

RESULTS OF A SURVEY OF OTAGO LAW GRADUATES 1971-1981

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I INTRODUCTION

1 *Objects of the Survey*

The original purpose of this survey was to obtain accurate information about the career destinations of law graduates from the University of Otago, and the degree of difficulty they encountered in finding employment. All graduates of New Zealand universities are asked to complete a questionnaire relating to their employment status at the time they apply to graduate, and for some years the results of this annual survey indicated that a significant proportion of all New Zealand graduates in law were unemployed and actively looking for work.¹ Those responsible for this survey agreed that these figures were misleading because most law graduates spend a further year in a university centre completing the post-graduate professional courses required for admission to practice as a barrister and solicitor, and very few jobs as unqualified law clerks are available in the university centres. Consequently most law graduates do not enter full-time law-related employment until they are admitted to the bar almost a year after completion of their law degrees. Nevertheless, these figures received some publicity and it was widely rumoured that employment opportunities for law graduates were bleak. Consequently the initial object of this survey was the very limited one of acquiring the data from which one could obtain a more complete and accurate appreciation of the employment opportunities available to law graduates of the University of Otago.

However, once engaged on the task of tracing Otago law graduates and drafting a questionnaire form it seemed sensible to take advantage of the opportunity to survey our graduates on a number of other subjects as well. The additional questions fell into two broad categories. First, it was thought useful to identify the attitudes and motivations which prompted our graduates to embark upon a law course, and more particularly, to choose to study law at Otago, so as to build up a kind of "profile" of the Otago law graduate. The other category comprised questions designed to provide information which can be used to assess the relevance and value of the legal education provided by Otago Law School to the professional work of its graduates, and assist in the making of future decisions as to allocation of the law school's resources.

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¹ The New Zealand Vice-Chancellors' Committee's *Report on Graduate Employment in New Zealand No. 7* (1980) and *No. 8* (1981) showed respectively 19.2 percent and 15.9 percent of all New Zealand law graduates unemployed and actively looking for work.

2 Method

Starting from University records of the 608 persons who graduated in law from the University of Otago during the 11 years from 1971 to 1981, we traced 509 graduates to addresses through which we were reasonably confident of reaching the individuals concerned.

Eight-page questionnaires containing 14 questions were posted to this group of 509 graduates in late 1982. Those who did not respond received a follow-up letter in March 1983. 414 graduates completed and returned questionnaire forms, providing a response rate of 81 percent of the "target" group, and 68 percent of all persons graduating during the survey period. In the tables which follow, unless otherwise indicated, percentage figures shown in columns headed "% Total" are expressed as percentages of the total number of graduates who returned completed questionnaire forms (414), rather than the number who responded to the particular question. Where significant, the separate responses of female graduates, and also of respondents graduating in the years 1971-1973 and 1979-1981, are expressed as percentages of the total number of graduates in each category who returned completed questionnaires.

II A PROFILE OF THE OTAGO LAW GRADUATE

1 Qualifications and Distribution by Sex

Table 1 shows that the proportion of female graduates rose steadily during the survey period from a mere 5 percent of all law graduates in the years 1971-1973 to 28 percent in 1979-1981.

TABLE 1
Distribution of Graduates by Sex

	Number (No.)	% Total	% graduating 1979-81	% graduating 1975-77	% graduating 1971-73
Male	325	78	68	83	94
Female	76	18	28	16	5

Table 2 shows the university qualifications held by respondents to the survey.

TABLE 2
University Qualifications held by Respondents

University Qualification	No.	% Total	% graduating 1979-81	% graduating 1971-73	% of Female graduates
LLB	394	95	96	93	97
LLB (Hons)	20	5	4	5	3
LLM	17	4	0	15	3
PG Dip Law	8	2	2	2	3
BA	79	19	18	15	25
BCom	17	4	8	1	0
Other	26	6	9	4	19

A relatively high proportion of all law graduates (29 percent), and an extremely high proportion of female law graduates (44 percent), also completed a degree in a discipline other than law. The BA degree was by far the most commonly held of these additional qualifications, but the BCom degree showed a significant increase in popularity among male law graduates during the course of the survey period.

2 *Reasons for Choosing Law*

Graduates were asked to identify the reasons that prompted them to enter law school. The results are shown in Table 3.

