

of the record. The course reflects the real demands of appellate advocacy.

STATISTICS

[no material in this edition]

STUDENTS

[no material in this edition]

TEACHERS

Law office sabbaticals for law professors

E D Re

45 *J Legal Educ* 1, March 1995, pp 95-98

Roscoe Pound observed that since apprentice-type law schools had been replaced by the university law school of today with full-time teachers, the faculty should not forget that they are training for a profession. Were this to be forgotten, then they may be bringing up a generation with no conscious responsibility to the law and no deep conviction of the profession pursuing a learned art as a public service.

Since the law school has assumed the responsibility of training lawyers, law school teachers are the mentor substitutes or the role models for students. Law schools should teach graduates to be good counsellors and devote substantial time to interviewing, negotiating and settling disputes.

As MacCrate noted, there is a gap between the teaching of law and the practising profession which must be narrowed. Law professors can no longer teach substantive law, but must begin teaching preventative

law and inculcate their students with ethical values and professional responsibility.

Many of the best law students are likely to be tomorrow's law professors and many will begin teaching without ever having practised law. The author proposes that this type of law professor should go on a sabbatical to a law office, to learn about the daily practice of law and the practical aspects of the trial and appeal cases. Such a sabbatical would not be overly expensive or difficult to attain, as most law firms would welcome the substantive expertise of a law professor. In this way law teachers will learn about the difficulties that their graduates will have to face and gain an appreciation of the countless skills that must be mastered for successful practice.

Law teaching reconceptualised

M Le Brun & C Bond

6 *Legal Educ Rev* 1, 1995, pp 23-36

For many years programs designed to improve the quality of teaching in higher education have focused on how to teach, that is the techniques of teaching. The Australasian Law Teachers Association (ALTA) teaching workshop was no exception. Teaching is seen as a 'bag' of skills collected and performed and readily transferable to any subject. The doctrine being taught is therefore divorced from the teaching. What must be realised is that good teaching is grounded in a marriage of doctrine and pedagogy.

The article outlines the redesign of the annual ALTA teaching workshop, using the above holistic model of learning, in which teaching as a practice is not only

embedded in the epistemology of education but also in that of law.

Law teaching workshops began in Canada over 15 years ago and in Australia in 1988 and have evolved to meet the perceived needs of legal educators. Utilising the educational theory and methods developed in the mid-1970s, the workshops have looked at how the learning context produced by teachers affects the learning outcomes of students. However, ALTA workshops have remained teacher-centred with an emphasis on teaching methods, techniques and devices without addressing the knowledge that is central to learning and teaching. Student learning was addressed primarily through the exploration of learning styles and the use of inventories. There was no pedagogy of law.

The task the authors faced was to redesign the workshop, using a model that captured the dynamism of the inter-relationship of teaching and learning, rather than one which reflected the more static conception of education as teacher-centred. The workshop aimed to enable participants to examine their conceptions of teaching and learning and explore their teaching practices in order to integrate the disciplines of law and legal education.

As well as devising a simplified model for the conceptions of learning and teaching, working principles to be used when teaching were developed, such as drawing on the skills, attitudes and values prized in good legal practice, the consistent restatement of learning outcomes and encouraging participants to take responsibility for their own learning. A 6-day workshop plan summarising the objectives for each session was presented. It is recognised that,

whilst participant satisfaction can be easily measured, it is hard to draw causal connections between teacher-training workshops and the classroom.

TEACHING METHODS & MEDIA

Teaching media law to journalism students: different needs, different strategies

M Pearson

6 Legal Educ Rev 1, 1995, pp 37-51

Almost all tertiary courses on journalism offer courses in media law. Courses vary in the quantity of law taught. However, they require a different legal curriculum and pedagogy to that offered to law students.

Media law is usually taught by lawyers or former journalists with legal qualifications. Media law text books emanate from strictly legal sources and so it is often taught as if it is a subject in a law degree. There is a temptation to cover too much too fast in the journalist-unfriendly language of law. Worse still, the packaging of media law and ethics is common, leaving too little time for either of these important subjects.

Adaptations of legal pedagogy have occurred in the areas of management and teaching courses. The law components of such courses need not equip their students for legal practice, rather they need to prepare them for legally related situations that students may find themselves in during their professional lives. For example, the legal component of an MBA must present the law in the context of the manager's world. The manager-customer relationship may well cover aspects of sale of

goods, contracts, product liability, advertising, consumer protection, anti-discrimination and negligence.

Little has been written about the teaching of media law to journalism students. Helle argued that they should be equipped with the skills to enable them to become advocates for the free press. Paddon developed an innovative approach to teach the law of intellectual property in a magazine class through the investigation of a parody case as a study in free expression, balanced against the monopolies conferred by trade mark and copyright laws.

In 1992 the Journalism Education Association produced a list of the expected competencies of journalism graduates, including a range of legal content areas, as well as being able to write court reports, deal with lawyers on legal issues, keep diary notes on developing legal problems and possessing a working ability to recognise legally dubious material/ situations.

The competencies of lawyers and journalists with respect to the law need to be different. Lawyers rely on the doctrine of precedent to develop a body of substantive law. An 1893 case may be more relevant than a 1994 case as it contains a crucial principle of law. To a journalist an unreported case which is of little doctrinal significance to a lawyer may be far more important.

Stark has identified six categories of professional competences, which may have implications for legal education for journalists. Conceptual competence would include a history of legal developments, cases and statutes. Technical competence would cover the identification of 'danger zones' where the journalist should seek legal advice or proceed with special

care. Integrative competence is the development of journalistic options for dealing with a given legal dilemma, such as ensuring a sustainable defence to a defamation suit by covering all bases in research and writing. Contextual competence would include understanding the theoretical traditions of free speech. Adaptive competence involves journalists adapting their reporting skills to deal with new dispute resolution techniques. Interpersonal communication applies to the journalist learning how to communicate with lawyers and report complex legal cases to a lay audience.

If the focus is on learning outcomes, media law can be taught to journalism students in such a way as to make the material both stimulating and beneficial to their future careers. Non-legal professionals such as journalists deserve curricular and pedagogical solutions that cater for their particular career needs, rather than having those of lawyers foisted upon them.

Throwing students in the deep end, or teaching them how to swim? Developing 'Offices' as a technique of law teaching

S Kift & G Airo-Farulla

6 Legal Educ Rev 1, 1995, pp 55-90

Griffith University in Australia has used 'Offices', teacher-less, co-operative learning groups, since it commenced teaching law in 1992. The Offices program aims to develop a range of skills valued by employers which are not traditionally taught as part of the curriculum and to provide situated learning of substantive legal material.