

A radical fault in the questionnaire assessment of teachers by students: considerations on the discontinuity between our way-of-being and positivist rationality as a way of knowing

T FitzPatrick

2 *Cross Examiner* 2 (Autumn 1993) pp 12 - 15

Argues that the validity of questionnaire assessment cannot be assessed in isolation from the students' interpretive framework; to do so is to accept the distorted reality of positivism, and thus the use of such questionnaires is ill-conceived and highly selective. The teacher, or the unit being assessed, is part of a rich multidimensional reality. He argues that a questionnaire is a two dimensional exercise carried out in a relatively infinitesimal period of time which conveys a relative minimum of information (usually in the format of a one-dimensional scale). How can it possibly convey the "thickness" and complexity of lived experience?

FACILITIES

[no material in this issue]

FINANCIAL ASPECTS

[no material in this issue]

GOVERNANCE

Quality law, or a nightmare for administrators?

M Tsamenyi & E Clark

28 *Aust Lawyer* 3 (April 1993) pp 14 - 18

Discusses the question of whether Australian law schools should be accredited. Issue arises against the background of doubling in number of law schools, increases in intakes of students, and an increasing national and international perspective on legal education, coupled with concerns about resources, schools being run "on the cheap", the need for diversity and a changing role for law schools themselves.

Arguments against accreditation include the danger that it will increase the control of the practising profession over law schools, that non-accredited schools may become second-class schools, and that it may become an administrative nightmare.

Authors argue that whilst these concerns are legitimate, law schools must act on the issue of quality: otherwise others will act. They argue that the time has come to raise the issue for debate: not put it on the back burner.

They refer to other professional faculties, and to the experience with American law schools, which use accreditation as a means of quality assurance and public accountability.

Funding for law is inadequate, and the authors argue that

accreditation along the lines suggested by them may prove a valuable mechanism by which law schools may ensure a level of equitable funding.

Arguments in favour include the fact that the reaccreditation process forces law schools to do serious thinking about their program, it would help promote uniform admission requirements, and would facilitate greater discussion amongst law schools of educational issues.

Discuss issue of whether it would result in increased control by the practising profession. Also outline the procedure for reaccreditation in the United States.

HISTORY

[no material in this issue]

INDIVIDUAL SUBJECTS/AREAS OF LAW

Training the Modern Lawyer: Incorporating the Study of Mediation into Required Law School Courses

B Blaustone

21 *SW U L Rev* p 1317

This article argues for the introduction of the study of mediation into law school as part of a "modern" lawyering curriculum. The study of mediation confronts students with a shift in perspective requiring them to develop critical thinking skills and making them more capable problem solvers and advisers. Students also gain a deeper

appreciation of the strengths and weaknesses in adjudication and mediation and develop the ability to gain a more thorough factual grasp of a case.

The author describes in detail how she incorporated the study of mediation into the course "Lawyering and the Public Interest" through various teaching methods, including simulation. As an example, the author also provides a hypothetical case "Smith v Jones" within the article itself. She examines how mediation can be limited to smaller learning units within a required law school course.

Teaching Mediation: the need to overhaul legal education

K D Kraemer & D Singer
47 *Arbitration Journal* (Sep 1992) p 12

Law schools need to change their curricula, from being focused almost completely on training lawyers to litigate to teaching them to be problem solvers and the skills to mediate disputes. Lawyers must change their thinking from winning and losing to working toward resolution. This change of focus would resolve much of the congestion courts are enduring and free the courts to deal with the few cases that should be litigated. Not only textbooks in law schools must change, but so must the attitudes of professors and deans.

Teaching Legal Research: Past and Present

J M Janto and L D Harrison-Cox
84 *Law Library Journal* 2, p 281

The article traces the history of legal research courses and argues that academic law librarians are the best suited to developing and teaching such courses because they have devoted their professional lives to mastering legal bibliography and refining research skills. The authors examine the legal research program which was designed, developed and is being taught by professional library staff at the University of Richmond Law School in the USA. This program has been in existence for five years and results show that the students are much better researchers with a greater respect for librarians and library staff.

Cosmic Consciousness: Teaching on the Frontiers

O C Dark
38 *Loyola L. Rev* p 101

The author was asked to develop a course that was somehow related to torts, involved three or four speakers with national reputations, and could only be scheduled once a week for two hours. The article describes this course and the most favourable evaluations it received from participating students. The course consisted of four topics: 1) Mass Tort Suits and The Tort System; 2) Moods, Methods, and Roles in Tort Lawmaking; 3) Dignitary Torts; 4) The Future of Tort Law. The segments were conducted by

Sheila Birnbaum, Judge Robert Keeton, Professor Richard Delgado, and Dr Debra Hensler respectively.

Assessment of the course was based upon a paper written in stages, demanding the students' own thoughts and requiring three consultations with the author prior to completion.

INHOUSE CLE

[no material in this issue]

INSTITUTIONS & ORGANISATIONS

Training Opportunities for All

I Watson
34 *Law Socy Gaz* (23 September 1992) p 31

The author describes the legal education and training provided by the (English) Institute of Legal Executives. The ILEX training provides legal qualifications to both non-graduates and graduates over a six year period in a manner similar to five year articles. It is a practical course involving study of legal procedures and substantive law, while also retaining coverage of essential Common Professional Examination subjects.

JUDICIAL EDUCATION

[no material in this issue]