

looks at the developments of the '80s, the changes of the '90s, recruitment, pre-admission training and external CLE for trends giving rise to the growth in in-house legal training.

What is in-house CLE? Everything lawyers need to develop their ability to practise law. Who is it for? How do you do it? What are the benefits? Audrey Blunden addresses these questions, drawing on her experience in practice, and in legal education from the university to the law firm.

## INSTITUTIONS & ORGANISATIONS

[no material in this edition]

## JUDICIAL EDUCATION

### Continuing judicial education

18 *Comm L Bul* 3, July 1992, p 1037

Reports on a workshop convened by the Commonwealth of Learning in March 1992 in Vancouver to review the practice and potential of continuing judicial education in the Commonwealth. The workshop developed a common frame of reference, and identified five levels of judicial orientation - initial orientation, practical training, mentor scheme, observation and an introduction to associated systems, and follow-up programs. It then considered a number of common needs which could possibly be met within a Commonwealth context. Finally the article summarises the discussion of different forms of learning for judicial officers, relevant educational technology and the workshop's recommendations.

### Policy development in continuing judicial education: an assessment of some approaches taken in NSW, USA, UK and Canada

L Armytage

11 *J Prof L Educ* 1, pp 51-77 \*

"The picture of the judge as learner is complex. The considerations of age, prior professional training, not to mention attitudes brought to the bench, make the design of a comprehensive continuing judicial education program extremely complex": Catlin.

This paper explores the question how to provide continuing judicial education (CJE) through a policy-setting perspective. It defines and considers a number of underlying philosophical questions, and postulates a framework of educational theory with which to approach CJE. In the process, a number of critical issues on the nature, role, purpose and scope of judicial education are identified. How these issues are resolved has fundamental implications on the character of the education process and its outcomes.

### The need for continuing judicial education

L Armytage

16 *UNSW L J*, 2, 1993, pp 537-584

Judicial education has the ability to undermine the independence of the judiciary. Consequently, the judiciary should decide how and what should constitute continuing judicial education (CJE). The reasons for participation in CJE were judicial competence, collegial interaction and professional perspectives. This was in contrast to many other professions which saw further education as a path to promotion or change in career path.

The Judicial Commission of NSW has conducted an educational needs analysis for the various categories of judicial officer. Magistrates perceived their needs to be, in descending order of importance, collegiate networking and experience sharing, skills development, especially court management and administration, the art of judging, substantive law and lastly procedural law. The judiciary of the Supreme, District and Local courts and members of the federal Administrative Appeals Tribunal ranked their CJE needs, in descending order of importance, as keeping abreast of current developments, maintaining current abilities, enhancement of professional competence and development of new knowledge and skills.

### Continuing judicial education: the education programme of the Judicial Commission of New South Wales

L Armytage

3 *J Jud Admin*, 1993, pp 28-46

The Judicial Commission of NSW (JCNSW) is an independent body established by the Judicial Officers Act 1986 (NSW) with a charter, among other things, to supervise an appropriate scheme for continuing education and training of judicial officers. The JCNSW consists of the heads of the six state courts (Supreme, Industrial, Land & Environment, District, Compensation and Local Courts). The JCNSW has utilised educational research and theory in deciding that its educational services should use knowledge of adult learning theories.

The JCNSW has undertaken two needs analyses to assist it in the



organisation of a continuing judicial education (CJE) scheme. The program of CJE that the JCNSW has devised is a matrix of "content" - substantive law, procedure, management and administration, judicial skills and ethics - and "pitch" - induction, orientation, updating, exchanging experience, specialisation and refresher - and so the CJE can accurately meet the educational needs of the particular class of judicial officer.

The JCNSW provides conferences and workshops and publishes the *Judicial Officers Bulletin* and bench books, and has developed an extensive orientation program for new magistrates.

#### **Towards a charter of continuing judicial education - the New South Wales experience**

L Armytage

9 *Comm L J*, 1993, pp 3-8

The policy of the Judicial Commission of NSW (JCNSW) is to place the control of continuing judicial education (CJE) in the hands of the judges and magistrates. The CJE program of the JCNSW began in 1988 with the introduction of a range of conferences and publications for judicial officers, including an induction program for newly appointed magistrates, and the monthly publication of the *Judicial Officers Bulletin*, and a number of bench books. Under the direction of the Local Court all magistrates have five days dispensation from sitting to accommodate a three day annual conference and two one day seminar workshops.

The JCNSW has recently completed a comprehensive analysis to determine directions for the future development of CJE. The analysis

combined judicial interviews, a judicial survey, a review of judicial management, observations of the judicial function and an analysis of the resources available to the judges for CJE.

The philosophy behind the JCNSW's CJE program is to enhance the quality of justice through the provision of educational services to judges and magistrates, specifically aimed at assisting judges in the performance of their duties. The principles used in the education of professional and adults are adopted by the JCNSW in its CJE programs.

### **LEGAL EDUCATION GENERALLY**

#### **Legal education and professional training in Canada**

C MacMillan

*SPTL Reporter*, 8, Spring 1994, p 8

Outlines the history of legal education in Canada. Law is a postgraduate degree. Admission is based on a good first degree and a good score in the Law School Admission Test. Discusses the syllabuses of law schools. The author goes on to describe the professional training elements of articles and bar admission courses.

The strengths of Canadian legal education are the requirement of a first degree, the high admission standards and the legal training which provides a reasonable level of practical skills. Its principal weakness is that the system is long and expensive.

#### **Legal education for social change**

M Gomez

Law & Society Trust, Colombo, Sri Lanka, 1993, 110pp

Questions relating to legal education and law reform have often been addressed separately in the Sri Lankan context. This monograph looks at the question of legal education against the wider backdrop of Sri Lanka's inherited legal system, legal culture and legal traditions. It argues that legal education should promote social transformation. It calls for the training of professionals who are committed to fundamental values of democracy and human rights. The author calls upon law schools and universities to be actively involved in public and social life. Questions related to language are also looked at. Sri Lanka is one of the few jurisdictions in the world where law is taught in three languages. This has affected in a very fundamental manner the content and methods of legal education.

Chapters deal with themes such as the emergence of the modern legal profession, democratisation, curriculum development, teaching methodologies, the language of the courts and of the law, bilingualism, and the role of the law school.

#### **The history of New Zealand legal education: a study in ambivalence**

P Spiller

4 *Legal Educ Rev*, 2, 1993, pp 223-254

Legal education in New Zealand (NZ) has mirrored legal education in England. NZ lawyers clung to the English notion that immersion in practice was the only path for those aspiring to be lawyers. Before the establishment of universities offering law as a discipline, entry to the NZ profession was on the assumption that the candidate was qualified elsewhere, particularly in the United