TABLE 3
Reasons for Entering Law School

	No.	% Total	% 1979-81	% 1971-73	% of Female Graduates
Desire to train for a profession	243	59	59	59	65
Interest in the subject matter of the law course	177	43	47	36	51
Desire for intellectual stimulation	77	19	25	9	37
Desire for financial security	118	28	25	31	17
Desire for the prestige of a lawyer	43	10	10	13	9
Desire to help the underprivileged	33	8	8	11	9
Desire for job security	48	11	13	9	13
Because of the varied nature of a lawyer's work	85	21	19	20	20
Uncertain, law seemed best alternative available	144	35	36	34	30
Other reason	81	20	18	20	24

NOTE: Respondents could indicate more than one reason; hence the total number of responses exceeds the number of respondents.

By far the most common reason given for entering law school was the desire to train for a profession. It seems that the fact of professional training and qualification is more important than the particular professional discipline chosen: results indicate that respondents were not strongly attracted to law as a discrete subject area for study, or as a

source of intellectual stimulation. While a significantly higher proportion of recent than older graduates were motivated by interest in the subject matter of the law course and a desire for intellectual stimulation, a clear majority of respondents were not influenced by either of these reasons. Female graduates were more attracted by the intellectual aspects of legal study than were males. A desire for financial security, and the prospect of a varied working life as a lawyer influenced significant numbers of respondents to enter law school. However, more than one-third of all respondents said they were uncertain as to why they chose to study law, law appealing merely as the best available alternative. Twenty percent gave a variety of other reasons for choosing law, ranging from "family tradition" to "desire for an occupation involving contact with people". One reasonably common response under this head was that the respondent had taken arts subjects at school but chose to enrol in law rather than arts at University because of concern about job opportunities upon graduation.

3 Reasons for Choosing Otago Law School

Table 4 shows that the typical reasons given by respondents for choosing to study law at the University of Otago changed markedly during the survey period.

TABLE 4
Graduates' Reasons for Choosing to Study Law at Otago

	No.	% Total	% 1979-81	% 1971-73	% of Female Graduates
Otago was the nearest Law School to my home	217	52	35	65	46
My friends were going to Otago	86	21	19	16	13
A parent or close relative attended Otago	62	15	14	12	20
I heard that Dunedin offered pleasant University environment	148	36	50	23	38
I heard that Otago Law School provided a sound legal education	56	14	22	4	9
Other reason	71	17	17	15	20

NOTE: Respondents could indicate more than one reason; hence the total number of responses exceeds the number of respondents.

Almost two-thirds of those graduating in the years 1971-1973 enrolled at Otago because it was the university nearest their home, 23 percent chose Otago because they had heard that Dunedin offered a pleasant university environment, while only 4 percent were attracted to Otago by the quality of the legal education provided there. The responses of people who graduated in the years 1979-1981 show a very different pattern. Only

one-third of these most recent graduates enrolled at Otago because it was the nearest law school to their home, while half chose Otago because of its pleasant university environment and 22 percent came to Otago because of its reputation for providing a sound legal education. Over the course of the survey period Otago Law School has developed from being very much a regional institution with no great academic reputation, into a national law school which attracts an increasing number of students from outside the University of Otago's traditional drawing area,² and has a growing reputation for providing its graduates with a sound legal education.

4 Employment

Ninety-four percent of respondents have been admitted to practice as barristers and solicitors of the High Court of New Zealand, and only a very small proportion of this group had real difficulty finding employment after they were admitted.

TABLE 5
Difficulty Encountered in Finding Employment After Admission

	No.	% Total	% 1979-81	% 1971-73	% Female Graduates	% Female Graduates 1979-81
Job arranged when admitted	289	70	55	87	71	63
Less than 1 month active job searching after admission before job secured	39	9	15	5	9	9
1-3 months job searching after admission	30	7	11	2	3	3
3-6 months job searching after admission	10	2	3	0	1	3
More than 6 months job searching after admission	9	2	3	1	3	3

Table 5 shows that 70 percent of respondents had a job arranged at the time they were admitted to practice. Only 19 respondents (4 percent) spent more than three months after admission looking for a suitable job, and less than half that number spent more than six months job hunting. Deteriorating economic conditions during the survey period are reflected in a decline in the proportion of graduates who had employment arranged prior to admission from 87 percent of those graduating in 1971-1973, to 55 percent of 1979-1981 graduates. This decline is paralleled by an increase in the proportion of recent graduates who spent up to three months after admission searching for employment. However, the number of recent graduates forced to spend more than three months looking for a job after admission remains small.

