

Annex 1

SMU Yong Pung How School of Law - LLB TRACKS

Overview

Students enrolled in the Bachelor of Laws (LLB) programme are allowed to make a track declaration to pursue the following areas of legal practice in greater depth:

1. Corporate Transactions
2. Law and Technology
3. Dispute Resolution

In recognition of the fact that there are a multitude of pathways to a career in law, this new scheme allows and guides students to tailor their curriculum, by choosing the most relevant electives, to better prepare them for their selected field. More than simply a curation of law electives within a law subfield, this scheme builds upon the multi and interdisciplinary nature of the existing LLB curriculum in recognition that the law does not exist in the abstract but to serve business and broader societal needs. Students who pursue a track will benefit from greater disciplinary knowledge, industry awareness and practical skillset so as to be better prepared to pursue a career in their selected fields.

Eligibility

A declaration of track is open to students enrolled in the LLB programme on and after the 2021 intake.

A track declaration must be made by the end of Year 2 Term 2. As a track declaration will be indicated in the official transcript, it would allow students to formally profess an interest in and commitment to the selected field. To avoid doubt, a track declaration is not mandatory. A student who prefers not to specialise in any formal way may refrain from declaring a track. Given the firm foundation laid by our core legal curriculum, every LLB graduate is competent for all areas of legal practice and well equipped with the skillset to learn new knowledge and skills.

Requirements

Although the three tracks are different in their substantive content, they follow the same formal structure. Students will have to complete a total of five (5) course units (CU) of track-specific courses from 3 different baskets:

1. Three (3) CU from the basket of Track Electives
2. One (1) CU from the basket of Law-Related Electives for the specific track
3. One (1) CU of Law Capstone for the specific track

Each track builds upon the solid foundation laid by the core law courses undertaken mainly in the first two years of the LLB programme. A student declaring a track should endeavour to draw the relevant connections, specifically how the different building blocks may be

brought together to create meaningful solutions to real world problems. This requires students to be sensitive to the contexts in which legal rules are applied and to acquire adjacent disciplinary skills that aid in the understanding of such contexts. That explains why the Law-Related Elective has been a permanent feature of our LLB curriculum. The new Law Capstone course adds the polishing touch, helping students to look across traditional boundaries by working on projects that span three or more areas of the law and through a practical lens. Although not officially part of the track requirements, a student declaring a track is also encouraged to choose related courses from the University's Core Curriculum or from the other schools so as to further enhance the appreciation of the professed area of focus.

Associate Professor Alvin See (alvinsee@smu.edu.sg)
Associate Dean (Undergraduate Curriculum & Teaching)

1. CORPORATE TRANSACTIONS

Description

Corporate transactional work is a core area of legal practice. It is wide-ranging, involving inter-related legal, business and financial issues, as transactional lawyers are often required to assist their clients (who may be private, public or multinational enterprises) in designing business transactions, structures and relationships.

A corporate transactional lawyer may be involved, for example, in mergers and acquisitions, corporate or business restructuring, project financing, capital raising and public offerings, and joint ventures. It is often said that the only constant in the commercial landscape is change, and as the world is more connected today than ever, there is increasing demand for lawyers who understand the evolving needs and practices of businesses and corporate entities. As expected, a substantial number in every cohort of our LLB graduates embark on careers in this area.

YPHSL has particular strength in corporate and commercial law, and this track brings together a curated range of law and interdisciplinary courses to not only equip students with the necessary legal foundation and principles for a career in corporate transactional work, but also to expose students to the practical issues that corporate transactional lawyers are likely to encounter.

Learning outcome

Students pursuing this track should:

1. Gain theoretical and practical knowledge in corporate and commercial law;
2. Acquire a deeper appreciation of the intricacies of doing business in a global and complex business environment; and
3. Develop the skills of legal analysis and communication that are essential to a successful practice in the corporate transactional sphere.

