**Word Limit**: Assignment – **1500-2000 words.** Note that your emphasis should not be on length but rather on clarity and precision of thought and expression. You must indicate the length of the assignment on your paper.**Word count not recorded** **-** Students will be penalized 2 marks for failing to record the correct word count on the cover sheet or assignment. **Word count exceeded -** Students will be penalized 1 mark for each 100 words (or part thereof after the first 100 words) above the 1,500-2000 word limit.

**Style Guide**: include **footnotes or endnotes and a bibliography**. These are not included in calculating the paper’s word length (unless the footnote is used for extremely long passages of text that may run the risk of circumventing the word limit). Referencing for all Law assignments must be based on the following – *Australian Guide to Legal Citation* (latest edition) University of Melbourne.

(<http://www.mulr.law.unimelb.edu.au/go/AGLC3>)

**Marking Schedule:** a marking sheet is attached. Marks will be primarily awarded for content, analysis and reasoning (based on sound research) but expression, grammar and spelling, presentation and form will also be taken into account (especially where such detracts from the strength of the argument/analysis). Regard shall be had to the following criteria:

1. Demonstrated familiarity with the relevant law and policies (based on sound research);
2. Evaluation of arguments/critical analysis of the relevant law and policies (based on sound research);
3. Development of argument (based on sound research);
4. Structure and organisation;
5. Originality;
6. Quality of expression, spelling, grammar, and punctuation; and
7. Referencing and bibliography.

**Structure:** While there is always a place for creativity in answering the questions set, somewhere towards the early part of the answer, there should be an outline/summary/statement of your argument/answer to the question in a nutshell. (Where a question includes a quotation to be analysed, ensure that you address the nub of the quotation in all aspects of the assignment). The assignment should also typically include: brief statement of the law/development or change proposal/development; analysis (eg what was/is the change meant to achieve and why; has it achieved/is it likely to achieve that goal; is it too early to tell; what does the case law and scholarly analysis tell us?) The conclusion ought to consist of a summary showing how your analysis supports your opinions/deductions. It is significant to note that good research supports good analysis. Headings may also be useful.

**Research Skills:** Please refer to Milne, S & Tucker, K, *A Practical Guide to Legal Research,* latest edition, Law Book Company. You will note from the schedule for the course, that the lecturer takes students through research databases and methodologies that are relevant to the assignment, also. It is important to attend that class – as it is important to attend most classes.

**Policy on Plagiarism:** Please note the link on the web site to the University’s policy on plagiarism. This WILL be enforced. Recent case law has confirmed that evidence of plagiarism at University will be considered by a court upon an application for admission. Failure to disclose such evidence is viewed very seriously.

**Topic:** **Total of 30 Marks**

This course spends considerable time analysing the concepts of limited liability and unlimited liability in the context of the traditional corporation and partnership (respectively). Interestingly, the notion of how to limit liability arises in relation to limited partnerships and incorporated limited partnerships. Further, Australian law firm Slater and Gordon is said to be the world’s first publically traded law firm.

Critically analyse the concepts of:

* Limited Partnership
* Incorporated Limited Partnership; and
* Listed Law Firms.

In so doing, consider why and in what circumstances such business organisations have been used; and whether there have been critiques of the use of such organisations as well as problems with their operation/implementation.

CRITERIA FOR LEARNING AND ASSESSMENT – BX2112 Research and Analysis Assignment

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **CRITERIA/**  **WEIGHTING** | **FAIL**  less than 50% | **PASS**  50-64% | **CREDIT**  65-75% | **DISTINCTION**  75-84% | **HIGH DISTINCTION**  85% (+) |
| **Ability to write a clear statement of the law pertaining to the question as the basis for the identification of key issues in question. Show legal understanding of question.**  **30 %** | Has failed to adequately state the law/development. Failed to identify some/most of the legal issues. Failed to address quote/dispute as relevant to question. | Has stated the law/development in a basic format; identified some of the legal issues; attempted to accurately address the question. | Has adequately stated the law/development; identified some/most of the legal issues; accurately addressed the question. | Has appropriately and adequately stated the law/development and identified most/all of the legal issues and accurately addressed the question. | Has clearly, accurately and appropriately stated the law/development and identified all legal issues and accurately and appropriately addressed the question. |
| **RESEARCH AND ANALYSIS: Ability to critically analyse the issues and law arising in the question. Evidence of understanding of legal issues, developments and influences on the law supported by scholarly authority and research.**  **50%** | Has failed to critically analyse question; lacks evidence of understanding of legal issues/developments/ influences on law. Little or no use of scholarly authority to support argument | Has attempted to critically analyse the question; some evidence of basic understanding of legal issues/developments/ influences on law. Some use of legal authority to support argument. | Has provided a reasonable critical analysis of the question, which demonstrates reasonable understanding of legal issues/developments/influences on the law. Scholarly authority used to support argument. | Has provided an in-depth critical analysis of the question, which demonstrates in-depth understanding of legal issues/developments/ influences on the law. Authority appropriately used where necessary to support argument. | Has provided an in-depth critical analysis which has by sophisticated use of legal reasoning demonstrated comprehensive/detailed understanding of issues/developments/influences on the law. Scholarly authority consistently used to support argument. |
| **Organisation and structure**  **10%** | Disorganised/ incoherent | Shows some attempt to organise in a logical manner, including linking paragraphs | Shows organisation and coherence | Carefully and logically organised | Carefully and logically organised; shows sophisticated attention to purpose |
| **Written expression, referencing & bibliography quality/form**  **10%** | Meaning unclear and/or  grammar, spelling and/or referencing contain frequent errors | Meaning apparent but language not always fluent; grammar, spelling and/or referencing may contain errors | High standard of conventional English; grammar, spelling and referencing mainly accurate | Very high standard of conventional English; grammar, spelling and referencing accurate | Sophisticated use of English employing an academic style; grammar, spelling and referencing accurate |
| **COMMENTS:** | | | | | |