² In 1983, 48 percent of the total number of students enrolled in law at Otago, and 54 percent of first-year law students, came from outside Otago and Southland.

The results show that female law graduates have not suffered any disadvantage in the search for employment. The proportion of all female respondents who already had a job arranged at the time of admission is almost exactly that for all males, and of those respondents who graduated during the last three years of the survey period, females fared rather better in the job market than did males.

5 Present Occupation of Respondents

Table 6 shows the distribution of respondents by reference to their present occupation. Respondents who were engaged in more than one of the career activities listed in the questionnaire were asked to indicate only the activity which they regarded as their *primary* occupation.

TABLE 6
Present Occupation of Respondents

	No.	% Total	% 1979-81	% 1971-73	% Female Graduates
A <i>Private Practice of Law</i> Salaried solicitor	156	38	72	4	49
Sole practitioner as barrister and solicitor	16	4	0	11	1
Barrister	5	1	0	2	1
Partner in a firm of 3 or fewer partners	66	16	2	27	8
Partner in a firm of 4 to 7 partners	64	15	1	30	8
Partner in a firm of 8 or more partners	11	3	0	8	0
B <i>Government Employee</i> Work solely or mainly legal	17	4	4	4	5
Work solely or mainly <i>non</i> -legal	6	1	4	0	4
C <i>Business</i> Work solely or mainly legal	5	1	0	1	1
Work solely or mainly <i>non</i> -legal	19	5	4	5	1
D <i>Law Teacher</i>	11	3	0	6	4
E <i>Other</i>	38	9	13	4	17

The results show an extremely high proportion of Otago graduates working as practising lawyers or as professionals in law-related occupations. More than three-quarters of all respondents were engaged in private legal practice, either as salaried solicitors, principals in law firms, or as sole practitioners.³ Of the 14 percent who worked in government,

³ The great preponderance of practising lawyers among respondents to the survey may be due, in part at least, to the fact that graduates engaged in private legal practice were relatively easy to trace through the *New Zealand Law Register*.

business or teaching, over half were engaged in work which was solely or mainly legal. Thus, 85 percent of respondents had professional employment which was mainly legal in character. Predictably, the proportion of salaried lawyers was high among the most recent graduates, and very low among the older and more experienced group. Conversely, two-thirds of those graduating in the years 1971-1973 were partners in law firms and a further 13 percent were sole practitioners.

Proportionately more female graduates than males were salaried lawyers, and proportionately fewer females were partners in law firms. In part, this may be explained by the fact that only four of the 86 respondents who graduated during the years 1971-1973 (the group most likely to be principals in law firms) were women. Nevertheless, 46 percent of male graduates in the intermediate group (those graduating in the years 1975-1977) were partners in law firms compared with only 26 percent of female graduates. Also, a significantly higher proportion of female respondents were engaged in non-legal work.

Graduates were also asked to indicate which areas of legal practice occupied 20 percent or more of their professional working time. The results are shown in Table 7.

TABLE 7
Respondents' Areas of Legal Practice

Areas of practice	% of respondents who normally spend more than 20% of their time working in the area			
	% Total	% 1979-81	% 1971-73	% Female Graduates
Administrative tribunal work (including local government authorities but excluding town and country planning)	5	6	9	4
Planning Law	6	4	7	7
Criminal Law	28	39	22	20
Civil Litigation	36	47	22	36
Family Law	43	47	36	46
Conveyancing	56	59	66	47
Commercial Law (including creditors' rights and bankruptcy)	31	27	29	30
Company Law	19	15	29	17
Industrial Law	12	2	2	0
Tax	8	4	13	4
Wills and Estates	26	20	35	28

Conveyancing was clearly the most important area of legal practice among members of the survey group, 56 percent of respondents in-

dicating that it occupied more than 20 percent of their working time. Next, in declining order of importance, were family law, civil litigation, commercial law, criminal law and wills and estates. A significantly higher proportion of more recent graduates are occupied with civil and criminal litigation and family law work, while the older and more experienced lawyers spend proportionately more of their time occupied with conveyancing, wills and estates and company law work. The results show very little difference between male and female lawyers in regard to the kinds of legal work which most occupy their time.

