developing is that such a program is less compelling to business school faculty and students because the cornerstone of the business school curriculum is based upon problem solving, experiential learning, and group interaction between students to stress the value of team work in forming solutions. In contrast, a legal clinic may be the only course within a student's law school experience that integrates theory with skills, development and ethical considerations. A second reason may be that many MBA programs require students to have worked at least one year before entering graduate school and thus expect students to enter with some practical skills. In contrast, law schools do not impose a work requirement as a prerequisite to admission.

A transactional law clinic designed to include interdisciplinary collaborations can achieve several goals. For clients, it provides an opportunity to deliver a set of coordinated services that increase the client's opportunity for success. For students, an interdisciplinary transactional clinic provides an opportunity to participate in a sophisticated lawyering experience that is uncommon in a clinical program. Further, it provides an opportunity to engage in collaboration as a means of problem solving and an opportunity to prepare for potential multidisciplinary practices in the future.

Legal education in France and England: a comparative study
A Nollent
36 *Law Teacher* 3, 2002, pp 277–293

This article focuses upon what can be learnt from assessing the experience of students of different nationalities and cultures who study in the same educational context. The context in question is the study of law in the French and English university systems under a dual degree structure called the LLB/Maitrise en Droit François. This degree operates as a partnership arrangement between the University of Paris and XXII St. Maur and Sheffield Hallam University. Students on the LLB/Maitrise are recruited from each university and study together for four years, at the end of which, if they are successful, they will be awarded an LLB (Hons) from Sheffield Hallam University and a Maitrise en Droit from the University of Paris XXII.

The aim here is not to suggest changes within each system – this would be an abuse of the underlying purpose of the program, which is to expose students to diverse cultural and legal contexts in which they can enhance their intellectual, personal and professional experience and capacity. Rather the aim is to learn from the experience of these students how best to select and prepare students for the program and ensure that the diversity found within the systems can be met by the students with adequate forethought and reflection.

The first cohort of students graduated from this dual degree in July 2001. In May 2001, immediately after their final examinations in Paris, all of the final year students were interviewed and asked about their experiences and impressions of the course and studying law in the two systems.

As in England, the study of law at French universities is not exclusively aimed at training lawyers. Rather it aims to provide a more general education that will typically include history, philosophy, economics and languages, as well as law.

A maximum of 20 students are recruited onto the degree in year 1 (10 from Sheffield Hallam and 10 from the University of Paris XXII). All students begin the course together in year 1 in Sheffield and progress through the four years as a single cohort. In an increasingly competitive employment environment these students have a great deal to offer: fluency in French; dual qualification in two education systems; extensive knowledge of both common law and civil law systems; and the experience of two years living (often working) and studying in France.

The theoretical absence of the doctrine of legal precedent in France profoundly affects the way in which students are taught at university. When students have to resolve a sample problem question, they will be asked to explore only one avenue of the law (exceptionally two), on the understanding that each situation is governed by a sole corresponding rule. Students of English law, on the other hand, do not see any one legal solution as exclusive. They will attempt to stretch rules and apply them to the given situation in a utilitarian and pragmatic approach to law. This is a legal method rather than a legal theory. The student of English law will study fewer law subjects than the student of French law. English students learn a skill, and not a set of rules.

Academic writing and the presentation of legal work is fundamentally different in the French and English systems. This has posed serious problems for staff and students on the joint degree program. Clearly students must be trained in French legal method prior to their commencement of study in Paris in year 2. In year 1 therefore, in addition to studying French and French law, they must be given training in the writing of essays and case commentaries. It is therefore imperative to incorporate in the first year program visiting lecturers from the French partner institution to provide tuition in this method.

The students on the LLB/Maitrise program found the most striking difference between the two systems was the teaching method employed by lecturers and tutors. They found that the seminar tutors were 'gentler' in their approach in Sheffield. In Paris the seminar tutors were extremely rigorous in their questions in seminars.

