

# LAW210 Civil Procedure

**School:** School of Law and Society

2025 | Semester 1

UniSC Sunshine Coast  
UniSC Moreton Bay

**BLENDED  
LEARNING**

Most of your course is on campus but you may be able to do some components of this course online.

Online

**ONLINE**

You can do this course without coming onto campus, unless your program has specified a mandatory onsite requirement.

Please go to [usc.edu.au](http://usc.edu.au) for up to date information on the teaching sessions and campuses where this course is usually offered.

## 1. What is this course about?

### 1.1. Description

This course provides you with an introduction to the procedural rules that govern how civil litigation is conducted in the courts. The course contains an overview of the entire body of rules of civil procedure ranging from commencement of proceedings, to defining issues for trial, to enforcement of judgments. There is particular emphasis upon case management procedures adopted by courts and the various alternative dispute resolution mechanisms that are used to assist people to resolve civil disputes without recourse to a contested hearing and judgment by a court.

### 1.2. How will this course be delivered?

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
<b>BLENDED LEARNING</b>			
<b>Learning materials</b> – Online Learning Materials	1.5hrs	Week 1	12 times
<b>Tutorial/Workshop 1</b> – On-Campus Tutorial	2hrs	Week 2	10 times
<b>ONLINE</b>			
<b>Learning materials</b> – Online Learning Materials	1.5hrs	Week 1	12 times
<b>Tutorial/Workshop 1</b> – Online Tutorial	2hrs	Week 2	10 times

### 1.3. Course Topics

In this comprehensive course on Civil Procedure, students will develop a thorough understanding of the legal framework and processes governing civil litigation. In addition to an overview of civil litigation, its stages and processes, key topics covered include:

- Jurisdiction – *Which courts have the authority to hear and decide civil cases?* (Jurisdictional and cross-vesting issues)
- Commencing and Responding to Proceedings – *How does one engage in the preliminary actions of proceedings?* (Preparation and Filing of a Claim and Statement of Claim or Application and Affidavit, Service of Documents, Filing a Defence and Notice of Intention to Defend in response to a Claim)
- Pleadings – *How do you communicate with other parties?* (Exchanging Pleadings, Parties and Causes of Action, Discovery, Disclosure, Interrogatories, Trial Evidence Procedures)
- Trial Processes – *What are the processes that may arise throughout and beyond the course of litigation?* (Trial and Appeal Processes, Interlocutory Procedures such as Injunctions and Settlement, Costs, Enforcement)
- Alternative Dispute Resolution - *What are alternative ways of resolving legal disputes outside of a trial?*

## 2. What level is this course?

200 Level (Developing)

Building on and expanding the scope of introductory knowledge and skills, developing breadth or depth and applying knowledge and skills in a new context. May require pre-requisites where discipline specific introductory knowledge or skills is necessary. Normally, undertaken in the second or third full-time year of an undergraduate programs.

## 3. What is the unit value of this course?

12 units

## 4. How does this course contribute to my learning?

COURSE LEARNING OUTCOMES		GRADUATE QUALITIES
On successful completion of this course, you should be able to...		Completing these tasks successfully will contribute to you becoming...
1	Identify legal issues within civil dispute scenarios, including alternative dispute resolution options.	Knowledgeable Empowered
2	Explain the relevant laws, processes and concepts of civil procedure to resolve a legal issue.	Knowledgeable
3	Utilise analysis and legal reasoning to apply knowledge effectively, generating appropriate and practical responses to complex civil procedure problems.	Knowledgeable Ethical
4	Demonstrate effective, persuasive, and contextually appropriate written and oral communication, including the drafting of court documents that are compliant with the relevant laws.	Empowered
5	Develop and demonstrate effective presentation skills, including proper referencing and citation techniques, to communicate legal information accurately and professionally.	Empowered

## 5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

### 5.1. Pre-requisites

(LAW100 and LAW105) or (LAW102 or LAW108)

### 5.2. Co-requisites

Not applicable

### 5.3. Anti-requisites

LAW304

### 5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

## 6. How am I going to be assessed?

### 6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

### 6.2. Details of early feedback on progress

Early feedback on progress will be enabled through discussion of students' responses to hypothetical scenarios during tutorials. These collaborative environments allow students to practice their own role as advocate – not only on behalf of their imagined client, but through the practice of professional skills like mediation and negotiation.

### 6.3. Assessment tasks

DELIVERY MODE	TASK NO.	ASSESSMENT PRODUCT	INDIVIDUAL OR GROUP	WEIGHTING %	WHAT IS THE DURATION / LENGTH?	WHEN SHOULD I SUBMIT?	WHERE SHOULD I SUBMIT IT?
All	1	Activity Participation	Individual	10%	2 hour tutorials	Throughout teaching period (refer to Format)	Online Assignment Submission with plagiarism check
All	2	Portfolio	Individual	40%	Varied	Refer to Format	Online Assignment Submission with plagiarism check
All	3	Examination - Centrally Scheduled	Individual	50%	3 Hours	Exam Period	Online Assignment Submission with plagiarism check

