



This learning unit is not open to incoming exchange students!

Teacher(s)	Hoc Arnaud ;
Language :	French
Place of the course	Louvain-la-Neuve
Prerequisites	LDROI 1307
Main themes	<p>The aim is to develop students' ability to express themselves, both orally and in writing, in a clear and rigorous legal language that is designed to convince. In line with the precepts of clear legal language, the aim is to teach students the classic and modern techniques of argumentative legal writing and judicial oratory. Specifically, the aim is to familiarise them with the drafting of legal opinions, pleadings (applications, writs of summons, submissions) and judgements, and to introduce them to the art of pleading.</p> <p>This is a cross-disciplinary course, detached from any particular legal discipline or subject, and which is consistent with the teaching in the bachelor's and master's programs focusing on Justice, trial and dispute resolution, such as the courses on :</p> <ul style="list-style-type: none"> - Legal methodology (LDROI 1005) - Criminal procedure law (LDROI1225) - Law and conflict management (LDROI 1504) - Judicial Law (LDROI 1307) - Administrative Litigation (LETAT 2208) - Constitutional justice (LETAT 2152) - Family law (LIURE 2205) - Family Law Practice (LDROP2073) - Alternative commercial dispute resolution (LDROP2043) <p>This course is also very naturally linked to the experiences offered to students in the work placements offered both in the bachelor's programme (LDROI1500 Legal Practice Internship) and in the master's programme (LETAT2200 Legal Practice Internship in Public and Administrative Law; LIURE2200 Judicial Practice Internship; LFIRM2200 Legal Practice Internship in Corporate Law; LDREU2200 Legal Practice Internship in European Law).</p>
Learning outcomes	<p>At the end of this learning unit, the student is able to :</p> <p>The learning outcomes of the Bachelor in Law programme (https://uclouvain.be/prog-2021-droi1ba-competences_et_acquis) aimed at by this course are both "to apply the law, i.e. to move from the abstraction of the norm to concrete facts and vice versa, and thus to be able to provide reasoned solutions to a legal problem diagnosed independently" (AA no. 2) and "to communicate in a clear, precise and structured manner the fruit of legal research and the result of a legal analysis, in full compliance with the rules governing scientific production" (AA no. 3), and more specifically still to :</p> <p>" 2.1. In any branch of law, be able, independently, to diagnose a legal problem, identify its difficulties, sort out the peripheral elements, and provide well-founded solutions based on exhaustive and relevant research, presented in a clear summary underpinned by coherent and credible legal reasoning"</p> <p>2.3 Be able to move from the abstraction of the rule of law to the concrete facts, and vice versa.</p> <p>[...]</p> <p>3.1 Express aloud, in a lively, structured manner, the content of knowledge, the results of research or a legal analysis in a clear and precise language that is appropriate to the context and qualities of the speaker (presentation, interview, conversation, plea, etc.) and be able to do the same in writing.</p> <p>3.2. Develop, orally and in writing, a structured summary of an idea, an institution, a rule, an analysis, a thesis, a legal controversy and be able to support his/her subject with relevant illustrations.</p> <p>[...]</p> <p>3.4. Respect the rules governing scientific production (literal quotations, references, bibliography, etc.) in all forms of communication.</p> <p>In writing, the emphasis will be on drafting opinions, decisions and procedural acts and, in public speaking, on oral argument.</p>
Evaluation methods	The evaluation method is to be defined by the course teacher. It is assumed that the emphasis will be on collaborative methods and practical achievements, where appropriate by means of continuous evaluation.

Teaching methods	<p>Teaching methods will alternate between lectures and group or individual practical exercises, depending on the number of students enrolled and the teacher's choice. Priority will be given to the teaching approach specific to the advanced law programme: participative, interactive and innovative teaching.</p> <p>In addition to the suggestions made above, the lecturer may also invite practitioners (judges, lawyers, bailiffs, etc.) who are well acquainted with the techniques of legal writing and pleading.</p>
Content	<p>The course will be divided into two parts (written and oral), each with its own focus (theory and practice). The sequence of the four segments of the course will be left to the discretion of the teacher, who must nevertheless ensure that his or her teaching content and methods are in line with the pedagogical approach specific to the advanced law programme: participative, interactive and innovative teaching.</p> <p>The theory will cover critical commentary on the legal, regulatory and ethical rules governing the conduct of hearings, as well as the drafting of pleadings and judgments. But it will extend above all to illustrated instruction in the techniques and recipes of legal and judicial writing (e.g. P. HENRY, V. D'HUART, D. MATTHYS and D. GOEMINNE (dir.), <i>Mieux conclure, mieux plaider, lieux juger</i>, Bruxelles, Larcier, 2009, 319 p.; ASSOCIATION SYNDICALE DES MAGISTRATS, <i>Dire le droit et être compris. Comment rendre le langage judiciaire plus accessible</i>, Bruxelles, Bruylant-Anthémis, 2017, 151 p.) and the art of pleading (e.g. L. GRATIOT, C. MÉCARY, S. BENSIMON, B. FRYDMAN et G. HAARSCHER, <i>Art et techniques de la plaidoirie aujourd'hui</i>, Paris, Berger-Levrault, 1995, 432 p.; B. FRYDMAN (dir.), <i>La plaidoirie</i>, Bruxelles, Bruylant, 1998, 199 p.)</p> <p>Depending on the number of students enrolled, the larger practical component will involve group and personal exercises, such as the formal improvement of an imperfect pleading or judgment, the drafting of a summons, applications, judgments, pleadings or submissions based on a reasonably complex bundle of documents, the critical hearing of famous pleadings, the presentation of pleadings devised as part of mock trials, etc.</p>
Faculty or entity in charge	DRT

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Additionnal module in law	APPDRT	5		