

### Revised recruiting guidelines may bring chaos this autumn

K Myers

15 *Nat L J*, May 17 1993, p 4

Law schools are involved in a controversy concerning the proper date for acceptance of a law firm's offer of employment. The National Association for Law Placement's new, earlier deadlines of November 15 and December 15 for replies to job offers hopes to discourage the practice of job offer hoarding until the last minute. This practice made it difficult for law firms to know how many students would take them up on their job offers. However, 16 law schools who are fearful of the impact of the deadline change on campus recruiting and class schedules have pledged to keep the old deadlines.

### Summer freeze ends for some law students; as economy appears to rebound, jobs are up for summer associates

T Weidlich & C K Lawrence

15 *Nat L J*, March 8 1993, p 1

Many of the largest US law firms are hiring more summer associates in 1993 than was the case the year before and this may be a sign that the economy is changing for the better. According to a National Law Journal survey, such increases will be true of twelve of the 20 largest US law firms. Some of the firms whose statistics went up said their hiring goals were the same but more law students accepted their offers.

## CLINICAL LEGAL EDUCATION

Suing for extra credit, latest 'A' got rid of clubs' 'ladies nights'. (Professor John F. Banzhaf III's 'Legal Activism' course at George Washington University National Law Center)

K Myers

15 *Nat L J*, February 22 1993, p 4

Professor John F. Banzhaf III teaches a popular legal activism course at the George Washington University National Law Center. Since 1967 when Banzhaf started teaching this course, students have been preparing real legal actions as homework, and this long before clinical legal education became popular. Usually students choose to file complaints with administrative

agencies. Some critics feel this adds to the litigation explosion, but Banzhaf disagrees.

### Clinical legal education in the age of unreason

S T Maher

40 *Buff L Rev*, 3, Fall 1992, p 809

The author integrates Charles Handy's insights in *The Age of Unreason* with a proposal for revising clinical legal education, so that it reflects to a greater degree the demands of the profession. The current state of clinical education is outlined and the tensions and conflicts dividing the field are discussed. The author contends that innovation in clinical legal education is largely hampered by clinicians themselves, and he proposes that clinical legal education should be removed from the law school and directed by centers for alternative training. The author also presents Handy's framework for understanding and benefiting from the changes in the workplace, and then transports these insights into the field of clinical education. The author concludes by suggesting that clinicians, law schools and law students would all benefit if clinicians were to concentrate on creating new institutions that would flourish on the changes described by Handy.

## CONTEXT, CRITICISM AND THEORY

### The law schools and the profession

C C Monk

*AALS Newsletter*, No 93-4, November 1993, p 6

Discusses the tension between the law teacher's role as a member of the academy and the role of training students to enter the profession. Responds to an article by Harry T Edwards, "The growing disjunction between legal education and the legal profession" (digested in the *Legal Education Digest*, vol 2, no 2). Edwards says that law teachers write more for their colleagues than for the legal profession. Says this tension led to the formation of the ABA Task Force on Law Schools and the Profession, known as the MacCrata Committee.

Claims that it must be recognised that the report of that Task Force is the result of political compromise. There is a question of where the skills and values outlined in the report are best taught. Law schools

should be involved in discussion of that, even if they are not the place or cannot afford to teach even those ideally in their domain. Needs to be an exchange of ideas and a dialogue at the state level.

### Beyond justifications: seeking motivations to sustain public defenders

C J Ogletree, Jr

106 *Harv L Rev*, no. 6, April 1993, p 1239

Most scholarship on the professional role of the criminal defense attorney focuses on a search for the appropriate philosophical or moral justifications for the attorney's zealous advocacy. In this article, the author argues that this focus is misplaced. Nearly all lawyers and legal scholars agree that the criminal defense lawyer's role is justified and that public defenders are necessary to the constitutional and moral legitimacy of the criminal justice system. However, because little attention has been paid to developing techniques that will motivate people to become and remain public defenders, many public defenders "burn out". The result is that conduct most lawyers believe is both justified and necessary fails to occur. The author argues that legal scholars should move beyond abstract justifications of criminal defense work and should instead explore and develop motivations for lawyers to represent the indigent. Drawing on his personal experiences as a public defender, he identifies two factors - empathy and heroism - that motivated him to continue in the face of a tragedy that shook his faith in the system. The author argues that public defender organisations can promote these values by drawing on the example of the District of Columbia Public Defender Service, which promotes an ethos within the office that sustains public defenders' commitment to clients. In addition, he argues that law schools should employ clinical teaching techniques that foster these motivations.

