

**DEFINITIONS AND ABBREVIATIONS**.....ERROR! BOOKMARK NOT DEFINED.

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# Program Requirements and Administration

## 2. Postgraduate Specialisation Programs

### 2.1 Introduction

2.1.1 The Postgraduate Specialisation Programs offered by the College of Law concentrate on particular areas of legal practice with a view to improving skills and knowledge within those fields. The Programs are primarily undertaken online, but some subjects are offered in intensive mode and include some face-to-face components in order to reinforce the online learning with practical application.

2.1.2 Subjects taken in New Zealand, Malaysia or other countries outside Australia are entirely online.

### 2.2 Program Structure

2.2.1 The Family Law Program includes the awards Master of Applied Law (Family Law) and Graduate Diploma of Applied Law (Family Law) (see Appendix 6).

2.2.2 It is not necessary to pursue a Major for the Master of Laws (Applied Law) award. Students may elect to study any eight Postgraduate Specialisation Subjects one of which must be the Major Project.

2.2.3 All students are regarded as being enrolled in the full Program, leading to the Master of Laws (Applied Law) award (eight Subjects). Students may choose to exit early with a Graduate Diploma of Applied Law (four Subjects), Graduate Certificate in Applied Law (two Subjects) or Graduate Diploma of Family Dispute Resolution Practice, if they have satisfied the requirements for any of the Graduate Diplomas or Graduate Certificates.

<b>i. Graduate Certificate in Applied Law</b>
The Graduate Certificate consists of two subjects. Please refer to Appendix 6 for the course structures. The minimum time for completion is one intake (see 2.2.3).
<b>ii. Graduate Diploma of Applied Law</b>
The Graduate Diploma consists of four subjects. Please refer to Appendix 6 for the course structures and available subject areas. The minimum time for completion is two intakes (see 2.2.3).

<p><b>iii. Masters Degrees</b></p>
<p>Master of Laws (Applied Law) and Master of Applied Law (Family Law) each consist of eight Subjects. Please refer to Appendix 6 for the course structures. The minimum time for completion is three intakes (see 2.2.3).</p>
<p><b>iv. Graduate Diploma of Family Dispute Resolution Practice and Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice – commencement prior to 2021</b></p>
<p>This Graduate Diploma or Family Dispute Resolution Practice consists of four core subjects and a practicum specifically prescribed by Attorney-General’s Department for eligibility to seek accreditation as a FDR practitioner. Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice consists of eight subjects, including the four core subjects and a practicum specifically prescribed by the Attorney-General’s Department for eligibility to seek registration as a FDR practitioner and three elective subjects. In order to successfully complete this award or satisfy the requirements of the major, students must complete the Prescribed Core Subjects in order and practicum undertaken in accordance with the Practicum Rules. Please refer to Appendix 6 for the course requirements. The minimum time for completion is two intakes for the Graduate Diploma (see 2.2.3).</p>
<p><b>v. Graduate Diploma of Family Dispute Resolution Practice and Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice – commencement from 2021</b></p>
<p>This Graduate Diploma of Family Dispute Resolution Practice consists of five core subjects specifically prescribed by the Attorney-General’s Department for eligibility to seek accreditation as a FDR practitioner. Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice consists of <b>eight</b> subjects, including the five core subjects specifically prescribed by the Attorney-General’s Department for eligibility to seek registration as a FDR practitioner and three elective subjects. Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice and another major, consists of <b>nine</b> subjects, including the five core subjects specifically prescribed by the Attorney-General’s Department for eligibility to seek accreditation as a FDR practitioner and four subjects from another major. In order to successfully complete this award or satisfy the requirements of the major, students must complete the Prescribed Core Subjects in order. Please refer to Appendix 6 for the course requirements. The minimum time for completion is three intakes for the Graduate Diploma (see 2.2.3).</p>

## **2.3 Eligibility**

### **2.3.1 Eligibility for Admission to an Award Program**

2.3.1.1 To be admitted to any of the Postgraduate Specialisation award Programs, students are required to have an undergraduate law degree, or equivalent. As documentary evidence of their law degree, they must submit originals or certified copies of either their official academic transcript graduation testamur, practicing certificate or admission certificate (see 1.3.2).

