



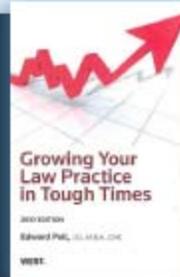
Week of **March 30, 2010**

Rethinking the Process of Lawyer Education (Part 2)

My last column raised the issue of how new law school graduates can get the practical education that they need to be successful in "The Business of Law"®. One approach that I have written about is the "articling" process used in Canada, basically a form of apprenticeship. Upon graduation from law school, prospective Canadian lawyers begin professional training with the law society of the province in which the student wishes to practice. This includes a period of practical training under the supervision of a qualified member of the law society, whether with a law firm, legal department, court or government department. Students rotate through various assignments for a period of 12 to 18 months before taking the bar exam and entering practice, often (but not always) where they articulated.

Late last year I surveyed *LawBiz® Blog* readers to ask whether they thought on-the-job training of new lawyers before they enter practice was a good idea. The unanimous answer was "yes." As to what form this training should take from a variety of options presented, nearly 60% of respondents said that law firms over a certain size (revenue or head count), as well as public interest law firms, should be required to engage a pro rata number of graduates, whether they end up working for those firms or not. An even higher percentage of respondents, nearly 85% suggested that the courts (both trial and appellate) should make available clerkships for the graduates, or that law schools should create seminars and practicum programs to teach the skills lacking in the normal curriculum.

One practical form of apprenticeship is already being tried by some major law firms. To postpone the start dates of new hires they recruited before the economic meltdown, these firms are paying hundreds of "deferred associates" reduced stipends to spend a year doing public interest work pro bono until the



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business slowdown ends. The associates gain valuable experience that will benefit them and their employers later, and the firms hold on to talent that they recruited heavily. There is also sacrifice involved on both sides. The stipends may be 50 percent of the starting salaries the associates expected in boom times, while—according to the head of the Pro Bono Institute—the firms cannot claim "credit" for this pro bono service because the associates are not yet employees.

Some firms say they look to make pro bono internships a permanent feature of legal hiring, and if this happens, it will certainly benefit law school graduates. Pro bono internships would give job prospects, and invaluable experience. The hands-on experience "in the trenches" at legal aid societies and similar pro bono institutions turns students into lawyers, and will stand them—and the profession—in good stead for years to come.

Personal Commentary

I'm flying into Chicago on April 8th and would like to get together with my clients and colleagues for breakfast on Friday, April 9th, from 7:30 to 9:15 a.m. If you're near the downtown/Loop area, let me know.

Breakfast will be on me! And we can chit chat about the challenges your practice faces in today's environment. Send me an e-mail r.s.v.p. and I'll designate the location by return email. I look forward to seeing y'all.

Best wishes,

Ed Poll

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