



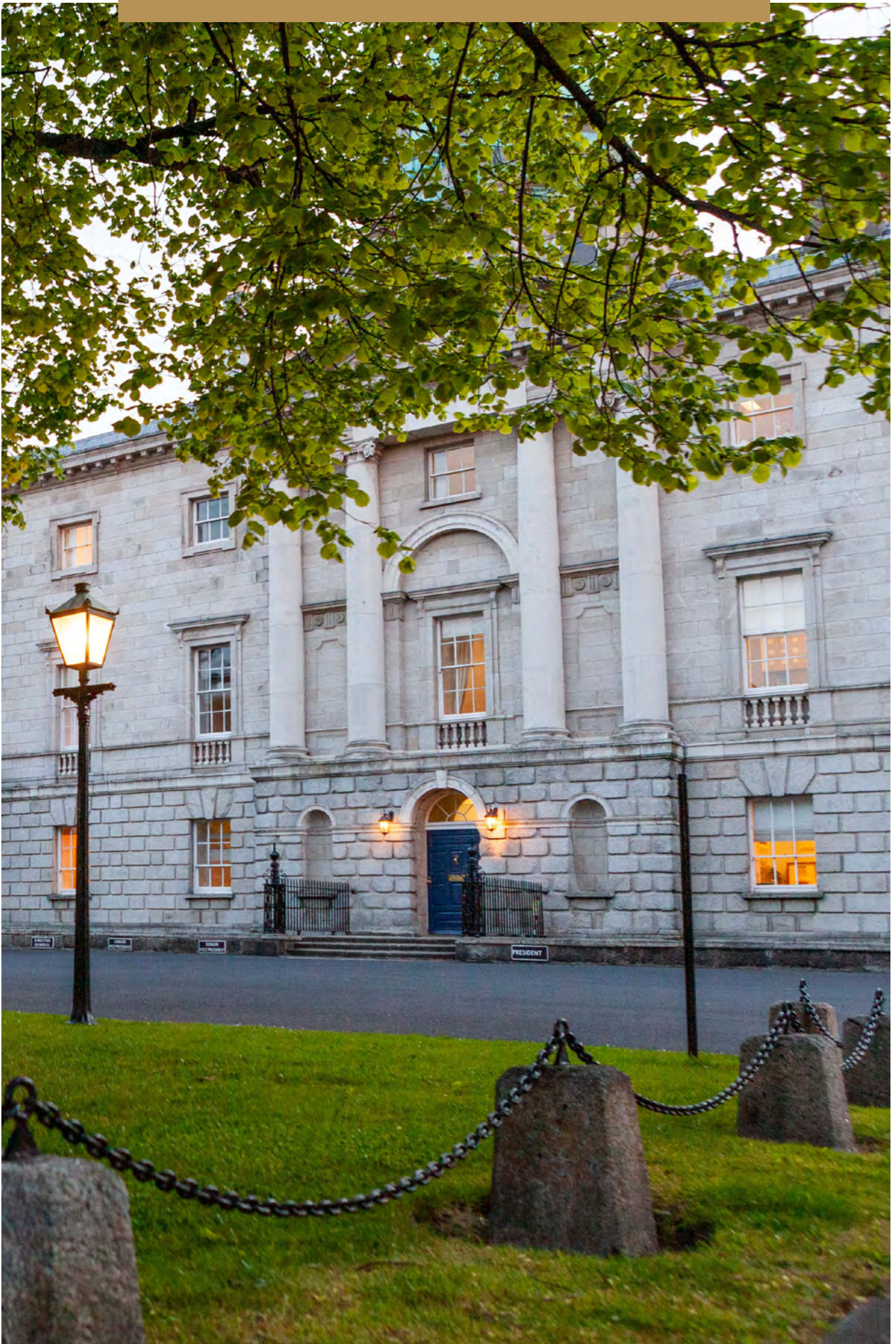
LAW SOCIETY  
OF IRELAND



# ADVANCED ELECTIVES BROCHURE

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# LAW SOCIETY OF IRELAND ADVANCED ELECTIVES

## Introduction

You are welcome to the advanced elective component of your training. You must complete four or more advanced electives as part of your overall training. Advanced electives can be completed at any point during your traineeship, including during the in-office training period. A programme of advanced electives will be provided (i) by the Law School at Law Society of Ireland (ii) some will be co-provided and (iii) external advanced electives will also be accredited by the Law Society. Representation of the Law School in a Moot Court or Skills Competition at international level is also considered as an advanced elective.

You are welcome to register for and attend as many electives as you wish but you must complete at least four.

## Law School Advanced Electives – May & June 2023

This booklet sets out the advanced electives to be provided by the Law School at the Law Society of Ireland in May & June 2023. Our commitment, as always, is to enhance the skills and career opportunities of trainee solicitors. We strive to do this by providing a diverse range of advanced electives that cover core areas for every solicitor's practice, together with more niche innovative topics including topics outside the strictly legal domain.

Law School advanced electives will be offered immediately following the completion of the compulsory element of the Professional Practice Course (PPC) in two distinct blocks, Block 1 in May 2023 (see pages 7 to 18) and Block 2 in June 2023 (see pages 19 to 31). Trainees may elect to complete some or all of the advanced electives in Block 1, or likewise elect to complete some or all of their advanced electives in Block 2.

## Micro-credentials leading to a Certificate in Advanced Legal Practice/ Diploma in Advanced Legal Practice

Each Law Society advanced elective will result in the award of a certified micro-credential. These micro-credentials will count towards a broader award of a Certificate or Diploma. For example, trainees successfully completing two advanced electives with the Law School, and as such having attained two micro-credentials, will be awarded a Certificate in Advanced Legal Practice. Trainees that successfully complete four advanced electives with the Law School, and as such having attained four micro-credentials, will be awarded a Diploma in Advanced Legal Practice. Such micro-credentials only apply to Law School advanced electives.

Furthermore, such micro-credentials may also provide prior credit towards a Diploma in a specific area of practice. A discount of 15% will apply if a trainee progresses from a Law School advanced elective to a Diploma course in the same subject area offered by the Society's Diploma Centre. This discount applies for up to two years after the completion of the advanced elective. Further details of the relevant advanced elective and related Diplomas are provided within the brochure.

## Credit applications for advanced electives

You can be exempted from one or more advanced elective if you complete a course of academic study during your training period. Any course of legal education at Diploma or Masters level offered by an Irish University or by the Law Society will be recognised. Certain other courses are also recognised, such as the Institute of Tax examinations (level 2 or above). Application for such credit must be made with a certified copy of proof of successful completion of the relevant course.

Trainees may also seek to claim elective credit for other activities, such as participation in the public legal education initiative or an access to justice project. If you are seeking to rely on such an activity for the

purposes of advanced elective credit please contact the PPC Team at (advancedelectives@LawSociety.ie) in advance to discuss the possibility of attaining advanced elective credit for such an activity.

#### When will I be expected to return to the office?

This depends on how you choose to complete your advanced electives and should be agreed between you and your firm. For example, if you choose to complete all four advanced electives with the Law Society in Block 1, then the expectation is that you would remain full-time with the Law School during that period. Alternatively, if you chose to complete some advanced electives in Block 1 and some advanced in Block 2, then it may be that you return to the office on a part-time basis from the start of May 2023 onwards. If you choose not to complete any advanced electives in May/June 2023, but rather to complete the advanced electives at some other time during the training period, the expectation is that you will be available to return to the office from the start of May 2023 onwards.

#### What are the fees for the Law School advanced elective fees?

The fee for advanced electives undertaken with the Law Society is €600 for each course. However, trainees choosing to take multiple advanced electives with the Law Society will benefit from discounts.

| Fee Structure                     | 1 Advanced Elective | 2 Advanced Electives | 3 Advanced Electives | 4 Advanced Electives | Any further electives |
|-----------------------------------|---------------------|----------------------|----------------------|----------------------|-----------------------|
| Advanced Elective Fee (€600 each) | €600                | €1,080               | €1,530               | €1,920               | €480 each             |
| Discount                          | €0                  | €120                 | €270                 | €480                 | €120                  |
| Percentage Discount               | 0%                  | 10%                  | 15%                  | 20%                  | 20%                   |

#### How do I choose my advanced electives?

You will be required to access the advanced elective application form on the Hub. The information will be available on Monday 30 January 2023. You will be required to make your selections by 10 February 2023,

with payments due by 31 March 2023. There will be a minimum requirement of 20 trainees for any advanced elective to run. This is to ensure an optimum learning experience and appropriate community of practice within the group.

