

De Minimis

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Take Home Exams: Is A Sticker Sufficient Consideration For Going Potty?

Stefan Prelevic and Anastasia Tarasova

Raising a child means something different to every parent. While there are grains of wisdom to be gleaned from your parents (stickers are a good reward for example), well-meaning busybodies and Google, there is no nice flowchart that guides you through the elements of the parenting experience. But these well-meaning busybodies have one bit of universal advice that will aid you all when, or if, you take the plunge.

Being a good parent means...Being present..

Seriously, that's step one. You can't be a good parent if you aren't around to change a nappy, rub a sore tummy or get boogers wiped on you.

For a lot of parents, step one is hard. Much harder than it should be in a society that is beginning to recognise the importance of work-life balance. For some of us budding lawyers, work and life may (probably will) fall out of balance at some point in our careers. Or it may even come sooner if, like us, you find yourself struggling to maintain balance while still at university.

The balance we all keep is a tenuous one, it requires sacrifices and compromises on a daily basis. When that balance is disturbed, as it inevitably is, it can make us feel demoralised or diminished, as we reprimand ourselves for not being able to 'cope'.

If you are a parent/law student one of the major disturbances you will experience at MLS is the ever-exciting take-home assessments.

These examinations are particularly problematic for parents because they have unnecessarily stringent time frames for completion and they remove a parent's autonomy over their schedule. They assess particular students on their capacity to balance life with their study – rather than their understanding of the law.

Let us explain by way of experience...

Stefan's Experience

I am a single father with shared custody



of my 3-year-old daughter. I see her every second weekend, and 2 days during the week. When she is with me I make sure I am present, in mind and body, and that she is the focus of my attention as much as possible. In order to keep up with work/study, when she's not with me I am focused on getting things done. I'm a fun guy.

If a take home exam falls on a weekend when I have my daughter, it's a big problem. That's exactly what happened in semester 1 with the Obs take-home assignment.

I had special consideration and got the exam pushed back to the week after which would have been fine, if I didn't rely on that weekend to make the money I need to support myself and my daughter. When I was in undergrad I didn't mind seeing \$4 in my bank account, but as a parent it's not a LOL worthy sight.

Plus, so I could have enough time to finish my other assessments around that time, I had to get extensions for my other subjects.

These issues were not fatal and I was thankful for the support I received from special consideration, but this is one experience I am in no hurry to repeat. I can't help but wonder why the assessment had to take place on a weekend. If it was simply an

assignment I would have been able to fit the work around my schedule more easily.

Anastasia's Experience

I am a single mother without any family in Australia and I work part-time. I started law school when my son barely turned two. When I enrolled in the JD, studying the law seemed like a natural survival tool. However, a rude awakening came in week 6 of semester 1, in the form of the infamous Obs take home interim assessment.

Yes, I had special consideration and some support, but delaying that first take home exam meant that I had to delay all of my assessments and miss out on classes to keep up (a luxury I just can't afford).

When it came to doing the assessment, the LLSN bursary was not around. So I decided to toughen up and do the whole "mummy-can-multitask" thing. Yet surely enough... mummy couldn't. By the end of it mummy was an exhausted nervous wreck. I was torn between the guilt of not spending that precious quality time with my baby and the pressure of having to address all the elements of contract formation.

Continued Page 2

Take Home Exam Problems Continued...

I tried to convince my child that the sticker he would get for going potty was sufficient consideration, and that there was absolutely no reason for him to perform that contract on the floor (coz that's a one-sided variation, right?). It just wasn't working...at all. Needless to say, that mummy's mark for that assignment only added to the horror.

Another thing about being a parent is that you actually have some very real responsibilities – you need to go back into full time work fast! With my mum in Australia during the winter break, I jumped at the opportunity to get one step closer to finishing by doing the Evidence and Proof winter intensive (despite another looming prospect of a 6000 word take home exam).

This was a good idea until I realised that the Evidence and Proof take home is the kind of exam you really do need to take home... working on it in the library with a hundred pages and diagrams lying around is practically impossible. Just like it is practically impossible (and certainly not desirable) to get a two-year old child out of the house for three days even with a full-time babysitter.

I love my son to bits and I am sick of constantly feeling guilty for not spending time with him. To lose a weekend to an assessment that could be managed much better if it were an assignment is hard. Particularly because I struggle to handle the tears every time I have to explain that mummy needs to work, to study, to put food

on the table and hope that we will have a brighter future when Law School is finished. Yet when the marks for take homes come out – that future doesn't seem so bright.

