

COMMENCING LAW STUDENTS' INTERESTS AND EXPECTATIONS: COMPARING UNDERGRADUATE AND GRADUATE COHORTS

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This paper presents findings from a survey of interests and expectations conducted in 2007 with commencing LLB students, and repeated in 2008 with commencing JD students at the University of Melbourne. The 'Studying Law' survey was designed to elicit information regarding:

- Students' interests in studying law, including their intended use of the degree;
- Students' expectations of academic study, success and support; and
- Students' learning strategies and academic readiness for study in law.

Differences in the interests and expectations of the undergraduate and graduate cohorts are discussed. The findings have implications for selection processes, for language and academic skills support programs, and for first-year teaching in law.

I. INTRODUCTION

Recent research in higher education generally, and legal education in particular, has emphasised the importance of the 'first year experience' for student retention, engagement, and academic success.¹ The research literature identifies a number of variables that affect students' first-year experience and academic performance, including: poor course selection; interest and aptitude; realistic expectations of the day-to-day demands of the course; and previous academic performance and academic skill levels. The Studying Law Project, undertaken by the authors at the Melbourne Law School, attempts to contribute to an understanding of the relation between law students' interests and expectations and their academic achievement.² Findings from the project reported elsewhere have confirmed that the interests, expectations and academic 'readiness' of undergraduate students commencing the Bachelor of Laws (LLB) had a bearing on academic performance in the

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¹ See Kerri-Lee Krause et al, *The First Year Experience in Australian Universities: Findings from a Decade of National Studies* (Centre for the Study of Higher Education, University of Melbourne, Final Report, January 2005); George D Kuh, 'What Matters to Student Success in the First Year of University?' (Keynote address to the 10th Pacific Rim First Year in Higher Education Conference, Brisbane, 5 July 2007)

<http://www.fyhe.qut.edu.au/past_papers/papers07/final_papers/FYE%20Brisbane%20plenary%202007.pps> at 3 December 2008

Mantz Yorke and Bernard Longden, *The First-Year Experience in Higher Education in the UK*, Report on Phase 1 of a Project Funded by the Higher Education Academy (February 2007)

<http://www.heacademy.ac.uk/assets/York/documents/ourwork/research/FYE/web0573_the_first_year_experience.pdf> at 3 December 2008; Kirsten McKenzie, Kathryn Gow and Robert Schweitzer, 'Exploring First-year Academic Achievement Through Structural Equation Modelling' (2004) 23 *Higher Education Research & Development* 95;

Sally Kift, 'Curriculum Design for Quality Learning Engagement in Law, Starting With the First Year' (Keynote address at the 2008 ALTA Conference, The Law, the Environment, Indigenous Peoples: Climate for Change?, Cairns, 9 July 2008).

² On the importance of understanding and negotiating first-year student expectations, see: Karen Nelson, Sally Kift and John Clarke, 'Expectations and Realities for First Year Students at an Australian University' (Paper presented at the 11th Pacific Rim First Year in Higher Education Conference, Hobart, 30 June to 2 July 2008)

<http://www.fyhe.qut.edu.au/past_papers/papers08/FYHE2008/content/pdfs/6a.pdf> at 3 December 2008; Cecilia Andrews, 'Early Targeting of First Year Learning Expectations' (Paper presented at the 9th Pacific Rim First Year in Higher Education conference, Gold Coast, Queensland, 12-14 July 2006)

<http://www.fyhe.qut.edu.au/past_papers/2006/Papers/Andrews.pdf> at 3 December 2008; Ellen Jansen and Jacques van der Meer, 'Feeling prepared for university? Perceived preparedness and expectations of prospective students' (paper presented at the 10th Pacific Rim First Year in Higher Education Conference, Brisbane, 4-6 July 2007)

<http://www.fyhe.qut.edu.au/past_papers/papers07/final_papers/pdfs/1c.pdf> at 3 December 2008.

first semester.³ Specifically, LLB students who achieved very high results in their first semester law subjects expressed at commencement higher levels of interest in activities involved in study in law, higher levels of confidence in their academic readiness, and more realistic expectations about the amount of study that would be required than students who received a 'bare pass'⁴ for one or both of their first semester law subjects.

