

## Legal Education News and Developments

### AFRICA

#### [Project evaluates LLB Curriculum in South Africa](#)

To address the request of the South African Law Deans' Association (SALDA) for a critical appraisal of legal education in the country, the [Commission on Higher Education \(CHE\)](#), an independent statutory body, recently completed the review of the 4-year LLB curricula of 17 South African universities. Through electronic surveys among university law lecturers and legal practitioners, the project aimed to evaluate the effectiveness of the LLB degree and assess the impact of curriculum changes introduced since 1998. Some of the technical [findings](#) presented in a colloquium last November 2010, identified wide ranging disparities among the universities in (1) admission requirements; (2) credits, duration and methodologies of mandatory courses; (3) mandatory courses vis-à-vis elective courses; (4) mandatory skills requirements as well as (5) designs of the first year curriculum. It was also noted that although English proficiency is the second most important skill required for law graduates, only 10 of the 17 law schools require mandatory language courses. The Law Society of South Africa suggested that reforms should focus on the quality of teaching and on augmenting the legal transactional skills of law graduates. (source: CHE; Law Society of South Africa)

#### [Human rights course made compulsory in African university](#)

Effective January 2011, the Southern and Eastern African Regional Centre for Women's Law, (SEARCWL) Faculty of Law, University of Zimbabwe, which offers a postgraduate masters in Women's Law, have made its human rights course compulsory for all its students. Before this, a human rights module already formed part of the first semester courses and a full human rights course was offered as an optional course. The move to making human rights a compulsory course came after the finding that a vast majority of students have increasingly chosen the course not only because of interest in the subject matter and a commitment to human rights but also due to the post-qualification marketability of a graduate who has taken a stand-alone human rights course. While this curriculum change is part of an on-going effort by law educators to make their schools responsive to important issues such as human rights, it remains to be seen as to what extent should the law school curriculum follow the dictates of dominant discourses. (correspondent: Amy S. Tsanga/ [www.searcwl.com](http://www.searcwl.com); [www.uz.ac.zw/law/women](http://www.uz.ac.zw/law/women))

### India to conduct first bar exams

While there may still be pending [court cases](#) contesting the bar council's authority to conduct the tests, the first All India Bar Examination is finally set on 6 March 2011. For the first time, the Bar Council of India, a statutory body tasked to regulate and represent the Indian bar, seeks to set the minimum standard for admission to the Indian legal profession by instituting the bar exams. Today, India's legal profession consists approximately of 1.1 million registered advocates. With an estimated 0.5 million law students from around 1,000 law schools, 60,000 law graduates join the legal profession every year. Aside from the bar exams, the Bar Council of India also released its [Note on Proposed Directions for Reform](#) of legal education in India last year. (source: [www.legallyindia.com](http://www.legallyindia.com); Bar Council of India)

### Legal education in South Korea develops in 3 years

After the passage of the *Law for the Establishment and Operation of Law Schools* in July 2007, South Korea's legal education has seen enormous changes in the last three years. Foremost of which, the chartered three-year graduate law schools became the primary institutions for legal education, and no longer the four-year colleges and the Judicial Research Training Institute (JRTI). 25 law schools were granted government charters in 2008 and by March 2009, 2,000 new law students started their studies. In 2010, internship programs with law firms and agencies were set-up and the courts also planned to run apprentice programs to further train the new batches of law students. Co-existing alongside the traditional bar exams till 2017, the new bar exams system will be administered in 2012 as the first law graduates will seek to gain admission to legal practice. These first-phase changes are expected to be completed in 2012. (source: Young-Cheol K. Jeong, *Korean Legal Education for the Age of Professionalism: Suggestions for More Concerted Curricula* in 4 East Asia Law Review 155 (2010).