Track requirements

Track Electives (choose 3)

The electives curated for this track necessarily build upon the core courses taught at YPHSL. The foundational courses of LAW101 Contract Law 1, LAW102 Contract Law 2 and LAW201_621 Corporate Law, in particular, provide the necessary legal foundation upon which the more specialised courses in this track are built. The electives in this basket, which are presently offered by YPHSL full-time and adjunct faculty, expose the interested student to a range of legal issues that a transactional lawyer might encounter in practice.

Given the breadth of corporate transactional work, there are several subspecialisation practice areas. A student interested in Mergers and Acquisitions could consider taking a combination of track courses that include LAW417 Law of Mergers & Acquisitions and LAW449 Legal and Commercial Principles in Project Financing Transactions, while a student keen on restructuring and insolvency work could consider taking LAW429 Corporate Insolvency Law and LAW490 International and Comparative Insolvency Law. The relevant Track Electives are listed below:

1. LAW429 Corporate Insolvency Law
2. LAW433 Financial and Securities Regulation
3. LAW 449 Legal and Commercial Principles in Project Financing Transactions
4. LAW490 International and Comparative Insolvency Law
5. LAW 494 Comparative Corporate Governance
6. LAW4012 Entrepreneurship in Singapore - From Cradle to Grave
7. LAW4024 Corporate and Securities Laws in China and US: A Comparison
8. LAW 651 Law of Real Estate Securitisation (LLM)
9. LAW 657 Corporate Compliance and Risk Management (LLM)

Law-Related Elective (choose 1)

Competent corporate transactional lawyers are able to appreciate and understand commercial transactions and the business issues and problems of their clients. As corporate finance and accounting are essential in the management of companies and businesses, exposure to these topics will complement the specialised legal knowledge accumulated from the various track electives to better equip and prepare the interested student for corporate transactional work. The relevant Law- Related Electives for this track are listed below:

1. ACCT105 Financial Accounting for Law
2. ACCT101 Financial Accounting
3. ACCT111 Financial Accounting
4. FNCE103 Finance for Law
5. FNCE101 Finance

Law Capstone (choose 1)

The relevant Law Capstone courses for this track are listed below:

1. LAW417 Law of Mergers & Acquisitions (SMU-X)
2. LAW4050 The Law and Finance of Corporate Transactions (SMU-X)
3. LAWXXX Directed Research (Corporate Transactions) (to be confirmed)

Diving deeper

Although not officially counting towards the fulfilment of track requirements, students may choose to enhance their knowledge in this field by taking the following courses offered by the other schools. The electives below are chosen to reflect these different aspects of corporate transactional work.

1. FNCE201 Corporate Finance (LKCSB)
2. FNCE218: Wealth Management and the Law (LKCSB)
3. FNCE311: Mergers and Acquisitions (LKCSB)
4. MGMT104: Corporate Enterprise and Innovation (LKCSB)
5. MGMT322: International Corporate Governance and Strategy (LKCSB)

Apart from subject matter expertise, however, a significant part of corporate transactional work will require strong negotiation and communication skills as many a business deal is made or broken at the negotiation table. Accordingly, interested students may wish to also consider taking courses in communications and negotiations that are offered at the other schools such as, for example, COROBHR1309 Negotiating in Management and Business and COR-COMM1304 Management Communication, both of which are offered by LKCSB. Both courses also fall under the Capabilities: Managing basket of the Core Curriculum from which law students are already required to choose one elective.

Course coordinator (for AY2022/23)

Associate Professor Pearlie Koh
pearliekoh@smu.edu.sg

2. LAW AND TECHNOLOGY**Description**

Rapid technological advancements and the rise of the digital economy have profound impacts on our everyday lives, and this includes the study and practice of law. Any lawyer with a good awareness of the interaction between law and technology has a variety of exciting career pathways for their choosing.

Technology, Media and Telecommunications (TMT) law has always been an established area of legal practice in major law firms. A TMT lawyer would advise on a variety of matters, from software licensing to e-commerce, cybersecurity to regulatory compliance, etc. New

practice areas such as Data and Digital Economy (D2E), Digital Trust, and Data Governance will require lawyers to build upon foundational knowledge in TMT and enhance it with familiarity with emerging developments in AI governance and regulation, blockchain regulation, online trust and safety and immersive technology regulation, among others.