With the transition to graduate-only entry to the Melbourne Law School in 2008, the authors were keen to explore how the interests and expectations of graduate-entry students in the Juris Doctor (JD) compared with those of undergraduate LLB students. It was also desirable to collect further information about graduate students' transition and academic skills needs, and their expectations and preferences regarding instruction, assessment and support. It was in this context that the authors repeated the survey of interests and expectations administered to LLB students in 2007 with the commencing JD cohort in February 2008.⁵ This paper presents a comparison of selected LLB and JD students' responses in relation to three issues: interest in law; expectations of workload and support; and self-rated academic readiness. The paper then discusses the implications of these findings for law school selection processes and also for transition and first-year support programs.

II. THE STUDYING LAW PROJECT

The Studying Law Project aims to investigate:

- commencing law students' interests, expectations and readiness with respect to their chosen course;
- the relation between reported interests and expectations at commencement and first semester results in law; and
- the differences, if any, in the interests and expectations of an undergraduate and a graduate cohort.

A. Method

The authors⁶ designed a 73-item questionnaire which was administered to the commencing LLB cohort in week one of semester one, 2007, and to the commencing JD cohort at the end of their orientation program in February 2008.⁷ The questionnaire elicited information regarding:

- students' interests in studying law, including their intended use of the degree;
- students' expectations of academic success, study and support; and
- students' academic readiness for study in law, including use of effective learning strategies.

³ Wendy Larcombe, Pip Nicholson and Ian Malkin, 'Performance in Law School: What Matters in the Beginning?' (2008, in press) *Legal Education Review*.

⁴ A 'bare pass' was deemed to be a mark of 50-55 per cent.

⁵ First-year student surveys have been used at the Melbourne Law School for a number of years to gain accurate information about our students' expectations and experiences. The Law School has also sought to conduct exit interviews with all first-year students who discontinued their course, and with final-year graduating LLB students.

⁶ The authors would like to acknowledge the invaluable assistance of Ms Jill Dixon, the Studying Law Project Manager, who handled all aspects of survey administration and data preparation; also Ms Marnie Collins, Statistical Consultant, Statistical Consulting Centre, University of Melbourne, who prepared all preliminary data analyses and advised on interpretation of results.

⁷ In both instances, the survey was administered by the Project Manager, Ms Jill Dixon. The nature and purpose of the survey were fully explained, and students were given a plain English statement describing the project and the voluntary and confidential nature of the information they were asked to provide. An incentive prize was offered to encourage participation. Students who chose to participate in the study then completed and returned an informed consent form together with their questionnaire responses. Students supplied their student number on the consent form to enable first semester results and limited demographic data to be extracted from faculty files and matched with survey data. Students were advised that none of the first-year lecturers (including the principal researchers) would have access to unprocessed data or be able to identify individual students. The project was approved by the relevant ethics committee at the University of Melbourne.

A number of questionnaire items were based on questions previously included in the national First Year Experience surveys,⁸ the Law School's First Year Experience Questionnaire,⁹ and the 'English Language Learning: Students' Expectations and Perceptions' survey administered to international ESL (English as a second language) students commencing studies at the University of Melbourne in 2005 and 2006.¹⁰ The questionnaire was trialled with a small number of current law students to ensure that it could be completed within 15 minutes and that no item caused confusion or misunderstanding. No changes were needed as a result of the trial.

B. Profile of the Respondent Samples

Of the 431 students enrolled in the LLB in 2007, 415 (96 per cent) returned useable questionnaires and signed consent forms. Of the 74 students who commenced study in the JD in 2008, 72 (97 per cent) returned usable questionnaires and signed consent forms. The high response rate meant that the respondent samples were representative of the commencing cohorts in each program.