#### All - Assessment Task 1: Tutorial Participation

GOAL:	The goal of this task is to assess your ability to identify and respond to questions on civil process and procedure.				
PRODUCT:	Activity Participation				
FORMAT:	Oral responses to questions within the tutorial time or written responses to the tutorial activities each week if unable to attend the tutorial. Students will need to complete participation for 10 tutorials, with each tutorial being worth 1% of the mark.				
CRITERIA:	No.				Learning Outcome assessed
	1	Synthesis and explanation of civil procedure principles and trial management processes.			2 5
	2	Identification of relevant facts and legal issues.			1
	3	Application of civil procedure rules and legal principles to resolve legal issues.			3 4
	4	Supportive and collaborative professional etiquette.			4 5
GENERIC SKILLS:	Communication, Problem solving, Organisation, Information literacy				

### All - Assessment Task 2: Legal Documents

<b>GOAL:</b>	To demonstrate your understanding of key concepts of civil procedure and your skills of legal drafting. This is an Aligned Assessment Point.		
<b>PRODUCT:</b>	Portfolio		
<b>FORMAT:</b>	<p>This assessment which requires students to address legal issues by drafting the appropriate legal documents. The documents must be drafted to comply with the law and in an appropriate format.</p> <p>These activities align with the tutorial program, and as a result the due dates are varied throughout the semester. Please see the course site for further details.</p>		
<b>CRITERIA:</b>	<b>No.</b>		<b>Learning Outcome assessed</b>
	1	Demonstration of knowledge and understanding of civil procedure	1 2
	2	Ability to explain and apply the relevant process for the resolution of a given civil dispute	1 2 3
	3	Ability to draft a relevant legal document using the appropriate rules and in accordance with the relevant law	4
	4	Use of professional, accurate and appropriate written language	4 5
<b>GENERIC SKILLS:</b>	Communication, Problem solving, Organisation, Information literacy		

### All - Assessment Task 3: Final Examination

<b>GOAL:</b>	To demonstrate your understanding of the concepts and principles studied throughout this course and your capacity to apply that understanding to a given fact scenario that mirrors the exigencies of legal practice.		
<b>PRODUCT:</b>	Examination - Centrally Scheduled		
<b>FORMAT:</b>	This assessment task is an online, open-book and invigilated exam. You will be required to attend a live Zoom session throughout the duration of the exam and need access to a working computer, a stable internet connection, and a webcam.		
<b>CRITERIA:</b>	<b>No.</b>		<b>Learning Outcome assessed</b>
	1	Knowledge of the relevant rules and principles governing the resolution of civil disputes in Queensland	1 2
	2	Application of legal knowledge to produce a legal resolution	3
	3	Communicate clearly and effectively	4 5
<b>GENERIC SKILLS:</b>	Communication, Problem solving		

## 7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

## 8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

### 8.1. Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below. Resources may be required or recommended.

REQUIRED?	AUTHOR	YEAR	TITLE	EDITION	PUBLISHER
Required	Bernard Cairns	2020	Principles of Civil Procedure in Queensland	2nd edition	Thomson Reuters
Recommended	Hugh Zillman	2019	A Civil Litigation Practice Manual	n/a	Thomson Reuters

### 8.2. Specific requirements

This course meets the necessary content requirements for Civil Procedure under the Prescribed Areas of Knowledge of Schedule 1 of the LACC Uniform Admission Rules 2015 (the 'Priestley 11').

This course contains an Aligned Assessment Point.

You will need to have access to the following legislation:

Uniform Civil Procedure Rules 1999 (Qld)

Civil Proceedings Act 2011 (Qld)

Service and Execution of Process Act 1992 (Cth)

Jurisdiction of Courts (Cross-Vesting) Act 1987 (Cth)

Jurisdiction of Courts (Cross-Vesting) Act 1987 (Qld)

## 9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

## 10. What administrative information is relevant to this course?

### 10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

### 10.2. Assessment: Additional Requirements

#### **Eligibility for Supplementary Assessment**

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

- (a) The final mark is in the percentage range 47% to 49.4%; and
- (b) The course is graded using the Standard Grading scale

### 10.3. Assessment: Submission penalties

Late submissions may be penalised up to and including the following maximum percentage of the assessment task's identified value, with weekdays and weekends included in the calculation of days late:

- (a) One day: deduct 5%;
- (b) Two days: deduct 10%;
- (c) Three days: deduct 20%;
- (d) Four days: deduct 40%;
- (e) Five days: deduct 60%;
- (f) Six days: deduct 80%;
- (g) Seven days: A result of zero is awarded for the assessment task.

The following penalties will apply for a late submission for an online examination:

Less than 15 minutes: No penalty

From 15 minutes to 30 minutes: 20% penalty

More than 30 minutes: 100% penalty

### 10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email [safe@usc.edu.au](mailto:safe@usc.edu.au).

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email [studentwellbeing@usc.edu.au](mailto:studentwellbeing@usc.edu.au).

### 10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au).

### 10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email [studentwellbeing@usc.edu.au](mailto:studentwellbeing@usc.edu.au) or call 07 5430 1226.

### 10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email [AccessAbility@usc.edu.au](mailto:AccessAbility@usc.edu.au) or call 07 5430 2890.

### 10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Central Examinations
- Deferred Examinations
- Student Conduct
- Students with a Disability

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

### 10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

## 10.10.General Enquiries

### In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

**Tel:** +61 7 5430 2890

**Email:** [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au)