

of law firms, means that more than 40 per cent of new graduates are unable to get jobs as lawyers.

CLINICAL LEGAL EDUCATION

Clients, colleagues and conscience: affective taxonomy in the live client clinic

N C Nichols

9 J Prof L Educ 2, pp 97 - 109 *

In a live client clinical course at Widener University School of Law in Wilmington, Delaware, USA, students are taught to use affective skills when representing indigent clients in family law, landlord/tenant, and consumer bankruptcy cases before the state and the federal bankruptcy court. This article demonstrates the utility of affective learning in legal education. Also included are methods for helping students evaluate the effects of emotional bias, attitudes, interests, and values in client interview, client counselling, group decision making, and oral communication.

Clinical programs of the University of Maryland School of Law

B L Bezdek

9 J Prof L Educ 2, pp 111 - 120

The University of Maryland provides "clinical education" in two distinct ways, through its Clinical Law Office, and through its Legal Theory and Practice courses. For many years the Law School has operated The Clinical Law Office, one of the largest and longest-lived "in-house" clinics in any law school in the United States. Students may elect to enrol in this course in the upper years of the law degree program. It is a year-long, intensive practice experience, under faculty supervision. Quite recently, the Law Faculty began the Legal Theory and Practice courses, which combine the study of doctrine and legal theory with a lesser degree of client work. The course is required for law students in the first or second year. This paper describes the objectives, methods and features of each program.

Blueprint for a clinical program

S L Campbell

9 J Prof L Educ 2, pp 121 - 135 *

This article examines in some detail the structure and operation of the clinical legal education program at Monash University. It discusses the benefits to both the students and staff of the clinical methods, in the context of two community legal centres and suggests some strategies which might be adopted by other law schools interested in establishing their own clinical program.

Creating painters: the art of being a clinical law teacher (part 1) - (towards a counter-socratic method, via dialogical empowerment for critical awareness

R Reekie

9 J Prof L Educ 2, pp 137 - 148 *

Welcome to one of the two greatest balancing acts in legal education - the socially aware, practically based, arsenic laced, do-and-dare world of clinical supervision.

The work of a clinical supervisor is fraught with professional dangers, yet is equally spiced with delights. Nothing can replace the moment when the clinical students finally switch on their light of understanding to a particular point that you, as their supervisor, have laboured long and hard over with them for many weeks. To observe the student going on to use that knowledge towards solving a live case, gives me great professional joy. The process involved in reaching that point can be a difficult one; and often that point of understanding is never fully reached.

This paper is intended to provide an analysis of the processes involved in teaching law students in a clinical environment. I hope that it will assuage some of your fears, provide some workable suggestions for supervision techniques and massage your desire to take on the role of clinical supervisor.

Roll over Socrates: reflection on the conference on clinical legal education

A Zariski

9 J Prof L Educ 2, pp 149 - 134

The author postulates that support for clinical legal education can be seen to proceed from two broad motivations observable in delegates to the Conference on Clinical Legal Education which he denotes as the "socially conscious" and "pragmatic-professional" orientations. Although the author suggests that these two philosophic positions have the potential to conflict, he notes that their adherents are united in seeking to advance the status and quality of clinical legal education in law schools. The article then describes some of the arguments and strategies put forward by each group toward this end and concludes with some observations concerning the value of clinical education for law students viewed in terms of some of the objectives of its supporters.

Prospects for clinical legal education in Australia

S Rice

9 J Prof L Educ 2, pp 155 - 167

While there may be a place for skills training in the law school, clinical legal education offers students other and more than skills training. Clinical education introduces students to the values and dynamics of the legal system, to questions of social justice and power. In the experience, students necessarily develop practice skills.

Elements of clinical training can exist throughout a law school curriculum. There are opportunities for students of most subjects to take part in clinical activities, and for exchanges between clinical and other law school teachers.

The inner man and his outer constituency 1200 - 1990: an historical perspective of the role of clinical education

N Carter

9 J Prof L Educ 2, pp 169 - 178

At the inaugural Australian conference on clinical legal education held in Sydney in October 1991, two broad and quite contradictory approaches emerged as to the role and purpose of clinical legal education. At first, trends in the debate tempted to the conclusion that we were simply revisiting old arguments about liberal and vocational

education. But there was also present in the debate a deeper dimension in the way delegates were thinking about their roles as educators in the wider community, a dimension which plainly owed much to the recent interest in the historical and philosophical roots of education sparked by Alan Bloom's landmark work *The Closing of the American Mind*.

