

towards legal education. He felt that law school education should promote intellectual breadth, agility and curiosity; fine analytical and communication skills; and a moral/ethical sense of the role and purpose of lawyers in society. To achieve this, law schools need to develop a curricula which is more theoretical and more practical and would include a very clinical, skills-oriented approach. He does point out that the problem with developing such a curricula is the expense involved and that most law schools lack the resources.

## RESEARCH

### AALS undertakes legal research standards project

E M Callinan

XXIV *Syllabus* 4, Fall 1993, p 6

Reports on the preparation of a detailed list of legal research standards based on Section 3.1 and 3.2 of the "Statement of Fundamental Lawyering Skills and Professional Values" in the MacCrate Report. The MacCrate three-page outline of skills has been expanded to a thirty-page document. These will now be amplified. A number of applications for the proposed standards are suggested.

### Research assessment exercise

7 *SPTL Reporter*

[see Evaluation]

### Why legal research skills declined, or when two rights make a wrong.

D J Dunn

85 *Law Libr J*, no. 1, Winter 1993, p 49

After pointing out that all segments of the legal community are concerned about the poor quality of legal research, Professor Dunn argues that legal writing programs and CALR are the major causes of the problem. He illustrates that legal research is more than a course; it is a concept. He concludes with a proposal for changing the way legal research instruction is offered in law schools.

## RESOURCES

[no material in this edition]

## SKILLS

### Legal writing program discusses "lost words"

XXIV *Syllabus* 4, Fall 1993, p 4

W B Powers

Report on a Presidential Showcase at the ABA annual meeting on "Lost words: economic, ethical and professional effects of bad legal writing". The theme of the session was that poor legal writing can set off a chain reaction that impacts the legal system. There was discussion at the session on the results of recent American Bar Foundation surveys which establish the importance of oral and written communication skills. There were also judicial, academic and corporate counsel perspectives of legal writing. The session concluded with discussion of three aspects of legal writing: that it is communication, the passing of ideas from one person to another; that it is a window into the mind of the writer (thus bad writing is often a lack of thought, not a lack of skill); and that it is the lawyer's environment.

### Why legal research skills declined, or when two rights make a wrong.

D J Dunn

[see Research]

### Against the tyranny of paraphrase: talking back to texts

E Fajans & M R Falk

78 *Cornell L Rev*, p 163

The authors conduct an Advanced Legal Writing course at Brooklyn Law School in which they also attempt to help law students get beyond the denotative, case-briefing notions of reading, and delve deeper into thorough inquiry and analysis of the material they read. The article discusses the experiences the authors had which led them to increase the reading component in their course. They summarise the work of composition and literature teachers, cognitive psychologists and philosophers who research reading and writing processes and design curricula accordingly. Finally the authors suggest ways in which the insights and practices of those working on the undergraduate level might be combined with contemporary legal scholarship to design curriculum which teaches law students to read thoroughly and write well.

### Expert views on improving the quality of legal research education in the United States

Book review by F Snyder

13 *Legal Reference Services Q*, 1, 1993, p 121

The author reviews the above book which is a collection of 16 papers generated by a competition held by West Publishing Company. The majority of the articles deal with the details of teaching legal research and writing. The winning essay, however, was about computer assisted legal research (CALR) and that in order for CALR to be effective, legal problems must be thought of in terms of their elements, rather than logical relations. The author concludes that the articles are most useful because legal research and writing is not emphasised sufficiently at most law schools.

### Teaching legal research to a diverse student body

E B Cohen

85 *Law Libr J*, 3, p 583

Law librarians generally agree that many students lack basic research skills. The author asserts that student learning can be improved by expanding teaching methods to incorporate the variety of learning styles that characterise a diverse law student population. The styles considered are: separate and connected knowing; field-independent and field-dependent learners; perceptual learning. The author considers the results of studies done on these different fields and concludes that if their findings were incorporated into teaching legal research, the course would be more accessible to women, minority groups and older returning students.

### Teaching writing through substance: the integration of legal writing with all deliberate speed

M S Simon

42 *De Paul L Rev*, Winter 1992, p 619

The legal profession has realised the importance of integrating legal writing into law school curricula, mainly because of the poor writing skills of many law graduates. Pace Law School has developed a course that fully integrates criminal law, legislative process and legal analysis and writing. It is a mandatory, year long course that is designed to teach the substance of the law through the process of writing. This is done in two ways. Firstly, the students must complete various conventional writing assignments which focus on objective writing techniques.



Secondly, the students are assigned readings from the casebook which are questioned in the socratic method. Further, a problem-solving approach is used. By solving these in-class problems, substantive law is learnt, as well as the analytical and organisational skills necessary for writing. The author concludes with the advantages of teaching substantive law through the process of writing.

## STATISTICS

### Legal studies - a third survey of university legal education in the United Kingdom

J Wilson

13 *J Legal Stud*, 2, July 1993, p 143

Work on this present survey was conducted in two phases. The first phase involved a questionnaire drafted by the Society of Public Teachers of Law and the Committee of Heads of University Law Schools, and was mainly concerned with the financing of law schools. A second questionnaire was designed to gather information about staff and student numbers. The two questionnaires were sent to 39 law schools in the United Kingdom. In this report on the surveys, the general structure of university legal education is considered. This includes the numbers of part-time, under- and postgraduate students, where the students originate from and how they finance their courses. Selection criteria of the various universities are also considered. Statistics are also provided on staff members, as well as facilities such as accommodation, libraries, and the overall financial positions of the universities. The survey goes on to study teaching and examination procedures and the subsequent careers of law graduates. The article concludes with similar statistical information about legal education in Scotland.

## STUDENTS

### Students

*Common L E Assn Nltr* Nos 68 & 69, June 1993, pp 26 - 28

Reports on the Commonwealth Law Students Conference, held at St John's College, Oxford, with the theme "aspects of statutory and constitutional interpretation"; the Client Interviewing Competition, students' perceptions of

women lecturers, the inaugural conference of the Black Law Students' Association in Canada, and the Young Commonwealth Lawyers' Training Course run by the School of Oriental and African Studies of the University of London.

### The poverty of students

27 *Law Teacher* 2, 1193, pp 152 -162

Article reviews the growth and effect of poverty on UK law students at both the undergraduate and vocational levels. Also considers how these financial strictures will impact on legal profession recruitment.

Reports figures on topics such as the drop in spending, changes in staff: student ratios, size of grants to students. Reports on the level of student indebtedness on completion of their law courses, and situation of students in vocational courses. Also reports on a survey of law students in Wales.

Concludes by suggesting that recent positive changes in the gender, ethnic and social composition of the profession may be adversely affected by the current funding policies.

### Diversity!

P D Carrington

1992 *Utah L Rev*, p 1105

Diversity is a movement among law students and teachers which appears to be affirmative action, but is in fact supporting a quota system. The author places the movement in context as an expression of current ideological fashion. He then considers the wisdom of imposing demographic quotas on law schools, using the Plan announced in 1990 by the University of California as an example. In conclusion, the author addresses the issue of responsibility for governance, in particular the authority of the Association of American Law Schools and the effect it would have if this Association were to participate in the movement.

## TEACHERS

### Professor tells his colleagues: get your heads out of academe!

K Myers

*Nat L J*, May 10, 1993, p 4

New York Law School's Dean Harry H. Wellington stated in the 1993 Charles Evans Hughes Memorial Lecture that the

cultures and disciplines of the law firm and the law school have become too separate. He said that too many law professors look down on practising lawyers and that they should remember that most of their students will become practising lawyers and need to learn more of what practice is really like and less legal philosophy.

### Reverse discrimination and law school faculty hiring: the undiscovered opinion

M S Paulsen

71 *Tex L R* 1993, p 993

The author presents an unknown judge's opinion which considers the applicable law for a claim of reverse racial discrimination in faculty hiring. The white male applicant in the case asserts that the preferential treatment given to minorities and women in faculty hiring decisions deprives him of federally protected rights to freedom from discriminatory treatment on the basis of race or gender. The unknown judge agrees with him and rejects the defendants' arguments of diversity and remedying the natural advantage enjoyed by white males in the traditional hiring criteria. The judge does, however, point out that racial preferences are justified if the practice is job related for the position and necessary for business. He then concludes that a law faculty who is truly concerned about statistical racial disparity produced by the past, could de-tenure its tenured faculty and require all members to compete anew for rehiring.

## TEACHING METHODS & MEDIA

### Distance Teaching and Learning of Law in the Commonwealth

John Goldring & Henry Eyre

Commonwealth Legal Education Association, London, 1993

A report on a study on the possibility of establishing a network of distance education throughout the Commonwealth. Is essentially a description of the findings of a survey of attitudes to and needs for legal education, at a variety of levels, in a number of Commonwealth countries. Looks at primary qualifications in law, practical training and continuing legal education. Suggests some of the ways in which the Commonwealth of Learning and other Commonwealth institutions might possibly assist in legal education and training, and explore further the potential