



LAWS12072 Legal Research

Term 2 - 2023

Profile information current as at 09/05/2024 06:14 am

All details in this unit profile for LAWS12072 have been officially approved by CQUniversity 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 legal and interdisciplinary sources in a range of contexts in preparation for your future law studies and legal practice. In this unit, you will engage in authentic research exercises you would be expected to complete as a trainee or newly qualified lawyer and carry out related skills-based tasks, such as conducting a client interview and drafting a letter of advice. You will also prepare a research portfolio in response to authentic research tasks.

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 and a minimum 24 credit points.

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 - 2023

- 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. **Practical Assessment**

Weighting: 50%

2. **Online Quiz(zes)**

Weighting: 20%

3. **Portfolio**

Weighting: 30%

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 SUTE, student feedback to the tutor

Feedback

Students enjoyed exposure to realistic scenarios and practical legal skills in the client interviewing and letter of advice tasks.

Recommendation

Retain the client interviewing exercise and letter of advice to a client as this provides students with an authentic representation of the type of work they will be expected to complete as a trainee or newly qualified lawyer. Continue to work with local lawyers to help design the scenarios that feature in the client files.

Feedback from Email, SUTE, student feedback to the tutor

Feedback

The timing of the client interview and letter writing task (submitted in week 5) meant that some students had to be re-partnered as their partner withdrew at census date.

Recommendation

In future, the client interviewing and letter writing exercise should be submitted in week 5 or later in the term so that client interviewing partners are confirmed after census date.

Unit Learning Outcomes

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

1. Strategise and conduct a client interview to obtain relevant information from a client and provide advice to a client in an effective and professional manner.
2. Locate and evaluate relevant and credible legal and interdisciplinary sources.
3. Communicate effectively both orally and in writing in a range of professional and academic contexts.

Alignment of Learning Outcomes, Assessment and Graduate Attributes

 N/A Level	 Introductory Level	 Intermediate Level	 Graduate Level	 Professional Level	 Advanced Level
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Alignment of Assessment Tasks to Learning Outcomes

Assessment Tasks	Learning Outcomes		
	1	2	3
1 - Practical Assessment - 50%	•	•	•
2 - Online Quiz(zes) - 20%		•	
3 - Portfolio - 30%	•	•	•

Alignment of Graduate Attributes to Learning Outcomes

Graduate Attributes	Learning Outcomes		
	1	2	3
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			

Textbooks and Resources

Textbooks

There are no required textbooks.

IT Resources

You will need access to the following IT resources:

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)
- Microsoft Teams
- Zoom (both microphone and webcam capability)

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: Client Interviewing - 10 Jul 2023

Module/Topic	Chapter	Events and Submissions/Topic
Client Interviewing.	Ross Hymans, Susan Campbell and Adrian Evans, <i>Practical Legal Skills: Developing Your Clinical Technique</i> (Oxford University Press, 5th ed, 2021), Chapters 2 and 3.	Weekly online Zoom workshop.

Week 2: Legal Writing: Correspondence - 17 Jul 2023

Module/Topic	Chapter	Events and Submissions/Topic
Legal Writing: Correspondence	Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 3 rd ed, 2021), sections 6 – 6.92.	Weekly online Zoom workshop.

Week 3: Project Management - 24 Jul 2023

Module/Topic	Chapter	Events and Submissions/Topic
Project Management.	David B Resnick, 'What is ethics in research and why is it important' (Dec 1 2015) https://www.niehs.nih.gov/research/resources/bioethics/whatis/ Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 3rd ed, 2021), sections 8.5 - 8.40. Reference reading: <i>National Statement on Ethical Conduct in Human Research</i> (2007, updated 2018) https://www.nhmrc.gov.au/about-us/publications/national-statement-ethical-conduct-human-research-2007-updated-2018	Weekly online Zoom workshop.

Week 4: Analysing Legal Issues - 31 Jul 2023

Module/Topic	Chapter	Events and Submissions/Topic
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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 - 5.94. Reference reading: Scott Beattie, <i>The Law Workbook</i> (The Federation Press, 3 rd ed, 2010), Chapter 10 'Law reform'	Weekly online Zoom workshop.
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Week 5: Focus on Rules - 07 Aug 2023

Module/Topic	Chapter	Events and Submissions/Topic
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. The Honourable Justice Michael Kirby, 'Statutory Interpretation: The Meaning of Meaning' (2011) 35(1) <i>Melbourne University Law Review</i> 113. Reference reading: Nickolas James, Rachael Field and Jackson Walkden-Brown, <i>The New Lawyer: Foundations of Law</i> (Wiley, 2019), section 5.3.	Weekly online Zoom workshop.

