

LEGAL ETHICS

"On teaching morality to law students": a response

M I Swygert

21 *Stetson L J*, 2, Spring 1992, pp 559-564

The article responds to a criticism of the author's earlier article regarding the moral and ethical responsibilities of teaching law. The author states that his opponent has mischaracterised the philosophy of teaching he espoused. The author claims that one should not ignore or avoid discussions of claims of right and wrong or of matters concerning morality regardless of the derivation of moral and ethical principles. The author further contends that it is of utmost importance for lawyers to encompass notions of what is appropriate beyond what the law requires and that law is not morally neutral, value free or purely objective as his opponent may think.

Teaching legal ethics

S Burns

4 *Legal Educ Rev* 1, pp 141-163

The article reviews the more recent literature on the place of instruction in legal ethics in the broader context of legal education. In particular it considers the need for instruction in legal ethics, the forms of existing tuition and the alternative course structures and teaching methodologies. Included in her consideration is discussion of various course structures, teaching methodologies, and the question of the timing of the instruction in the law course.

She concludes by arguing that instruction in legal ethics should aim to sensitise students to the ethical dimensions of practice as a lawyer, provide insight into the nature of the legal profession and cultivate a willingness to engage in reflective judgment.

LEGAL PROFESSION

Competition, cooperation and legal change

D Weisbrot

4 *Legal Educ Rev* 1, pp 1-27

The author examines the inter-relationship between a number of trends in the development of the contemporary Australian legal profession. He focuses particularly on the ways in which legal change, ie. reform in the direction of achieving a greater measure of social justice, may be promoted through the development of a more cooperative relationship between academic lawyers and the private legal profession.

The author discusses these trends, which he considers are the growth in the size of the profession, the increasingly boundary-free nature of legal practice, the imperatives for private legal practice to become more competitive and "business-like", the deprofessionalisation of certain formerly lucrative areas of legal practice, the crisis in legal education caused by the very poor level of resources available to university law schools, the inaccessibility of the courts for reasons of cost and delay, and the consequent growth of alternative dispute resolution.

The article concludes with some ideas for a cooperative way forward between the academic and practising branches of the profession.

LIBRARIES & INFORMATION

Library highlights: report to law school deans, university presidents and provosts

G S Grossman

XXIV *Syllabus*, 2, Spring 1993, p 11

Article is conclusions and recommendations portion of report by the Law Libraries Committee of the ABA Section of Legal Education and Admissions to the Bar which explores the possible reasons why microfilms, databases and library networks have had little impact on paper collections.

MANDATORY CLE

[no material in this edition]

OTHER DISCIPLINES & PROFESSIONS

A successful Rx: a new program at Ohio Northern offers a prescription for an unusual joint degree

S Goldsmith

Student Lawyer, September 1992, pp 8-9

A brief description of a joint degree in pharmacy-law commencing at Ohio Northern University.

PERSONALIA

[no material in this edition]

PLANNING AND DEVELOPMENT

The internationalisation of legal practice and the impact on legal education in Singapore

T C Choong & E Wong

22 *HK L J*, 2, 1992, p 151-161

The article deals with the expansion of the legal realm in Singapore in response to the expansion of international trade relations with other countries. The author details several ways in which lawyers and law firms may internationalise their practices, in particular focussing on aspects of legal education. Some of the mechanisms could include the development of continuing legal education schemes, development of in-house research departments in the larger firms, expanding the law library at the National University of Singapore to include law collections of other regions which may or will be of economic benefit to Singapore, the continuation of the comparative law courses already offered at the National University, as well as an exchange program catering for both law lecturers and students between the National University of Singapore and other foreign universities.

Legal education and professional development - an educational continuum, report of the Task Force on

Law Schools and the Profession: Narrowing the Gap

E E Clark

4 *Legal Educ Rev* 1, pp 201-221

The article is a review of this report published by the American Bar Association in 1992. It summarises and evaluates its findings, and considers what implications it may hold for Australian legal education.

Legal Education in the 1990s

M Partington

19 *J Law & Socy*, 1, pp XX

Article argues that, despite uncertainties, there are substantial opportunities ahead for professional legal educators in England. The leaders of this branch of the legal profession will need to offer a clear sense of vision as to what the future might be like, if they are to seize the opportunities that could lie ahead. The article considers the main factors which are likely to influence the structure of legal education over the next decade, and the implications of this analysis are drawn together in order to present a summary of the issues likely to shape legal education over the next decade.

The factors likely to shape legal education are government policy in relation to higher education, the responses of institutions of higher education, professional factors, and developments in the legal environment.

Four papers presented at the recent Commonwealth Law Conference held in Cyprus in May 1993 are of interest. They have not yet been published. They are:

Intellectual skills and law degrees: twelve theses, William Twining.

Skills training for lawyers in a CLE context, Lyn Tan

Are skills really frills?, Neil Gold

Skills-based training for lawyers: a neglected aspect of legal education, John Goldring

Designing and running continuing legal education programs in a private law firm, Audrey Blunden

POSTGRADUATE PROGRAMMES

Graduate research seminars: theory or praxis?

T Carney

4 *Legal Educ Rev* 1, pp 165-176

Article argues that law schools must ensure research students are instructed in research techniques. It sketches the assumptions of the research training provided at Sydney University, and outlines some of its detail.

PRACTICAL TRAINING

Professional legal education for tomorrow's lawyers: the evolution of the Postgraduate Certificate in Laws at the City Polytechnic of Hong Kong

N Gold

9 *J Prof L Educ* 1, pp 45 - 57

Neil Gold is a member of the planning team which prepared the second practical legal training course to be offered to graduates in law in Hong Kong. This article deals with the planning and development of that course.

Commencing with the Hong Kong background, the article traces the 1989 study of the needs of local practitioners including the three main themes which emerged from the result of the study, namely: the lawyer's role as planner, as settler of disputes, and as manager. The course aim and objectives are then canvassed as are the range of teaching strategies and methods, the various methods of assessment of student performance, and responsibility to practitioners' viewpoints.

Also included is the weekend consultative conference where 55 delegates including invited foreign experts participated in reviewing the proposed course and discussing the three prominent issues which emerged: the role of City Polytechnic in professional education; the newness of the course rationale and educational approach, and the assessment of student achievement. Conclusions drawn from the conference are outlined followed, briefly, by the view of the future.

Professional legal training

A Sherr

1 *J Law & Soc*, 1992, pp 163-173

This article deals with the transformation of the legal profession in the United Kingdom over the past decade, in particular the reconsideration of entrance policies and legal training. The author contends that there will be profound changes in training beginning with the implementation of the new Law Society finals course and examination which begin in September 1993. The author discusses the content of the old finals course as compared to what the new finals course will now produce. He also discusses a number of changes that will offset the new course which include on-the-job training for solicitors, continuing education courses through a variety of approaches and in-house training in larger firms. New visions of the line between academics and the professionals will begin to appear that will, in the future, cause lawyers to be more aware of their educational needs, top loading their knowledge information, abilities and skill from the first day of their legal work until the last day of their professional practice.

Instructional design and student learning in professional legal education

J Macfarlane & P Boyle

4 *Legal Educ Rev* 1, pp 63-88

Article describes a study, based on the Postgraduate Certificate in Laws (PCLL) at the City Polytechnic of Hong Kong. The study had two objectives.

The first was to discover more about student conceptions of their learning in an educational program which would introduce a new approach to learning and challenge their expectations. A phenomenographic approach was used to leave open the possibility of discovering unintended and unexpected outcomes, *ie* the mapping of qualitatively different ways in which people experience, conceptualise, perceive and understand various aspects of and phenomena in the world around them.