

**PRACTICAL TRAINING****What can the public expect from the newly qualified lawyer?**

R Scragg

8 JPLE 21 (June '90) p21 \*

This paper concerns itself with the question of what the public can expect of the newly qualified lawyer. Implicit within this question are the further questions of what newly qualified lawyers can expect of themselves and what their employers can expect of them. The quality of legal services is a matter of universal concern. Much has been written about ways of training intending practitioners for admission but such writings commonly stop short of saying what the people who undertake the courses can, at their conclusion, actually do.

This question of "what can the practitioner do?" is a harder question to answer than the one of "what does the public expect?". What the public expects is competence. When a person is admitted to practice that qualification is the public's indicator of competence but what is that competence?

In answering this question this article considers the methods of professional legal training available and the admission qualifications required in equivalent jurisdictions. The question is specifically answered with regard to New Zealand which is a jurisdiction which has recently radically changed the nature of its professional legal training course, by focusing on the hidden significance of s.55 of the Law Practitioners Act 1982 [NZ].

**Professional Legal Education in Hong Kong**

M Littlewood

8 JPLE 47 (June '90) p47 \*

As has happened and is happening throughout the Commonwealth, professional legal education in Hong Kong is in a state of growth and development. This article aims to describe the present state of the discipline in Hong Kong, to explain

why it is as it is, and to outline the likely course of developments in the immediate and medium term future. It is in the following sections:

1. a brief outline of the development of professional legal education in Hong Kong to date;
2. a description of the present system;
3. a discussion of Hong Kong's need for more lawyers, and an account of the partial meeting of this need by the establishment in 1988 of Hong Kong's second law school at the City Polytechnic of Hong Kong;
4. an outline of the developments planned for professional legal education in Hong Kong;
5. a summary of a report by Prof Neil Gold on the City Polytechnic professional legal education course, together with an account of its implementation thus far.

**An Evaluation of the Instructional Materials of the Litigation Module of the Institute of Professional Legal Studies (NZ) materials**

P Boyle

Institute of Professional Legal Studies, New Zealand

An evaluation, with recommendations, of the instructional quality of the litigation materials used by the Institute of Professional Legal Studies

**A Change for the Better? - New Rules for Admission to Practice as a Solicitor**

S Burford

1 Obiter 3 (June 1992)

Article discusses new requirements for admission to practice in New South Wales from a student's perspective.

**PURPOSE****How much training do cemetries need?**

BRW June 19, 1992, p39

A case challenging the constitutional validity of the Australian government's training guarantee

legislation has wider implications. The challenge is based primarily on the argument that the training legislation is unconstitutional because the federal government is not given the power to legislate for the provision of training.

**RESEARCH**

[no material in this edition]

**RESOURCES**

[no material in this edition]

**SKILLS**

[no material in this edition]

**STATISTICS**

[no material in this edition]

**STUDENTS****The Monomyth goes to Law School**

T C Galligan, Jr

66 St John's L Rev 1, p129

The monomyth is characterised by separation - initiation - [and] return. This journey is a psychological or spiritual journey in which the traveller learns about himself and his relationship to the world. Law students and law school are considered from the monomyth angle.

**The Influence of Legal Education on Moral Reasoning**

S Janoff

76 Minn L Rev 2, p193

Article presents the results of a study that included the experiences of women in its investigation of the impact of legal education on moral reasoning. Study first examined the moral reasoning of students about to enter law school, then reexamined their reasoning at the end of their first year at law school. Study was designed to explore whether legal education changes students' moral perspective, and if so, whether it affects the perspectives of men and women differently. Study

demonstrated that the first year of law school has an insignificant impact on men's moral reasoning but a substantial impact on women's moral reasoning. Proceeds on assumption that there are two different, equally valid, moral decision-making perspectives - a rights-oriented perspective and a care-oriented perspective.

#### TEACHERS

[no material in this edition]

#### TEACHING METHODS & MEDIA

##### **The teacher as manager in continuing and professional education**

J Romanini & J Higgs

13 Stud Cont Ed, 1, p41 \*

This paper presents a model dealing with the teacher as manager of self-directed learning programs and discusses the value of this model for educators working within continuing and professional education contexts. It provides a framework for the planning, implementation and evaluation of learning programs which promote self-directed and interactive learning and comprises an outline of phrases of learning programs and the roles of teachers (and learners) in these programs.

Major goals related to the process of continuing and professional education today include: promotion of the learners' ability to work and interact effectively together, fostering their commitment to lifelong learning and development of their self-directed learning skills. The model presented in this paper is a means of promoting the achievement of these goals. It emphasises the development of skills of independence, self-direction, interaction, communication, leadership, group membership and conflict resolution. Such skills can be transferred to the workplace to enable adults to accomplish their tasks effectively, achieve their goals, work co-operatively in teams as

leaders and team members and take greater responsibility for their work and continuing learning.

##### **From Kurosawa to (Duncan) Kennedy: the Lessons of *Rashomon* for Current Legal Education**

D S Sokolow

1991 Wis L Rev 5, p969 \*

Essay discusses the importance of facts. Author observes that law schools typically do not teach their students about facts. Indeed, law students are "given" facts - by law professors and appellate opinions - whereas practising attorneys must "discover" facts before they begin their legal analysis. Concludes that the legal educators' preference to teach law as if facts were unimportant derives from the threat factual indeterminacy poses to the traditional approach to legal education embodied in the "Socratic method". Relating an experiment in which the author showed students in a legal writing program the classic Japanese film *Rashomon*, he recounts law students' reactions to a factually uncertain situation, and examines the pedagogical implications of the experiment for current legal education.

#### TECHNOLOGY

##### **Computer Assisted Learning, Legal Expert Systems and Practical Legal Training**

P Egri

8 JPLE 1 (Nov '90) p1 \*

Computer Assisted Learning (CAL) is suggested as a powerful learning tool. However, CAL requires a detailed listing and sequencing of all the steps and propositions involved in the topic which is the subject of the CAL module. A review of a selection of writings on skills analysis ranging from psycho-motor skills to high level cognitive skills suggests a thorough-going analysis may lead to "analysis paralysis" - involving an unmanageable plethora of items of know-how and/or involving subskills. This suggests that CAL designers must recognize that CAL is best

sued to areas where a task analysis can be carried out successfully. Intelligent CAL does not alter this conclusion as it too requires explicit and detailed analysis and representation of the knowledge and skills involved.

##### **Hypertext for Computer Assisted Learning in Law - the Use of "Soft Links"**

V & E Finch

Papers of the 7th Annual Conference of the British & Irish Legal Education Technology Association, p37 \*

The paper explores the potential for using a hypertext system (Guide) for the production of CAL tutorials comprising; simple explanations of basic legal principles, reading lists, statute and case notes, and simple revision questions. As well as the facilities provided by Guide hypertext, programmed links are used so that use of the tutorial is possible without the user needing to use menus. Records of use are maintained by a signing on and off procedure. The programming uses the Logix language that is part of the Guide system.

##### **Computer Assisted Legal Training for Solicitor and Barrister Students in Northern Ireland**

M McAleese, P Brannigan & G Munroe

Papers of the 7th Annual Conference of the British & Irish Legal Education Technology Association, p43 \*

Paper describes the development of two computer based packages to teach Criminal Procedure. They HyperCard system on Apple Macintosh computers was used. The first package has been in use for two years with barrister students and related observations are reported. Comments are offered, based on experience, about the issues involved in a computer based approach to training.