Overall, respondents in the LLB were very young (only 10 per cent were aged 20 years or more) and consisted predominantly of school leavers (74 per cent had no prior university experience). Female students (62 per cent) outnumbered male students (38%). The vast majority (91 per cent of respondents) were studying combined degrees, with Commerce/Law and Arts/Law accounting for three quarters of the combined degrees. Respondents in the JD had an average age of 24 years, and female students (65 per cent) again outnumbered male students (33 per cent). The proportion of students holding Commonwealth Supported Places was comparable in each program: 64% of the LLB students and 59% of the JD students were classified as 'Australian Supported'. Of the full-fee paying students, 13% of the LLB and 10% of the JD students held international student visas.

Selection of school-leavers into the LLB was principally by Equivalent National Tertiary Entrance Rank (ENTER). In addition, 20% of Commonwealth Supported Places were awarded to students who met 'Access Melbourne' criteria — a special entry scheme designed to redress social, educational and financial disadvantage.¹¹ Selection of graduate applicants into the JD in 2008 was based on three elements: results on a Law School Admission Test (LSAT), results in all previous tertiary studies, and a personal statement of 850 words.¹² Final-year school results were not considered.¹³ Again, 20% of Commonwealth Supported Places were awarded to applicants through the Graduate Access Melbourne scheme.¹⁴ While all JD entrants were required to have completed the equivalent

⁸ Designed by Krause et al, above n 1.

⁹ Professor Malcolm Smith coordinated an extensive survey of first-year law students' experiences in 2001. This survey was adapted and repeated in 2004 to enable the faculty to reflect on the effectiveness of initiatives introduced as a consequence of the 2001 findings.

¹⁰ See Laurie Ransom, Wendy Larcombe and Chi Baik, 'English Language Needs and Support: International-ESL Students' Perceptions and Expectations' (Paper presented at the 16th International Education Association (ISANA) International Conference, Christchurch, New Zealand, 29 November to 2 December 2005) included in *Internationalisation – Practical Solutions* (2005) <http://www.services.unimelb.edu.au/llsu/pdf/otherpdfs/ransom_larcombe_baik.pdf> at 3 December 2008.

¹¹ Details of the current undergraduate Access Melbourne scheme are available on the University of Melbourne website. See *Access Melbourne 2009*, University of Melbourne <<http://www.futurestudents.unimelb.edu.au/ugrad/accessmelb/>> at 3 December 2008.

¹² Note that applicants can use the personal statement to explain any apparent variability or inconsistency in their tertiary results. Further information on the application process and selection criteria for the Melbourne JD is available on the University of Melbourne website. See *How to Apply*, University of Melbourne <<http://jd.law.unimelb.edu.au/go/future-students/how-to-apply>> at 3 December 2008.

¹³ This is designed to provide a 'second chance' at entry to law at Melbourne. Very high-achieving school-leavers are currently guaranteed entry to the Melbourne Graduate program of their choice if they achieve a 75% weighted average in their undergraduate degree at the University of Melbourne. See *Guaranteed Entry for School-leavers to Graduate Professional Entry Programs*, University of Melbourne <<http://www.futurestudents.unimelb.edu.au/aust/agg/aggpathway.html>> at 3 December 2008.

¹⁴ Details of the Graduate Access Melbourne entry scheme are available at on the University of Melbourne website. See *Graduate Access Melbourne*, University of Melbourne <<http://www.futurestudents.unimelb.edu.au/grad/gradaccess/>> at 3 December 2008.

of a 3-year Bachelor degree as a condition of entry, 44 per cent had completed 2 or more previous qualifications indicating that this cohort overall had extensive prior academic experience.

