

**ADMINISTRATION**

[no material in this edition]

**ADMISSION TO PRACTICE****Free movement of lawyers in the EEC - opportunities for law students in Euro-degree courses**

A Le Dain & A Wehlau

24 *Bracton L J*, 1992, pp 35-43

The article deals with changes to the rules concerning lawyers who wish to practise in a member state other than their own. The legal regime in the countries of the European Community has now been supplemented by provisions for the mutual recognition of diplomas of legal education which enable lawyers of one member state to become fully integrated into the professional life of another EC country. The author focuses on the situation an English lawyer would face who intends to practise in either France or Germany, outlining the advantages and the disadvantages of Directive 77/249 and Directive 89/88 which have now replaced Directive 77/249. The new Directive aims to integrate the foreign lawyer fully into the professional life of another member state by recognising the diplomas of other member states as sufficient proof of professional qualifications.

**Society sets PLT and admission policy**

*Bulletin SA*, May 1993

Reports the policy of the Law Society of South Australia as a result of the Australia-wide push to a national admission and mutual recognition policy.

**New lawyers dodge Qld's tough rules**

*Courier Mail*, Feb 1, 1993, p 5

Article reports that law graduates are flocking to other states to be admitted as solicitors so they can avoid Queensland's stringent regulations. Arises out of different state requirements for admission as lawyers.

**The Law Society "consults": proposed new admission requirements in New South Wales**

17 *Alternative L J* 5, p 244

A comment on the proposed new admission requirements in New South Wales, criticising the narrow consultative process, the lack of consideration of alternative schemes, the disadvantages to certain graduates, and problems with funding of the scheme.

**ASSESSMENT METHODS****Out-of class assignments as a method of teaching and evaluating law students**

J M Burman

42 *J Legal Educ* 3, pp 447 - 457

Article describes the author's experiences using out-of-class assignments as a tool for teaching and evaluating students. He questions final examinations as an accurate method of evaluating achievement. He notes that as a teaching device they are defective because students receive no feedback.

**Computers and Plagiarism**

D J Shakow

42 *J Legal Educ* 3, pp 458 - 460

In the age of computers students can download an article, add their own name, and submit it with relative ease. The author argues that detecting plagiarism is also easier, because the teacher can take a phrase from the assignment, and search for it in a database. However students can also allow for this. Says that have to be clear in stating to students what they are to do, as often the product is described but not the process.

**Improving the quality of learning in law schools by improving student assessment**

N Rogers

4 *Legal Educ Rev* 1, pp 113-140

The author argues that student assessment plays a critical role in influencing students' approaches to learning tasks. She discusses approaches students may take to learning, and procedures to encourage deeper learning. She then describes a

survey of third year law students' perceptions of what motivate them to learn, what quality of learning of learning takes place, and what improvements could be made to the curriculum and assessment to encourage deep learning. Ways of designing assessment procedures to enhance student learning are discussed.

She concludes by arguing that assessment plays a key motivational role and, more importantly, quite often determines the qualitative approaches students take to learning tasks.

**Maori language law exams for re-mark**

*Campus Review*, April 29, 1993, p 4

Reports that two Waikato University law students who answered questions in a law examination in Maori will have their answers re-marked.

**CAREER PATHS****Jobs will be hard to find in the brave new republic**

*Aust Financial Review*, May 5, 1993, p 29

Article considers that by 2001 the Australian legal profession will be coming to terms with its fragmentation into an over-supplied competitive market, increasingly unprotected by restrictive practices and self-regulation. Jobs will be harder to find for law graduates.

**Quantity no problem if quality is right**

C Sampford

*The Australian*, May 3, 1993, p 13

Article argues that number of law students is not a cause for concern. Says it is important to maintain quality of legal education as this will ensure a wide variety of career choices for law graduates.

**Almost half of law graduates still jobless after six months**

*Aust Financial Review*, June 18, 1993, p 9

Reports that the flood of graduates on the legal market, combined with reductions in the annual recruit intake

of law firms, means that more than 40 per cent of new graduates are unable to get jobs as lawyers.

