
Admission to LLB

Corequisites
LAW115 or LAWS1000

Co-badged status

Unit description
In this unit students are introduced to applied legal ethics and the law that governs the roles and responsibilities of solicitors and barristers in Australia. The unit covers the history and profile of the legal profession, the development of ethical reasoning and application of ethical systems to legal practice. Students will study the legal and philosophical problems confronting lawyers, including confidentiality, access to justice, truth in the adversarial system, conflicts of interest and relationships between lawyers, clients and the community. They will learn how the legal profession is regulated and analyse the effectiveness of the professional disciplinary regime. The unit also introduces students to general skills of ethical problem solving and to the importance of sound communication skills for the practice of law.

Important Academic Dates
Information about important academic dates including deadlines for withdrawing from units are available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes
On successful completion of this unit, you will be able to:

ULO1: Describe and explain the role of the lawyer in Australian society.
ULO2: Identify different theoretical approaches to legal ethics and relate these approaches to a range of problems and settings.
ULO3: Explain and apply the law of professional responsibility that regulates the practice of law in Australia, including duties owed to the court, to the client, to practitioners, and to the community.

ULO4: Explain and apply communication skills required for ethical practice, especially listening skills, interviewing skills, cross cultural communication skills, negotiation skills and writing skills, with an emphasis on plain English.

General Assessment Information

All assessments are submitted electronically. Turnitin plagiarism detection software is used to check all written assessments.

Students should carefully check that they submit the correct file for an assessment as re-submissions will not be accepted after the due date and time, including instances where students upload an incorrect file in error.

Word limits are strictly applied. Work above the word limit will not be marked. Footnotes are to be used only for referencing. Referencing must conform to the requirements set out in the Australian Guide to Legal Citation 4th edition.

Marking of all assessments is moderated through a process of blind marking and the use of detailed marking rubrics.

Late penalty policy

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of ‘0’ (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue.

This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.

Special Consideration

Students should submit applications for Special Consideration electronically via ask.mq.edu.au, along with the supporting documentation. Before submitting their applications, students should refer to the Special Consideration policy (link provided under ‘Policies and Procedures' below).

Assessment Tasks

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Hurdle</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participatory tasks</td>
<td>15%</td>
<td>No</td>
<td>04/11/22, 11:55pm</td>
</tr>
<tr>
<td>Name</td>
<td>Weighting</td>
<td>Hurdle</td>
<td>Due</td>
</tr>
<tr>
<td>-----------------------------------------------------------</td>
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</tr>
<tr>
<td>Applied skills based practical task and legal ethics essay</td>
<td>25%</td>
<td>No</td>
<td>video - 15/8/22, 11:55pm; essay - 22/08/22, 11:55pm</td>
</tr>
<tr>
<td>Legal Ethics Essay</td>
<td>30%</td>
<td>No</td>
<td>17/10/22, 11:55pm</td>
</tr>
<tr>
<td>Multiple Choice Quiz</td>
<td>30%</td>
<td>No</td>
<td>08/11/22, 3pm-9pm</td>
</tr>
</tbody>
</table>

**Participatory tasks**

Assessment Type 1: Participatory task
Indicative Time on Task 2: 24 hours
Due: **04/11/22, 11:55pm**
Weighting: **15%**

A series of role plays, debates and problem solving activities

On successful completion you will be able to:

- Describe and explain the role of the lawyer in Australian society.
- Identify different theoretical approaches to legal ethics and relate these approaches to a range of problems and settings.
- Explain and apply the law of professional responsibility that regulates the practice of law in Australia, including duties owed to the court, to the client, to practitioners, and to the community.
- Explain and apply communication skills required for ethical practice, especially listening skills, interviewing skills, cross cultural communication skills, negotiation skills and writing skills, with an emphasis on plain English.

**Applied skills based practical task and legal ethics essay.**

Assessment Type 1: Essay
Indicative Time on Task 2: 10 hours
Due: **video - 15/8/22, 11:55pm; essay - 22/08/22, 11:55pm**
Weighting: **25%**

Research Essay
On successful completion you will be able to:

- Describe and explain the role of the lawyer in Australian society.
- Identify different theoretical approaches to legal ethics and relate these approaches to a range of problems and settings.
- Explain and apply the law of professional responsibility that regulates the practice of law in Australia, including duties owed to the court, to the client, to practitioners, and to the community.
- Explain and apply communication skills required for ethical practice, especially listening skills, interviewing skills, cross cultural communication skills, negotiation skills and writing skills, with an emphasis on plain English.