As data collection and use becomes an indispensable aspect of the digital economy, the relevant stakeholders would require the expertise of privacy and data protection legal specialists to help them navigate the complexities and sensitivities. Closely related is Intellectual Property law practice which protects the interests of creators and innovators. Even beyond the traditional law firm setting, there is healthy demand for lawyers who understand technology in large corporations. Technological startups that experiment with new technological innovations—from blockchain applications to legal technology—would benefit from the participation of lawyers who know technology. The examples go on. The goal of this track is to prepare our students for this whole new world.

Learning outcomes

Those embarking on this track will be expected to:

1. Have a keen awareness of new technological advancements that are likely to raise important legal, business, ethical, policy and regulatory issues;
2. Obtain an understanding of regulatory approaches to technology, digitisation and digitalisation, both at the national level and across borders;
3. Be able to propose adaptation of the law to meet new challenges brought about by technological advancements and how technology can be designed to meet legal standards and requirements; and
4. Be able to advice on the law and regulations relating to the development and deployment of ICT products and services as well as draw up internal guidelines and practices for legal compliance and accountability;
5. Be able to propose how new technologies may be harnessed for the betterment of the legal industry and access to justice.

Track requirements

Track Electives (choose 3)

The first two elective courses collectively provide students with the greatest possible exposure to the various topics where law and technology intersect. In-depth electives on more specialised topics will be added from time to time. The currently available Track Electives are listed below:

1. LAW4032 Law and Technology
2. LAW405 Infocomm Technology and the Law
3. LAW486 Privacy and Data Protection Law
4. LAW4045 FinTech: Law and Policy
5. LAW4019 Computational Thinking & Legal Technology
6. LAW4010 Legal Design
7. LAW401 Intellectual Property Law
8. LAW414 International Commercialisation of Intellectual Property

9. LAW463 Intellectual Assets and the Law in Asian Economies
10. LAW 649 Blockchain & Governance (LLM)
11. LAW 653 AI, Law and Ethics (LLM)

Law-Related Elective (choose 1)

The selection of technical courses helps students better understand the practical usage as well as limitations of technology. The relevant Law-Related Electives are listed below:

1. CS101 Programming Fundamentals (SCIS)
2. IS111 Introduction to Programming (SCIS)
3. IS105 Business Data Management (SCIS)
4. IS112 Data Management (SCIS)

Law Capstone (choose 1)

The relevant Law Capstone courses are listed below:

1. LAW4022 Digital Innovation for Access to Justice (SMU-X)
2. LAW491 Law and the Digital Commerce (SMU-X)
3. LAWXXX Directed Research (Law and Technology) (to be confirmed)

Diving deeper

This track aligns well with the Communities: Technology and Society basket under the Core Curriculum. Although not officially counting towards the fulfilment of track requirements, students may choose to enhance their technical knowledge in this field by taking relevant courses from the School of Computing and Information Systems.

Course coordinator (for AY2022/23)

Associate Professor Warren Chik

warrenchik@smu.edu.sg

3. DISPUTE RESOLUTION

Description

Dispute resolution is a well-established and core area of legal practice. A dispute resolution lawyer plays an important role in guiding clients through the complexities of disputes and advocating their interests through a wide range of dispute resolution processes including litigation, arbitration, mediation and negotiation. YPHSL's law graduates who have honed dispute resolution skills have embarked on careers in local and international law firms' dispute resolution, litigation, and international arbitration practices. Graduates who work in the Singapore judiciary and the Attorney-General's Chambers also benefit from their familiarity with these processes.

Litigation in the courts is a traditional area of legal practice, and has grown in sophistication with the creation of the Singapore International Commercial Courts and the radical reform of civil procedure rules in 2021. International arbitration has increasingly emerged as a preferred method of resolving cross-border disputes. The confidentiality and procedural flexibility it offers, together with the ease of enforceability of arbitral awards with 170 signatory states to the New York Convention, make it an attractive method for resolving disputes compared to litigation. More recently, mediation has grown in prominence, particularly after the signing of the Singapore Convention on Mediation in 2020.

