

LAW318 Advocacy

School: School of Law and Society

2024 | Session 1

UniSC Sunshine Coast

**BLENDED
LEARNING**

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

Please go to 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

The course examines the skills and techniques employed by advocates, in preparation for appearances in court and other settings. This course will introduce you to the fundamental principles of practice as an advocate. You will study case preparation, written and oral advocacy techniques, appellate advocacy and the ethical duties relating to practice as an advocate in dealings with opponents, courts and tribunals. The course will prepare you for practice as an advocate and for participation in mooting and other competitions.

1.2. How will this course be delivered?

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
BLENDED LEARNING			
Learning materials – Online learning materials	5hrs	Week 1	Once Only
Seminar – Online seminar	1hr	Week 2	Once Only
Tutorial/Workshop 1 – Workshops scheduled as an intensive session, Monday to Friday.	25hrs	Week 4	Once Only
Tutorial/Workshop 2 – Assessment workshop, on campus	2hrs	Week 5	Once Only

1.3. Course Topics

- Techniques for case preparation and developing a theory of the case
- Preparation of effective written advocacy
- Techniques of oral advocacy
- Etiquette and ethical principles
- Criminal Trials: Opening and closing, sentencing and bail applications
- Dealing with witnesses - examination in chief, cross-examination and re-examination
- Appellate advocacy
- Advocacy in ADR processes

2. What level is this course?

300 Level (Graduate)

Demonstrating coherence and breadth or depth of knowledge and skills. Independent application of knowledge and skills in unfamiliar contexts. Meeting professional requirements and AQF descriptors for the degree. May require pre-requisites where discipline specific introductory or developing knowledge or skills is necessary. Normally undertaken in the third or fourth full-time study year of an undergraduate program.

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	Research, interpret, synthesise and apply relevant legal, factual and ethical matters in the practice of advocacy.	Creative and critical thinker Ethical
2	Apply creative thinking, analysis and judgment to generate appropriate responses to legal and ethical issues and problems in the practice of advocacy.	Creative and critical thinker Ethical
3	Communicate effectively, concisely, persuasively and in a professional manner, using oral, written and non-verbal communication in the practice of advocacy.	Creative and critical thinker Ethical

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

LAW104 and enrolled in any Law Program

5.2. Co-requisites

Not applicable

5.3. Anti-requisites

Not applicable

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

Students will receive formative feedback within the teaching period through a variety of practical activities that are designed to train and test advocacy skills.

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	Report	Individual	15%	1,000 words	Week 4	Online Assignment Submission with plagiarism check
All	2	Oral	Individual	45%	15 minutes	Week 5	In Class
All	3	Written Piece	Individual	40%	1,500 words	Week 8	Online Assignment Submission with plagiarism check

All - Assessment Task 1: Case Theory Report

GOAL:	The goal of this exercise is for you to use a case analysis methodology to produce a report on your theory of the case and communicate the results effectively and concisely.		
PRODUCT:	Report		
FORMAT:	This is a document of 1,000 words, completed individually, which sets out your theory of the case.		
CRITERIA:	No.		Learning Outcome assessed
	1	Research, interpretation, synthesis and application of relevant factual, legal and ethical matters	1
	2	Application of case analysis methodology and creative thinking, analysis and judgement to generate an effective case theory	2
	3	Effective, concise communication in the case theory report, with correct use of AGLC4 referencing	3
GENERIC SKILLS:	Communication, Problem solving		

All - Assessment Task 2: Oral Advocacy Exercise

GOAL:	In this assessment you will present your case orally to a simulated court.		
PRODUCT:	Oral		
FORMAT:	Oral presentation (15 minutes) to the examiner, who will play the role of a judicial officer.		
CRITERIA:	No.		Learning Outcome assessed
	1	Research, interpret, synthesise and apply relevant factual, legal and ethical matters	1
	2	Apply creative thinking, analysis and judgement to generate appropriate responses to legal and ethical issues and problems	2
	3	Development of the argument contained in the written submission and synthesis into a persuasive oral submission	3
	4	Communicate effectively, concisely, persuasively and professionally in both verbal and non-verbal modes	3
GENERIC SKILLS:	Communication, Collaboration, Problem solving, Organisation		

All - Assessment Task 3: Written Submission

GOAL:	The goal of this exercise is for you to write a submission to the court in accordance with the formal requirements of the jurisdiction.		
PRODUCT:	Written Piece		
FORMAT:	Written submission of 1,500 words, completed individually, in compliance with the formal requirements of the jurisdiction, provided on Canvas.		
CRITERIA:	No.		Learning Outcome assessed
	1	Research, interpretation and application of relevant factual, legal and ethical matters	1
	2	Synthesis into a persuasive written submission	1 2
	3	Application of creative thinking, analysis and judgement to generate appropriate responses to legal issues and problems	2
	4	Effective, concise, professional and persuasive communication in the written submission	3
GENERIC SKILLS:	Communication, Problem solving, Information literacy		

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

There are no required/recommended resources for this course.

8.2. Specific requirements

Not applicable

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

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

The final mark is in the percentage range 47% to 49.4%

The course is graded using the Standard Grading scale

You have not failed an assessment task in the course due to academic misconduct.

10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.

- 10% (of the assessment task's identified value) for the third day - 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.

- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

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.

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.

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.

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 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 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