2.3.1.2 In addition, enrolment in single Subjects on a non-award basis is permitted, for which no previous qualifications are necessary.

### **2.3.2 In-house Practice Program – Applicants without legal qualifications**

2.3.2.1 Applicants for admission to the Graduate Diploma of In-house Practice (the In-house Program) should normally hold a degree in law degree. The reason for this is that the In-house Program assumes, and builds upon, a requisite minimum knowledge of law and legal systems and practical experience in a business or government context. However, given the diverse nature of In-house practice and practitioners, it is possible in appropriate cases to enter the Program without first having obtained a law degree.

2.3.2.2 The College recognises that there may be candidates, without legal qualifications, who might nevertheless be capable of undertaking, and benefiting from, the In-house Program. Accordingly, applicants without legal qualifications may be considered for entry to the In-house Program where they can provide evidence that they:

- hold a bachelor's degree (or higher)
- have substantial experience of working in a quasi-legal capacity, and
- are able to demonstrate a working knowledge of law and legal systems.

2.3.2.3 Applicants should include a letter with their application, addressed to the Program Director, explaining why they wish to undertake the In-house Program and which provides the following information:

- Name(s) of employer(s) and position(s) held
- Duration of employment
- A description of the practice or business, and
- A description of the quasi-legal tasks undertaken by the applicant.

2.3.2.4 Applicants should also include a reference from a lawyer, who holds a current practising certificate, stating that, in the opinion of the referee, the applicant has the requisite knowledge and experience to benefit from the In-house Program.

2.3.2.5 If, on the basis of the documentation, the applicant is considered to be a viable candidate, the applicant will then be interviewed by a member of College

academic staff and a member of the Academic Board. A report will be prepared and a determination will be made by the Chair of the Academic Board as to whether the applicant may commence the In-house Program.

2.3.2.6 Applicants who perform adequately toward the Graduate Diploma will be allowed to proceed to the Masters Degree with a Major in In-house Practice.

### **2.3.3 Graduate Certificate in Applied Law (Legal Practice and Innovation)**

Applicants for admission to the Graduate Certificate in Applied Law (Legal Practice and Innovation) must hold an undergraduate degree in any discipline, the evidence of which must be provided at the time of enrolment.

### **2.3.4 FDRP Program – Entry requirements**

2.3.4.1 The primary discipline within the Program is mediation, supported by aspects of psychology and sociology. Relevant law is included but this is not abstract legal principles building upon concepts learned at undergraduate level. A high proportion of students enrolled in similar courses elsewhere are not lawyers, and a high proportion of existing Family Dispute Resolution practitioners are not lawyers.

2.3.4.2 Applicants for admission to the Graduate Diploma of Family Dispute Resolution Practice (the FDRP Program) must hold an appropriate qualification that is deemed eligible under the Australian Government's training package CHC81115 Graduate Diploma of Family Dispute Resolution, which is a pre-requisite to gaining registration as a family dispute resolution practitioner (FDRP).

2.3.4.3 Appropriate qualifications for the purposes of the FDRP Program entry requirements include:

- An undergraduate degree or higher qualification in Psychology, Social Work, Law, Conflict Management, Dispute Resolution, Family Law Mediation or equivalent; or
- Current accreditation under the National Mediator Accreditation Scheme (NMAS); or
- Current holder of the Mediation skill set from the Community Services Training Package (CHC).

2.3.4.4 Applicants who do not hold an appropriate qualification may be eligible for admission to the FDRP Program on the basis of previous experience in a dispute resolution environment, in a job role involving the self-directed application of knowledge with substantial depth in some areas, exercise of independent judgment and decision making, and a range of technical and other skills. Such applicants must include a letter with their application, addressed to the Program Director, explaining why they wish to undertake the FDRP Program and provide the following information by no later than two weeks before the start of FDR1 – Family Law and Mediation subject:

- Name(s) of employer(s) and position(s) held
- Duration of employment
- A description of the practice or business, and
- A description of relevant tasks undertaken by the applicant.

2.3.4.5 If, on the basis of the submitted documentation, the applicant is considered to be a suitable candidate, the applicant will then be interviewed by a member of College academic staff and a report will be prepared for the Chair of the Academic Board. A determination will be made by the Chair of the Academic Board as to whether the applicant may commence the FDRP Program.

