



## THE PARAMOUNT ROLE OF LEGAL EDUCATION IN INDIA

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### ABSTRACT

*This paper looks into the legal education in the present paradox in the contemporary Society. With due to lacks a legal profession that understands law as an instrument of economic and social architecture.*

*After post independence of India's in 1947, due to lack of unawareness of about legal education in the society. However, administration is mainly in the hands of bureaucrats and not extensively trained in legal education. Therefore, the while on account of which role of legal education has restricted as post dispute machinery.*

*In the 20th century the advent of liberalization and Globalization the problems face by the urban middle classes due to lack of knowledge legal education. The paper examines how the state recognizing and implementation the policy of for legal education and advocacy should be reached in the society. At the same time, these legal education and advocacy should be practices in the society for welfare of the weaker section.*

*Against this backdrop, the paper examines ongoing attempts among the paramount role of legal education in India .The present paper covers, and for this purpose the secondary data from books, articles, journal, newspaper etc. have been used here.*

**Keywords:** Legal Education, Legal system, Advocacy, Legal professionals.

### INTRODUCTION

Upon analyzing, one would say that India today presents the paradox, one frequently encounter in the contemporary world of a society that makes extensive use of laws but lacks a legal profession that understands law as an instrument of economic and social architecture. Where, neither the economic rewards of the profession, nor its social standing, nor the perceived opportunities for contributing to the new and better India, were such as to attract capable young men to law”<sup>1</sup>.



Thereby, going in flashback during the era of India's independence in 1947, we would see that legal education has not been able to play the role as expected to have played. The legal fraternity was to assist in the form of public law and administrative law, while the engineers and economist were to remake the society. But to our dismay, legal fraternity could claim only a marginal role in social change. On account of India's mixed economy and complicated planning machinery, there are extensive laws and regulations legislated in India. However, administration is mainly in the hands of bureaucrats, who are not extensively trained in legal education; while on account of which role of legal education has restricted as post dispute machinery. The dearth in the legal profession is despite India's elaborate written constitution, as applied to a diverse society in rapid change, requiring wise and effective professionals.

Previously, the student exchange program was widely popular which enriched the students and promoted some degree of self-determination. Post-independence, there are foreign exchange schemes but are largely of commercial nature and the quality in the program has deteriorated. As a result, India had to rely increasingly on domestic legal education.

Towards the latter part of the 20<sup>th</sup> century, on the advent of liberalization, the social prestige diminished significantly in favor of careers in engineering, technology, medicine, etc. Certainly amongst the urban middle classes, the legal profession acquired a negative halo and even the fading memory of Mohandas Gandhi as a legal professional could not redeem the image of the legal profession and professional lawyer.

### **Legal Education Historically**

Even as recently as twenty years ago, the demands made of a typical legal educational institution imparting legal education in India were not many. As was the norm, people that joined law colleges to pursue legal degrees belonged to two broad categories. Either they were people that could not get admission in science or commerce streams, or they were people that wished to join the legal practice of a family member, usually a father or a grandfather. Irrespective of why they came to study law, they made use of their law degrees in more or less the same ways. While the family lawyers grew up to join their parents' practices, the other section of lawyers drifted into the other sectors. Primarily, the other section of lawyers joined the practice of law in the courts, or they joined law firms or they drifted into the corporate sector (legal departments of corporations).

### **Present day Legal system and Advocacy**

In India, the legal profession first emerged as a distinct modern profession under colonial conditions. In some senses the story of its roots is analogous to the emergence of the Indian bureaucracy (ICS, later, IAS) under colonial conditions. While the eventual (contemporary)

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bureaucracy has stayed rooted to its strong association with the colonial/modern Indian state, the legal profession has clearly had a far more adventurous career. There are two principal reasons for this diverse and adventurous career: (a) the democratization of the profession itself and its sinking roots amongst the vast majority of the people of the country as the primary profession discharging legal advice and dispute resolution services in Indian society; and (b) the democratization of the state structures that allowed all peoples of India to access the dispute resolution mechanisms (court system) of the state. A consequence to this has been that the languages in which the court structures of India operate have seen a dramatic deepening and change in favor of the local languages of India. English has remained a language of argument only in the Supreme Court and, to a lesser extent, in the state High Courts. For the most part, in all lower courts across the entire country the specific local languages have become salient as the operating languages. Which simply means that the legal profession in India is far more democratized - and, as a consequence, far more complex and diverse today, than it ever was in the modern era. Subsequently, regulating such a complex profession has become a lot more complex than ever before.