III THE RELEVANCE AND VALUE OF LAW SCHOOL TRAINING TO THE PROFESSIONAL WORK OF LAW GRADUATES

Although there is a very large body of literature about the proper goals and utility of legal education, most of this writing is based on individual experience, recollection and opinion rather than on any empirical data. Few systematic attempts have been made to identify the particular knowledge and skills that lawyers consider most important to the conduct of their work and ascertain lawyers' views as to the value of their law school education in developing those skills and areas of knowledge.⁴ This part of the Otago survey was designed to make a start upon filling this gap in New Zealand.

1 *Relative Importance of Particular Kinds of Knowledge and Skill to the Professional Work of Law Graduates*

Graduates were asked to evaluate the importance of 20 different kinds of skill and knowledge to the conduct of their work.

The results, set out in Table 8, show that respondents considered that the particular knowledge and skills most important to their work were, in order of importance:

- 1 the ability to think logically and critically
- 2 the ability to be effective in oral communication
- 3 the ability to make decisions
- 4 the ability to identify the legal issues raised by a fact situation
- 5 the ability to discriminate between relevant and irrelevant facts.

Each of these skills was considered "very important" by more than 80 percent of respondents.

⁴ Results of valuable surveys of United States law school graduates are described by Stevens, "Law Schools and Law Students" (1973) 59 Virginia LR 551; Baird, "A Survey of the Relevance of Legal Training to Law School Graduates" (1978) 29 Jo Legal Education 264; and Zemans and Rosenblum, "Preparation for the Practice of Law — The Views of the Practicing Bar" [1980] American Bar Foundation Research Journal 1 (reprinted in Zemans and Rosenblum, *The Making of a Public Profession* (American Bar Foundation, Chicago, 1981) ch 6). These studies provided useful models for the form of the questions adopted in this part of the Otago questionnaire. Baird, *supra* at 265-267 refers to a number of other surveys of American law graduates, but most of these were published in internal law school bulletins and were not readily accessible.

TABLE 8
*Graduates' Views of the Importance of Particular Knowledge
 and Skills to the Conduct of their Work*

	Very Important			Of Some Importance			Not Important		
	% Total	% 1979-81	% 1971-73	% Total	% 1979-81	% 1971-73	% Total	% 1979-81	% 1971-73
<i>A. Knowledge</i>									
Knowledge of basic principles of common law	57	59	56	34	32	36	5	3	6
Knowledge of basic constitutional principles	9	8	11	44	46	41	41	40	44
Knowledge of "leading" statutes (e.g. Land Transfer Act)	68	66	78	22	23	17	6	6	2
Knowledge of rules of procedure and evidence	41	50	31	33	28	30	21	17	34
Knowledge of accounting principles	29	22	30	53	58	50	13	13	14
Knowledge of business practices	41	36	45	45	42	43	9	15	7
Knowledge of the resources of government departments and community service organisations	21	23	20	54	54	58	20	17	20
<i>B. Skills</i>									
Ability to identify the legal issues raised by a fact situation	82	79	86	11	11	12	2	4	0
Ability to do legal research (find relevant cases, statutes, regulations)	62	64	58	30	25	33	6	6	8
Ability to analyse legal materials	62	69	59	30	20	37	4	5	2
Ability to investigate and ascertain facts	71	75	67	22	13	28	4	6	4
Ability to discriminate between relevant and irrelevant facts	81	81	79	15	12	19	1	3	1
Ability to discriminate between decisive and less important legal issues	63	66	62	29	24	33	4	5	4
Ability to think logically and critically	89	84	92	8	11	6	0	0	0
Ability to make decisions	82	80	88	13	12	9	1	2	0
Ability to write clearly and effectively	71	69	67	21	21	22	4	5	8
Ability to be effective in oral communication	83	84	80	14	10	17	0	0	0
Ability to interview people	76	79	72	17	12	22	3	3	4
Ability to negotiate	68	71	72	24	17	21	4	5	5
Ability to organise work flow	74	75	73	19	18	21	3	3	4

