



UNSW Course Outline

LAWS3396 Family Law Advocacy and Practice - 2024

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General Course Information

Course Code : LAWS3396

Year : 2024

Term : Term 2

Teaching Period : T2

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Global and Public Law

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Undergraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

This course is designed to introduce students to the basic skills required of an entry level lawyer in a family law practice. As part of the course, students will prepare a reflective journal which will require them to observe an interim hearing in the Family Court of Australia or the Federal Circuit

Court of Australia, and also a choice of either a family law advice clinic at Legal Aid NSW, a Family Dispute Resolution conference or a duty list with Legal Aid NSW.

As well as the formal pre-requisite, it is also preferable that students have completed LAWS2371/JURD7271 Resolving Civil Disputes and LAWS2351/JURD7251 Court Process Evidence and Proof.

This course will appeal to students interested in practising in either family or child protection law. It will particularly appeal to students keen to develop skills in conducting their own advocacy. The course is taught by two family law practitioners and adopts a realistic and practical focus.

Main topics

- Working with family law clients
- Conducting client interviews and taking instructions
- Providing advice on parenting and financial matters
- Case planning and drafting court documents
- Conducting court advocacy including basic cross-examination
- Preparing clients for negotiation
- Family Dispute Resolution
- Ethical challenges in family law practice

Course Aims

This course is designed to introduce students to the basic skills required of an entry level lawyer in a family law practice, including conducting client interviews and taking instructions; providing advice on parenting and financial matters; case planning and drafting court documents; conducting court advocacy, exploring the role of lawyers in Family Dispute Resolution and preparing clients for negotiation, and considering some of the ethical challenges specific to family law practice.

Course Learning Outcomes

Course Learning Outcomes
CLO1 : - Demonstrate ability to apply the principles of family law in a practical context (PLOs 1 and 3)
CLO2 : - Demonstrate ability to analyse a factual scenario in a family law context, provide solution-based advice to clients, and devise a case strategy (PLOs 5, 6, 8)
CLO3 : - Demonstrate understanding of particular issues raised in working with clients in a family law context (PLO 11)
CLO4 : - Demonstrate ability to conduct effective oral and written advocacy in representation of clients in a family law context, specifically in relation to interviewing clients, providing written and oral advice, preparing court documents, and conducting court advocacy (PLOs 9, 10, 11, 12)
CLO5 : - Demonstrate understanding of the role of lawyers in family dispute resolution (PLO 11)
CLO6 : - Demonstrate understanding of ethical professional obligations in a family law context (PLOs 1, 11)

Course Learning Outcomes	Assessment Item
CLO1 : - Demonstrate ability to apply the principles of family law in a practical context (PLOs 1 and 3)	<ul style="list-style-type: none"> • Mock trial • Letter of advice • Drafting court documents • Reflective journal
CLO2 : - Demonstrate ability to analyse a factual scenario in a family law context, provide solution-based advice to clients, and devise a case strategy (PLOs 5, 6, 8)	<ul style="list-style-type: none"> • Mock trial • Letter of advice • Drafting court documents
CLO3 : - Demonstrate understanding of particular issues raised in working with clients in a family law context (PLO 11)	<ul style="list-style-type: none"> • Reflective journal • Mock trial • Letter of advice • Drafting court documents
CLO4 : - Demonstrate ability to conduct effective oral and written advocacy in representation of clients in a family law context, specifically in relation to interviewing clients, providing written and oral advice, preparing court documents, and conducting court advocacy (PLOs 9, 10, 11, 12)	<ul style="list-style-type: none"> • Mock trial • Letter of advice • Drafting court documents
CLO5 : - Demonstrate understanding of the role of lawyers in family dispute resolution (PLO 11)	<ul style="list-style-type: none"> • Reflective journal • Letter of advice
CLO6 : - Demonstrate understanding of ethical professional obligations in a family law context (PLOs 1, 11)	<ul style="list-style-type: none"> • Reflective journal • Mock trial • Drafting court documents • Letter of advice

Learning and Teaching Technologies

Moodle - Learning Management System

Assessments

Assessment Structure

Assessment Item	Weight	Relevant Dates
Mock trial Assessment Format: Individual	40%	
Letter of advice Assessment Format: Individual	15%	
Drafting court documents Assessment Format: Individual	30%	
Reflective journal Assessment Format: Individual	15%	

Assessment Details

Mock trial

Assessment Overview

Students will participate in a mock trial.

