number of institutions with students participating in pro bono work.

It is clear that student participation in pro bono activity at law schools, both assessed and unassessed, is growing rapidly. At present it occurs in just under half of all law schools but, if all planned activity comes to fruition, within a few years over half of all surveyed law schools will have students who participate. However, the number of law students who take part in pro bono services appears to be quite low in relation to the total law student population. The challenge is to increase the number of students participating.

It is clear that there is no 'right' location for pro bono work.The provision of pro bono takes a variety of forms to suit the provider, the community partner, if any and the recipient. It does not necessarily occur in a law school clinic and, if it does take place in the law school, it might be in collaboration with outside partners.

The areas of work depend on the clients' needs, the capacity of the scheme, the interest and expertise of the staff in charge and the physical situation of the advice centre. The overwhelming majority of pro bono advice by law students is available to the wider community and not just the internal community. The costs of the pro bono scheme do not have to be great. Obviously some of the larger in-house schemes are costly because of staff wages but some of the schemes cost very little or nothing, either because staff choose to give their time free as a service to the community or because there are links with local pro bono providers who give all or part of the supervision.

All respondents considered pro bono activity to have value and to increase student learning and development and the vast majority of respondents who do not have pro bono schemes would consider a scheme with the correct support and information. Although funding was perceived as vital to those who do not have schemes, it is not considered to be the most important factor by those law schools who have or had students participating; for them staff time and supervision problems were more important.

One way of resolving the problem of time may be to establish more links with community providers of pro bono services. The other main barriers, such as supervision problems, which are linked with lack of qualified staff, exam pressure and the problems of obtaining premises, could also be addressed through partnerships with local pro bono providers and support from the profession. The survey found a variety of links between law schools and the community and it is to be hoped that the gap between the academic world and the professional world, both in educational terms and practical links, will narrow, helped by the increase in pro bono activity.

In the shorter term models could be formulated, information sources, such as leaflets and a website might be created to provide feedback on pro bono activity. Areas for future research include identifying student attitudes to pro bono work and potential funding sources. It would be interesting to carry out research to find out how participating in pro bono activity during law school as a student later affects the student's development as a trainee solicitor, barrister or other legal career and whether the pro bono ethos carries through into professional practice.

SKILLS

Graduate attributes and legal skills: integration or disintegration?
S Christensen & S Kift
11 *Legal Educ Rev* 2, 2000, pp 207-237

Traditionally, educators of undergraduate lawyers-in-training have approached curriculum planning from the perspective of what law graduates 'need to know'. This approach will usually lead to graduates having very good technical skills but lacking some of the necessary generic skills desired by employers. Legal education should be orientated around 'what lawyers need to be able to do'.

The MacCrate Report led a majority of US law schools to redesign their curricula to entrench a clinical legal education model for their law courses. An important element of each program is the focus on ethics as an integral element of each of the substantive law units, the emphasis being on exposure to real life problems and issues in which ethical dilemmas are a large component. English universities have also been engaged in projects to integrate the development of graduate or professional attributes into undergraduate curricula in many disciplines, including law.

Australian universities are likewise concerned with the issue of transferable graduate skills. The Australian Technology Network (ATN) is currently involved in a large teaching and learning project aimed at designing a systematic and explicit strategy to cultivate and evaluate the development of relevant generic attributes.

In the past, universities have considered themselves to be responsible only for the development of technical knowledge and the inculcation of the graduate's ability to be able to criticise, question and search for justifications. However, it is now apparent that universities should also be concerned to ensure that their graduates are equipped with the skills necessary to be able to use that technical knowledge effectively in order to succeed in a global and ever-changing workplace.

Both the Australian ATN Project and the university networks established in the United Kingdom encourage a systematic approach to skills teaching within a discipline at university level. Vital components of such an approach include: the identification of university-wide generic attributes; the development of a framework for faculties to use to facilitate the adoption and incorporation of these attributes within their courses; the provision of resources; and the provision of funding for facilities to make the transition.

Overwhelmingly, contemporary educational thinking suggests that universities should not be content to provide students only with good technical knowledge: a university education should also inculcate the skills necessary to utilise that knowledge in an ever-changing global workplace.