It is striking that skills were considered much more important than knowledge. Out of a list of 20 different types of knowledge and skill, the most important area of knowledge (knowledge of "leading" statutes) ranked only tenth in importance, just marginally ahead of "ability to negotiate". It is also significant that the three most important skills (and indeed eight of the nine most important skills) are *general* skills that are not peculiar to the practice of law. While the most effective and successful lawyers will be proficient at these skills, they are equally important to many other occupations as well. In fact, general "interpersonal" skills like ability to communicate effectively, interview people and negotiate were considered more important than such peculiarly legal skills as the ability to find and analyse legal materials and discriminate between decisive and less important legal issues. Graduates at different levels of age and experience show very little difference of opinion as to the relative importance of most of the items of skill and knowledge listed. However, a significantly greater proportion of more recent graduates considered knowledge of the rules of evidence and procedure to be very important (although this item still ranks low in terms of overall importance), and recent graduates also valued purely legal skills such as the ability to do legal research and analyse legal materials more highly than more experienced lawyers. Conversely, knowledge of "leading" statutes, business practices, and accounting principles was rated more important by the more experienced graduates.

This difference may be explained by reference to the areas of legal practice in which lawyers of different levels of experience tend to concentrate. Table 7 showed that recent graduates tended to be more heavily involved with civil and criminal litigation and family law work, while a higher proportion of the more experienced lawyers in the sample tended to work in the areas of conveyancing, wills and estates and company law. Table 9 shows, predictably, that knowledge of the rules of evidence and procedure and command of purely legal skills such as identifying legal issues and finding and analysing legal materials are significantly more important to the conduct of civil litigation and criminal and family law work than they are to conveyancing, company and estate work. At the same time, the conveyancer and the company lawyer rate knowledge of business practices and accounting principles much higher than does the "court lawyer".

TABLE 9

Views of Graduates Engaged in Different Areas of Legal Practice as to the Importance of Particular Knowledge and Skills to the Conduct of their Work

	Criminal Law	Civil Litigation	Family Law	Commercial Law	Conveyancing	Company Law	Wills and Estates
<i>Knowledge</i>							
Knowledge of basic principles of common law	2.870	2.829	2.723	2.520	2.478	2.461	2.448
Knowledge of basic constitutional principles	1.858	1.790	1.718	1.618	1.588	1.554	1.592
Knowledge of "leading" statutes (e.g. Land Transfer Act)	2.696	2.651	2.685	2.787	2.783	2.803	2.858
Knowledge of rules of procedure and evidence	2.845	2.776	2.620	2.168	2.071	1.827	1.941
Knowledge of accounting principles	1.921	2.000	2.137	2.270	2.368	2.440	2.429
Knowledge of business practices	2.088	2.118	2.266	2.516	2.493	2.693	2.519
Knowledge of the resources of government departments and community service organisations	2.043	1.952	2.062	2.000	2.044	1.987	1.942
<i>Skills</i>							
Ability to identify the legal issues raised by a fact situation	2.940	2.945	2.921	2.904	2.877	2.882	2.868
Ability to do legal research (find relevant cases, statutes, regulations)	2.810	2.741	2.659	2.677	2.565	2.500	2.528
Ability to analyse legal materials	2.750	2.728	2.663	2.638	2.610	2.623	2.571
Ability to investigate and ascertain facts	2.853	2.863	2.837	2.646	2.672	2.592	2.638
Ability to discriminate between relevant and irrelevant facts	2.922	2.884	2.866	2.835	2.778	2.787	2.717
Ability to discriminate between decisive and less important legal issues	2.783	2.753	2.718	2.646	2.610	2.592	2.577
Ability to think logically and critically	2.922	2.918	2.916	2.921	2.908	2.907	2.906
Ability to make decisions	2.828	2.857	2.877	2.843	2.846	2.855	2.876
Ability to write clearly and effectively	2.647	2.667	2.652	2.669	2.620	2.684	2.613
Ability to be effective in oral communication	2.888	2.912	2.905	2.841	2.817	2.800	2.830
Ability to interview people	2.828	2.816	2.865	2.746	2.812	2.716	2.858
Ability to negotiate	2.647	2.694	2.737	2.651	2.694	2.733	2.695
Ability to organise work flow	2.629	2.687	2.732	2.714	2.778	2.693	2.840

NOTE: The figures give the mean importance of the particular skills and knowledge for different areas of legal practice by reference to a three point scale ranging from 3 high to 1 low. For example, a mean of 3.0 would indicate that respondents who spent 20 percent or more of their time occupied with a particular area of legal practice considered that skill or knowledge extremely important to the conduct of their work; a mean of 1.0 would indicate that all respondents considered the skill or knowledge not at all important to their work.

