



# LAWS12072 Legal Research

## Term 3 - 2021

Profile information current as at 27/04/2024 02:40 am

All details in this unit profile for LAWS12072 have been officially approved by CQUUniversity and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

### General Information

#### Overview

Legal Research builds upon your existing legal research skills acquired in Introduction to Law to enhance your ability to locate, analyse and apply a range of legal and interdisciplinary sources in a range of contexts. In this unit, you will work on a research project that involves critical analysis of a contemporary legal issue and its potential solutions. You will also build a research portfolio in which you will apply your research skills to a range of authentic research exercises you are likely to face as a trainee or newly qualified lawyer and engage in self-reflection and peer review.

#### 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

Co-requisite: LAWS11057

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 3 - 2021

- 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. **Portfolio**

Weighting: 60%

#### 2. **Written Assessment**

Weighting: 40%

### 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 Student evaluations

##### **Feedback**

Some students indicated that the portfolio, when combined with the research project, was too much work.

##### **Recommendation**

Portfolios were worth 60% and required students to compile their workshop preparation into a portfolio. This means that a large percentage of the assessment in this unit is automatically generated by students completing their preparation for the weekly workshop tasks. The weekly workshop tasks were designed to help students prepare their research project. For example, content focused on project management, researching primary and secondary legal sources, locating interdisciplinary materials and drafting persuasive arguments all helped students prepare their research project. There are therefore solid reasons for retaining this type of assessment. However, the overall recommendation is that this unit requires a review and for the content and assessment in this unit to be designed in accordance with the objectives of the law program and mapped to the law degree as a whole.

#### Feedback from Student evaluations

##### **Feedback**

Some students liked the authentic research exercises and would prefer these tasks to a research project. Other students preferred being exposed to a law reform project.

##### **Recommendation**

The authentic legal research tasks, which included memos requiring students to complete a short research task for a supervisor in a law firm, were incorporated into the 2021 delivery as a result of student feedback. The weighting of the research project was reduced to reflect the fact that the unit was now also addressing authentic research tasks. Although some students saw great benefit in the diverse tasks, others found it distracted from the research project. The unit and the assessment should be thoroughly reviewed to identify a suitable structure and design that aligns with the objectives of the law program and maps correctly to the course curriculum.

#### Feedback from Student evaluations, emails

##### **Feedback**

Students appreciated the videos on advanced legal research techniques for the legal databases

##### **Recommendation**

Regardless of what changes are implemented regarding the assessment in the unit, the videos focused on navigating databases and using advanced research techniques should be retained and the unit coordinator should work closely with the library to ensure the development of other suitable videos on how to locate resources through the library's numerous databases.

## Unit Learning Outcomes

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

1. Identify issues in ill-defined legal problems and conduct legal research to provide advice and recommendations using relevant and suitable sources.
2. Design and complete a legal research project utilising suitable research methods to locate credible legal and interdisciplinary sources.
3. Respond to complex and dynamic issues through critical analysis of the law and evaluating evidence and potential solutions.
4. Communicate effectively both orally and in writing in a range of professional and academic contexts.
5. Critically reflect on work and provide comprehensive feedback to others through a peer review process.

## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes				
	1	2	3	4	5
1 - Portfolio - 60%	•		•	•	•
2 - Written Assessment - 40%	•	•	•	•	

### Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes				
	1	2	3	4	5
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 - 60%	•	•	•	•	•	•				
2 - Written Assessment - 40%	•	•	•	•		•				

## Textbooks and Resources

### Textbooks

**There are no required textbooks.**

#### Additional Textbook Information

There is no prescribed textbook for this unit, but students must complete weekly readings provided on the e-Readings list.

### IT Resources

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

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- ZOOM
- MS Teams

## 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

**Malcolm Barrett** Unit Coordinator

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**Nichola Corbett-Jarvis** Unit Coordinator

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## Schedule

### Week 1: Introduction to Legal Research - 08 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Introduction to Legal Research.		Weekly online Zoom workshop.

