

POSTGRADUATE PERSONAL STATEMENT EXAMPLE

LAW

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Personal Statement Example: Law

I decided to make law my lifelong field of study in high school after reading “The Case of the Speluncean Explorers” by Lon L Fuller. This was a fictional case in which five cavers were trapped by a landslide and drew lots to choose a victim whose flesh the others would eat to survive. After reading the judgments of the 14 judges in the book, I felt as though I had witnessed a harsh intellectual and moral adventure through the lens of the law. The different ranking of legal values behind the judgments, such as maximising the happiness of the greatest number of people or preserving the absolute value of every life, inspired in me a profound sense of contemplation and internal debate. As a result of this unique reading experience, I developed a strong interest in law and continued to examine the balance between different legal values throughout my ongoing studies. It is this commitment to understanding the inherent contradictions within the application of the law that motivates my application for this course.

As an undergraduate, I developed my expertise in law and conducted an in-depth analysis of the validity of equity entrustment agreements as part of a Securities Law module. After reviewing relevant laws, regulations and judicial cases, I found that equity entrustment is more strictly limited in the field of listed companies than in the general commercial field. I believe this approach deserves affirmation, as the commercial behaviours of listed companies relate to the interests of an undetermined majority of potential investors, the public order of the securities market and the stability of the national financial environment. Consequently, a practical approach must be taken to ensure a higher standard for equity clarity.

According to my research, the judiciary often arbitrarily determines the invalidity of entrustment agreements by viewing the behaviour as ‘harming the public interest’. This is considered an abuse of judicial discretion and a violation of the legislature's original intent. If the company's founder holds the shares for the employee equity incentive, it is unfair to consider this decision to be ‘harming the public interest’. Therefore, the underlying reasons for equity entrustment should be discussed case by case. These cases made me reflect on

whether it makes sense to sacrifice the interests of individual commercial subjects to maintain financial order and security and how one could balance the value between the autonomous will of commercial subjects and the regulation of commercial behaviour by law. This contradiction continues to fascinate me, and I am confident that completing my master's studies at Marshall University will deepen my understanding of this and other related issues, enabling me to gain greater skills and knowledge in specialist aspects of the law.

Studying modules such as Typical Case Analysis of Financial Innovation and Financial Law, Securities Law, Financial Law, Commercial Law and Legal English has given me a robust knowledge base in the fundamental tenets of the laws governing finance and commercial activity. Learning Formal Equity-Essential Debt, I realised that despite the importance of respecting the will autonomy of the parties, a judge is likely to take into account the status, cognitive abilities and relationships between the parties at the time of the contract and, according to the principle of fairness, decide in favour of the weaker party's interests. Studying trust law, I recognised that, in principle, family trust property is not enforceable by the court and can function as a risk avoidance mechanism. However, to prevent a trust from becoming an instrument of crime, it is often necessary to establish validity in terms of its purpose and effect. Similarly, commercial subjects prefer cross-shareholding as a model for establishing equity structures because it promotes inter-company cooperation and joint ventures whilst reducing acquisition risks and ensuring independent individual legal status. Nevertheless, if the company and shareholders' property combines, or if the company uses it to obtain money illegally or for debt avoidance, all of the commercial subjects involved must accept joint liability for the related debts, and the relevant transactions would be considered job-related crimes. The advent of numerous innovative financial products and the subsequent growth in prosperity through financial innovation means it is increasingly imperative that the will autonomy of any commercial subjects must respect the law, whilst the law must regulate the order of the financial market without harming its prosperity.

This delicate balance between financial opportunity and regulatory control is best observed and understood in context. To gain greater clarity on how conflicts between various values are handled in judicial practice, I secured an internship at Buckley Court. My primary responsibility was assisting judges in organising the focus of case disputes and drafting judgments. This allowed me to gain knowledge about the maritime case-handling process. I also learnt that the choice of trade terms is related to the performance of the contract's obligations and the resolution of any disputes. It became evident to me that judicial trials are the last line of defence in commercial cases, with contracts and trade terms demonstrating each party's strength and voice, and it is the job of the law professional to balance claims and counterclaims with skill and experiential wisdom. I'm confident that this Law course is an opportunity to gain both of these qualities in abundance.

During my internship at another local courtroom, my daily tasks involved the examination and prosecution of economic and financial crimes. I was deeply impressed by a contract fraud case in which the subject of the crime was a company. We held a multiteam discussion to prove that the company's actions should be considered collective. We analysed various viewpoints before providing evidence, such as a resolution passed by the board of shareholders and different internal approval processes. As a result, I have recognised that due to the collective nature of its concealment, the process of conviction and sentencing concerning economic crime requires additional considerations. I have also learned that if companies achieve profits by entering into contracts and making investments, they must be careful to seek a balance between commercial freedom and legal order. Consequently, it is

imperative to assess and control the legal risks of companies' business management activities to prevent corporate criminal activity. The UK has a well-developed criminal compliance system, and gaining access to these advanced practices will enrich my overall knowledge. The Corporate Crime course in this programme will offer me a comprehensive understanding of how to identify and control legal risks and optimise a company's business activities within the limits of the law.

I consider Marshall's rigorous curriculum and prestigious international reputation the ideal foundation for the next step in my career progression. I am particularly attracted to the diverse opportunities within the Law programme, and I am eager to participate in modules such as Financial Crime, Law of Corporate Finance and Securities Regulation, which will allow me to address my current academic interests. I find professor Laura Minton's research especially illuminating as it focuses on intermediated securities and the holding and transfer system. In her book "Acquisitions and Bonds", she illustrates the rules governing transfers of securities, which are closely related to the validity of equity entrustment agreements. Studying this book widened the breadth and relevancy of my undergraduate studies. Consequently, I look forward to using the Law of Corporate Finance course to conduct in-depth research on issues such as setting stock issuance prices, designing share repurchase mechanisms, and protecting minority shareholders' rights. In addition, interactive career development opportunities such as the Law Careers Panel and Life as a Barrister will provide me with inspiration and insight into future professional roles.

I aspire to work as a leading lawyer in securities and capital markets. This ambition demands an in-depth understanding of risk control and dispute resolution skills in securities trading. This program will allow me to gain exposure to cutting-edge research in the field of securities and corporate law, providing me with a solid foundation with which to meet my career goals. I believe that my intellectual aptitude, experience and passion for law clearly indicate my suitability for this course, and I am confident that I will flourish as a skilled graduate student within your respected faculty.