#### When does my period of in-office training commence?

The in-office training period commences 14 days after the last exam on the core curriculum of the new PPC and this is regardless of how you choose to complete the advanced elective component of your training. Therefore, for example, even if you elect to complete all four advanced electives with the Law Society in May 2023 and hence remain in full-time employment, your period of in-office training will still commence from the start of May onwards.

This does not mean than you need to recommence work in your office – just that time spent completing your advanced electives will count towards the training period required.







# ADVANCED DISPUTE RESOLUTION



**START DATE:** May 2023



**COURSE LEADER:** Colette Reid



**ASSESSMENT METHOD:**

Assessment essay of between 1750 and 3000 words carrying 100 marks. Trainees will be assigned a choice of two broad topics from the Dispute Resolution & Litigation advanced elective. Trainees will decide their own essay title which can be on any aspect of the chosen assigned topic, but must also relate to practice.

## Programme overview

The emphasis of the Dispute Resolution & Litigation advanced elective is on developing and honing the ability to provide legal dispute resolution and litigation advice and services in a professional, effective and ethical manner in a range of discrete areas.

Reflecting the broad sweep of modern Dispute Resolution practice, the course will examine in depth specific types of disputes; areas of litigation; and forms of resolution. These will include commercial disputes; disputes pertaining to probate matters, professional negligence, product liability; land; defamation; personal injury; and cross-border disputes. It will also address the resolution of these disputes

through mediation, expert determination, arbitration and litigation, as well as the recovering of costs.

## Programme structure, content and approach to learning

The Dispute Resolution & Litigation elective is designed to help trainees to expand and deepen their knowledge and understanding of Dispute Resolution and Litigation. It will consider recent developments in substantive law, practice and procedure through lectures from experienced practitioners in a range of areas with supporting materials provided electronically on the Hub.

Using a scaffolding approach, learning from lectures will be supported and enhanced by inter-active small group sessions (tutorials and workshops) which provide the opportunity to do, analyse and discuss the lecture material. These sessions will integrate the topics, related skills, and forms of resolution (e.g. mediation of a probate dispute) and support trainees in developing and interrogating their knowledge and understanding of the topics covered on this advanced elective.

## Learning outcomes

On successful completion of this course, participants will have:

- A comprehensive understanding of the current substantive law and practice in a range of discrete areas of dispute, for example: commercial, defamation, property, probate amongst others,
- The ability to identify issues and advocate on behalf of clients in a variety of types of dispute.
- A detailed understanding of the role of various forms of dispute resolution.
- The knowledge and skill to advise and represent clients in various forms of litigation.
- The knowledge and skill to advise and implement various forms of dispute resolution.
- Demonstrated a good level of knowledge and understanding of the relationship; between substantive Law and Procedure and Practice, and how this impacts the client;
- Demonstrated a commercial understanding and strategic, client-centred approach to dispute resolution.



# AVIATION LEASING AND FINANCE



**START DATE:** May 2023



**COURSE LEADER:** Claire O'Mahony



**ASSESSMENT METHOD:** Assessment by way of a 2,500-word assignment with a problem-based scenario that will cover all key areas of the course.

## Programme overview

Ireland is internationally recognised as the global hub for aviation leasing and finance, with 14 of the top 15 global aircraft lessors enjoying a presence here. More than 60% of the world's fleet of leased aircraft is owned, leased, or managed in Ireland. The major industry players have been attracted by Ireland's stable political regime, membership of the EU, favourable time zone, and talented workforce – not to mention our legal and regulatory advantages. In addition, Ireland's network of over 70 double tax treaties, combined with the absence of withholding tax on aircraft lease rentals and a corporate tax rate of 12.5%, makes Ireland a commercially attractive place to set up and run an aircraft leasing company. The aviation sector was affected by the Covid-19 pandemic but it is making a recovery.

This advanced elective introduces the legal issues pertaining to the aviation leasing and finance industry. It provides coverage on the core legal and practical issues that parties typically encounter in aircraft leasing and finance transactions. It delivers a solid introduction to the regulatory environment and technical issues. It will also examine the impact of global events on the aviation sector (e.g. Covid-19, war in Ukraine) and career pathways in the aviation industry.

## Programme structure, content and approach to learning

This advanced elective will provide lectures with accompanying presentation and a range of academic resources. The programme will feature a number of expert-led interactive practical workshops where trainees will consolidate their knowledge. Trainees will be in small working groups to facilitate collaboration. The teaching faculty will consist of lawyers from private law firms and aviation leasing companies. Following the successful completion of the advanced elective, trainees may wish to pursue the *Diploma in Aviation Leasing & Finance* offered by the Diploma Centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Learning Outcomes

On completion of this advanced elective, participants will be able to:

- Analyse the key legal issues pertaining to the sale and lease of aircraft.
- Assess the finance structures involved, how to finance an aviation transaction, and funding available.
- Explain the key regulatory issues pertaining to aviation.
- Discuss the legal issues relating to key aviation matters such as engines, maintenance reserves, security, taxation, insurance, records, and repossession.
- Recognise the key legal and financial documents and structures in aviation leasing and finance transactions.
- Understand the career pathway in the aviation industry.





# BANKING AND FINANCE



**START DATE:** May 2023



**COURSE LEADER:** Joanne Cox



**ASSESSMENT METHOD:** 20% of the marks will be awarded for participating in a non-assessed task, such as presenting on advising a company on a financial assistance transaction.

80% of the marks will then be allocated to a final written assignment.

## Programme overview

Advising on the financing of corporate transactions and understanding the legal and regulatory parameters applicable to banking and finance is a key part of the practice of any firm undertaking corporate and banking and finance work. This advanced elective will help trainees develop a practical and in-depth understanding of the key steps, key clauses, key documentation and central issues involved in the financing of transactions in the corporate world, including loan documentation, security documentation, guarantees, legal opinions, financial assistance and transactions with directors and connected persons. The steps, documentation and substantive law involved in a transaction of this nature remain the same irrespective of the size of the deal. This elective is therefore relevant to trainees from all types of firms who have an interest in banking and finance law.

## Programme structure, content and approach to learning

The advanced elective will be taught in a way that is realistic and relevant with an emphasis placed on experiential learning. Trainees will focus on transaction and problem based exercises which will reflect/mimic the real-life tasks that practitioners would undertake in this field. The trainees will engage in role-plays, presentations and drafting exercises which will incorporate peer-to-peer learning and tutor feedback. This integrated approach to learning is designed to better equip trainees for the in-office training period and to ensure a smoother transition into practice.

## Learning Outcomes

The course is designed to equip trainees with the necessary legal skills to undertake and advise clients on banking and finance transactions. A strong emphasis will be placed on the role of a trainee/newly-qualified solicitor in these scenarios. By the end of this advanced elective trainees will be able to:

- Explain the distinction between a facility letter and a loan agreement.
- Discuss different types of loans and key clauses in a loan agreement.
- Demonstrate an understanding of different types of finance.
- Describe different forms of security.
- Demonstrate an understanding of the effect of acceleration and enforcement provisions.
- Understand mortgagee's rights and powers and receiver's rights and powers.
- Demonstrate an understanding of what a guarantee is.
- Understand the restrictions on transactions set out in Sections 82, 238 and 239.
- Identify necessary post completion requirements for a secured lending transaction.
- Identify law and regulation relevant to consumer and SME lending.
- Outline the banking authorisation process in Ireland.
- Outline the steps in a security review and understand and discuss basic restructuring options.
- Outline the key features and documents in an asset finance and a project finance transaction.



# COMMERCIAL CONTRACTS



**START DATE:** May 2023



**COURSE LEADER:** Geraldine Rafferty



**ASSESSMENT METHOD:** Assessment by way of a 2,500-word assignment with a problem-based scenario that will cover all key areas of the course.

## Programme overview

This course provides an understanding of the fundamental competencies required by the commercial lawyer when drafting, reviewing, and negotiating commercial agreements. It includes guidance on the structure and format of commercial contracts and emphasises the importance of using clear and concise language when drafting such agreements.

