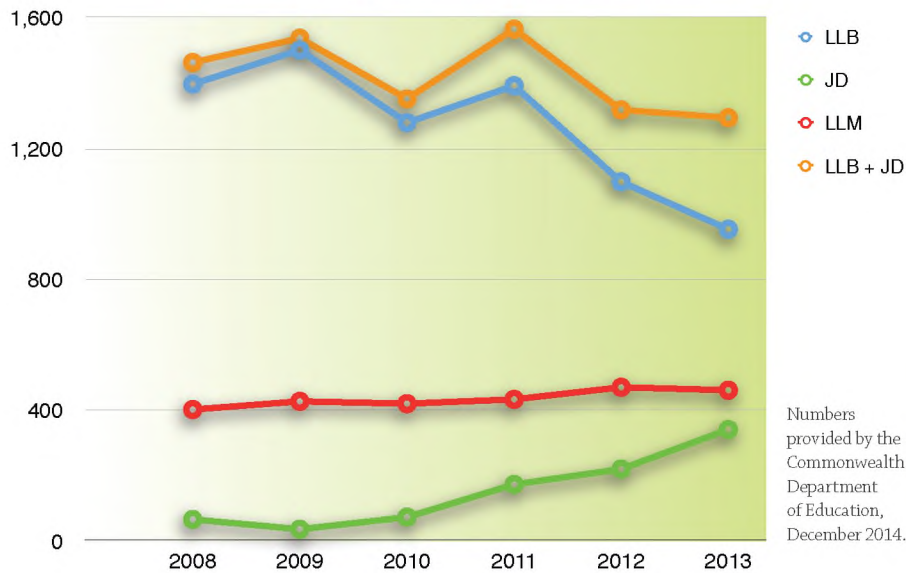


A new world of

Studying law

Number of graduates in Victoria



Law has always been a popular course of study, and this has not changed even as the number of available graduate positions has fallen. There has been particular growth, however, in postgraduate enrolments. In 2008, 95 per cent of Victorian law students graduated with a Bachelor of Laws (LLB). Only 5 per cent graduated with a Juris Doctor (JD), a postgraduate course specifically designed for students with prior tertiary education. By 2013, these numbers were 75 per cent and 25 per cent respectively. Given that some postgraduate students continue to enrol in the LLB, particularly at universities that do not offer the JD, the actual number of law graduates who already had a degree when they started studying law is higher.

There are a number of potential drivers for this trend. It is possible that a weaker post-GFC job market is pushing arts or commerce graduates into law schools. A rise in the number of mature-aged students as more professionals explore second careers may also be drawing more university entrants to a program tailored for people with prior study experience. Finally, universities have played their part – Melbourne Law School stopped

offering the LLB in 2008, and RMIT also only offers the JD.

The idea of someone with previous professional work experience, possibly extensive work experience, entering a law firm or other organisation as a graduate may at first seem odd, but it is increasingly common, according to Maddocks people and culture relationship manager Sophie Gilbert. “A number of our graduates are actually older students who have had successful careers in other professions,” Ms Gilbert told the *YLJ*. “A great example is that one of our first year lawyers was a homicide detective for 17 years – he decided to make a change, and successfully progressed through our graduate program. This diversity of experience provides immense value to clients and other professionals within the firm.”

Studying law as a mature-aged student, often balancing study with full-time work, represents a huge commitment, but it can pay off. “We believe that this demonstrates a genuine desire to have a career in law, so is seen by Maddocks as a value-add,” Ms Gilbert said.

That said, mature-aged students working full-time can face particular challenges. Many commercial firms only recruit graduates from among their seasonal clerks, yet students working full-time often cannot take the time off work to do one seasonal clerkship, let alone two or three. Maddocks continues with some open market graduate recruitment for this reason. “Maddocks believes this is not only an equitable approach, but provides us with the opportunity to recruit from an often untapped talent pool, which may have been overlooked by other firms.”