### Week 2: Analysing Legal Issues - 15 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Analysing Legal Issues.	Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 3rd ed, 2021), sections 5.73 - 5.125 (available as an e-book in the library).	Weekly online Zoom workshop.

### Week 3: Project Management and Ethical Research - 22 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
Project Management and Ethical Research.	Elizabeth Gritter, 'Time Management Tips for Dissertation Writing' (2011), <a href="http://thesawh.org/wp-content/uploads/2012/06/Gritter_Revised_Time_Management_Tips_SAWH_Toolkit_Submission.pdf">http://thesawh.org/wp-content/uploads/2012/06/Gritter_Revised_Time_Management_Tips_SAWH_Toolkit_Submission.pdf</a> David B Resnick, 'What is ethics in research and why is it important?' (1 Dec 2015), <a href="https://www.niehs.nih.gov/research/resources/bioethics/whatis/">https://www.niehs.nih.gov/research/resources/bioethics/whatis/</a>	Weekly online Zoom workshop.

### Week 4: Focus on Rules - 29 Nov 2021

Module/Topic	Chapter	Events and Submissions/Topic
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Focus on Rules.	Jay Sanderson, Droccos Stamboulakis and Kim Kelly, <i>A Practical Guide to Legal Research</i> (Lawbook Co, 5th ed, 2021), Chapter 2 (available as an e-book in the e-Readings list). Michael Kirby, 'Statutory Interpretation: The Meaning of Meaning' (2011) 35(1) <i>Melbourne University Law Review</i> 113	Weekly online Zoom workshop.
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#### Vacation Week - 06 Dec 2021

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

#### Week 5: Focus on Cases - 13 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Cases.	Jay Sanderson, Droccos Stamboulakis and Kim Kelly, <i>A Practical Guide to Legal Research</i> (Lawbook Co, 5th ed, 2021), Chapter 3 (available as an e-book in the e-Readings list).	Weekly online Zoom workshop.

#### Week 6: Focus on Secondary Sources - 20 Dec 2021

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Secondary Sources.	Either: 1) Bruce Bott and Ruth Talbot-Stokes, Nemes and Coss', <i>Effective Legal Research</i> (LexisNexis Butterworths, 6th ed, 2015) sections 5.38 - 5.104 (available in the e-Readings list); or 2) Jay Sanderson, Droccos Stamboulakis and Kim Kelly, <i>A Practical Guide to Legal Research</i> (Lawbook Co, 5th ed, 2021), Chapter 4 (available as an e-book in the e-Readings list).	Weekly online Zoom workshop. Part 1 of Research Portfolio due 11.59 pm on Wednesday 22 December 2021 (Qld time).

#### Vacation Week - 27 Dec 2021

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

#### Week 7: Focus on Data and Other Sources - 03 Jan 2022

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), <i>Research Methods for Law</i> (Edinburgh University Press, 2007).	Weekly online Zoom workshop.

#### Week 8: Legal Writing - 10 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Legal Writing.	Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 3rd ed, 2021), Chapter 4 and revisit sections 5.73 - 5.125 (available as an e-book in the library).	Weekly online Zoom workshop.

#### Week 9: Presenting to an Audience - 17 Jan 2022

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

#### Week 10: Providing Feedback through Peer Review - 24 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
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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.
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### Week 11: Professional Practice and Reflection - 31 Jan 2022

Module/Topic	Chapter	Events and Submissions/Topic
Professional Practice and Reflection.	Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 3rd ed, 2021), sections 5.165 - 5.183 (available as an e-book in the library).	Weekly online Zoom workshop.

