

RESEARCH

Integrity in research

42 *J Legal Educ* 4, pp 607-611

Remarks made at a panel on integrity in teaching, administration and research at an AALS conference. Suggests there are three tiers of issues. First, whether to write at all and if so, when and to what extent, taking into account other responsibilities. Second, selection of subjects to investigate. And third, the familiar questions on the ethical limits on scholarly methods and means.

RESOURCES

[no material in this edition]

SKILLS

The competitive negotiator: a self-fulfilling prophesy for action?

L G Sweeney

10 *J Prof L Educ* 1, pp 53-56 *

This short article reports on the results of part of a simple survey of ten groups of lawyers and lawyers-in-training in three jurisdictions. At the beginning of negotiation training sessions conducted by the author, participants were asked how they saw themselves, and then lawyers generally, in the negotiation process. In all cases substantially more respondents saw other lawyers as more competitive than themselves. The article suggests that lack of awareness of this phenomenon is likely to increase the incidence of competitive encounters, and argues that the potential benefits of a more cooperative approach are thereby jeopardised.

Educating lawyers about mediation

C Chinkin

10 *J Prof L Educ* 1, pp 43-52 *

The article discusses the ways in which mediation is becoming an accepted part of legal practice and the need for lawyers to have an understanding of the process, its benefits and disadvantages. The introduction of court related mediation is highlighted and its implications for lawyers discussed. The article then considers the content of mediation education and emphasises the need for that education to include ethical questions, and other issues which are often neglected in traditional legal training. It concludes with some examples of available training.

Alternative dispute resolving in practical legal training - too little, too late?

S Carr-Gregg

[see Practical Training]

Creating problems for law students: the key to teaching legal problem solving?

S Nathanson

10 *J Prof L Educ* 1, pp 1-21 *

Though problem solving is arguably the most important skill law students should learn in preparation for legal practice, designing the law school curriculum to teach problem solving presents formidable challenges. The key to successful design is to adopt a two-prong strategy. The first prong is to follow orthodox principles of curriculum design which focus on creating consistency between aims, objectives, learning activities and assessment. The second, more important, prong is to invest the greatest part of design resources in making up good problems. Though the formulation of aims and objectives may determine the general direction of the curriculum, ultimately it is the problems themselves that determine both the quality of the course and the specific objectives of the curriculum.

STATISTICS

The key to legal education: quality not quantity

C Samford & C Parker

67 *Law Inst J* 9, p 798

The authors challenge the belief that there are too many law students in Australia, and present statistics which suggest that the long term ratio of students to practitioners is approximately 66%. Further statistics reveal that even "in the depths of a recession" law graduates still enjoy an employment rate of 96.3% (not necessarily in law) within six months of graduation. However, they suggest that this information gives no cause for complacency and that law schools have a responsibility to ensure that the quality of legal education is not sacrificed to quantity. The spectre of large numbers of unemployable law graduates only becomes a reality if law schools fail to adequately prepare students for the changing world of legal practice and the world outside the law.

STUDENTS

TSG survey shows massive student debts

Solic J, 14 May 1993 p 443

Article describes a survey which reports on the extent of student debts and discusses these results in the context of the English Law Society's plans to scrap the mandatory minimum wage during training. The author of the survey suggests that such action would deter those from less financially well-off backgrounds from entering the legal profession.

Colleges in courts

P Kaye

[see Legal Education Generally]

The *Legal Research Newsletter* published by the Australian National University and sponsored by the Australasian Law Teachers Association and Butterworths, lists recent and forthcoming publications, and describes current research on legal education.

Students take up a challenge for more .. practical legal skills

W Smith & P O'Connor

15 *Bulletin SA* 2, March 1993, p 14

The authors discuss the role law student societies have taken in creating opportunities for students to gain legal skills. It is argued that law schools should develop a community environment which fosters debate and interaction, and encourages students to discuss special social questions within a legal context.

Poor law students?

P Thomas

Solic J 30 July 1993, p 736

The author discusses the impact of government funding policies on law students and the composition of the legal profession. The English Law Society's desire to address gender and ethnic imbalance in the profession is faced with a government funding policy which imposes a significant financial hurdle on students from low income families. "Financial pressures on local education authorities ... result in discrimination against potential trainee lawyers on the grounds of social status. ... The dramatic collapse in public funding for those wanting to go into the legal profession inevitably narrows the base of the profession and guarantees the

continuing narrow social base of the judiciary ...". The article is supported by a number of statistical surveys and features a report on the situation facing undergraduate law students in Wales.