Experienced practitioners provide drafting tips and best practice recommendations on how best to ensure that a commercial contract provides legal and commercial certainty.

The course begins with general drafting advice, examining standard boilerplate provisions, before considering issues pertinent to specific practice areas in more depth, such as technology, IP, software, consumer agreements, while also covering the important area of public procurement.

## Programme structure, content and approach to learning

This advanced elective will provide lectures with accompanying presentations and a range of academic resources. The programme will feature a number of expert-led interactive practical workshops where trainees will consolidate their knowledge. Trainees will be in small working groups to facilitate collaboration. The teaching faculty will consist of industry experts in the public and private sphere.

This course will be delivered through blended learning incorporating both online and in-person lectures and workshops offering flexibility with the opportunity to interact with fellow trainees and lecturers. Delivery is by way of a series of live lectures, online releases and interactive workshops, which incorporate discussions, group work sessions and case studies.

## Learning Outcomes

On successful completion of this advanced elective trainees will be able to:

- Review commercial contracts and provide guidance on specific sections therein.
- Draft, structure and advise on a wide array of commercial contracts across numerous industry sectors.
- Adapt and amend commercial contracts in order to tailor them to a client's specifications.
- Recognise potential loop-holes or risks in a contract.
- Examine relevant boilerplate clauses in a contract and explain their implications.





# COMMERCIAL AND COMPLEX PROPERTY TRANSACTIONS



**START DATE:** May 2023



**COURSE LEADER:** Dr Gabriel Brennan



**ASSESSMENT METHOD:**

**The assessment method will consist of two elements, one oral and one written:**

Submit a first registration application, including the statement of title.

Record and upload a short video to the Hub setting out the potential legal and physical structure of an allocated scheme of development.

## Programme overview

The aim of this programme is to equip trainees with the knowledge and skills to act in commercial and complex property transactions. The programme will be delivered against a backdrop of how to manage the increasingly complex nature of property transactions and also how a conveyancer can mitigate against the inherent liability and risk in such transactions.

## Programme structure, content and approach to learning

The concepts and processes covered on the core PPC will be revisited in greater depth and more complex titles and dealings will be examined. Commercial and investment

property transactions, commercial leases and lending, different types of developments and complex registered and unregistered dealings will be addressed. The programme will also examine the tax obligations of a conveyancer and insolvency issues in property transactions. A good understanding of core land law principles is required and conveyancing or landlord and tenant law office experience is strongly recommended. Following the successful completion of the advanced elective, trainees may wish to pursue the Diploma in Commercial Property offered by the Diploma centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Learning Outcomes

- Examine and assess complex unregistered titles and do title research.
- Appraise problems on title and recommend possible solutions.
- Complete a first registration application including the statement of title.
- Lodge other applications to the Land Registry.
- Address property issues that arise in an insolvency.
- Assess tax issues and the conveyancer's obligations in relation to tax.
- Explain the life cycle of a commercial property transaction.
- Advise a developer on an appropriate legal and physical structure for a scheme of development.
- Demonstrate an awareness of the types of legal issues arising for different types of developments e.g. apartments, multi-unit, mixed use and new developments.
- Advise, in general terms, in relation to legal issues on site purchase, development and management of schemes of development.
- Demonstrate an awareness of issues which may arise in commercial drafting, including drafting the contract for sale in a commercial property transaction.
- Evaluate a draft lease from the point of view of either a landlord or a tenant and appraise the impact of various clauses on either a landlord or a tenant.
- Explain issues arising when acting for companies and in commercial lending transactions.
- Illustrate an awareness of issues that arise in dealing with rural and agricultural land.



# CORPORATE TRANSACTIONS



**START DATE:** May 2023



**COURSE LEADER:** Joanne Cox



**ASSESSMENT  
METHOD:**

20% of the marks will be awarded for participating in a non-assessed task, such as participation in a negotiation of warranties.

80% of the marks will then be allocated to a final written assignment.

## Programme overview

Transactions involving the acquisition of private companies or businesses are commonplace in any firm undertaking commercial/corporate work. This advanced elective will help trainees develop a practical and in-depth understanding of the key steps, documentation and issues involved in buying and selling a company/business. The steps, documentation and substantive law involved in a transaction remain the same irrespective of the size of the deal. This advanced elective is therefore relevant to trainees from all types of firms who have an interest in corporate and business law.

## Programme structure, content and approach to learning

An emphasis on sub-group work within tutorials will encourage a student-focused approach to learning, with

exercises designed to encourage participation rather than passive listening. The advanced elective will be taught in a way that is realistic and relevant with an emphasis placed on experiential learning. Trainees will focus on transaction and problem based exercises which will reflect/mimic the real-life tasks that practitioners would undertake in this field. The trainees will engage in role-plays, presentations and drafting exercises which will incorporate peer-to-peer learning and tutor feedback. The development of trainees' legal skills is therefore a core element of the advanced elective. This integrated approach to learning is designed to better equip trainees for the in-office training period and to ensure a smoother transition into practice.

## Learning Outcomes

This advanced elective will provide trainees with an opportunity to build on their knowledge of mergers and acquisitions, gained on the PPC Business Law Course. Trainees will follow a realistic case study that will take them, step-by-step, through the legal, commercial and practical aspects of a transaction. By the end of this advanced elective trainees will be able to:

- Explain the legal and practical differences between a share purchase and an asset purchase.
- Determine the risks for both vendors and purchaser in the context of an acquisition.
- Negotiate and draft suitable protections to address such risks.
- Identify issues arising out of the due diligence process.
- Describe the different valuation methods.
- Discuss the different ways that consideration can be structured and risks mitigated.
- Outline how different types of assets will be transferred in an asset purchase.
- Advise on employee issues arising in the context of an asset sale and the impact of TUPE.
- Outline the structure of an MBO.
- Describe the different types of loan and how debt finance is ranked.
- Address company law restrictions on private companies including financial assistance.
- Identify notifiable transactions.





# DATA PROTECTION


**START DATE:**

May 2023


**COURSE LEADER:**

Megan Murphy-Byrne


**ASSESSMENT METHOD:**

Assessment by way of a 2,500-word assignment with a problem-based scenario that will cover key areas of the course.

## Programme overview

The General Data Protection Regulation (Regulation 2016/679) came into force in May 2018 and, as a result, the data protection landscape changed significantly. In this advanced elective, experienced data protection practitioners and privacy consultants will bring participants through the application of the law. There is a strong focus on how to apply the legislation. This course will ensure that participants are equipped to deal with the compliance issues that arise in practice.

The programme will bring trainees through the principles of data protection as they apply to data access requests, data retention, data sharing and data processing. Trainees will understand the key timelines involved and will recognise when a data protection breach has occurred and the notification requirements for same. The role of the Data Protection Commissioner will be explored, as will the role

and responsibilities of a Data Protection Officer in each organisation. Trainees will understand how to conduct a data privacy impact assessment and how to draft data protection policies. Finally, the key area of international data transfers and recent changes will be examined. Lecturers will be drawn from private practice, the public sector, and from large multinationals.

## Programme structure, content and approach to learning

This advanced elective will provide lectures with accompanying presentations and a range of academic resources. The programme will feature a number of expert-led interactive practical workshops where trainees will consolidate their knowledge. Trainees will be in small working groups to facilitate collaboration.

## Learning Outcomes

On successful completion of this advanced elective trainees will be able to:

- Develop a comprehensive knowledge of Regulation 2016/679 (the GDPR) and relevant data protection legislation.
- Apply that knowledge, with confidence, to a range of data protection issues such as subject access requests, legitimate processing, retention and data protection audits.
- Examine the role and responsibilities of the Data Protection Officer.
- Recognise data breaches and notification requirements.
- Assess the role of the Data Protection Commission.
- Conduct a data privacy impact assessment.
- Understand the rules surround international data transfers.



# EMPLOYMENT LAW



**START DATE:** May 2023



**COURSE LEADER:** Rory O'Boyle/ Judith Tedders



**ASSESSMENT METHOD:** 20% of the final mark based on a written reflection on the site visit to the WRC/ Labour Court .

80% of final mark based on a 2,500-word drafting exercise based on a WRC submission.

