

FACULTY OF LAW

UNDERGRADUATE COURSE ADVICE 2019

There are a number of sources through which you can obtain course advice. These include:

- 1 The University's Guide to Enrolment 2019
- 2 Information available on the University's web via the "For current student" link, in particular 'subjects and papers'
- 3 Information on papers via the Law Faculty's web page
- 4 Information and links available via your eVision portal
- 5 Information in this booklet
- 6 the general advice session on **Friday 28 September 2018**
- 7 advice including individual advice through the University's Course Advice Service,
- 8 individual advice, which will be available in the first two weeks of October 2018 and **on 20-21 February 2019.**

Overview

This handout is primarily designed for current 2nd year law students (but may be useful for all students). The 300 and 400 level law papers build on the 200 level compulsory papers. This means that if you fail one of the 200 level law papers, especially if there are multiple failures, there may be some restrictions on your choice of 300 and 400 level papers. If this affects you, you will be contacted after you have selected your choice of papers on eVision.

The handout outlines the compulsory 300 and 400 level papers that are requirements of the LLB and LLB(Hons) degrees; gives some advice on course loads, choosing papers. Its aim is to assist in planning the balance of your degree.

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1. Compulsory 300 and 400 level Law papers

In addition to the compulsory Legal System and 200 level law papers there are two more substantive law papers that are compulsory for the LLB and LLB(Hons) degrees at Otago. These are: Torts (LAWS301) and Jurisprudence (LAWS302). Additionally, while you do not need Legal Ethics (LAWS463) for your LLB or LLB(Hons) degree, it is required *if you wish to be admitted as a lawyer*. So, in a practical sense, it too, is compulsory.

Torts and Jurisprudence are usually taken together in your third year. If you are taking a combined degree and have a timetable problem, one or other of them may be postponed—but Torts, in particular, is useful for other papers and should be taken in the third year if you can possibly manage it.

You may take Legal Ethics in your third or any subsequent year.

We have three further compulsory elements in the LLB and LLB(Hons) programmes:

- **Legal Research Skills (LAWS 398)**

This is a legal research skills programme designed to prepare students for completing their legal research assignments. In your second year you started this process with Legal Writing (LAWS298). We continue this process in the third year with Legal Research Skills (LAWS398). This programme consists of a guide, exercises and compulsory sessions in library research and in computer-assisted research. You should enrol in Laws 398 in the year that you start 300 and 400 level papers.

Warning: Some 2018 second year law students may wish to enrol in 2019 summer school papers. Be mindful that, because you are still to undertake the LAWS398 programme, you cannot complete any optional internal research assignment.

- **Research and Writing Programme (LAWS498)**

This programme of written research runs in conjunction with your 300- and 400- level papers.

In order to graduate you must complete (and receive a pass mark) at least *five* pieces of legal research and writing while enrolled in 300- and 400-level papers at Otago. Each 300 and 400 level paper will offer you the opportunity to complete an internal assignment that can count towards your five pieces. This is a minimum requirement; it is expected that many students will do more.

For today's graduates research skills are essential. Of course, employers are interested in your degree—what you took and how well you did—but they are also interested in your ability to undertake independent research and write a coherent opinion on a point of law. These 'generic skills' can be developed through any law paper. When asked to rank skills in order of importance, employers of Law graduates have bracketed

- the skills to find and assess information, and
- written communication skills

top equal with 'conceptual and analytical skills' and 'a willingness to learn'. When asked more narrowly what they expect graduates to gain specifically from a Law degree, the employers ranked

- ability to find relevant legal materials

third equal with 'ability to apply legal knowledge/understanding to resolve practical problems'. Only 'capacity to analyse legal materials' and 'capacity to critically evaluate argument' ranked higher.

Unless you practise you will not pick up these skills. We have designed LAWS 498, Research & Writing, to assist you to develop these essential skills.

Please note: Any research and writing papers completed while enrolled at another university in New Zealand or overseas will not count towards the LAWS 498 requirement. You must complete the five papers at Otago *and* while enrolled in a 300- or 400- level paper for the LLB degree.

Although you can and should get started on this work in your third year, you do not enrol formally in LAWS 498 until the year (or semester) in which you expect to complete your LLB.

- **Advocacy Skills (LAWS499)**

The Advocacy Skills programme aims to introduce students to the presentation of legal pleading and argument. It builds upon the plea in mitigation that you undertook as part of the criminal procedure component of the Criminal Law course.