The temptation to take a closer look at Bloom's unorthodox characterisation of the historical and philosophical status of higher education, and to assess its influence on developing philosophies in clinical education, is irresistible.

Educating tomorrow's lawyers: the case for clinical legal training and an examination of various models

M Tzannes

9 *J Prof L Educ* 2, pp 179 - 194

This article summarises a report of a study commissioned into the clinical legal education experience in Australia and internationally, and to draw from that experience a depiction of the available knowledge base associated with clinical legal education and training. The article outlines the aims of the study and its methodology, discusses the "people factor", the outcomes of clinical programs, and factors to consider in search of an appropriate model. It discusses in more detail the placements model, practicums, and the issue of supervision and assessment.

The CUNY law program: integration of doctrine, practice and theory in the preparation of lawyers

B L Bezdek

[see Institutions & Organisations]

Field placement (externship) - a valuable application of clinical education?

G Coss

4 *Legal Educ Rev* 1, pp 29-62

The author argues that his article is a plea to practicalities. In times of recession, the resources may simply not be available to establish and effectively maintain a fully-functional clinic. Live-client clinics demand money, and dedicated and gifted individuals. In

most cases they benefit only a small percentage of the overall student population. In contrast, externships can be much less demanding on all levels. The summer clerkship schemes can be a framework to establish a field placements scheme. There are substantial obstacles, but they are not insurmountable. He suggests steps which can be taken to assist the educational veracity of an externship program. He discusses other issues, such as the cost, and describes some examples of programs in the United States, Canada and Britain.

Bringing clinical learning into a conventional classroom

K Mack

4 *Legal Educ Rev* 1, pp 89-112

The article attempts to overcome the polarisation between conventional law teachers and clinicians by exploring clinical legal education in a broader sense, emphasising ways in which clinical methods and insights can be integrated into existing university legal education. It describes benefits to be derived from such integration.

She argues the integration can improve student learning of conventional legal doctrine and analysis by putting the limited material used (appellate cases and statutes) into their dynamic context and by making students more active participants in their own learning. It also broadens legal education by including lawyering activities and the legal process outside of appellate decisions and statutes. Students gain additional insight into the professional and ethical obligations of lawyers, and learn to self-evaluate and to learn from their own experience.

Newcastle takes the clinical view of a legal education

Campus Magazine, April 22-28 1993, p 11

An interview with Neil Rees, the foundation dean of the new faculty of law at the University of Newcastle, Australia. Describes the new Newcastle program which will integrate the theory and clinical sides of legal education.

Classrooms, clinics and client counselling

R T Shepard

18 *Ohio N U L Rev* 4, pp 751-757

The author recalls the conditions and conclusions that led Americans to believe that classroom instruction on substantive law was a superior way to training lawyers. He then makes two observations about the current state of affairs. He suggests the recent trend towards pragmatic clinic experience has been a healthy development in legal education, and submits that currently there is a decent balance between real-world experience and classroom instruction in US law courses, though the latter should be the centreplace of US legal education.

Teaching appellate advocacy in an appellate clinical law program

J T Sullivan

22 *Seton Hall L Rev*, pp 1277-1307

This article focuses on the potential for teaching appellate litigation theory and skills through an appellate clinical program. He particularly notes that some areas within the clinical law framework have an "urban orientation", such as eligibility to housing, family law problems, and federal income taxation. He describes the appellate clinic at the Southern Methodist University School of Law.

Clinical texts and contexts

R D Dinerstein

39 *UCLA L Rev* 3, pp 697-730

A critical review of two recently published textbooks on clinical legal education: *Lawyers as Counsellors: a Client-Centred Approach* by Binder, Bergman and Price; and *Interviewing, Counselling and Negotiating: Skills for Effective Representation* by Bastress and Harbaugh.

A Harvard clinic gives students the chance to change the system as they advocate for the mentally ill

M Mulvihill

Student Lawyer, February 1992, pp 38-39

This article describes a clinic at Harvard Law School where students work as advocates for mentally ill patients as part of their coursework.