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## **ADMINISTRATION**

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## **ADMISSION TO PRACTICE**

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## **ASSESSMENT METHODS**

**Competences, learning outcomes and legal education**

P A Jones  
[See Skills]

## **CAREER PATHS**

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## **CLINICAL LEGAL EDUCATION**

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## **CONTEXT, CRITICISM AND THEORY**

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## **CONTINUING EDUCATION**

**The place of CLE within legal education**

R Hale  
12 *J Prof L Educ* 2, 1994, pp 69-89

Defining continuing legal education (CLE) is not an easy task. In New South Wales, Australia, the mandatory nature of CLE means that specific guidelines define 'claimable CLE'. In Victoria specialist accreditation schemes define CLE with reference to 'achievement' in educational terms with all accredited practitioners having to detail what they actually learned. The objectives for CLE providers and legal educators are to meet the challenges associated with giving lawyers a means of competently responding to the demands placed on them as practitioners head-on.

The integration of practical legal education at university level is perhaps the best place to start to create the awareness and commitment to lifelong learning. This is now to be seen in Australia. CLE providers can also assist students to focus on the need for lifelong learning by building bridges between academic

institutions and the practising profession.

There are three important areas which are likely to have an impact on legal services: mutual recognition, servicing client needs and demands, and the emergence of total quality management. A mutual recognition scheme could have a large impact on the shape of PLT and CLE in the future. This debate is dominated by two schools of thought: one is that each State could simply recognise the other States' requirements for admission; the other is to establish a governing body to set a national standard for admission. The former view would result in the development of national standards of practice and proper performance criteria for law students who wish to practise law. PLT course and CLE providers would do well to embrace mutual recognition and insist that the opportunity be seized upon with educationally sound standards being developed and imposed on all areas of the learning required to be a lawyer.

Total quality management (TQM) is a holistic process of improvement which many firms are in the process of adopting and which is providing a newly defined set of practice standards. Elements of TQM will have to be incorporated into PLT and CLE courses to introduce students to the management and handling of human resources and associated activities that they will inevitably encounter in the workplace.

The changes in the lawyer/client relationship will have the largest identifiable impact on the training of law students, especially in PLT courses, but also in the provision of CLE in hitherto unfamiliar areas

where the need is driven by client demand.

Universities, PLT and CLE providers need to review the present position of legal education in the light of mutual recognition, TQM and client demands.

## CURRICULUM

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## DISTANCE EDUCATION

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## ENROLMENT POLICIES

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## EVALUATION

### Evaluating the impact of judicial education

L Armytage

[See **Judicial Education**]

## FACILITIES

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## FINANCIAL ASPECTS

### The funding and sponsorship of legal education

T Tarr

12 *J Prof L Educ* 1, 1994, pp 17-37

A reduction in governmental funding, combined with the pressure to increase tertiary places, has resulted in a matrix of funding dilemmas for Australia's law

schools. Just as commercial reality has forced the legal profession to rationalise and downscale its business practices, academic administrators must similarly be willing to re-examine and restructure their operations. Few administrators are unaware of the possibility of private sponsorship arrangements to cover or assist with the operating costs of components of their budgets.

Commercial sponsorship schemes are usually by way of support for teaching or research, student directed assistance such as prizes, general project assistance or 'in kind' support. It is not surprising that those institutions most successful in procuring contributions are those who instil in their sponsors a feeling that their contribution is going to a tangible project which can be closely monitored. Also, a disproportionate number of sponsorship arrangements favour commercial law fields. Concerns about commercial sponsorship and academic autonomy are largely unfounded. In the US for example commercial support of law teaching is compatible with vibrant and innovative scholarship.

One suggestion to increase funding for law schools has been to levy \$100 on holders of practising certificates. However, this suggestion contains the premise that the legal profession is the only beneficiary of well trained law graduates. Similarly, should other professionals be required to fund university costs? The judiciary, the government and corporate lawyers are also beneficiaries of the products of legal education, yet they do not hold practising certificates and therefore would not contribute under such a regime.

Any sponsorship programs created should have the two-fold objective of being commercially managed and administered and serve the overall interests of Australia's legal academic community. A possible direction in legal education funding is the creation of a central educational fund, such as the English based City Solicitors' Education Trust, which was established for the purpose of raising more substantial funds than any single firm could provide and allocating those funds amongst the teaching community on a systematic basis. Small firms which form the bulk of the private legal practice could make donations which would go toward larger otherwise non-affordable projects. The issue of the flexibility of legal curricula to ensure that professional practice subjects are taught also impacts on the funding debate. The recent supply of law graduates now outstrips the available traditional employment opportunities. Many who go on to do articles and legal practice courses do not intend to practise.

Professional management, use of resources, the nature of the program (ie post or undergraduate), co-operative arrangements between law schools so as to create specialist library collections and avoid duplication of resources and full fee paying options are examples of the academic restructuring that may be necessary. *'There is little benefit in all law schools pretending to serve all needs. Clearer identification of objects and positioning will facilitate more effective resource allocation in areas such as library and professional training.'*