while not the primary intended benefit for students, is still a significant side-effect. Aside from practical knowledge that is gained, students are also exposed to a sector of the population whose need for legal representation is great, but whose visibility is often marginalised.

Despite the benefits pro bono work brings to both the community and the individual, opponents to mandatory requirements are easily found. Among the most common arguments are assertions that any mandatory requirement would violate the constitutional rights of students and attorneys. All of these criticisms are rooted in the notion that a mandatory requirement would offer an inflexible and narrowly drawn set of satisfactory locations in which to perform the required service.

For law schools planning to launch a mandatory pro bono program, a more pressing concern than the possible constitutional challenges would be the act of defining what work would qualify as pro bono. Much debate has transpired as to whether it should be limited to assisting those in need, as Model Rule 6.1 encourages, or whether a broader type of requirement, perhaps encompassing all non-profit organisations, is preferred. It would be difficult, even for the most strident opponent to mandatory pro bono, to argue that the multitude of options suggested by Model Rule 6.1 are so limited as to present an infringement on a student's First Amendment rights.

The general consensus among scholars and the law schools that currently have mandatory pro bono programs in place is that students should not receive credit or compensation for their service. The reasons for this may seem obvious: one of the goals of a mandatory pro bono requirement is to encourage students to continue to perform such services once they become practising attorneys. Therefore, the experience should mirror that of attorneys, who are not generally compensated for pro bono services.

A mandatory pro bono requirement should be a recurring one, so that each student has an annual requirement to meet. In this way, the experience more closely resembles the ethical obligation of a practising attorney. Rather than a one-time duty, pro bono service is intended to be integrated into an attorney's annual workload.

In light of the lack of commitment to pro bono work among practising members of the bar, a concerted effort must be made by law schools to raise the awareness among students of their ethical obligation to provide legal services to persons of limited means. The most effective manner of accomplishing this is by instituting mandatory pro bono requirements in all law schools. Despite the opponents' protestations, these programs provide numerous benefits, including professional and personal development for the student, desperately needed legal services to the community and a greater understanding of the importance of pro bono work to the profession as a whole. Law schools may draw upon existing mandatory programs to develop a model that will achieve these benefits.

CURRICULUM

The curriculum: patterns and possibilities
J W Wegner
51 *J Legal Educ* 3, 2001, pp 431–438

Innovation proves most feasible if undertaken with full understanding of existing systems and past patterns of change. In many respects, the overall structure of the first-year American law curriculum is relatively simple and relatively uniform. Most schools would say that teaching students to 'think like a lawyer' — commonly understood to include skills in analysis and synthesis — is the overarching goal of the first year. Schools generally seek to achieve this objective against the backdrop of a core set of required foundational courses in traditional common law subjects, including one- or two-semester offerings in torts, contracts, criminal law, property and a course in civil procedure. A significant number of schools include a required first-year introductory course in constitutional law, focusing on structural issues. Schools also generally require a first-year course in legal writing and research, in some instances integrating such instruction as part of a course that includes instruction in a broader range of lawyering skills.

A survey of upper-division courses offered during the period 1994–97 was conducted by the AALS Committee on Curriculum and Research in an effort to discern patterns of development and change. With 83 law schools (about half of the member schools) reporting, the committee found that, on average, five new courses or seminars were offered at each school each year. The top area of curricular innovation was international and comparative law. One of every six new courses was international or comparative in scope, and 84 percent of schools responding had added at least one new international or comparative course.

Relying on insights about the overall structure of the law school curriculum, one can sketch a variety of models or niches in which curricular innovation might take place. First, there are basic elective courses. Schools might seek to increase the number of students enrolled or structure such a course as part of the foundational curriculum (first-year option or requirement). Second, there are advanced specialised electives tied to substantive fields. Schools might encourage students to take either full-length offerings or special short-course modules that provide international or comparative insights as 'capstones' in areas of substantive interest. Third are practice-based offerings. Schools might focus clinical or externship

offerings in areas relating to international or global developments or increasingly diverse American populations.

