LAWS12072 *Legal Research*
Term 2 - 2020

Profile information current as at 21/05/2024 03:27 pm

General Information

Overview

In your first year of law studies you will have learned the foundations of legal research and knowledge management. Legal Research will develop these skills to a level appropriate for a legal professional working as a researcher, legal project manager and in all other areas of legal practice. You will learn to access, analyse and evaluate information from legal authorities and from other relevant disciplinary knowledge bases. In Legal Research you will work with your peers in a learning community to apply your research skills in the context of a current legal research project such as contemporary law reform issue, a project for a community legal centre or the work of a research centre. You will prepare a research document which engages with a real public interest law issue and produce an artefact which will then form part of your professional portfolio.

Details

Career Level: *Undergraduate*
Unit Level: *Level 2*
Credit Points: *6*
Student Contribution Band: *10*
Fraction of Full-Time Student Load: *0.125*

Pre-requisites or Co-requisites

Pre-requisite: LAWS11057 Introduction to Law
Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the Assessment Policy and Procedure (Higher Education Coursework).

Offerings For Term 2 - 2020

- Online

Attendance Requirements

All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

Website

This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.

Class and Assessment Overview

Recommended Student Time Commitment
Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

Class Timetable

Regional Campuses

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

Metropolitan Campuses

Adelaide, Brisbane, Melbourne, Perth, Sydney

Assessment Overview
1. **Written Assessment**
Weighting: 20%
2. **Written Assessment**
Weighting: 60%
3. **Portfolio**
Weighting: 20%

Assessment Grading
This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the University's Grades and Results Policy for more details of interim results and final grades.

CQUniversity Policies

All University policies are available on the CQUniversity Policy site.
You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the CQUniversity Policy site.

Previous Student Feedback

Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

Feedback from Surveys

Feedback

Many students liked the iterative process where the weekly tasks contributed to the construction of the final research paper.

Recommendation

Continue this practice and gather further feedback from students about their study and writing habits.

Feedback from Surveys

Feedback

There was a range of responses on the difficulty level, a few students felt it was too introductory others felt it was too advanced. Most were satisfied.

Recommendation

Further encourage students to self-audit skills at the start of the unit and provide feedback to the coordinator about their individual needs.

Feedback from Surveys

Feedback

Some students dislike the MS Tools communication tool which was trialled in this unit. Some students disliked the platform even though it was not compulsory and any content was also delivered in moodle as well.

Recommendation

MS Tools is going to become a core part of CQU's communication repertoire, the trial experience has provided a source of feedback to TASAC for the when the full rollout occurs to aid in transition.

Feedback from Surveys

Feedback

Some students experience timetable clashes

Recommendation

Timetables are set in the expectation that students are following their course planners. It is impossible to predict clashes where students making divergent choices, particularly in a large unit. We can keep encouraging students to follow the planners.

Unit Learning Outcomes

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

1. Develop and evaluate strategies for solving legal problems, researching options and presenting solutions using a variety of different research and collaboration tools
2. Analyse legal problems through critical thinking, evaluating and weighing evidence and developing alternative solutions
3. Engage in collaborative research as a member of the learning community and as an ethically responsible professional
4. Activate solutions and apply research toward legal change in context of a practical research project of public interest.

Alignment of Learning Outcomes, Assessment and Graduate Attributes

— N/A Level   ○ Introductory Level   ○ Intermediate Level   ● Graduate Level   ○ Professional Level   ○ Advanced Level

Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes			
	1	**2**	**3**	**4**
1 - Portfolio - 20%	●	●		
2 - Written Assessment - 20%	●	●	●	
3 - Written Assessment - 60%		●	●	●

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes			
	1	**2**	**3**	**4**
1 - Communication	●			●
2 - Problem Solving	●	●	●	
3 - Critical Thinking	●	●		
4 - Information Literacy	●			
5 - Team Work	●		●	
6 - Information Technology Competence	●			
7 - Cross Cultural Competence				●
8 - Ethical practice			●	●
9 - Social Innovation				
10 - Aboriginal and Torres Strait Islander Cultures				