### **Present day market for Legal professionals**

The decline in skilled and talented professionals is despite the huge and diversified market for the legal professionals. The market for legal professionals has evolved over time in India and the kinds of career options aspiring students that want to study law have in mind has become more diverse than it was even a few years ago. Not so long ago, students typically wanted to join the practices of either their parents or someone else in the family. The corporate legal sector was not such a significant alternative nor was the professional law firm. However, today the market for legal professionals has become more diverse with many more alternatives to the typical legal graduate than were available a few years ago. Of course, each of these career options is distinctive in the career paths they provide for the legal professional. While, generally speaking, a career in private practice or with a law firm are broadly comparable in terms of the kind of work that one gets to do, a career with legal departments in the corporate sector are more focused and specialized and do not generally require the kind of generalized knowledge that would be required in practice or in the law firm.

Of course, amongst the law firms themselves, there are those that are professionally run and those that are run more like family fiefdoms, and the smarter lawyers tend to go to the professionally run firms. Pay packets tend to be stable and growth prospects linear and predictable in the professional law firms and corporate legal departments. Not surprisingly, it is the smarter law firms that go to the modern day law schools to recruit professionals that come with a certain degree of caliber or expertise. Neither the traditional family law firms nor successful professionals in private practice go to these newer law schools. Of course an



assortment of corporations does go to the same law schools to hire professionals to man their legal departments.

By a rough guess estimate, at this time, the main recruiters from the law schools are (in terms of percentages), law firms (50-70%) and corporate legal departments (20-30%).

Today, there are a small group of law graduates that choose to go into other sectors, such as academics/teaching, working with NGOs or other such paths generally considered “alternative” as opposed to mainstream. And there are many that are attempting to make careers in the globalised legal outsourcing sector.

### **Present day legal education**

In the initial four decades post-independence, if we exclude the changes brought by the addition of statutes and newer subjects in the curriculum, there were barely any changes in the legal education system from its colonial form and structure.

N.R. Madhava Menon’s efforts were the first of its kind in Indian legal history to bring out real fundamental changes in education system; his experiments of a National Law School model based upon American Law Schools that taught legal subjects in very intense, rigorous courses, with a heavy emphasis on research skills and course work. This concept initiated in 1980 in the form of NLSIU, Bangalore”<sup>2</sup> and its major distinction from the American law schools was that whereas the American law schools made the law school program something people pursued after they first obtained a 4 year basic college degree, here Indian students joined the law school right after their class XII, i.e., as 17/18 year-olds. In contrast, the typical age at which students went to a Law School in the US was 23 or older.

If we measure the success of Menno’s model, it worked well for its graduates as they were able to seek positions with law firms and corporations. However, the very success of these law schools led, inevitably, to the creation of a pecking order among recent Indian law schools by which some of these were identified as the top tier (“cool”) and the others as not so hip. For a number of urban middle class kids today it is virtually a case of either make it to any of the top tier law schools or not at all. The biggest argument against this model is that the curricular and pedagogic practices of these law schools have not sunk roots amongst the democratic cultures of India. The languages and content that is imparted at these law schools is biased heavily in favors of the westernized urban upper middle classes. As a consequence these legal pedagogic cultures are alienated from the democratic mainstream of India. One symptom of this is of course the fact that nobody that wants to practice law in the country’s courts seems to go to any of these newer law schools for a legal education. Those that want to just practice law will keep going to their “neighborhood” law colleges that will allow them to qualify for a license to practice. (In Bangalore alone, there are nearly 25 law colleges apart

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from the NLSIU and so a lot of the “regular” folks/“amaranth” will retain going to these colleges). However, the consequence to this is that people that do study in these 25 other law colleges will struggle in westernized global corporate and legal settings.