Vacation Week - 14 Aug 2023

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

Week 6: Focus on Cases - 21 Aug 2023

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Cases.	Sanderson, Droccos Stamboulakis and Kim Kelly, <i>A Practical Guide to Legal Research</i> (Lawbook Co, 5th ed, 2021), Chapter 3. Reference reading: Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 3 rd ed, 2021), sections 5.126 - 5.158.	Weekly online Zoom workshop. Practical Assessment Due: Week 6 Monday (21 Aug 2023) 11:59 pm AEST

Week 7: Focus on Secondary Sources - 28 Aug 2023

Module/Topic	Chapter	Events and Submissions/Topic
Focus on Secondary Sources.	Jay Sanderson, Droccos Stamboulakis and Kim Kelly, <i>A Practical Guide to Legal Research</i> (Lawbook Co, 5th ed, 2021), Chapter 4	Weekly online Zoom workshop.

Week 8: Focus on Data and Other Sources - 04 Sep 2023

Module/Topic	Chapter	Events and Submissions/Topic
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Focus on Data and Other Sources.

No reading this week.

Weekly online Zoom workshop.

Week 9: Legal Writing: Presenting Arguments - 11 Sep 2023

Module/Topic	Chapter	Events and Submissions/Topic
Legal Writing: Presenting Arguments.	Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 3 rd ed, 2021), sections 5.95 – 5.125 and Chapter 4. Reference reading: Nichola Corbett-Jarvis and Brendan Grigg, <i>Effective Legal Writing: A Practical Guide</i> (LexisNexis Butterworths, 2nd ed, 2017), Chapter 4 (This focuses on plagiarism and tips on how to avoid it)	Weekly online Zoom workshop. Online Quiz Due: Week 9 Tuesday (12 Sept 2023) 11:59 pm AEST

Week 10: Presenting Research to an Audience - 18 Sep 2023

Module/Topic	Chapter	Events and Submissions/Topic
Presenting Research to an Audience.	Chris Anderson, <i>How to Give a Killer Presentation</i> (Harvard Business Review, 2013). Available at: https://hbr.org/2013/06/how-to-give-a-killer-presentation	Weekly online Zoom session.

Week 11: Professional Practice and Reflection - 25 Sep 2023

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	Weekly online Zoom workshop.

Week 12: Building a Professional Portfolio - 02 Oct 2023

Module/Topic	Chapter	Events and Submissions/Topic
Building a Professional Portfolio	No reading this week.	Weekly online Zoom workshop. Research Portfolio Due: Week 12 Friday (6 Oct 2023) 11:59 pm AEST

Assessment Tasks

1 Practical Assessment

Assessment Type

Practical Assessment

Task Description

This unit is designed to enhance a range of practical legal skills and this is achieved through your work on a 'client file' as part of this practical assessment. You will be required to conduct a client interview with another student in order to ascertain relevant information and you will then use your legal research skills to construct a letter of advice to the client. For this assessment, all students will therefore be required to work in groups of two and perform the role of lawyer and client.

Note: As students are reliant upon each other to conduct the client interviews, extensions are not permitted for this assessment.

Assessment Due Date

Week 6 Monday (21 Aug 2023) 11:59 pm AEST

You must submit a recording of your client interview and your letter of advice by the due date. You must comply with the task instructions regarding the uploading of the video recording to Echo360.

Return Date to Students

Week 9 Friday (15 Sept 2023)

Weighting

50%

Assessment Criteria

The client interview assesses your:

- ability to open the client interview in a courteous, professional and informative manner;
- ability communicate effectively with the client in a professional manner;
- interview technique;
- ability to respond to a client's questions and address areas of ambiguity;
- ability to close a client interview;

The letter of advice assesses your ability to:

- communicate in accordance with the needs of the reader and apply the principles of plain English drafting;
- conduct legal research on the legal issues;
- provide legal and practical advice on the legal issues;
- adopt a suitable structure in the letter and present information in accordance with drafting convention;
- communicate in writing in an effective and professional manner.