Some might say that parents shouldn't be in the JD if they can't handle it. Those arguments are respectfully acknowledged, but all of us have reasons for doing law later in life and for parents our kids are a big part of that.

That Sounds Rough You Say?

Sure is! The LLSN has long been concerned about take home exams and the impact they have on parents, carers and those of you who have to work weekends to pay the bills.

In response to the LLSN's concerns the Law School has set up a sub-committee to the Students Equity and Wellbeing Committee to specifically examine the issues presented.

You can provide feedback to the sub-committee or email Judith Marychurch – The Assistant Dean, Teaching and Learning.

As an interim measure, the LLSN has established a bursary to cover the cost of childcare during take home exams. We implore all parents to apply now. However, throwing money at the problem won't fix it. Changes to the manner in which these assessments are administered is required.

Stefan Prevalic is a First Year JD Student and a Representative of the Later Law Students' Network

Anastasia Scarfo is a First Year JD Student and a Representative of the Later Law Students' Network

busily heading up businesses in pastries, shoes and heroin. This isn't Italy in the Eat Pray Love vein; there are no loving descriptions of fettucine gleaming sensuously in olive oil and pizza so thin the sun shines through it. Cooking in these novels is not for pleasure but just one of the menial household tasks women are expected to carry out uncomplainingly.

I have been to Naples and by a coincidence was there with my own best friend since childhood. We were struck down by illness and spent our Neapolitan sojourn taking turns throwing up into the bin in our hotel room. The next day I heroically climbed Mount Vesuvius. The mysterious workings of memory and time have collapsed this into an interminable trudge through untouched snow, battling nausea. A quick squiz at my travel notes suggests that actually we had gotten a taxi most of the way up and I only walked the remaining 200 metres to the crater. Villages are built unsettlingly close to the foot of this volcano. Pliny the Younger would write about its eruption in 79 AD : 'Many besought the aid of the gods, but still more imagined there were no gods left, and that the universe was plunged into eternal darkness for evermore.'

Nearly two thousand years later, the fourth book is rent through by a violent earthquake. A true event, on November 23, 1980, it ripped through Southern Italy, leaving over 2,500 people dead and 250,000 homeless. Most of the aid money was never seen by the victims – billions went to the Camorra and corrupt politicians. A fitting symbol for a novel about corruption as the natural way of things.

By the third and fourth novels Elena is in an unhappy marriage; she leaves her boring professor husband for the not-boring professor Nino, whom she has loved since she was a child. Even though Elena is narrating her own story, she cannot convince us that Nino is in any way redeemable. He holds court in gatherings of cultured people and exclaims progressive things like 'a waste of a woman's intelligence is the greatest waste of all', whilst contributing nothing to housework and insidiously engaging in a gas lighting campaign that leaves our protagonist humiliated. The male characters are either terrible human beings, or they have no discernible personality. In contrast, the women are complex and surprising. Ferrante is unafraid of giving unlikeable qualities to her female characters. Elena and Lila are devoted to their children but don't seem to particularly like them very much.

You will get so into these novels that you will read them late into the night until your eyes tear up. You will blink out of your #ferrantefever and realise that you are not in fact trudging under a Neapolitan sun with the smudge of Mount Vesuvius in the horizon, but you are on the Mezzanine, and Remedies started half an hour ago.

Elif Sekercioglu is a Second Year JD Student

LITERARY LINES FROM ELIF ELIF SEKERCIOGLU

Caveat lector! The following contains plot details from The Neapolitan Quartet by Elena Ferrante.

My friend Laura's Dutch translation of *L'amica geniale* ('My Brilliant Friend') has a gold sticker on the cover. It proclaims the novel to be a bestseller and also, with no context, contains the phrase #ferrantefever. We laughed about this. Was it the password to a Dutch cult of Ferrante-loving Tweeters? Not many novels get their own official hashtag. Having already self-diagnosed with Italophilia sometime prior to choosing Italian as my undergrad major, I knew I had a lowered immunity to #ferrantefever. I succumbed.

Strategically, I got my mother to read the first book and she was so enthralled that she purchased the remaining three for us.

I am drawn to novels that follow the pattern of an intense childhood friendship between girls, a period of drifting apart and establishing separate identities and lives, and then a reunion, usually acrimonious, sometimes nostalgic. Emily Bitto's *The Strays* is such a novel. Margaret Atwood's *Cat's Eye*

is another. It is just as unsettling as her dystopian work like *The Handmaid's Tale*. I remember particularly a moment in which the main character, who is bullied by her friends, peels strips of skin off the soles of her feet with disturbing calmness. *The Neapolitan Quartet* is also about how women can seize upon each other's insecurities. It is four volumes, beginning with My Brilliant Friend, of what is essentially one novel.