III. COMPARING UNDERGRADUATE AND GRADUATE STUDENTS' INTERESTS AND EXPECTATIONS

Responses of the commencing JD students' interests and expectations (n = 72) were compared with those of the LLB cohort as a whole (n = 415) and also, where appropriate, with those of two performance subgroups within the LLB: students who received a result of 80 per cent or above in one or both of their compulsory first semester law subjects ('high-achieving' students, n = 48) and students who received a pass mark of 50-55 per cent in one or both of their compulsory first semester subjects ('low-achieving' students, n = 41).¹⁵ Selected comparisons are reported in relation to the three factors that were associated with academic success in the LLB cohort:¹⁶ students' interests in law; their expectations of workload and support; and their 'academic readiness'.

A. Students' Interests in Law

Students' interests in law were investigated through a range of questions which sought information about respondents' reasons for commencing study in law, including their career plans, and their levels of interest in common activities involved in studying law. It was anticipated that JD students would have made a more informed choice of course than LLB students on average, and that they would be more likely to plan to work in the legal profession after graduating. Both these expectations were confirmed by the findings.

Students were asked to indicate their reasons for choosing to study law by selecting from eight listed options. They could select as many options as applied. 'Other' was also an option and space was provided for students to explain their reasons — see Table 1.

As Table 1 shows, among the LLB cohort, certain reasons for studying law — 'Interest and aptitude' and 'Social justice' — were associated with high achievement, while others — 'Parental advice' — were associated with low achievement.¹⁷ JD students were slightly more likely than LLB students overall to select 'Interest and aptitude' and 'Social justice' as reasons for choosing to study law. Not surprisingly, the JD students were notably less likely than LLBs to nominate 'Achieved required marks' or 'Parental advice'. Interestingly, JD students were also less likely than LLB students to select 'Financial' reasons for studying law. This suggested that the JD students were not as career oriented as we might have expected, although they had more definite career plans than the commencing LLB students. More than one third (38 per cent) of the JD students nominated 'Don't Know' in response to the question 'How long do you expect to practice law after completion?', while 56 per cent of the LLB students selected this answer. Further, 50 per cent of the JD students expected to practise law for 'More than 5 years' after completion, compared with only 23 per cent of the LLB students.

¹⁵ Results data were retrieved for the two compulsory first-year subjects in which all commencing LLB students were enrolled in 2007: Principles of Public Law (PPL) and Legal Method and Reasoning (LMR). In addition to passing grades, students may have received a fail (N) result, a withdrawn (WD) result, or a withheld (WH) result. Because a range of non-academic reasons can explain N, WD or WH results, for the present purposes, the authors isolated responses of students whose results fell into one of two categories: those who completed first semester assessment but received a bare pass (50-55 per cent); and those who received a first class Honours result (80 per cent or above). At the Melbourne Law School, a result of 80 per cent or above is generally awarded in first year to around 10 per cent of the cohort. The average mark in PPL in 2007 was 68 per cent and the average mark in LMR was 67 per cent. It should be noted that our definitions of 'high-achieving' and 'low-achieving' are not the same as those used by Krause et al, above n 1.

¹⁶ See Larcombe, Nicholson and Malkin, above n 3.

¹⁷ The low overall numbers in the LLB performance subgroups mean that differences of five per cent or less between the subgroups' response levels were not considered meaningful.

Reasons for studying law	Subgroups of LLB 2007		Year enrolled	
	Low achiever (50–55%) n=41	High achiever (80%+) n=48	LLB 2007 n=415	JD 2008 n=72
Financial	34%	46%	38%	29%
Professional status	39%	52%	44%	42%
Social justice	17%	54%	42%	54%
Parental advice	42%	21%	26%	6%
Interest and aptitude	44%	88%	69%	82%
Best option available	20%	23%	24%	14%
Achieved required marks	42%	33%	35%	1%
Other	10%	6%	10%	4%

Table 1: Reasons for studying law

The JD students' higher levels of interest in the course and in work in the legal profession was confirmed by responses to another set of questions which asked students to rate their level of interest in a range of activities involved in studying law — see Table 2. On a five point scale where one equals 'Very Low' and five equals 'Very High', so that three represents an 'Intermediate' or neutral level of interest, the means of JD students' responses matched or exceeded those of LLB students on all but one measure. Indeed, the JD means matched or exceeded those of the LLB high achievers on 10 of the 12 measures.¹⁸ Given that the LLB high achievers' levels of interest were noticeably higher than those of the LLB low achievers, the JD responses are a favourable indicator of first semester academic engagement and achievement.