### **Collective aim of Legal education**

The prime object of legal education is to produce professional lawyers. The term ‘professional lawyer’ does not only cover the ‘litigating lawyer, viz.,’ the lawyer who argues before the ordinary courts but all persons trained in law, whose employment is mainly dependent on their degrees in law<sup>3</sup>. Cited below are some of the aims, objectives and purpose of legal education suggested or observed by eminent personalities. The purpose of the law is two folded.

*The committee of legal education of the Harvard Law School lays emphasis on double purpose of a law school*<sup>4</sup>:

1. . To train men for the legal profession, and
2. .To creates a center of knowledge as scholars can contribute their understanding of law and can participate actively in Country’s growth and development.

Other than the above two,

*The purpose of legal education can be understood in the address given by Lord Denning to the society of Public Teachers of Law as follows*<sup>5</sup>:

1. To show the change in the laws and as how they developed and the reasons underlying them and the connection between legal and social history.
2. To extract the principles underlying the existing legal rules.
3. To point the right road for future development.

### **Contemporary problems of this system and Legal education:**

The pace of change towards improving the quality of legal education is watered down by the Bar Council through a chain of compromises implemented in the course for the last two decades. These include<sup>6</sup>:

1. . Allowing the three-year LL.B. course to continue as before side by side with the five-year integrated program;

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2. Not following the distinction between professional and liberal legal education in categorizing over 500 law teaching institutions for extending BCI jurisdiction;
3. Reducing the eligibility criteria for admission to the professional law course; there is need to fix the age to get entered into a law college, like law school all other law colleges should fixed the maximum age within 20years for the general category students 23 years for an economically backward students.
4. Inability to mobilize funds for supporting improvements in legal education, particularly among institutions located outside metropolitan cities is suffering from various problems due to lack of fund. They cannot afford a good law library, do not have a chance to get facilities like the metros, cannot invite good faculty, etc.
5. Inability to revive the pre-enrolment apprenticeship scheme or any other viable alternative to ensure minimum professional competence on the part of fresh entrants to the profession; there is need for a Minimum criteria to enter in a bar otherwise it will turn in a mess. The Bar council should make some regulation for the upcoming law students. This can be an entrance test and whosoever is able to clear the test will be competent to enter into the Bar. The technical details of the profession need to be learnt or else one can lose a case on technical grounds only.

needs to work under the guardianship of a lawyer to realize and understand all technical details and procedures. This selection should be done by the marks obtained in the entrance examination of Bar, so that there is no dispute that the student did not get a fair opportunity to get a good lawyer to undergo the practical training. For this time period he will be given scholarship by the Bar to sustain.

6. Inability to discourage full-time teachers from practicing law and subsequently depriving the students of full desiring services and benefits from these teachers. It is very important to know the practical situation from a person who is expert in that particular field and nobody than a practicing lawyer can teach. On the other hand law papers like Criminal Procedure code, Indian Penal Code, Indian Evidence Act cannot be understood without practical knowledge and practices that are followed in the court.
7. Inability to provide any meaningful guidance for institutionalizing clinical teaching (of skills) and imparting education on professional ethics.

***Directions for change:***

All the experts of a particular discipline should start detailed studies on the particular subject. For example, Kharagpur came out with a new course on law relating to Technology and Computers. No other institutions other than IIT, IISc, and ISI are the best in their respective field of Science, technology and statistic. So if they start to use their intellectuals in this field,

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the development in law will be incredible. Likewise if the Business schools come out with different law courses on the corporate management, it will be beneficial for the corporate law field.

The expectations should be seen from the people of the country from law, lawyers and their legal services, given the process of globalization and transformation in the role of the state? What could be the best method to strengthen professional legal education while promoting wider instruction in law as a liberal academic discipline?

What could be the changes in training module and curriculum which is needed to achieve highest level in skills and ethics and what is the appropriate model to achieve this end?

Law and lawyers play a decisive role of facilitation, moderation and control in these changes. Law without justice is an empty shell. It is the nature of and access to institutions and procedures, which make justice possible. In structuring the institutions and procedures, particularly in periods of transition, lawyers will have to assist communities, interest groups and governments keeping in mind the requirements of equity, justice and fairness<sup>7</sup>.