### Malaysian lawyers mull over state of legal education

In the session on "*Legal Education at the Crossroads - for better or for worse, the Malaysian scenario*" at the [Malaysian Law Conference 2010](#) held in July 2010, the country's legal practitioners discussed the recent curriculum changes in public law schools since the establishment of the Council of Law Deans. One speaker emphasized on the need to focus more on teaching practical legal skills such as negotiation, advocacy and legal research. Another discussed the need for the issue of legal education to be separated from the regulatory aspects of admission to the legal profession. As to composition of law faculties, one speaker also encouraged the entry of more legal practitioners in teaching positions. They concluded that there is a need to develop a broad range of skills, knowledge and character-building in Malaysian law students through multi-disciplinary programmes while law schools should acknowledge different career paths and focus more on the relevant professional goals of law graduates. (source: Malaysian Bar; [www.mlc2010.com](http://www.mlc2010.com))

## AUSTRALIA

### Law deans adopt standards for Australian law schools

Last November 2009, the Council for Australian Law Deans (CALD) formally adopted *The CALD Standards for Australian Law Schools* which provides guidelines on law curriculum content, student assessment methods, academic staff, law library collections, resources and infrastructure, among others. Independent of CALD, the law deans also constituted the Australian Law Schools Standards Committee that will certify the compliance of law schools with the CALD Standards. Through its legal education project with the Australian Learning and Teaching Council, CALD released the *Highlights of AUTC's Learning Outcomes and Curriculum Development in Law Report* and *Some Innovations in Assessment in Legal Education* last year. (source: CALD)

## EUROPE

### UK regulators to review legal education and training

After increasing criticism over the disparity between the number of students entering the legal profession and the number of jobs available, the three biggest legal regulators in England and Wales will conduct a review of UK's legal education system on February 2011. The review will look at the requirements for entering the profession, for continuing legal education of practitioners and for law schools and legal training providers, to ensure that ethical standards in the profession are maintained and the competence levels of legal practitioners remain sufficient. (source: [www.legalweek.com](http://www.legalweek.com))

### Experts and students discuss legal education in Europe

Over 200 law students and experts from the academic, political and business sectors, participated in a two-day conference entitled "*New Perspectives of Legal Education in Europe*" in March 2010 to discuss the implementation of reforms brought about by the Bologna process to legal studies. One speaker reported that although 80% of Germany's degree programs are already following the tiered study structure, its legal education system has yet to do so, unlike most European countries which have already converted their law degree programs. In general, proposals were put forward on how to facilitate the reform process, including the need to open up the traditional disciplines. It was suggested that reform should also take into account regulatory changes in the legal profession as well as the length and quality of legal studies. (source: German Rectors Conference HRK)

## **NORTH AMERICA**

### **ABA defers decision on the accreditation of foreign law schools**

In its recent December 2010 meeting, the American Bar Association (ABA) Section of Legal Education and Admissions agreed to defer its decision on the issue of accreditation of foreign law schools, pending a further review and consultation process. Until such time, the Section noted that it will not consider any application for provisional approval from any foreign law school. A [report](#) of a Special Committee discussed the policy issues involved in expanding the accreditation role of the ABA Section to include law schools outside the US. With the globalization of the legal profession, state supreme courts and state bar associations in the US are increasingly under pressure to make decisions to admit foreign lawyers to the US legal profession. This issue has all been made more difficult due to the lack of consistency of the admission processes across different states. Thus, it was [proposed](#) that ABA, the US's umbrella organization responsible for accrediting US law schools, should also consider accrediting foreign law schools that follow the US model. Presently, 4,000 to 5,000 foreign-trained law graduates sit for the US bar exams, most of them in New York and California. Concerns of "less reliable training" of some foreign lawyers and having no perceived reciprocal benefits on the part of US law school graduates were also discussed. (sources: ABA; [www.legalweek.com](http://www.legalweek.com))

### **US Law schools continue to make changes in grading systems**

In the past two years, some US law schools have reportedly reformed their grading systems as part of their strategic response against the competitive job market faced by students. Some law schools have made their system more lenient by inflating grades or increasing their grading curves. On the other hand, to reduce the pressure brought about by a point system, some schools employed "idiosyncratic" grading systems or "pass-fail" systems. These changes can be further exemplified in the continued changes in Harvard Law School (HLS) grading system. While in 2009 HLS [shifted](#) from a letter grade system to a modified pass-fail system, in 2010, a new grade point average formula closely resembling that of the traditional 4.0 GPA scale was [adopted](#) for calculating Latin Honors. (Sources: New York Times; [www.abovethelaw.com](http://www.abovethelaw.com); Harvard Law Record)