B. Students' Expectations of Academic Success, Study and Support

Students entering both the LLB and JD programs at the Melbourne Law School have usually achieved high academic results in their previous studies. Many undergraduate students assume that they will receive similarly high marks in law despite the selective nature of the cohort, the independent learning required in tertiary study, and the demands of studying in a new discipline. We anticipated that graduate-entry (JD) students, who had extensive prior experience of university study, would have more realistic expectations than school leavers of the results they may receive in law and of the demands of the workload. We also anticipated that JD students would better understand that they would be responsible for their learning in a university context, and that they would need to be proactive in seeking support if they needed it. Findings from the survey confirmed these expectations in broad terms, although not to the degree expected.

¹⁸ Differences between LLB/JD means of 0.2 or greater were considered as meaningful. Owing to the lower numbers in the LLB performance subgroups, only differences between subgroups' means of 0.3 or greater were considered as meaningful.

	Subgroups of LLB 2007		Year enrolled	
	Low achiever (50-55%) n=41	High achiever (80%+) n=48	LLB 2007 n=415	JD 2008 n=72
Advising clients on their legal rights and responsibilities	3.2	3.8	3.5	3.8
Thinking critically about the Australian legal system	3.2	3.8	3.5	4.1
Understanding business regulation and practice	3.6	3.1	3.4	3.3
Investigating democracy and systems of government	3.6	4.0	3.7	4.1
Developing proposals to reform laws and improve legal systems	3.2	3.9	3.6	4.1
Understanding environmental regulation and practice	2.8	3.7	3.3	3.6
Investigating international law	3.6	4.3	4.1	4.3
Devising legal arguments and strategies to protect a client's interests	3.7	4.2	4.0	4.0
Advancing social justice	3.4	4.0	3.9	4.3
Investigating other countries' legal systems	3.8	3.8	3.8	3.8
Investigating the position of disadvantaged and minority groups	3.4	3.8	3.7	4.0
Understanding legal processes for resolving disputes	3.6	3.9	3.8	4.0

Table 2: Levels of interest in common activities involved in studying law

As Table 3 shows, JD students were less likely than LLBs to indicate that they would only be happy with marks in the (unlikely) 80 per cent and (extremely unlikely) 90 per cent range. However, proportionally fewer JDs than LLBs would be happy with a mark in the 50 per cent or 60 per cent range — indicating that there will still be a need to explicitly discuss marking scales and average results in law with commencing graduate-entry students so as to ‘soften the ground’ before results are returned.

Lowest % mark I'd be happy with for a law assignment	Year enrolled			
	LLB 2007 n=415		JD 2008 n=72	
	Count	Percent	Count	Percent
50-59%	25	6%	1	1%
60-69%	96	23%	6	8%
70-79%	188	45%	53	74%
80-89%	93	23%	11	15%
90-100%	12	3%	1	1%
Total	414	100%	72	99%
Missing	1		0	
Total	415		72	

Table 3: Expectations of marks in law

LLB students' expectations of academic results were even more unrealistic when viewed in light of the amount of study they expected to undertake outside of class time. Students were asked how many hours of study per week (total for all 4 subjects) that they expected to undertake during semester. Faculty staff would hope that students were studying on average six hours per subject per week outside of class time (including preparation of assessment tasks) — around 24 hours per week. However, as Table 4 shows, 69 per cent of the LLBs and 50 per cent of the JDs indicated that they expected to study for fewer than 16 hours per week in total.

