



Faculty of Law

JAEN47, The Fundamentals of Oral Advocacy, 15 credits

Processföring och rättslig argumentationsteknik, 15 högskolepoäng
Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2016-05-11 to be valid from 2016-05-11, spring semester 2016.

General Information

The course The Fundamentals of Oral Advocacy is an elective course within the Master's Programme in European Business Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree and who are enrolled in the Master's Programme in European Business Law in their studies at advanced level. The course is also open to international students participating in exchange programmes with the Faculty of Law.

The course is scheduled to require 10 weeks of full time studies.

Language of instruction: English

Main field of studies

European Business Law

Depth of study relative to the degree requirements

A1F, Second cycle, has second-cycle course/s as entry requirements

Learning outcomes

This is a performance course which intends to familiarize students with the preparation and delivery of various speeches including informative and persuasive speeches. Students will research, outline and deliver speeches, as well as act as critics of their own, fellow students', and famous speakers' work. The course aims to reduce students' anxiety in public presentations, emphasize speech preparation, enhance public speaking skills, and make students better able to evaluate their own performance and that of others.

Knowledge and understanding

To pass the assessment the student shall be able to:

- show a basic understanding of how to construct a persuasive argument
- show a basic understanding of language and cultural appreciations, common or diverging, to law problems that occur between different legal systems
- show a basic understanding of how, from a litigation perspective, key actors use different decision methods
- identify and determine the key areas of non verbal communication that strengthens a speech.

Competence and skills

To pass the assessment the student shall be able to:

- demonstrate an ability to master a wide range of diverse sources of information relating to advocacy and presentation situations
- demonstrate an ability to discover appropriate structures of a speech and /or argument similarities that strengthens the clarity and persuasiveness of an argument
- demonstrate an ability to devise and implement an appropriate strategic plan to constructing a verbal argument
- demonstrate an ability to use non-verbal communication to strengthen arguments
- demonstrate an ability to use written materials effectively in the delivery of a speech.

Judgement and approach

Students shall train inter-disciplinary working methods with colleagues from different cultural backgrounds and of the opposite gender.

They shall simultaneously perform independent investigation and take full responsibility for the development of their own knowledge.

To pass the examination the students shall be able to consider and discuss social, legal and ethical responsibilities within a mutli-disciplinary environment and base arguments on such reflections.

Course content

In this course advocacy and oral presentations are studied from an interdisciplinary perspective. The course will include elements from the school of art in understanding the use the of expression, elocution and dramatizing and from the field of psychology non verbal communication identifiers and techniques will be identified and explained. This course will give students the opportunity to develop and strengthen skills in preparing and presenting public oral presentations in a variety of situations with a concentration on advocacy. It should also sharpen their skills in critical listening. While theoretical foundations for the methods taught will be included, this is a practice-oriented course.

The practical element focuses on presentation, persuasion and argumentation. This is studied through a multi-disciplinary and comparative law method. Although this course focuses on the role of the lawyer and the skills of advocacy the course prepares students for a variety of academic and other professional situations in which formal presentations are required. Topics covered by the course include cultural conventions and speech, perceptions of others, verbal and nonverbal messages, and

techniques of oral presentation and persuasion.

Students will learn how to approach this from a multi-disciplinary perspective and the course will incorporate presentations from the school of arts and the school of psychology. Students will learn how to outline, and deliver short, informal presentations as well as longer speeches. This course will give students the opportunity to develop and strengthen skills in preparing and presenting public oral presentations in a variety of situations. It should also sharpen their skills in critical listening. While theoretical foundations for the methods taught will be included, this is a practice-oriented course. Speaking clearly and comfortably in public is a valuable and often essential skill to possess. This course aims to provide students with a basic background in the theories and principles of public speaking, as well as practical experience with the basic types of litigation speeches. Students will be required to undertake a series of exercises by using a mock trial that will run through the duration of the course.

