

Legal Education Digest

VOL. 8 NO. 3

ISSN 1038-5622

JANUARY 2000

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

SUBSCRIPTIONS

The annual subscription for four issues is \$Aus50.00 (plus GST where applicable). Subscription orders (apart from North America) can be placed through:

Centre for Legal Education
University of Newcastle
University Drive
CALLAGHAN NSW 2308
AUSTRALIA
Tel: +61 2 4921 5419
Fax: +61 2 4921 6931
Email: cle@newcastle.edu.au
www.law.newcastle.edu.au/cle

North American subscribers should contact:

Gaunt, Inc
3011 Gulf Drive
Holmes Beach
Florida 34217 2199 USA
Fax: +1 941 778 5252
Email: info@gaunt.com
Web: http://www.gaunt.com

who are the sole distributors for North America.

Editor: Dr John Nelson

All the materials digested have been categorised in accordance with the subject headings listed on page 20. Where there is no material in the issue under a particular subject heading, the heading will not appear.

IN THIS ISSUE

This issue is something of a watershed for the Digest. The fact that this is the 35th quarterly edition since it was first published by the Centre of Legal Education in 1992 is in itself irrelevant. What is significant is that this is the first issue since the Centre left the Law Foundation of New South Wales at the end of 1999 for its new home at the University of Newcastle, where it is continuing to operate under the steady hand of Professor Christopher Roper. The minor changes to the familiar livery reflect this transition.

Each quarter we carry out a thorough search of the legal education literature in order to compile the latest Digest for our subscribers. As it happens, three themes have been unearthed which account for two-thirds of the articles condensed for this issue.

Under Institutions & Organisations we have four articles which examine the obligations of law schools to teach students about their professional responsibilities. Rhode laments the fact that these issues are generally relegated to a single required course, with the rest of the faculty treating professional responsibility as someone else's responsibility. Luban argues that law teachers and law schools have the same pro bono responsibilities as lawyers and law firms. Wilkins contends that, although students are hungry for information about their future careers, the regular curriculum offers them almost nothing to satisfy that hunger and that law schools' failure to study and teach about the profession is an affront to their ethical obligation to the public. Finally, Lindgren provides a shopping list of methods, together with practical advice drawn from experience, that might be followed to promote scholarship within a law school.

We have no fewer than five articles which examine the different dimensions to the teaching of legal ethics. The review article examines an unusual publishing event for legal education, a substantial book, edited by Economides, on the ethical challenges to legal education and conduct. Brownsword looks at four distinguishable philosophical viewpoints which have contributed to the emerging law school consensus about taking ethics seriously. Webb suggests that it is vital that we develop ethical lawyers in order to enhance access to justice. Hutchinson cautions that law school teaching of legal ethics is still in the suffocating grip of 'black-letterism', meaning that the subject is taught as an exercise in collating and ordering legal principles without regard to their origin or application to the real world. Tarr & Powles look at new solutions to the problems faced in teaching ethics adopted in the United States and Australia respectively.

The third salient theme is encountered under Teaching Methods & Media, where all three articles come from the *Journal of Legal Studies Education*, which we have now digested for the first time. Michaelsen & others provide advice as to how appropriate group assignments and classroom management strategies can overcome problems with learning groups. Collins offers an analytical framework for the study of a business case which will give business students the kind of learning they need to enhance their abilities as business decision makers, rather than as lawyers. Finally, Thomas advances a modest program for the improvement of law teaching designed to have an impact upon what teachers actually do.

Dr John Nelson, Editor