UCLouvain

ldroi1005

2023

Legal Methodology

2.00 credits	15.0 h	Q1

Teacher(s)	Willems Geoffrey ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	- Description of the methods giving access to the main legislative, precedent and doctrinal tools, both national and international. - Articulation of the different stages of legal research, from defining the subject to writing the text. - Reflection on the relevance, classification and presentation of the sources gathered. - Implementation of the teaching by carrying out documentary research exercises as well as by composing a paper focusing on a legal issue. Indispensable theoretical information forms the subject of lectures given to all students. The lecture can be, if necessary, supplemented by other methods. The teaching favours both traditional ways (publications in print) and information technology (use of databases and the Internet). The mark assessing the practical exercises is included in the overall mark for the course. Students are provided with the course notes at the beginning of the term.
Learning outcomes	
Evaluation methods	In view of the stated objectives and plan, the assessment is organised as follows: The "November test" enables students to find out how demanding the course assessment is. The test consists of exercises and questions similar to those in the examination. As in the oral exam, students are allowed to consult the Précis or other materials. Feedback is given on the test (individual interviews or group sessions). The oral exam takes place in December, outside the semester, and consists of two parts. During the first part, the student will have to carry out a number of research studies in legislation, legal doctrine and case law and carefully prepare the references to these different sources. They have approximately 45 minutes to do this, at the end of which they hand in the question form, completed with their answers, to one of the assessing teachers. The answers are corrected immediately. For the second part, students will have a further period of preparation during which they will be asked to read a legal or case law source and answer various related questions. They will then present their answers orally to the teacher assessor, who may also ask them one or more additional questions relating to the formal presentation of this source and/or the process from which it originated. Throughout the academic year, students are also required to write an initial legal paper as part of their tutorials in legal methodology and introduction to law. This initial study must scrupulously comply with the rules of legal methodology, just as it must take full advantage of the lessons taught in the two parts of the Introduction to Law course. It is supervised and marked by the assistant in charge of the exercise group to which the student belongs. It is marked separately from the lectures.
Teaching methods	At UCLouvain, the teaching of legal methodology consists of two closely complementary components: • a fifteen-hour 'lecture' course given in an auditorium, during which the rules and methods for achieving the objectives described above are taught, or at least the most essential of them ; • a series of exercises carried out as part of the tutorials on legal methodology and introduction to law. These sessions are compulsory and take place in small groups of students. They draw on the knowledge acquired in the legal methodology course and in the Introduction to Law - Part I and Introduction to Law - Part II courses. They will provide an opportunity to illustrate and apply the rules and methods taught in the lectures through a wide range of personal and group exercises. They culminate in the drafting of an initial legal study submitted by each student at the end of the academic year.
Content	Legal methodology is the discipline concerned with studying and learning techniques for researching, understanding and referencing the sources of the law, and then, on the basis of these sources, writing a legal study. In the light of this definition, the first task will be to identify and distinguish between the sources of law - legislation, case law and legal writings - and to endeavour to understand the multiple and complex relationships between them. Students will then become familiar with the methods used to search for and locate legislation, case law and legal writings relating to a given legal problem, at both domestic and international level, using - in particular but not exclusively - the powerful computer tools now available. If they are to be used properly, the sources of law must be correctly understood: we will therefore endeavour to highlight the principles governing the reading and analysis of legislative texts, decisions handed down by the courts and tribunals and contributions from legal doctrine. It will also, of course, be necessary to familiarise oneself with the many conventional rules governing the way in which sources of law are cited in a legal study, without which the absolutely fundamental objectives of scientific rigour and intellectual honesty cannot be met.

	Finally, the aim will be to provide students with a wide range of instructions and advice on how to produce a rigorous legal study that is likely to be favourably received by the legal community.
Inline resources	In order to achieve the course objectives and successfully complete the assessment tests, students have access to the following pedagogical tools: • the Moodle page for the legal methodology course: students will find the course and assessment procedures there; • Leçons de méthodologie juridique (2nd edition published by Larcier in 2016 and available from the course department), which contains all the rules set out in the course, a large number of examples and most of the exercises carried out in the course or during the practical exercises (as well as their answers); • the PowerPoint presentations made available to students on the Moodle page and used to support the lectures; • notes taken during the course and during practical exercises, in particular notes recounting the illustrations and exercises carried out;
Faculty or entity in charge	DRT

Programmes containing this learning unit (UE)

Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law	DROI1BA	2		
Minor in Law (openness)	MINODROI	3		