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BAR EXAM NEEDS MAJOR MAKEOVER

The bar exam in all states fails to screen for competency in key attorney skills like performing legal research, counseling clients, and conducting factual investigations. This was the conclusion of the ABA in 1992 after a major study, when it said, “the bar exam overemphasizes the importance of memorizing legal doctrine.” Law Schools, who would seem to favor this because they create and teach legal doctrine, criticized the bar exam more than the ABA: “Bar exams fail to adequately measure professional competence to practice law because they measure only some of the skills necessary to be a competent lawyer; in addition, they are a barrier to a more diverse bench and bar because of their disproportionately negative impact on minorities, and they negatively affect law school admissions and curriculum.” This is from the American Association of Law Schools publication of a 2002 report of the Society of American Law Teachers. And nothing has changed in 6 years; the bar exam

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AMERICAN INNS OF COURT

England has its Inns of Court and the U.S. has its Bar Associations, neither of which exist in the other’s system. However, the American legal system is still being influenced by England. In the 1980’s the American Inns of Court (AIC) was founded with the leadership of Chief Justice Warren Burger. Unlike the English model, the AIC is not an apprenticeship system, a provider of continuing legal education, or a governing body with supervisory and disciplinary functions. Because American lawyers are already governed by the National and State bars, the AIC was structured to enhance the American legal system’s skill, professionalism and ethics, areas in which it was lacking in Chief Burger’s estimation; and areas which bar associations failed to build.

The English model of the Inns of Court is composed of 4 legal societies, the Lincoln’s Inn, Gray’s Inn, the Inner Temple, and the Middle Temple. These Inns have the exclusive right to admission to the bar; they admit those who meet the qualifications of Barristers-at-law and who can practice in the Courts of England. The Inns are run by Masters of the Bench, who are mostly senior members of the judiciary.

The AIC, much like the English Inns, consists of lawyers, judges, law students, and

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still fails to require future lawyers to demonstrate the ability to prepare a contract, draft a deed, counsel a client, or prepare a pleading.

Doctors, dentists, CPA's, and architects must demonstrate ability to perform professional duties as part of their examination process. We expect these professionals to demonstrate a minimum of competency in order to become licensed. Why not lawyers? The bar exam must be modified to require demonstration of lawyer skills. In the alternative passing the bar exam should not be the only requirement for bar membership; it is time to adopt rules like Delaware and Vermont that require law office internships prior to bar admission. Change is necessary because most of the practicing bar knows there is no relationship between the present bar exam and success in law practice, or even the ability to practice law.

JOBS & SALARIES GO UP FOR LAW GRADS AS ECONOMY GOES DOWN

Lawyers do well when the economy does poorly. Today's economic slowdown is not hurting job prospects for new lawyers. Notwithstanding the falling U.S. dollar, slumping housing market, and whispered recession, the latest published report of the National Association of Legal Professionals states that employment of law school graduates has increased for the third year in a row. The rate hit 92% for 2007 grads, with a median starting salary of \$95,000.

"This is not the full picture," say critics, "because only reports came in by students and law firms." "Incoming students are mesmerized by what's happening in big firms, but clueless about what's going on in the bottom half of the profession," says Richard Sander, a law professor at the University of

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law scholars. It is composed of Masters of the Bench (judges, experienced attorneys), Barristers (lawyers with an exceptional amount of experience), Associates (lawyers with minimal experience), and Pupils (law students). The members of each Inn meet regularly to discuss ways to increase skills, ethics, and professionalism in the legal profession. Although the AIC is not an apprenticeship program, members of the AIC benefit by learning from some of the most experienced judges and practitioners in their community. Currently, the AIC consists of 300 inns nationwide and has over 20,000 members. Some educators see it as the beginning of a clerking-interning-apprenticeship program which should be a prerequisite to bar membership. Others consider it a group of busybodies trying to imitate English barristers.

YOU BE THE JUDGE BOYS ONLY

In order to help the local Boy's Club, the city fathers voted to give the youngsters 5 acres of land for a recreational building and athletic field. A leader of a women's political group found out about the planned gift and sued to stop it.

"The Boy's Club is guilty of sex discrimination because no girls are admitted," said the women's lawyer. "It would be unconstitutional for the city to give property to a males-only group."

The city attorney contested the suit. "Boys have their clubs, and girls have theirs," he said. "The city can give property to any charitable organization it desires."

If you were the judge, would you halt the gift to the boys-only group?

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California–Los Angeles who has studied the legal job market.

