

Open Justice

Open Justice: The Monash University and Victorian Bar Pro Bono Project (**the Open Justice Project**), is a collaboration between the Victorian Bar and the Monash Faculty of Law (the **Faculty**) that allows later year undergraduate and postgraduate students at the Faculty to assist barristers at the Victorian Bar in pro bono matters.

The Patron of the Open Justice Project is the Hon Chris Maxwell, President of the Court of Appeal.

Purpose

The purposes of the Open Justice Project are:

- to enhance access to justice by providing barristers who are working pro bono with pro bono legal research support and assistance;
- to offer students pedagogical development in their legal studies through experiential learning;
- to engender students with the values of pro bono and enhance student awareness of the issues concerning access to justice;
- to deepen connections between students and barristers;
- to provide students with a greater awareness of the work of barristers, inspiring them to consider joining the Bar; and
- to provide students with practical experience and legal skills in order to contextualise their legal studies in real world work.

How does it work

Under the program, students apply to be on a panel of students to provide barristers with assistance on matters that are referred to barristers by Justice Connect, by one of a number of Court pro bono referral partners, or by other direct request for pro bono assistance.

A panel of 10 students will be selected (the Panel). During the pilot program, the expectation will be that students on the panel will be able to make a commitment for 3 months (till Nov 2021) during this round of the program, and for 6 months for subsequent programs.

The Panel will go through an induction morning with contributions from members of the Victorian Bar and Monash Law.

Barristers who have pro bono work will complete a briefing form indicating the timeframe and nature of work required. This may be for an intensive period (eg 3 full days) or for an extended period (eg 1 day/week for 4 weeks), depending on the nature of the matter.

The Panel will be given access to a dedicated Open Justice email address. Notification that a brief is available will be sent to students via email, and they can then access the dedicated email to review the brief.

Students who are able to commit to the timeframe, will respond to the brief outlining their suitability for the matter.

The Open Justice Convenor will then assign the matter to a student and introduce the Barrister.

The Student will then work with the Barrister until completion of the matter.

What sort of work will I be doing?

Students may assist with two different kinds of work:

- piece-meal and sporadic work required immediately for a specific proceeding or advice, which requires an immediate (and perhaps intense) short term commitment; or
- long-term projects where the required commitment is longer, but of a lesser immediacy and lower intensity. For these projects, a reasonable time commitment will be agreed in advance between the barrister and the student (subject to the student's academic commitments and the 80-hour maximum).

On application to the Monash Convenor, a barrister may request assistance from more than one student on a large or ongoing matter.

Specific student duties may include:

- legal research, including preparing case summaries and research memoranda;
- assisting with simple drafting (eg, advices, submissions, court documents);
- attending court, chambers, client conferences or other locations as required;
- assisting with taking client instructions and preparing evidence;
- preparing chronologies and summaries of evidence; or
- other tasks, such as taking notes in court.

Students must be engaged in work of a paralegal or legal nature. Barristers should not ask students to perform purely administrative tasks. Although legal tasks may involve an administrative component (such as photocopying or scanning relevant source material found in legal research), barristers should keep such administrative requests to a minimum.

What's my commitment?

Students will provide pro bono research and other paralegal assistance to barristers working on pro bono matters, sometimes at short notice. Critically, students' work will be used in matters that affect real people's lives, often with significant consequences — so students need to commit to completing work to the highest standard within the required timeframes.

Students will be required to commit to be on the panel for a minimum period of 3 months for the pilot program, and six months for subsequent programs. The time commitment for an individual student will not exceed 80 hours per matter.

Note that this is a **voluntary** scheme. Students receive no academic credit or financial payment for participating, but will gain the benefit of valuable professional experience and help enhance access to justice for members of our community.

In participating in the Open Justice Project, students are bound by the Monash University Student Charter - <https://www.monash.edu/students/admin/policies/student-charter>

Students will be required to complete a Student Privacy and Confidentiality Undertaking and the Student Acknowledgement before participating in the Open Justice Project.

Who can apply and how is the Panel selected?

Applications are open to all later year LLB and JD students who meet the criteria below.

The selection process is run by the Faculty. In the initial pilot phase, ten students will be selected to be on the panel. The selection criteria are as follows.

1.1. Prerequisites:

1.1.1. Undergraduate law students can only apply after they have completed the following units:

- a. LAW1111 - Foundations of Law
- b. LAW1112 - Public Law and Statutory Interpretation
- c. LAW1113 - Torts
- d. LAW1114- Criminal Law 1
- e. LAW4332 – Criminal Law and Procedure 2
- f. LAW2101 – Contract Law A

1.1.2. Post-graduate law students can apply after they have completed the following units:

- a. LAW5000 - Australian legal reasoning and methods
- b. LAW5001 - Principles of criminal law and procedure
- c. LAW5002 - Principles of contract law A
- d. LAW5003 - Principles of torts
- e. LAW5004 - Principles of public law and statutory interpretation

1.2. Selection criteria:

- a. The student's weighted average (**WAM**);
- b. Other units completed in addition to the core law units required to be on the panel;
- c. The matters set out in the expression of interest, including a student's relevant legal and other skills demonstrating:
 - i. superior writing, research and communication skills; and
 - ii. strong organisational and time-management skills.

How do I apply?

The application form can be accessed [here](#)

Questions

Further questions may be directed to:

Melissa Fletcher: Melissa.fletcher@monash.edu

Sally Andersen: Sally.andersen@monash.edu