Alignment of Assessment Tasks to Graduate Attributes

Assessment Tasks	Graduate Attributes									
	1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**
1 - Portfolio - 20%	●	●		●		●				
2 - Written Assessment - 20%	●	●	●			●				
3 - Written Assessment - 60%	●	●	●		●		●	●		

Textbooks and Resources

Textbooks
LAWS12072

Prescribed

Nemes and Coss' Effective Legal Research
7th edition (2018)
Authors: Bruce Bott and Ruth Talbot-Stokes
LexisNexis Butterworths
NSW , Australia
ISBN: 9780409348095
Binding: Paperback

Additional Textbook Information
If you prefer to study with a paper copy, they are available at the CQUni Bookshop here: http://bookshop.cqu.edu.au
(search on the Unit code). eBooks are available at the publisher's website.

IT Resources
You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- Zoom app on your smart phone or access to Zoom on your laptop

Referencing Style

All submissions for this unit must use the referencing style: Australian Guide to Legal Citation, 4th ed
For further information, see the Assessment Tasks.

Teaching Contacts

Nichola Corbett-Jarvis Unit Coordinator
n.corbett-jarvis@cqu.edu.au

Schedule

Week 1: Introduction to Legal Research - 13 Jul 2020

Module/Topic	Chapter	Events and Submissions/Topic
Introduction to Legal Research.	Queensland Law Reform Commission Consultation Paper, 'Civil surveillance and privacy review' (2018), 5 - 45 (inclusive), available at: <https://www.qlrc.qld.gov.au/__data/assets/pdf_file/0007/591766/qlrc-wp-no-77.pdf>	Weekly online Zoom workshop.

Week 2: Analysing Legal Issues - 20 Jul 2020

Module/Topic	Chapter	Events and Submissions/Topic
Analysing Legal Issues.	Nichola Corbett-Jarvis and Brendan Grigg, Effective Legal Writing: A Practical Guide (LexisNexis Butterworths, 2nd ed, 2017), sections 5.75 - 5.130 (inclusive)	Weekly online Zoom workshop.

Week 3: Project Management and Ethical Research - 27 Jul 2020

Module/Topic	Chapter	Events and Submissions/Topic
Project Management and Ethical Research.	Bruce Bott and Ruth Talbot-Stokes, *Nemes and Coss' Effective Legal Research* (LexisNexis Butterworths, 7th ed, 2018), Chapter 3. Elizabeth Gritter, 'Time Management Tips for Dissertation Writing', (2011), available at <http://www.stcloudstate.edu/elhe/_files/documents/dissertation/time-management-tips.pdf> David B Resnick, 'What is ethics in research and why is it important?' (Dec 1 2015), available at <https://www.niehs.nih.gov/research/resources/bioethics/whatis/>	Weekly online Zoom workshop.

Week 4: Focus on Rules - 03 Aug 2020

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Rules.	Bruce Bott and Ruth Talbot-Stokes, *Nemes and Coss*' *Effective Legal Research* (LexisNexis Butterworths, 7th ed, 2018), Chapter 6. Michael Kirby, 'Statutory Interpretation: The Meaning of Meaning' (2011) 35(1) *Melbourne University Law Review* 113	Weekly online Zoom workshop.

Week 5: Focus on Cases - 10 Aug 2020

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Cases.	Bruce Bott and Ruth Talbot-Stokes, *Nemes and Coss*' *Effective Legal Research* (LexisNexis Butterworths, 7th ed, 2018), Chapter 7.	Weekly online Zoom workshop. **Project Plan** Due: Week 5 Friday (14 Aug 2020) 11:59 pm AEST

Vacation Week - 17 Aug 2020

Module/Topic	Chapter	Events and Submissions/Topic
		No Zoom workshop this week.

Week 6: Focus on Secondary Sources - 24 Aug 2020

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Secondary Sources.	Bruce Bott and Ruth Talbot-Stokes, *Nemes and Coss*' *Effective Legal Research* (LexisNexis Butterworths, 7th ed, 2018), Chapter 5.	Weekly online Zoom workshop.

