tions, with many stating it was the best course they had taken in professional school. More importantly, the combination of observation, role-playing, and reflection appears to have given students important, concrete insight into what it means to be a professional in both law and medicine.

There are some proposals that would go a long way toward bridging the ethical gap. The first step is to hire faculty members who have a serious interest in, and experience with, legal practice. Not so long ago, hiring faculty members with substantial practice experience was fairly common. This is no longer the case at most schools. Nor should schools confine their hiring in this area to experienced practitioners. Some of the best empirical work on the profession has been done by scholars without substantial practice experience, some of whom are not lawyers at all.

Symposium – Case studies in legal ethics: telling stories in school: using case studies and stories to teach legal ethics
C Menkel-Meadow
69 Fordham L Rev, pp 787-816

Legal narratives put flesh on the bones of the eviscerated appellate case reports; they allow us entry into the subjective experiences of the actors (including lawyers, clients, parties, judges, clerks, victims, law enforcers and those affected by the law) and they demonstrate the 'after-effects' or consequences of legal decision-making and action. Because stories about the law (both fictional and real) allow us to visit the psychological and moral realms of legal actors both before and after they make decisions or take actions, stories and case studies have become an increasingly common way to teach about legal ethics.

Though the notion of stories, literature and narratives as tools for teaching readers about morality and ethics began long ago, outside the realm of law, legal ethicists, clinical teachers, legal scholars and lawyers have recently taken up their pens to compose, invent, create, report, recite, raconte and narrate morality tales. These range from the very real reporting of actual cases, fictionalised versions of real cases, simulated role plays, and made-up stories to the use of the texts of both high and low culture in order to explore the ethical dilemmas facing the modern lawyer.

In a tradition which borrows from moral philosophers, literary critics and other professionals who use stories to teach about ethics, legal educators have made the argument that stories (and real cases) enable us to develop empathy or sympathetic understanding for 'others' outside of our own experience. Telling stories can enhance the appreciation of others, build a sense of joint community and add (not substitute) emotional realities to those of rule and rationally based judgments. Many legal educators now suggest that the telling of stories is a way to deepen legal and ethical reasoning, by seeing those caught up in a legal case in a broader, more embedded situation.

The use of narrative expands the sight lines of reality and imagination for legal and moral reasoning. Cases and stories allow us to see backward (historically, how this situation came to be), side-ways (how others in the situation perceive it) and forward (the consequences and effects of what happened). Thus, cases and stories give us more information and more choices to consider than does the primary text of legal education – the 'completed' appellate case. With a range of vision that is panoramic rather than snap-shotted, readers of (and participants in) stories and cases increase the possible choices they make. We consider not only what has happened already but also what might happen and how that future can be the product of our own choices, as well as external forces beyond our control. Reasoning about and making choices is what ethical lawyering is all about.

Perhaps the strongest argument for the use of stories and real cases is the value placed on contextual knowledge and decision-making. It is the way in which cases are different, not alike, that makes intensive case study and storytelling so significant for those seeking to make good moral and ethical choices. Contextual information about a case or story tells us about people's motivations, their relationships with others, and among other things, the place of their legal 'event' in the rest of their lives. Context allows us to 'liberate' ourselves from the legal rules by fighting them off with grounds for exceptions, departures and even defiance.

There are those who fear or question the use of stories or case studies in legal process. There is the inevitable tension between stories and rules, narratives and principles When does a specific situation trump a well-worn and fundamental principle or rule of law? What is the purpose of rules and principles if they can always be argued against by the power of particularities? How can we insure justice, which is based on treating like cases alike, if we treat every case or story as *sui generis*? The tensions between uniformity and generality on the one hand, and particularity and context, on the other, are inevitable in any exploration of individual cases and stories in a legal (and professional responsibility) world comprised of rules and commands.

The use of stories, cases and narratives to teach legal ethics proceeds from several assumptions: that we can accept the 'truth' of the story as told by the storyteller or narrator (author, teacher, student, lawyer, client); that we can gather enough information from the storyteller to understand the context from which we must decide or evaluate a decision made; that we understand enough about the content of and share enough agreement about the 'standards' which we apply to evaluate these stories (from an ethical perspective); that one story or case will teach us something, not only about that case or story, but something more useful or generalisable for future cases; and finally, that we learn something more or different from using stories or examples to understand ethical issues than the study of abstract rules and standards or simple readings of ethics opinions and decided cases.