## Programme overview

A comprehensive understanding of employment law, covering all aspects of the employer/employee relationship from recruitment through to termination. This advanced elective is designed around areas of employment law practice most relevant to newly qualified solicitors, together with areas of particular current interest such as the mandatory retirement age/age discrimination and protected disclosures. This is a highly practical course involving a compulsory onsite visit to the WRC and the Labour Court to attend a hearing; drafting of written submissions; and participation in mock employment related hearings.

## Programme structure, content and approach to learning

The employment law advanced elective is specifically designed to help trainees develop the skills necessary to

apply the law in the employment context. We focus on the duties and obligations owed by the respective parties during each stage of the employment relationship, from recruitment through to termination. It is intended that the course textbook, namely the Employment Law Handbook, will be an e-book specifically designed for the advanced elective. All e-Lectures will also be available on the Hub for trainees to view in their own time. Taken together, the Employment Law Handbook and the e-Lectures will set out the law, albeit from a very practical perspective. As such we intend to provide a type of 'scaffolded' learning experience, moving from an understanding of the law to an understanding of how best to then apply the law in a given scenario. This culminates in seven onsite tutorials. This learning experience is further supported by the tutor monitored peer-to-peer discussion forum. Following the successful completion of the advanced elective, trainees may wish to pursue the Diploma in Employment Law offered by the Diploma centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Learning Outcomes

On successful completion of this course, participants will have:

- A comprehensive understanding of the practice of employment law in this jurisdiction.
- Detailed knowledge of the impact on employment practice of recent judicial decisions and legislative developments.
- The skills to draft employment contracts, HR policies and other employment related documentation.
- The ability to identify issues and advocate on behalf of clients in employment related disputes.
- A detailed understanding of the role of mediation and negotiation in the employment context.
- The skill to draft coherent and persuasive submissions.
- The confidence to use effective speaking and advocacy skills in the employment context.





# FUTURE OF LAWYERING IN A DIGITAL WORLD



**START DATE:** May 2023



**COURSE LEADER:** John Lunney



**ASSESSMENT  
METHOD:**

25% of marks will be allocated to a technology review, involving an oral presentation and a peer-to-peer assessment.

75 % of marks will be allocated to a final project. This will be a paired exercise. Trainees will select a title of their own interest, submit a proposal for approval and draft a 2,500-word article.

## Programme overview

We live in a world of change and this advanced elective recognises that trainee solicitors and newly qualified lawyers are often best placed to drive transformation in how we practice the law and respond to client's needs. Grounded in a focus on digital transformation and emerging technologies, this advanced elective will help develop the skills that young lawyers need to thrive in the digital world.

## Programme structure, content and approach to learning

The future of lawyering advanced elective is specifically designed for trainees looking to embrace the changes that disruptive technologies and challenges to existing models for the practice of law will bring. The course will be centred on four modules which will each consist of recorded presentations, curated resources and practical workshops. The modules are (i) legal tech and new technologies (ii) legal project management (iii) technology and access to justice (iv) the law firm of the future.

In the first module we will consider the technologies that are transforming how lawyers practice and the legal implications of those new technologies. Legal project management has emerged as an important aspect of legal practice to meet client demands for greater efficiency from law firms. In the second module, participants will build their skills to strategically manage the life cycle of a project. In the third module, we will consider the question of how technological developments can impact on access to justice issues, legal information and the provision of better services. In the final module we will consider the business of how law firms operate and the challenges faced and opportunities presented.

Throughout the course there will be an emphasis on skills development and business strategy. The advanced elective will include guest international contributors; trainee led presentations; facilitated peer discussion; and a project based assessment. Following the successful completion of the advanced elective, trainees may wish to pursue the Diploma in Technology Law offered by the Diploma centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Learning Outcomes

On successful completion of this course, participants will have a comprehensive understanding of the latest developments in legal technology. In addition, participants will have developed:

- Legal project management skills.
- An understanding of the business model for law firms and the challenges in the market.
- An ability to contribute to digital transformation of practice.
- A creative and innovative approaches to providing legal advice.



# HEALTHCARE LAW



**START DATE:** May 2023



**COURSE LEADER:** Colette Reid



**ASSESSMENT METHOD:** Assessment essay of between 1750 and 3000 words carrying 100 marks. Trainees will be assigned a choice of two broad topics from the Healthcare Law advanced elective. Trainees will decide their own essay title which can be on any aspect of the chosen assigned topic, but must also relate to practice.

## Programme overview

The Healthcare Law advanced elective recognises the broad ambit of the medico-legal landscape. It addresses key areas including Regulation of the Healthcare professions; Clinical Negligence; Product Liability; Consent; Confidentiality; Inquests; and Mental Health Law. It also addresses mediation, settlement, and litigation as modes of resolving clinical negligence claims. It is designed to equip trainees

with the knowledge and skills to provide advice to both health care providers and health care recipients.

## Programme structure, content and approach to learning

The Healthcare Law advanced elective is designed to help trainees to develop their knowledge and understanding of Healthcare Law and related practice and procedure. It will consider recent developments in substantive law, practice and procedure through lectures from experienced practitioners with supporting materials provided electronically on the Hub.

Using a scaffolding approach, learning from lectures will be supported and enhanced by inter-active small group sessions (tutorials and workshops) which provide the opportunity to actively participate in analysing and discuss the lecture material. These sessions will integrate the keys aspects of Healthcare Law which are addressed in lectures and the skills required for Healthcare Law practice, in addition to encouraging trainees to develop their knowledge and understanding of Healthcare Law in practice.

## Learning outcomes

On successful completion of this course, participants will have:

- A comprehensive understanding of the current substantive law and practice in key facets of Healthcare Law and Practice.
- The ability to identify issues and advocate on behalf of clients in a variety of Healthcare matters.
- A detailed understanding of the role of various forms of dispute resolution.
- The knowledge and skill to advise and represent a variety of clients in relation to clinical negligence claims
- Demonstrated a good level of knowledge and understanding of the relationship; between substantive Law and Procedure and Practice, and how this impacts the client;





# INSOLVENCY



**START DATE:** May 2023



**COURSE LEADER:** Dr Rachael Hession



**ASSESSMENT METHOD:** 20% of the marks will be awarded for participating in a non-assessed task, such as tutorial engagement and group workshop presentation; 80% of the marks will then be allocated to a written assignment based on a letter of advice to a client.

## Programme overview

This advanced elective will delve into the many aspects of insolvency that solicitors face in practice. The programme will cover all insolvency issues such as: company insolvency; court liquidations; voluntary liquidations; receiverships; alternatives to winding up; personal insolvency and international insolvency. The teaching team are experts in their field and will impart the knowledge necessary to practice in this area. It will provide the legal foundation necessary to advise and act for: liquidators; receivers; examiners; directors and shareholders of insolvent entities; companies and third parties (such as creditors); banks and employees of insolvent entities. Following the successful completion of the advanced elective, trainees may wish to pursue the Diploma in Insolvency Law offered by the

Diploma centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Programme structure, content and approach to learning

The advanced elective will be taught in a way that is realistic and relevant with an emphasis placed on experiential learning. Trainees will focus on transaction and problem based exercises which will reflect/mimic the real-life tasks that practitioners undertake in this field.

## Learning outcomes

On completion of this course, participants will have a comprehensive understanding of:

- The process for appointment of a liquidator, including the relevant powers, functions and duties.
- The realisation and distribution of assets.
- The effect of winding-up on creditors & third parties.
- Proof of debts/rules as to priorities.
- Directors' duties/liabilities including reckless and fraudulent trading/preferences; and restriction and disqualification of directors.
- Issues for shareholders of insolvent companies including demand letter and petition.
- Members voluntary winding-up.
- Completing a *Declaration of Solvency and a Statement of Affairs*.
- Creditors' meeting, including advising the company and convening the meeting.
- The role of the Receiver, including eligibility, appointment, powers and duties/resignation.
- The position of directors, shareholders, and employees in a Receivership.
- The role of the Examiner, including the petition, appointment, duties and powers.
- Schemes of arrangement and compromises.
- International regulation of cross border insolvency.
- EU Insolvency Regulation.
- Bankruptcy proceedings.
- Scheme of the Personal Insolvency Act 2013.