The solution to the mismatch between graduate preparation and workplace demands lies in the acceptance that procedural knowledge is just as important as conceptual knowledge and that a curriculum which successfully integrates and fosters the development of a combination of personal qualities and metacognitive functions (particularly self-reflection) will produce a highly desirable graduate.

There are two core elements upon which the structured development of skills is prefaced. The first is the acquisition, understanding, application and critique of substantive legal knowledge. The second element is that of legal ethics. The development of an ethical attitude, the identification of ethical issues, and the offering of resolutions to ethical dilemmas are to be incorporated at each stage of the degree. The third stage of the process, which is currently underway, requires a significant cultural shift in approaches to teaching and learning law within the faculty.

The majority of projects and research in the area of graduate attributes recognises that the most effective way of developing skills within a graduate is to embed those skills within the curriculum. Encouraging skills development throughout the course allows graduates to develop their attributes over time, maximising the opportunity for an advanced level of skills attainment.

An integrated and incremental approach to embedding generic and legally specific skills in an undergraduate law curriculum is a challenge that must now be embraced. At the very least the call cannot be ignored. University hierarchies, employers, graduates, students and other informed professional bodies are all demanding that law school curricula equip their law graduates with the appropriate level of skills attainment to enable a seamless transition from the academic world to the professional, global and ever-changing workplace.

While meeting such a challenge may be laborious and burdensome, and will certainly require enormous effort and commitment on the part of all stake-holders, it is nevertheless a cause deserving of our allegiance. To decline the challenge will lead ultimately to the irrelevance of law teaching as a discipline and to the disintegration of the value of the professional degree.

TEACHING METHODS & MEDIA

Teaching first-year Civil Procedure and other introductory courses by the problem method

S Shapiro

34 *Creighton L Rev* 1, 2000, pp 245-273

There has been ongoing debate within legal education as to the relative merits of various teaching methods, especially the case method and the problem method. Yet even some supporters of the problem method believe that it is more suited to smaller, advanced, upper-level courses than to large sections of first-year courses.

The benefits of the case method approach are said to be that it teaches students to read and think carefully, logically and critically - i.e., to 'think like a lawyer'. It requires students to learn actively (compared to the textbook/lecture format which preceded it). In class, this means the students learn to think on their feet, and make and defend an argument. It also requires students to individually glean the substantive law in a particular field from the cases, rather than spoon-feeding the law to students through lecture or text. It also requires the students to recognise that the law is a growing, changing body of doctrine.

The case method, and the extent to which law faculty have come to rely on it, has also been subject to criticism. Critics, while admitting that the case method might do a good job of teaching students to understand and work with appellate opinions, have noted that this skill forms only a small part of what lawyers actually do. Most lawyers do not get involved with a case at the appellate level, but rather most become involved at the beginning of the case. The client brings a problem to the lawyer, and the lawyer's job is to determine the relevant facts, and find and apply the appropriate law in order to either advise the client or help solve the client's problem.

Students who have been taught by the case method usually get some exposure to problem solving, but often not until they take their exams at the end of the semester. These exams typically involve a set of hypothetical facts constituting a legal problem, and one or more questions testing the student's ability to recognise the legal issues involved. The divergence between how students are taught and tested has lead to further criticism that the case method is not only ignoring the skills that lawyers need to practise, but also the skills that students need to succeed in law school.

One proposed solution has been to turn, in whole or in part, to the problem method. In the problem method, students are given a set of facts, similar to a real life legal dispute (or a law school exam). Although students might still read some appellate cases to learn the law to be applied, the problems, rather than the cases, become the focus of the class discussion.

There are a number of reasons why the problem method has been used less frequently to teach first-year courses. Many faculty have found that this method works better with the smaller class size that is more typical in upper-level classes. There has also been a wider choice of published materials using the problem approach for advanced courses. Another contributing factor is that first-year students do not have the basic knowledge of several areas of the law, which is very helpful in working out complex problems that cut across several areas and issues. There may also be a feeling (not necessarily correct) among those accustomed to teaching by the case method, that the problem method is less efficient than the case method for teaching legal doctrine.

One of the most important and hardest things for first-year law students to understand is that their primary task is not to learn and memorise the substantive rules of law. Rather, most first-year pro-