

BFM121 ADVANCED LEGAL RESEARCH & WRITING

Number of Aston Credits: 30

Number of ECTS Credits: 15

Staff Member Responsible for the Module:

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Availability: see 'office hours' on door
Or contact Rosaleen Shirley, NB404, Extension 3238

Pre-requisites for the Module:

None

Mode of Study:

On Campus

Module Objectives and Learning Outcomes:

The Advanced Legal Research and Writing Module is a core element of the LL.M programme. This module provides students with the fundamentals of the legal research and writing process. It is sufficiently general that students from a variety of backgrounds with a diverse range of postgraduate aims will benefit. At the same time it is sufficiently specific so that a number of the key issues involved in advanced research skills and methods are addressed. The emphasis of this module is on the development of research techniques and the development of key analytical and rhetorical techniques necessary for independent work at postgraduate level.

This module provides students with the basic theories and skills in order to continue with their own independent research for the dissertation component of the LL.M, by providing the opportunity to broaden students' experience of research methodology whilst facilitating students to develop strategies for executing their own research. Students will find this module valuable in relation to other independent research and writing tasks encountered during the course of the LL.M.

By the end of the module, students will:

- > have acquired knowledge of how to conduct basic and advanced level legal research
- > have acquired knowledge of how to write an academic dissertation



- > be able to identify suitable research issues;
- > formulate appropriate research questions;
- > locate, evaluate and use relevant legal and non legal information sources;
- > undertake a critical analysis of literature relevant to a chosen research topic;
- > be able to analyse and develop a sustained written legal argument appropriate to the level of study.

Module Content:

UNIT 1

UNDERSTANDING THE LAW

Introduction to Legal Research and Writing: the nature and purpose of law

UNIT 2

FOUNDATION SKILLS

Foundation Skills: Establishing the foundation for future performance in addition to the fundamentals necessary to begin to build critical basic research skills (e.g. library searches, Westlaw, LexisNexis, LawTel, article analysis).

What is 'Research', What is a 'Dissertation?'

Basic Research Methods: basic methods qualitative and quantitative approaches

Research ethics and Legal issues;

UNIT 3

COMMUNICATION SKILLS

Communication: The intent of this unit is to provide students with the basic skills required to communicate legal research findings to a broader audience. The emphasis in this unit is on writing skills and presentation skills.

UNIT 4

ADVANCED ANALYSIS, SKILLS AND METHODS

Research Strategy: Selecting suitable approaches to the conduct of dissertation research; Black-letter approaches to the conduct of dissertation research; Socio-legal approaches to the conduct of dissertation research; Comparative and Historical Methods.

The Supervisor/Supervisee Relationship

Planning, Designing and Implementing A Research Strategy

The Literature Review

Critical Thinking: Making and Sustaining an Argument.

Advanced Quantitative and Qualitative Research Methods

Research Proposal Presentation



Corporate Connections:

Where feasible, guest speakers from practice and academia will be invited to address students on key topics.

International Dimensions:

International and cross-cultural research comparisons will be drawn throughout the module.

Contribution of Research:

Research for the module will give students a deeper understanding of the paradigms and policies underlying legal and ethical considerations in this and other LL.M modules. Lecturers and guest speakers will draw upon their own research experience throughout.

Method of Teaching:

Method of Teaching - Lectures, tutorials, practical exercises and presentations; researching for and presenting a research proposal and literature review.

Lectures are designed to provide students with a basic understanding of the subject area whilst tutorials and practical exercises are designed to allow and encourage students to develop an ability to apply their knowledge in practical situations so as to identify issues, think critically, carry out appropriate research, work together in groups, make effective plans and present research.

Method of Assessment and Feedback:

Assessment for this module comprises of a 3,000-word essay, which is designed to enable students to demonstrate that they have achieved the learning outcomes for this module. This component of assessment package allows students to show their understanding of a defined subject area in addition to their ability to identify issues, analyse, make, and sustain legal arguments. The coursework accounts for 60% of the total mark available for this module.