Elena, the narrator, charts the minutiae of her life from childhood to her 60s. The anchor of all this is her friendship with Lila, who lives in the same apartment. It is a relationship that over the course of many years will be wrought by jealousy, suspicions and power struggles. But they also understand and unconditionally love each other. The two women 'get' each other. This is part of the magic of a female friendship that is rarely seen in literature and film.

Our setting is an impoverished corner of Naples. It is illiterate, violent and dirty. The poverty of this neighbourhood will indelibly stain Elena and Lila, they imagine others can see it as though they are clothed in it. Michele and Marcello Solara are the handsome young Mafiosi who run the 'hood,

The Strength Of Our Student Groups

Henry Dow

One of the very real advantages of attending Melbourne Uni is the strength of its student groups. I believe this is only amplified within the law faculty, with the calibre and ambition of students making for student societies capable of fantastic advocacy and even better events!

In my two and half years at MLS I have clearly seen the impact students can make from within these groups. From the Later Law Student Network (LLSN) advocating on behalf of students with parenting responsibilities (how do you look after a baby/toddler/TEENAGER! whilst studying law!? I'm in utter AWE), to the LSS's first ever Indigenous rep rightfully calling for greater recognition of Indigenous law and sovereignty in our classes.

This week nominations open for positions on the 2017/18 MULSS Committee. The LLSN will likewise have an AGM coming up soon. Similarly, toward the end of semester *De Minimis* has its AGM where you can nominate on the day for a number of positions.

I would encourage any students interested to nominate and run for positions. Involving yourself in such groups on an organisational level is an extremely rewarding experience. Not only does it give you the opportunity to grow and develop as a leader, it also provides a platform from which you

may genuinely influence the culture and future of the law school.

Last Thursday evening the Queer Portfolio held its Annual Lecture where Lee Carnie from the Human Rights Law Centre spoke. In 2010 Lee was the Queer rep for the LSS and speaking to her, following the event, it became very clear how much student advocacy had done to make the law school a more welcoming place for LGBTQI+ students since that time. Lee actually resigned before the end of her term from the LSS in protest as it was impossible to get the the committee to move on issues seen as "too controversial" ... just 7 years ago! Lee is now heavily involved in the High Court Challenge to the Postal Plebiscite and the 'YES' campaign.

In stark contrast, last year Mark Campbell was able to successfully push for non-gendered bathrooms, and in two weeks' time the Queer Portfolio is hosting a Panel addressing how the law intersects with Transgender issues. Taking inspiration from our students, other LSS's in Victoria are now similarly giving a voice to their LGBTQI+ students, with Monash creating a Queer rep position just last year.

It is this kind of advocacy that will continue to make the legal profession a healthier and more welcoming space for our students to enter and flourish within.

Equally the events facilitated by the LSS

and others (I'm looking at you Melbourne China Law Society and your annual Dumpling Eating Competition!) are the lifeblood of our Law School.

Last week was the final of the KWMTM Open Mooting comp. Not only were all those competing unbelievably capable legal minds, one of them was a first year! The opportunity to develop and showcase talent like this is not available at every law school in Melbourne and we are fortunate so many other students, faculty members and sponsors work together to put on such events.

It should never be taken for granted that such events will seemingly run themselves, or that someone else will be there to identify and raise your concern. With such opportunity comes the responsibility to contribute as meaningfully as your circumstances allow.

If you have enjoyed an LSS event or loved the negotiation competition; if you have found writing for/reading *De Minimis* therapeutic or been supported by the LLSN - then please consider getting involved in these groups and giving some of your energy and time to making law school an even greater experience for you and your peers. It only takes a committed group of ordinary strangers to make extraordinary changes.

Henry Dow is the MULSS President

International Perspectives: Xuzhou Boy

Yumeng Sun

My name is Yumeng Sun, an active and outgoing boy who comes from Xuzhou in eastern China.

I am not the same as many other JD students who have arts or commerce backgrounds. I did my bachelor degree majoring in Electrical Engineering. Many people are surprised when they know that I was an engineering student. Honestly, there is a significant gap between law and engineering.

In an engineering exam, each question has only one right answer, which is not going to happen in law school. There are only three students who did science or engineering before in my JD class. Our variety of backgrounds, however, gives the

law school a high level of diversity. Such diversity makes Melbourne Law School a better place to live and study in.

I used to study in the United States. Melbourne is very different from any cities in the U.S. Public transportation is very convenient here. Trams and taxis are running across the whole city day and night. But, as law students, the only thing we can do is watch all of this through the huge windows of the law building, while we are doing the readings.

