Law Journals, Clinical Education and Moot Court

It is very likely that your law school publishes one or more student-edited journals. The journal may be a traditional law review that covers all legal subjects or a specialized journal that publishes articles on a specific legal topic. These law journals are the major scholarly journals for the legal profession. Law is unique in this respect among all disciplines in having its major scholarly journals edited by student editors.

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A law journal writing experience is a very valuable educational experience. During your first year on the journal, you will research and write on one or more subjects. Journal editors, who are third-year students, will evaluate and edit your work. The best student-written articles will be published in the journal, along with articles by professors, judges, and practicing lawyers.

During your second year on the journal, you will evaluate and edit the research and writing of the new journal staff members. Editing another's work also will improve your own organizational and writing skills. This unique educational experience will sharpen the very skills that a law school education seeks to develop.

Because of the important training that writing for a journal provides, you should apply to participate as a member of the staff of one of the law journals at your school. At most law schools, you cannot do so until you have completed your first year. Normally, near the end of your first year, information will be posted as to how you can apply to become a member. The selection criteria vary from journal to journal. At some schools, some students are invited to join a journal staff based on their high grades! But virtually every journal gives all students an opportunity to petition to become a member of the student editorial board by submitting a writing sample.

Law journal work is a highlight of the law school experience. You will be required to make a substantial time commitment to the journal, but the rewards are great. A law journal writing experience is highly regarded by law firms in hiring law school graduates. Employers recognize the value of the intensive research and writing experiences you will have as an editor of the journal. The experience is particularly important if you plan to seek a judicial clerkship or become a law professor.

Clinical education programs are excellent educational experiences that permit you to apply your legal knowledge in the context of live client representation. Clinics give you a good perspective on the career for which you are preparing and help you see the relevance of your course work. The importance of clinical training is strongly supported by a very significant report recently published by the American Bar Association, Law Schools and the Profession: Narrowing the Gap (known as the Mac-Crate Report after New York lawyer Robert Mac-Crate, the chair of the committee that wrote it). The report urged law schools to provide more lawyering skills training opportunities in their curriculum. Because many law school clinics serve low income clients, they also help you develop your commitment to pro bono legal services.

Clinical education will be especially important if you are planning to be a solo practitioner or if you intend to enter a practice in which you will have immediate responsibility for cases after graduation. You will receive individualized instruction and supervision from a clinical faculty member. Like law journal work, clinical courses require a substantial time commitment, but the benefits greatly outweigh the extra time demands.

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There are many different kinds of clinical programs. Some are general practice clinics in which students handle all types of cases, and some are specific subject matter clinics that focus on a single area of practice, such as:

- Bankruptcy Law Clinic
- Child Advocacy Clinic
- Domestic Abuse Clinic
- Elder Law Clinic
- Employment Discrimination Clinic
In a live client clinic, you will represent an actual client in connection with a variety of transactions, in a trial, or in a proceeding before an administrative agency. There are also clinical courses that do not involve live clients, which are sometimes called simulated clinic programs. In such a course, a student represents a hypothetical client in a hypothetical fact situation. Examples of such courses include a trial advocacy course or an estate planning seminar. An important goal of clinical programs, whether live or simulated, is to help a law student develop lawyering practice skills—such as advocating, counseling, negotiating, and writing.

At most law schools, you cannot participate in the law school clinical program during your first year. You should take time during your first year, however, to identify the various clinical programs at your law school and find out what you need to do to participate in your later years in law school.

Another valuable learning experience in law school is participation in the moot court program. Moot court is a program in which students act as appellate advocates in a hypothetical case that is based on a real case or a prepared set of facts. The students learn valuable appellate written and oral argument skills and participate in appellate argument competitions.

Participation in moot court is especially valuable if you plan to be a litigator after graduation. Employers value moot court experience because of the oral advocacy training and because your research and writing skills will be strengthened by writing the appellate briefs.

While your law school may have some instruction in appellate advocacy in the first year, most moot court programs will be in your upper class years.

You will normally participate as a team of two students, arguing either for the appellants or for the appellees in a hypothetical case. In addition to intramural competition, your law school very likely will participate in a national or international competition in one or more of its moot court programs. Find out which programs offer national competition, and you may have an opportunity to match your appellate advocacy skills against the top competition from law schools throughout the United States.

As with clinical programs, you should take time during your first year to identify the various moot court programs at your law school and find out what you need to do to participate in them during your upper-class years in law school. Like law journals and clinical education courses, moot court programs require a substantial time commitment. For this reason, students usually are not able to participate in all three of these programs during their law school years.

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