**Legal Ethics Essay**

Assessment Type 1: Essay
Indicative Time on Task 2: 25 hours
Due: 17/10/22, 11:55pm
Weighting: 30%

**Research essay**

On successful completion you will be able to:

- Describe and explain the role of the lawyer in Australian society.
- Identify different theoretical approaches to legal ethics and relate these approaches to a range of problems and settings.
- Explain and apply the law of professional responsibility that regulates the practice of law in Australia, including duties owed to the court, to the client, to practitioners, and to the community.
- Explain and apply communication skills required for ethical practice, especially listening skills, interviewing skills, cross cultural communication skills, negotiation skills and writing skills, with an emphasis on plain English.

**Multiple Choice Quiz**

Assessment Type 1: Quiz/Test
Indicative Time on Task 2: 1 hours
Due: 08/11/22, 3pm-9pm
Weighting: 30%
Multiple Choice Quiz

On successful completion you will be able to:
• Explain and apply the law of professional responsibility that regulates the practice of law in Australia, including duties owed to the court, to the client, to practitioners, and to the community.

1 If you need help with your assignment, please contact:
• the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
• the Writing Centre for academic skills support.

2 Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources
There is a weekly one-hour face-to-face lecture and additional weekly online lectures from weeks 1 to 12. Face-to-face lectures will also be live-streamed. Students are expected to attend and listen to the lectures and work their way through the other materials on a weekly basis. All lecture recording and associated slides will be accessible through iLearn.

There is a weekly two-hour face-to-face tutorial from weeks 1 to 12 for students.


Students can buy this textbook online from online resellers such as Booktopia, Amazon and Zoo

Students require access to a computer, internet with decent speed and a secure/reliable server. The iLearn page contains all Unit requirements and a weekly schedule for teaching, readings and tutorials. Information about all assessment tasks is also available on iLearn. Students MUST submit all assessments through iLearn.

Additional readings will be accessible through iLearn.

Students require access to a computer and a secure and reliable server. All Unit requirements and a weekly teaching and reading schedule are outlined in iLearn.

Unit Schedule
Topics to be covered in the live lectures, online lectures and tutorials in this unit include:

What it means to be a professional
Unit guide LAWS1100 Law, Lawyers and Society

An overview of the profession
Introduction to Legal Ethics
Overview of regulation of the profession
Retainers
Legal Writing
Lawyers and Mental Health
Duty to the client
Fiduciary duties and the duty of care
Duty to the Court and administration of justice
Conflicts of interest
Confidentiality and privilege
Duty to the court
Ethics in criminal law
Duties of prosecutors
Ethics in negotiations
Duty to the community
Pro bono work
Access to justice
Costs
Duty to account
Duty to the profession
Admission requirements
Discipline and regulation
Lawyers and technology

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://policies.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- Academic Appeals Policy
- Academic Integrity Policy
- Academic Progression Policy
Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/admin/other-resources/student-conduct

Results

Results published on platform other than eStudent, (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Academic Integrity

At Macquarie, we believe academic integrity – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free online writing and maths support, academic skills development and wellbeing consultations.

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

The Writing Centre

The Writing Centre provides resources to develop your English language proficiency, academic writing, and communication skills.

• Workshops
• Chat with a WriteWISE peer writing leader
• Access StudyWISE
• Upload an assignment to Studiosity
• Complete the Academic Integrity Module
The Library provides online and face to face support to help you find and use relevant information resources.

- **Subject and Research Guides**
- **Ask a Librarian**

**Student Services and Support**

Macquarie University offers a range of **Student Support Services** including:

- **IT Support**
- **Accessibility and disability support** with study
- **Mental health support**
- **Safety support** to respond to bullying, harassment, sexual harassment and sexual assault
- **Social support** including information about finances, tenancy and legal issues

**Student Enquiries**

Got a question? Ask us via **AskMQ**, or contact **Service Connect**.

**IT Help**

For help with University computer systems and technology, visit [http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the **Acceptable Use of IT Resources Policy**. The policy applies to all who connect to the MQ network including students.