

The dramatic increase over the last 10 years in student places in law inevitably led to speculation that not all students could join the practising profession and that the profession would not have enough places to offer graduates. It became difficult for law schools to defend a traditional doctrinally based education on the ground that it was a necessary step on the path to legal practice. The right of the profession to dictate curriculum was questioned. By the mid-1990s the law degree began to be talked of as the 'new Arts degree', a generalist degree beneficial to students entering a broad range of careers where analytical skills and high-level oral and written language ability would be valued.

However, a recent empirical study suggests we may have to question whether repeated references to law as the 'new Arts degree' during the 1990s have concealed the continuing close connection between a law degree and practice as a professional lawyer. By far the largest percentage of graduates gain legal work of some kind.

Until the implementation of the Dawkins reforms, higher education cutbacks and the impact of commercialisation policies on the sector, a clear move was evident in law schools in Australia towards a liberal arts model of a law degree. The Pearce Report gave definition to this movement, suggesting law schools should (without ignoring black letter approaches), give more significance to critical and theoretical approaches. There is a second side to the impact of the last decade's education policy reforms on law schools in Australia. That side shows reinstatement of close connections between the profession and academics, the Law Council of Australia proposal for accreditation of law courses, and the increasing integration of PLT into degree programs. It shows students are consumers, paying for their education, who, it sometimes seems, do not want to hear anything but black letter law. If legal education in Australia is to continue to improve and innovate, it will need to find a way of living within the economic environment in which it now finds itself.

Coming of Age: recognising the importance of interdisciplinary education in law practice

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In an increasingly complex world, lawyers will need to expand their traditional approaches to problem solving if they are to be of real service to their clients. The role of law schools will be to train new lawyers to be creative problem solvers. Courses in client counselling and mediation have long recognised that people are not one-dimensional and neither are their problems. When teaching these courses, law professors emphasise non-legal concerns that clients may have. All aspects of a problem influence each other and attempting to deal solely with the legal aspect is a band-aid approach to problem solving.

Society cannot expect lawyers to have the knowledge or skills that would allow them to identify each aspect of, and certainly not solve, problems from a multi-dimensional perspective. However, it can expect lawyers to know how to work with people who together have the knowledge and skills required to assist a client in this way.

The first task is to define or describe creative problem solving. It may be that attempts at definition must paradoxically fail – that once confined to a definition, the concept no longer permits creativity. It conveys a sense of doing something new, fresh, original and 'out of the box'. For lawyers, creative problem solving might mean looking at problems in new ways – different from the traditional classification of problems into legal categories, such as torts and contracts, and looking for new solutions that might stretch beyond the traditional boundaries of what lawyers do.

Does creative problem solving take lawyers beyond the traditional boundaries of the profession? Professional education necessitates training that narrows and specialises. Law students learn to see their clients' problems as legal problems. One of the fundamental shortcomings of

traditional lawyering, at least as taught in law school, is an inability to define problems in their broad and multidisciplinary respects. If lawyers should solve only legal problems, it is crucial to ask first who will be defining the problem. If a lawyer defines the problem, he or she will probably define it as a legal problem. If lawyers are to do something new, 'out of the box', we need to be able to define problems in more expansive ways, as creative problem solvers, and not be confined to solving merely what are traditionally defined as 'legal' problems. The extent of 'problem coverage' becomes less problematic when viewed in the context of interdisciplinary teamwork and collaboration. Only by working with professionals from other disciplines can we actually begin to see all the puzzle pieces that make up the complex picture of a problem.

To achieve the best results for clients, lawyers need to have access to resources and solutions beyond those they traditionally use. One important resource is the ability to collaborate with professionals from other disciplines so that their approaches to a particular problem can assist in creating a solution for the client. Lawyers will need to learn to be professionals at organising, leading, coordinating, inspiring, participating in, and facilitating teams of helpers trained to approach clients' problems from a variety of disciplinary perspectives. The solutions might not be traditional legal measures if non-traditional measures are in the client's best interest. The lawyer cannot serve the client by assuming that the problem is only, or even primarily, a legal problem.

Assuming that effective interdisciplinary work is a component of creative problem solving, what is it that keeps lawyers from performing well in interdisciplinary collaborative settings? First, the fact that disciplines are akin to cultures and that cultural ignorance and misunderstandings abound between disciplines, much as they do between cultural groups. Second, the lack of explicit training in communication and other collaboration skills. Third, the competitive and narrow nature of law school and law practice environments.