Part two of the assessment package comprises of a detailed research proposal for the dissertation component of the LL.M. This element is designed to enable students to demonstrate that they are able to plan an effective and manageable research strategy and conduct effective preliminary research. The research proposal accounts for 40% of the total mark available for this module.

Written generic and specific feedback will be made available via coursework feedback forms.

Learning Hours:

Contact Hours	24
Directed Learning	66
Private Study/Group Work	180
Research	30
Total	300

Essential Reading:

In addition to the handouts and other materials available on Blackboard, students are will find the following to be of considerable benefit:

TBC

Indicative Bibliography:

Students may also find it valuable to refer to one or more of the following texts as a useful supplement to the individual unit reading list, handouts and other course materials provided on Blackboard:

Blaxter, L., Hughes, C. and Tight, M. (2001) How to Research, 2nd edn, Open University Press, Basingstoke

Boyle, F., Capps, D., Plowden, P. & Sandford, C. (2005). A practical guide to lawyering skills. 3rd ed. London: Cavendish

Bradney, A., Cownie, F., Masson, J., Neal, A. & Newell, D. (2005). How to study law. 5th ed. London: Sweet & Maxwell

Chandos-Stott, D. (1999). Legal Research. 2nd ed. London: Cavendish

Clinch, P. (2000). Legal information: what it is and where to find it. 2nd ed. London: IMI, Aslib

Clinch, P. (2001). Using a law library: a student's guide to legal research skills. 2nd ed. London: Blackstone.

Dane and Thomas. (2001). How to use a law library: an introduction to legal skills. 4th ed., by P.A. Thomas and J. Knowles. London: Sweet & Maxwell

Dunleavy, P. (1986) Studying for a Degree in the Humanities and Social Sciences, London: Macmillan.

French, D. (1996). How to cite legal authorities. London: Blackstone

Hart, C. (1998) Doing a Literature Review: Releasing the Social Science Research Imagination: London: Sage.

Holborn, G. (2001). Butterworths legal research guide. 2nd ed. London: Butterworths

Holland, J.A. (2003). Learning legal rules: a student's guide to legal methods and reasoning. 5th ed. Oxford: Oxford University Press

Holmes, N. (1999). Researching the legal web: a guide to legal resources on the internet. 2nd ed. London: Butterworths

Kenny, P.H. (2002). Studying Law. 5th ed. London: Butterworths

Lawrence, P. (2000). Law on the internet: a practical guide. London: Sweet & Maxwell

McKie, S. (1993). Legal research: how to find and understand law. London: London: Cavendish

Osborn's Concise law dictionary. (2005). 10th ed. by M. Woodley. London: Sweet & Maxwell

Pester, D. (2003). Finding legal information: a guide to print and electronic sources. Oxford: Oxford University Press

Preece, R. A. (1994) Starting Research: An Introduction to Academic Research and Dissertation Writing, Pinter Publishers.

Strong, S. (2006). How to write law essays and exams. 2nd ed. Oxford: Oxford University Press

Tunkel, V. (1992). Legal Research: law finding and problem solving. London: Blackstone

Watt, R. (1997). Concise legal research: law finding and problem solving. 3rd ed. Sydney: Federation Press

Webley, L. (2005). Legal writing. London: Cavendish

Williams, G. (2002). Learning the law. 12th ed. ed. by A. T. H. Smith. London: Sweet & Maxwell

Useful Journals:

E. Volokh (1998) "Writing a Law Review Article", 48 Journal of Legal Education 247



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Other Sources:

The principal legal databases are Lexis-Nexis and Westlaw UK. These contain case transcripts and full text articles from many law journals.

<http://www.legislation.hmso.gov.uk>
<http://www.parliament.thestationery-office.co.uk>
<http://www.islandnet.com>
<http://www.westlaw.co.uk>
<http://www.butterworths.co.uk>
<http://www.lawreports.co.uk>
<http://www.bailii.org/>
<http://www.legalabbrevs.cardiff.ac.uk/>
<http://www.statutelaw.gov.uk>
<http://www.opsi.gov.uk>



For further information on any of the opportunities that Aston Business School offers, please contact:

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