# THE HIGH IMPACT PROFESSIONAL



**START DATE:** May 2023



**COURSE LEADER:** Antoinette Moriarty



**ASSESSMENT METHOD:**

As the course involves continuous assessment, participants must attend all sessions. The course is assessed through a combination of individual and group assignments and presentations.

## Programme overview

This innovative course will bring together trainees, qualified members and other professionals to explore how psychological frameworks can positively impact performance. Participants will gain a broad overview of psychological concepts and frameworks that can be applied across a range of professions to help you excel in your chosen field. Participants will have the opportunity to learn with inspiring Law Society educators and local and international guest speakers from a leading educational body.

## Programme structure, content and approach to learning

The course will be offered in partnership with *Law Society Professional Training* and external partners for the cultural experience/event e.g. The National Gallery of Ireland, The Hugh Lane Gallery.

## Learning outcomes

On completion of the course, participants should be able to:

- Build a peer network of contacts and collaborators.
- Participate in mental health and wellbeing activities and events to support and promote positive physical and mental wellbeing.
- Understand the dynamics and value of an inclusive, healthy and high functional workplace culture.
- Acquire greater self-awareness and develop a growth mind-set through engagement with group discussions and assignments.
- Develop practical leadership skills and strategies to lead with impact in a rapidly changing context.





# ADVANCED LEGAL PRACTICE IRISH



**START DATE:** June 2023



**COURSE LEADER:** Aisling Byrne



**ASSESSMENT METHOD:**

Assessment will incorporate continuous assessment of tasks throughout the course (50%) and a final group assessment (50%) which will require participants to draft documents for a specific legal application and to deliver that application individually as a solicitor advocate. (The group paper is allocated 20% and the oral assessment is allocated 30%).

## Programme overview

This programme has been designed in order to meet the statutory requirement contained within section 40(2A)(d) of the Solicitors Act 1954 (as inserted by the Legal Practitioners (Irish Language) Act 2008)) which mandates the Law Society to “...provide an advanced course for the practice of law through the Irish language as an optional subject for those pursuing the Professional Practice Course”. It is very practical in its application and places an emphasis on the key skills required of a practitioner who wishes to utilise

the Irish language in his/her work (such as grammatical accuracy, legal research, drafting, client consultation, negotiation and advocacy). The majority of the course will be delivered by way of practitioner-led workshops. These are streamed and enable participants to enhance their learning through exposure to general practice scenarios which they could potentially encounter in an Irish-speaking context.

## Programme structure, content and approach to learning

The Advanced Legal Practice Irish elective is designed to assist participants in developing the skills required to utilise and apply the law through the medium of Irish. The introductory lectures focus on the background legal framework/concepts pertaining to the language and also afford trainees the opportunity to hear a practitioner's perspective in terms of the opportunities/challenges presented. The second part of the course is skills-oriented in nature and includes an augmented grammar offering which aims to assist participants in accurately expressing themselves through Irish. The third segment is entirely workshop-based and seeks to facilitate participant engagement with the language in the context of specific practice areas of relevance. It will include the utilisation of actors to role play parties in a case that proceeds to litigation. Participants will conduct the various facets of the case, from the initial interview through to advocacy in court, in Irish thus affording valuable opportunities for language development.

## Learning Outcomes

On successful completion of this course, participants will have:

- An enhanced ability to understand and utilise Irish language legal terminology across a range of general practice areas.
- A grounding in core elements of Irish grammar and orthography with the view to facilitating the generation of coherent and comprehensible texts.
- A comprehensive understanding of how to conduct legal research in Irish.



# ADVANCED PROBATE AND TAX



**START DATE:** May 2023



**COURSE LEADER:** Padraic Courtney



**ASSESSMENT METHOD:** Assessment by way of a 2,500-word assignment with a problem-based scenario that will cover key areas of the course.

## Programme overview

This advanced elective follows on from both the Wills, Probate & Estates and Taxation for Solicitors course and initially ties the two courses together. The advanced elective will demonstrate how taxation is an essential element of any Wills, Probate & Estates practice, before going on to deal with drafting Will Trusts, covering contentious probates and administering estates and trusts. Trainees intending to practice in the area need to be able to advise clients in detail about the options open to them when drafting wills involving significant business or farming assets where minors may inherit. They also need to advise those clients about potential tax reliefs and their applicability. Trainees also need to be able to advise the Legal Personal Representative (LPR) when disputes arise in the course of administering the estate and on potential taxation issues, particularly when administering a trust.

## Programme structure, content and approach to learning

The advanced elective is broken into three parts namely:

- Wills, Will Trusts and Estate Planning: Estate Planning essentially is where in addition to drafting a will exactly in accordance with a client's informed instructions, the

solicitor also provides tax planning advice. An example of such advice would be ascertaining whether an intended beneficiary would qualify as a "Farmer" in order to claim Agricultural Relief against Capital Acquisitions Tax. The module then goes on to deal with Trusts and in particular Will Trusts.

- Contentious Probate Procedure: As trainees would be aware from the case law in the area, not every administration goes smoothly. Again, trainees will have covered spouses and children's rights as part of Will drafting. Having covered non-contentious probate applications, this part of the advanced elective deals with contentious probate applications and with probate litigation including applications under S. 117 of the Succession Act, 1965.
- Administration of Estates, Trusts and Taxation: Having finally, obtained our grant, initially this part of the advanced elective looks at the solicitor's responsibilities across a range of tax heads when acting for the legal personal representative in the administration of an estate. Moving on from there, the advanced elective goes into greater depth and detail in relation to the administration of both Will Trusts and Trusts arising on intestacy, again focusing on the taxation implications and finally looking at tax and other issues arising on the breakup of a trust.

Following the successful completion of the advanced elective, trainees may wish to pursue the Diploma in Trust & Estate Planning Law offered by the Diploma centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Learning Outcomes

On successful completion of this course trainees will be able to advise a client on all aspects of making their will, the LPR of a deceased client through the process of applying for a grant and the administration of that estate at all times taking the taxation implications (liabilities and reliefs) arising across a number of tax heads into account. Trainees will be fully aware of their professional responsibilities to their clients and will be able to comply with those obligations.





# CHILD LAW



**START DATE:** June 2023



**COURSE LEADER:** Dr Geoffrey Shannon



**ASSESSMENT METHOD:** Assessment by way of a 2,500-word assignment with a problem-based scenario that will cover key areas of the course.

## Programme overview

This advanced elective will provide an overview of the key changes in legislation and the implications of same on the child law landscape in Ireland. The Children First Act has impacted a truly enormous range of organisations and individuals who deal with or have access to children, including schools, health and social care facilities, An Garda Síochána, faith-based organisations, sports and youth clubs, and arts and leisure organisations. This advanced elective is designed to help trainees gain an understanding of the scope and implications the legislative requirements imposed on such organisations and individuals. Covering every aspect of child law, from the basic legal status of the child through to the various systems of alternative care, this advanced elective examines those developments from the different perspectives of those advising the various organisations affected and those advising the child or parents.