Fourth, the personality issues among lawyers and law students that may impede acquisition of collaborative skills.

Many authors have argued for the importance of interdisciplinary education for a number of different reasons, all of which are related to creative problem solving. Some advocates have expressed the need for training lawyers who can understand the development of legal policy from an interdisciplinary perspective. This approach is analogous to asking that lawyers receive training in a broad liberal arts tradition, to be able to understand the breadth of the origins and consequences of law. There is too much knowledge within the various disciplines to expect any one person to be the master of all fields. Thus, training lawyers to work with professionals from other disciplines in creative problem solving is a more appropriate and practical solution.

Commentators have used the terms 'interdisciplinary' and 'multi-disciplinary' interchangeably, without distinction, to refer to the consideration or inclusion of more than one discipline. Typical multi-disciplinary work is really nothing more than an effort by professionals from a number of disciplines to piece together their individual contributions regarding a common problem. True interdisciplinary work involves communication and understanding among the team members. What has been referred to as interdisciplinary education may often be merely a form of single discipline education or a multi-disciplinary approach that does not help students move beyond their particular professional cultural understanding. Real communication only occurs if there is an understanding of one's own culture and other participating cultures; language, attitudes and behaviours will affect both the sending and receiving ends of the communication. Thus, interdisciplinary education must include attention to this communication process, transmission of cultural understandings, and training in group process.

In regard to content, this interdisciplinary model focuses on knowledge of one's own and other disciplines; attitudes toward interdisciplinary practice, including

respect for and awareness of what each discipline has to offer; and skills in interdisciplinary communication and collaboration. A combination of explicit attention to knowledge about other disciplines and opportunities to interact in problem solving situations with members of other professions is vital.

A number of barriers hinder the ability to effectuate true interdisciplinary training. One significant barrier is the need for students to be grounded in their own professions. The participant must understand that working with others does not diminish his or her professional role. Law students cannot have achieved this posture due to their limited time and exposure to the law and practice. The anxiety of law school continues at least through the first two years of practice. If interdisciplinary training is to occur in law school, legal education must compensate for this lack of grounding in some way. Exposure to professionals or students from other disciplines within a creative problem setting would be useful.

Law students' personality characteristics and the developmental level at which many law students enter school limit measures schools can take to help students learn the skills, behaviours, values and attitudes they need to be creative problem solvers. Although they cannot participate at an optimal level in interdisciplinary collaboration, can students learn skills that will enhance later performance in-group work?

Other considerations also detract from attempts to teach interdisciplinary skills. First, students have come to law school because they want to be lawyers. Hence, they often view efforts to teach them about other disciplines, as well as topics they perceive as irrelevant to practice, as a waste of time. Second, the law school curriculum is so single discipline focused that students see tangential efforts to teach other ways of thinking and acting as aberrational. Third, having invested a great deal of time and money in their legal education, students are often defensive about the profession and blind to its limitations. One of the biggest barriers to providing

interdisciplinary training to law students is law professors' own lack of such training and experience in our own professional lives as lawyers and educators.

Law professors, even those who lack interdisciplinary training and exposure, can do a number of things that will help prepare students for interdisciplinary work. In regard to the need to know how to ask questions, professors are in the position to model questioning behaviour. Professors can also model the important attitude of respect for other professions, discussing the contributions of other disciplines as they are relevant to classroom work and inviting professionals from other disciplines to address the class.

Interdisciplinary practice is a requisite to creative problem solving but there are significant barriers to training future lawyers for such practice. Lawyers usually understand that their clients may have psychological, economic, and other concerns associated with their 'legal' problems. They may not, however, effectively address these concerns for a number of reasons. Further, lawyers often are not skilled at working with professionals from other disciplines in a collaborative effort to meet clients' needs.

Ultimately, what we might hope for is that lawyers who have been trained in creative problem solving, including special training in interdisciplinary work, will have the knowledge, skills, and attitudes to participate effectively in interdisciplinary teams in order to achieve better results for clients. That is the mission of legal education.

SKILLS

Teaching NLP for conflict resolution

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Many advocates, practitioners and teachers of conflict resolution would acknowledge that there is more to the field of conflict resolution than just theoretical content. Much of the value of conflict resolution lies in its ability to translate the theories and models into tangible skills for re-