2 Value of Law School Training in Developing Particular Kinds of Knowledge and Skill

Graduates were asked to assess the value of their law school training in developing the skills and areas of knowledge listed. Three choices were offered in this assessment: "very helpful", "helpful", and "not helpful".

Table 10 shows that a majority of respondents considered that their law school training had been "very helpful" in developing just three competencies — knowledge of basic principles of common law, the ability to do legal research, and the ability to identify the legal issues raised by a fact situation — and only the last mentioned of these was rated among the most important attributes of a lawyer (see Table 8 above). However, a large majority of graduates credited their law school training with being either "very helpful" or "helpful" in developing the skills and areas of knowledge which law schools have traditionally identified themselves with and emphasised. The legal education received at Otago Law School was credited with having made a valuable contribution to respondents' knowledge of basic legal principles, both substantive and adjectival, and to development of general analytical and purely legal skills. Law school education has not been effective in

TABLE 10
Graduates' Views of the Value of their Law School Training in Developing Particular Knowledge and Skills

	Very Helpful			Helpful			Not Helpful		
	% Total	% 1979-81	% 1971-73	% Total	% 1979-81	% 1971-73	% Total	% 1979-81	% 1971-73
<i>A. Knowledge</i>									
Knowledge of basic principles of common law	57	54	64	35	39	29	3	3	
Knowledge of basic constitutional principles	32	33	34	54	52	59	8	7	
Knowledge of "leading" statutes (e.g. Land Transfer Act)	34	31	33	50	52	57	10	11	
Knowledge of rules of procedure and evidence	11	14	14	56	46	65	27	34	1
Knowledge of accounting principles	2	4	1	19	21	21	73	68	7
Knowledge of business practices	2	1	0	8	12	2	84	79	9
Knowledge of the resources of government departments and community service organisations	1	1	1	6	9	2	87	84	9
<i>B. Skills</i>									
Ability to identify the legal issues raised by a fact situation	50	54	41	40	35	49	6	3	
Ability to do legal research (find relevant cases, statutes regulations)	58	65	49	32	27	42	5	2	
Ability to analyse legal materials	47	51	41	45	40	51	4	4	
Ability to investigate and ascertain facts	15	16	7	43	47	48	36	31	
Ability to discriminate between relevant and irrelevant facts	25	28	12	52	50	64	17	17	
Ability to discriminate between decisive and less important legal issues	29	37	22	56	49	65	10	9	
Ability to think logically and critically	33	32	33	49	50	52	13	12	
Ability to make decisions	5	3	6	32	40	24	57	52	
Ability to write clearly and effectively	16	18	8	42	46	37	37	31	
Ability to be effective in oral communication	3	3	1	21	21	20	71	71	
Ability to interview people	1	0	0	5	6	6	90	88	
Ability to negotiate	2	1	0	4	6	6	89	88	
Ability to organise work flow	4	4	4	16	25	5	75	67	

developing organisational skills or the ability to make decisions, although a comparison of the responses of older and more recent graduates indicates that there has been some improvement in these respects during the course of the survey period. The responses show a similar pattern in respect of three areas of knowledge which were not rated as being particularly important to the professional work of law graduates: knowledge of accounting principles, business practices, and the resources of government and service organisations.

However, real cause for concern lies in the fact that an overwhelming majority of respondents considered that their law school training had not been helpful in developing three interpersonal skills — the ability to be effective in oral communication, the ability to interview people, and the ability to negotiate. Each of these skills was rated more important to the conduct of respondents' work than knowledge of legal principles. Furthermore, comparison between the responses of earlier and more recent graduates shows no sign of any improvement in the law school's ability to develop these skills.

