

# Faculty of Law

---

# Skills Development



The LLB has a number of compulsory substantive law papers. In addition to Legal System and the four 200-level law papers, there are also LAWS301 Torts and LAWS302 Jurisprudence. Because LAWS463 Legal Ethics is required if you wish to be admitted as a lawyer, it is in a practical sense to be seen as compulsory if you wish to be a lawyer.

There are four other compulsory elements in the LLB and LLB(Hons) programmes, aimed at building up essential skills lawyers are expected to have. They are all completed relatively quickly and none carry any points. You will need to enrol in these at the appropriate time: they must be completed in order to graduate.

## LAWS298 – Legal Writing

This paper is completed at the beginning of second year. You do three workshops very early in semester one, and then a fourth workshop towards the end of April, after you have completed the first assignment required by the 200 level LAWS papers.

The objective of this course is to improve your writing skills in general, and your legal opinion writing skills in particular. After the first three workshops you will be expected to produce a written legal opinion.

In the fourth workshop, you will be given feedback on your first written assignment for the year, which will have been marked and returned by then. This workshop provides an opportunity for you to reflect on your performance in that assignment and to identify areas for improvement in your legal opinion writing.

## LAWS 398 - Legal Research Skills

The focus in second year is on you making use of legal materials provided to you in order to write legal opinions. Your assignments do not expect you to go outside these materials.

In third year the expectation changes, you will be writing opinions and essays that require you to undertake your own research, and find the law and commentary yourself, before analysing it and producing an opinion.

The goal of LAWS398 is to develop your legal research skills that you will use in all future research assignments, and to start you on the path of being able to function independently as a lawyer.

The Faculty has prepared a detailed *Legal Research & Writing Guide*, to be collected with other course materials. This along with the LAWS398 lectures (which are compulsory) will ensure you

know how and where to source the correct legal information, and how to analysis that information and present it in a legal opinion or research paper.

The LAWS398 programme includes a compulsory legal research assignment for you to complete. The assignment attracts no course credit but you will receive feedback on your assignment to help identify areas where your research or writing needs further improvement. The intention is to get your research and writing skills up to an acceptable level before you tackle such assignments in your other papers for credit.

LAWS398 is compulsory and you cannot graduate if you have not completed it. Please make sure you enrol in Laws 398 in the year that you do your first 300- or 400-level law paper. For most of you, this will be third year.

All summer school papers are 400-level papers, so the assignments for these papers will all require you to research. Because second year students will not have done LAWS398, they will not be able to complete the optional research assignment for summer school papers. This is one of a number of reasons for the Faculty recommending that students coming out of second year not attempt summer school papers.

### LAWS499 - Advocacy Skills

LAWS498 – Advocacy skills is a no-credit paper where you are required to prepare written submissions and then to present an oral argument in a mock Court environment (a moot).

You do this in a team of two and you will be judged by local practitioners. This is an important aspect of you learning to develop your oral advocacy skills.

You enrol in this paper in the year that you enrol in Torts: the moots are in semester two.

If you find that you enjoy oral advocacy, consider enrolling in LAWS 464 (Advocacy). Be aware that there are restrictions on entry into this paper: students must have completed evidence and be in their final year of law study.

### LAWS 498 - Research and Writing Programme

As mentioned in relation to LAWS398, from third year onwards, you will be writing opinions and essays that require you to engage in your own research. Every LAWS 300- and 400-level paper will give you the opportunity to write at least one piece of research and writing. You will receive a mark for it that will count towards the final mark for that paper.

While these pieces are often optional for the particular paper that offers them, there is an overall requirement that you complete (and pass) at least five of them in order to graduate.

These assignments should be spread out across the years in which you will be doing 300- and 400-level papers: it is a very good idea to do one in the first semester of third year, to put the LAWS398 knowledge to immediate use.

The Faculty maintains a record of the marks given for these research and writing pieces. You formally enrol in Laws 498 in your last semester of law study to get credit for them.

Although you can go on overseas exchange and study law and, in extremely limited circumstances might be permitted to credit law papers from another New Zealand university to your Otago LLB, you must complete the five papers at Otago and while enrolled in a 300- or 400-level paper for the LLB degree.

Doing five research papers is a minimum requirement: many students will do more, because doing them builds up substantive legal knowledge and develops your research and writing skills.

Both skills are essential tools for lawyers. Employers are interested not only in what papers you took and how well you did in them, but also in seeing that you can undertake independent research and write a coherent opinion on a point of law.

When asked to rank skills in order of importance, employers of law graduates have ranked legal research as one of the most highly desired attributes of a new lawyer.

**Ben Nevell**  
**Professional Legal Skills co-ordinator**