Course Learning Outcomes

- CLO1 : - Demonstrate ability to apply the principles of family law in a practical context (PLOs 1 and 3)
- CLO2 : - Demonstrate ability to analyse a factual scenario in a family law context, provide solution-based advice to clients, and devise a case strategy (PLOs 5, 6, 8)
- CLO3 : - Demonstrate understanding of particular issues raised in working with clients in a family law context (PLO 11)
- CLO4 : - Demonstrate ability to conduct effective oral and written advocacy in representation of clients in a family law context, specifically in relation to interviewing clients, providing written and oral advice, preparing court documents, and conducting court advocacy (PLOs 9, 10, 11, 12)
- CLO6 : - Demonstrate understanding of ethical professional obligations in a family law context (PLOs 1, 11)

Letter of advice

Assessment Overview

Students will write a letter to a client in a family law scenario advising on parenting and property

matters.

Written comments on letter

Course Learning Outcomes

- CL01 : - Demonstrate ability to apply the principles of family law in a practical context (PLOs 1 and 3)
- CL02 : - Demonstrate ability to analyse a factual scenario in a family law context, provide solution-based advice to clients, and devise a case strategy (PLOs 5, 6, 8)
- CL03 : - Demonstrate understanding of particular issues raised in working with clients in a family law context (PLO 11)
- CL04 : - Demonstrate ability to conduct effective oral and written advocacy in representation of clients in a family law context, specifically in relation to interviewing clients, providing written and oral advice, preparing court documents, and conducting court advocacy (PLOs 9, 10, 11, 12)
- CL05 : - Demonstrate understanding of the role of lawyers in family dispute resolution (PLO 11)
- CL06 : - Demonstrate understanding of ethical professional obligations in a family law context (PLOs 1, 11)

Drafting court documents

Assessment Overview

Students will draft an affidavit and court application on the basis of instructions obtained from a client (actor).

Written comments on documents

Course Learning Outcomes

- CL01 : - Demonstrate ability to apply the principles of family law in a practical context (PLOs 1 and 3)
- CL02 : - Demonstrate ability to analyse a factual scenario in a family law context, provide solution-based advice to clients, and devise a case strategy (PLOs 5, 6, 8)
- CL03 : - Demonstrate understanding of particular issues raised in working with clients in a family law context (PLO 11)
- CL04 : - Demonstrate ability to conduct effective oral and written advocacy in representation of clients in a family law context, specifically in relation to interviewing clients, providing written and oral advice, preparing court documents, and conducting court advocacy (PLOs 9, 10, 11, 12)
- CL06 : - Demonstrate understanding of ethical professional obligations in a family law context (PLOs 1, 11)

Reflective journal

Assessment Overview

Students will prepare a reflective journal over the course of the term, reflecting on issues and ethical matters that arise over the course.

Written feedback

Course Learning Outcomes

- CL01 : - Demonstrate ability to apply the principles of family law in a practical context (PLOs 1 and 3)
- CL03 : - Demonstrate understanding of particular issues raised in working with clients in a family law context (PLO 11)
- CL05 : - Demonstrate understanding of the role of lawyers in family dispute resolution (PLO 11)
- CL06 : - Demonstrate understanding of ethical professional obligations in a family law context (PLOs 1, 11)

General Assessment Information

Grading Basis

Standard

Course Schedule

Attendance Requirements

This is an intensive course. In accordance with attendance requirements set out in **Law & Justice Assessment Procedure and Student Information**, 100% attendance is required unless you have been granted special consideration. A copy of the policy is located in the Other Useful Information tab in the Academic Information field.

Course Resources

Prescribed Resources

The prescribed text for this course is Ian Serisier (2022) *Practising Family Law, 5th Edition*, LexisNexis.

Recommended Resources

All readings are posted on Moodle.

Additional Costs

nil

Course Evaluation and Development

Student feedback, both formal and informal, is gathered on an annual basis and acted upon to improve student learning experiences.

Staff Details

Position	Name	Email	Location	Phone	Availability	Equitable Learning Services Contact	Primary Contact
	Noam Peleg					No	Yes

Other Useful Information

Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and

possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

Faculty-specific Information

Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.