Fourth are certificates and concentrations in international law and related subjects. A growing number of schools are creating structured clusters of advanced course work tied to areas of legal specialisation or student interests. Fifth, informal curriculum and service learning. A growing number of schools support law reviews specialising in international law and related topics, international clubs and moot court programs and symposia or speakers series. Sixth, integrated graduate programs, which may provide law schools with a critical mass of students interested in international and global offerings as well as enriching the range of perspectives and experiences all through the curriculum. Seventh, infusion strategies involving international personnel or professional development of American law faculty. Eighth, pervasive methods by which the incorporation of international and comparative perspectives through targeted coverage of selected international topics in standard courses can be achieved.

There are many models available for curriculum enrichment. Unfortunately, there are impediments as well. Institutional realities must be faced. In many law schools, a basic or extended array of course offerings with an international focus draws relatively sparse student enrolment because student interests are dispersed across a very wide range of elective offerings and tempered by pragmatic desires to secure employment easily or to complete courses tested on state bar exams. Faculty juggle competing priorities, often allocating time and energy toward scholarly projects rather than curricular innovation or feeling no personal impetus to move beyond well-established fields of expertise.

In the face of these challenges, it seems particularly important to find and pursue targets of opportunity that take into account existing incentive structures. First, collaborative development of targeted supplemental course materials: it is likely that faculty will continue in their individual efforts to develop advanced electives relating to international or comparative topics, but more could be done to enrich the basic curriculum if a collaborative strategy were employed. Second, multifaceted professional development. The Association of American Law Schools could commit to include a segment on international or comparative topics as part of every annual meeting, with tapes of relevant program segments made available on a package basis for purchase by American law schools who seek to undertake more comprehensive efforts to help faculty incorporate international and comparative insights throughout the curriculum.

Third, facilitation of scholarly partnerships, academic visits, and collaboration of other sorts. Faculty often report that international linkages spring up as a result of personal contact with colleagues from abroad who share common scholarly interests. Fourth, documenting and understanding good practices in LLM programs. A growing number of law schools have created LLM programs to provide educational opportunities for students from abroad as well as to increase revenues in tight financial times.

Finally, shared commitment and accountability for progress. With the rising tide of interest in globalisation and international legal education, during a time of competing demands on scarce resources, it is important to think carefully and flexibly about the extent to which different initiatives are pursued by individuals, schools or consortia, on regional, national or international scales. While no easy answers are possible, it will be important to realise efficiencies of scale and benefits of collective insight, without creating undue delays or engaging in battles over turf. To maintain momentum, it will also be important to develop collective commitment to make measurable progress that goes beyond ad hoc initiatives that too often result in recurring opportunities to reinvent the wheel.

Informing law curricula: modifying first year courses to reflect the information revolution
W B T Mock
51 *J Legal Educ* 4, 2001, pp 554–567

Law is generally a conservative profession. As lawyers, we rely on precedent. As law teachers, we generally wait for precedent to accumulate until there is a critical mass of it available to put into a textbook and offer to a curriculum committee. Many in the tenured world believe that serving the profession means organising and analysing materials that have served well in the decades past.

US society has been in the information age for the past few decades, yet our national law school curriculum, especially our first-year curriculum, remains firmly entrenched in the century-old industrial conceptions. Our students already have a gut feeling why Napster exists. Whether we are teaching Contracts, Torts or Property, Napster has implications for us. If we cannot analyse whether and why Napster or its users were stealing property or committing torts, our students will wonder what good the law is in today's society and our alumni will wonder whether we prepared them to practise law for tomorrow. Although there are several independent subjects that could be added to any law school's curriculum, such as computer law or Internet law, many of the traditional courses could simply be modified to take informational concepts and interests into account.

Our aim with these modifications is to train students to think about information as a new structuring principle in society, with its own set