# LAW 561

## Advanced Legal Research Project

X2 2012

*Macquarie Law School*

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General Information

Unit convenor and teaching staff
Unit Convenor
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Contact via carlos.bernal-pulido@mq.edu.au
W3A 625
Mon 2-4

Credit points
3

Prerequisites
[12cp in LAW units at 200 level(P)] and [12cp in LAW units at 300 level(P)] and [9cp in LAW units at 400 or 500 level(P)] and [GPA in LAW units of 3.20]

Corequisites

Co-badged status

Unit description
This unit provides students with an opportunity to develop and demonstrate advanced research skills through a series of seminar presentations and supervised research, leading to the submission of a 8,000 word thesis. Students formulate their own research question or argument in any area of legal scholarship or regulation. The thesis must be presented and defended within the broader conditions of its relevance, for example: social, historical, philosophical, economic or environmental contexts.

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

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

Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;
Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;
Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;
Raise claims and construct logically sound arguments to back them;
Evaluate arguments against the own claims;
Perform an oral presentation of a research outcome within an academic environment; and
Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

### Assessment Tasks

<table>
<thead>
<tr>
<th>Name</th>
<th>Weighting</th>
<th>Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Synopsis</td>
<td>10%</td>
<td>End week 3</td>
</tr>
<tr>
<td>Presentation of synopsis</td>
<td>0%</td>
<td>Seminar 3, week 4</td>
</tr>
<tr>
<td>Presentation of outline</td>
<td>0%</td>
<td>Seminar 4, week 7</td>
</tr>
<tr>
<td>Presentation of summary</td>
<td>10%</td>
<td>Seminar 5, week 10-11</td>
</tr>
<tr>
<td>Submission of Thesis</td>
<td>80%</td>
<td>end week 13</td>
</tr>
</tbody>
</table>

### Synopsis

**Due:** **End week 3**  
**Weighting:** **10%**

Written submission of research synopsis

On successful completion you will be able to:

- Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;
- Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;

### Presentation of synopsis

**Due:** **Seminar 3, week 4**  
**Weighting:** **0%**

Online or oral presentation of research synopsis, and choice of research Methodology

On successful completion you will be able to:
Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;

Raise claims and construct logically sound arguments to back them;

Perform an oral presentation of a research outcome within an academic environment;

and

Presentation of outline

Due: **Seminar 4, week 7**
Weighting: **0%**

Online or oral presentation of thesis outline

On successful completion you will be able to:

- Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;
- Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;
- Raise claims and construct logically sound arguments to back them;
- Perform an oral presentation of a research outcome within an academic environment;

and

Presentation of summary

Due: **Seminar 5, week 10-11**
Weighting: **10%**

Online or oral presentation of thesis outline

On successful completion you will be able to:

- Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;
- Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;
- Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;
- Raise claims and construct logically sound arguments to back them;
- Evaluate arguments against the own claims;
• Perform an oral presentation of a research outcome within an academic environment;

and

Submission of Thesis
Due: **end week 13**
Weighting: **80%**

8,000 word graded research paper

This assessment is cross-marked as follows:

(1) The supervisor marks the paper from the discipline point of view. This part of the total mark is worth 40%.

(2) The convenor marks the paper from the methodological point of view. This part of the total mark is worth 40%.

On successful completion you will be able to:

• Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;

• Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;

• Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;

• Raise claims and construct logically sound arguments to back them;

• Evaluate arguments against the own claims;

• Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

**Delivery and Resources**

1. **Delivery mode**

   _X_Day ___Evening ___External ___Online

   This unit will use:

   _X_Blackboard ___iLecture __X_Blogs ___Wiki ___LAMS Other

https://unitguides.mq.edu.au/unit_offerings/35330/unit_guide/print
2. Lecture times and locations

For current updates, lecture times and classrooms please consult the MQ Timetables website: http://www.timetables.mq.edu.au.

3. Required and recommended resources

Required:

LAW561/LAW564 Course Notes, Macquarie University, 2011

Hutchinson, Terry. Researching and Writing in Law (2nd ed) (Thomson 2006)

Recommended:


The Australian Law Postgraduate Network (ALPN) has posted a list of useful research methodology resources at its website, available: http://www.alpn.edu.au/node/30

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central. Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy http://www.mq.edu.au/policy/docs/academic_honesty/policy.html
Special Consideration Policy http://www.mq.edu.au/policy/docs/special_consideration/policy.html

In addition, a number of other policies can be found in the Learning and Teaching Category of
Student Support

Macquarie University provides a range of Academic Student Support Services. Details of these services can be accessed at: http://students.mq.edu.au/support/.

UniWISE provides:

- Online learning resources and academic skills workshops http://www.mq.edu.au/learning_skills/
- Personal assistance with your learning & study related questions.
- The Learning Help Desk is located in the Library foyer (level 2).
- Online and on-campus orientation events run by Mentors@Macquarie.

Student Enquiry Service

Details of these services can be accessed at http://www.student.mq.edu.au/SES/.

Equity Support

Students with a disability are encouraged to contact the Disability Support Unit who can provide appropriate help with any issues that arise during their studies.

IT Help

If you wish to receive IT help, we would be glad to assist you at http://informatics.mq.edu.au/help/.

When using the university's IT, you must adhere to the Acceptable Use Policy. The policy applies to all who connect to the MQ network including students and it outlines what can be done.

Graduate Capabilities

Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

Learning outcomes

- Raise claims and construct logically sound arguments to back them;
• Evaluate arguments against the own claims;
• Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

Assessment tasks

• Synopsis
• Presentation of synopsis
• Presentation of outline
• Presentation of summary
• Submission of Thesis

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

• Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;
• Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;
• Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;
• Raise claims and construct logically sound arguments to back them;
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• Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

Assessment tasks

• Synopsis
• Presentation of synopsis
• Presentation of outline
Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

**Learning outcomes**

- Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;
- Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;
- Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;
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- Evaluate arguments against the own claims;
- Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

**Assessment tasks**

- Synopsis
- Presentation of synopsis
- Presentation of outline
- Presentation of summary
- Submission of Thesis

Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:
Learning outcomes

- Understand and be able to use different methodologies of legal research, to carry out independent research and analysis, and to think creatively about legal problems;
- Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;
- Raise claims and construct logically sound arguments to back them;
- Evaluate arguments against the own claims;
- Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

Assessment tasks

- Synopsis
- Presentation of synopsis
- Presentation of outline
- Presentation of summary
- Submission of Thesis

Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

Learning outcomes

- Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;
- Choose an appropriate topic for a legal research project that has the potential to lead to a publishable scholarly paper;
- Raise claims and construct logically sound arguments to back them;
- Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

Assessment tasks

- Presentation of outline
- Presentation of summary
- Submission of Thesis
Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

Learning outcomes

- Understand, use and evaluate relevant conceptual and normative frameworks and apply relevant modes of analytical and critical reasoning in relation to legal questions in both oral and written form;
- Raise claims and construct logically sound arguments to back them;
- Perform an oral presentation of a research outcome within an academic environment; and
- Formulate and present oral and written arguments, drawing on relevant considerations related to a legal research project, utilising appropriate referencing and citation methods.

Assessment tasks

- Synopsis
- Presentation of synopsis
- Presentation of outline
- Presentation of summary
- Submission of Thesis

Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

Assessment task

- Presentation of outline