Whether the JD students will be able to complete the amount of study they expect the course to require may be the more important issue for that cohort. As Table 4 shows, JD students on average had substantially higher commitments to paid work and family care than their younger counterparts in the LLB. More than one third (39 per cent) of the JD students expected to work in paid employment for 11 or more hours per week during semester, even though they could expect that the course would demand on average 40 hours per week of their time. In addition, one in ten (10 per cent) of JD students would be caring for family members for more than 16 hours per week during semester (compared with only 1 per cent of LLB students).

		Year enrolled	
		LLB 2007 n=415	JD 2008 n=72
Time per week expected to spend studying outside of class time	None	0%	0%
	1-5 hours	4%	1%
	6-10 hours	27%	13%
	11-15 hours	38%	36%
	16+ hours	31%	50%
Time per week working in paid employment	None	25%	17%
	1-5 hours	20%	14%
	6-10 hours	30%	31%
	11-15 hours	15%	24%
	16+ hours	10%	15%
Time per week directly caring for family members	None	66%	63%
	1-5 hours	26%	18%
	6-10 hours	5%	9%
	11-15 hours	2%	0%
	16+ hours	1%	10%

Table 4: Time commitments to study, paid work and family care

In contrast to the JD expectations of workload and results, findings related to independent learning and responsibility for achievement indicated that prior experience of university study made little difference to the students’ perceptions. While almost all students in both cohorts agreed that they were responsible for their own learning and academic performance (97 per cent LLB and 97 per cent JD), most also agreed that, having offered them a place, the university should ensure that they received all necessary support to pass their subjects (78 per cent LLB and 82 per cent JD). Most students in both cohorts expected their subject teachers to help them if they had difficulty with any aspect of their course (90 per cent LLB and 91 per cent JD). Surprisingly, JD students were even more likely than LLB students to agree that they expected their subject teachers to contact them if it appeared that they may be having academic difficulties (76 per cent LLB and 89 per cent JD). The latter finding may be related to the high level of staff-student contact during the 2008 JD orientation and the small class sizes in that program.¹⁹

C. Students’ Self-rated ‘Readiness’ for Study in Law

We expected that graduate-entry students would rate their ‘readiness’ to undertake a range of academic tasks in law at higher levels than the LLB students. This proved to be the case, with JD students reporting equal or higher levels of confidence on all eight of the listed tasks — see Table 5. Graduate students on average were noticeably more confident (difference in means of 0.3 or greater) in their abilities to critically evaluate information and opinions, to write academic legal essays of up to 5,000 words, and to actively participate in class discussions and group work. The JD students’ higher levels of confidence in their ‘academic readiness’ are no doubt a result of their more extensive

¹⁹ JD students were in classes of 18 for their pre-semester intensive subject, whereas LLB first semester subjects are taught in classes of 45. Also, it is less likely that LLB students would have met their subject teachers during orientation in 2007; teacher-student social interaction was a feature of the JD orientation in 2008.

academic experience. For example, 72 per cent of JD students had previously written essays of 3,000 words or more, compared with only 28 per cent of the LLB students.

Rate your readiness to undertake the following academic tasks to a high standard 1=Very Low; 5=Very High	Subgroups of LLB 2007		Year enrolled	
	Low achiever (50-55%) n=41	High achiever (80%+) n=48	LLB 2007 n=415	JD 2008 n=72
Critically evaluate information and opinions	3.5	4.0	3.8	4.1
Read and make notes from a range of primary and secondary legal sources	3.4	4.0	3.7	3.9
Establish effective study routines and learning strategies	3.3	3.9	3.8	3.9
Listen attentively and engage with information delivered orally in lectures or seminars	3.7	4.2	4.0	4.2
Research legal issues using a range of specialised primary and secondary legal sources	3.5	3.6	3.5	3.5
Write academic legal essays of up to 5000 words	3.2	3.5	3.3	3.6
Manage demanding and competing workloads and deadlines	3.5	3.7	3.7	3.9
Actively participate in class discussions and group work	3.4	3.9	3.7	4.0