Mediation is a confidential and flexible process that allows parties to scope their preferred solutions rather than having a third party adjudicator impose a decision. Last but not least, negotiation skills are invaluable for lawyers to help their clients resolve challenging disputes without having to rely on litigation, mediation or arbitration.

The rapid rise in cross-border and complex disputes has resulted in the combination of several dispute resolution processes, such as the use of Arb-Med-Arb and the common practice of attempting negotiation or mediation prior to litigation. It is also common for parties to carve out certain issues to be resolved through negotiation or mediation and to refer the less negotiable issues to arbitration or litigation. The competent dispute resolution lawyer is thus skilled in a range of dispute resolution processes and no longer specialises in merely one form of dispute resolution. The dispute resolution track also equips students with an understanding of human behaviour and skills to navigate a wide spectrum of dispute resolution mechanisms.

Learning outcomes

Students pursuing this track should:

1. Develop skills to advocate clients' interests in a variety of dispute resolution mechanisms;
2. Acquire a deeper appreciation of the psychological and non-legal aspects of disputes; and
3. Gain theoretical, practical and comparative knowledge of the jurisprudence and procedural intricacies of different dispute resolution processes.

Track requirements

Track Electives (choose 3)

The law electives curated for this track necessarily build upon the core law courses, particularly those that lay the foundation for legal skills such as LAW106 Legal Research and Writing 1, LAW107 Legal Research and Writing 2 and LAW307 Law of Evidence. The electives in this basket, which are presently offered by YPHSL full-time faculty and adjuncts, expose the interested student to a range of dispute resolution mechanisms. When choosing the three courses from the list below, students are encouraged to explore at least 2 different dispute resolution mechanisms to develop versatility across a range of processes. The currently available Track Electives are listed below:

1. LAW416 International Moots 1

2. LAW430 International Moots 2
3. LAW451 Pre-trial Practice in Civil Litigation
4. LAW462 Introduction to Civil Procedure
5. LAW466 Evidence, Litigation and the Criminal Process
6. LAW406 International Commercial Arbitration
7. LAW4020 The Singapore International Arbitration Centre (SIAC) and Institutional Arbitration
8. LAW478 Professional Mediation Skills
9. LAW481 International Mediation Law and Practice
10. LAW482 Dealmaking and Dispute Resolution: Negotiation in an Age of Disruption

Law-Related Elective (choose 1)

It is essential for dispute resolution lawyers to have a sound understanding of the non-legal aspects of disputes. The following law-related electives thus equip students with a holistic understanding of human behaviour:

1. LAW477 Law and Psychology
2. PSY001 Introduction to Psychology (SOSS)

Law Capstone (choose 1)

The relevant Law Capstone courses for this track are listed below:

1. LAW4018 Dispute Resolution Advocacy (SMU-X)
2. LAWXXX Directed Research (Dispute Resolution) (to be confirmed)

Diving deeper

Although not officially counting towards the fulfilment of track requirements, students may choose to enhance their knowledge and skillset for this field by taking the following courses offered by the other schools.

1. COMM120 Intercultural Communication (LKCSB)
2. COR2100 Economics and Society (CIS)
3. OBHR 101 Management of People at Work (LKCSB)
4. OBHR234 Power and Politics in Organisations (LKCSB)
5. OPIM101 Decision Analysis (LKCSB)
6. PSYC108 Social Psychology (SOSS)

Unlike the two other tracks, the Dispute Resolution Track focuses less on the substantive topics of law and more on dispute resolution mechanisms, institutions and skillsets. Therefore, one may consider pairing it with another substantive law track. For example, a student interested in commercial dispute resolution will benefit from pairing this track with the Corporate Transactions Track.

Course coordinator (for AY2022/23)
Associate Professor Dorcas Quek Anderson
dorcasquek@smu.edu.sg