### **Debate follows approval of national standard for law schools awarding common law degrees in Canada**

In Canada, there has been considerable debate between law societies and legal academics over the Final Report on the Common Law Degree issued by the Federation of Law Societies of Canada. The report recommended substantial changes to legal education including mandatory competencies (e.g. legal ethics), and has been criticized by some academics as requiring too much uniformity and removing flexibility and creativity from the curriculum. (correspondent: Helena Whalen-Bridge/[www.lawyersweekly.ca](http://www.lawyersweekly.ca))

## SOUTH AMERICA

### Legal education reform in Latin America appraised

A study of the innovative law curricula of 7 leading law schools in Latin America was done to appraise legal education reforms in the region. Among other observations, it was said that there is still a marked adherence to the Latin American tradition of teaching which espouses an encyclopedic view of the law. While development of practical skills and professional competencies is encouraged, further training for these skills is not really reflected in the existing curricula. With the updating of curricula and addition of electives and workshops, the author concluded that what may be occurring is more similar to a modernization of Latin American legal education rather an innovation. (Source: Juny Montoya, *The Current State of Legal Education Reform in Latin America: A Critical Appraisal* in 59 Journal of Legal Education 545 (2010).

### Mexico's legal educational system increased in size

A recent paper on Mexican legal education noted that the decade covering 1997-2007 had seen a dramatic increase in terms of the rate of enrolment, the number of law-degree offering programs and the number of undergraduate law degree granted in Mexico. Large increases were notable especially in private education, in regions that increased its educational opportunities, and in areas located outside major urban zones. The primary reasons that led to this growth include (1) the increased availability of higher education in Mexico, (2) the fact that law programs can be started easily and inexpensively as well as (3) the increased attraction of prospective students to legal education. (Source: Luis Fernando Perez Hurtado, *Content, Structure, and Growth of Mexican Legal Education* in 59 Journal of Legal Education 4 (2010).

## SPECIAL TOPICS

### LLM degree remains popular

In its special report *Global Legal Education 2010*, the Financial Times observed that the LLM remains a popular degree worldwide, with more than 300 universities offering it in 40 countries. Notably, not only have applications risen by 10-15% but the take-up of offered places has also grown by at least 50% for the elite universities. In tough economic times, the LLM has been seen as a good investment to enable law students to compete in the increasingly globalized legal market. (source: Financial Times)

### Laptops in the classroom?

While laptops have become ubiquitous gadgets in offices, homes and classrooms, the Washington Post reported on a trend of professors [banning the use of laptops in classrooms](#), seeing them as a powerful source of distraction for students. While debate may still be raging about the advantages and disadvantages of laptops, one law professor proposed ways of [engaging students with laptops](#) while one law dean declared that [laptops will remain in his classroom](#). (source: Washington Post; Diana Donahue, *An Autobiography of a Digital Idea: From*

Waging War against Laptops to Engaging Students in 59 Journal of Legal Education 4 (2010); 20<sup>th</sup>&H Forum)

### [More detailed info in law school rankings pledged](#)

U.S. News & World Report, which [publishes the rankings](#) of 188 law schools accredited by the American Bar Association, recently pledged to divulge more employment data taken from its annual law school surveys. Coupled with pressure from [Law School Transparency](#)- a group of law students lobbying to make such information available- and considering the cost of legal education, U.S. News decided to give law students more information that can help them analyze their employment prospects as well as the economic value of their degrees. In a recent [survey](#), rankings of U.S. law schools are still considered the most important factor in school selection compared to location, academic programming and affordability. (source: U.S. News & World Report)

## **IALS Events and Announcements**

### **IALS General Assembly Conference on Teaching, Legal Education and Strategic Planning**

University of Buenos Aires, Argentina  
13-15 April 2011

### **IALS General Assembly Conference on Human Rights and the Role of Law Schools**

National Law School of India University, Bangalore, India  
2012 (*date to be determined*)

## **IALS Membership**

IALS Membership is open to law schools, associations of law schools or law teachers, individual law teachers and other individuals and institutions which play a significant role in legal education.

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