## Programme structure, content and approach to learning

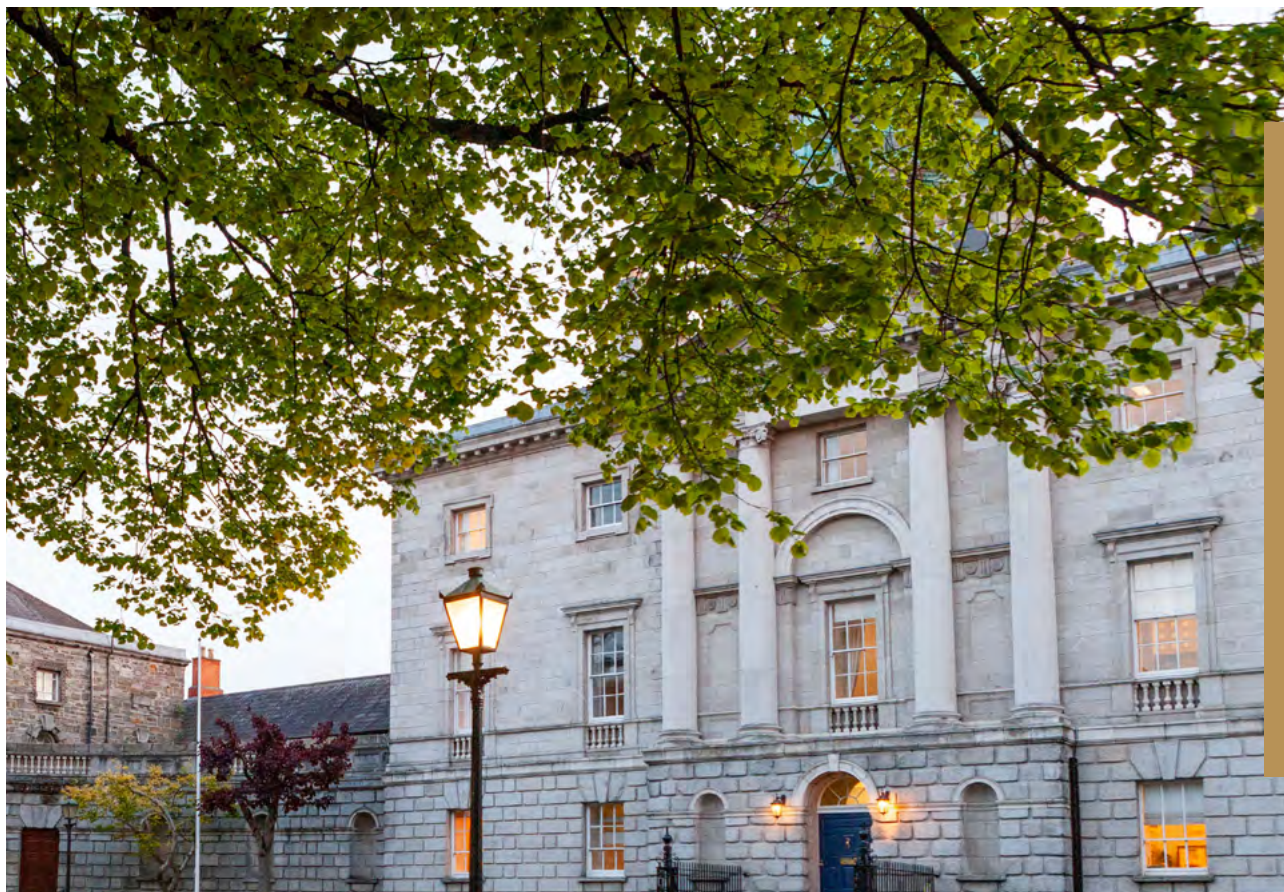
This advanced elective is based on the following themes:

- Course introduction and the Children First Act: Duties of the State; international obligations; jurisdiction; case conferences; the Children First Act, 2015: to whom does it apply and in respect of what?; best practice principles; reporting abuse and standard reporting procedures; the legal status of the child under the constitution; constitutional amendments.
- Options for care: Systems of alternative care under the Child Care Act, 1991 as amended; foster care; placement with relatives; residential care; and children's residential centres.
- Practice and procedure and the involvement of children in the court process: Children giving evidence; making a child party to proceedings; representing children with special needs and mental health issues; The Guardian ad litem; representing the child in administrative procedures; practice and procedure in the District Court Circuit Court and High Court. Protecting the welfare of the child in family disputes, medical issues and child abduction will also be addressed.

## Learning Outcomes

On completion of this course, trainees will have:

- A comprehensive understanding of the relevant constitutional and legislative structures pertaining to child law in this jurisdiction.
- A detailed knowledge of the options for care that apply and the systems of alternative care under the Child Care Act, 1991 (as amended).
- A detailed understanding of the practice and procedure issues that arise during the involvement of children in the court process.





# CRIMINAL LITIGATION



**START DATE:** June 2023



**COURSE LEADER:** Aisling Byrne



**ASSESSMENT METHOD:**

Assessment will take place through either an assignment (of 2,500 words in length) or examination (which will account for 80% of the final mark). A further 20% of the final mark will be based upon the mandatory preparation of a report in respect of a court visit.

- A thorough grasp of the rules that relating to evidence and its subsequent presentation at trial
- A detailed understanding of the practical application of the law to particular areas including the burden of proof, hearsay, the examination of witnesses, expert evidence, competence and compellability, corroboration as well as unconstitutionally and illegally obtained evidence.
- The ability to understand the reasons influencing the choice of venue in criminal prosecutions.
- A comprehensive knowledge of the key legal issues pertaining to a criminal investigation.
- An awareness of the relevant process and procedure applicable to the commencement and disposal of proceedings.
- A detailed understanding of the processes pertaining to sentencing, appeals and judicial review.

## Programme overview

This programme will provide a comprehensive overview of criminal litigation. It will commence with an outline of the key concepts undergirding the area (such as those pertaining to the law of evidence) before examining the case law and legislation applicable to the various stages of the criminal litigation process (from the initiation of a criminal investigation to appeals and judicial review). There will also be a detailed consideration of specific categories of offences which are particularly relevant to practice.

## Programme structure, content and approach to learning

The criminal litigation advanced elective is structured so that trainees are given the requisite knowledge and training in order to apply relevant legal principles correctly in a criminal litigation context. It progresses in a linear and logical manner from fundamental introductory principles to the key considerations of which a practitioner must be cognisant at each stage of the criminal justice process of relevance to his/her work.

There will be a strong emphasis placed on practical examples so that trainees can augment their knowledge by seeing how the law actually applies in scenarios which they will encounter during the course of their professional careers. In addition, the trainees' learning experience will be enhanced by the provision of access to relevant resources, such as criminal litigation documentation-via the Hub. This platform also supports a course forum which enables trainee questions (thus promoting greater engagement). Following the successful completion of the advanced elective, trainees may wish to pursue the Diploma in Criminal Litigation offered by the Diploma centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Learning Outcomes

Upon the successful completion of this course, participants will have:

- A comprehensive understanding of the law applicable to the criminal litigation process.
- An enhanced awareness of the ethical and regulatory framework, which applies;





# CROSS-BOUNDARY LEADERSHIP



## START DATE:

June 2023



## COURSE LEADERS:

Dara Connolly and Kristina Moody



## ASSESSMENT METHOD:

Assessment will be by means of continuous assessment throughout advanced elective based on participation as well as an assessed reflective journal submitted at the end of the programme.



## Programme overview

This advanced elective is offered in partnership with Common Purpose, a not-for-profit organization founded in 1989, to deliver face-to-face and online leadership programmes for multiple generations of leaders. As the world becomes more complex and interconnected the demand for good leadership, in our organizations and in society, has never been greater. Now, more than ever, high-potential leaders need to be able to:

- Overcome increasingly complex challenges
- Accelerate their impact in the now
- Strengthen their foundations for future success

This highly experiential programme will develop the 'cross-boundary leadership' skills of trainees by immersing them in unique environments to learn about leadership up close in different contexts. These powerful learning experiences will be augmented by engaging online content covering themes associated with Personal Agility and Leading People.

## Programme structure, content and approach to learning

The Cross-boundary Leadership programme creates an invaluable opportunity for high-potential leaders to put their leadership in context by helping them become more agile and self-aware. The aim is to broaden participants' horizons in unpicking essential aspects of leadership, in different sectors, systems and cultural contexts, explored through the eyes of others. This will be accomplished through:

- Interactive, self-directed online learning (asynchronous): a collection of articles, exercises and video content that introduce participants to programme themes as well as Common Purpose's thought leadership in the areas of Cultural Intelligence (CQ) and Leading Beyond Authority.
- Highly immersive experiences (in person): investigating real issues in a local context through the eyes of inspirational leaders who share how leadership works in their world. Examples of previous immersive experiences include:
- Exploring 'Conscientious Leadership' in Coolmine Therapeutic Community

- Examining 'Cultural Intelligence' in the Islamic Cultural Centre of Ireland
- Understanding 'Working with Difference' in Glencree Centre for Peace and Reconciliation

The main tutors on the course will be Dara Connolly, CEO of Common Purpose, and Kristina Moody, who designed and delivers training for Common Purpose.