WITH THE GLOBAL FINANCIAL CRISIS CAME SOME OFTEN-OVERLOOKED CHANGES IN LEGAL EDUCATION IN AUSTRALIA. SOME OF THE TRENDS ARE EXAMINED HERE.

legal education

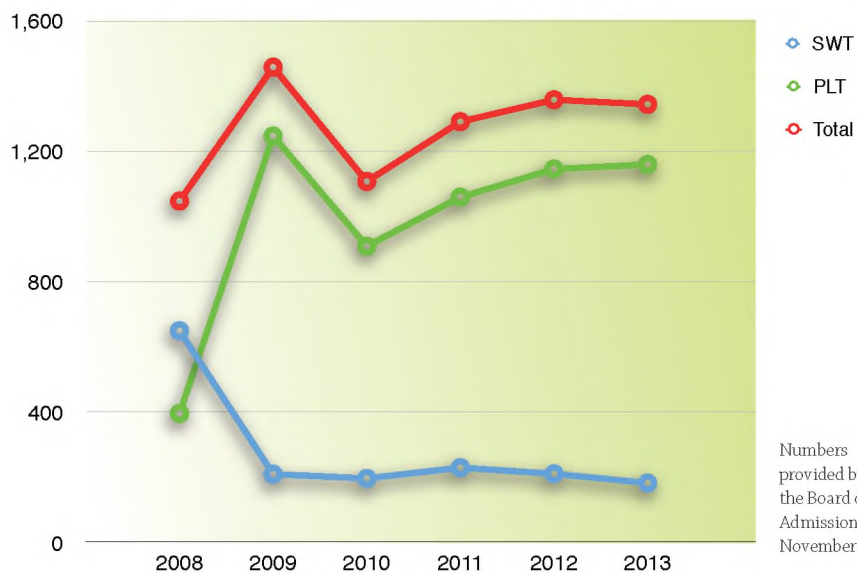
Admission to practice

Traditionally admission to legal practice was through articles, a one-year apprenticeship served under the supervision of an experienced solicitor. Questions about the consistency of training received by articled clerks, however, led to articles being replaced by the more formal and centrally regulated supervised workplace training (SWT) in 2008.

Practical legal training (PLT), offered in Victoria by ANU, the College of Law and Leo Cussen Institute, offers an alternative to SWT. A formal academic course with an inbuilt work experience component, PLT graduates receive a graduate diploma of legal practice (GDLP) which entitles them to apply for admission to practice subject to the requirement to undertake two years of supervised legal practice rather than 18 months.

There was a slump in admissions in 2010 brought about by the low level of graduate recruitment in 2009, but there has been

Number of admissions in Victoria



a marginal recovery since. “2009, in particular, was a difficult year for graduate applicants as, post-GFC, the majority of firms reduced their graduate numbers,” Ms Gilbert said. “Since then most firms have taken a more cautious approach to seasonal clerk recruitment, which, due to the priority offer system, ultimately results in fewer graduate roles. Our observation of the market is that both seasonal clerk and graduate intakes do seem to be on the rise.”

However, the recovery in admissions has been almost entirely through more applicants completing PLT, either before or after they apply to join a firm of any size or type. In 2009, the number of graduates seeking admission out of PLT soared. In 2008, around one-third of candidates for admission had completed PLT. By 2013, 95 per cent had done so. Traditionally seen as being an alternative pathway for graduates who failed to gain a traineeship, PLT is now the standard route to legal practice in Victoria. For example, Maddocks, like most firms offering a graduate program, puts its graduates through PLT. Many smaller firms have moved away from formal traineeships to supporting juniors while they complete PLT.

Maddocks continues to recruit the same number of clerks and graduates, although there is no denying that the market overall remains very competitive. “In terms of the volume of lawyers, and the number of law firms versus the available positions, there is definitely an imbalance. What that means is that we’re seeing a higher and higher calibre of applicants each year. We’re also competing with other law firms for the best candidates,” Ms Gilbert said.

However, the news for those who miss out on clerkships or traineeships is not all bad. Maddocks reports that more applicants for junior post-admission roles are coming from smaller firms rather than from the graduate programs at larger ones.

“At Maddocks, our approach is, and has always been, to assess each application on merit. Experience has taught us that lawyers who have commenced their career at smaller firms often have a different, yet equally valuable, skillset,” Ms Gilbert said. The tighter graduate market may open new pathways for those wanting to enter commercial legal practice – if they have the right skills and know where to look. ■

ADAM WAKELING is a member of the YLS Editorial Committee.