Week 7: Focus on Data and Other Sources - 31 Aug 2020

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Data and Other Sources.	Wing Hong Chui, 'Quantitative Legal Research' in Mike McConville and Wing Hong Chui (eds), Research Methods for Law (Edinburgh University Press, 2007).	Weekly online Zoom workshop.

Week 8: Legal Writing - 07 Sep 2020

Module/Topic	Chapter	Events and Submissions/Topic
Legal Writing.	Nichola Corbett-Jarvis and Brendan Grigg, Effective Legal Writing: A Practical Guide (LexisNexis Butterworths, 2nd ed, 2017), Chapter 4.	Weekly online Zoom workshop.

Week 9: Presenting Research to an Audience - 14 Sep 2020

Module/Topic	Chapter	Events and Submissions/Topic
Presenting Research to an Audience.	Jordan Furlong, '9 steps to a presentation that won't leave your audience hating you' (2013), available at <http://www.stemlegal.com/strategyblog/2013/9-steps-to-a-presentation-that-wont-leave-your-audience-hating-you/>	Weekly online Zoom workshop.

Week 10: Providing Feedback through Peer Review - 21 Sep 2020

Module/Topic	Chapter	Events and Submissions/Topic
Providing Feedback through Peer Review.	No reading this week. Further instructions for carrying out the peer review process will be provided on the Moodle site.	Weekly online Zoom session.

Week 11: Professional Practice and Reflection - 28 Sep 2020

Module/Topic	Chapter	Events and Submissions/Topic
Professional Practice and Reflection.	Nickolas James and Rachael Field, *The New Lawyer* (Wiley, 2013), 354 - 365 Giada di Stephano et al, 'Making experience count: The role of reflection in individual learning' (2016), available at <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2414478>	Weekly online Zoom workshop.

Week 12 - 05 Oct 2020		
Module/Topic	**Chapter**	**Events and Submissions/Topic**
		Final Project Due: Week 12 Tuesday (6 Oct 2020) 11:59 pm AEST

Week 13 - 12 Oct 2020		
Module/Topic	**Chapter**	**Events and Submissions/Topic**
		Research Portfolio Due: Review/Exam Week Monday (12 Oct 2020) 11:59 pm AEST

Assessment Tasks

1 Project Plan

Assessment Type
Written Assessment

Task Description
In this Unit, you will be explore a portion of a law reform issues paper. As part of your Final Project (due in week 12), you will develop a submission to the law reform issues paper. Your first task will be to develop a Project Plan in order to gain feedback from your tutor about your intended arguments, methodology and time planning.
This Project Plan must include:
· A statement of your research topic, with identification of your critical argument;
· An summary of the legal, jurisdictional and regulatory issues;
· An overview of the current field of research (including citations). You should identify the documents of key organisations, important research voices and significant publications where appropriate; and
· A time management plan, indicating key timelines and identifying any organisational matters.
Your Project Plan should not be more than 1,000 words in length. You may attach diagrams, charts or tables as an appendix, which do not form part of the word count.

Assessment Due Date
Week 5 Friday (14 Aug 2020) 11:59 pm AEST

Return Date to Students

Feedback will be provided within 2 weeks of submission

Weighting
20%

Assessment Criteria
The Project Plan assesses your ability to:

- identify and frame a research question or topic;
- design a suitable plan and timelines;
- identify likely outcomes and arguments;
- engage in critical analysis of legal and interdisciplinary issues;
- reflect on work to date and establish what further work is required; and
- communicate effectively in writing.