2.3.4.6 Entry requirements for the Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice are the same as for any other Major. Students are required to have a law degree, or equivalent..

## 2.4 Course Requirements

### 2.4.1 Academic year

The Postgraduate Specialisation Programs run over four intakes a year.

### 2.4.2 Course Requirements

2.4.2.1 The following table shows credit points, minimum full time Program durations and Maximum Permissible Periods for each award. Students commencing a Masters Degree prior to 2016, may complete the award having successfully completed seven subjects (63 credit points). From 2016, all commencing students must successfully complete eight subjects (72 credit points).

Award	Credit Points	Minimum Duration – FT	Maximum Duration
Graduate Certificate (ALP)	18 (2 x 9)	Minimum duration is one intake.	Maximum Permissible Period is 2 years from commencement.
Graduate Diploma (ALP)	36 (4 x 9)	Minimum duration is two intakes.	Maximum Permissible Period is 4 years from commencement.
Masters Degree*	72 (8 x 9)	Minimum duration is three intakes.	Maximum Permissible Period is 5 years from commencement.
Graduate Diploma (FDRP) – commencement before 2021	36 (4 x 9)	Minimum duration is two 12 week intakes in part intensive mode, plus a 20 hour Practicum.	Maximum Permissible Period is 4 years from commencement.

Graduate Diploma (FDRP) – commencement from 2021	45 (5 x 9)	Minimum duration is three 12 week intakes in part intensive mode.	Maximum Permissible Period is 4 years from commencement.
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\* Students commencing prior to 2016 may complete with seven subjects (63 credit points).

2.4.2.2 It is possible to apply for extra time in appropriate circumstances. Such applications must be in writing to the Program Director and be supported by documentary evidence of the grounds relied upon.

### **2.4.3 FDRP Program – Practicum**

2.4.3.1 Training package CHC81115 prescribes completion of at least 50 hours clinical work placement to be completed as part of the award. Students who commenced the Graduate Diploma of Family Dispute Resolution Practice or Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice from 2018 to 2020 (inclusive), will cover 30 hours of the prescribed 50 hours by successful completion of prescribed core subjects (Appendix 6). These students must complete the remaining 20 hours of work placement externally.

2.4.3.2. Students who commenced the Graduate Diploma of Family Dispute Resolution Practice or Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice from 2021, will cover all of the hours of the practicum requirement by successful completion of prescribed core subjects (Appendix 6). These students do not need to complete the 20 hours of work placement externally.

2.4.3.1 Students in the FDRP Program who were incomplete by the end of 2017 must complete in total 50 hours of practicum. They may elect to complete FDR4 Case Management in Family Dispute Resolution Capstone subject (previously known as FDRP5 – Clinical Case Management) that will amount to 30 hours of practicum. The remaining 20 hours will need to be completed externally or by successful completion of FDR5 – Virtual Simulated Practice.

### **2.4.4 Subject Enrolment**

2.4.4.1 The table at 2.4.2 shows minimum full time duration for each award, but students do not enroll as either “full time” or “part time” students. Three Subjects per intake is regarded as a full time load and the College regards anything less than a full time load as part time.

2.4.4.2 Unless a student indicates otherwise (or in the cases of non-law graduate candidates for the In-house Program or FDRP Program or Graduate Certificate in Applied Law (Legal Practice and Innovation)), all students are regarded as being enrolled for the Masters degree, however the student may apply to exit with a lesser award once the course requirements for that lesser award have been met.

2.4.4.3 If a student graduates with a Graduate Diploma of Applied Law or, from 2018, graduates with a Graduate Diploma of Family Dispute Resolution Practice, they (with the exception of non-law graduate candidates), may apply to proceed to a higher award at any time and be granted credit for the subjects already completed. If a student has already had conferred a lesser award, the student may apply to proceed to a higher award with full credit for the lesser award, but must surrender the lesser award before the higher award can be conferred.

2.4.4.4 Enrolment in single Subjects on a non-award basis is permitted, and access to Fee- HELP loans to pay tuition fees is not available.

#### **2.4.5 Program sequence**

Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice and Graduate Diploma of Family Dispute Resolution Practice have prerequisite subjects. Students must successfully complete the subjects in the order prescribed. Please refer to Appendix 6.