### **Suggestions:**

After noticing the various drawbacks prevalent in the legal education system, the following suggestions can be given<sup>8</sup>:

1. . Keeping in view the needs of Indian Society, it is necessary that both the systems of legal education, namely, Three-Year Law Course and Five-Year Law Course should be continued. However, this will require availability of adequate competent and sincere staff as well as separate infrastructures for the two systems. Expecting members of the existing staff to run both the systems is to put undue strain on them. Similarly, using the same infrastructure for both the systems creates practical problems.
2. While teaching various subjects in Pre-Law Course of the Five-Year Law Course, care must be taken of the students coming from Science background in 10+2 who may not be having elementary knowledge of such subjects.
3. Certain aspects of Natural Science, Computer, etc. may be introduced in Pre-Law Course so that the students may have better appreciation of certain new branches of law, e.g. Patent Law, Cyber Law, etc.



4. There is need to restructure the course content keeping in view the vastness and relevance of particular subjects, and the time available for their studies. Wherever necessary the subjects should be divided in two semesters. The subjects should be arranged scientifically so that easily comprehensible and interesting subjects are taught in the initial semesters, while the subsequent semesters should be devoted to the study of subjects requiring understanding of abstract concepts.
5. There should be greater emphasis on mastering basic concepts of traditional law subjects rather than on increasing the number of new subjects to be taught. The idea is not to diminish the relevance of new law subjects but once the basic concepts are clear, the law student is able to understand any law subject.
6. Arrangements for the students to undertake practical training, such as attending chambers of lawyers, participating in trial proceedings, attending Lok Adalats, etc., should be made by the institutions rather than leaving the students to manage for themselves.
7. There should be greater interaction between the practicing lawyers and the law teachers. Teaching of procedural laws should be entrusted to the sincere practicing lawyers.
8. Young lawyers joining profession may be associated with the legal aid programme, Lok Adalats, etc. in the early years of their practice. However, this should be done under the guidance of an experienced lawyer.
9. Arrangements for legal education should be made for the personnel in service so that where necessary they may get legal education on the pattern of M.B.A. In conclusion, it can be said that the present dual system of legal education with all its deficiencies provides adequate opportunities and means to meet various challenges facing the legal education in India. There is, however, scope for further improvements so that the legal education in India may be better equipped to meet the challenges and provide fullest opportunities to our meritorious students to grow and contribute their best for the progress of the country.

### **The Advent of Globalization**

The advent of concepts of globalization and liberalization has resulted in the stiff and unhealthy competition to grow faster among the countries of the world, India being no exception. Various International Agreements have been entered into that have far reaching bearing on municipal laws and giving rise to numerous commitments. There have been drastic changes in the entire out-look and life style of people. An era has dawned where

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specialization, computerization, electronic media, internet, consumerism, foreign investments, mergers and take-overs, insurances etc. have become the order of the day. Arrival of Multi- national corporations, private banks including foreign banks, Non-resident Indians etc. are throwing up new challenges before the field of trade and commerce.

New problems are arising, both at individual and social levels. Novel methods of committing frauds and crimes including cyber-crimes have come to light. These developments require enactment of new laws and rules in various fields of law including intellectual property rights, information technology, investments, banking, taxation, arbitration, environment, consumer protection, etc. Hence the need for experts in legal fraternity having good acumen of Information technology can be realized. Legal education in modern times is required to cater the needs of variety of fields-Legal profession, Lower Judiciary including Tribunals, Corporate Sector, Multi- National Corporations, International Banking, Arbitration including International Arbitration, Academics, etc”<sup>9</sup>.

The urge for development of legal aid society can be felt on account of over commercialization of the profession. Lawyers are also to be trained in their social responsibility, alternative modes of dispute resolution, legal aid, etc. The Legal education today is facing numerous challenges so that the needs of the Indian society may be synthesized with the need to keep pace with the latest developments. The field of law today is full of challenges and opportunities. Numerous careers connected with the field of law are coming up. The legal education is becoming increasingly relevant in modern era. The Meritorious students are keen to get legal education and start career in various fields connected with law”<sup>10</sup>.