The course makes use of a multi media learning approach and includes students been videoed in select exercises from which they will receive individual feedback on their performances, including feedback on non-verbal communication. By using a comparative law approach students are provided with practical insights and backgrounds to the judicial systems in the European Union, the United States and England. This will include watching video clips of hearings in these jurisdictions and dissecting and analysing the hearings and speeches from a critical perspective. This is further supplemented by the same method of analysis of historic speeches.

The mock trial running through the course will be conducted in different settings across the course and students will be required to participate as different actors, i.e. judges, attorneys, advocate general, and government/state agents. Non-verbal communication, use of written materials, language use, persuasion, scene setting and cultural considerations will be addressed. The course concludes with a full mock trial where all students will be required to deliver a written skeleton argument and a piece of advocacy.

Course design

The course is structured on a succession of lectures and practical workshops where student participation is required.

Assessment

Method of evaluation:

- through performance and contribution during class presentations and group negotiations (20% of the final grade)
- mock trial (80% of the final grade: 40% on the written skeleton argument for the final mock trial and 40% on the oral performance at the final mock trial).

In order to pass, students are required to meet 80% attendance on the course.

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grading criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grading criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to the dimensions listed as “Learning outcomes” in this syllabus. By way of example, an AB would presuppose that the student’s examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as “learning outcomes”. Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

B – Basic command

In order to achieve grade B, the student must show good knowledge of argumentation, persuasion both from a theoretical and a practical perspective, and demonstrate sound ability to critically evaluate the circumstances and situations where the diversity of this area of law is significant. This includes having sound knowledge of the interactions between language, preparation, delivery and legal provisions. The student must demonstrate sound knowledge of these approaches and of the relevant evolving theoretical and cross disciplinary debates relevant to this subject.

The student must demonstrate sound knowledge of the methods of interpretation, drafting of arguments, use of language and non-verbal communication as well as sound ability to apply this knowledge in the delivery of a speech.

The student must demonstrate sound ability to situate his or her arguments or positions within relevant legal instruments and relate it to the audience and the decision maker.

BA – Advanced command

In order to achieve grade BA, the student must show very good knowledge of argumentation, persuasion both from a theoretical and a practical perspective, and demonstrate sound ability to critically evaluate the circumstances and situations where the diversity of this area of law is significant. This includes having very good knowledge of the interactions between language, preparation, delivery and legal provisions. The student must demonstrate good knowledge of these approaches and of the relevant evolving theoretical and cross disciplinary debates relevant to this subject.

The student must demonstrate very good knowledge of the methods of interpretation, drafting of arguments, use of language and non-verbal communication as well as sound ability to apply this knowledge in the delivery of a speech.

The student must demonstrate a good ability to situate his or her arguments or positions within relevant legal instruments and relate it to the audience and the decision maker.

AB – Mastery

In order to achieve grade AB, the student must show excellent knowledge of argumentation, persuasion both from a theoretical and a practical perspective, and

demonstrate sound ability to critically evaluate the circumstances and situations where the diversity of this area of law is significant. This includes having very excellent knowledge of the interactions between language, preparation, delivery and legal provisions. The student must demonstrate excellent knowledge of these approaches and of the relevant evolving theoretical and cross disciplinary debates relevant to this subject.

The student must demonstrate excellent knowledge of the methods of interpretation, drafting of arguments, use of language and non-verbal communication as well as sound ability to apply this knowledge in the delivery of a speech.

The student must demonstrate an excellent ability to situate his or her arguments or positions within relevant legal instruments and relate it to the audience and the decision maker.

Entry requirements

Passed examination in courses corresponding to the first year of the Master's programme in European Business Law equivalent to 60 credits.

Admission requirements for international exchange students include relevant undergraduate studies corresponding to three years at a university level, and basic knowledge of public international law.

Further information

The University views plagiarism as a very serious academic offence, and will take disciplinary action against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practices in examinations or assessments, includes suspension from the University.

Subcourses in JAEN47, The Fundamentals of Oral Advocacy

Applies from H16

1601 The Fundamentals of Oral Advocacy, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction