

# LAWS 7066 PROFESSIONAL RESPONSIBILITY AND LEGAL ETHICS

**Credit Points** 10

**Legacy Code** 201049

**Coordinator** Michael Brogan ([https://directory.westernsydney.edu.au/search/name/Michael Brogan/](https://directory.westernsydney.edu.au/search/name/Michael%20Brogan/))

**Description** This unit provides students with the opportunity to critically reflect on the legal, statutory and ethical principles and standards that underpin the professional obligations of legal practitioners. Students will also analyse ethical issues that commonly occur in professional legal practice in contemporary multicultural Australia, particularly with Aboriginal and Torres Strait Islander peoples. It deals with the professional, legal and ethical responsibilities legal practitioners owe to the law, the courts, their clients and to fellow practitioners, as well as the state and society at large. Students will be able to explain and evaluate the law and practice of legal practitioners, by reference to key topics, such as: professionalism; legal ethics; the history, structure and regulation of the legal profession; and the interpersonal, psychological and cultural factors affecting lawyering. In addition students will be able to demonstrate the process of ethical decision making by selecting and using ethical decision making tools in a legal context and develop their own ethical framework by exploring the relationship between personal and professional attitudes and values; and by reflecting on their own performance.

**School** Law

**Discipline** Legal Practice

**Student Contribution Band** HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/fees/](https://www.westernsydney.edu.au/currentstudents/current_students/fees/)) page.

**Level** Postgraduate Coursework Level 7 subject

**Co-requisite(s)** LAWS 7056 Fundamentals of Australian Law

**Incompatible Subjects** LAWS 2015 Professional Responsibility and Legal Ethics

**Restrictions**

Students must be enrolled in a postgraduate program.

## Learning Outcomes

On successful completion of this subject, students should be able to:

1. Reflect on the legal, statutory and ethical principles and standards that underpin the professional obligations of legal practitioners;
2. Analyse ethical issues that commonly occur in professional legal practice in contemporary multicultural Australia, particularly with Aboriginal and Torres Strait Islander peoples;
3. Develop appropriate strategies to avoid legal and ethical risks in professional legal practice;
4. Propose arguments to support or counter propositions for reform in legal ethics;

5. Develop their own ethical framework by exploring the relationship between personal and professional attitudes and values and by reflecting on their own performance.

## Subject Content

- The legal profession: Issues, ethics and lawyering
- professional communication (including cultural Understanding)
- duty to The Law, Courts and Fellow practitioners
- duty to clients (including Basic principles of trust accounting)
- Admission, professional misconduct and discipline
- Psychology and Ethical decision making

## Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

| Item        | Length      | Percent | Threshold | Individual/<br>Group Task |
|-------------|-------------|---------|-----------|---------------------------|
| Reflection  | 1,500 words | 20      | N         | Individual                |
| Viva Voce   | 20 minutes  | 35      | N         | Individual                |
| Examination | 2 hours     | 45      | N         | Individual                |

Prescribed Texts

- Paula Baron and Lillian Corbin, Ethics and Legal Professionalism in Australia (Oxford University Press, 3rd ed, 2020).

Teaching Periods