For example, it has been widely reported that big law firms this year boosted their starting salaries to as high as \$160,000 for the top graduates at the elite schools. But what about graduates from outside the upper tier programs, who constitute the overwhelming majority, and those who don't score at the top of their class? According to blogs and discussion boards created by unemployed grads, a law degree isn't necessarily a license to print money these days. Graduates who don't score at the top of their class are struggling to find good paying jobs to make payments on law school loans that can exceed \$100,000. Statistics may not explain the true story because law grads without jobs do not show up in reports

ANSWER: The Court halted the donation. The judge ruled that it would violate "equal protection" of the law for the city to favor boys in a gift of public land.

(Based on a Federal Court Case in Connecticut.)

LEGAL PEARLS

A lawyer is a person who writes a 5,000 word legal argument and calls it a brief.

If there were no bad people, there would be no good lawyers.

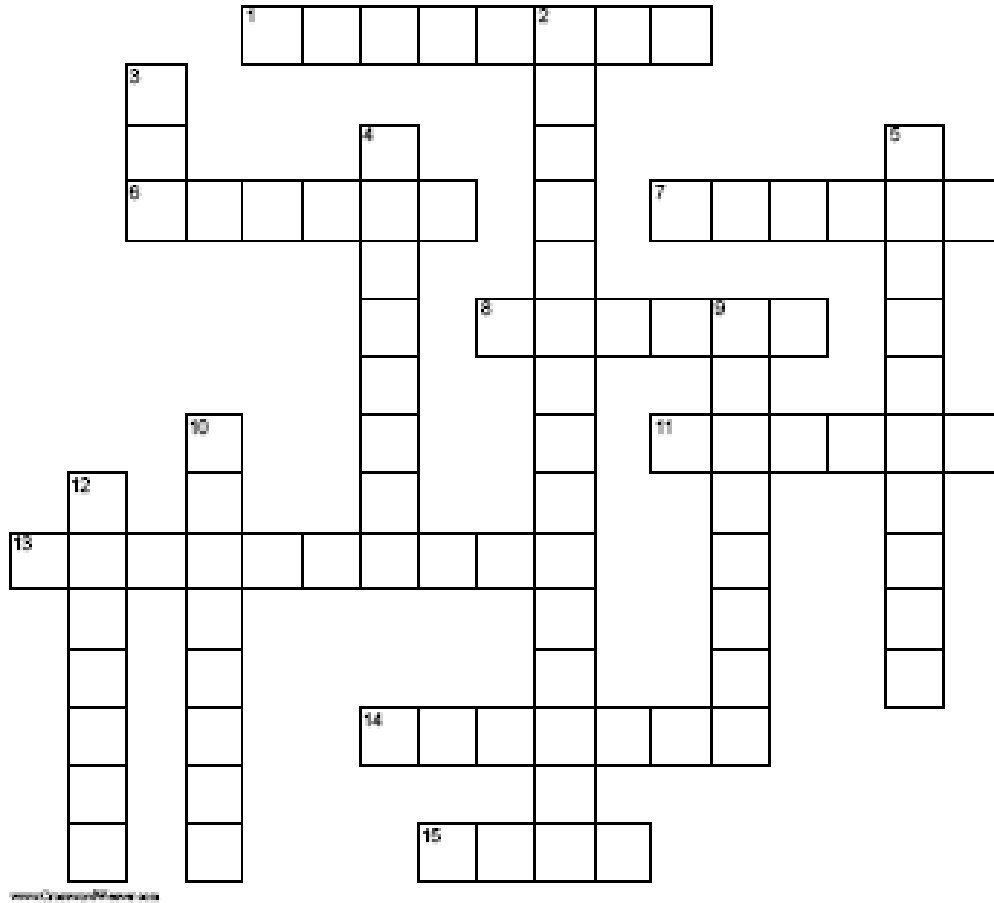
Talk is cheap until you hire a lawyer.

ANSWERS TO LAST MONTH'S LEGAL CROSSWORD PUZZLE

Solution:



LEGAL CROSSWORD PUZZLE
(ANSWERS IN JULY NEWSLETTER)



ACROSS

- 1 signed agreement
- 6 transfer
- 7 to file a formal disagreement with a judgment
- 8 total earnings
- 11 asset protection agreement
- 13 judge of procedure
- 14 highest court in the land
- 15 document filed in probate

DOWN

- 2 lawyer for the U.S.
- 3 financial police force
- 4 court fibber
- 5 act of discharging debts
- 9 security instrument
- 10 disruptive sight or sound
- 12 physical attack