My mailbox is always full of unread emails from law school. Plenty of activities are hosted every week. Law school members like 1 pm very much. More than eighty per cent of events are held during 1 to 2 pm. Lunch is not a part of my student life any

more. And it is why the microwave ovens on the first floor are working all the time.

Although the JD life almost exhausts me, I still love this place deeply. I continue to build many wonderful friendships which I believe can last a lifetime. Learning the wisdom of how successful people navigate this society is a great honour and I am looking forward to seeing more and more international students join the Melbourne JD family.

Best,

Yumeng Sun.

Yumeng Sun is a First Year JD Student. Are you an international student? If you have a story to tell about your time at Melbourne Law School, submit a piece today.



ESPORTS ENQUIRIES

Kai Liu and Chi Han Yeo

PART ONE: DotA...the D stands for Death

It was a rainy day when trouble walked into my office...then it became a sunny day...then it became a rainy one again...Melbourne's funny like that. He wore a red shirt, and a badge on his chest with the words, 'Hi, I'm Tim'.^{★★} Warning signs. If I knew exactly what they were warning about maybe I would have thrown him out right there. But I didn't. What I knew was that I was two weeks behind on my clerkship applications and I needed the distraction. Anything will do when you're as desperate for a client as me. So I took the job.

"I need an article on my desk by Friday...something snazzy...something that the public will eat up...and no more fake news...there's too much heat on me as it is....can you do it?"

"I can do it...but I ain't cheap and neither is my partner. We charge \$500 a day, plus expenses. And we got a lot of expenses." But he'd walked out after I said I could do it, so I'm not sure exactly how much I'm gonna get paid for this. But that's not unusual in the life of a Unimelb student.

★★★

"So tell me about this game we're snooping out," I said, devouring a breakfast pastry.

My partner Kai looked at me with one bleary eye. If he'd slept more than four hours last night I was a monkey's uncle. He sat there, mumbling something about suspiciously polite Spanish snakes and wearing a cap emblazoned with the flag of China.

"Oh it's good, real good...like 24 million dollars good," he replied.

I let out a whistle. That seemed like an awful lot of money for playing video games, I thought.

"That seems like an awful lot of money for playing video games," I said.

That seemed like an awful lot of money for playing video games to Kai too. So he dug a little deeper. For some reason his cap was emblazoned with a white horse now. Weird, but there you go.

"It's called DotA 2, and the tournament is the International. \$24 million prize pool, \$10 mill to the winner...and you won't believe this...the money's going up!"

I spat out my bon bon.

"Where's the money coming from? Casinos? Drugs? The mob?"

"All three," said Kai, "Except none of those three. The money comes from the fans. The company hosting the tournament puts up a base prize pool, \$1.6 mil, then they sell

Tales Of Terror From The Two Most Handsome University Of Melbourne Law Students Currently Scoping Out The Scene[★]

in game items. Hats they call them. Every purchase contributes 25% to the prize pool."

"But if the prize pool is now at \$24 million from \$1.6 that means they've grossed..."

"Almost a cool \$100 mil."

It was a lot to take in. What were we getting ourselves into? But it was too late to back out now. I selected a fresh bon bon.

"Tell me about the game."

"It's free to play, basically you control one character in a team of five. There are over a hundred to choose from, each with unique abilities and strengths. The goal is to destroy the enemy base."

"That seems simple enough."

"It's a game of strategy, real time reactions, and the ability to dodge hatred spewed at you by internet fans. Takes a lot of patience"

"Sounds like my kind of game. And what's this about the International?"

"It's the seventh in a long line of multi-million dollar tournaments. eSports is a big deal now. They're athletes competing for millions. A whole lot of trouble."

If I'd known exactly how much trouble, how much of a disaster it could be, maybe I'd have closed the investigation right then and there. Might have gone into esports myself. But I was younger then...much too naive.

"Alright let's get crackin', when is this International?"

"It ended last week, way too late to do a piece for *De Minimis*."

"Well darn....does Tim know?"

"Probably not, the rube."

"Alright we'll write up what we've got so far and send it in. Pretend the tournament's not over yet. And by Odin's beard start recording those expenses!"

Kai Liu and Chi Han Yeo are Third Year JD Students

[★]**Note:** They're also the only MLS students currently scoping out the scene.

^{★★} I might have misremembered some of the details. Or all of them.

Coming soon: *The Esports Enquiries: Tales of Terror from the Two Most Handsome University of Melbourne Law Students Currently Scoping out the Scene Part II, A Dance With DEATH!*

