

## APPENDIX 2: English Law Studies

### COURSE PROGRAM

#### GENERAL INFORMATION

*Name of the Course:* English Law Studies (Levels 1-4)

*Number of credits ECTS:* Each Level: 8 credits (75 Class contact hours; 125 self-study hours)

*Nature of the course:* The course is designed to give students a firm grounding in the English Legal System and core subjects including: Obligations (Tort, Contract, Restitution), Criminal Law, Public Law (Constitutional Law, Administrative Law, Human Rights), Property Law, Equity and Law of Trusts and interaction of National and Union Law.

*Course Structure:* The course is built around 800 student study hours spread over four years between October and June. It runs parallel with the Malaga University 4 year Spanish Law Degree course

The 200 study hours of study required each year are made up of 75 hours class contact work (one 3 hour class a week for 25 weeks) and 125 independent study hours (averaging out at about 2¼ hours a week during the academic year).

Attendance at all classes is compulsory. The work covered in the class contact hours includes the presentation and explanation of the primary course material, open seminars, group discussions, guided practical workshops, student presentations and periodic written and oral assessments (see below for more detail of assessment procedures). Student will need all the independent study hours to satisfy the minimum course requirements for research into secondary information, preparing oral presentations and revision. Tutorials can be by arrangement at any time subject to the availability of the Course Director or class lecturer and students may be required by the Director to attend tutorials in their own time if special needs are perceived.

*Aim of the Course:* The overriding aim of the course is to develop the capacity of students to assimilate the theoretical foundations of the different subjects they study whilst developing the skills they will need to apply their knowledge at a practical and productive level in their future careers.

*Teaching and Guidance:* To achieve an acceptable balance between theory and practice within the total annual work load (75 contact hour; 125 independent study hours), the core studies are concentrated into the class contact hours.

The teaching process concentrates on training students to address and understand the fundamental reasoning which underlies the legal topics they are handling and to develop a clear methodology for dealing with the ones they will encounter as the course proceeds. *What are the fundamental concepts (natural justice, common sense, expediency, etc.) that might dictate the making of good law in any given situation? How do I find out what the law actually is once I have identified the legal issues? How do I apply the law to the actual problem I am dealing with? How do I use my knowledge and conclusions to best effect in my dealing with clients, colleagues, the courts, etc.?*

The course is progressive both in respect of the depth into which

a particular area of law is considered at the different course levels and in respect of the outcomes expected of the students in the presentation and assessment of their work.

Although for convenience the program sets out the course content in blocks (e.g. contract, tort, civil procedure, etc.), most of the core subjects are run as threads throughout the whole four year course as are other areas of learning and skills training in: matters of professional conduct, procedural issues, interviewing, reporting to clients, fact finding, gathering and recording evidence, legal research and analysis, formulating and submitting arguments, preparing briefs, negotiating solutions, office administration and accounting procedures.

The Lesson Plans which are provided to students at the beginning of each year define the content of each contact period in greater detail and reflect the close interaction of the variety of matters that the lawyer needs to consider simultaneously in real-life situations. Students are thus able to 'refresh' previous material in preparation for class and prepare what is coming

*Compatibility of  
the Spanish Law  
Degree and Diploma  
In English Law*

The Spanish Law Degree not only prepares students in the theory and practice of the foundation subjects needed to pass on to the post-graduate stage and professional exam, but also covers a range of important academic subjects, including Roman Law, History of Law, Philosophy of Law, Legal Sociology, Political Science, Financial Law and Economics; often in the early legal training of students in Common Law countries

Students who graduate in Spanish Law and obtain their certificates in English Law will achieve a solid training in the theories and practices that prevail in both a civil and common law environment. They will also acquire a high level of understanding of the cultural and socio-legal differences that permeate the different systems without which it is becoming increasingly unrealistic to define oneself as a true international lawyer.

*Assessment Criteria:* Attendance in class is obligatory. Failure to attend without good reason will incur loss of marks. Students may be required to make up any classes they have missed.

Assessment is continuous and includes:

- Keeping an up-to-date 'Course File' which responds to specific criteria in regarding content and good 'housekeeping' standards
- Group participation and in-put
- 3 periodic written tests of 90 minutes duration (problem solving or essay)
- Periodic 3 minute random oral presentations
- One 15 minute prepared oral presentation with hand-out
- Group and individual projects

Students will be required to work on their Course Files and to present them in class if they are not kept to the required standard. Written tests and oral presentations may be re-attempted once to secure a pass mark.

**COURSE CONTENT : Level 1: First Year:**

**1. COURSE INTRODUCTION AND ENGLISH LEGAL SYSTEM**

1.1 Explanation of the course and 'Housekeeping'

	<ul style="list-style-type: none"> <li>1.2 System for co-existence (<i>'The Spider's Web'</i>)</li> <li>1.3 Common Law across the World</li> <li>1.4 Development of Common Law and Equity</li> <li>1.5 Primary Sources of English Law</li> <li>1.6 The Administration of Justice</li> <li>1.7 Written Assessment</li> </ul>
<b>2.</b>	<p><b>TORT</b></p> <ul style="list-style-type: none"> <li>2.1 Conceptual Principles</li> <li>2.2 Negligence</li> <li>2.3 More Torts</li> <li>2.4 Contributory Negligence</li> <li>2.5 Defences</li> <li>2.6 Case Study</li> <li>2.7 Damages</li> <li>2.8 Equitable remedies</li> <li>2.5 Limitation</li> </ul>
<b>3.</b>	<p><b>CONTRACT</b></p> <ul style="list-style-type: none"> <li>3.1 Elements of a binding Contract</li> <li>3.2 Unenforceable, Avoidable, Null</li> <li>3.3. Mistake</li> <li>3.4 Misrepresentation</li> <li>3.5 Damages</li> <li>3.6 Equitable remedies</li> <li>3.6 Legislation</li> <li>3.5 Case Study</li> </ul>
<b>4.</b>	<p><b>PROFESSIONALS AND THE PROFESSION</b></p> <ul style="list-style-type: none"> <li>4.1 Barristers and Solicitors/Others</li> <li>4.2 Training, Regulation, Ethics, Client Conduct, Client Handling</li> <li>4.3 Attending the Client, File Management, Attendance Notes, Correspondence</li> <li>4.4 Office Management, Accounts, Billing, Professional Insurance</li> </ul>
<b>5.</b>	<p><b>PROCEDURE AND CIVIL LITIGATION</b></p> <ul style="list-style-type: none"> <li>5.1 The Principles and the Rules</li> <li>5.2 Handling a Case (early stages from client to claim)</li> <li>5.3 Civil Procedure Rules (relevant to the early stages)</li> <li>5.4 Methodological Approach (IRAC)</li> </ul>
<b>6.</b>	<p><b>WORKSHOPS (15 hours)</b></p> <ul style="list-style-type: none"> <li>6.1 Career focusing, specialization and cultural development</li> <li>6.2 CV's, Cover Letters, Interviewing</li> <li>6.3 Live interview practice</li> <li>6.4 Learning techniques</li> <li>6.5 Confidence building</li> </ul>