

Application for a place in **Clinical Externship LAW4803**

Clinical Period dates:		Closing dates for applications:
Clinical Period 3, 2016	13 July 2016 – 6 November 2016 SCV/VCAT/ASHURST: 25 July 2016 – 21 October 2016	27 May 2016

NB RESULTS for Clinical Period 3 will be early January 2017

Personal Details

Student ID number

--	--	--	--	--	--	--	--

Surname

Given Names

Telephone No.

Monash Email address: _____

JD Student _____ UG Student _____

Details of Current Enrolment

Course Title

Course Code

Course Start Date

Expected Completion Date

Have you completed LAW4328 Professional practice?
**State year and semester/trimester/clinical period

--	--

What units do you expect to be undertaking in conjunction with Clinical Externship (please write name of unit)?

Unit Details**Preferred Clinic:**

List your choices in order of preference:

CLINICAL PERIOD 3, 2016	13 July 2016 to 6 November 2016
Sexual Assault (You must have completed Professional Practice to apply for this clinic)	
Family Violence (You must have completed Professional Practice to apply for this clinic)	
Human Rights	
Job Watch	
SEMESTER 2, 2016	25 July 2016 to 21 October 2016
VCAT Self Help Centre Clinic	
Supreme Court Clinic (Preference will be given to students in the final year of their studies)	
Ashurst Corporate Governance and Responsibility Clinic	



Details of Previous Units Studied

Please set out the previous units you have studied and the results you have received –

PREREQUISITE UNITS	MARK AND GRADE	ALL OTHER UNITS	MARK AND GRADE
LAW1101 Introduction to Legal Reasoning OR LAW1111 Foundation of Law			
<u>LAW1104</u> Research and Writing			
LAW2101 Contract A			
LAW2012 Contract B			
<u>LAW2201</u> Torts A			
<u>LAW2202</u> Torts B			
LAW3301 Criminal Law A			
LAW3302 Criminal Law B			

Do you have any background interest or experience in the subject matter of the clinic for which you are applying? How did you find out about this unit?

If applicable, have you read the unit information sheet attached to this Application?

Professional Practice (LAW4328) Supervisor Recommendation (Applicable to SECASA and Family Violence clinics):

I _____ (Supervisor), recommend
_____ (Student) to undertake the
Supervisor Signature: _____
_____ (clinic title).

PRIVACY

The information on this form is collected for the primary purpose of applying for enrolment in a Clinical Legal Education unit, which includes deciding whether your application will be granted and sending you related correspondence. If you choose not to complete all the questions on this form, it may not be possible for the Faculty to process your application. If you wish to access or inquire about the handling of your personal information contact the University Privacy Officer: privacyofficer@adm.monash.edu.au .

Applicant's Declaration

I declare that the information provided on this form and the information given to support my application is correct and complete. I acknowledge that the Faculty of Law reserves the right to vary or reverse any admission decision on the basis of **incorrect or incomplete** information.

In the event that my application is successful, I consent to my name being published on the student noticeboard in the Law Faculty basement and on the Monash law website on a list of successful applicants.

I acknowledge that confirmation from the Convenor that I have been given a place in the unit does not constitute enrolment and that I must do this by submitting an Enrolment Amendment Form.

Signature _____

Date _____

Please lodge your application at the Law Student Services office on Level 1 of the Law building and keep a copy of the completed form for yourself.

Clinical Externship (LAW4803)

Unit Information

Synopsis: Students may enrol in one of six clinics as follows:

1. Sexual Assault Clinic - in conjunction with the South Eastern Centre Against Sexual Assault (SECASA) at Springvale Monash Legal Service (4 places, all clinical periods) - legal services to victims of sexual assault. This clinic is designed for students who have developed an interest during Professional Practice in supporting victims of sexual assault. Students will undertake casework in conjunction with SECASA staff as needed. The clinic is intended for emotionally mature students who see themselves as potential criminal lawyers.

Assessment: Casework/Research at Clinic: 80% + Written report: 20%

2. Human Rights Clinic - in conjunction with the Castan Centre for Human Rights at Holding Redlich, 555 Bourke St, Melbourne (2 places, Clinical Period 2 and 3 only) - litigation involving human rights in the broadest sense – everything from compensation for workplace injuries and discrimination to assisting asylum seekers and elderly victims of fraud and predatory lending. Students with an interest in human rights are likely to be attracted to this clinic. Immediate casework supervision is provided by the law firm and academic coordination by a member of Castan Centre staff. It is not necessary to have completed *Professional Practice* to obtain a placement in this clinic.

Assessment: Casework/Research at Clinic: 80% + Written report: 20%

3. Family Violence Clinic – assisting victims of Family Violence (2 places, all clinical periods). This clinic is designed for students who are interested in assisting victims of family violence by attending the court on family violence list days and assisting the duty lawyer and to help clients make victims of crime applications to the Victims of Crime Tribunal. The clinic is based at Springvale Monash Legal Service.

Assessment: Casework/Research at Clinic: 80% + Written report: 20%

4. JobWatch clinic - Students are based at Jobwatch, in the city - 21 Victoria St, Melbourne (2 places, clinical periods 2 and 3 **only**). Students receive extensive training and support to give advice on the telephone advice line in relation to various employment law issues, and assist with legal education materials.

Assessment: Casework/Research at Clinic: 80% + Written report: 20%

5. VCAT Self Help Centre Clinic – students are based at VCAT in Melbourne (10 places, semester 2, 2015). This clinic is open to undergraduate and postgraduate students who will be assisting in the Self Help Centre one full day each week in providing client intake support, information of VCAT practice procedures, alternative dispute resolution options and make appropriate referrals.

