

visual resources of the law school. Student reaction is on the whole positive.

## CLINICAL LEGAL EDUCATION

### On the future of integration between skills and ethics teaching: clinical legal education in the year 2010

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46 *J Legal Educ* 1, March 1996, pp 67–78

In 1984 Amsterdam predicted what clinical legal education would be like in the 21st century. This author engages in a similar exercise with the advantage of the passage of time, looking at clinical legal education from the vantage point of the year 2010.

By this time experiential learning has become one of the commonly accepted goals of most law schools. However, live client in-house clinics are almost non-existent. Professional ethics and clinical legal education are regularly taught together and reference to one includes the other, reflecting a conclusion of the late 1990s that ethics is better taught as a skill rather than as part of substantive law teaching. These connections have improved the teaching of both professional skills and professional responsibility. Professional responsibility courses, which were not generally well received by students in the 80s and 90s, have now been transformed into an interactive engaging subject of study which has become a highlight on the law school calendar.

The transformation has not been easy. The increased student/staff contact that teaching calls for has matched badly with some teachers'

interpersonal skills. Also there have been problems relating to the additional costs associated with reduced student/faculty ratio. However, redirection of resources, contributions from the organised bar and improved efficiency have overcome the funding crisis. On the job training of the late 1990s became unworkable as the mobility of lawyers increased and it became uneconomic for senior staff to spend time training new lawyers.

In the 1980s and 1990s law schools grappled with the problem of how best to integrate ethics teaching with role-sensitive teaching methodologies, while also accomplishing a more limited integration of ethics teaching with the other areas of substantive law. The result is a long-term experiential program, based in substantive law, combining ethics, skills and substantive law. This format most closely resembles what lawyers do.

Externship are also common. They are used to enhance the simulations which now dominate experiential learning and to provide a realistic forum for critique of the profession. Technological advances, such as email and video-conferencing, have assisted with faculty monitoring. Externships also serve one of the most important goals of clinical legal education by providing a service to the community.

Whilst faculty are still resistant to intrusion into their courses, they now work in teams, having come to the realisation, as did the legal profession in the 80s and 90s, that any one area of the law or legal education is too much for one person to manage. Similarly teachers began to require students to do team projects for grades. Sceptical teachers found that

simulations were not disruptive and that they enhanced their students' learning of substantive law. Students with a practice context for the area of substantive law being taught meant that the teacher could explore the area more deeply and from a wider variety of perspectives than had been possible before.

Live clinics disappeared as grants diminished and established legal offices and private firms began bidding for them. Simulated clinics were found to be easier to control than live client clinics. They enabled easier student supervision and assessment and produced better educational outcomes.

*As the law became more complex..., the final remnants of the mid-20th century notion that law schools could somehow teach in three years all the law a lawyer would need to know were reduced to ash. The emphasis of legal education — clinical and role-sensitive education in particular — has finally and fully shifted to teaching fundamental legal principles and philosophies, perspectives on law's place in society and the thought processes and judgments inherent to lawyering. The intent is to graduate lawyers who will be capable and flexible learners and practitioners in a remarkably wide variety of settings.* pp77–78

## CURRICULUM

### Introduction to law for second-year law students?

A Watson

46 *J Legal Educ* 3, September 1996, pp 430–444

Students in first year law are given a misleading picture of what law is and how it develops and relates to society. The picture is made too