A criteria rubric is available under the 'Assessment tile' in Moodle.

Referencing Style

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

Submission

Online

Submission Instructions

Extensions are not permitted for this assessment as students must work in pairs (and are therefore reliant on each other) to conduct the client interviews. Students must include a link to the video recording of their interview with a client (in which they acted as the lawyer) and their letter of advice with their submission. To facilitate the provision of feedback, please upload a Word document.

Learning Outcomes Assessed

- Strategise and conduct a client interview to obtain relevant information from a client and provide advice to a client in an effective and professional manner.
- Locate and evaluate relevant and credible legal and interdisciplinary sources.
- Communicate effectively both orally and in writing in a range of professional and academic contexts.

2 Online Quiz

Assessment Type

Online Quiz(zes)

Task Description

The purpose of this task is to ensure that you can perform basic legal research tasks as a trainee or newly qualified lawyer in the future. You will be required to locate both primary and secondary sources on a range of legal databases and answer a number of multiple choice questions.

The online test will be released in week 8 and due by 11:59 pm on Tuesday 12 September 2023 (Qld time). You will have 2 hours (120 minutes) to complete the online test once you commence it. You have one attempt to complete the Quiz (you cannot save your answers and log back in). You must complete the Quiz window open while you conduct research on the relevant legal databases. Open tests will be submitted when the time expires and/or when the deadline is reached.

Number of Quizzes

1

Frequency of Quizzes

Other

Assessment Due Date

Week 9 Tuesday (12 Sept 2023) 11:59 pm AEST

Open attempts will be submitted automatically when the time limit expires and/or when the deadline is reached.

Return Date to Students

Tests are graded automatically. Scores/ answers will be released once all tests are submitted (including any extensions).

Weighting

20%

Assessment Criteria

Tests are graded automatically, but the test assesses the following skills:

- Your ability to locate cases and legislation on legal databases;
- Your ability to use, and interpret information in, a range of case citators;
- Your ability to note-up legislation;
- Your ability to locate information online in Halsbury's and the Laws of Australia
- Your ability to locate journal articles on a range of databases

Referencing Style

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

Submission

Online

Submission Instructions

You must submit your answers online and keep the Quiz window open in Moodle while you conduct research on the relevant databases. Open attempts will be submitted automatically when the time limit expires and/or when the deadline is reached.

Learning Outcomes Assessed

- Locate and evaluate relevant and credible legal and interdisciplinary sources.

3 Research Portfolio

Assessment Type

Portfolio

Task Description

As part of your portfolio, you will be required to undertake research exercises similar to those you might be expected to perform as a newly qualified lawyer working or volunteering in a Community Legal Centre or other not-for-profit organisation. These authentic exercises will require you to use advanced research techniques to locate relevant primary and secondary sources to formulate an oral presentation detailing your position on a particular project. You must produce an oral presentation on the research topic and also compile your weekly workshop tasks from weeks 3 - 11 to form the portfolio.

Assessment Due Date

Week 12 Friday (6 Oct 2023) 11:59 pm AEST

Both the oral presentation and portfolio must be submitted by the deadline (and the oral presentation must therefore be uploaded to Echo360 by the deadline).

Return Date to Students

Results may be withheld until the certification of grades.

Weighting

30%

Assessment Criteria

This task assesses your ability to:

- Locate and critically analyse suitable sources;
- Engage in self-evaluation and critical reflection;
- Communicate effectively in writing;
- Present arguments in a logical and persuasive manner;
- Present information orally in an effective manner;
- Critically analyse legal and interdisciplinary sources and adopt an evidence-based approach; and

- Reach logical, informed conclusions grounded in the arguments presented.

Referencing Style

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

Submission

Online

Submission Instructions

You must upload your recording of your oral presentation to Echo360 in accordance with the task instructions. You must also submit your research portfolio as a Word document.

Learning Outcomes Assessed

- Strategise and conduct a client interview to obtain relevant information from a client and provide advice to a client in an effective and professional manner.
- Locate and evaluate relevant and credible legal and interdisciplinary sources.
- Communicate effectively both orally and in writing in a range of professional and academic contexts.

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