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**Mainstreaming Legal Research Skills into a New
Zealand Law School Curriculum**

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**A thesis presented in fulfilment of the
requirements for the degree of Master
of Laws at The University of Auckland**

Abstract

In any jurisdiction the body of law grows exponentially: new cases decided, new legislation passed, new areas of law being opened up. The inherent complexity of New Zealand's common law heritage is compounded by an increasing internationalisation of its law via treaties and conventions. Globalisation within the legal publishing world has expanded the range and type of legal material which is now accessible. Developments in delivery media, especially digitisation, have enabled more immediate access to unlimited amounts of information. Concurrent with these facets of our knowledge-economy, there are new expectations in both the tertiary educational and legal environments for graduating students to have skill-sets which have not been the traditional focus of law schools. Additionally, the law schools themselves are under both internal and external pressure to develop their curricula for reasons as diverse as revenue-generation for the university to narrow profession-centric demands. All these factors impact directly on the teaching and learning of legal research skills within the New Zealand law curriculum.

Legal research skills programmes within the main common law jurisdictions have been the subject of an extensive body of literature from the late-1970s. The discourse has touched on all relevant issues including why such programmes should be taught, what their content should be, who should teach them, and when they should be taught. But for the most part, the discourse has focused on the ineffectiveness of programmes which have been taught.

This thesis investigates how legal research skills may be effectively and sustainably mainstreamed within the New Zealand law curriculum. Two principal methods, expository analysis and empirical research, are used in this study. The law curriculum is viewed within its historical and current context. Methodologies which have traditionally been employed in the teaching of legal research skills are discussed, and rationales for their seemingly systemic ineffectiveness highlighted and explained. Empirical research was undertaken examining attitudes towards the teaching of legal research skills within three distinct populations: New Zealand legal academics, a cohort of summer clerks working in national law firms during the summer of 2003-4, and national law firm library managers. The results of this research are detailed and analysed.

Finally, a model programme, and methodology for mainstreaming legal research skills into a New Zealand law curriculum is proposed.

AMDG

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