Globalization has been a subject of debates and discussions from numerous perspectives. There is no doubt that globalization has profound implications for the future of higher education worldwide. Inevitably, the need for raising academic standards, creating a better research environment, developing sound infrastructure, formulating good governance models, creating better career opportunities, and promoting professional advancement of academics are all central issues for formulating the necessary policies for higher education”<sup>11</sup>.

Apart from posing enormous challenges to the future of legal education in India, globalization has also challenged the status quo, which is an indispensable requisite for in quest of any change. Since the role of legal professional along with the judges will become critical for addressing future challenges of governance. In this context, re analyzing the training system in the law schools have to be considered. The following are some important issues that deserve serious attention with a view to promoting global legal education in India”<sup>12</sup>:



### **1. *Global curriculum and teaching***

A few decades back, law schools in India could do well as long as their curriculum was focused on Indian law and issues relating to the country's legal system. While there was some limited impetus to the study of international and comparative law, the larger focus was primarily on issues relating to the Indian legal system. This was necessary and ought to have been the approach. There is indeed greater scope for improvement to promote excellence in teaching and research relating to Indian law and to speaking the challenges faced by the legal system, including the need for establishing a society that respects the rule of law and meets the challenges of globalization.

However, new and emerging law schools cannot afford to limit their focus to teaching and research on issues relating to Indian law. The appetite of Indian law students for understanding international and comparative law has significantly increased over the years, given their participation in international moot competitions that range from issues such as maritime law to humanitarian law to dispute resolution. The most challenging task is to strike a proper balance to ensure that students are taught a fair mix of courses that give them knowledge and training in Indian law, but at the same time prepare them for facing the challenges of globalization, whereby domestic legal mechanisms interact with both international and foreign legal systems. This interaction is going to deepen in the years and law schools must prepare themselves to face these challenges posed by globalization.

### **2. *Global knowledge and faculty research:***

Appointment of good faculty has been a challenge in law schools in India and abroad. Generally, the financial incentives offered by the private sector, both in India and abroad, are far more attractive than those available in the public sector, including law schools, for good lawyers to make a commitment to academia. But it is possible to attract good lawyers to academia by promoting a range of educational reforms and institutional initiatives, including better financial incentives"<sup>13</sup>. Globalization has indeed provided new opportunities to address some of the challenges in this regard. Issues relating to the Indian legal system are not only taught and researched in India but also in many other parts of the world. Growing numbers of Indian lawyers and scholars are involved in this effort. There is a need to have a global focus in hiring faculty for Indian law schools. The success will depend on the school's ability to provide the right kind of intellectual environment, and financial and other incentives for Indian or foreign scholars to teach and pursue research in India and to contribute to its growth story.

### **3. *Globalization of legal research has become a universal trend.***



Legal scholars working in a particular country or researching on the law and legal systems of that country do not limit their research to that country or its neighbors. There has been a considerable revolution in the development of comparative and international law research, with the development of web-based research and other online research tools and databases. There is also a need to promote global exchanges, including bilateral and multilateral exchange of faculty and students, with a view to aid global knowledge relating to law and legal institutions. All this needs huge resources and it is not possible for the governments of developing countries, such as India, to support them through public funding. Concrete steps need to be taken to encourage global philanthropic initiatives.

### ***3. Global programmes and international experience;***

Indian law schools need to consider innovation when it comes to the degree programmes offered by them. At present, there are two models: the three-year Bachelor of Law (LL.B.) program offered by many universities in India; and the five-year integrated B.A. (Hons.)-cum-LL.B. program offered by the national law schools in India, starting with the one in Bangalore. It will be useful to look at the experience of the United States and others in examining whether Indian law schools should consider offering the Juris Doctor (J.D.) program. The starting of the J.D. programme in U.S. is largely credited to Christopher Columbus Langdell when he was Dean of Harvard Law School during 1870-95, although the University of Chicago was the first law school to offer a J.D. degree. Increasingly, many parts of the common law world are beginning to offer J.D. programmes; law schools in Australia, Canada, and Hong Kong are in the forefront. Obviously, there is an emerging trend in favor of J. D. programs.

There are sound justifications for offering a J.D. program in India. It is relevant to note that since 2008, Melbourne Law School, one of Australia's oldest and most reputed law schools, has offered only a graduate entry J.D. programme, scrapping its LL. B. programme.