Stories and role enactments allow multiple levels of analysis to be explored at the same time and with the different points of view of those in role (the acting 'lawyers' or 'clients') and those outside of role who watch, analyse, criticise and contribute to the ethical dialogue that follows each role enactment in the author's classes. Literature and journalism can be used to explore the antecedents and consequences of legal actions taken and to broaden the context of information that these stories provide. The 'real' reported cases can be read and contrasted to fictionalised accounts in other media so students can compare and contrast alternative actions and choices.

The kinds of stories we can tell are now enormously rich and various and the methods of storytelling and case studies we can use are increasingly diverse and ever more vivid. Since the levels of legal ethical discourse vary so much, we should pay some attention to which forms of storytelling and what kinds of case studies illuminate best which kinds of issues we should study. There are issues of individual ethics, motivations, intentions, deliberations and choices. There are issues of rule drafting and organisational structure. Most profoundly, there are deep jurisprudential issues of system design (is the adversary system still the best we can have?) and whether our legal system produces, in the end, more justice than less. For the storytellers, truth seekers and ethicists among us these are good times indeed to be teaching legal ethics, for, as our methods and stories proliferate, we have more interesting ways to teach that which it is most important to teach – how we may lead good lives in this legal profession we have chosen.

SKILLS

Beyond 'Bingo!': educating legal researchers as problem solvers
T Seligmann
26 *W Mitchell L Rev*, pp 179-203

Remember that first research assignment? Going to the designated volume and finding exactly the answer the professor was looking for, whether it was the federal penalty for shooting a golden eagle or the key number for claims relating to the mishandling of dead bodies? Thinking to yourself, 'Bingo!' 'Voila!' or 'Eureka!' and having your spirits raised? Research seemed easy; finding the law was a wonderfully structured adventure. Some time later, an encounter of another kind undoubtedly occurred. A client had a problem without a matching doctrine or key number. The issues slopped across the neat divisions of the first-year courses. Perhaps no court or legislature addressed the critical legal point specifically. This inevitable point should come during legal research training, not afterward. By the end of legal research training, confronting the unknown research subject should not leave a new attorney lost and shivering in an icy wilderness, but equipped to blaze trails toward an answer.

Mastering the ability to tackle complex legal research problems means more than merely moving beyond the kind of assignments that produce the 'Bingo!' response with its accompanying expectation of clear and easy results. The professor helps students develop needed skills by implementing a problem-based context for assignments, providing enough legal research experience, sequencing assignments to offer increasing challenges while supporting success, and encouraging reflection on and planning of legal research.

Legal research professors face difficult tasks in planning and choosing a curriculum of research assignments to accomplish desired outcomes. The difficulty is compounded when worthy goals of the first-year legal research and writing (LRW) curriculum compete for student and professor time and attention. Professors of legal research and legal writing face multiple challenges, one of which is giving sufficient attention to both. Most LRW courses demand student time and effort well in excess of that which students give to other courses for similar credit hours.

Proficiency in bibliographic tasks may appear to be an obvious goal in a research curriculum. However, research professors now recognise that the bibliographic approach to research, once prevalent in law schools, should be tempered by an emphasis on researching and writing as parts of an analytical process for solving problems.

To better identify goals for a research curriculum, examine the characteristics of an educated researcher. The goals, in turn, may suggest strategies for achieving them. These strategies provide a theory for successfully teaching legal research, thus giving students the best opportunity to master research skills. Qualities characterising an accomplished legal researcher might include competence, accuracy, judgment, thoroughness, efficiency, confidence and knowledge. Legal employers are most concerned with accuracy and reliability of the research. Efficient researchers meet short deadlines.

For a new attorney, knowledge of substantive law and bibliographic information are less critical than knowledge of the research process. The ability to find and use research resources are key skills that provide the attorney with substantive law. However, a new attorney who is an accomplished researcher will be accurate, efficient, thoughtful, thorough and confident, and will become increasingly knowledgeable. Having identified the qualities of accomplished researchers, professors then must develop a curriculum designed to instil these qualities in their students.

Much of students' real learning and skills acquisition takes place outside the classroom when students work on research assignments. Thus, the number, nature and order of research assignments has a significant impact on students' development as researchers. This article suggests four guidelines for creating a research assignment curriculum. First, authorities recognise that introducing students to research sources and techniques within the setting of an analytical writing assignment is an excellent way to teach legal research. It provides students with an opportunity to learn legal research in the context of solving a realistic problem for a hypothetical client. Students pay more attention to research assignments that are integrated with writing assign-