3 *Graduates' Views as to Allocation of Law School Resources*

Graduates were asked whether the law school should allocate more, the same amount, or less of its resources to development of each of the listed skills and areas of knowledge. Graduates were also asked to rank three different kinds of legal experience (full-time attendance at law school, attendance at law school plus part-time or vacation work in a law office or community law centre, and the experience gained during the first two years of practice as a qualified solicitor) in terms of their relative effectiveness in developing each listed skill and area of knowledge. The responses to these questions are set out in Table 11.

A large majority of respondents considered that the law school should continue to allocate the same amount of resources to imparting knowledge of substantive legal principles and to developing the general analytical and the purely legal skills. The results suggest that the law school improved its ability to develop most of these competencies during the course of the survey period: while most respondents regarded full-time instruction at law school as the most effective method of developing most of these competencies, relatively fewer recent than older graduates favoured allocating more resources to these areas.

Although a small majority of all graduates thought more resources should be allocated to development of the ability to make decisions, recent graduates were evenly divided on this question and an overwhelming majority of respondents considered that this fundamental skill is developed more effectively through experience during the first two years of practice than by law school training.

Respondents were fairly evenly divided as to whether more resources should go to imparting knowledge of rules of procedure and evidence, even although a large majority considered law school instruction less effective in developing competence in this area than experience during the first years of practice. A significantly greater proportion of recent

than older graduates considered that the law school should place more emphasis on procedure and evidence, probably because more recent graduates are heavily involved with the court work to which this knowledge is most immediately relevant.

A large majority of respondents thought law school should do more to impart knowledge of accounting principles and business practices. However, since these areas of knowledge were not rated among the most important professional attributes of a law graduate (Table 8 supra), and a

TABLE 11

Graduates' Views as to Allocation of Law School Resources and the Relative Effectiveness of Different Kinds of Legal Experience in Developing Particular Skills and Knowledge

	Allocation of Law School resources to development of particular skills and knowledge									Percentage of respondents favouring each kind of legal experience as most effective in developing particular skills and knowledge		
	More Resources			The Same Resources			Less Resources			Full time attendance at law school	Attendance at law school plus part time or vacation work in law office or community law centre	Experience gained during first tv years of practice as a qualified solicitor
	% Total	% 1979-81	% 1971-73	% Total	% 1979-81	% 1971-73	% Total	% 1979-81	% 1971-73			
Knowledge of basic principles of common law	13	18	8	80	75	83	2	4	2	68	7	14
Knowledge of basic constitutional principles	6	3	9	77	84	73	12	10	12	79	5	4
Knowledge of "leading" statutes (e.g. Land Transfer Act)	33	35	40	70	61	55	2	1	0	45	10	30
Knowledge of rules of procedure and evidence	48	61	42	44	36	50	1	0	1	18	11	57
Knowledge of accounting principles	71	67	71	22	27	22	2	1	4	14	11	60
Knowledge of business practices	77	75	78	16	20	16	2	1	4	*	*	*
Knowledge of the resources of government departments and community service organisations	57	60	61	33	33	29	5	3	7	9	15	61
<i>B. Skills</i> Ability to identify the legal issues raised by a fact situation	26	20	33	67	74	59	1	2	0	42	11	31
Ability to do legal research (find relevant cases, statutes, regulations)	23	22	21	71	73	72	1	2	1	65	8	12
Ability to analyse legal materials	21	20	19	73	74	76	1	1	0	56	9	22
Ability to investigate and ascertain facts	38	33	43	56	62	49	1	1	1	18	12	54
Ability to discriminate between relevant and irrelevant facts	34	27	41	60	68	52	1	1	1	23	13	49
Ability to discriminate between decisive and less important legal issues	34	28	42	60	68	50	1	1	2	27	11	47
Ability to think logically and critically	41	36	45	53	56	48	2	3	2	38	9	37
Ability to make decisions	52	47	62	41	45	31	2	3	1	7	9	72
Ability to write clearly and effectively	41	40	49	50	50	35	4	5	9	39	10	34
Ability to be effective in oral communication	78	86	76	16	9	16	1	1	2	9	11	67
Ability to interview people	78	79	76	16	17	14	1	0	4	6	13	71
Ability to negotiate	75	77	71	19	18	20	1	1	2	6	7	76
Ability to organise work flow	61	61	61	31	31	31	2	2	1	11	7	68

* These figures are not available due to error

large majority considered the early years of experience in practice to be more effective in developing accounting skills, allocation of further law school resources to this area cannot command a particularly high priority.