Referencing Style

- Australian Guide to Legal Citation, 4th ed

Submission
Online

Learning Outcomes Assessed

- Develop and evaluate strategies for solving legal problems, researching options and presenting solutions using a variety of different research and collaboration tools

- Analyse legal problems through critical thinking, evaluating and weighing evidence and developing alternative solutions
- Engage in collaborative research as a member of the learning community and as an ethically responsible professional

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Technology Competence

2 Final Project

Assessment Type
Written Assessment

Task Description
As legal practitioners, we have a professional responsibility to protect the rule of law and the integrity of our legal systems. One aspect of this ethical duty is the responsibility to engage with law reform, particularly through the inquiries of state and federal Law Reform Commissions. These organisations have their own research staff but also rely on the public submissions of professionals, organisations and members of the community to assist in the process. If you work in government, not-for-profit organisations, community legal centres or businesses affected by particular policies you may be asked to engage in research and evaluation of a particular area of the law. Your research skills must therefore be refined so that you can tackle both discrete and large research projects.
In this Unit we are using the context of a law reform submission to explore the full spectrum of legal research skills required for legal practice and other law-related roles. Throughout the term, you must work on your submission, informed by the weekly workshop tasks, peer review exercise and the feedback that you receive on your Project Plan.

Assessment Due Date
Week 12 Tuesday (6 Oct 2020) 11:59 pm AEST

Return Date to Students

We will endeavour to return grades within 2 weeks of submission

Weighting
60%

Assessment Criteria
The Final Project assesses your ability to:

- design an innovative research problem or question;
- structure a reasoned, logical argument;
- engage in legal and interdisciplinary research;
- critically analyse legal and interdisciplinary materials;
- cite suitable sources and evidence in support of assertions;
- reach informed conclusions grounded in the arguments presented in the paper; and
- communicate effectively in writing (including grammar, spelling and referencing)

Please see the criteria rubric in the 'Assessment' area of Moodle for more information about the above criteria.

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

Submission
Online

Learning Outcomes Assessed

- Analyse legal problems through critical thinking, evaluating and weighing evidence and developing alternative solutions
- Engage in collaborative research as a member of the learning community and as an ethically responsible professional
- Activate solutions and apply research toward legal change in context of a practical research project of public interest.

Graduate Attributes

- Communication

- Problem Solving
- Critical Thinking
- Team Work
- Cross Cultural Competence
- Ethical practice

3 Research Portfolio

Assessment Type
Portfolio

Task Description
This Unit models a regular and incremental approach to research that is consistent with professional life. The life-cycle of a research project is broken into weekly workshop tasks in order to develop an orderly and iterative progress toward completion. Through discussion of these tasks in weekly Zoom workshops and in the forums, you will be able to get further guidance and feedback on your progress from your tutor and your peers.
There is no word limit for this assessment item as the tasks involve a broad range of activities. However, a half to a full page should be sufficient for most tasks. The aim of the assessment is to show the incremental progression of your research skills, your ability to engage in critical analysis and to encourage you to engage in reflective practice.

Assessment Due Date
Review/Exam Week Monday (12 Oct 2020) 11:59 pm AEST

Return Date to Students

We endeavour to return grades within 2 weeks from the date of submission.

Weighting
20%

Assessment Criteria
The Portfolio assesses your ability to:

- locate and critically analyse appropriate legal and interdisciplinary sources;
- engage in self-evaluation and critical reflection;
- present information in a range of contexts and to a variety of audiences;
- provide comprehensive and constructive feedback to a peer on their Final Project; and
- communicate effectively orally and in writing.

Please see the criteria rubric in the 'Assessment' area of Moodle for further information about the above criteria.

Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

Submission
Online

Learning Outcomes Assessed

- Develop and evaluate strategies for solving legal problems, researching options and presenting solutions using a variety of different research and collaboration tools
- Analyse legal problems through critical thinking, evaluating and weighing evidence and developing alternative solutions

Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Information Technology Competence
- Cross Cultural Competence

Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the **Student Academic Integrity Policy and Procedure**. This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

What is a breach of academic integrity?
A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

Why is academic integrity important?
A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

Where can I get assistance?
For academic advice and guidance, the Academic Learning Centre (ALC) can support you in becoming confident in completing assessments with integrity and of high standard.

What can you do to act with integrity?

Be Honest
If your assessment task is done by someone else, it would be dishonest of you to claim it as your own

Seek Help
If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)

Produce Original Work
Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem