

Legal education in Hong Kong

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6 The Commonwealth Lawyer 1, May 1994, pp 65-78

As 1997 looms, the future of the legal profession and legal education in Hong Kong is inextricably linked to the future of Hong Kong itself. The need for laws relevant to Hong Kong and the "brain drain", as lawyers and other professionals leave Hong Kong, are antagonistic forces.

Legal educators have the task of training people in HK law, providing legal education for those who did not obtain their degrees from HK, providing legal education in China and delivering legal education in more than one language.

At present legal education follows a fairly traditional UK style, with a stage of theoretical learning, followed by a bridging year of theory and a section of vocational training. Continuing legal education is mandatory for trainee and first year solicitors and is coordinated by the Hong Kong Law Society. No equivalent exists for barristers or for that matter for solicitors after their first year in practice. Legal education in HK divides neatly into pre and post-admission requirements. Pre-admission courses include the LLB which can be taken at the University of Hong Kong or the City Polytechnic of Hong Kong. The LLB is of three years duration and includes the typical core subjects: torts, contracts, the legal system and criminal law, with options such as commercial and company law. After completion of the LLB a student is eligible to enter the Post Graduate Certificate of Laws course which is offered by the two institutions named above.

Continuing legal education is provided by five groups in HK. The

HK Bar Association provides occasional seminars. The Law Society of Hong Kong in May 1991 introduced a mandatory Continuing Legal Education Scheme for trainee and first year solicitors. The CLE is designed to provide participants with information and practical experience relevant to their current levels of legal experience. Private providers of legal education exist who typically run courses of an updating or highly specialised nature. Universities and institutions of higher learning have not provided much in the way of CLE. Some law firms have provided in-house CLE for their professional staff.

CLE courses are accredited on a course by course basis by a sub-committee of the Legal Education Committee of the Law Society of Hong Kong. For a course to be accredited it must contribute to the professional competence of trainee solicitors, course presenters must have the necessary academic and practical skill to conduct the course effectively, participants must be provided with materials that will be of value to the participants in their practice, the course must be presented in a suitable setting, the course must be attended by four or more lawyers and all courses must be evaluated in a manner which is approved by the Law Society. CLE points are awarded to courses, usually on the basis of one point per hour of the session. Trainee solicitors require six CLE points before moving on to their next year and a traineeship lasts two years.

There are several legal publications in HK. The Hong Kong Lawyer is the official publication of the Law Society of Hong Kong. The Hong Kong Law Journal is published quarterly and contains articles of academic and practical interest to the profession. The Asia Pacific Law

Review is produced by the City Polytechnic of Hong Kong and has much the same content as the Hong Kong Law Journal.

LEGAL ETHICS**The Americans Inns of Court: preparing our students for ethical practice**

J Jenkins

27 Akron L Rev 2, Fall 1993, pp 175-195

The increasing incidence of unprofessional behaviour at the trial bar is causing grave concern among practitioners and law professors. The American Inn of Court is a constructive response to this behaviour. It is a uniquely cooperative effort by trial practitioners, judges and legal educators. The first American Inn of Court was organised in 1980 in Utah and has now developed into a national movement with over two hundred Inns meeting regularly across the country. Despite the involvement of over 1,000 law students and nearly 100 law schools, many legal educators are unaware of the Inns.

The concept of an Inn was imported from the English legal profession. The English Inn structure has long been used to train barristers in the UK. The trademarks of the English Inns are civility, integrity and collegiality. The American Inns have sought to emulate those qualities. The Inn concept is designed to perpetuate the worthy traditions of the legal field by having trial lawyers, judges and legal educators impart their varying viewpoints to less experienced counterparts. The Inns aim to instil in their members a keener sense of ethical awareness. This is especially the case for graduates, who feel unprepared for practice. Fledgling