There was a mixed response amongst the group when asked in which system/method they felt that they performed to the best of their abilities. The English students placed

great weight on what they termed 'the humiliation factor' in the French system ie. if the students had not done the work for the seminar, the tutor would grill them further for an answer. When asked whether this was a culturally specific method rather than one based on the particular personality of the tutor, the students were unanimous in their conclusion that this rigour in the seminar method was particular to the French system and all pervasive.

The study of other societies and legal cultures is a valuable academic pursuit in itself. Even without accreditation from the other system, the study of comparative legal systems is an invaluable asset in the understanding of our own legal culture. Students on the dual degree program should, on graduation, have a unique insight into two legal systems and a deep understanding of the context in which the law operates and develops.

INDIVIDUAL SUBJECTS/ AREAS OF LAW

Evidence teaching wisdom: a survey
C W Sharpe
26 *Seattle U L Rev* 2003, pp 569ff

A law school course on evidence offers a rich variety of pedagogical approaches. The classroom possibilities in this area of the law stem from the role of evidence law in creating the factual record of a case. The familiar dynamics of the trial offer dramatic opportunities that can enhance learning. Abstract rules can be understood in a variety of ways: case analysis; direct application to a series of problems; the simulated posing, opposing, and resolving of objections arising under the Rules of Evidence; or some combination of these approaches. It is not surprising that all of these pedagogical methods are reflected in the teaching approaches of evidence faculty.

This Survey secures data on the methods American law school faculty use to teach the law of evidence. It provides insights into the teaching of evidence and facilitates discourse among evidence faculty on how we teach the course, for the benefit of new or occasional instructors as well as veterans. Specifically, the Survey focuses on the question of which classroom instruction approach predominates among evidence professors.

There is no clear line of demarcation between the case and problem approaches to teaching evidence, and one's approach is, of course, driven by the teaching materials. For purposes of distinguishing between approaches as clearly as possible, the Survey uses the following definitions: the case approach is defined as using texts that feature the edited versions of full judicial opinions followed by notes, questions, problems, or some combination of the three; the problem approach is defined as using teaching materials that feature textual discussion almost exclusively, followed mainly by problems, with few edited opinions. While most teachers will use one of these two teaching methods, others use a hybrid approach.

Among the seventy-nine respondents 46 percent use what is described as the problem approach. The problem approach used by these professors conforms fairly strictly to the format of problem texts. The students read textual materials from the primary and secondary texts, work the problems in advance, and discuss the problems in class with some interspersed lecture. On the other hand, 26 percent of the respondents use the case approach. The remaining 21 percent use some hybrid approach — usually a combination of problems, cases, simulations and other techniques.

While the case and problem approaches have become standardised, the Survey reveals considerable variation in hybrid approaches. A sampling of these approaches includes the following: (1) using case-approach materials with about half the discussion in each class session based on hypothetical problem handouts and electronic teaching software; (2) combining a problem-oriented text with the professor's own materials, consisting of cases and some statutory materials; and (3) using a problem approach supplemented by cases, or a case approach supplemented by problems, with simulations featuring role playing with the students and professor. The role-playing simulations are designed to help students recognise objectionable materials and learn to articulate objections and responses to objections.

Survey respondents provided well-articulated rationales for choosing one method of teaching over another. The rationales focus on professorial judgments about how to best deliver value to the students. Those professors choosing the problem approach expressed the recurring and interrelated themes of engagement, application, efficiency, and the advantages of the approach as a learning vehicle. Professors indicate that the problems better capture and hold the attention of students. The components of application, including knowledge of the content and structure of the Rules and the ability to control complexity under the problem approach, led professors to applaud this approach as a superior learning vehicle. The problem method's characteristics facilitate coverage.

Professors preferring the case approach articulate the themes of realism and the value of judicial thinking regarding evidentiary issues. They see a value in exposing students to the actual contexts of evidentiary problems and the analysis that judges employ to address those problems. For these professors, cases are richly textured, real problems, and analysis of the opinions educates students by providing either an example or a basis for critique.

As one might expect, those respondents using a hybrid approach believe that neither the problem nor case approach is up to the challenge of satisfactorily teaching evidence stu-