The focus of Advocacy Skills is a **Moot**: the preparation of a written case for argument (usually in a team of two) and presentation of oral argument on the case to the Moot Court (which adopts High Court procedures as nearly as may be). Moots are held in the second semester and are usually judged by local practitioners. You enrol in this paper in the year that you enrol in Torts.

Summary: BEFORE YOU ARE ABLE TO GRADUATE YOU MUST . . .

- pass non-Law papers worth 108 points
- pass Legal System and the six other compulsory papers
- pass optional Law papers worth 210 points (and if you wish to be admitted as a lawyer, one of these papers must be Legal Ethics (LAWS 463))
- complete the Legal Writing programme (LAWS298); the Legal Research Skills programme (LAWS398); and the Research and Writing programme (LAWS 498)
- complete the Advocacy Skills programme (LAWS 499)

2. DOUBLE DEGREES

BA/LLB

The minimum number of points you will need to complete a BA/LLB is 714. This maximises the 180 point cross-credit provision for a combined three and four year degree ($534 + 360 - 180 = 714$). So:

You will need for your LLB:

- 108 non-Law points (Arts)
- 216 points from the compulsory Law papers
- 210 points from optional papers
- completion of the Legal Writing programme (LAWS298); the Legal Research Skills programme (LAWS398); and the Research and Writing programme (LAWS 498)
- completion of the Advocacy Skills Programme

In addition to the above you will need 180 points to complete your BA degree:

- 54 points at 200-level
- 72 points at 300-level
- 54 points at 100-level or higher (18 of these may be non-Arts)

This programme will usually take you five years to complete, with an annual course load in the vicinity of 150-165 points in your third, fourth and fifth years.

You will find a diagram outlining the structure of the double degree on page 9.

Please check your BA requirements with a course adviser from the Division of Humanities, especially if you are thinking about including a minor, having a double major or graduating with the BA (Hons) degree.

BSc/LLB

This is a popular combination. The structure of the BSc/LLB is the same as the BA/LLB with a similar annual course load. But more care needs to be taken in planning a BSc/LLB degree to avoid timetable clashes between your law lectures and your science lectures and laboratories. It is particularly important to plan when you will take Torts and Jurisprudence to avoid clashes with compulsory papers for your Science degree. Where possible, try taking Torts in your third year. Other law papers build on this paper.

You will find a diagram outlining the structure of the double degree on page 10.

Please check your BSc requirements with a course adviser from the Division of Sciences, especially if you are thinking about including a minor, having a double major or graduating with the BSc (Hons) degree.

BCom/LLB

The minimum number of points you will need to complete a BCom/LLB is 714. This maximises the 180 point cross-credit provision for a combined three and four year degree ($534 + 360 - 180 = 714$). So:

You will need for your LLB:

- 108 non-Law points (Commerce)
- 216 Points from the compulsory Law papers
- 15 points from Company Law*
- 195 points from the optional papers
- complete the Legal Writing programme (LAWS298); the Legal Research Skills programme (LAWS398); and the Research and Writing programme (LAWS 498)
- Completion of the Advocacy Skills Programme

In addition to the above you will need 180 points to complete your BCom:

- 54 points at 200-level
- 72 points at 300-level
- 54 points at 100-level or above (subject to your major all of these could be non-Commerce)

The programme will usually take you five years to complete, with an annual course load in the vicinity of 150–165 points in your third, fourth and fifth years.

* Company Law is not compulsory but if you have not done the Business Law papers for Commerce you should include it as, along with Property Law and Law of Contract, it completes the Business Law requirements for the Professional Examination in Accountancy.

You will find a diagram outlining the structure of the double degree on page 11.

Please check your BCom requirements with a course adviser from the School of Business, especially if you are thinking about including a minor, having a double major or graduating with the BCom (Hons) degree.

3. COURSE LOADS

The rules:

A 'normal' course load at the University is 138 points, or about 150 points for a double degree (excluding summer school). Any load exceeding 90 points in a semester or 162 points across the full academic year, excluding summer school needs special approval.