#### **2.4.6 Graduation with a Major**

Masters students wishing to graduate with a Major must take at least four subjects (including the Capstone Project) from the relevant Stream.

#### **2.4.7 Major Project and Capstone Project Subjects**

All students proceeding to the Masters Degree will be required to successfully complete at least one of either Major Project or Capstone Project.

#### **2.4.8 Capstone Project**

2.4.8.1 Students must successfully complete at least three subjects in their Major prior to starting the Capstone subject.

2.4.8.2 Where a student has elected to complete a double Major, a Capstone is only required in one Major.

#### **2.4.9 Major Project**

2.4.9.1 Students who are enrolled in the Master of Laws (Applied Law) without a major must undertake the Major Project.

2.4.9.2 The Major Project must be successfully completed in one of the Streams offered by the College of Law Masters.

2.4.9.3 Students must submit a one page synopsis at least two weeks before the enroll by date, as specified.

2.4.9.4 The synopsis will be assessed by the supervising lecturer for approval or feedback.

2.4.9.5 Once the synopsis is approved, the student will be formally enrolled in the Major Project.

#### **2.4.10 Double Majors**

2.4.10.1 Students may apply for one specified Credit per Major. Unspecified Credits will not count towards the Double Major.

2.4.10.2 Students must declare the Double Major during the course of their study. Students who complete their LLM degree cannot return to complete the Double Major, they must start a new Program.

2.4.10.3 Students in the Masters of Applied Law (Family Law) Program are eligible to complete a Double Major if they transfer their enrolment to the Master of Laws (Applied Law) Program and complete four subjects of a new Major sequence area.

*Double Major example: Student wishes to Double Major in Wills and Estates and Property*

- *Wills & Estates subjects:*
  - *WEP 1: Foundations of Wills & Estates*
  - *WEP 3: Construing and Drafting Wills*
  - *WEP 4: Family Provision*
  - *Capstone: (Wills and Estates)*
- *Property subjects:*
  - *Prop 1: Foundations of Property Law*
  - *Prop 2: Buying and Selling Real Property*
  - *Prop 3: Commercial Leasing, Contracts & Transactions*
  - *Specified Credit or fourth property subject*

#### **2.4.11 FDRP Transition from the training package CHC80308 to the training package CHC81115**

***Students were able to complete the necessary requirements for the FDRP Program by completing the training package CHC80308 until 31 May 2017. From 1 January 2017, the College has been offering the training package CHC81115. The transition arrangements for the purposes of transitioning from the training package CHC80308 to the training package CHC81115 are outlined below.***

*Students who complete the coursework component (four subjects)*

2.4.11.1 Students who have successfully completed the coursework component (four subjects) of training package CHC80308 must complete their 10 hour practicum component by 31 May 2017.

2.4.11.2 As training package CHC80308 will no longer be offered after 31 May 2017, students who do not successfully complete training package CHC80308, must transition to the new training package.

2.4.11.3 As the new training package CHC81115 has amended units of competency, transitioning students must complete the subject FDR4 – Case Management in Family Dispute Resolution Capstone, in order to cover these amended units of competency.

2.4.11.4 FDR4 Case Management in Family Dispute Resolution Capstone also provides 30 hours of the 50 hours practicum requirement, which means that transitioning students only need to complete 20 hours of practicum with an externally registered FDRP. Students can elect to complete FDR5 – Virtual Simulated Practice, which will cover remaining 20 hours of practicum requirement.

2.4.11.5 Completion of FDR4 – Case Management in Family Dispute Resolution Capstone is compulsory for the purposes of transition to the new training package.

*Students who have completed the FDRP1 – Mediation Subject, only*

2.4.11.6 Students who have successfully completed FDRP1 – Mediation, are able to continue with the rest of the coursework in the new training package. They must successfully complete FDR2 to FDR4 listed below plus 20 hours of practicum with an externally registered FDRP. Students can elect to complete FDR5 – Virtual Simulated Practice, which will cover remaining 20 hours of practicum requirement

- FDR2 – Children’s Matters, Family Law and Family Dispute Resolution;
- FDR3 – Advanced Family Dispute Resolution; and
- FDR4 – Case Management in Family Dispute Resolution Capstone.
- FDR5 – Virtual Simulated Practice or 20 hours external practicum.