Table 5: Self-rated academic readiness

While higher levels of confidence in ‘academic readiness’ were associated with high academic achievement in the first semester of the LLB, as shown in Table 5, it does not necessarily follow that the JD students’ higher levels of academic readiness (compared with the LLB students’ levels) will correlate with higher academic achievement.²⁰ However, the greater academic confidence and experience of the graduate-entry students do have implications for both first-year teaching and academic support programs, as discussed in the next section.

²⁰ This may be so for a number of reasons: for example, academic teaching staff may expect graduate-entry students to demonstrate higher levels of academic readiness and skill and marking practices may be adjusted in accordance with those expectations, especially in first semester; JD students’ high levels of confidence at commencement may mean that they find the process of adjusting to becoming a ‘novice law student’ more challenging than expected; confidence in academic readiness may not translate into high standards of work in students who are juggling multiple commitments and time pressures.

IV. IMPLICATIONS AND DISCUSSION

The present study confirmed that graduate-entry (JD) students' interests and expectations regarding study in law differed on average from those of undergraduate (LLB) commencing students. These differences were 'favourable' in that they indicated a closer match between the interests and expectations of the JD students and the 'realities' of the degree. Indeed, on a number of measures, the JD students' expectations and interests closely matched those of the LLB students who went on to achieve high results in their first semester studies in law.

Most notably, the JD students expressed higher levels of interest than LLB students in undertaking a law degree and in the kinds of general topics covered in day-to-day study in law. They also expressed more realistic expectations of academic results and workload, however the JD students' comparatively high levels of commitment to paid work and family care is an issue of potential concern. While the JD students appeared to have a better understanding of the amount of independent study involved in a law degree, they may be unrealistic about their ability to manage the demands of the degree while juggling their other commitments. This issue can be taken up in transition and academic skills programs. For example, transition programs can explicitly discuss with students how to best manage the workload that the course requires, and opportunities for part-time work within the faculty can be targeted to the new cohort. Some flexibility may also be needed in relation to the forms of assessment tasks used and their submission dates — for example, take-home exams scheduled over a weekend may unduly disadvantage those in the graduate cohort with family responsibilities. Academic skills support programs in the LLB have traditionally focused on English language development and 'Writing Essentials for Law'²¹ but JD students in their first semester are more likely to benefit from workshops and resources on time management and efficient study strategies.²²

The JD students' relatively high levels of confidence in their academic skills may explain, and to an extent even justify, their ambitious workloads and multiple commitments. JD students expressed particularly high levels of confidence (means of 4.0 and above) in their ability to critically evaluate information, to listen attentively and engage with information delivered orally, and to participate in class discussions and group work. Given that first-year subjects in the Melbourne Law School are taught in seminar-style, many JD students may well find that they are better prepared for, and able to adjust more quickly to, the academic demands and the teaching-learning style of the law degree than significant numbers of LLB students. However, there will still be a need for explicit discussion with students of teachers' expectations and perceptions of responsibility for learning and achievement, given that most JD students still believed that the university and their subject teachers should ensure they received all support needed to pass their subjects. Continued need for discussion of marking scales and interpretation of law results is also indicated.

The survey findings confirm that first-year teachers in the JD will need to take account of graduate-entry students' higher levels of academic experience and ensure that the curriculum and learning activities are designed to provide sufficient challenge while supporting students' transition into the new discipline and learning environment.²³ While we found that graduate-entry students were more likely to express high levels of interest in

²¹ See Wendy Larcombe and Ian Malkin, 'Identifying Students Likely to Benefit from Language Support in First Year Law' (2008) 27 *Higher Education Research and Development* 319-329.

²² A well-attended workshop on this topic was organised for the 2008 JD cohort in the third week of semester one.