TEACHERS

Continuing legal education for law teachers

M D bin Hashim

Legal Education in Malaysia- Quo Vadis?
1993 pp 161-182 *

The speaker said that CLE for law teachers has been largely neglected. The teaching abilities of law teachers should not be taken for granted but rather, law teachers should be trained on how to teach law. He discussed some issues relevant in defining legal education and its purpose.

Law teachers must realise that teaching methodology varies according to the subject and specific purpose it seeks to achieve. Law teachers, being custodians of institutions that perform a certifying function and screening for admission to the Bar, must realise the importance of evaluation of students' work and master this technique. Some proposals for organising CLE for law teachers include conducting an inhouse training program, co-operating with Education Department, creating a professorship of legal education, setting up a centralised committee to organise the CLE, and raising funds for the running of CLE programs.

Report of the AALS Special Committee on Tenure and the Tenuring Process

42 *J Legal Educ* 4, pp 477-507

A report of a committee appointed to gather data on law schools' procedures and practices regarding tenure, to evaluate the data, and make appropriate recommendations. The report does not seek to defend the concept of tenure as such. Rather is a snapshot of tenure standards and procedures, and ways in which, and extent to which, law school tenure criteria, procedures and practices are formulated, disseminated and applied.

After briefly discussing the concept of tenure, the report outlines the responses to the questionnaire sent to all ABA approved law schools, and summarises the law schools' procedures and criteria. It concludes with recommendations on topics including faculty development, procedures, confidentiality issues, substantive standards, and the relationship between law schools and their universities on tenure issues.

TEACHING METHODS & MEDIA

[no material in this edition]

TECHNOLOGY

Cost-effective computer assisted learning

A Tyree & S Rawson

4 *J L & Inf Sc*, 1, 1993, p 155

The authors describe a new and simple form of computer tutorial known as CRES. The CRES method has the advantage of accepting free form short answers thus freeing it of one of the major objections to the use of computer assisted learning methods in law. The authors also describe different teaching models which integrate CRES tutorials into existing courses. Finally, the authors describe an experimental program SAGES (Short Answer General Examination System) which automatically marks free form short answers.

Law via computer ignores "fuzzy edges"

J Gava

Campus Rev October 21-27 1993 p 8

The author expresses a number of reservations about the pilot computer-aided learning system being trialed at the Australian National University. It is suggested that a system that assumes that there are correct answers to most problems ignores that the law has a fuzzy edge, and that this is where the controversies arise. Further still, when the basic rules are at the centre of contention, such as in modern contract law, the ability of a computer to technically devise a correct answer fails to appreciate the philosophical and political concerns that shape the law. The author is concerned that computer aided learning projects have the potential to "distort legal education to suit the needs and capacities of the computer".

The future of computer assisted learning in law

T Allen & W Robinson

3 *J L & Info Sci* 1992, p 274

It was predicted that computer assisted learning (CAL) would revolutionise the teaching of legal education; however, to date, present forms of CAL are proving disappointing. In particular, the two principal shortcomings of existing CAL programs are "their failure to engage students in independent analysis of the subject, and their failure to incorporate a dialogue of sufficient complexity". The

paper discusses attempts to circumvent the determinate nature of CAL, and possible mechanisms to improve the acquisition of higher intellectual skills.

Current developments in CAL suggest that techniques such as "branching" and interaction via computer response may make programs more sensitive to individual needs and create opportunities for teaching dialogue. Additionally, Hypertext, a system electronically cross-referencing screens of information, is seen as giving the user the opportunity to interrupt the determinate structure of most CAL programs. Programs are being developed which allow the user to interrupt the tutorial to search through materials or case summaries as a mechanism for simulating the responsiveness of a teacher.

WOMEN'S ISSUES

Feminist jurisprudence - the new legal education

B A Hocking

18 *Melb U L Rev* 1992 pp 727-740

This article reviews some recent jurisprudence. It is contended that the extensive works surveyed reveal not only the inadequacies of the law, but also, more specifically, the narrowness of legal education. The central thesis of the works under examination is women's exclusion from law and their exclusion, in particular, from legal education, formal texts and categories, and most importantly from protection by the law. Discrimination within the law has arguably been rectified by a new emphasis on equality. However, the protection of the law against discrimination is, according to many feminist theorists, undermined by a male-constructed emphasis on "sameness" which subverts the very principle of equality. The paper concludes with a review of Rosemary Hunter's recent book, *Indirect Discrimination in the Workplace*.

Conflict and connection at Sydney University Law School: twelve women speak of our legal education

M Stewart

18 *Melb U L Rev*, 1992 pp 828-850

This case study presents the experiences and views of a diverse group of 12 women law students, as revealed in interviews in their final year of study. Discussed are law, legal education, the law school community, competition, sexism, careers and feminism. Themes of conflict, alienation and hierarchy - at law school and embedded in legal structures - and a