

section of the standards and requested submissions from interested parties. Whatever the final form of the standards, they will have a significant affect on legal education for some time to come.

Legal educators and accreditation agencies must cooperate and agree upon new methods of library evaluation. The consensus is that new standards have to be formulated under which volume count will depart as a library evaluation method.

Quantitative measures lose their significance when much of what is shelved also exists in full-text databases. Basic primary materials are now all online and hence easy to retrieve and quick to download to another PC or a printer. The changes in technology demand corresponding changes in the evaluative criteria for libraries.

With the changes in library technology come unpleasant financial realities. Library budgets are traditionally a source of complaints from Deans and financial administrators. Recent studies estimate that law library costs amount to 18% of the total law school budget. The price of legal materials outstrips inflation and the volume of legal materials published each year is too great for any one library to collect. New law schools seeking accreditation characterise the library accreditation standards as financially ruinous and have questioned the need to acquire both hard and virtual copies of the same information. New technologies can permit a portion of the materials budget to be used more efficiently. However, the budget should also include staff training costs. In effect, new technologies are

substituting access to materials for ownership.

New standards for library evaluation need not represent a drastic new approach. Standards can accommodate different law school missions. Any evaluative criteria must continue to measure the law library's collection. The definition of collection and the means of measuring it must change. The collection should meet the scholarly and educational needs of the students. Databases, network links, licensing agreements, document delivery sources and internet resources must also be included in the collection.

By working together, legal accrediting agencies, legal educators and law librarians can design library evaluation standards to keep pace with and acknowledge the resources of the Information Age.

MANDATORY CLE

[no material in this edition]

OTHER DISCIPLINES & PROFESSIONS

[no material in this edition]

PERSONALIA

[no material in this edition]

PLANNING AND DEVELOPMENT

[no material in this edition]

POSTGRADUATE PROGRAMS

[no material in this edition]

PRACTICAL TRAINING

Reflections on the place of practice management in the law school curricula

P McLaughlin

7 Professional Lawyer 2, February 1996, pp 1, 4-10

An excessively large number of lawyers are unhappy with their practices. An ABA report known as the Breaking Point Report found widespread and growing dissatisfaction among lawyers in all practice settings and at all levels of seniority in the profession. The Report identified the use of unsound management practices as the one overriding factor impacting on all these issues.

A cause of unhappiness among lawyers is the erosion of their pre-law vision of themselves and the gap between their expectations and experience. As law students they were not told that they would have to deal with marketing, time management, billing and cash-flows and learn client relations, budgeting, dictation, staff evaluation and a host of other skills for which they were totally unprepared.

If lawyers were better trained in practice management, they would be better able to deal constructively with their unhappiness. Practice management is not just about maximising profits but also about enhancing the pleasure lawyers derive from the purely legal aspects of their work by giving them the tools they need to take control of their work lives.

The legal profession's failure to teach practice management has had many negative effects on the profession. These include the release of neophyte lawyers into the workforce who fail to make the transition from law school to practice and end up never practising law because they appear so naive about the business of practice that no one will take the risk of hiring them.

The legal profession as a whole should develop a systematic approach to teaching law students and young lawyers how to work effectively and efficiently as lawyers. The law schools should plant the seeds of sound practice management which will come to fruition when the student becomes a lawyer, thereby empowering them to take responsibility for what happens to them in their professional work.

It appears that as many as 80 - 90% of lawyers may have had no experience of what it was like to be a lawyer before they commenced law school and may have based their decision to study law on popular images of lawyers in films and on television. However, law schools fail to teach anything about day-to-day legal practice and the academic slant of legal education makes law students negative and disdainful of practice management issues. Articling also fails to deliver because it assumes that the practice is well run, has good management practices in place, that the principals are inclined to impart the knowledge to the articled clerks and that they know how to teach. However, neither articling nor bar admission courses can be expected to carry full responsibility for practice management education. As a result, young lawyers are thrust on the unsuspecting public with few resources to assist them in

making up for this gap in their legal education.

Law schools should make a commitment to prepare students for all dimensions of legal practice, including practice management. The author recommends that practice management be taught at law school as a designated block of instruction in first year, that issues relating to practice management should be integrated into other law school subjects in all years, that various teaching methodologies be used, including visits to law firms and readings from practice management literature, and that all exams should have at least one practice management question. Practice management courses should be taught by practitioners whose practices have been reviewed and found to be excellent.

Producing a competent lawyer: alternatives available

JK de Groot

Centre for Legal Education, 1995

This book, published by the Centre for Legal Education, originated from a doctoral thesis submitted by the author, based upon a study he conducted in Queensland, Australia. The study entails a comparison of the impact of the two methods of professional legal education which operate as parallel streams in that State, namely articles of clerkship and a legal practice course. The research objective was to determine which approach is the more successful in achieving the aim of producing a competent lawyer.

Following closely the traditional three-tier compartmentalised structure of legal education contained in the Ormrod Report, the author in Chapter 1 describes a number of systems which have

been set up to meet the educational objectives of the professional or vocational stage (or stage 2), including articles and various practical legal training course paradigms. Chapter 2 examines the variety of perspectives that are brought to bear on the notions of lawyer competence and professionalism. The articles system, which once monopolised lawyer training, is evaluated in Chapter 3 and shown to have serious deficiencies.

The author contends that, despite some acknowledged shortcomings, the legal practice course model appears to be substantially superior to articles, asserting that it comes down to the answers given to two questions: '1. Is it better to provide a student with an ordered, thorough curriculum or to rely on the opportunities to learn which may present themselves in a work setting?; and 2. Should students be exposed to the practice techniques, guides and attitudes of a large number of highly regarded lawyers or potentially be limited to the role model of a principal who has no credentials as a teacher?' De Groot labels these questions as rhetorical; others might query whether they might more aptly be described as leading.

Chapter 5 examines the main features of articles and the Legal Practice Course as they operate in Queensland, in effect as independently operating delivery methods for professional training.

The author's review of the small body of literature on studies of lawyer competence is presented in Chapter 6. This is followed in the next chapter by a description of the design of the instruments and the rating format for use in the subjects' and supervisors' survey