### ***4. Global interaction and collaborations***

There is a need to develop a shared understanding of the nature of exchange and collaborative programmes being established for them to be effective and beneficial for all the parties concerned. The institutions ought to constantly reinvent themselves for facing the challenges of globalization through exchange and collaboration programmes. This has different implications for faculty, students, and for the development of teaching and research programmes. In this regard, it is important to note that token arrangements of collaboration may not be helpful to the institutions involved.

### ***5. Global philanthropy and non-profit initiatives***

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The Legal education in India needs reforms that would support the establishment of global law schools combining the best traditions of public educational institutions with the needed flexibility, freedom, and autonomy enjoyed by private initiatives—all within the public good framework of a non-profit endeavor. In this context, there is a need to actively seek and encourage philanthropic initiatives in the field of legal education. The initiatives need to come from individuals as well as institutions willing to bring up the establishment of global educational institutions with the highest standards in teaching and research for the purpose of creating and disseminating knowledge”<sup>14</sup>.

#### **6. Global infrastructure and resources in law schools**

The training we impart to our law students ought to be thoroughly re-examined if Indian law schools wish to meet the demands of the changing global society. Our law schools need infrastructure and resources comparable to global universities, particularly when access to such universities is available to both our faculty and students. Our law schools have to seek a dramatic transformation in providing infrastructure and resources to our faculty and students.

#### **7. Continuing Legal Education in India.**

While there is a need for continuing medical education or management education, etc, there is also a need for continuing Legal education in India. In the legal profession in India, professional development has traditionally been considered as a one-time affair, occurring at the stage of pre-service education. Increasingly, the changing professional needs have compelled some kind of reflection on the need for in-service or on-the-job professional development”<sup>15</sup>.

The legal service rendered and the courts and the agencies before which we appear deserve a maximum level of competence, which we believe cannot be maintained without regular participation in seminars and other training programs designed to keep the lawyers up-to-date with developments in his or her chosen field”<sup>16</sup>.

Moreover, law is one of the few professions that allow a new entrant to jump right in and start practicing their craft without any required “real-world” training. For example, we would not want a doctor straight out of medical school to take out an appendix without first completing his residency program.

Continuing Legal Education is a requirement for attorneys in the United States to maintain their ability to practice law after initial admission to the bar. Continuing Legal Education credit usually has a set class-hour requirement for a period of years, sometimes with specific hour requirements for special topics. These courses are offered throughout the year by state



bar associations, national legal organizations, law schools, and many other legal associations and groups such as non-profit Continuing Legal Education providers, as well as other private, for-profit enterprises.

In recent years, many states allow Continuing Legal Education classes to be taken on-line as part of distance education courses. Often, a portion of Continuing Legal Education requirements may be satisfied through reading and other self-study as well. Continuing Legal Education courses are usually taught by attorneys and cover legal theory as well as practical experiences in legal practice. Classroom materials can be extensive and may represent the most current and advanced thinking available on a particular legal subject.

In United Kingdom, the Solicitors Regulation Authority has operated a compulsory Continuing Professional Development scheme. The Solicitors are encouraged to assume responsibility for their own development by choosing from the wide range of activities that can be pursued in order to meet the yearly Continuing Professional Development requirement<sup>17</sup>.

## **8. Practical application of the solution**

The concept for Continuing Legal Education Program is as old as the profession itself. It is a very regular phenomenon across the country to conduct seminars, conferences, lectures etc. The concept for Continuing Legal Education Program urges to be made in a more regularized manner, which will make it accessible for all which will go a distant way in enhancing the standards and quality of profession.

The latest development of online distance learning within non-classroom based modes of communication and interaction, and has certainly brought near the education seekers of legal education as well. The training programs should be designed not only to enhance performance but also to instill the values of impartiality, professionalism, competency, efficiency and public service<sup>18</sup>.

### **1. Latest developments- Seminar, Conferences, Workshops etc-**

The general state of affairs regarding legal education in this country needs a lot of improvement; this is despite the enormous contribution from the members of its legal fraternity. Therefore continuing legal education is the need of the hour; legal education should be dynamic rather than static. In order to keep updated with the growing dimensions of human life in social as well as economic spheres there is a need to organize seminars, conferences and workshops etc both at national and international level on various subjects of law which are still unexplored.



