Fiddling while Rome burns? To really transform legal education (by more than one subject at a time) we need to answer some hard questions.

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The challenges for law schools (and the profession) are generally well-known. Key to curriculum reform are the following:

- Diversification and disruption of both legal services and legal education markets –
    - Diversification of 'law jobs' and the growing proportion of law graduates working outside law as conventionally defined
    - 'Over supply' of graduates in the context of diminishing/static numbers of traditional entry-level positions
- Demands for 'practice readiness' – legitimate, feasible? To what extent driven by the 'more for less' challenge in practice and the desire to shift costs of training from the firm to the would-be trainees/HE sector?
- The list problem. Engagements including formal reviews such as LETR (UK, 2013), the *FLIP Inquiry* (NSW, 2017) are highlighting the need for new competences, eg in respect of commercial and financial awareness, use of legal tech, project management skills, design-thinking, etc, but also an unwillingness (often amongst both academics and the profession) to jettison content to make space for new knowledge/skills
- There is lots of innovation in law schools, but often around the margins of the curriculum. There is a relative absence of *systematic* reform, and a lack of *systematic* evidence of how changes are making things better (or not)

Drives towards more skills/competence-centred curricula: what is it that we don't know that we don't know about lawyer competence?

Internationally, the drive to competence and skills-based education is becoming more established in regulation, but it is not clear that this is, in systemic terms, significantly changing the approach of law schools, or of regulators (eg the new Solicitors Qualifying Exam in the UK threatens to increase the inertial drag of a long 'shopping list' of knowledge requirements).

There is an unwillingness in most jurisdiction to invest in work that really answers the question *what do new lawyers really need to be able to know and do?*

Knowledge still matters, but which knowledge and how structured?

There is growing dissatisfaction with the traditional notions of a 'core curriculum'. But what do we replace it with? In its second Discussion Paper (2012) the (English) LETR research team sought to prompt further debate by arguing that a modern law degree should provide a broad-based education, but also one that (potentially) moved away from the pre-occupation with traditional core common law subjects. It argued that law school should enable all law graduates to develop a critical and contextual understanding of key facets of:

- The legal relationship between citizen and state
- Obligations arising between citizens and how legal disputes may be resolved
- The role of law in the regulation of economic activity
- The role of law in regulating international relations

- The relationship between law and the moral order in society

The proposal was not popular, and the model remained undeveloped. I think it is still an interesting one. Potentially it puts, in Fuller's terms, the lawyer as "architect of social structure" (rather than lawyer as technician) centre stage. It potentially emphasises big issues of institutional design, governance, and ethics and (legal) values more than many curricula do currently. It could (depending on the extent to which these relationships are expanded upon in multiple legal contexts), expand not reduce what many common law systems see as the 'core'. It thus challenges traditional notions of curriculum organisation, and existing spheres of student choice and academic autonomy. It could also point (indirectly) to the importance of alternative pedagogies, such as socio-legal and transactional/problem-based approaches to understanding 'law in action'.

More radically, should we

- remove any notion of compulsory subjects (this has not proven popular within or outside the academy) or
- segment the curriculum to better reflect major practice specialisations – but note the problems and implications of early specialisation, especially where qualifications are tied to generic licensing requirements, which most legal professions are unwilling to give-up.

Is legal tech a distraction?

Legal tech is interesting and potentially important, but it is part of a more fundamental transformation being wrought by technology. The larger function of legal education, I suggest, should be to enable a critical understanding of how new (information) technologies change both

- the *form* of law itself (eg think about the use of persuasive technologies; fintech, regtech and other techniques for the technological management of society; impacts of technology on legal processes and dispute resolution – eg technology as a 'fourth party' in mediated ODR).
- the (re)construction of legal knowledge in education and practice (what might be called the new 'epistemic culture' of law). This is a large and still largely unexplored topic!

Solutions are not straightforward, but I have suggested that there are three key principles to making sense of the modern law-technology relation in the academy

- Pervasiveness: the role and impacts of technology are too important to be the topic of discrete subjects alone; it needs to pervade the curriculum
- Inter-disciplinary understanding: understanding the impact of technology on law requires more than a course on coding, and more than a conversation about rules. Students need both cultural and technical understanding of technology – though there is still significant scope to debate what that actually translates to.
- Ethics and governance are again central to these conversations. Much work in the tech space is ethically immature, and rule-breaking is, perhaps, too often deemed a virtue. Law is (or needs to be) imbricated in the big conversations around ethical AI, governance standards for innovation, and the ways in which we manage risks associated with third-order technologies and the post-human.

Design-thinking may be an increasingly important skill in this context, but it also needs to be handled with care. A stronger focus on UX could itself be a radical re-frame for much legal education (and practice?), but 'fail fast' design approaches are problematic in most ethical and regulatory contexts.