The results of the survey indicate that top priority for allocation of further law school resources should be given to development of organisational skills and, in particular, to the interpersonal skills of oral communication, interviewing and negotiating. All of these skills were rated as being very important to the professional work of the law graduates, respondents did not regard their law school education as helping to develop these skills, and there is no evidence of any improvement in the law school's performance in this area during the 11-year period covered by the survey. Although large numbers of respondents regarded the experience gained during the first two years of legal practice as being more effective in developing these skills than law school instruction, an overwhelming majority nevertheless considered that the law school can do a better job in this area than it has done in the past, and that more of its resources should be allocated to development of these important skills.

It is worthy of note that the experience of part-time work in a law office or community law centre received consistently poor ratings in terms of effectiveness in developing legal knowledge and skills.⁵ Even in respect of those skills and areas of knowledge where full-time law school instruction received a low rating, the part-time work experience was not rated significantly higher.

Despite its poor performance in developing the important organisational and interpersonal skills, the law school can take some comfort from the responses to the final question put to graduates. They were asked: "How soon after you commenced work in a law office did you feel competent to deal with most everyday matters?"⁶ The responses are shown in Table 12.

Since work in a law office during the first two years of practice is regarded by an overwhelming majority as the most valuable and effective means of developing the organisational and interpersonal skills, and since 75 percent of respondents felt competent to deal with most everyday matters after 18 months in a law office and a majority after only 12 months, the inadequacy of the law school's training in these areas would seem to pose only a temporary (albeit important) disadvantage to the young lawyer.

Recent graduates feel that they achieved the basic level of practical competence after much less time in a law office than did their older colleagues. This may suggest that, contrary to popular belief, the recent graduate is better trained and equipped overall to bridge the gap between

5 However, it should be borne in mind that a relatively small proportion of respondents will have had actual experience of this kind.

6 I concede that the terms of this question are rather vague and uncertain. However, this seems unavoidable in a question of this kind, and the responses should be of some value at least.

the theory and practice of law than the graduate of ten years ago. However, part of the explanation may be that many of the graduates of 10 to 12 years ago started working in an office while still undergraduate law students, whereas few recent graduates commenced work in a law office before they were qualified for admission to practice.

TABLE 12
Length of Time Graduates Worked in a Law Office before they felt Competent to Deal with Most Everyday Matters

(Results expressed as percentage of group replying to this question)

	No.	% Total	% 1979-81	% 1971-73	% Female Graduates
less than 3 months	18	5	8	4	5
3-6 months	48	13	24	4	12
6-12 months	115	32	40	29	44
12-18 months	90	25	18	28	20
18 months - 2 years	57	16	9	17	16
more than 2 years	32	9	2	19	3

IV CONCLUSIONS

- 1 Very few of those who responded to the survey had real difficulty finding employment after they had been admitted to practice, and a very high proportion of respondents are engaged in professional work which is solely or mainly legal in character.
- 2 Most graduates considered that Otago Law School did a reasonably good job of imparting knowledge of basic legal principles and developing general analytical and purely legal skills. However, they considered that their law school education neglected organisational skills and "interpersonal" skills of effective oral communication, ability to interview people, and ability to negotiate. Results of the survey indicate that most graduates would give top priority for allocation of further law school resources to programmes for development of these interpersonal skills.⁷
- 3 Very few respondents considered that the law school should allocate *less* resources to development of any of the competencies listed in the questionnaire. Given the economic conditions currently prevailing in New Zealand universities, allocation of more law school resources to development of the neglected interpersonal skills without diverting resources from other established areas of activity obviously presents real difficulties. However, it should be possible to take some modest steps with a minimum of additional expense. Otago Law School has

7 The American law graduate surveys referred to *supra* n 4 gave broadly similar results.

already expanded the traditional mooting programme into an "advocacy skills programme" which utilises the voluntary assistance of Dunedin lawyers to involve each student in a different kind of oral presentation in each year of the law course. This programme could be further extended and intensified. It should also be possible to provide some introduction to negotiating and interviewing skills within the context of existing courses. Use of recently acquired video equipment should enhance the value of curriculum developments along these lines.