Assessment: Performance of responsibilities during Externship: 30% + Research paper: 70%

6. Monash/Ashurst Corporate Governance and Responsibility Clinic - (4 places, semesters 1 and 2) This clinic is open to students who have completed Corporations Law (LAW4171). Students participating in this clinic will work with faculty members, practitioners and corporations to provide advice on corporate governance and social responsibility issues to not-for-profits and/or ASX listed companies.

Assessment: Casework/Research at Clinic: 80% + Written report: 20%

6. Supreme Court clinic - (2 places, Semesters 1 and 2) Students participating in this clinic will work with judges and other judicial staff members of the Supreme Court of Victoria. This externship program includes the following activities: a) Assisting judges and other judicial staff in Judges' Chambers at the Supreme Court of Victoria with drafting speeches; preparing case summaries; and legal research; b) Assist Judges' Associates in other legal and administrative duties in Chambers and Court

Assessment: Performance of responsibilities during Externship: 40% + Oral Presentation 40%+ Research paper 20%,

Depending on the clinic in question and under supervision, students may interview clients, provide legal advice and prepare the relevant tribunal or court applications. In appropriate cases students may appear for their clients before the relevant tribunal.

Contact Hours: On average, students can expect to spend 1-1.5 days per week in clinic work.

Prerequisites

For students who commenced their LLB (Hons) course in 2015 or later:

[LAW1111](#); [LAW1114](#); [LAW1112](#); [LAW1113](#); [LAW2101](#); [LAW2102](#); [LAW2112](#); [LAW2111](#)

For students who commenced their LLB course prior to 2015:

LAW1100 OR [LAW1101](#) and LAW1102 or [LAW1104](#); LAW2100 OR [LAW2101](#) and [LAW2102](#);
LAW2200 OR [LAW2201](#) and [LAW2202](#); LAW3300 or [LAW3301](#) and [LAW3302](#).

For JD students:

The achievement of at least twelve units or 72 credit points towards the Master of Laws (Juris Doctor) to

include: [LAW5000](#), [LAW5001](#), [LAW5002](#), [LAW5003](#), [LAW5004](#), [LAW5005](#), [LAW5006](#), [LAW5007](#) or equivalent.

Applications are available from the Law Student Services Office. Exact application deadlines are printed on the application form.

Objectives

Upon completion of this subject students will be able to:

1. Independently undertake complex legal research and:
 - a. Apply such research to legal facts, critically analysing legal principles, statutes, case law and/or other relevant legal documents;
 - b. Pro-actively develop solutions to complex legal problems;
 - c. Demonstrate a capacity for recognising and appropriately responding to the strategic and ethical implications of different legal approaches; and
 - d. Independently assess the effectiveness of the law in action and /or applicable legal remedies in a specialised area of law or jurisdiction;
 - e. Articulate inadequacies and gaps in legal practice, with a highly developed capacity to identify and articulate opportunities for legal, policy or other systemic reforms.
2. Effectively communicate (both orally and in writing) legal advice, information, options for litigious and non-litigious pathways, arguments and strategies with a wide range of audiences involved in the justice system;
3. Demonstrate practical legal skills including (as appropriate depending on which clinic is undertaken) interviewing, counselling, negotiation, advocacy and drafting;

4. Demonstrate highly developed skills, technical and practical knowledge about their chosen area of law or jurisdiction to an expert level.

Workload

Minimum total expected workload to achieve the learning outcome for this unit is one 3-hour clinic session per week plus follow up research and casework. In addition to the weekly intake session, students will be required to spend up to 6 hours per week in research, case preparation and consultation with their supervisor. Scheduled activities may include a combination of teacher directed learning, client interviewing and advice sessions, supervision and online engagement.

Initial Enquiries: Jayne Champion – Law Student Services
Ph: 9905 3356 or jayne.champion@monash.edu

Assessment (where applicable)

1. Casework Check specific Clinic

Casework conducted at the Clinic involves a number of aspects and processes. These are set out on a separate sheet, available on request.

2. Written Report/Research essay Check specific Clinic

This is to be of approx 1000- 2000 words. It is to reflect upon a student's experience at the Clinic and in particular on the extent to which the student believes that s/he has achieved the objectives of the unit. These are that students should:

- * have developed personal and communication skills to a higher level of sophistication;
- * have a good understanding of the principles of law in the relevant area;
- * have an understanding of the practical application of the law in this area;
- * be able to assess the effectiveness of the law and applicable legal remedies in this area;
- * have further developed their ability to work jointly with a professional in another discipline;
- * graduate with highly developed skills and recognised expertise in the relevant area of law."

NOTES

- A. Three minimum requirements for passing the unit are:
- (i) attendance at the Clinic;
 - (ii) obtaining a pass mark for casework as well as for the unit as a whole;
 - (iii) completing the Written Report/Research essay

There is no formal examination.

- B. Halfway through the clinical period there is an informal "mid-term" review when supervisors discuss strengths and weaknesses with each student.
- C. If, at the end of the clinical period, further work is required of an unsatisfactory student, it will not usually be possible for the student to carry on at the Clinic. Instead, in addition to any re-writing of the Report which may be required, the student may be set work consisting, for example, of the preparation of a detailed analysis and critique of selected files.
- D. If a student fails the unit, the opportunity to repeat it will depend upon the Convenor's decision as to the availability of a place in a subsequent clinical period.
- E. This unit is subject to the same grading guidelines (presumptive quotas) as all other units in the Law Faculty.

Dr Kate Seear
Convenor, Legal Practice Programs

Tel: 9905 3356
email: kate.seear@monash.edu