### Week 12: Writing week - 07 Feb 2022

Module/Topic	Chapter	Events and Submissions/Topic
This week is reserved for writing/ working on the Research Project.	No reading this week.	Drop in Zoom session. <b>Research Project Due:</b> Week 12 Friday (11 Feb 2022) 11:59 pm AEST

### Exam Week - 14 Feb 2022

Module/Topic	Chapter	Events and Submissions/Topic
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## Assessment Tasks

### 1 Research Portfolio

#### Assessment Type

Portfolio

#### Task Description

As part of your portfolio, you will also be required to undertake a range of discrete research exercises similar to those supervisors in a law firm expect trainees or newly qualified lawyers to complete. In these exercises you will be experience the type of research and analysis lawyers must undertake to be able to provide comprehensive advice to others. These authentic exercises will require you to use advanced research techniques to locate primary sources as part of your identification and interpretation of the relevant law and its application to the facts. While the content of these exercises may not be connected to the research project, the exercises will further enhance your analytical and research skills generally.

As part of your portfolio you will also complete weekly tasks designed to help you develop an orderly and iterative progress toward completion of your research project. Through discussion of these tasks in weekly Zoom workshops and in the forums, and through a peer review exercise, you will be able to get further guidance and feedback on your progress from your tutor and your peers. The aim of this aspect 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.

Your research portfolio will be submitted in two parts:

Part 1: research exercise and weekly activities from weeks 1 to 5 due in week 6.

Part 2: research exercise and weekly activities from weeks 6 to 11 due in week 11.

#### Assessment Due Date

Part 1: weeks 1 to 5 due by 11.59 pm on Wednesday 22 December 2021 (Qld time) (week 6). Part 2: weeks 6 to 11 due by 11.59 pm on Friday 4 February 2022 (Qld time) (week 11).

#### Return Date to Students

Grades will be returned within 2 weeks of the due date.

#### Weighting

60%

#### Assessment Criteria

The Research Portfolio assesses your ability to:

- locate and critically analyse suitable sources;

- interpret and apply the law to factual scenarios;
- present information in a range of contexts and to a variety of audiences;
- provide comprehensive and constructive feedback to a peer on their Research Project;
- engage in self-evaluation and critical reflection; 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

- Identify issues in ill-defined legal problems and conduct legal research to provide advice and recommendations using relevant and suitable sources.
- Respond to complex and dynamic issues through critical analysis of the law and evaluating evidence and potential solutions.
- Communicate effectively both orally and in writing in a range of professional and academic contexts.
- Critically reflect on work and provide comprehensive feedback to others through a peer review process.

### Graduate Attributes

- Communication
- Problem Solving
- Critical Thinking
- Information Literacy
- Team Work
- Information Technology Competence

## 2 Research 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 system. One aspect of this ethical duty is the responsibility to engage with law reform. Organisations conducting inquiries into law reform, such as Law Reform Commissions and Parliamentary Committees, 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 current law reform topic 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 and peer review exercise. You are encouraged to collaborate with those working on a similar topic on locating suitable sources and information, although your project must be submitted individually and be entirely your own work.

### Assessment Due Date

Week 12 Friday (11 Feb 2022) 11:59 pm AEST

### Return Date to Students

Grades may not be returned until the certification of grades.

### Weighting

40%

### Assessment Criteria

The Research Project assesses your ability to:

- structure a reasoned, logical argument;
- critically analyse legal and interdisciplinary materials;
- adopt an evidence-based approach to discussion and analysis;
- reach informed conclusions grounded in the arguments presented in the paper; and

- communicate effectively in writing (including grammar, spelling and referencing) and present arguments in a professional manner.

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**

- Identify issues in ill-defined legal problems and conduct legal research to provide advice and recommendations using relevant and suitable sources.
- Design and complete a legal research project utilising suitable research methods to locate credible legal and interdisciplinary sources.
- Respond to complex and dynamic issues through critical analysis of the law and evaluating evidence and potential solutions.
- Communicate effectively both orally and in writing in a range of professional and academic contexts.

### **Graduate Attributes**

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