## 2. Specialization

Today specialization has become the need of hour irrespective of any profession. Apart from personal benefits to the lawyer who has specialized, it helps the society and nation at large as each one in the fraternity will be specialized in some or the other area amounting g to higher quality of legal services. For instance, a lawyer may have an active interest in property law or alternatively wants to concentrate on family law in order to gain more familiarity with those sorts of cases and thus make a stronger attorney in court. Also, by specializing in a particular area of law, some lawyers can charge additional fees.

## 3. Partnership between colleges and bar/bench:

The comprehensive work by the BCI, state bar councils, state government, UGC and the universities, with correct tuning and without any conflict is indispensable, considering the significant role they have to play in improving the standards of continuing professional legal education in India. Now it is expected from them to meet the new challenges and provide better tools of research and methodology of learning from coming generations; they should explore new avenues and potential use of internet in the practice of law and continuing legal education.

The BCI and the universities has to discharge their duties and the responsibilities more religiously and also lay down the standards in terms of class room teaching, practical training and skills, court visits ,moot courts, legal aid work and other practical training programmes for the law students and legal professionals. Further the area of deficiency should be located and corrective measures should be affected with the cooperation of both bar council, which is the governing body and universities, so that the legal fraternity is enriched with the added skill set

The NLSIU's initiation in conducting series of Continuing Legal Education programmes for Lawyers, Judges, Administrators and Law teachers on identified subject areas has laid a firm foundation in the field on CLE. Apart from establishing an Endowment chair as The International Bar Association (IBA), a variety of paralegal and public legal education programmers are part of the teaching and research agenda of NLSIU and the CLE unit.

## 4. Training the judges

Considering the new emerging areas of Law, such as Cyber laws, Intellectual Property matters, matters pertaining to Computer and Internet etc. it are of the essence that continuing Legal Education Centers be set up for keeping abreast the judges. Opportunities should be created in these Centers so that judge's interaction with the distinguished skilled people from

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these technical fields will aid them to be aware of the ground realities in order to discharge them of their onerous task.

The National Judicial Academy set up in Bhopal, which is rightly termed as India's 'Think tank on justice' aims at strengthening the administration of Justice through Judicial Education, Research and Policy Development. Maximizing the scope of learning and to influence judicial behavior for greater efficiency and productivity is the constant endeavor of the National Judicial Academy.

### 5. Evening and Weekend Courses

The structuring and designing of these courses shall be well crafted so that the practicing lawyers and sitting judges will find it convenient to attend. Various one month certification and diploma courses shall be crafted which shall aid in developing ones acumen to that specific area of law. Another factor to be borne in mind while designing these courses is that the assignments which shall be given be of very practical orientation to keep away the boredom.

Which will make the assignments be based on practical learning and experiences? A person would become eligible to take this exam after attending a particular number of classes which are spread over a span of time.

*“Legal Education is essentially a multi-disciplined, multi-purpose education which can develop the human resources and idealism needed to strengthen the legal system ....A lawyer, a product of such education would be able to contribute to national development and social change in a much more constructive manner “Alarm is high to channelize our legal education”<sup>19</sup>.*

Since, we have miserably failed to look into the problems of Legal Education and Legal Profession, which have been squarely facing us at our face. It is no use now putting the dust under the carpet as the atmosphere above the carpet is fairly polluted; it is high time we seriously look into these problems<sup>20</sup>.

### Concluding remarks

Becoming a competent and successful professional in such circumstances requires a legal professional to acquire competencies in a variety of skill sets and languages. This has put a premium on an understanding of the court and state structures in India in general and in all the specific states in particular. Because of all of these complexities that have been introduced into the legal system and profession, creating a legal educational curriculum that can attempt to address these demands from the nature of today's profession itself has been

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very challenging. Thus, we need an effective system. India's entry into the WTO and its policies of economic liberalization in the 1990s brought about legislative changes in the new millennium not only in the economy but also in the regulatory framework of human resource development. As many as six pieces of legislation are now pending in Parliament which, if adopted, will radically change the higher education scenario in the country including legal education.

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