The practice:

if you are taking just the LLB:

after your second year we recommend that you take no more than 150 points in any year to avoid overloading your year and to give yourself the best chance of doing well in your papers. If you gained all the required 108 non-Law points in your first year it might be advisable to spread your remaining work evenly over your two remaining years. So in your third year you would take Torts and Jurisprudence (30 points each) plus optional papers worth 75 points, leaving 135 points for your fourth year.

if you are taking a double degree:

to fit the two degrees into five years you will need to take 150-165 points in each of your third, fourth and fifth years. The **Dean and the Faculty's Course Advisers can** approve heavy loads, and will usually give permission for 165 points, and may exceed that in special cases. You will also need special approval from the Division responsible for your other degree.

if you are an LLB Honours student:

you will usually be allowed a load of 180 points in your final year to fit your Dissertation in. If you anticipate difficulty fitting this degree in with another you should see the Faculty's Honours Coordinator.

! **Be warned:** careful planning of double degrees is necessary. Take some time now to map out

- the loads for all your remaining years, not just next year. Students transferring into LLB(Hons) after their third year (or equivalent) need particularly careful advice.

4. CHOOSING YOUR PAPERS

It really is over to you to put together a package that suits you. If we thought that the optional papers were so important that everybody must do them we would have made them compulsory. If we thought a paper not worth doing we would not be offering it.

1) Basic propositions:

- Third year students should normally take both Torts and Jurisprudence. It is not essential; but you should have a good reason if you decide not to, such as an unavoidable clash with a compulsory Science paper.
- You cannot enrol for a paper for which you do not have the necessary prerequisite or corequisite papers.

2) Thing to think about when choosing optional subjects:

- what interests you most?
 - papers building on others that you liked
 - papers linking with ones you have enjoyed as part of another degree
 - papers linking with particular interests
- what skills do you want to acquire or develop?
 - Don't overlook the skills you can and should be acquiring: the 'knowledge' gained from particular papers is only part of the story. Think about the Research & Writing component. If you do only the minimum, and choose only the shortest exercises, will you be able to present yourself as an accomplished legal researcher with good writing skills? If you choose only big classes where you hope not to participate in discussion, will you acquire the verbal skills needed to explain a difficult legal point to a client or to engage in argument with an opposing lawyer?
- what might you do best at?
 - papers with a high or low internal assessment component, suiting your strengths
 - papers taught by someone to whom you relate well
 - papers taught intensively—provided that you are willing to do the work!
- 'I may never have another chance to study this ...'
- availability?
 - Some papers are not available in every year so, if there is a paper that you really want to do, but not that year, check whether the paper will be available in a subsequent year
- usefulness to an employer?
 - If you hope to become a practising lawyer you should include some papers in your degree that will increase your chances of employment by a law firm, or because you want to prepare yourself for the reality of practising law. Think about the area of law that you would like to work in as well as aiming for a balance.

- 3) Balance your workload. Think about the distribution of papers between semesters (and about the timetable for any other degree that you are studying for at the same time). If you are in your third year, think about the distribution of papers between your subsequent years. Are there some papers best left until your final year? Are there things you would like to get over quickly? How much leeway do you want to leave for changes of mind in subsequent years? Balance full and half year papers too: fill up your third year with full year papers, and you may struggle with too many half year papers later.

Going into the Third Year?

Torts & Jurisprudence ... and what?

Have you already picked up all the 108 non-Law points you need for your LLB? If not, this would be a good time to make up the shortfall.

Additional Credits for Non-Law Papers

- If you have 'spare' non-Law papers (200 level or above), you can credit up to a maximum of 30 points towards your LLB. But you must make sure that they really are spare. You cannot normally credit non-Law points to a Law degree if they are already being credited to another degree.

You must check with a Faculty Course Adviser that your proposed substitution falls within the rules.

BSc/LLB or LLB(Hons) - STRUCTURE

300 Level Science 72 points*	18	18	18	18	+	18	18	18
					72 pts			
								54 points at 100, 200 or 300 level (18 of these may be non-science) Check with Division of Science.

200 Level Science 54 points*	18	18	18	18	54 pts			

*Science programs can vary from department to department

100 Level (or above) Science	18	18	18	18	18	18	18	108 pts
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LLB Compulsory	Legal System 36	Criminal 30	Contract 30	Property 30	Public 30	Torts 30	Jurisprudence 30	216 pts
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LLB Optional	LAWS463 15 pts	30	30	30	30	30	30	210 pts
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	15 pts							
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Legal Research LAWS298	Research & Writing LAWS498
Legal Research Skills LAWS398	Advocacy Skills LAWS499

LAWS463 (15 points)
Legal Ethics required for admission to the Bar:

For LLB(Hons):

Final Honours Research Paper 60 pts	Preliminary Honours
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Year planner on reverse.

