

UNIT 3: Compulsory/Options(3 out of 5)

The syllabus lists what the Course must cover as a minimum, it is not set out in any order of importance, weight or otherwise. The course must always remain current, relevant and proportionate to the profession of the Costs Lawyer.

COMPULSORY

Module 3(a) CIVIL PROCEDURE (ADVANCED) 15 Credits	
<p>Minimum syllabus: Professional negligence Clinical negligence Personal injury Foreign claims & jurisdiction issues European Communities (Recognition of Professional Qualifications) Regulations 2007 Injunctions</p>	<p>Aim: To provide Trainees with an insight into aspects of civil procedure required for some specialised claims and specific applications.</p> <p>Outcome: Upon completion of this Module a Trainee will be able to:</p> <ul style="list-style-type: none"> • Explain and apply the appropriate civil procedures and protocols to professional negligence and clinical negligence claims. • Explain the law and procedure relating to injunctions in litigation claims. • Identify claims where jurisdiction issues arise. • Present their answers logically and coherently.
Module 3(b) BUSINESS MANAGEMENT 10 Credits	
<p>Minimum Syllabus: Annual business plans & objectives Range of business models Functional areas:</p> <ul style="list-style-type: none"> • Human resource management • Finance • Marketing • Communication • Production <p>Key external elements of the business environment:</p>	<p>Aim: To provide Trainees with an understanding of the key elements and functional areas of the organisation of a business.</p> <p>Outcome: Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> • Explain & compare different business models. • Explain the main functional areas of business management.

<ul style="list-style-type: none"> • Political • Economic • Social • Technological • Cultural <p>Employee:</p> <ul style="list-style-type: none"> • Supervision & training • Health & safety • Data Protection • Whistleblowing • Equality • Professional development • Appraisals 	<ul style="list-style-type: none"> • Explain and evaluate impact of external elements of the business environment on the business. • Explain legal expectations of an employee. • Present their answers logically and coherently.
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<p>Module 3(c) PROFESSIONAL DEVELOPMENT PLANNING (ADVANCED) 5 Credits</p>
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<p>Minimum Syllabus: Understanding & developing professional attributes Identifying training & CPD needs Career planning & development</p>	<p>Aim: To enable Trainees to build on professional development planning studied in Unit 1 to ensure conscious and conscientious approach to professional learning is maintained and to enable a Trainee to reflect on their progress in developing their careers, confidence and competence across a number of practice areas.</p> <p>Outcome: Upon completion of this Module a Trainee will have:</p> <ul style="list-style-type: none"> • A deep understanding of the professional attributes expected of a Costs Lawyer. • Insight into a range and level of skills that they have acquired through their work and study. • Understanding of their skills and attributes which require further development and will be able to devise and implement a plan to achieve that. • A greater appreciation of their own career development aspirations. <p>Written assessment: (1) 50%: Professional conduct problem. (2) 50%: Detailed written skills analysis &</p>
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	development strategy by Trainee.
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OPTIONS: (3 out of 5)

<p>Module 3(d) PERSONAL INJURY/CLINICAL NEGLIGENCE & COSTS 10 Credits</p>	
<p>Minimum syllabus: <u>Personal Injury</u> Types of Claim Causation Quantum of damages Evidence Personal injury protocol Pleading a case Defences Interim hearings and trial Settlement & final orders Appeals Limitation Act 1980 Costs</p> <p><u>Clinical Negligence</u> Types of claim Negligence & breach of duty The Bolam test Causation Quantum of damages Evidence Clinical negligence protocol Pleading a case Defences Interim hearings & trial Settlement & final orders Appeals Limitation Act 1980 Costs</p>	<p>Aim: To enable Trainees to develop knowledge, understanding and critical awareness of the law in relation to personal injury and medical negligence and costs in such proceedings to encourage and support their continued legal research and understanding of the subject matter.</p> <p>Outcome: Upon completion of this Module a Trainee will be able to:</p> <ul style="list-style-type: none"> • Explain personal injury law & procedure and medical negligence law & procedure. • Apply the law and practice to presenting legal arguments on costs matters in personal injury and clinical negligence claims. • Present their answers logically and coherently.
<p>Module 3(d) LAND LAW & COSTS 10 Credits</p>	
<p>Minimum Syllabus: Freehold estates Registered/unregistered land Leasehold estates</p>	<p>Aim: To enable Trainees to develop knowledge, understanding and critical awareness of the basic principles of land law to enable the Trainee to understand any</p>

<p>Unlawful eviction & harassment Legal & equitable rights Protection of third party rights Co-ownership Rights, obligations & interests in land Mortgages Sale Costs</p>	<p>such issues that may arise in relation to land law costs disputes and costs in such proceedings and to encourage and support their practice and continued research and understanding of the subject matter.</p> <p>Outcome: Upon completion of this Module a Trainee will be able to:</p> <ul style="list-style-type: none"> • Explain the key principle of land law. • Apply their knowledge to a range of non-complex and complex problem based scenarios. • Apply their knowledge of costs law to a range of realistic problem based scenarios. • Present their answers logically and coherently.
<p>Module 3(f) FAMILY LAW & COSTS 10 Credits</p>	
<p>Minimum Syllabus: Scope of current family law Courts & legal personnel Sources of family law Marriage Cohabitation Civil partnership Divorce Finance & property Children Domestic violence Costs</p>	<p>Aim: To enable Trainees to develop knowledge, understanding and critical awareness of family law and costs in such proceedings.</p> <p>Outcome: Upon completion of this Module a Trainee will be required to:</p> <ul style="list-style-type: none"> • Demonstrate a critical awareness of principles and rules of family law and to illustrate the nature of marital relationships and of those adults in a close relationship. • Apply the law to a range of fact-based scenarios. • Explain and apply principles of costs law in relation to family law disputes. • Present their answers logically and coherently.
<p>Module 3(g) CRIMINAL LAW & COSTS 10 Credits</p>	
<p>Minimum Syllabus: Criminal liability Court hierarchy Overview of Criminal Procedure Rules</p>	<p>Aim: To enable Trainees to develop knowledge, understanding and critical awareness of criminal law and costs in such proceedings and to encourage and support</p>

<p>Detection of crime & arrest Actus Reus (guilty conduct) Mens Rea (guilty mind) Strict liability Criminal damage Murder Voluntary/involuntary/gross negligence/unlawful act manslaughter Other homicide offences Theft Defences Costs</p>	<p>their continued legal research and understanding of the subject matter.</p> <p>Outcome: Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> • Explain the fundamental principles of criminal law. • Apply the relevant law accurately to a range of act based scenarios. • Present their answers logically and coherently.
<p>Module 3(h) COMPANY AND COMMERCIAL LAW & COSTS 10 Credits</p>	
<p>Minimum Syllabus: Types of companies Partnerships Limited liability partnerships (LLP) Formalities Memorandum of association Articles of association Share capital Members Directors & officers Directors duties Minority protection Winding up Insolvency Business agreements Competition law Costs</p>	<p>Aim: To enable a Trainee to develop knowledge, understanding and critical awareness of company & commercial law and to encourage and support their continued legal research and understanding of the subject matter.</p> <p>Outcome: Upon completion of this Module a Trainee should be able to:</p> <ul style="list-style-type: none"> • Explain the key rules and characteristics of registered companies, partnerships and LLP's. • Explain the internal structure of a company, its management and control, legal restrictions and requirements placed on the board or partners. • Explain the protection offered in law to minority shareholders. • Explain the process by which a company may be wound up. • Identify key features of the various types of business agreements (franchise, agency & distribution). • Explain the domestic and European anti-competition legal framework. • Present their answers logically and coherently.