## CLINICAL LEGAL EDUCATION

### Clients, colleagues and conscience: affective taxonomy in the live client clinic

N C Nichols

*9 J Prof L Educ 2*, pp 97 - 109 \*

In a live client clinical course at Widener University School of Law in Wilmington, Delaware, USA, students are taught to use affective skills when representing indigent clients in family law, landlord/tenant, and consumer bankruptcy cases before the state and the federal bankruptcy court. This article demonstrates the utility of affective learning in legal education. Also included are methods for helping students evaluate the effects of emotional bias, attitudes, interests, and values in client interview, client counselling, group decision making, and oral communication.

### Clinical programs of the University of Maryland School of Law

B L Bezdek

*9 J Prof L Educ 2*, pp 111 - 120

The University of Maryland provides "clinical education" in two distinct ways, through its Clinical Law Office, and through its Legal Theory and Practice courses. For many years the Law School has operated The Clinical Law Office, one of the largest and longest-lived "in-house" clinics in any law school in the United States. Students may elect to enrol in this course in the upper years of the law degree program. It is a year-long, intensive practice experience, under faculty supervision. Quite recently, the Law Faculty began the Legal Theory and Practice courses, which combine the study of doctrine and legal theory with a lesser degree of client work. The course is required for law students in the first or second year. This paper describes the objectives, methods and features of each program.

### Blueprint for a clinical program

S L Campbell

*9 J Prof L Educ 2*, pp 121 - 135 \*

This article examines in some detail the structure and operation of the clinical legal education program at Monash University. It discusses the benefits to both the students and staff of the clinical methods, in the context of two community legal centres and suggests some strategies which might be adopted by other law schools interested in establishing their own clinical program.

### Creating painters: the art of being a clinical law teacher (part 1) - (towards a counter-socratic method, via dialogical empowerment for critical awareness

R Reekie

*9 J Prof L Educ 2*, pp 137 - 148 \*

Welcome to one of the two greatest balancing acts in legal education - the socially aware, practically based, arsenic laced, do-and-dare world of clinical supervision.

The work of a clinical supervisor is fraught with professional dangers, yet is equally spiced with delights. Nothing can replace the moment when the clinical students finally switch on their light of understanding to a particular point that you, as their supervisor, have laboured long and hard over with them for many weeks. To observe the student going on to use that knowledge towards solving a live case, gives me great professional joy. The process involved in reaching that point can be a difficult one; and often that point of understanding is never fully reached.

This paper is intended to provide an analysis of the processes involved in teaching law students in a clinical environment. I hope that it will assuage some of your fears, provide some workable suggestions for supervision techniques and massage your desire to take on the role of clinical supervisor.

### Roll over Socrates: reflection on the conference on clinical legal education

A Zariski

*9 J Prof L Educ 2*, pp 149 - 134

The author postulates that support for clinical legal education can be seen to proceed from two broad motivations observable in delegates to the Conference on Clinical Legal Education which he denotes as the "socially conscious" and "pragmatic-professional" orientations. Although the author suggests that these two philosophic positions have the potential to conflict, he notes that their adherents are united in seeking to advance the status and quality of clinical legal education in law schools. The article then describes some of the arguments and strategies put forward by each group toward this end and concludes with some observations concerning the value of clinical education for law students viewed in terms of some of the objectives of its supporters.

### Prospects for clinical legal education in Australia

S Rice

*9 J Prof L Educ 2*, pp 155 - 167

While there may be a place for skills training in the law school, clinical legal education offers students other and more than skills training. Clinical education introduces students to the values and dynamics of the legal system, to questions of social justice and power. In the experience, students necessarily develop practice skills.

Elements of clinical training can exist throughout a law school curriculum. There are opportunities for students of most subjects to take part in clinical activities, and for exchanges between clinical and other law school teachers.

### The inner man and his outer constituency 1200 - 1990: an historical perspective of the role of clinical education

N Carter

*9 J Prof L Educ 2*, pp 169 - 178

At the inaugural Australian conference on clinical legal education held in Sydney in October 1991, two broad and quite contradictory approaches emerged as to the role and purpose of clinical legal education. At first, trends in the debate tempted to the conclusion that we were simply revisiting old arguments about liberal and vocational