## CONTINUING EDUCATION

### CLE bucks attracts players; competition gets fierce; firms do it in-house

G Taylor

15 *Nat L J*, December 28 1992, p 1

Continuing legal education (CLE) has become a business which many in the private and public sectors are trying to enter, with mandatory CLE requirements

applying to attorneys in 39 states of the USA. Attorneys surveyed in Texas said the topic of the CLE seminar was the main attraction followed by its length and the travel time required. Some large law firms have entered the CLE market, charging outside lawyers a fee to attend their seminars. Bar associations are another factor in the CLE market and have an advantage due to their nonprofit status and ability to get noted speakers for free.

#### Review finds MCLE basically sound

*L Socy J*, December 1993, p 57

In August, 1993, the Legal Education Committee of the Law Society of NSW completed a comprehensive review of the Mandatory Continuing Legal Education Scheme (MCLE). The committee prepared an issues paper focusing on nine key issues and proposing 14 recommendations. The Committee found that the MCLE Scheme and its administration was sound and no significant amendments were necessary. However, it did recommend that the Guidelines be enhanced to clarify that MCLE is only one of several obligations which a practitioner seeking to renew his/her certificate must fulfil, and to emphasise that the MCLE scheme is only a minimum requirement, and that the Society encourages its members to undertake more than the 10 hours MCLE a year.

## CURRICULUM

#### Statement of the Association of American Law Schools on the MacCrate Report

*AALS Newsletter*, No 93-4, November 1993, p 8

Welcomes the report believing it is an important contribution to the continuing dialogue about the focus of legal education. Advances the understanding of the historical context in which this dialogue has proceeded. Law schools have been involved in experimenting how to synthesise the teaching of theory and practice.

Believes the ongoing dialogue about preparing individuals for lawyering must be predicated on a broad conception of the lawyer's role, now and in the future. The education of lawyers must be more than the acquisition of knowledge and skills - it must include the cultivation of creative thinking and imagination, an appreciation

of the commonality of the human condition, and development of a sense of judgement and responsibility.

Also says that the AALS will actively participate in the establishment of the proposed American Institute for the Practice of Law.

#### Reshaping first year legal doctrine: the experience in the law schools

R Chester

*20 Fla St U L R*, p 599

In a previous article, which the author wrote together with Scott Alumbaugh, they recommended that first year curriculum be organised according to any unifying principles the subjects revealed. For example, Torts, Contracts and Property could all be taught together as "Civil Obligation"; or Criminal and Civil Procedure could be taught as the one subject "Procedure". In this article the author goes on to develop these ideas for upper level subjects where the courses would be designed around doctrinal problems actually faced by lawyers. He discusses the example of New England Law School's "Practicing Business Law", and the track system used at George Mason University Law School. He further examines reforms instituted by Yale, CUNY-Queens, Harvard, and Georgetown all with varying degrees of success. He concludes with the process and the political steps necessary for law schools to effect such major changes in their curriculum.

## ENROLMENT POLICIES

#### Study finds MBE valid, reliable

S P Klein

[see Assessment Methods]

## EVALUATION

#### Law Society visitations

*7 SPTL Reporter*, Winter 1993, p 1

English law schools, already devoting energy to the Research Assessment Exercise, the Academic Audit and the Teaching Quality Assessment now find that the Law Society intends to embark on a series of visitations. They will cover staffing, staff development and resources generally. The article expresses alarm that the standards will be set too low, and not in consultation with academic lawyers.

#### Research assessment exercise

*7 SPTL Reporter*, Winter 1993, p 2

Reports on meeting which clarified a number of aspects of this exercise, including the grading of law schools, and differences between scholarship and authorship.

#### Teaching quality assessment exercise

M J Allen

*7 SPTL Reporter*, Winter 1993, p 25

Article is critical of the English HEFCE Teaching Quality Assessment Exercise. Sees defects as being that there is no clear conception of what amounts to high quality educational provision, that the process prevents comparability between assessors, that there is no weighting as between the various things looked at on a visit to a law school, and that the visit is but a snapshot and therefore not necessarily accurate. The author regards the assessment process as arbitrary lacking legitimacy.

## FACILITIES

[no material in this edition]

## FINANCIAL ASPECTS

#### Academics are hopeful on Clinton

K Myers

*15 Nat L J*, January 11 1993, p 32

The law school community is feeling optimistic about a Clinton presidency, hoping it will result in increased financial aid for law students and strategies to draw more law students to public interest law. Insiders are hoping that Clinton's proposed national service program to repay student loans will be extended to the law school community as well.

Law students today are believed to be more idealistic, which bodes well for public interest work.

## GOVERNANCE

#### Timing questioned as bar group calls for accreditation change

K Myers

*15 Nat L J*, March 8 1993, p 4

The Illinois State Bar Association has called for amendments to ABA standards for law school accreditation which would require schools to offer students more training in clinical skills. This suggestion