

# Australasian Law Teachers Association

## Proposals for Change

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## Proposal 1 – Name of the Association

### Background

Clause 1 of the Constitution currently provides:

*The Association shall be called the “Australasian Law Teachers Association”.*

Given the proposed changes to the objects of the Association and the other proposals set out in this document, there is unanimous support on the part of the ALTA Executive and substantial support on the part of the wider membership for a name change. Support is also motivated by the apparently widespread and erroneous perception of the Association as concerned only with the teaching of law and not all aspects of the role of law academics.

Regarding the new name, there is a need to avoid an acronym that is already used in the sector. When polled, many members favoured Australasian Legal or Law Academics Association, or something with Legal Scholars. There was some support for using ‘Pacific’ instead of ‘Australasian’, but there was also concern that that would exclude parts of Australia.

### Proposal

- 1.1 That the name of ALTA be changed to the **Australasian Law Academics Association**.

## Proposal 2 – Objects of the Association

### Background

Clause 2 of the Constitution currently provides:

*The objects of the Association shall be:*

- a) *the furtherance of legal education in Australia, New Zealand, Papua New Guinea and the Pacific Islands and of the work and interests of law teachers in these countries;*
- b) *the encouragement and organisation of legal research and the publication of contributions to legal knowledge;*
- c) *the promotion of active co-operation of the law teachers of Australia, New Zealand, Papua New Guinea and the Pacific Islands with one another, with law teachers elsewhere and with University, professional and other learned bodies in Australia, New Zealand, Papua New Guinea, the Pacific Islands and elsewhere;*
- d) *co-operation with professional legal associations, law reform agencies and other bodies in the work of law reform;*
- e) *the collection and publication of information about the roles and needs of law teachers;*
- f) *the organisation of an annual conference.*

It is proposed that the objects of the Association be amended to:

- update and simplify them,
- emphasise the Association's role as the professional association for all law academics in Australia, New Zealand and the South Pacific, and
- emphasise supporting law academics to develop their law teaching and legal research; assisting law academics to manage their academic careers; and representing the interests of law academics in discussions and debates about legal education issues with universities, professional associations, admission authorities and regulators.

Regarding amendment of the Constitution, Clause 13 provides:

*This Constitution may be amended by resolution approved by a majority of members present at any General Meeting except for this clause (clause 13) and clauses 2A and 14 which may be amended only with the consent of the Attorney General of the Australian State in which the Association's funds are situated, or of the Attorney General of New Zealand in so far as the Association's funds are situated in New Zealand, or with the consent of a Court in Australia or New Zealand having jurisdiction to vary the terms of a charitable trust.*

### Proposal

2.1 That Clause 2 of the Constitution be amended to provide as follows:

*The objects of the Association shall be:*

- a) *the facilitation of best practice in law teaching and legal research by law academics in Australia, New Zealand and the South Pacific ('Australasia');*
- b) *the promotion of collaboration and cooperation by Australasian law academics with one another, with law academics elsewhere, and with academic, professional, law reform and government organisations and institutions;*
- c) *the provision of assistance and support to Australasian law academics in planning and managing their academic careers; and*
- d) *representation of the interests of Australasian law academics in discussions and debates about legal education with universities, professional associations, admission authorities and regulators.*

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## Proposal 3 – Membership fees

### Background

Membership of the Association has steadily declined in recent years as more institutional members withdraw their financial support for the Association. This decline in membership is undermining the Association's role as the representative body for the totality of Australasian law academics.

Given the fact that a significant proportion of the membership fees collected by the Association are applied towards administrative costs, and a significant proportion of administrative time is spent managing membership fee invoicing and collection, a reduction in membership fee income is feasible if accompanied by a reduction in administrative costs.

The proposal is that individual membership become free of charge, and institutional membership be an annual fee in return for a series of institutional benefits. The intent would be to provide enough income to continue to fund at least some administrative support for the Association.

Amendment of the Constitution would not be required. Clause 10 of the Constitution currently provides:

*The annual subscription for all members other than honorary life members shall be determined at the AGM;*

At the AGM, the members need simply vote in favour of setting individual membership fees per year at zero, and institutional membership fees at \$X per year.

### Proposal

3.1 That the categories of membership in the Association be amended to:

- a. *Individual membership*, automatically granted to all eligible Australasian law academics, and
- b. *Institutional membership*, granted upon application to any eligible Australasian law school.

3.2 That individual membership be free of charge.

3.3 That a \$2,000 annual fee be charged for institutional membership, in return for which the law school will receive:

- c. acknowledgement on the Association website;
- d. complimentary hard copies of the Association journals; and
- e. discounted registration fees for the Association conference/s for all staff.

## **Proposal 4 – Membership**

### **Background**

If Proposal 3 is accepted and Association membership does become 'free', what will be the mechanism for joining? The possibilities include individual applications, automatic membership for all law academics with an option to opt out, and membership lists via the Deans. Following extensive discussion, a process that makes individual membership easy but respects the right of individual academics not to be members is preferred.

### **Proposal**

- 4.1 That the Association rebuild its list of members by:
  - a. amending the website to facilitate individual and institutional membership;
  - b. emailing all current individual members giving them ability to 'opt out'; and
  - c. running a 'sign up' campaign in all Australasian law schools, via direct mail out, CALD and LEAD, school representatives, and at the Conference.

## Proposal 5 – Annual Conference

### Background

The Annual Conference is widely viewed as the most important initiative of the Association, to the extent that many equate the Association with the Conference and disregard the other activities and responsibilities of the Association.

At present, responsibility for organising the Conference has each year been delegated to a particular law school, with relatively little input from or oversight by the Association Executive. While the overall quality of the conferences has been excellent, that approach has led to considerable inconsistency from conference to conference in registration fees, duration, structure and tone.

