

## Editorial Section

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### Recommended Citation

*Editorial Section*, 40 Md. L. Rev. 1 (1981)

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# Maryland Law Review

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VOLUME 40

1981

NUMBER 2

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Member, National Conference of Law Reviews  
Conference of Southern Law Reviews

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## EDITOR'S COMMENT

Concerns about the competence of the practicing bar have been voiced in recent years by every segment of the legal community. Nearly all who have spoken out on the issue view the law school as playing a significant role in ensuring the legal competence of its graduates. Aware of this obligation, many law school administrations are endeavoring to restructure their educational programs in hope of producing more competent lawyers. Unfortunately, the development of institutional methods for recognizing and correcting the lack of competence has been slight; legal educators have very little information upon which they can rely to evaluate their programs. More research and study into the theoretical underpinnings of legal competence and legal education is required to effectuate change.

Our symposium in this issue of the *Maryland Law Review* should help to further this necessary inquiry into legal competence. Each article addresses the issue of how legal education ought to be taught so as to produce more competent lawyers. In the first article, Judge Robert Keeton addresses what it means to practice law competently and whether the teaching and testing techniques now used by law schools foster the competent practice of law. In the second article, Professor Robert J. Condlin of the University of Maryland faculty suggests that the style of interaction between teacher and student can have a significant effect on the learning process. Based on empirical data of clinical instruction dialogues, Professor Condlin hypothesizes that certain persuasive patterns of interaction can have an adverse effect on learning and, ultimately, on the way a person conducts his professional practice. In our third article, Professor Kenneth R. Kreiling of the faculty at Vermont School of Law proposes that law schools should teach a method of analysis whereby an individual can test and evaluate the effectiveness of his professional performance. Once a person has been taught how to use this method of evaluation, he can continue to test the effectiveness of his performance as a legal practitioner and, thus, can continue to learn and to grow professionally throughout his career. Finally, Professor Alan Hornstein, a member of the faculty of the University of Maryland School of Law, suggests that effective legal reasoning, a skill necessary for the competent practice of law is nothing more than an application of the general principles of good reasoning to legal materials. He proposes a more rigorous investigation and articulation of these principles of reasoning as a solution to problems in developing legal competence.

The Maryland Law Review presents this symposium with two aspirations. First, it is our intention to aid in the reexamination of law school programs and their effects on the competency of the practicing bar. Second, and more important, we hope that this symposium causes more educators to contribute to the scant literature and research on teaching methods appropriate for recognizing and correcting incompetence in the legal profession.