## Learning outcomes

On successful completion of this course, participants will have:

- A comprehensive understanding of core leadership concepts related to Personal Agility and Leading People and their practical application
- Become more self-aware to better adapt to ever-changing situations and priorities
- Become more empathetic to better empower diverse & inclusive teams
- Improved ability to work with difference by understanding and practicing Cultural Intelligence (CQ)
- Improved confidence in their capabilities as leaders of people and projects



# DISABILITY LAW



**START DATE:** June 2023



**COURSE LEADER:** Aisling Byrne



**ASSESSMENT METHOD:** Assessment will take place through an assignment (of 2,500 words in length).

## Programme overview

This programme will provide a comprehensive overview of disability law, covering domestic legislation as well as regional and international instruments of relevance to practitioners working within the sphere. Trainees will therefore be in a position to grasp the wider context for developments within this jurisdiction in addition to gaining familiarity with the legal frameworks that apply when advising potential clients across various areas of particular relevance to practice.

## Programme structure, content and approach to learning

The disability law advanced elective is structured so that trainees are given the requisite knowledge and training in order to apply relevant legal principles in a disability law context.

It is intended that trainees will gain an understanding of the substantive content of the United Nations Convention on the Rights of Persons with Disabilities as well as the institutional machinery/processes designed to ensure its

implementation. They will also develop familiarity with case law pertaining to the European Convention on Human Rights as well as pertinent EU initiatives. In addition, trainees will gain exposure to key pieces of domestic legislation (such as the Assisted Decision-Making (Capacity) Act 2015) as well as the application of the specific frameworks which arise in this context in areas as diverse as equality/non-discrimination, the justice system, education, health and deprivation of liberty. The practicalities pertaining to the taking of instructions from persons with disabilities will also be addressed. Trainees will thus be afforded the broadest possible educational experience which will be of benefit to those intending to practise within the sphere.

The course will in the main be provided by way of lectures delivered by subject-matter experts. These individuals will in turn develop lecture papers in respect of their specific topics which will act as the main resource for trainees. It is intended that participation in onsite tutorials will provide an opportunity to further enhance comprehension of the relevant legal principles through small group learning in an interactive environment. The overarching aim is to facilitate and encourage knowledge of the applicable theoretical frameworks as well as how they apply in practical, real-life contexts.

## Learning outcomes

Upon the successful completion of this course, participants will have:

- An enhanced awareness of the domestic legal framework pertaining to disability as well as a knowledge of broader European developments in the sphere;
- A grasp of the provisions of and mechanisms associated with the United Nations Convention on the Rights of Persons with Disabilities; and
- An understanding of the practical issues which arise when advising persons in a disability law context.





# EFFECTIVE COMMUNICATION SKILLS



**START DATE:** June 2023



**COURSE LEADER:** Gwen McDevitt



**ASSESSMENT METHOD:** Performance based and assessed during workshops presentations.

## Programme overview

Students and professionals, especially those at the start of their careers, may lack the confidence and/or experience to communicate effectively with colleagues and clients. In addition to regular face-to-face contact with various audiences, they also need to focus on the effective use of traditional media and online platforms - especially in high pressure and high impact circumstances. This advanced elective is designed to help participants develop an understanding of the communications process, an appreciation of various question and response techniques and gain insight into how they can improve their communications skillset.

## Programme structure, content, and approach to learning

The “Effective Communications” advanced elective is a series of lectures and practical workshop sessions that allows participants to be involved in the communication process and understand the part they play in it. Participants will gain insight in audience expectation and perception. They will practise speaking with CEOs, partners, colleagues, and clients. Learn how to communicate with children, vulnerable

and/or traumatised individuals and non-English speakers – including an introduction to sign-language. They will develop skills to help overcome their emotional reticence, so that as a spokesperson they can represent their company’s firm and image, whilst delivering powerful, memorable, and sometimes complex messages. Other important aspects covered include highlighting the importance of body-language, storytelling techniques and avoiding some of the most common mistakes that can lead to escalation of outrage and the misrepresentation of our personal or company’s point of view. This advanced elective covers face-to-face, commercial, and promotional communications – as well as online and live high-pressure/crisis responses to events, often beyond our control. Participants are expected to pre-prepare and deliver a brief presentation and engage in on-camera role-play. Because participants need to experience the pressures of “live” communication and learn from others, this advanced elective is only available as an in-person workshop, with a limited number of attendees.

## Learning outcomes

On successful completion of this course, participants will have:

- Learnt direct communication skills – and how to further develop these
- An understanding of professional online platforms – and how (not) to use them
- Some insight in how the media gather and disseminate news
- Gained experience in speaking directly to a group and individuals
- Taken part in a high pressure / crisis interview – acting as a spokesperson
- Given a presentation and identified possible steps to improve their performance
- Practised setting and achieving communications goals
- Experienced the importance of storytelling and other techniques.



# ENTERPRISE RISK MANAGEMENT



**START DATE:** June 2023



**COURSE LEADER:** John Lunney



**ASSESSMENT METHOD:** 20% of the marks will be awarded for class participation and reflection; 80% of the marks will be allocated to a final written assignment.

## Programme overview

This advanced elective aims to frame lawyers' understanding of the relationship between the legal environment and the business (or other) environment in which clients make decisions. Why Enterprise Risk Management for Lawyers? Lawyers (ideally):

- Bring unique training and analytical skills.
- Apply legal and business judgment informed by human nature & ethics.
- Aggressively (but constructively) interrogate, challenge & negotiate.
- Formulate responses to circumstances based on data and facts.
- Draft with precision eg Laws, Regulations, Contracts and deals, Business Procedures and Compliance Guidelines.

## Programme structure, content and approach to learning

The focus of the of the course is participatory and hands-on with workshop style classes that feature interactive group exercises. Class preparation is needed and prescribed case study readings are provided and are both manageable and practical. In the world of legal practice, knowledge and technical proficiency are foundational requirements to succeed, but your professional progress will also depend on virtues such as initiative, timeliness, courtesy, collegiality, the ability to disagree without being disagreeable, and effective nurturing of, and being mentors to, others. The development of these qualities is encouraged through the course and the course will provide opportunities to hone them. This is a lifelong process.

The lead tutor is Walter Bardenwerper. Walter was for 25 years the *Vice President, General Counsel & Secretary of Towers Watson & Co.* (now Willis Towers Watson; NYSE: WTW), one of the largest global firms specializing in risk management, insurance, actuarial science and human resources. Walter supervised a law department of attorneys and staff located throughout Asia, Europe, Africa, North America and Australia. He was responsible for the company's risk assessment process and its legal issues worldwide.

## Learning Outcomes

The aim of the course is to frame lawyers' understanding of relationship between the legal environment and the business (or other) environment in which clients make decisions. The course promotes a framework for lawyers to evaluate risk and advise clients by employing legal knowledge, skills and judgment within the context of the client's objectives. The skills gained will apply to:

- Public or private clients.
- Any kind of enterprise.
- Any career setting.





# HUMAN RIGHTS



**START DATE:** June 2023



**COURSE LEADER:** Aisling Byrne



**ASSESSMENT METHOD:** Assessment by way of a 2,500-word assignment.

## Programme overview

This programme will provide a comprehensive overview of the subject of human rights, encompassing the domestic, selected regional as well as international human rights law frameworks with a practical and applied focus. Once the foundational principles underlying these wide-ranging areas have been discussed, there will then be an emphasis placed on specific discrete topics of relevance to solicitors practising in the sphere so that they understand the key concepts, legal instruments and case law which will apply.

## Programme structure, content and approach to learning

This advanced elective is designed to enable trainees to develop the skills necessary to apply the law in a human rights context. It is intended that the first module will be introductory in nature so that trainees will gain an understanding of human rights law within the jurisdiction in a broad sense and will also encompass substantive constitutional rights (in addition to the pertinent practical

issues which may arise in respect of litigation in this regard). The second module will focus on selected regional human rights mechanisms of relevance to a solicitor practising within the area while the third module will provide a grounding in international human rights law so that trainees will understand the key actors operating within this system with a view to interacting with them (where possible). The fourth module will focus on introductory lectures pertaining to specific niche areas of law germane to the work of a human rights practitioner in Ireland.

The course will be mainly lecture-based. The expert practitioners delivering the sessions will formulate lecture papers on their topics which will act as a resource for the participants. Trainees will also be afforded the opportunity to augment their understanding by participating in three onsite tutorials. These will be interactive in nature and will incorporate case study elements in order to promote engagement with the practical application of the law to the greatest extent possible.

