

# Legal Education Digest

VOL. 4 NO. 2

OCTOBER 1995

ISSN 1038-5622

The *Legal Education Digest* is a quarterly digest of articles and other publications on legal education. Over 200 journals are kept under review.

A *List of Periodicals Digested* is available, free of charge, from the Centre for Legal Education.

## SUBSCRIPTIONS

The annual subscription for four issues is \$Aus35.00. Subscription orders (apart from North America) can be placed through:

Centre for Legal Education  
GPO Box 232  
Sydney NSW 2001  
Tel: [61] (02) 221 3699  
Fax: [61] (02) 221 6280

North American subscribers should contact:

Gaunt, Inc  
3011 Gulf Drive  
Holmes Beach  
Florida 34217-2199 USA  
Fax: (813) 778 5252

who are the sole distributors for North America.

Cross-referenced subject headings are on p 19.

Editor: Dr John Nelson

## IN THIS ISSUE

The MacCrate Report will undoubtedly remain the great talking point in American legal education for years to come, as appears from five of the articles which feature in this issue of the *Digest*. Loh, for example, labels it "the most comprehensive effort to date to bridge the gap between the law schools and the bar" and argues for a re-examination of legal education along the entire continuum based on the Report's Statement of Skills and Values; whereas Menkel-Meadow criticises MacCrate because it creates an image of the lawyer as a technocratic problem solver, ignoring the humanistic element of practising law. Rose, on the other hand, takes a more even-handed approach by recognising both strengths and weaknesses in the Report but still concludes that it does a better job of raising issues than offering solutions.

In a similar vein, but independently of the MacCrate Report, Judge Edwards laments "the growing disjunction between legal education and the legal profession" and lays the blame at the feet of the law schools for promoting "impractical" teaching and scholarship and holding the profession in disdain. However, Isaki contends that the gap is no wider now than it was 20 or 30 years ago and that the job of a law school is to produce graduates who are not competent lawyers but are prepared *to begin* the practice of law.

The two review articles in this issue cover recent research projects originating from the United Kingdom and Australia. Leighton, Mortimer and Whatley report on the findings of a study into the professional lives of law teachers, especially with respect to the importance they place on their role as teachers and their qualifications to perform that role. Roper reports on a far-reaching survey into the motivations to study law and the career intentions of Australian law students.

Amongst the array of other articles digested, Brest and Krieger provide some insightful advice about how to develop a course to cultivate the skills of problem-solving, decision-making and professional judgment in undergraduate law students. Slorach and Nathanson describe how the underpinning philosophy for integrating legal knowledge and skills was used in the design of a new legal practice course for Nottingham Law School. Finally, within the context of the current debate about competency standards for the professions, Gonczi, Hager and Palmer explain both the rationale for and the procedures followed in the development of performance based assessment standards and their use in a scheme for accrediting specialist lawyers.

Dr John Nelson