²³ The more extensive skills and experience of the JD cohort had been anticipated and a range of changes were made to the first semester program as a result, including: introduction of a two-week intensive foundational subject — Legal Method and Reasoning — undertaken prior to the start of first semester; greater use of 'authentic' assessment tasks in the first semester (such as preparation of a memorandum of advice, presentation of oral argument, and conducting a negotiation); and assignment of students to small syndicate groups who were given responsibility to facilitate class discussions, host guest lectures, prepare reading notes and so on.

common aspects of study in law, it is likely that their levels of frustration will be proportionally higher if first-year teaching and learning is not well matched to their interests and their skill levels. Academic support programs will also need to be tailored to the needs and experiences of this cohort. For example, the writing development needs of the JDs are more likely to be related to the new disciplinary environment and its discourse conventions rather than basic writing expression issues. The findings also indicate that highly individualised support for academic skill development, provided on an as-needs basis, will be more appropriate than programs delivered across the cohort.²⁴

The higher levels of interest and academic skill of the commencing JD students, coupled with their more realistic expectations of success and workload, indicate that the selection process for the JD is better able than the LLB selection process to recruit a cohort of students who are well matched to the demands of the degree at the Melbourne Law School. As outlined above, selection into the JD is based on three elements: academic performance in tertiary studies; results on a law aptitude test; and a personal statement of interest. University of Melbourne 'Graduate Access' criteria are also considered. Selection into the LLB is based solely on previous academic performance (usually Year 12 results) and 'Access' criteria. As the findings reported above indicate, high academic achievement at school level does not guarantee strong performance in a law course. LLB students' first semester results were associated with their commencing levels of interest in law, realistic expectations of workload and support, and self-ratings of academic 'readiness'. The academic performance of the JD students will no doubt vary,²⁵ however, their survey responses indicate that their achievement is less likely to be affected by lack of interest, unrealistic expectations of workload or inadequate academic preparation. In this respect, a personal statement of interest and a law-specific academic aptitude test appear to be valuable elements of a law selection process.

V. CONCLUSION

The Studying Law Project has identified a number of differences between undergraduate and graduate commencing students' interests, expectations and 'readiness'. While the details of the findings may be specific to the Melbourne Law School context, and in particular the selection processes for the different programs, some general conclusions can be drawn. The fact that JD students' responses on the Studying Law survey tracked most closely to the responses of high-achieving LLB students indicates that law school selection processes may be improved by attending to students' interests and aptitude for study in law, not only previous high academic performance. Personal statements or interviews, combined with a law aptitude test, appear to have a role in this regard. The findings reported here also indicate that students commencing law with prior successful experience of university study are likely to need or benefit from different forms of academic support and first-year teaching than those suited to undergraduate commencing students. Student surveys are a useful aid in identifying the different interests and support needs of the cohorts. Academic support services and first-year curricula can then be targeted to the particular needs and skills of graduate-entry students.

Previous research has established that academic achievement and student satisfaction are fostered by an accurate understanding of the nature and demands of the selected course of study.²⁶ Periodic surveys of student expectations, and of different cohorts of commencing students, enable the discussion of university learning and teaching practices, commonly undertaken as part of orientation, to be targeted to particular areas of misunderstanding. In the local environment of the Melbourne Law School and the move to

²⁴ In 2008, skills development was arranged by the Language and Academic Skills Adviser in Law to assist individual JD students with English language pronunciation, research strategies and methods, reading strategies and written expression.

²⁵ First semester results for the JD students have now been collected and statistical analysis is being undertaken at the time of writing.

²⁶ Krause et al, above n 1.

graduate-entry, accurate and timely information about the different interests and expectations of the JD students, compared with LLB students, has been a valuable aid to teachers needing to adjust and respond to the new cohort. In any law school, however, current information about students' interests, expectations and academic readiness is likely to be a valuable aid to improving the first-year experience.