## Learning Outcomes

On successful completion of this course, participants will have:

- An understanding of the key domestic, European and international mechanisms relevant to the protection of human rights within this jurisdiction.
- A knowledge of the particular legal issues that pertain to the practise of human rights law in specific contexts (encompassing relevant domestic as well as international developments where applicable).
- The ability to research human rights law matters.
- An understanding of the issues which arise when advising vulnerable clients in a human rights context.



# INTERNATIONAL BUSINESS NEGOTIATIONS



**START DATE:** June 2023



**COURSE LEADER:** John Lunney



**ASSESSMENT METHOD:** 80% of the overall grade is assessed on a completed reflective journal; 20% of overall grade is allocated for active and competent participation.

## Programme overview

This course is structured around a simulated negotiation exercise in which half of the trainees in this class will represent a multi-national pharmaceutical company (KJH Pharmaceutical Corporation) and the other half of the trainees will represent an African agricultural production company (Malundian Cassava Corporation). The two companies are interested in working together to exploit a new technology developed by KJH Pharmaceutical that uses the cassava produced by Malundian Cassava Corporation. The form of their collaboration could be a joint venture, a licensing agreement or a long term supply contract. The negotiations will take place through written exchanges and through live negotiations.

## Programme structure, content and approach to learning

The focus of this course is class participation and active involvement in the negotiations process. Trainees are expected to spend time outside of class, working in teams, to prepare for class discussions involving the written exchanges as well as to prepare for the live negotiations. Class discussions will focus on the strategy for, and progress of, the negotiations, as well as the substantive legal, business and policy matters that impact on the negotiations. The lead tutors will be Jay Gary Finkelstein, a partner at *DLA Piper LLP (US)*, who has practiced corporate and securities law for over 30 years; and Walter W. Bardenwerper who was for 25 years the Vice President, General Counsel & Secretary of Towers Watson & Co. (now Willis Towers Watson; NYSE: WLTW).

## Learning Outcomes

The purpose of the course is to provide trainees with an opportunity to:

- experience the sequential development of a business transaction over an extended negotiation.
- study the businesses and legal issues and strategies that impact the negotiation.
- gain insight into the dynamics of negotiating and structuring international business transactions.
- learn about the role that lawyers and law play in these negotiations.
- give trainees experience in drafting communications.
- provide negotiation experience in a context that replicates actual legal practice.





# INVESTMENT FUNDS



**START DATE:** June 2023



**COURSE LEADER:** Sara Van den Bergh



**ASSESSMENT METHOD:** Assessment by way of a 2,500-word assignment with a problem-based scenario that will cover key areas of the course.

## Programme overview

At the global level, Ireland is the third largest fund domicile and holds the second largest market share in Europe. Ireland provides full market access to the EU and is the only English-speaking common law jurisdiction in the Eurozone thereby providing access to a European market of 500 million consumers. This is a large and important industry for Ireland with lots of career opportunities for lawyers.

The aim of this advanced elective is to provide an overview of the system of regulation, compliance, supervision, and enforcement affecting investment funds from a national and international perspective. The course will focus principally on the Undertakings for Collective Investment in Transferable Securities (UCITS) and alternative investment funds (AIF) products and the regulatory framework which applies to managers of such products. Allied to this will be a review of the principal legal structures used for Irish fund products and the service providers involved in the day-to-day operation of the fund. The course will also cover other

issues such as taxation, exchange traded funds, money market funds and corporate governance.

The EU sustainable finance framework will be examined, together with emerging asset classes such as crypto assets..

## Programme structure, content and approach to learning

This advanced elective will provide lectures with accompanying presentations and a range of academic resources. The programme will feature a number of expert-led interactive practical workshops where trainees will consolidate their knowledge. Trainees will be in small working groups to facilitate collaboration. The teaching faculty will consist of lawyers from funds practices in law firms, from the Central Bank of Ireland and the asset management industry.

## Learning Outcomes

On completion of this course, participants will have:

- A comprehensive understanding of the legal structures commonly used to establish investment funds and the different fund products provided for by law and regulation.
- Familiarity with the roles played by each of the service providers and advisers in the establishment and operation of fund products.
- An awareness of the process whereby funds obtain regulatory approval and the documentation required for a fund launch.
- An insight into fund structuring and typical fund strategies followed by asset managers and how they relate to regulatory investment restrictions and product rules.
- An introduction to related topics that arise for funds, such as how they are sold, taxation, compliance, and regulatory supervision and enforcement.
- An insight into career pathways for lawyers in the funds industry.



# PROJECT MANAGEMENT



**START DATE:** June 2023



**COURSE LEADER:** Annie Walshe



**ASSESSMENT METHOD:** 20% of marks available on the advanced elective will be awarded for participating in a non-assessed task. 80% of the marks will be allocated to a written assignment (to be completed within 7 days) which will assess the key learning outcomes detailed above.

## Programme overview

In today's fast-paced legal profession, project management skills are becoming a critical business skill for solicitors. Project management plays a key role in successfully achieving your business goals. This advanced elective will provide you with the essential skills you need to apply project management principles, tools and practices in your work. Participants will learn how to plan, execute and control a project to a successful conclusion from industry-expert lecturers and tutors.

## Programme structure, content and approach to learning

We will explore project management with a practical, hands-on approach through realistic project case studies, exercises, lectures and group discussion. Trainees will be provided with a suite of e-Lectures and curated resources to access at their own pace and available to download from the Hub, which will set out the principles and methodologies of Project Management. Tutorials will give trainees a hands on opportunity to practice strategic communications, problem-solving, and stakeholder management through real-world scenarios. The course will assist you moving from an understanding of the principles of project management, to how best to apply these skills in the context of your legal work.

## Learning Outcomes

On successful completion of this course, participants will have:

- An understanding of the principles of project management and have an overview of various project management methodologies - such as PRINCE2, PMP, SCRUM, Lean Six Sigma and AgilePM.
- The tools to develop an interdisciplinary approach to driving and facilitating projects - with an understanding of how to assess and implement the best methodologies to achieve business goals.
- A comprehensive understanding of the lifecycle of a project (initiation, planning, executing, monitoring/controlling, and closing) and the tools to create an effective project plan and understand what is needed at each stage.
- Knowledge of how to investigate the impacts of internal and external forces in projects across various business and cultural contexts.
- An understanding of the characteristics of successful project leaders.





# SPORTS LAW



**START DATE:** June 2023



**COURSE LEADER:** John Lunney



**ASSESSMENT METHOD:** Assessment by way of a 2,500-word assignment with a problem-based scenario that will cover all key areas of the course.

## Programme overview

This advanced elective will provide participants with an insight into the dynamic area of sports law. Modules will address practical issues, which practitioners from the smallest to the largest firms can advise on. The course begins with a look at the regulation and governance of the sport sector. It outlines the key issues for running a club – child protection, data protection and liability.

This advanced elective will also provide a detailed examination of the commercialisation of sport, including sponsorship agreements, broadcasting, ticketing and merchandising. Key issues such as corruption in sport, violence, gambling, and discipline will be considered, followed by an in-depth look at the WADA anti-doping code. It will also provide trainees with information on career pathways in sports law.

## Programme structure, content and approach to learning

This advanced elective will provide lectures with accompanying presentations and a range of academic resources. The programme will feature a number of expert-led interactive practical workshops where trainees will consolidate their knowledge. Trainees will be in small working groups to facilitate collaboration. The teaching faculty will consist of sports lawyers in private practice and in-house roles, together with a number of professionals working in the area of sports. The course will cover the following modules:

- Regulation of sports bodies
- Commercialisation of sports
- Liability in sports
- Disciplinary Procedures
- Anti-Doping

Following the successful completion of the advanced elective, trainees may wish to pursue the *Diploma in Sports Law* offered by the Diploma Centre. A 15% discount will apply if the diploma is commenced within the relevant time-frame.

## Learning Outcomes

On completion of this course, participants will have:

- A comprehensive understanding of sports law.
- Acquired the skills to deal with a number of sports law issues in practice.
- An insight into the key legal issues when setting up a sports club and running a sports club;
- An understanding of the key issues to address when representing an amateur/ professional sportsperson;
- An excellent grasp of the technical areas of anti-doping, liability and discipline in sport.
- An insight into the career pathways for lawyers who have an interest in sports law.



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