### Proposal

- 5.1 That the following inform a redrafted set of conference guidelines to be adopted for future conferences:
- a. The Annual Conference will be hosted by a University in Australia, New Zealand or the South Pacific each year.
  - b. The Association Executive will endeavour to ensure the Annual Conference is hosted outside of Australia at least once every five years.
  - c. At least 18 months prior to the Annual Conference, the Association Executive will call for expressions of interest in hosting the Annual Conference.
  - d. The host university will be selected by the ALTA Executive prior to the preceding Annual Conference and formally announced at the conclusion of the preceding Annual Conference.
  - e. At least twelve months prior to the Annual Conference, the Association Executive will appoint a Conference Sub-Committee to oversee preparation for the Conference.
  - f. The Conference Sub-Committee will work closely with the Dean of Law (or equivalent) from the host university to settle:
    - i. The dates for the Conference;
    - ii. The overall schedule for the Conference, including interest group streams;
    - iii. The theme of the Conference;
    - iv. The budget for the Conference, and how Conference revenue and costs should be shared by the host university and the Association; and
    - v. The marketing strategy for the Conference.
  - g. The Conference Sub-Committee and the Dean from the host university will work together to ensure the registration fee for the conference is as low as possible to facilitate attendance by members.
  - h. At least six months prior to the Annual Conference, the call for submission of papers and early registration will be issued.

## Proposal 6 – Interest Groups

### Background

The current list of 29 Association interest groups is at [www.alta.edu.au/ALTA-interest-groups](http://www.alta.edu.au/ALTA-interest-groups). Each interest group has a convener responsible for coordinating communication between members of the interest group, and working with the organisers of the Annual Conference to administer interest group sessions at the Conference.

In practice, it has proven difficult to find and maintain coordinators for all 29 interest groups, and many groups are currently inactive. At the same time, legal academics with shared research and teaching interests have established their own networks independent of the Association interest groups, e.g. corporate law teachers, property law teachers, dispute resolution researchers, etc.

While it is generally accepted that the interest groups play an important role within the Association, and that the Association should continue to administer the interest groups, it is desirable to revisit and consolidate the list of interest groups and reconsider how they operate.

Clause 11 of the Constitution currently provides:

- (a) *“Interest Groups”, to enable members to pursue particular academic interests in law which they have in common, may be established within the Association on the request of not less than twenty members of the Association and by permission of the General Executive;*
- (b) *Membership of an Interest Group shall be open to any member or associate member of the Association;*
- (c) *Each Interest Group shall appoint a convener who shall report orally, or in writing, on the activities of the group to each Annual General Meeting of the Association.*

To facilitate the proposed changes and simplify administration of the interest groups, amendment of clause 11 will be necessary.

### Proposal

6.1 That Clause 11 of the Constitution be amended to provide as follows:

- a. *To enable members to pursue academic interests in law that they have in common, ‘Interest Groups’ may be established within the Association by the General Executive.*
- b. *Membership of an Interest Group will be open to any member of the Association.*
- c. *Each Interest Group will be administered by a Convener appointed by the General Executive.*

6.2 That a new list of interest groups be established as follows:

- a. Legal Education (combining Legal Education, Law for Non-Law Students, and Clinical Legal Education and Practical Legal Training)
- b. Private Law (combining Property Law, Torts and Contract, Equity and Trusts, and Family Law)

- c. Public Law (combining Constitutional Law, Environmental Law, and Criminal Law, and adding Administrative Law)
- d. Commercial Law (combining Company Law, Competition and Consumer Law, Revenue Law, Labour Law, and Intellectual Property)
- e. International and Comparative Law (combining Comparative and Asian Law, and International Law)
- f. Jurisprudence and Legal History (combining Legal History, Legal Theory, Law and Economics, and Legal Research and Communication, and adding Law and Literature)
- g. Law and Society (combining Law and Medicine, Law and Social Justice, Indigenous Peoples and the Law, Law and Computers, and Law in Context)
- h. Legal Professional Practice (combining Ethics and the Legal Profession, Evidence and Procedure, and Dispute Resolution)
- i. South Pacific Legal Studies

6.3 That the new interest groups be administered as follows:

- a. Where feasible, the conveners of the current interest groups will be approached first about becoming conveners of the new interest groups.
- b. Each interest group convener can, should they wish to do so, set up and coordinate sub-groups within the interest group.
- c. All individual members will upon joining the Association be asked to nominate one or more interest groups of which they wish to be a member.
- d. The Association website will make it possible for each interest group convener to easily communicate with all members of the interest group. External interest groups (e.g. Property Law Teachers) will be encouraged to use this online communication tool to invite members of the Association to their events.
- e. At least six months prior to the Annual Conference, each interest group convener will be encouraged to submit a proposal for an interest group session or sessions at the Annual Conference (together with an indication of the likely number of papers in the session or sessions).

## **Proposal 7 – Collaboration with ALT**

### **Background**

The Association of Law Teachers (ALT) is the UK equivalent of the Association. Members of the Executive Committees of the two Associations have explored the possibility of greater collaboration between the two Associations and how this might be achieved.

### **Proposal**

7.1 That the Association enter into a formal Memorandum of Understanding with the ALT providing for greater collaboration between the two Associations and the granting of mutual entitlements to the members of each Association as follows:

- a. Members of each Association will be automatically eligible to be members of the other Association.
- b. Members of each Association will be entitled to the same discounts on Association journals and conferences as members of the other Association.
- c. The Associations will explore the possibility of establishing an online platform to better facilitate research collaboration between members of the two Associations, including collaborative research projects, academic exchanges and joint thesis supervision.
- d. The Associations will explore the possibility of working together to organise and host a joint international conference on legal education.